



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 061-15  
640 AURORA AVENUE  
MODIFICATIONS  
OCTOBER 28, 2015

**APPLICATION OF JASON GRANT, DESIGNER FOR NICOLAS D'INCELLI, 640 AURORA AVENUE, APN: 035-122-014, E-1 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE) (MST2015-00038)**

The 13,500 square-foot site is currently developed with a 1,590 square foot single family residence, an attached 441 square foot two-car garage and a rear uncovered patio. The proposed project is to construct a 245 square foot one-story addition, a 985 square foot second-story addition, a new covered front entry porch, a new upper level balcony, to permit "as-built" 36 inch high retaining walls and to demolish an "as-built" outdoor shower and screening for the shower. The proposal total of 3,261 square feet on a 13,500 square foot lot is 78% of the maximum required floor-to-lot area ratio (FAR).

The discretionary applications required for this project are:

1. Front Setback Modification to allow a conforming second-story addition that will change the basic exterior characteristics of the existing residence that is nonconforming to the required 30-foot front setback (SBMC § 28.87.030 and SBMC § 28.92.110); and
2. Interior Setback Modification to allow a conforming second-story addition that will change the basic exterior characteristics of the existing residence that is nonconforming to the required 10-foot interior setback (SBMC § 28.87.030 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, October 22, 2015.
2. Site Plans

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

- I. The Staff Hearing Officer finds that the Front Setback Modification and Interior Setback Modification are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on the lot. The proposed additions are appropriate because they will allow for conforming additions to the dwelling that will not increase the amount of encroachment or openings in the required setbacks and the additions are not anticipated to adversely impact the adjacent neighbors.

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

- A.** A Parking Design Waiver shall be obtained from the Public Works Department prior to building permit issuance.
- B.** The “as-built” retaining walls are subject to review and approval by the Single Family Design Board (SFDB).

This motion was passed and adopted on the 28<sup>th</sup> day of October, 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 Gop, Staff Hearing Officer Secretary \_\_\_\_\_ Date 10/29/15

**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.