



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 092-08
1151 ALAMEDA PADRE SERRA
MODIFICATION
DECEMBER 3, 2008

**APPLICATION OF GARY MOSEL, AGENT, FOR JOHANNES & URSULA BAUER,
1151 ALAMEDA PADRE SERRA, APN 029-282-003, E-1 ONE-FAMILY RESIDENCE ZONE,
GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00417)**

The 7,986 square foot project site is currently developed with a single family residence and detached two-car garage. The proposed project involves the demolition of the existing garage and the construction of a larger two-car garage with elevator. The discretionary applications required for this project are Modifications to permit the new construction to be located within the required thirty-foot front and ten-foot 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 15303.

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:

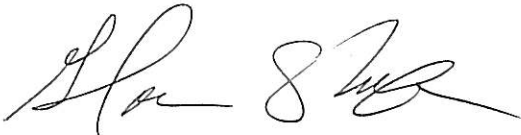
1. Staff Report with Attachments, November 26, 2008.
2. Site Plans

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 into both the front and interior setbacks will allow the new structure to provide adequate dimensions for two vehicles, disabled access, preservation of the tiled stairs, removal of the structure from the public right-of-way, and an aesthetic improvement for the neighborhood.
- II. Said approval is subject to the following conditions:
 - A. Removal of the existing Jacaranda Tree to receive the necessary Park & Recreation Commission approval.
 - B. A Zoning Compliance Declaration be recorded against the property's title.

This motion was passed and adopted on the 3rd day of December, 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

12-8-08

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 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.