



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 015-09  
219 CONEJO ROAD  
MODIFICATION  
MARCH 11, 2009

**APPLICATION OF GREGORY RECH FOR CATHERINE STEINKE,  
219 CONEJO ROAD, APN 019-041-021, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL  
PLAN DESIGNATION: MAJOR HILLSIDE (MST2009-00045)**

The 46,174 square foot project site is currently vacant. The proposed project involves the rebuild of a 3,430 square foot, two-story single-family residence with attached two-car garage destroyed in the Tea Fire. The project includes 614 square feet of additions, the construction of a concrete patio at the westerly property line, permitting the existing configuration of the retaining wall supporting the driveway, and includes rebuilding and increasing four rear yard decks. The following discretionary applications are required for this project:

1. A Modification to permit a new window within the required 35' front setback (SBMC §28.15.060);
2. A Modification to permit new construction within the required 15' interior setback to the east (SBMC §28.15.060, and 28.87.170); and
3. A Modification to permit new construction within the required 15' interior setback to the west (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 15269(a).

**WHEREAS**, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, no people appeared to speak in favor or opposition of the project, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 4, 2009.
2. Site Plans
3. Correspondence received expressing concerns of the project:
  - a. Paula Westbury, 650 Miramonte Road

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

- I. Approved the subject application making the following findings and determinations:

The requested Modifications are consistent with the purposes and intent of the Zoning Ordinance and necessary to secure appropriate improvements on the lot. Given the overall slope of the property, re-building in the same location as the previous structures requires minimal ground disturbance, and is preferred over moving the development towards the center of the property. Additionally, the amount of separation being provided by the street, and the benefits of a structurally safe building, provide for appropriate improvements over the residence that previously existed.

- II. Said approval is subject to the condition that the proposed concrete patio is to be located no closer than 5 feet from the westerly property line.

This motion was passed and adopted on the 11th day of March, 2009 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

3-16-2009  
\_\_\_\_\_  
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 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.