



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 025-15 427 CONSUELO DRIVE MODIFICATION APRIL 29, 2015

**APPLICATION OF WADE DAVIS DESIGN, ARCHITECTS FOR DINO AND SILVIA PAULETTO FAMILY REVOCABLE TRUST, 427 CONSUELO DRIVE, APN: 059-201-002, E-3 (ONE-FAMILY RESIDENCE)/SD-2 (SPECIAL DESIGN DISTRICT 2) ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 5 DU/ACRE) (MST2015-00147)**

The proposed project is for a 430 square foot one-story addition with new windows, to legalize an "a-built" 288 square foot patio cover, two new skylights, a new 42 inch high site wall with gates, a new hedge and an interior remodel to an existing 1,438 sq. ft. single family dwelling with an attached 446 sq. ft. two-car garage. The proposal will address violations outlined in a Zoning Information Report (ZIR2002-00885)

The discretionary application required for this project is an Interior Setback Modification to allow an addition and new windows to be located in the required 6-foot interior setback (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**, one person appeared to speak in favor, and no one spoke in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 23, 2015.
2. Site Plans
3. Correspondence received in support of the project:
  - a. Paul Wieckowski, Santa Barbara, CA.

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

- I. Approved the requested Interior Setback Modification making the finding and determination that the modification is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed addition and windows are appropriate because of the location of the existing development on site, and because it will allow for an expansion of the residence that maintains the existing neighborhood character, and the addition and new windows are not anticipated to adversely impact the adjacent neighbor.

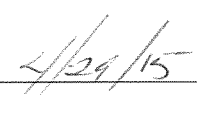
**II.** Said approval is subject to the following conditions:

- A.** The violations outlined in ZIR2002-00885 shall be abated as part of this permit and shall be included in the Scope of Work.
- B.** The miscellaneous stored items shall be removed from the required setbacks.
- C.** The detached sheds shall be removed from the required setbacks and the required Open Yard area.
- D.** The proposed new window in the existing bedroom which is located within the northern required interior setback shall not exceed the minimum building code requirements for emergency escape and rescue openings.

This motion was passed and adopted on the 29<sup>th</sup> day of April, 2015 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. **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.
5. **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.

