

City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 016-17
226 OLIVER ROAD
MODIFICATIONS
MARCH 15, 2017

APPLICATION OF STEVE HAUSZ, ARCHITECT FOR KANE FAMILY TRUST, 226 OLIVER RD, APN 045-081-016, E-3/SD-3 SINGLE FAMILY RESIDENTIAL ZONE AND THE APPEALABLE JURISDICTION OF THE COASTAL ZONE, LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 5 DU/ACRE) (MST2016-00546)

The 6,517 square foot parcel, located in the Appealable Jurisdiction of the Coastal Zone, is currently developed with an existing one-story, 1,327 square foot single-family dwelling. The parcel includes a 347 square foot attached two-car carport that has been converted into a garage through the addition of an "as-built" garage door, and an attached 176 square foot storage shed. The project involves replacing the existing 13'-11" single garage door with two new 8' wide garage doors, replacing two aluminum windows on the west elevation with a single vinyl window in a new location, permitting an "as-built" man door on the south elevation of the garage, and relocating roof support beams in the garage. No new square footage is proposed.

The discretionary applications required for this project are:

1. A Front Setback Modification for garage door alterations and new window openings within the required 20' front setback to the east (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. An Interior Setback Modification to allow a new door opening within the required 6' interior setback to the south (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:

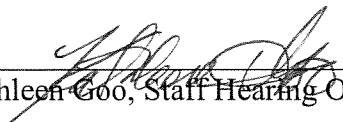
1. Staff Report with Attachments, March 8, 2017.
2. Site Plans
3. Correspondence received in support of the project with an additional concern:
 - a. Jim Byrne, Santa Barbara, CA.

NOW, THEREFORE BE IT RESOLVED that:

- I. The City Staff Hearing Officer made the following findings and determinations:
 - A. Approved the Front Setback Modification making the finding and determination 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 proposed garage doors and new window opening that encroach into the front setback are appropriate because they enhance the aesthetics of the existing nonconforming covered parking spaces and the changes will not adversely impact the adjacent neighbors or the visual openness from the street.
 - B. Denied the Interior Setback Modification making the finding and determination that the Modification is inconsistent with the purposes and intent of the Zoning Ordinance and is not necessary to secure an appropriate improvement on the lot. The “as-built” door on the south elevation of the garage and within the interior setback has the potential to negatively affect the adjacent property in terms of light and noise. In addition, there an existing exterior door from the garage that provides access to the backyard.
- I. Said approval is subject to the following conditions:
 - A. Design Review shall be obtained for all new fencing greater than 3.5 feet in height and located within the front yard.
 - B. Prior to Preliminary Design Approval by Design Review, an Administrative Fence Height Exception shall be obtained for the over height fence at the northern property line or it shall be lowered to meet Zoning Ordinance requirements per SBMC§28.87.170.
 - C. The existing hedge is located within the site visibility triangle adjacent to the driveway and may be located within the “intersection sight distance. Show compliance the site visibility triangle adjacent to the driveway and the “intersection sight distance” per SBMC§28.87.170 on the plans or include a request to allow the existing hedge with the application for an Administrative Height Exception request.
 - D. The “as-built” door on the south elevation of the garage shall be removed and replaced with a solid exterior wall.

This motion was passed and adopted on the 15th 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. **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.