APPLICATION OF MARK MORANDO, APPLICANT FOR UNTERTHINER RUDI A/LYNTA TRUSTEES (FOR) UNTERTHINER FAMILY TRUST 1/28/92, 406 CORONA DEL MAR, APN 017-321-002, R-4/S-D-3 ZONES (HOTEL MOTEL MULTIPLE RESIDENCE ZONE/COASTAL OVERLAY ZONE), LOCAL COASTAL PROGRAM LAND USE PLAN DESIGNATION: HOTEL AND RESIDENTIAL (MST2017-00258)

The 10,000 square-foot site is currently developed with an eight-unit, two-story multi-family development and two detached carports (eight total parking spaces) with attached storage and laundry facilities. The proposed project involves legalization of an “as-built” addition to one of the units on the second floor, which included enclosing a porch. All violations listed in ENF2016-01838, including electrical and termite damage issues, would be abated as part of this project. The “as-built” legalization of a fenced enclosure for one of the rear-facing ground floor units is also proposed, as well as site improvements such as hedge trimming and “No Parking” stencils near electrical meters on the ground floor.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is:

1. **Lot Area Modification** to allow for an increase in the square footage of one existing residential unit on a lot developed with nonconforming density (SBMC §28.87.030.E.1 and SBMC §28.92.110.B).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 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 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, January 23, 2019**
2. **Site Plans**
NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

I. Approved the subject application, making the following findings and determinations:

The Lot Area Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. While the “as-built” porch enclosure constitutes new floor area, it does not increase the residential density on the site nor the overall number of bedrooms onsite. The addition is comprised of enclosing a porch that was permitted in 1961 and incorporating that new floor area into an existing adjacent bedroom. The addition does not increase the overall building footprint nor is it visible from the public right-of-way.

The project is not part of the approval of a tentative subdivision map, conditional use permit, development plan, site plan, plot plan, or any other matter which requires approval of the Planning Commission, and is not anticipated to significantly affect persons or property owners other than those entitled to notice.

This motion was passed and adopted on the 30th day of January, 2019 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.

Heidi Reidel, Commission Secretary  
Date 2/1/19

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 Architectural Board of Review (ABR) 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 three (3) years from the date of the approval, per SBMC §30.205.120, unless:

a. A building permit for the construction authorized by the approval is issued within thirty six 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.