



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 062-14
3761 LINCOLN ROAD
MODIFICATION
OCTOBER 29, 2014

**APPLICATION OF CHRISTOPHER DENTZEL, ARCHITECT FOR WAYNE BENNER,
3761 LINCOLN ROAD, APN: 053-430-013, E-3 ZONE, SINGLE FAMILY RESIDENCE
ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 5
DU/ACRE) (MST2014-00219)**

The 8,323 square foot parcel is currently developed with a 2,536 square foot, two-story residence and a 400 square foot attached garage. The proposal includes a 174 square foot addition to the ground floor of the dwelling, renovations to the interior of the existing dwelling and courtyard, and a new balcony off the second floor bedroom overlooking the courtyard. The project will also address violations identified in the Zoning Information Report (ZIR2013-00325). The discretionary application required for this project is a Open Yard Modification to allow the proposed second story balcony to encroach further into the required open yard area than the allowed 2'-0" encroachment (SBMC § 28.15.060 and 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, October 23, 2014.
2. Site Plans

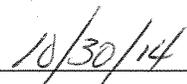
NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer approved the Open Yard Modification making the findings and determinations that the proposed new balcony is appropriate and consistent with the purposes and intent of the Zoning Ordinance, and necessary to secure an appropriate improvement on this lot. The proposed second floor balcony is appropriate because it meets the purpose and intent of providing useable outdoor living area on the lot, does not affect adjacent properties, and does not functionally reduce the non-conforming open yard area contained within the existing courtyard.

This motion was passed and adopted on the 29th 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.