



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 037-15 1342 PORTESUELLO AVENUE MODIFICATIONS JULY 8, 2015

**APPLICATION OF PUJO & ASSOCIATES, INC., ARCHITECT FOR DAVID THOMAS & ASSOCIATES, INC., 1342 PORTESUELLO AVE., APN 049-252-013, E-1 ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE) (MST2015-00187)**

The proposed project includes construction of a new 182 square foot second-story addition to an existing two-story 2,184 square foot single family residence with attached 433 square foot garage. The proposal also includes façade and site improvements, and a 502 square foot interior remodel. The proposed total building area of 2,799 square feet is 92% of the maximum floor area on the 7,418 square foot property.

The discretionary applications required for this project are:

1. A Front Setback Modification to allow exterior changes to the garage and a new landscape fountain within the 30 foot front setback (SBMC §28.15.060 & §28.92.110);
2. An Interior Setback Modification to allow exterior changes to the residence, including a new window and a roof gable, within the ten-foot interior setback along the west side of the property (SBMC §28.15.060 & §28.92.110); and
3. An Interior Setback Modification to allow a second-story addition and a new roof gable within the ten-foot interior setback along the east side of the property (SBMC §28.15.060 & §28.92.110).

The Environmental Analyst determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Sections 15301 (Existing Facilities) and 15305 (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**, Two people appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, July 2, 2015.
2. Site Plans
3. Correspondence received in support of the project:
  - a. Maxine Chadwick, Santa Barbara, CA.
  - b. Jeff Gorrell, Santa Barbara, CA.

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

- I. Approved the subject application making the following findings and determinations:
  - A. The Staff Hearing Officer finds that the Front Setback Modification for changes to the garage and the new landscape fountain is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement because the changes to the garage allow for a reduction in paved driveway area and more efficient use of the property; and the landscape fountain is a minor aesthetic improvement.
  - B. The Staff Hearing Officer finds that Interior Setback Modification for improvements to the single-story west elevation of the house and alterations to the roof is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement because they are relatively minor improvements that are necessary for the proposed change in architectural style, and are not expected to substantially adversely affect the adjacent neighbor to the west.
  - C. The Staff Hearing Officer finds that the Interior Setback Modification for the proposed improvements to the first and second story east elevation, alterations to the roof of the existing structure, and the new second story addition are consistent with the purposes and intent of the zoning ordinance and are necessary to secure an appropriate improvement on the lot. The existing two-story residence, currently setback eight feet from the east interior property line, was constructed under the previous zone designation which required a six foot interior setback. The proposed improvements are relatively minor improvements that are necessary for the proposed change in architectural style, and are not expected to result in substantially adverse effects on the adjacent neighbor to the east. The proposed encroachment of the second story addition is only 14 square feet, a uniform addition, proposed towards the front of the lot, is consistent with the pattern of development of the neighborhood, and is not anticipated to cause a substantial adverse affect to the adjacent neighbor.

This motion was passed and adopted on the 8<sup>th</sup> day of July, 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. 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.