



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 040-17
1189 N. ONTARE ROAD
MODIFICATION
JUNE 7, 2017

APPLICATION OF DENNIS THOMPSON, ARCHITECT FOR LIZINKA BENTON-RZEZNIK, 1189 N ONTARE ROAD, APN 055-120-034, E-1 SINGLE FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 1 DU/ACRE) (MST2017-00085)

The 15,599 square foot site is currently developed with a two-story, 1,550 square foot single family dwelling with an attached 187 square foot one-car garage, a detached 372 square foot detached one-car garage and a swimming pool. The proposed project consists of the demolition of a 78 square foot existing laundry room and in its place the construction of a 221 square foot, two-story addition. The first floor of the proposed addition will be an expanded laundry room and a powder room. The second floor of the addition will become a master bathroom and closet. The proposed total of 2,330 square feet is 54% of the maximum allowable floor-to-lot area ratio.

The discretionary application- required for this project is a Front Setback Modification to allow the addition to the main dwelling to encroach into the required thirty-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, one person 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, June 1, 2017.
2. Site Plans

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


- I. Approved the Front Setback Modification making the following 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 is appropriate because of the location of the existing development on site, the two front yards and the three elevations that face the street, and the historic nature of the dwelling restricts the location options for a conforming addition.

II. Said approval is subject to the following conditions:


- A. Prior to the submittal for a building permit for the proposed addition, either submit evidence of an Public Works Encroachment Permit for the fence and hedge within the public right of way, apply for and receive a Public Works Encroachment Permit for them to remain within the public right of way, or remove/relocate the fence and hedge outside of the public right of way.
- B. The hedges within the visibility triangle adjacent to the driveway shall be reduced to three and one-half feet, and maintained at this height.

This motion was passed and adopted on the 7th day of June, 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. Subsequent to the outcome of any appeal action, your next administrative step should be to apply for **Single Family Design Board (SFDB)** 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.