



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 043-13 18 S. VOLUNTARIO STREET MODIFICATION JULY 24, 2013

**APPLICATION OF ROBERT E. MILLS, AGENT FOR SUSAN ARCIDIACONO,
18 S. VOLUNTARIO STREET, APN 017-172-006, R-2 TWO-FAMILY RESIDENCE ZONE,
GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL 12 DU/AC
(MST2012-00098)**

The 7,779 square-foot site is developed with a one-story, 854 square foot, single-family residence. The proposed project involves construction of a 789 square foot, second story addition, a 64 square foot second story deck, and 558 square-foot, first floor addition, a 199 square foot trellis, and a 317 square foot, detached, two-car carport. The proposal also includes a minor interior remodel, and a new driveway and turn-around area. The proposed construction will result in 2,202 square foot, two-story residence with a detached two-car carport.

The discretionary application required for this project is a Modification to allow conforming alterations and additions that will change the basic exterior characteristics of the existing one-story residence that is non-conforming to the required 20-foot front and six-foot interior setbacks (SBMC § 28.18.060, 28.87.030.D, 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 (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, July 18, 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 requested Modification to allow alterations to a legal non-conforming building making the findings and determinations that the Modification is 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 proposed additions will conform to all setback requirements, the addition is an appropriate improvement for a single-family residence, and is not anticipated to impact the adjacent neighbors adversely. The Modification is necessary to allow the existing, nonconforming portions of the building to remain, as proposed.

- II. Said approval is subject to the following findings:
 - A. If the non-conforming portions of the building are demolished beyond what is shown on the Staff Hearing Officer approved plans, then the construction of the project shall be halted, and the Modifications will become null and void.

 - B. Prior to Project Design Approval by the Single Family Design Review Board, the applicant shall work with the Transportation Planning staff to reduce the amount of paving on site to the minimum necessary to provide adequate access to the carport and to provide an adequate turn-around area.

 - C. The portion of the turn-around paving within the interior setback shall be removed.

 - D. Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface

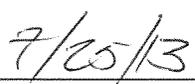
disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.”

This motion was passed and adopted on the 24th day of July, 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.