



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 053-17 1014 EAST ORTEGA STREET MODIFICATION JULY 19, 2017

APPLICATION OF KRISTIAN HOWELL, AGENT FOR PATRICK FLEMING, 1014 EAST ORTEGA STREET, APN 031-184-004, R-2, TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION:MEDIUM DENSITY RESIDENTIAL (MAX 12 DU/ACRE), (MST2017-00266).

The 5,009 square foot project site is currently developed with a one-story, 665 square foot single-family dwelling and 345 square foot detached, two-car garage. The project proposes to legalize a 322 square foot "as-built" addition to the rear of the dwelling, demolish an unpermitted carport, and remove all interior alterations in the garage to provide access to the required covered parking spaces. The proposed total of 1,332 square feet is 56% of the maximum allowable floor-to-lot-area ratio.

The discretionary application required for this project is an Interior Setback Modification to allow the "as-built" addition to encroach into the required 6-foot northeastern interior setback (SBMC §28.18.060 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 or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, July 13, 2017.
2. Site Plans


NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer approved the Interior 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 "as-built" addition is appropriate because it allows a modest and desired improvement to a relatively small dwelling unit. Additionally, the "as-built" square footage follows the development line of the existing dwelling resulting in a uniform improvement on the property. Further, the "as-built" addition is not anticipated to adversely impact the adjacent property because the project is adjacent to a carport on the neighboring property.

This motion was passed and adopted on the 19th day of July, 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.