



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 063-14 725 OLIVE STREET MODIFICATION OCTOBER 29, 2014

APPLICATION OF EDWARD V. DERAS, DESIGNER FOR LOUIS SANCHEZ, 725 OLIVE STREET, 031-092-018, R-3 ZONES, GENERAL PLAN DESIGNATION: MEDIUM HIGH DENSITY RESIDENTIAL (15-27 DU/ACRE) (MST2014-00112)

The 5,100 square foot site is currently developed with an existing one-story 942 square foot single-family residence, a detached 908 square foot accessory structure (consisting of a 740 square foot three-car garage, and 168 square feet of storage). The proposed project involves the demolition of the existing detached accessory structure, construction of a new, 376 square foot, two-car carport, and a new, second-story, 937 square foot residential unit located above the existing, one-story residential unit. Also proposed are two (2) new uncovered parking spaces, a new deck above the carport, and the construction of a new wood fence located along the southern (interior) property line with a height ranging between 42-inches and a maximum of 6-feet.

The discretionary application required for this project is an Interior Setback Modification to allow a second story addition and "as-built" window alterations located within the required six foot interior setback to the south (SBMC §28.21.060 and SBMC §28.92.110).

The project activity is within the scope of the 2011 General Plan and the Program EIR analysis for the General Plan. No further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183). City Council environmental findings adopted for the 2011 General Plan remain applicable for this project.

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
3. Correspondence received with concerns on the project:
 - a. Ricardo Castellanos, Santa Barbara, CA.

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

- I. Approved the Interior Setback Modification making the finding and determination that the modification is consistent with the purposes and intent of the Zoning Ordinance, and necessary to secure an appropriate improvement on the lot. The proposed addition is appropriate because it allows for an aesthetically appropriate design. Additionally, as described in Section V of the Staff Report, dated October 23, 2014, the proposed project will bring the property into greater compliance with the Zoning Ordinance, and is not anticipated to adversely impact the adjacent neighbors.

- II. Said approval is subject to a condition that if the building is demolished beyond what is shown on the Staff Hearing Officer approved plans, then the construction of the project shall be halted, and the applicant and/or property owner shall contact Planning Division Staff for a determination on whether the interior setback Modification is still valid.

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 **Architectural Board of Review (ABR)** 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.