



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 009-17 2 ROSEMARY LANE MODIFICATIONS FEBRUARY 15, 2017

APPLICATION OF BART MILLAR, AGENT FOR WINSTON CENAC, 2 ROSEMARY LANE, APN: 015-093-018, E-1 SINGLE FAMILY ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE), (MST2016-00501)

The 8,712 square foot project site is currently developed with a two-story, 2,404 square foot single-family residence and a 310 square foot detached one car garage with an attached rear trellis. The proposed project is to add an elevator at the rear of the dwelling which will result in approximately 58 square feet of addition to the house. The proposal also includes alteration of an upstairs window in order to accommodate the elevator. The project will address violations identified in a Zoning Information Report (ZIR2012-00386).

The discretionary applications required for this project are:

1. 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);
2. Front Setback Modification to allow uncovered parking in the required 30-foot front setback (SBMC §28.15.060 and SBMC §28.92.110); and
3. Interior Setback Modification to allow uncovered parking in the required 10-foot interior 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, February 9, 2017.
2. Site Plans

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


- I. Approved the requested Interior and Front Setback Modifications to allow for an uncovered parking space to be located in the front and interior setbacks and the Open Yard Modification to allow a portion of the open yard to be less than the minimum required dimensions are appropriate in order to provide the required number of parking spaces and allow for an improvement to an existing residence in order to provide reasonable accommodations to an individual with disabilities. The proposed addition is appropriate because there is adequate usable open area

between the residence and Rosemary Lane, it represents a minor addition which will provide for greater accessibility to an individual with disabilities, and is not anticipated to adversely impact the adjacent neighbors or the visual aesthetic from the street.

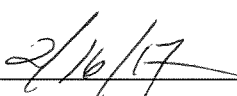
- II. Said approval is subject to a condition that the violations identified in ZIR2016-00099 for the unpermitted trellis cover at the rear of the garage, the trash enclosure at the side of the driveway, the electric gate across the driveway and the laundry hookups in the kitchen be abated. The trellis cover and trash enclosure are located within the required interior setback and must be removed. The electric gate and the laundry hookups are allowed with a building permit.

This motion was passed and adopted on the 15th 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. Subsequent to the outcome of any appeal action your next administrative step should be to apply for **Historic Landmarks Commission (HLC)** 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.