



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 055-09
312 SHERMAN ROAD
MODIFICATION
JULY 1, 2009

APPLICATION OF DAPHNE ROMANI DREW, AGENT FOR NELLE SLACK & PETER HARRIS, 312 SHERMAN ROAD, APN 019-050-004, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2009-00233)

The 10,397 square foot project site was previously developed with a single-family residence and detached two-car garage, which were destroyed in the Tea Fire. The project consists of construction of a 2,692 square foot residence and attached 490 square foot garage. The discretionary applications required for this project are Modifications to permit new construction and alterations within the required 35' front and 15' 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 & 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, July 24, 2009.
2. Site Plans
3. Correspondence received in opposition to the project:
Paula Westbury, 650 Miramonte Dr., Santa Barbara, Ca

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

- I. Approved the subject application making the following findings and determinations:
The Modifications to allow the residence to encroach into the westerly interior setback and to allow the garage to encroach into the eastern interior and front setbacks are consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement on the lot. The proposed changes to the building footprint are minor in nature when compared to that allowed by the 1976 Modification approval, and it will allow for easier access to the garage, with no impacts to adjacent neighbors.
- II. Said approval is subject to the project returning to Single Family Design Board for consideration of a lesser encroachment of one foot for the garage, the minimal amount needed for design massing.

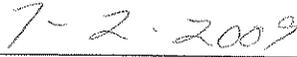
STAFF HEARING OFFICER RESOLUTION NO. 055-09
312 SHERMAN ROAD
JULY 1, 2009
PAGE 2

This motion was passed and adopted on the 1st day of July, 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.

