



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 045-16
1630 MIRA VISTA AVENUE
MODIFICATIONS
AUGUST 3, 2016

APPLICATION OF TRISH ALLEN, SENIOR PLANNER AT SUZANNE ELLEDGE PLANNING AND PERMITTING SERVICES, INC., FOR BARBARA JO THURMAN, PROPERTY OWNER, 1630 MIRA VISTA AVENUE, APN 019-090-013, E-1 SINGLE FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (3 DWELLING UNITS PER ACRE) (MST2016-00106)

The 13,924 square-foot site is currently developed with a 2,636 square foot single family residence, which is accessed off a private road, Mira Vista Avenue, located in the City's Riviera neighborhood. The proposed project involves demolishing the existing 544 square foot two-car garage and storage area, and construct a new 565 square foot master suite in their place. The proposal includes a new 447 square foot two-car garage and 122 square foot storage, stair, and elevator area to be located below the new master suite and to be made accessible with newly graded driveway. The proposed total of 3,486 square feet (of which 50% of the partial basement garage is receiving a 50% FAR credit) on a 13,924 square foot lot is 82% of the required maximum floor-to-lot area ratio (FAR). The proposal includes new site work, walls, steps, and a deck expansion in the front yard. An Administrative Height Exception is requested to allow a wall that exceeds 3 1/2 feet in height to be located within 10 ft. of the front property line.

The discretionary land use applications required for this project are:

1. An Interior Setback Modification to allow the new garage and master suite above it to encroach into the required ten-foot interior setback on the west side of the property (SBMC §28.15.060 and 28.92.110); and
2. A Front Setback Modification to allow a deck to exceed ten inches in height to encroach into the required thirty-foot front setback (SBMC §28.15.060 and 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 to 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, July 27, 2016.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Stephanie Decker, Santa Barbara, CA.

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

- I. Approved the subject application making the following findings and determinations:
 - A. The Interior Setback Modification to allow the new garage and master bedroom to encroach into the interior yard setback is consistent with the purposes and intent of the Zoning Ordinance and is an appropriate improvement to the lot because the proposed development is in the same footprint and the same height as the existing development, and it allows for the driveway to be reconstructed to a much more functional slope. There is only one clerestory window for the bathroom in the setback area, resulting in a minimal impact to the neighbors.
 - B. The Front Setback Modification to allow the pool deck to exceed ten inches in height within the required thirty-foot front setback is consistent with the purposes and intent of the Zoning Ordinance and secures an appropriate improvement on the lot because it allows for a more usable yard area that is currently constrained by topography, and it will not affect the visual openness from the street.
- I. Said approval is subject to the following conditions:
 - A. Prior to Design Approval, the applicant/owner shall submit a hydrology/storm water report demonstrating how this Tier 3 Storm Water Management Program (SWMP) project meets the City's storm water requirements for water quality treatment.
 - B. Prior to issuance of a Building Permit, the applicant/owner shall apply for an Administrative Height Exception to allow a wall that exceeds 3 1/2 feet in height to be located within 10 ft. of the front property line.

This motion was passed and adopted on the 3rd day of August, 2016 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 Goo, 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.