



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 025-12

80 SKYLINE CIRCLE

MODIFICATIONS

JUNE 27, 2012

**APPLICATION OF ANDREW AND BECCA LEE, 80 SKYLINE CIRCLE, APN 041-151-003,  
E-1 SINGLE FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: LOW  
DENSITY RESIDENTIAL (MST2012-00206)**

The 7,405 square-foot site is currently developed with a 1,336 square foot one-story residence with an attached garage. The proposed project involves a 216 square foot one-story addition located partially within the front setback, the permitting of a 32 square foot Juliet style balcony in the interior setback, and the construction of garden walls, fencing, and a driveway gate.

The discretionary applications required for this project are:

1. A Modification to allow the balcony to encroach into the required ten-foot (10') interior setback (SBMC § 28.15.060 and 28.92.110); and
2. A Modification to allow an additions and alterations to existing residence within the required thirty-foot (30') front setback (SBMC § 28.15.060 and 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 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 either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 20, 2012.
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 findings and determinations that the requested front setback 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 additions and alterations within the front setback are appropriate because the site is constrained by its wide street frontage yet shallow depth, making it difficult to construct a conforming addition, and the addition would not increase the existing footprint of the residence within the front setback.

The Staff Hearing Officer finds that the requested interior setback Modification for a balcony improvement is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot if it is reduced to a maximum of two feet deep. The Single Family Design Board found that the alterations were compatible with the neighborhood and that the requested modifications were consistent with the appropriate design guidelines.

II. Said approval is subject to the following conditions:

1. The proposed balcony on the west elevation shall be reduced in depth to encroach no more than two feet (2') into the required interior setback.
2. The unpermitted washer and dryer hook-ups shall be removed from the garage unless a parking design waiver can be granted by the Transportation Division.
3. All fences, walls, gates, and hedges within 10-feet of the front property line and within 10-feet of the driveway, for a distance of 20-feet back from the front property line shall not exceed 3.5-feet in height.
4. A physical barrier, such as a curb and fence or a solid wall, shall be constructed between the existing patio and the driveway to prevent vehicular access to the patio area.

This motion was passed and adopted on the 27<sup>th</sup> day of June, 2012, 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, Commission 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.