



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 073-15

750 CALLE ALELLA

FRONT AND INTERIOR SETBACK MODIFICATIONS

DECEMBER 9, 2015

APPLICATION OF ALLAN MCCOMB, APPLICANT FOR NICHOLAS A. SANFORD, 750 CALLE ALELLA, APN: 041-181-009, E-1 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAXIMUM 3 DWELLING UNITS PER ACRE) (MST2015-00359)

The 15,322-square-foot site is currently developed with a 1,620-square-foot single family residence, a 555.75-square-foot "as-built" deck and an attached 540-square-foot garage. The proposed project is to permit the "as-built" extension of a raised deck, wrapping around the south and east elevations of the residence. The proposal will address violations outlined in a Zoning Information Report (ZIR2015-00108).

The discretionary applications required for this project are Front and Interior Setback Modifications to permit the as-built wrap-around deck within the required 30' front and 10' interior setbacks (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 (Existing Facilities).

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 for the as-built wrap-around deck is consistent with the purposes and intent of the Zoning Ordinance. The as-built wrap-around deck is appropriate because the property is located at the dead end of a public street and the as-built deck will not adversely impact the visual openness of the street frontage. Although the as-built deck is located approximately 15 feet from edge of the public right-of-way, instead of the required 30 feet, the as-built deck is located approximately 30 feet from the edge of the developed roadway.

- B. The Staff Hearing Officer finds that the Interior Setback Modification for the “as-built” wrap-around deck is consistent with the purposes and intent of the Zoning Ordinance. The “as-built” wrap-around deck is appropriate because it will not adversely impact the adjacent property given the existing landscape on the south side of the deck which screens the view onto the adjacent property.

II. Said approval is subject to the following conditions:

- A. The violations outlined in ZIR2015-00108 shall be corrected as part of this permit.

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.

