



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 005-17
1608 BATH STREET
MODIFICATION
JANUARY 18, 2017

**APPLICATION OF MICHAEL CHIACOS, OWNER AND AGENT, 1608 BATH STREET, APN:
027-171-022, R-4, MULTI FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION:
MEDIUM-HIGH DENSITY RESIDENTIAL (15-27 DU/ACRE) (MST2016-00434)**

The 6,250 square foot project site is currently developed with a 1,800 square foot residential duplex and detached 380 square foot two car garage. The proposed project involves converting the rear residential unit (500 square feet) to a hotel unit. No exterior changes are proposed. The project is also subject to the Tenant Displacement Assistance Ordinance (TDAO).

The discretionary application required for this project is an Interior Setback Modification to allow the conversion of residential floor area to commercial floor area within the required six-foot interior setback along the southeast property line (SBMC § 28.21.060 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 in favor of the application, and three (3) people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 12, 2017.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Monique Leon Ward, Santa Barbara, CA.
 - b. Caroline M. Farrell, Santa Barbara, CA.
 - c. Christopher Wright, Santa Barbara, CA.

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


- I. Approved the requested Interior 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 conversion of the rear residential unit to a vacation rental in a building nonconforming to setbacks is an appropriate improvement for this neighborhood because the use is allowed in the zone and the changes are 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 existing curb cut shall be revised to meet current City standards.
- B.** The orientation of the entrance stairway to the front door of the hotel unit shall be revised to have stairway access directly from the driveway subject to review and approval by Transportation Division staff.

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 **Architectural Board of Review (ABR)** 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.