



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 091-09 1600 W MOUNTAIN DRIVE PERFORMANCE STANDARD PERMIT AMENDMENT TO CONDITIONS OF APPROVAL NOVEMBER 4, 2009

APPLICATION OF MELORA SCHARF, PROJECT MANAGER FOR GARDNER FAMILY TRUST, 1600 W. MOUNTAIN DRIVE, APN 021-005-033, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2009-00449)

The 18+ acre project site is currently developed with a greenhouse, pool structure, and three-car garage. The previously existing single family residence on-site was destroyed in the Tea Fire. The proposed project involves the construction of two new single family residences and associated accessory structures. The discretionary applications required for this project are a Performance Standard Permit to allow an additional dwelling unit on a one-family residential lot and an Amendment to the Conditions of Approval of a Staff Hearing Officer approval on April 8, 2009 (Resolution No. 026-09) (SBMC §28.93.030).

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, one person appeared to speak in favor of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, October 29, 2009.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. 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 finding that the Performance Standard Permit complies with all standards of SBMC §28.93.030.E., including adequate lot area for two residential units, with associated existing accessory space, and adequate ingress and egress for each residence. The Staff Hearing Officer finds that the condition of approval contained in SHO resolution No. 026-09, that restricted the use of the existing three-car garage to accessory space is no longer necessary due to a revised development plan that will utilize the existing garage for the additional dwelling unit's required parking.

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- II. Said approval is subject to the condition that the development of the Real Property approved by the Staff Hearing Officer on November 4, 2009 is limited to two single family residences, a 872 square foot carport, a 782 square foot garage, and 1,538 square feet of accessory space as shown on the Site Plan signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.

This motion was passed and adopted on the 4th day of November, 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

11-12-2009

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 Review 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.

