

City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 039-08

1294 BEL AIR DRIVE

MODIFICATIONS

MAY 21, 2008

**APPLICATION OF JOHN BEAUCHAMP ARCHITECT FOR PETER AND CELIA MIKO,
1294 BEL AIR DRIVE, 049-231-002, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL
PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2008-00159)**

The 10,036 square foot project is currently developed with a single-family residence and an accessory structure. The proposed project involves a remodel to the existing architecture, a 604 square foot addition to the existing residence, a 45 square foot addition to the existing accessory structure, a new roof deck, a relocation of the front entry and a new covered entry trellis. The discretionary applications required for this project are Modifications to permit alterations and additions within the required front and interior setbacks (SBMC §28.15.060).

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 in favor of the application or in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 9, 2008.
2. Site Plans
3. Correspondence received in opposition to the project:
Mike Fasth, 1290 Bel Air Drive, Santa Barbara, CA 9310

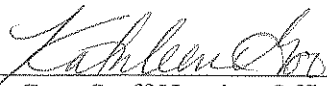
NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

Approved the modification requests for the raised roof parapet within both the front and interior setbacks; the planter box in the front setback; the 16-inch stair encroachment in the interior setback; the trellis entry; and, the new window in the interior setback by making the findings that the modifications are necessary to secure appropriate improvements to the property while meeting the purpose and intent of the Ordinance, as the improvements do not add additional floor area within the setbacks and are mostly aesthetic.

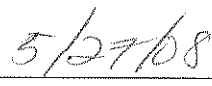
Denied the modification request for the addition to the accessory structure in the interior setback as it is not an appropriate improvement and is not consistent with the purpose and intent of the Ordinance, which increase floor area within the setback and further encroach into an existing, legal, non-conforming setback.

This motion was passed and adopted on the 21st day of May, 2008 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 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.