



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 033-09 357 CONEJO ROAD MODIFICATION MAY 6, 2009

**APPLICATION OF V.G. ENGINEERING FOR GERALD & MARIAN GROFF,
357 CONEJO ROAD, APN: 019-050-029, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL
PLAN DESIGNATION: MAJOR HILLSIDE (MST2009-00174)**

The 9,065 square foot project site was previously developed with a single-family residence and a two-car carport, which were destroyed in the Tea Fire. The project consists of construction of a 1,432 square foot one-story house with an attached 400 square foot two-car garage and 189 square feet of accessory space. The discretionary applications required for this project are Modifications to permit new construction and alterations within the required 35' front setback and the 15' 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 15303 and 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 29 2009.
2. Site Plans
3. Correspondence received expressing concerns of the project:
 - a. 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 Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on this lot. The lot is significantly below the required minimum lot size for the A-1 Zone and is further constrained by its location on a sharp turn and being subject to three front setbacks. The proposed 98 square foot expansion of the residence into the previous non-conforming front setback will allow for a rebuild of the previous home with a minor expansion in the setback, and no further ground disturbance over what existed prior to the Tea Fire. In addition, the conversion of the previous carport to a garage within the front and interior setbacks, and the reconstruction of a smaller workshop within the required interior setback, both of which are in a more conforming location on the

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property, results in little or no visual change or impact to adjacent neighbors. The alterations to the nonconforming portion of residence, including doors, windows, and roof pitch are appropriate upgrades to the architecture and will not adversely affect neighbors.

- II. Said approval is subject to the condition that any plan submitted in conjunction with this Modification approval includes proof that the portion of the brick driveway located within the public right of way has obtained the necessary encroachment permit.

This motion was passed and adopted on the 6th day of May, 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



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.