



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 016-13  
915 N. ALISOS STREET  
MODIFICATION  
APRIL 3, 2013

**APPLICATION OF AMY VON PROTZ, AGENT FOR RAY OLMSTEAD, 915 N. ALISOS STREET, APN 029-315-008, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL (MST2013-00054)**

The 3,965 square foot parcel is currently developed with a 1,067 square foot, one-story residence with a raised foundation and a 256 square foot detached garage. The proposal includes the replacement of two windows with two pair of French doors and the construction of a 165 square foot deck, both at the rear of the existing residence.

The discretionary application required for this project is a Modification to allow a deck that exceeds 36 inches in height to be located within the required 1,250 square foot open yard. (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, March 14, 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 approved the subject application making the finding and determination that addition of a deck within the required open yard is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed 49-inch high deck height is appropriate because it meets the purpose and intent of providing useable open space on the lot and does not further reduce the non-conforming open yard.

This motion was passed and adopted on the 3<sup>rd</sup> day of April, 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. **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.