



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 059-09
1507 ALAMEDA PADRE SERRA
MODIFICATION
JULY 15, 2009

**APPLICATION OF SOPHIE CALVIN, AGENT FOR WENDY & MAURICE FLEMING,
1507 ALAMEDA PADRE SERRA, APN 029-060-030, E-1 ONE-FAMILY RESIDENCE ZONE,
GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2009-00255)**

The 20,035 square foot project site is currently developed with a single family residence and detached garage. The proposed project involves a remodel, a 606 square foot addition to the residence, demolition of the existing garage, and construction of a new 2-car garage. The discretionary applications required for this project are Modifications to permit the additions and alterations within the required 30' front and 10' 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 15301 & 15303.

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, July 8, 2009.
2. Site Plans

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

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

The Modification to allow the encroachment of the stairway into the interior setback is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The addition of a stairway to internally connect two levels of the residence is appropriate and the encroachment is minimal and would not allow additional habitable floor area within the setback.

The Modification to allow the garage addition to encroach into the front setback is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed front yard encroachment maintains the existing setback while providing the benefit of conforming parking dimensions.

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- II. Said approval is subject to the following conditions: 1) the garage expansion shall be limited to the extent necessary to obtain a 20' depth x 24' width clear space inside; 2) Transportation Staff shall review the sight distance exiting the driveway for safety hazards due to the existing fence/hedge along the front property line; 3) SFDB shall review the size and location of the new second-story window within the interior setback for privacy between the properties; and 4) the note regarding the hedge height shall be removed from the plans.

This motion was passed and adopted on the 15th 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.



Deana McMillion, Administrative/Clerical Supervisor on behalf of
Gloria Shafer, Staff Hearing Officer Secretary

7-21-09
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.