



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 017-13
1830 OVERLOOK LANE
MODIFICATION
APRIL 3, 2013

**APPLICATION OF AMY VON PROTZ, AGENT FOR GEORGE AND JOËL STEWART,
1830 OVERLOOK LANE, APN 015-094-017, E-1 ONE-FAMILY RESIDENCE ZONE,
GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2013-00048)**

The 8,652 square foot parcel is currently developed with a 2,477 square foot single-family residence with an attached two-car garage. The proposal includes installing a pair of new doors at the front entry and two pairs of French doors on the front and rear elevations, the replacement of all windows in the same openings, and a new 22 square foot Juliet balcony. Also proposed is the replacement of existing over-height hedges with mock strawberry at the front lot line and driveway. This application addresses violations identified in Zoning Information Report ZIR2012-00272.

The discretionary application required for this project is a Modification to allow the Juliet balcony to encroach into the required thirty-foot front setback (SBMC § 28.15.060 & 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, March 28, 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 the addition of the Juliet balcony within the front setback is consistent with the purposes and intent of the Zoning Ordinance, is necessary to secure an appropriate improvement on the lot, and is not anticipated adversely impact the adjacent neighbors or the street. The proposed French doors and small Juliet balcony are appropriate because the changes provide additional articulation of the front façade, will not provide an elevated congregation space within a setback, and will not encroach further than the existing eaves of the residence.

This motion was passed and adopted on the 3rd 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. 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.