



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 046-12 1236 GARDEN STREET MODIFICATIONS OCTOBER 17, 2012

**APPLICATION OF THOMPSON-NAYLOR ARCHITECTS FOR TIMOTHY DEWAR,
1236 GARDEN STREET, APN 029-131-001, R-3 (MULTI-FAMILY RESIDENCE) ZONE,
GENERAL PLAN DESIGNATION: MEDIUM-HIGH DENSITY RESIDENTIAL
(MST2011-00258)**

The subject 3,721 square foot lot is developed with an existing 1,071 square foot, one-story, single-family residence and a 171 square foot detached single-car garage. The project includes: demolition of the detached garage and 67 square foot laundry room; construction of an attached 297 square foot one-car garage with storage area; a 34 square foot addition to the ground floor; and conversion and expansion of attic space to create 416 square feet of habitable second floor area, including two new roof dormers. The discretionary applications required for this project are:

1. A Modification to allow the proposed garage, utility room, skylight, roof eave, second-story habitable space and new roof dormer to encroach into the required six-foot interior setback along the southeast property line (SBMC §28.21.060 & 28.92.110); and
2. A Modification to reduce the area of the non-conforming outdoor living space (SBMC §28.21.081 & 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 Sections 15301 (Existing Facilities) and 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, October 11, 2012.
2. Site Plans

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

- I. Approved the Modifications making the findings and determinations that the Modifications for the Interior Setback encroachment, with the exception of the roof dormer, and Outdoor Living Space reduction are consistent with the purposes and intent of the Zoning Ordinance to provide adequate building separation and usable parking and outdoor space where physically possible, and are necessary to secure an appropriate improvement on the lot. The proposed residential additions and alterations are appropriate as they provide for a replacement garage that conforms with parking design standards and a minor addition to the modestly-sized single-family residence on the undersized and constrained corner lot.

II. Said approval is subject to the following conditions:

- A. Project Changes.** The Staff Hearing Officer's approval is contingent upon the following changes to the project:
- 1) The eastern roof dormer shall be relocated outside of the six foot interior setback.
 - 2) No new skylights, window openings, or door openings shall be provided within the interior setbacks with the project.
 - 3) No new eaves on the garage addition portion shall be located less than two feet from any property line.
- B. Victoria Sidewalk.** Prior to final inspection, the property owner shall obtain a Public Works permit and complete the repair or reconstruction of the tree-damaged sidewalk along E. Victoria Street to City specifications pursuant to California Streets and Highways Code §5600-5630.
- C. Photo Documentation.** Prior to the issuance of a building permit for alteration of the exterior of the house, the existing development shall be fully documented using the City of Santa Barbara Community Development Department's "Required Documentation Prior to Demolition" recordation standards.
- D. Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.
- If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.
- If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

