



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 025-11
520 PLAZA RUBIO
MODIFICATION
JULY 13, 2011

**APPLICATION OF DOUG REEVES, AGENT FOR TAL LIMITED PARTNERSHIP,
520 PLAZA RUBIO, APN 025-281-003, E-1 SINGLE-FAMILY RESIDENCE ZONE,
GENERAL PLAN DESIGNATION: THREE UNITS PER ACRE (MST2011-00216).**

The 11,876 square foot parcel is currently developed with a 1,663 square foot, one-story single-family residence and an as-built 381 square foot, detached two-car garage. The proposed project involves permitting the as-built garage, which was constructed to replace an existing garage of the same size damaged by a tree fall. The residence and garage total 2,044 square feet, and the parcel is conforming with two covered parking spaces to remain. The discretionary approval required for this project is a Modification to allow an increase in roof height within the required ten foot interior setback (SBMC §28.15.060). This application addresses violations called out in zoning information report ZIR2011-00080 and enforcement case ENF2011-00123.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Sections 15301 and 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 and two people appeared to speak in opposition thereto, and the following exhibits were presented for the record:


1. Staff Report with Attachments, July 6, 2011.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.
 - b. Toby and George Gleitman, Santa Barbara, CA.

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

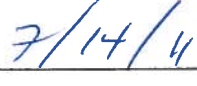
- I. Approved the subject application making the findings that the requested Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed "as-built" garage was constructed in the same location as the previous garage and the higher, pitched roof is consistent with the pattern of development in the neighborhood and is more compatible with the architectural style of the house.
- II. Said approval is subject to the condition that the terracotta roof tile on the garage shall match those of the existing residence in color and pattern.

This motion was passed and adopted on the 13th day of July, 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, 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 Historic Landmarks Commission (HLC) 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.