City of Santa Barbara
California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 021-10
2017 CHAPALA STREET
MODIFICATION
APRIL 21, 2010

APPLICATION OF GARCIA ARCHITECTS, AGENT FOR B.K. RAI, 2017 CHAPALA STREET, APN 025-302-007, R-2/R-O/C-2 ZONES, GENERAL PLAN DESIGNATION: OFFICE & RESIDENTIAL (MST2010-00036)

The 10,863 square foot project site is currently developed with two commercial buildings. The proposed project involves conversion of the rear building to residential use. The discretionary application required for this project is a <u>Modification</u> to permit a change of use to the portion of the building located within the required six-foot interior setback (SBMC 28.18.060).

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 or opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 15, 2010.

2. Site Plans

3. Correspondence received in opposition to the project:

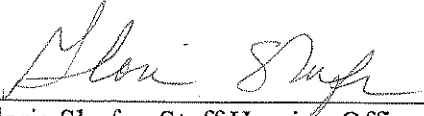   a. Paula Westbury, 650 Miramonte Drive, Santa Barbara, Ca

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

Approved the subject application making the following findings and determinations:

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 proposed Modification will allow the existing building to be converted to its original use as a residence without having to demolish the portions within the setback.

This motion was passed and adopted on the 21st day of April, 2010 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.

_____   _4-27-2010_____

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 Architectural Board of Review (ABR) 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. <u>NOTICE OF APPROVAL TIME LIMITS</u>: 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.