



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 087-08
309 PALISADES DRIVE
MODIFICATION
NOVEMBER 19, 2008

**APPLICATION OF DAWN SHERRY FOR JAMES MITCHELL, 309 PALISADES DRIVE,
APN 041-325-009, E-3 ONE-FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES,
GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2008-00392)**

The project site is currently developed with a single family residence and attached two-car carport. The proposed project involves a remodel of the residence, which includes demolition of the carport and replacement with a two-car garage with habitable space above. The discretionary application required for this project is a Modification to permit the garage to be located within the required 6' interior setback (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 or opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 12, 2008.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Lotte Hornemann, 303 Palisades Drive, Santa Barbara CA

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


- I. Approved the subject application making the following findings and determinations:
 - a. The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.
 - b. The proposed encroachment will result in the required parking for the site to be provided in an enclosed structure which secures and screens the parked vehicles from the right-of-way, while reducing the encroachment from what currently exists.

II. Said approval is subject to the following conditions:

- a. The hedge and fence along the southern lot line be reduced to the maximum allowable height of 3 ½' for the first 20' back from the front lot line, and that the hedge along the front lot line be maintained at a maximum non-conforming height of 8'.
- b. The portion of the hedge along the north side of the driveway be maintained at its maximum allowable non-conforming height of 8 ½'.
- c. The over-height fence and hedge along the front lot line and the hedge along the north side of the driveway have been given a non-conforming status (see letter on file) and are not subject to reduction at this time.

This motion was passed and adopted on the 19th day of November, 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.



Gloria Shafer, Staff Hearing Officer Secretary

21
11-28-2008 jr

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 the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. 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.
4. 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.
5. **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.
6. **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.

