



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 026-13

3758 BRENNER DRIVE

REVISED

MODIFICATION

MAY 1, 2013

**APPLICATION OF KENT MIXON, ARCHITECT FOR JIM AND SANDY HIRSCH,  
3758 BRENNER DRIVE, APN: 057-251-011, E-3 ONE-FAMILY RESIDENCE ZONES,  
GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2013-00129)**

The 10,441 square-foot site is currently developed with an existing 1,757 square foot, one-story, single-family residence with an attached 498 square foot garage. The proposed project involves a 355 square foot addition, new windows, new siding, and new roofing. The proposal also includes an interior remodel. The discretionary applications required for this project is a Modification to allow exterior alterations including window and door changes within the required interior setback. (SBMC § 28.15.060 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.

**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, April 25, 2013.
2. Site Plans
3. Correspondence received in support of the project:
  - a. Steve York, Santa Barbara, CA.


**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:

- I. Approved the subject application making the findings and determinations that the interior setback Modification at the south side of the property is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The new windows, changes to the window sizes and door addition to the residence are appropriate because they are: located on the ground floor, a net reduction in window area, and are not anticipated to adversely impact adjacent neighbors.
- II. Said approval is subject to the following conditions:
  - A. If the building is demolished beyond what is shown on the Staff Hearing Officer approved plans, then the construction of the project shall be halted, and the applicant and/or property owner shall contact Planning Division Staff for a determination on whether the interior setback Modification is still valid.
  - B. The new door within the south interior setback shall be for access to the water softener only. No exterior lighting shall be permitted within the interior setback.

This motion was passed and adopted on the 1<sup>st</sup> day of May, 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.