



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 053-15
435 E. VALERIO STREET
MODIFICATIONS
SEPTEMBER 16, 2015

**APPLICATION OF DAN WEBER, ARCHITECT FOR AELIA PARENTEAU,
435 E VALERIO STREET, APN: 027-123-008, R-2 ZONE (TWO-FAMILY RESIDENTIAL),
GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL (12DU/ACRE)
(MST2015-00021)**

The 5,900 square-foot site is currently developed with an existing two-story, 2,772 square-foot, single-family residence, and a detached, non-conforming, 307 square-foot garage. The proposed project involves the demolition of the existing non-conforming garage and construction of a new, detached, two-story accessory building consisting of a 400 square foot, two-car garage, and 322 square feet of accessory space. The project also includes: demolition of a total of 242 square feet of existing floor area and exterior stairs, an interior remodel, window and door alterations, repair and paint exterior siding, construct a new entry porch on the north elevation and a new raised deck on the north and west elevations, repair/replacement of existing walls/gates, new site walls and gates, new curb cut and driveway, and removal of an existing street tree. The proposal will abate violations outlined in ZIR2013-00596 and ENF2007-00477.

The discretionary applications required for this project are:

1. Front Setback Modification to allow window and door alterations within the required twenty-foot front setback (SBMC §28.18.060 and SBMC § 28.92.110).
2. Open Yard Modification to allow alterations to occur within the existing non-conforming open yard (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 either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, September 10, 2015.
2. Site Plans

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

- I. Approved the Front Setback and Open Yard 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 window and door alterations are appropriate because they improve the function of the existing nonconforming residence, and the changes are not anticipated to adversely impact the adjacent neighbors, or the visual openness from the street. The site alterations and new detached garage/accessory building are appropriate because: they will maintain the existing neighborhood character and provide a conforming two-car garage; they provide an improvement to the useable open yard area; and is not anticipated to adversely impact the adjacent neighbors, or the visual openness from the street.

- II. Said approval is subject to the following conditions:
 - A. If at any time the repair of any nonconforming fence/wall should exceed the maximum 10% allowance that the location and heights of new/replaced construction will comply with SBMC §28.87.170.

 - B. Applicant shall study relocating the garage doors facing Olive Street toward the interior north property line.

 - C. The proposed 10' x 7' door on the south garage elevation shall be removed. A maximum of two man doors may be located on this elevation.

This motion was passed and adopted on the 16th 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 Geo, 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.