



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 040-08

2929 SERENA ROAD

MODIFICATION

MAY 21, 2008

**APPLICATION OF CHRIS BELANGER, AGENT FOR EMILY AND DANIEL BOSWELL,  
2929 SERENA ROAD, APN 051-201-010, E-3, ONE-FAMILY RESIDENTIAL ZONE,  
GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2007-00595)**

The 5,500 square foot project site is currently developed with a 1954 square foot single-family residence and attached garage. The proposed project involves a 55 square foot addition and interior remodel of the first floor and a 512 square foot second-story addition. The discretionary application required for this project is a Modification to permit the second story to exceed solar access height limitations (SBMC §28.11).

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:
  - a) Mr. John Devore, Vice President, for Judy Orias, President of the Allied Neighborhoods Association (emailed correspondence) 429 Stanley Drive, Santa Barbara, CA 93105.
  - b) Scott and Molly Westgaard, 2935 Serena Road, Santa Barbara, CA 93105

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

Approved the project, making the findings that the Modification is necessary to secure appropriate improvements to the property while meeting the purpose and intent of the Ordinance, and necessary to prevent an unreasonable restriction for the second story, in that the project meets the required criteria. It was determined that the design has reduced plate heights where feasible in order to comply with Building Code requirements, where the one area (the bathroom) has additional height, and the additional shading, beyond what the Solar Code allows, is minimal and in the interior yard 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*

*5/27/08*

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.