



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 088-09
1562 LA VISTA DEL OCEANO DRIVE
MODIFICATION
OCTOBER 21, 2009

APPLICATION OF ZEHREN & ASSOCIATES, INC., ARCHITECT FOR VIKRAM AND SANDRA VERMA, 1562 LA VISTA DEL OCEANO DRIVE, APN 035-180-078, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2009-00376)

The 19,166 square foot project site is currently developed with a two-story single family residence above a two-car garage and basement. The proposed project involves alterations to windows, decks, and stairwells, and legalization of portions of the existing development that were not built to plan. The discretionary application required for the project is a Modification to permit alterations and additions within the required ten foot 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 15301 & 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, October 14, 2009.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Jody Enders and Eric D'Hoker, 1564 La Vista Del Oceano, Santa Barbara, Ca
4. Correspondence received in opposition to the project:
 - a. Paula Westbury, 650 Miramonte Drive, Santa Barbara, Ca

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

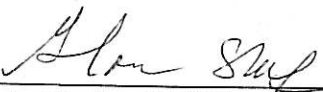
- I. Approved the subject application as revised at the hearing making the finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The Modification allows for legalization of the existing building's location within the interior setback, allows minimal changes to window openings, provides passive solar lighting to a lower floor area.

STAFF HEARING OFFICER RESOLUTION NO. 088-09
1562 LA VISTA DEL OCEANO DRIVE
OCTOBER 21, 2009
PAGE 2

- II. Said approval is subject to the following conditions: a) the exterior steps located in the setback are to be 10 inches or less above grade and; b) parking is not allowed within the interior setback.

This motion was passed and adopted on the 21st day of October, 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

10-27-2009

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.

