



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 037-10 197 LOMA MEDIA ROAD MODIFICATIONS JULY 14, 2010

APPLICATION OF CHRISTINE PIERRON, ARCHITECT FOR JOSEPH & ANN WENGER, 197 LOMA MEDIA, APN 019-261-027, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2006-00704)

The 10,849 square foot project site is currently developed with a 2,119 square foot single-family residence and detached 2-car garage. The proposed project involves demolition and replacement of an existing rear deck, the addition of a 412 square foot sunroom, "as-built" conversion of 252 square feet of under-story to habitable space, and legalization of an uncovered parking space. The discretionary applications required for this project are Modifications to permit new habitable space within the required thirty-foot front setback (SBMC §28.15.060) and parking within required yards (SBMC §28.90.001). The applicant is requesting re-approval of these Modifications, which were approved in 2007, and expired in 2009.

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, July 7, 2010.
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 convert under-story area to habitable space is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot, because the approval will allow use of existing space, located below the residence and not visible from the street, to provide additional dwelling space without impacts to the neighborhood.

The Modification to permit parking within the required front and interior setbacks is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the site, because the approval will allow an additional parking space on a site constrained lot, in a neighborhood that provides little opportunity for street parking.


- II. Said approval is subject to following conditions: 1) A Zoning Compliance Declaration be recorded against the properties title. 2) The garage shall be equipped with an automatic garage door to assure safe and convenient access to the required parking. 3) The applicant is to work with Transportation Department Staff to reduce the amount of paving to the east of the garage to the minimum amount necessary to enter and exit the garage.

This motion was passed and adopted on the 14th day of July, 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.



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.

