



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 007-17  
1932 MOUNTAIN AVENUE  
MODIFICATION  
FEBRUARY 1, 2017

**APPLICATION OF XAVIER F. COBIANI, AGENT FOR DENISE EASTON, 1932 MOUNTAIN AVENUE, APN: 043-112-016, R-1, SINGLE FAMILY ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 5 DU/ACRE), (MST2016-00445)**

The 4,950 square foot project site is currently developed with a one story, 816 square foot single-family residence. The proposed project is to construct a new 405 square foot two-car garage. The project will address violations identified in a Zoning Information Report (ZIR2014-00058).

The discretionary application required for this project is an Open Yard Modification to allow the reduction of the required 20 foot minimum dimensions for measuring an open yard (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 26, 2017.
2. Site Plans

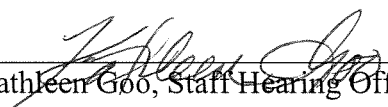
**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:

- I. Approved the requested Open Yard Modification making the findings and determinations that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The Modification to allow a portion of the open yard to be less than the minimum required dimensions is appropriate given the relatively small lot size and because the open yard would continue to be useable, fulfilling the intent of the open yard requirements and allows for the construction of conforming covered parking
- II. Said approval is subject to the following conditions:
  - A. The detached storage sheds in the rear yard will be removed from the site
  - B. No washer and dryer shall be located within the required 20' x 20' minimum interior clear space in the garage.

- C. A permanent physical barrier (such as a curb) shall be constructed between the driveway and the rear open yard area to prevent the parking of vehicles in that area.

This motion was passed and adopted on the 1<sup>st</sup> day of February, 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 2/1/17

**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. **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.
5. **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.