



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 071-15
1562 MARQUARD TERRACE
FRONT SETBACK MODIFICATIONS
DECEMBER 9, 2015

**APPLICATION OF TRISH ALLEN, AGENT FOR JOANNE GRONQUIST,
1562 MARQUARD TERRACE, APN: 041-031-018, R-1 SINGLE FAMILY RESIDENCE ZONE,
GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 5 DU/ACRE)
(MST2013-00424)**

The 8,600 square-foot site is currently developed with a 1,286 square foot two-story single family dwelling, a detached 334 square foot garage and a 237 square foot detached accessory structure. The proposed project includes 494 square feet of first floor additions with a new entry stairway, a 194 square foot second floor addition, demolition of an "as-built" 37 square feet addition to the garage, demolition of an "as-built" chicken coop, removal of an "as-built" hot tub, new windows and doors, window and door alterations, replacement of existing siding with stucco and a new standing seam metal roof. The proposed total of 2,508 square feet is 75% of the required floor-to-lot area ratio (FAR).

The discretionary applications required for this project are:

1. Front Setback Modification to allow one-story additions with alterations to the dwelling including a new entry stairway, new openings and a new deck within the required 15-foot front setback for ground floor portions of the building (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. Front Setback Modification to allow a second-story addition with alterations to the dwelling and new openings in the required 20-foot front setback for upper story portions of the building (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, one person 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, December 3, 2015
2. Site Plans

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

- I. Approved the subject application making the following findings and determinations:

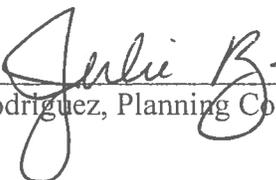
- A. The Front Setback Modification to allow one-story additions with alterations to the dwelling including a new entry stairway, new openings and a new deck is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure appropriate improvements to the lot. The proposed alterations and additions to the dwelling are appropriate because of the site constraints associated with the current development on the site, the existing public road and private driveway easements, and the grade difference along the west interior property line within the front setback. The property is located at the dead end of a public street and infilling the front corner of the existing residence and adding additional floor area behind the existing utility room within the front setback will not have adverse impacts to the streetscape and is not anticipated to adversely impact the adjacent neighbors.
- B. The Front Setback Modification to allow the second-story addition with alterations to the dwelling and new openings in the required 20-foot front setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed alterations and additions to the dwelling are appropriate because of the site constraints associated with the current development on site, the second-story encroachment is minor, and the proposal is not anticipated to adversely impact the adjacent neighbors.

II. Said approval is subject to the following conditions:

- A. The violation outlined in ZIR1999-01169 shall be abated as part of this permit and shall be included in the Scope of Work for the project.
- B. The miscellaneous stored items shall be removed from the setbacks and from the open yard area.

This motion was passed and adopted on the 9th day of December, 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.



Julie Rodriguez, Planning Commission 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.

