



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 075-13 1816 CLEVELAND AVENUE MODIFICATION NOVEMBER 27, 2013

APPLICATION OF PETER WALKER HUNT ARCHITECT FOR SHARON GORDON, 1816 CLEVELAND AVE, APN: 027-061-010, R-2 ZONE, GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL 12 DU/ACRE (MST2013-00344)

The 5,555 square foot lot is currently developed with a 621 square foot one-story single-family residence. The project proposes to permit “as-built” improvements including a 95 square foot under-story, utility room addition, alterations to the roof form, a 64 square foot entry addition, and a two-car carport and deck. The proposal will abate violations identified in ENF2013-00555. The discretionary applications required for this project is an Interior Setback Modification to allow additions and alterations within the required 6-foot interior setback (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 Alteration to 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 21, 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 Interior Setback Modification making the findings and determinations 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 “as-built” roof alteration is appropriate because it will provide a simplified roof form, and results in only a minor increase in height within a portion of the interior setback. The proposed “as-built” utility room addition is appropriate because the resulting setback encroachment is only approximately 5-feet in area, located at the under-story level, and is not anticipated to adversely impact the adjacent residential neighbor.
- II.** Said approval is subject to the condition that the useable deck area remains compliant with the required 6-foot setbacks, that the deck maintains the 6-foot tall visual barrier to preserve the privacy of the southerly residential neighbor, and that the lot is determined to be legal.

This motion was passed and adopted on the 27th 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. 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.