



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 057-14
325 EL MONTE DRIVE
MODIFICATION
OCTOBER 15, 2014

**APPLICATION OF STEVE TEPPER, 325 EL MONTE DR, 045-024-002, E-3/SD-3 ZONES,
GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (5 DU/ACRE)
(MST2014-00364)**

The 8,441 square-foot site is located in the non-appealable jurisdiction of the Coastal Zone, and is developed with an existing, one-story, 1,563 square foot, single-family residence, with an attached, 400 square foot, two-car garage. The proposed project involves a change of roof from the existing flat roof style to a new gabled roof and dormers. The proposed new gable roof design includes approximately 528 square feet of new attic space (floor area greater than 5-feet in height). The proposal also requests permitting the "as-built" approximately 180 square foot patio cover, and the 9 linear foot, 6-foot tall garden wall located within the rear yard. The proposal will address violations outlined in ZIR95-00746. The proposed total of 2,491 square feet is 76% of the required floor-to-lot area ratio (FAR).

The discretionary application required for this project is a Front Setback Modification to allow an increase in roof height, for the change of roof form to the existing residence, located within the required 20-foot (secondary) front setback to the north (adjacent to Payeras Street) (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.

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, October 9, 2014.
2. Site Plans
3. Correspondence received in opposition to or with concerns on the project:
 - a. Carolyn Griffith, Santa Barbara, CA.

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

- I. Approved the Front 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 alterations to the single family residence within the required twenty (20) foot front setback, including the increase in the roof height due to a change roof form from, is appropriate because the proposed alterations will not result in additional floor area within the setback, and the revised design is compatible within the surrounding neighborhood.


- II. Said approval is subject to the conditions that that the proposed attic space shall not be converted into habitable floor area without first obtaining all necessary City approvals, and the application will abate violations identified within ZIR95-00746.

This motion was passed and adopted on the 15th day of October, 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.