



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

**RESOLUTION NO. 016-11
215 E. VALERIO STREET
MODIFICATION
APRIL 20, 2011**

**APPLICATION OF DOUGLAS KEEP, ARCHITECT FOR MICHAEL AND KRISTEN
DESMOND, 215 E. VALERIO STREET, APN 027-112-013, R-2 TWO-FAMILY RESIDENCE
ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2010-00377)**

The 10,071 square foot project site is currently developed with a single family residence and a detached two-car garage with accessory space. The proposed project involves a 287 square foot addition to the residence, new fencing, new trellis, and minor exterior alterations including the replacement of garage doors, replacement of a window with a door at the garage, removal of one Palm tree from the backyard, and new paving material for a portion of the driveway. The discretionary application required for this project is a Modification of the location of the required open yard area (SBMC §28.18.060.C).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Sections 15301 (Existing Facilities) & 15305 (Minor Alterations in Land Use Limitations).

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 either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 13, 2011.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.

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

- I. Approved the subject application making the finding that the Modification is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The open yard as proposed fulfills the intent of the requirement and allows the site to be developed in a manner that preserves the existing residence and allows the site to be developed in a single-story style, while maintaining adequate area for the occupant's outdoor enjoyment and with no expected impacts to adjacent neighbors.
- II. Said approval is subject to the following conditions as revised at the hearing:
 - A. A planter area shall be provided that clearly delineates the edge of the driveway to prevent vehicles from encroaching into the required open yard area at the back of the property.

- B. Show the revised location of the portion of the required open yard proposed in the remaining front yard.
- C. Correct the Zoning Compliance Declaration to reflect that there is one existing legal unit on site.

This motion was passed and adopted on the 20th day of April, 2011 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.

Kathleen Goo 4/21/11
Kathleen Goo, 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. **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.
5. **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.