



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 039-12 1654 SHORELINE DRIVE MODIFICATIONS OCTOBER 3, 2012

APPLICATION OF HOWARD WITTAUSCH, ARCHITECT FOR MIKE MCLAUGHLIN, 1654 SHORELINE DRIVE, APN 045-172-022, E-3 SINGLE-FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2012-00319) POSTPONED FROM SEPTEMBER 19, 2012

The existing 9,205 square foot site is currently developed with a 1,525 square foot residence with an attached two-car garage and a detached, 700 square foot, accessory/garage building. The proposal includes a 255 square foot addition to the main residence, relocation of the front entry porch and landing, roof replacement, new pool and spa, permitting of pool equipment, and alterations to the existing detached accessory/garage building to create a pool cabana not to exceed 500 square feet. The discretionary application required for this project is a Modification to allow the garage portion of the detached accessory building to be converted to habitable space within the required six-foot interior setback. (SBMC § 28.15.060 and SBMC § 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 15301 (Existing Facilities).

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, September 26, 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 Modification making the findings and determinations:

- A.** The Modification to allow the alteration and conversion of floor area within the required setback to habitable area is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed alteration of the existing garage to an accessory building is appropriate, and allows the re-use of the former garage with no anticipated impacts to adjacent neighbors.

- B. The Modification to allow the pool equipment to encroach into the required interior setback is inconsistent with the purposes and intent of the Zoning Ordinance and is not necessary to secure an appropriate improvement on the lot. A conforming option exists on-site.

II. Said approval is subject to the following conditions:

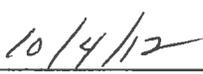
- A. Record a Zoning Compliance Declaration against the property title due to the configuration of the accessory building.
- B. Revise the floor plan of the detached accessory building to eliminate the closets and storage areas within the changing area adjacent to the half-bathroom and outdoor kitchen areas.
- C. Remove and/or relocate the unpermitted mechanical equipment, including pool and spa equipment, from the required setback to a conforming location.
- D. Remove the portion of the new trellis at the front of the garage from the required west interior setback.
- E. The outdoor kitchen amenities are limited to a sink and barbeque.
- F. The plastic outside drapes surrounding the outdoor kitchen area attached to the "pool house" shall be removed.
- G. Submit for a public works encroachment for the improvements proposed within the public right-of-way (e.g. widened driveway curb cut).

This motion was passed and adopted on the 3rd day of October, 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, 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.