



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 052-12 856 FERRELO ROAD MODIFICATIONS NOVEMBER 28, 2012

APPLICATION OF SOPHIE CALVIN, DESIGNER FOR BILL ZHOU AND LINDA ZHANG, 856 FERRELO ROAD, APN 029-330-011, E-1 ONE-FAMILY ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2012-00397)

The 7,937 square foot site is located in the Hillside Design District and is developed with a 2,335 square foot, one-story, single-family residence with an attached two-car garage. The proposed project involves a seven square foot addition at the existing entry; a new 31 square foot entry porch; window and door alterations; and an "as-built" patio, and site walls, all located within required setbacks. The proposal will address the violations identified in enforcement case ENF2012-00195.

The discretionary applications required for this project are:

1. A Modification to allow a minor front entry addition and window and door alterations within the required 30-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110);
2. A Modification to allow a new window within the required 10-foot interior setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
3. A Modification to allow the combined height of the walls at the rear of the property to exceed the maximum allowable height of eight feet within a required setback. (SBMC § 28.87.170 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, November 21, 2012.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.

I. NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer makes the findings and determinations:

- A. The front and interior setback Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate and uniform improvement on the lot. The proposal involves a very small addition of useable floor

area within the front setback, and is not expected to negatively impact adjacent neighbors, as the proposed addition is consistent with the residential use of the property and provides an enhanced front entry that is easily identified by visitors and it is not anticipated to impact the neighbors.

- B.** The Modification to allow the combined wall height to exceed eight feet in height is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed wall will exceed the allowable height by 2' 6" inches and is appropriate because the increase in height was constructed by the property owner, who is most affected by the resulting wall height, to achieve a flat patio area. The existing over-height fence and wall on the uphill neighbors' lot was previously determined to be appropriate through a recent Modification approval, and the additional two-foot retaining wall on the subject site, and associated grading, is not anticipated to impact the neighbors.

This motion was passed and adopted on the 28th day of November, 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. 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.