



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 055-17  
1833 GARDEN STREET  
MODIFICATIONS  
AUGUST 2, 2017

**APPLICATION OF ELSA READER, AGENT FOR THE PERLMAN FAMILY ADMINISTRATIVE TRUST, 1833 GARDEN STREET, APN 027-042-013, E-1, SINGLE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE) (MST2017-00290)**

The 7,513 square foot site is currently developed with 1,588 square foot single-family dwelling with a 437 square foot detached garage. The proposed project involves a 21 square foot entry porch addition, a new exterior door, a new air conditioning unit, a change of exterior building material from stucco to siding, new exterior lighting, a re-roof, and an interior remodel. The proposed total 1,764 square feet is 58% of the maximum allowable floor-to-lot-area ratio.

The discretionary applications required for this project are:

1. Front Setback Modification to allow the entry porch addition to encroach into the primary front setback (SBMC §28.15.060 and SBMC §28.92.110);
2. Front Setback Modification to allow a new exterior door to be located in the secondary front setback (SBMC §28.15.060 and SBMC §28.92.110); and
3. Open Yard Modification to allow the air conditioning unit to encroach into the required open yard area (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 or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, July 27, 2017.
2. Site Plans

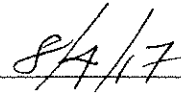
**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer approved the subject application making the following findings and determinations:

- A. The Primary Front Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The property is undersized for its zone and is constrained by the front setback. The proposed front entry addition is appropriate because the addition is not increasing the overall encroachment into the front setback and would be added to an area that is under the existing, permitted roof. Given that the entry addition will not increase the encroachment into the setback, and that it will be under the existing roof, the improvement is not anticipated to have adverse impacts on the street frontage.
  
- B. The Secondary Front Setback 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 door is appropriate because it will be screened by existing vegetation, minimizing any potential impacts to the streetscape, and is not adjacent to any neighboring residences.
  
- C. The Open Yard Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The air conditioning unit, located in the nonconforming open yard, is appropriate because the site constraints limit conforming locations for the placement of the condenser. In addition, the open space area of the property, although not consistent with dimensional standards, does exceed the 1,250 square feet required by the zoning ordinance and the air conditioner is located outside of the setback, which is consistent with the purposes and intent of the Zoning Ordinance.

This motion was passed and adopted on the 2<sup>nd</sup> day of August, 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 Gob, 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.