



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 031-09 644 E. CALLE RINCONADA MODIFICATION APRIL 22, 2009

APPLICATION OF KENNETH & JANE HAHN, 644 CALLE RINCONADA, APN 053-063-010, E-3 ONE-FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2006-00111)

The 6,922 square foot project site is currently developed with a 1,517 square foot single-family residence and attached one-car garage. The proposed project involves 690 square feet of new living space on the first and second floors and a 266 square foot expansion of the existing garage. The discretionary applications required for this project are Modifications to permit the garage expansion 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 or opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 15, 2009. Site Plans
2. Correspondence received in opposition to the project:
Paula Westbury, 650 Miramonte Drive

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

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

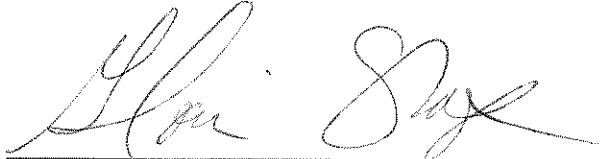
The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The minor encroachments into the front and interior setbacks will allow a uniform improvement to provide the required parking dimensions on a lot with an irregular front lot line due to the bulb out design of the cul-de-sac.

II. Said approval is subject to the following conditions:

- a. The 24'11" height limit, as indicated on the plans, is strictly adhered to. Any increase in height will require Planning Commission review of an additional Modification to exceed the maximum Floor to Lot Area ratio per SBMC Section 28.15.083.D.2.B.
- b. Either obtain encroachment permits for the existing improvements in the public right of way or walls shall be removed. Planting within the public-right-of-way shall not exceed 3.5 feet at project completion.

This motion was passed and adopted on the 22nd day of April, 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

4-23-2009

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.