



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

**RESOLUTION NO. 069-14
1306 DOVER HILL ROAD
MODIFICATIONS
NOVEMBER 26, 2014**

APPLICATION OF AMY VON PROTZ, DESIGNER FOR ERIK T. NICKEL, 1306 DOVER HILL ROAD, APN: 019-103-014, E-1 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 3 UNITS/ACRE) (MST2014-00350)

The 18,740 square-foot site is currently developed with a 1,973 square foot, multi-story single-family residence and a detached 367 square foot two-car garage. An approved 442 square foot lower level addition is currently under construction. The proposed project includes the conversion of the 367 square foot garage to detached habitable accessory space, and the construction of a 299 square foot attached one-car garage, a 200 square foot attached one-car carport, a 127 square foot first level addition, a 343 lower level addition and a 92 square foot non-habitable lower level addition to the existing residence.

The discretionary applications required for this project are:

1. Accessory Building in the Front Yard Modification to allow the conversion of the garage to detached accessory space to be located within a front yard (SBMC §28.87.170 and SBMC § 28.92.110); and
2. Interior Setback Modification to allow the conversion of the garage to detached accessory space within the required ten-foot interior setback to the east (SBMC § 28.18.060 and SBMC § 28.92.110); and
3. Interior Setback Modification to allow the additions to encroach into the required ten-foot interior setback to the west (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 either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 20, 2014.
2. Site Plans

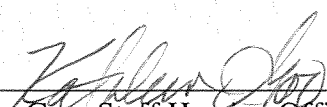
3. Correspondence received in opposition to or with concerns on the project:
 - a. Barbara Eliassen, Santa Barbara, CA.

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

- I. Reviewed the subject application and made the following findings and determinations:
 - A. Approved the Accessory Building in the Front Yard and the East Interior Setback Modifications as they are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed conversion of the detached garage to detached accessory space is appropriate because of the site constraints associated with the current development on the site, the existing topography and because a conforming garage and carport are proposed to provide the required two-car parking spaces on site and the changes and new windows are not anticipated to adversely impact the adjacent neighbor.
 - B. Approved the west Interior Setback Modification to allow the decorative wing wall, lower level balcony, and maximum encroachment of 1.5 feet for the additions, subject to design revisions by the Single Family Design Board, as the additions are consistent with the intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed additions are appropriate because of the constraints associated with the current development on site and the existing topography and because the additions are not anticipated to adversely impact the adjacent neighbor.
- II. Said approval is subject to the following conditions:
 - A. The applicant shall obtain a waiver of the carport design from Transportation staff when the project is submitted for a building permit.
 - B. The project shall be redesigned to be consistent with the limited encroachment approved for the west interior setback.

This motion was passed and adopted on the 26th day of November, 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 12/01/14

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.

