



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 084-16

333 EL CIELITO ROAD

MODIFICATIONS

DECEMBER 21, 2016

**APPLICATION OF LINDSAY EMMERSON, AGENT FOR EMMERSON FAMILY REVOCABLE TRUST, 333 EL CIELITO ROAD, APN: 021-083-005, A-1 (RESIDENTIAL) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 1 DU/AC) (MST2016-00176)**

Proposal to permit a new 439.89 square foot circular accessory building (yurt) with skylight on a raised platform with a new deck, and relocate an "as-built" 96 square foot shed on a 1.75 acre lot in the Hillside Design District. The site currently contains a 2,377 square foot one-story single-family residence with no covered parking. Two uncovered parking spaces (9 feet by 18 feet) are also proposed on an existing paved driveway.

The discretionary applications required for this project are:

1. A Modification to allow accessory buildings to be located in a front yard (SBMC §28.87.160.B and SBMC §28.92.110); and
2. An Accessory Space Modification to allow accessory buildings, excluding garages, to exceed an aggregate floor area of 500 square feet (SBMC §28.87.160.C 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 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 in favor, or in opposition, of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 15, 2016
2. Site Plans

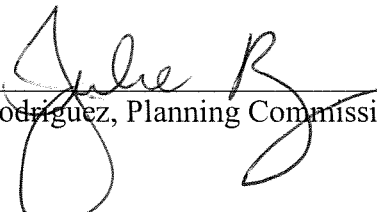
**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer approved the subject application making the findings and determinations that the Modifications to allow the new yurt and the existing shed to be located within the remaining front yards and to exceed the maximum allowable size of 500 square feet are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The placement of the new accessory building and the existing shed within the remaining front yards is appropriate because the site is constrained due to the three front setbacks facing Gibraltar and El Cielito Roads and steep topography which limits the areas where a detached accessory building could be allowed. The combined storage

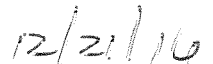
STAFF HEARING OFFICER RESOLUTION NO. 084-16  
333 EL CIELITO ROAD  
DECEMBER 21, 2016  
PAGE 2

and accessory building exceeding 500 square feet is also an appropriate improvement given the large size of the lot. Further, the proposed yurt and existing shed will comply with all required setbacks.

This motion was passed and adopted on the 21st day of December, 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.

  
\_\_\_\_\_  
Julie Rodriguez, Planning Commission Secretary

  
\_\_\_\_\_  
Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission 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.