



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 035-13 3662 SAN GABRIEL LANE MODIFICATION JUNE 26, 2013

APPLICATION OF ALLEN AND DIANE BELL, 3662 SAN GABRIEL LANE, APN 051-092-002, E-3 ONE-FAMILY RESIDENCE AND SD-2 SPECIAL DESIGN DISTRICT 2 ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL 5 DU/ACRE (MST2013-00215)

The 6,890 square-foot site is currently developed with a 1,273 square foot, one-story residence with a 395 square foot detached two-car garage. The proposed project involves a 146 square foot, one-story addition to the front of the existing residence.

The discretionary applications required for this project is a Setback Modification to allow the addition to encroach into the required 20-foot front 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, two people appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 20, 2013.
2. Site Plans
3. Correspondence (12) received in support of the project:
 - a. James M. Peacock, Santa Barbara, CA.
 - b. Michael Hanley and Denise Cicourel, Santa Barbara, CA.
 - c. Mark Howell, Santa Barbara, CA.
 - d. James Harvey, Santa Barbara, CA.
 - e. Michael Long, Santa Barbara, CA.
 - f. Elise and Jaime Dale, Santa Barbara, CA.
 - g. Robert Ettinger, Santa Barbara, CA.
 - h. Craig S. Whan, Santa Barbara, CA.
 - i. Diane and Adam Lingle, Santa Barbara, CA.
 - j. Robert Evans, Santa Barbara, CA.
 - k. George and Mary Mamalakis, Santa Barbara, CA.
 - l. Anthony Harris and Michele Mickiewicz, Santa Barbara, CA.

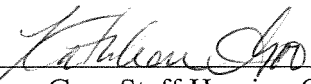
4. Correspondence (1) received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.

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

- I. Approved the requested Setback Modification making the findings and determination that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to allow improvements to an existing residence in order to provide reasonable accommodations to individuals with disabilities. The proposed addition is appropriate because it provides a minor addition to provide an accessible circulation within the residence for disabled individuals on a lot that is constrained by the existing development, utility easements, and site topography.
- II. Said approval is subject to the following condition that if the residence is demolished or demolitions exceeds what is shown on the plans that the modification may become null and void. The applicant shall submit revised plans to Planning Staff to determine if the change in the scope of work can be found in Substantial Conformance with the original approval.

This motion was passed and adopted on the 26th day of June, 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

6/26/13

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.