



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 031-17  
16 WEST OLIVOS STREET  
MODIFICATION  
APRIL 26, 2017

**APPLICATION OF AMY VON PROTZ, AGENT FOR ZACHARY AND JENNIFER KRAMER,  
16 WEST LOS OLIVOS STREET, APN 025-191-012, E-3 (ONE FAMILY RESIDENTIAL)  
ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (5 DWELLING  
UNITS PER ACRE) (MST2017-00053)**

The 6,546 square foot project site is currently developed with a 1,778 square foot single-family residence and attached 330 square foot one-car garage. The proposal is to add 25 square feet at the rear of the house in order to expand the bathroom. The proposal also includes an interior remodel and two new exterior doors. The project will address violations identified in a Zoning Information Report (ZIR2015-00354).

The discretionary application required for this project is an Open Yard Modification to allow the open yard area to be located within the secondary front 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 in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 20, 2017.
2. Site Plans

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

- I. Approved the Open Yard 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 proposed addition and alterations are appropriate due to the location of the existing development on site and the constraint of having two front yards. The small expansion provides a uniform addition to the dwelling that improves the functionality of the interior space while meeting the setback requirements. The proposed open yard area will provide a useable area for the residents and fulfill the intent of the open yard requirements in terms of both size and minimum required dimensions. The proposed addition and alteration, including the new doors, are not anticipated to adversely impact the adjacent neighbors of the visual openness of the street frontage.

A. Said approval is subject to the following condition:

- A. The violations outlined in ZIR2015-00354 shall be abated as part of this proposal and shall be included in the Scope of Work for the project.
- B. The existing fence, stone wall, and hedge within 10 feet of the driveway on West Los Olivos Street and on the corner of West Los Olivos Street and Las Rosas Lane shall comply with SBMC §28.87.170.
- C. The existing hedge within 10 feet of the front property line of Las Rosas Lane shall be trimmed and maintained at a height in conformance with SBMC §28.87.170 and be trimmed and maintained so as to not encroach into the Las Rosas Lane right-of-way.
- D. The following language shall be added to the plans submitted for building permit:


“Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.


If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.”

This motion was passed and adopted on the 26<sup>th</sup> day of April, 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 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.