



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

**RESOLUTION NO. 068-13
1732 GILLESPIE STREET
MODIFICATIONS
NOVEMBER 13, 2013**

**APPLICATION OF MEHDI HADIGHI ARCHITECT FOR KC YOUNG, LLC,
1732 GILLESPIE ST, APN: 043-181-017, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL
PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL (MAX 12 DU/ACRE
(MST2013-00381)**

The 4,000 square-foot site is developed with a 1,984 square foot two-story single-family residence. The project site is currently under construction. There are two open building permits (BLD2013-01155 and BLD2013-00761) that have been issued for alterations to the residence, including exterior repairs and alterations, an interior remodel, and a replacement roof. The proposed project includes permitting the “as-built” alterations to the entry porch, proposed construction of an attached one-car garage, relocation of utilities, and the removal of an existing tree along the eastern property line. An alternate detached garage design may be considered that would result in the reduction in the required open yard.

The discretionary applications required for this project are:

1. An Interior Setback Modification to allow the “as-built” alterations to the entry porch, including an increase in the roof height, within the required six-foot interior setback to the west (SBMC § 28.18.060 and SBMC § 28.92.110); and
2. An Interior Setback Modification to allow the construction of a one-car garage within the required three-foot interior setback to the east (SBMC § 28.18.060 and SBMC § 28.92.110); and
3. An Open Yard Modification to reduce the required 1,250 square foot open yard area due to construction of a one-car garage. (SBMC § 28.18.060 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 and 15305 (Existing Facilities and Minor Alterations in Land Use Limitations).

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, November 7, 2013.
2. Site Plans

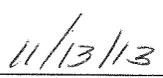
- I. **NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer approved the subject application making the following findings and determinations:
- A. The Staff Hearing Officer finds that the western Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed change to the height of the roofed entry porch will provide a minimum vertical clearance of 8 feet, 6-inches, and is an appropriate improvement to a single-family residence that is not anticipated to adversely impact the adjacent neighbor.
 - B. The Staff Hearing Officer denies the Interior Setback Modification to allow the construction of the attached one-car garage. The proposed location is not appropriate as it does not provide adequate setback from the interior property line; it does not provide adequate driveway width; and, it is anticipated to adversely impact the adjacent neighbor to the east. In addition, the modification as proposed is found to be inconsistent with the purposes and intent of the Zoning Ordinance.
 - C. The Staff Hearing Officer denies the Open Yard Modification to allow a detached garage to reduce the required open yard. The reduction of open yard is inconsistent with the purposes and intent of the Zoning Ordinance and is not necessary to secure an appropriate improvement on the lot.
- II. Said approval is subject to the following conditions:
- A. Due to the configuration of the floor plan, a Zoning Compliance Declaration is required.
 - B. The second-floor deck shall not be extended over the new entry porch and shall be a minimum distance of 7 feet, 3-inches from the interior property line.
 - C. All other fences, hedges, walls, and screens shall be shown on the plans to be maintained in compliance with SBMC § 28.87.170.

This motion was passed and adopted on the 13th day of November, 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.