

City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 008-17
241 PALISADES DRIVE
MODIFICATION
FEBRUARY 1, 2017

APPLICATION OF TERI MALINOWSKI, AGENT FOR DEANNA SERRA, 241 PALISADES DRIVE, APN: 041-326-004, E-3/SD-3, SINGLE FAMILY ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL (MAX 5 UNITS/AC), (MST2016-00455)

The 6,534 square foot project site is currently developed with a 1,616 square foot single-family residence, an attached 484 square foot two-car garage and an attached 260 square feet workshop. The proposed project is to permit the “as-built” covered entrance over the front entry porch and the front window added to the workshop. The project will address violations identified in a Zoning Information Report (ZIR2016-00145).

The discretionary applications required for this project is a Front Setback Modification to allow alterations within the required 20 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:

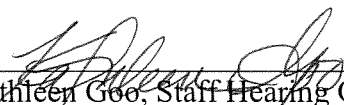
1. Staff Report with Attachments, January 26, 2017.
2. Site Plans

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 is necessary to secure an appropriate improvement on the lot. The Modification to allow the as-built window opening in the workshop and the front covered entry to encroach into the front setback is appropriate because the alterations improve the function and aesthetics of the existing nonconforming residence, and the changes do not adversely impact the adjacent neighbors or the visual openness from the street.
- II. Said approval is subject to the condition that the violations identified in ZIR2016-00145 for the unpermitted conversion of the workshop to a separate unit, conversion of a portion of the garage to a workshop/storage area and the addition of the laundry hookups in the garage shall be either removed or permitted as part of the building permit required for the new window and wall at the front of the workshop and the new front entrance cover.

This motion was passed and adopted on the 1st 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

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.