



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 032-09
462 CONEJO ROAD
MODIFICATION
APRIL 22, 2009

APPLICATION OF LORI KARI FOR ANDREA KELLY, 462 CONEJO ROAD, APN 019-061-016, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2009-00122)

The 8,025 square foot project site was previously developed with a single-family residence and detached one-car garage, which were destroyed in the Tea Fire. The project consists of construction of a 1,895 square foot two-story house and detached one-car garage. An uncovered parking space is also being provided to meet the new parking requirements for the site. The discretionary applications required for this project are Modifications to permit new construction within the required 15' interior setback and parking within the required 35' front setback (SBMC §28.15.060, 28.90.001, & 28.90.100).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303 & 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, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 15, 2009.
2. Site Plans
3. Correspondence received expressing concerns of 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:

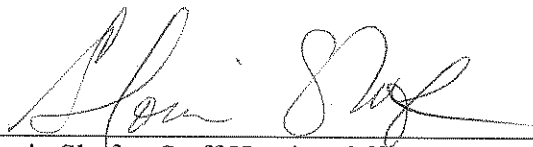
The proposed encroachment of the uncovered parking space into the front setback and the second floor encroachment of the new house into the interior setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.

The lot is significantly below the required minimum lot size for the A-1 zone and is further constrained by the existing slope. The Modification to allow the uncovered parking space to encroach into the front setback allows for an appropriate improvement of providing the required parking for the site. Further, the proposed second story addition is an appropriate improvement on the lot and will provide an expanded floor plan within the previously existing nonconforming footprint on a constrained lot, with no impacts to the neighborhood.

- II. Said approval is subject to the condition that the uncovered parking space is adequately screened by a decorative wall or fence and planting from the public right-of-way. Any proposed screening must meet requirements of Section 28.87.170 and be reviewed and approved by the Single Family Design Board.

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.

