



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 003-17
242 LAS ALTURAS ROAD
MODIFICATION
JANUARY 18, 2017

**APPLICATION OF ROBERT IRVINE, AGENT FOR ROBERT AND JANET MCGLASHAN,
242 LAS ALTURAS, APN: 019-320-025, E-1, SINGLE FAMILY ZONE, GENERAL PLAN
DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/AC) (MST2016-00315)**

The 43,560 square foot lot is currently developed with a 3,393 square foot one story single-family residence with an attached 351 square foot two vehicle carport. The project is to convert the carport to a covered patio and construct a new attached 420 square foot garage. A previous application was reviewed and approved by the Single Family Design Board on December 12, 2016, to demolish 19 square feet and add 537 square feet to the existing 3,370 square foot residence. The proposal also included an interior remodel of 1,497 square feet, landscape alterations and a re-roof of the central and west wing. The proposed total of 4,262 square feet on a 43,560 square foot lot located in the Hillside Design District is 86% of the guideline maximum floor to-lot-area ratio (FAR).

The discretionary application required for this project is a Front Setback Modification to allow the new garage to encroach within the required 30 foot front 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 (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, January 12, 2017.
2. Site Plans

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

- I. Approved the requested Front Setback Modification making the findings and determinations that the Modification is consistent with the purposes and intent of the Zoning Ordinance, and necessary to secure an appropriate improvement on the lot. The proposed Front Setback Modification is appropriate because it allows for a covered parking area which conforms to the required parking standards. In addition, given the location of the existing development on the site and access to the project site, the proposed location of the garage is appropriate and the project is not anticipated to adversely impact the adjacent neighbors or the visual openness from the street.

II. Said approval is subject to the following conditions:

- A.** The violations identified in ZIR2016-00095 for the unpermitted air conditioning units, window and door alterations in the kitchen and the outdoor shower shall be either removed or permitted. If permitted, the air conditioning units must comply with the City's Noise Ordinance.
- B.** Documentation verifying the location of the edge of the private road easement shall be submitted with the application for a building permit. The location of the proposed garage shall not interfere with the private road easement.
- C.** The proposed uncovered guest parking space within the remaining front yard shall be screened pursuant to SBMC §28.90.001, and shall not obstruct the maneuverability exiting the proposed garage, subject to review and approval by Transportation Division staff.
- D.** The driveway and guest parking space shall have a hard surface pursuant to SBMC §28.90.001.

This motion was passed and adopted on the 18th day of January, 2017 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.