



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 012-13 215 E. MISSION STREET MODIFICATIONS MARCH 6, 2013

APPLICATION OF SYNDI SOUTER, AGENT FOR GERROLD AND BARBARA RUBIN, 215 E. MISSION STREET, APN 025-323-009, E-1 SINGLE FAMILY ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2012-00455)

The 20,000 square foot lot is developed with a 4,134 square foot, two-story residence, a 346 square foot detached garage with an attached "as-built" 412 square foot storage room, and a 215 square foot detached accessory building (pool house). The proposed project is a request to permit the as-built storage room attached to the existing detached garage. The existing garage is located approximately one foot from the eastern property line and the as-built storage building is located two feet from the eastern property line and 2'-8" from the northern property line. The project would result in a total of 627 square feet of detached accessory space plus 346 square feet of detached garage space. The proposal would abate violations listed in ENF2011-01056.

The discretionary applications required for this project are:

1. A Modification to allow an as-built accessory building to be located within the required ten-foot interior setback on the north side of the property (SBMC §28.15.060 and §28.92.110);
2. A Modification to allow an as-built accessory building to be located within the required ten-foot interior setback on the east side of the property (SBMC §28.15.060 and §28.92.110); and
3. A Modification to allow detached accessory buildings on the site to exceed a total of 500 square feet (SBMC §28.87.160 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 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, February 27, 2013.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Jim Kearns, Santa Barbara, CA.
 - b. Charles Foss, Santa Barbara, CA.
4. 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 following findings and determinations:

The interior setback modifications to allow the storage building to encroach into the required interior setbacks is consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement on the lot. The building is used for storage only, it is located behind the existing garage and encroaches less into the interior setbacks than the existing non-conforming garage, it is 7 feet in height which is below the height allowed for fences, it has no openings within the interior setbacks, and the location preserves the existing oak trees on site.

The Modification to allow more than 500 square feet of accessory floor area on the lot is an appropriate improvement on the lot. The combined square footage of storage and garage space does not exceed the maximum area of accessory and garage space allowed in the zone and adequate open yard area is provided on the project site.

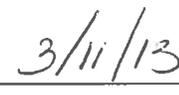
II. Said approval is subject to the condition that this Modification approval is valid for this storage building only. If the use of the storage building is proposed to be changed or if the building is demolished or the roof raised or any structural changes are necessary this approval shall become null and void.

This motion was passed and adopted on the 6th day of March, 2013 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.