



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 077-13 2302 EDGEWATER WAY MODIFICATIONS DECEMBER 11, 2013

APPLICATION OF PAUL ZINK, ARCHITECT FOR THE LOUISE LUCENA LIVING TRUST, 2302 EDGEWATER WAY, 041-342-010, E-3/SD-2 SINGLE FAMILY AND COASTAL ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL, 5 DU/ACRES: (MST2013-00393)

The 5,873 square-foot site, located on the northwest corner of Edgewater Way and Mohawk Road, is currently developed with 1,018 square foot single-story house and attached one-car carport. The proposed project involves the construction of a 34 square foot addition to a bedroom and bathroom, construction of new exterior decks and fences, remodel of portions of the house, reroof of the house, replacement of an existing driveway with pavers, and the permitting of an "as-built" 44 s.f. attached storage shed.

The discretionary applications required for the project are:

1. Front Setback Modification to allow alterations, including new doors, new windows, and a raised deck within the required 20-foot front setback on Mohawk Road (SBMC §28.15.060 and SBMC §28.92.110).
2. Fence Height Modification to allow a fence greater than 3.5 feet in height in the front setback on Mohawk Road (SBMC §28.87.170 and SBMC §28.92.110).
3. Open Yard Modification to allow the proposed addition to further reduce an already nonconforming open yard area due to the construction of the 34 square foot bedroom and bathroom addition (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 Sections 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.

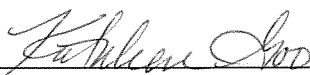
WHEREAS, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 5, 2013.
2. Site Plans


- I. NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer approved the requested Front Setback, Fence Height and Open Yard Modifications making the findings and determinations that the Modifications are necessary to secure appropriate improvements on the lot. The proposed window and door changes are appropriate because they are minor changes resulting from a new floor plan configuration. The raised deck is appropriate because it provides additional outdoor recreational area on the small lot. The proposed fence is appropriate because it is on a secondary street frontage, and provides privacy for the occupants of the house. The 34 square foot addition is appropriate because it provides a laundry area central to the house, and enlarges a very small bathroom. None of the requested improvements is anticipated to cause an adverse impact to any neighboring properties or the public.
- II.** Said approval is subject to the condition that the existing vegetation located in the public right-of-way along Mohawk Road and within 50 feet of the corner of Edgewater Way and Mohawk Road shall be reviewed by the Public Works Department Supervising Transportation Engineer to determine whether it causes a safety hazard or impairs the vision of drivers of vehicles approaching the intersection. The recommendations of the Supervising Transportation Engineer shall be incorporated into the project and shown on plans submitted for a building permit and shall be completed prior to the final inspection of the building permit. The vegetation shall be maintained to not exceed the maximum height recommended by the Supervising Transportation Engineer.

This motion was passed and adopted on the 11th day of December, 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.

