



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 071-14  
1215 E. COTA STREET  
MODIFICATION  
NOVEMBER 26, 2014

**APPLICATION OF LESLIE COLASSE, ARCHITECT/OWNER, 1215 EAST COTA STREET,  
APN: 031-190-022, R-2 TWO FAMILY RESIDENCE ZONE, GENERAL PLAN  
DESIGNATION: MEDIUM DENSITY RESIDENTIAL (MAX 12 DU/ACRE), (MST2014-  
00310)**

The 11,285 square-foot site is developed with a 1,234 square foot, two-level, single-family residence with a 110 square foot covered porch and an attached 164 square foot one-car garage. The proposed project includes demolishing the existing garage, mud room, and split-level bedroom and constructing a new master suite with additions in the same location above a covered driveway to an existing 1,368 square foot single family dwelling with a 110 square foot covered porch. The proposal also includes a new, detached 650 square foot three-car garage with an attached 300 square foot accessory structure, a kitchen remodel, and exterior alterations.

The discretionary application required for this project is an Interior Setback Modification to allow the covered driveway with building additions to be located within the required six-foot interior setback to the south (SBMC § 28.18.060 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 in favor of the application, and one person appeared to speak in opposition 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. Trevor J. Martinson, Santa Barbara, CA.

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

- I. Approved the Interior Setback Modification, subject to conditions, 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 reconstruction and additions are appropriate because of the site constraints associated with the existing development on the lot, and because they will allow for the reconstruction of the two-story portion of the dwelling with a minor first level expansion and increase in height in basically the same location in order to meet current building code requirements. In addition, the additions in the setback are not anticipated to adversely affect the adjacent neighbor or the visual openness of the street frontage.

**II.** Said approval is subject to the following conditions:

- A.** The reconstruction of the structure shall not encroach further than the existing structure and in no case be closer than 3 feet from the southern property line.
- B.** The additional floor area on the first level is approved as submitted, the second floor level reconstruction and height changes are approved as well; however, the second level addition beyond the extent of the service porch west end shall be setback at least 5 feet, in other words a one foot setback encroachment is approved from the existing southerly edge of the existing service porch.
- C.** The violations outlined in ZIR2010-00328 shall be abated as part of this permit and shall be included in the Scope of Work.
- D.** The camper located on the driveway shall be removed from the interior setback and shall not block access to the required parking area.
- E.** A Waiver of the Standard for Parking Design shall be obtained from the Public Works Department for the 8-foot wide opening at the driveway.
- F.** The variance letter dated April 2, 2014 from the Fire Marshal shall be reproduced on the plans at the time of building permit submittal.
- G.** The interior floor plan configuration of the detached accessory space shall be reconfigured at building permit submittal, subject to review and approval by Planning Staff.
- H.** The following language shall be added to the plans submitted for building permit:

“Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

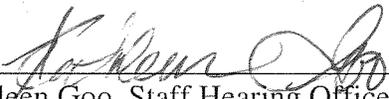
If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further

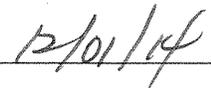
subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

This motion was passed and adopted on the 26<sup>th</sup> 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

**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.