



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 010-18
758 JUANITA AVENUE
MODIFICATION
FEBRUARY 28, 2018

APPLICATION OF HUBBARD 2003 LIVING TRUST 2003 LIVI, PROPERTY OWNER OF 758 JUANITA AVENUE, APN 035-073-010, RS-15 (RESIDENTIAL SINGLE UNIT, 15,000 SQUARE FOOT MINIMUM LOT SIZE), GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE) (MST2017-00786)

The 12,884 square-foot site is currently developed with a one-story 1,145 square foot (net) single family residence and attached two-car garage. The existing residence is non-conforming to the northeastern interior setback by approximately six inches. The proposed project involves a 914 square foot residential addition that would continue the non-conforming plane for approximately 32 feet in the interior setback (13.8 square feet). An existing wood wall beneath an existing fence is proposed for replacement with a block wall, ranging in height from three and a half feet to six feet, and with a six foot wood fence atop it. The proposed wall and fence height will require a Minor Zoning Exception to be reviewed and approved by the Single Family Design Review Board.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is an Interior Setback Modification to allow the proposed residential addition to encroach into the required ten foot northern interior setback (SBMC §30.20.030.A and SBMC §30.250.030.B).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities) and 15305 (Minor Alterations in 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, February 19, 2018
2. Site Plans
3. Correspondence received in support of the project:
 - a. Elaine Levy, Santa Barbara, CA.

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer approved the subject application, making the following findings and determinations that the Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure development that is generally consistent with existing patterns of development in the neighborhood and promote uniformity of improvement to the existing structure on the site. The proposed addition would continue the plane of the existing non-conforming structure, the encroachment would decrease to a minimal encroachment, and the addition has been reviewed by the Single Family Design Board and determined to be compatible with the size, bulk, and scale of neighboring development. Further, the lot is one of several in the neighborhood that's development is non-conforming to interior setbacks due to a zone change in the 1970's.

This motion was passed and adopted on the 28th day of February, 2018 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.