



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 013-13

#### 32 E. ISLAY STREET

#### MODIFICATIONS

MARCH 6, 2013

**APPLICATION OF PAUL ZINK, ARCHITECT FOR ARTHUR DENK, OWNER,  
32 E. ISLAY STREET, APN 027-102-005, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL  
PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2012-00440)**

The 6,080 square-foot site is currently developed with a 1,470 square-foot, one-story residence with a 270 square-foot, detached garage. The proposal includes the demolition of the existing detached garage, construction of a slightly larger one-car garage, and a one- and two-story residential addition to attach the new garage to the existing residence.

The discretionary applications required for this project are:

1. A Modification to allow a conforming second-story addition to a structure that is non-conforming to the required ten-foot interior setback. (SBMC § 28.87.030.D., SBMC § 28.15.060, and §28.92.110); and
2. A Modification to allow a minor addition to the reconstructed one-car garage within the required ten-foot interior setback. (SBMC § 28.87.030.D., 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 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 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 finding the interior setback Modification and the Modification to allow alterations to a legal non-conforming building are consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement on the lot. The proposed additions and alterations are appropriate because the addition will allow the garage to meet current standards for the purpose of storing vehicles, and the connection of the garage to the residence is an appropriate improvement for a single family residence, and is not anticipated to adversely impact the adjacent neighbors.

- II. Said approval is subject to the condition that the reconstructed garage shall be located at least 4 feet from the south property line.

This motion was passed and adopted on the 6<sup>th</sup> 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 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.