



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 072-15

941 MEDIO ROAD

FRONT SETBACK MODIFICATIONS, INTERIOR SETBACK MODIFICATION

DECEMBER 9, 2015

APPLICATION OF ANDERS TROEDSSON, ARCHITECT FOR ROBERT GULOCK AND GRACE GULOCK REVOCABLE TRUST, 941 MEDIO ROAD., APN: 029-321-016, E-1 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 3 UNIT/ACRE) (MST2015-00344).

The 10,690 square-foot site is currently developed with a 1,215 square foot single family residence, a 77 square foot basement, a 331 square foot detached garage, a detached 62 square foot shed and a trellis. The proposed project involves demolition of the existing garage, trellis and shed, and 16 square feet of the existing residence; construction of 1,278 square feet of additions to the dwelling, a 208 square foot basement addition, a new 419 square foot two-car garage, new decks and a new stairway. The proposal also includes a new CMU pool equipment enclosure, new condenser units, new retaining walls, new fencing, a new trash enclosure, new swimming pool, restoration of an historic sandstone cap and pier wall and associated grading for the project. The proposal will address violations outlined in a Zoning Information Report (ZIR2014-00443). The proposed total of 3,181 square feet is 83% of the maximum required floor to lot area ratio.

The discretionary applications required for this project are:

1. A Front Setback Modification to allow a new garage, additions, and alterations to the dwelling including roof alterations, new doors and windows, a trash area, condensing units and a pool equipment enclosure with pool equipment within the required 30-foot front setback facing Ferrelo Road to the northwest of the property (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. A Front Setback Modification to allow additions and alterations to the dwelling including new doors and windows, a new deck, swimming pool, and a new stairway within the required 30-foot front setback facing Medio Road to the southwest of the property (SBMC § 28.15.060 and SBMC § 28.92.110); and
3. An Interior Setback Modification to allow a condensing unit and a pool equipment enclosure with pool equipment within the required 10-foot interior setback (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 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 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 Staff Hearing Officer finds that the Front Setback Modification facing Ferrelo Road (northwest elevation) is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed alterations and additions to the dwelling and the new garage are appropriate because of the site constraints associated with the current development on site, the undersized and irregular shape of the lot, the two front setbacks and because the alterations, additions and new garage, condensing units, and trash enclosure are not anticipated to adversely impact the adjacent neighbors.
 - B. The Staff Hearing Officer finds that the Front Setback Modification facing Medio Road (southwest elevation) for the proposed additions, alterations, and improvements is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed alterations and addition to the dwelling are appropriate because of the site constraints associated with the current development on site, the undersized and irregular shape of the lot, the two front setbacks and because the alterations and additions are not anticipated to adversely impact the adjacent neighbors.
 - C. The Staff Hearing Officer finds that the Interior Setback Modification for the pool equipment enclosure with pool equipment is not consistent with the purpose and intent of the Zoning Ordinance and is not necessary to secure appropriate improvements on the lot. The proposed location of the pool equipment enclosure with pool equipment is not appropriate, as they do not provide adequate setbacks from the interior property line and because there are other conforming locations on site where the items could be constructed that would not require modification approval.
- II. Said approval is subject to the following conditions:
 - A. The violations outlined in ZIR2014-00443 shall be abated as part of this permit and shall be included in the Scope of Work.
 - B. The historic sandstone cap and pier wall shall be restored subject to review and approval by the City Historian.
 - C. An Administrative Exception shall be obtained for the proposed over height walls and fences on the property.

- D. The existing hedge within the public right-of-way of Medio Road shall be removed or an Encroachment Permit shall be obtained prior to the issuance of a building permit for the project.
- E. The existing fence within the Media Road public right-of-way shall be removed.
- F. The existing driveway and associated curb cut on Medio Road shall be removed as part of this project. The existing curb along Medio Road shall be extended in the area of the removed driveway.
- G. The proposed living room/dining area addition within the required front setback of Medio Road shall not encroach more than 13 feet into the required front setback of Medio Road.
- H. The condensing units and pool equipment shall comply with the City's Noise Ordinance requirements and the noise spec information with decibel levels for the units shall be reproduced on the plans submitted for building permit.
- I. The following language shall be added to the plans submitted for building permit:

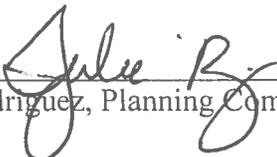
“Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

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

December 9, 2015
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.