



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 017-14
561 ARROYO AVENUE
MODIFICATION
APRIL 2, 2014

APPLICATION OF KEN GIVEN, PROPERTY OWNER, 561 ARROYO AVENUE, 035-253-024, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (3 DU/ACRE) (MST2014-00004)

The 7,433 square foot lot is located in the Hillside Design District and is developed with a 1,100 square foot one-story residence with an attached 410 square foot two-car garage. The proposed project involves a 220 square foot one-story addition between the existing residence and garage. The discretionary applications required for this project is an Interior Setback Modification to allow the proposed uniform addition to encroach into the required 10 foot interior setback (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 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 in favor of the application, and one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 27, 2014.
2. Site Plans

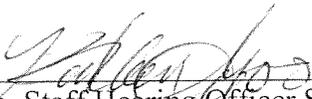
I. NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer approved the Interior Setback Modification making the findings and determinations that the modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed addition is appropriate improvement to a single-family residence that is a uniform addition and is not anticipated to adversely impact the adjacent neighbor to the west.

II. Said approval is subject to the following conditions:

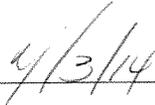
- A. The proposed addition shall not be used as a bedroom or for sleeping purposes because the room has direct access into the garage. The plans submitted for a building permit shall include a note in the addition area which states that this area shall not be used as a bedroom or for sleeping purposes.
- B. The water softener and heater shall be relocated to a conforming location. If the fixtures are proposed to be located within the nonconforming garage, the applicant shall obtain a parking design waiver from Transportation Staff.
- C. The new window in the west interior setback shall be clerestory and shall not exceed the Building Code minimum size requirement of 3 sq. ft. with one half of it open.

This motion was passed and adopted on the 2nd day of April, 2014 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.