

# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 049-15 2937 VALENCIA DRIVE MODIFICATIONS SEPTEMBER 2, 2015

#### **APPLICATION OF DON SWANN, DESIGNER FOR MARY ANN ZEGERS, 2937 VALENCIA DRIVE, APN: 053-362-011, E-3 (ONE FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 5 DU/ACRE) (MST2015-00371)**

The 5,000 square-foot site is currently developed with 1,023 square-foot single family residence and a detached 324 square-foot two-car garage. The proposed project involves a 106 square-foot rear addition and a new larger window along the western elevation of the residence.

The discretionary applications required for this project are:

1. Open Yard Modification of the required open yard area (SBMC § 28.15.060 and 28.92.110); and
2. Interior Setback Modification to allow alterations to the dwelling for a new window to encroach into the required six-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, August 27, 2015.
2. Site Plans


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

- I. Approved the requested Open Yard Modification and Interior Setback Modification 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 addition is appropriate on a small lot with a single-family residence, because the proposed addition will meet the setback requirements and the resulting open yard area is useable by the residents and will fulfill the intent of the Open Yard requirements while maintaining the existing neighborhood character. The proposed new window in the interior setback is appropriate because it will provide the required Building Code egress and the window is not anticipated to adversely impact the adjacent neighbors.

This motion was passed and adopted on the 2<sup>nd</sup> day of September, 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.