



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 045-14 3069 CALLE MARIPOSA MODIFICATIONS AUGUST 6, 2014

#### **APPLICATION OF JAMES BELL, ARCHITECT FOR GREGORY MOHR, 3069 CALLE MARIPOSA, APN: 053-184-007, E-3 ONE-FAMILY RESIDENCE AND SD-2 SPECIAL DESIGN DISTRICT 2 ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (5 UNITS/ACRE) (MST2014-00235)**

The 8,360 square foot lot is currently developed with a 944 square foot single family dwelling and a detached 600 square foot two-car garage with utility room. The proposed project involves 148 square feet of first floor additions and a 360 square foot second-story addition to the existing dwelling.

The discretionary applications required for this project are:

1. Front Setback Modification to allow an addition to be located within the required 20-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. Open Yard Modification of the location of the open yard area and/or to reduce the size of the required open yard area (SBMC § 28.15.060 & 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, July 31, 2014.
2. Site Plans

**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:

**I.** Approved the subject application making the following findings and determinations that:

- A.** The Front Setback Modification to allow the first floor addition to encroach into the required front setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The first floor uniform addition is consistent with the pattern of development in the neighborhood, will not adversely impact the visual openness of the public street frontage and is not anticipated to impact the adjacent neighbors.

- B. The Open Yard Modification of the location and/or the reduction of the open yard area are consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement on the lot. The proposed reduction to the open yard area will allow for a minor first-floor expansion to an existing lot that is site constrained due to two front yards, and will provide an accessible and usable outdoor living space, while maintaining the existing neighborhood character, and there are other open spaces on the lot that can be used for recreation.

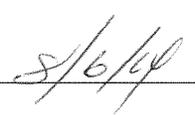
II. Said approval is subject to the following condition:

- A. Miscellaneous stored items and sheds shall be removed from the required interior setback.
- B. The "as-built" storage sheds that are located next to the garage/storage building, shall either be permitted or removed from the property.
- C. The "as-built" 5-foot high fence along Calle Laureles shall either be permitted (a Minor Exception to the Fence Height Ordinance would be required), or reduced to 3½ feet.

This motion was passed and adopted on the 6<sup>th</sup> day of August, 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. 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.