



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 053-13
1252 DE LA GUERRA ROAD
MODIFICATION
SEPTEMBER 18, 2013

APPLICATION OF KATHY HANCOCK ARCHITECT FOR LAWRENCE HOWES, 1252 DE LA GUERRA ROAD, 031-072-006 E-3 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL (MST2013-00257)

The 6,384 square-foot project site is developed with a 1,280 square foot single-family residence and 294 square foot two-car carport. The proposed project involves converting the carport to a garage, and includes permitting "as-built" improvements, including garage doors and a security door to be located within the required front setback, and expanding the carport by approximately 135 s.f. to create the minimum-sized garage. No other construction is proposed on site and all other zoning violations listed in the recent Zoning Information Report (ZIR2012-00426) will be abated. The discretionary applications required for this project is a Front Setback Modification to allow the conversion of the carport to a garage and to allow the "as-built" garage doors and security door to remain within the twenty-foot setback (SBMC §28.15.060 and 28.92.110.A.2).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 (New Construction or Conversion of Small Structures).

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, September 11, 2013.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Brett & Karen Warner, Santa Barbara, CA.
 - b. Kathleen Brewster, Santa Barbara, CA.

I. NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer approved the subject application making the finding and determination that the Modification is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement on the lot. The proposed front yard Modification is appropriate because the garage doors screen the cars from public view. Additionally, the expansion of the garage outside of the setback ensures that there is adequate parking, with minimum clearance for two cars, which is consistent with the Municipal Code and does not increase the demand for parking in the immediate area.

This motion was passed and adopted on the 18th day of September, 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 9/18/13
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.