



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 005-08
3035 PASEO DEL DESCANSO
MODIFICATIONS
JANUARY 30, 2008

APPLICATION OF BILL POEHLER, AGENT FOR MANUEL AND MARIA DEL ALARCON, PROPERTY OWNERS, 3035 PASEO DEL DESCANSO, APN 053-192-012, E-3 ONE-FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2007-00154)

The 6,600 square foot project site is located on the corner of Paseo del Descanso and Alamar Avenue. Current development on site consists of a single-family residence and attached one-car garage. The proposed project involves complete demolition of the existing structures and the construction of a two-story single-family residence with attached two-car garage.

The discretionary application required for this project are Modifications to permit the required open yard area to be provided in portions of the secondary front yard with dimensions less than the twenty-foot (20') minimum, and to permit a fence, located along the Alamar frontage, to exceed the maximum allowable height of 3 ½' when located within ten-feet of a front lot line (SBMC §28.15.060 & 28.87.170).

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 in favor of the application, and two people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 24, 2008.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Chris Otenez, 3035 Paseo Tranquillo, Santa Barbara, CA 93105.
 - b. Paula Westbury, 650 Miramonte Drive, Santa Barbara, CA 93109.

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

Approved the open front yard Modification as necessary to secure an appropriate improvement on the lot, and the Modification to allow a 6-foot maximum height fence to be set back 5 feet from the property line, allowing a 5-foot encroachment from the property line extending no further north than shown on the site plan to be consistent with the purposes and intent of the Zoning Ordinance.

This motion was passed and adopted on the 30th day of January, 2008, by the Staff Hearing Officer of the City of Santa Barbara.

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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

2/5/08

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 written decision was issued.
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 Single Family Design Board (SFDB) approval and then a building permit.
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.