

# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 013-17 1704 PATERNA ROAD MODIFICATION MARCH 1, 2017

**APPLICATION OF JASON GRANT, ARCHITECT FOR STEPHANIE KWOCK,  
1704 PATERNA ROAD, APN: 019-184-008, E-1, ONE-FAMILY RESIDENCE ZONE,  
GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE),  
(MST2016-00377)**

The 17,605 square foot project site is currently developed with a two-story, 3,417 square foot single family dwelling, a detached two room accessory structure with an attached front deck and a detached 511 square foot garage. The proposed project is to add a pitched roof to the existing garage to match the roof of the main dwelling. The unpermitted roof deck on the garage will be removed and violations identified in a Zoning Information Report (ZIR2014-00258) will be addressed.

The discretionary application required for this project is for a Front Setback Modification to allow alterations to the roof of the garage to encroach into 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, February 23, 2017.
2. Site Plans


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

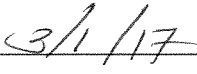
- I. Approved the requested the Front Setback Modification making the findings and determinations that the Modification is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement on the lot. The Modification to allow the new sloped roof on the garage to encroach into the front setback is appropriate because the alteration will enhance the aesthetics of the existing nonconforming garage and the changes will not 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 ZIR2014-00258 for the unpermitted laundry hookups in the upstairs closet and the over height hedges along the driveway shall be abated.

- B. A permit was issued in 2016 for an air conditioner. The air conditioner has been installed but the permit has not yet been finalized. The permit for the air conditioner shall be finalized prior to issuance of the building permit for the garage roof.
- C. A site inspection of the property revealed that a built-in gas barbeque has been installed in the remaining front yard and a new AC unit has been installed adjacent to the accessory building at the rear of the site. The abatement/permitting of the as-built barbeque and AC unit shall be included in the application for a building permit for the new garage roof.

This motion was passed and adopted on the 1<sup>st</sup> day of March, 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.