



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 040-15 9 FELLOWSHIP CIRCLE MODIFICATIONS JULY 22, 2015

**APPLICATION OF KAS SEEFELD, ARCHITECT FOR JOEY AND EMILY BENARON,
9 FELLOWSHIP CIRCLE, APN: 041-152-008, E-1 (SINGLE FAMILY RESIDENCE) ZONE,
GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 3 DU/ACRE)
(MST2015-00166)**

The 9,548 square-foot site is currently developed with a 1,172 square foot one-story single family residence, a 103 square foot "as-built" sunroom and an attached 226 square foot one-car garage. The proposed project is to convert the existing 226 square foot garage to habitable space, to construct a new 553 square foot two-car attached garage/storage area with 461 square foot of habitable space above, a new 130 square foot entry addition, a new uncovered rear deck, a new upper level balcony, new site fencing, replacement of existing windows, the relocation of the driveway and 27 yards of grading excavation and five cubic yards of fill dirt outside of the main building footprint.. Also proposed is demolition of the front entry patio, the uncovered deck and the "as-built" sunroom at the rear of the dwelling and removal of three citrus trees. The proposal will address violations outlined in a Zoning Information Report (ZIR2014-00484).

The discretionary applications required for this project are Front and Interior Setback Modifications to convert the existing one-car garage to habitable space with new windows and a door within the required 30' front and 10' interior setbacks (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, July 16, 2015.
2. Site Plans

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


- I. Approved the requested Front and Interior Setback Modifications making the findings and determinations that the Modifications 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 garage to habitable space with a new door and new windows is appropriate because it will reuse the existing development on site, the changes are not anticipated to adversely impact the adjacent neighbor or the visual openness of the street frontage and because the one-story structure will not encroach any further into the setbacks than what currently exists.

II. Said approval is subject to the following conditions:


- A. The violations outlined in ZIR2014-00484 shall be corrected as part of this permit.
- B. A permit shall be obtained from the Parks and Recreation Department for removal of trees in the front setback.
- C. A separate permit shall be obtained from the Public Works Department for the proposed work in the public right-of-way.

This motion was passed and adopted on the 22nd 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 Gob, 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.

