



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 079-07

510 W. PUEBLO STREET

MODIFICATION

SEPTEMBER 26, 2007

**APPLICATION OF JACK BYERS FOR MICHAEL PAVELOFF,
510 WEST PUEBLO STREET, APN 025-080-020, C-0 MEDICAL OFFICE ZONE, GENERAL
PLAN DESIGNATION: MAJOR PUBLIC AND INSTITUTIONAL (MST2007-00302)**

The 5,000 square foot project site is currently developed with a single-family residence. The proposed project involves the conversion of the existing structure to commercial use and the addition of four (4) parking spaces. The discretionary application required for this project is a Modification to allow conversion of the portions of the exiting building located within the required six-foot (6') interior yard setback (SBMC §28.51.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak neither in favor nor in opposition thereto, and the following exhibits were presented for the record:

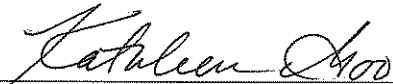
1. Staff Report with Attachments, September 19, 2007.
2. Site Plans
3. Correspondence received in opposition to the project:
Paula Westbury, 650 Miramonte Drive, Santa Barbara, CA 93109

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

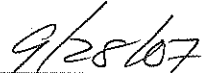
Approved the project, making the findings that the Modification is necessary to secure an appropriate improvement, in that the existing house is being reused and the changes to the portions in the setback are minor, and that the project is consistent with the purpose and intent of the Zoning Ordinance in that non-conforming buildings are allowed to be improved. Approval is subject to the following conditions: 1) The applicant shall explore other methods for treating the west elevation of the building, and details of the landscaping along the property line. 2) Prior to the submittal for a building permit to convert the house to commercial use, the applicant must provide City staff with a report prepared by a Structural Engineer, which shows that the existing building can be re-used as proposed. If the building cannot be re-used or is demolished beyond what is shown on the plans, the interior yard Modification becomes null, i.e., if the building must be demolished, the justification for the Modification cannot be made.

This motion was passed and adopted on the 26th day of September, 2007 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.



Kathleen Goo, Staff Hearing Officer Secretary



Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
3. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Architectural Board of Review (ABR) approval and then a building permit. <keep>
4. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
5. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has not been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.