



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 003-19  
301 VISTA DE LA CUMBRE  
MODIFICATION  
JANUARY 16, 2019

**APPLICATION OF DIANA COSTEA, AGENT FOR BETH AND DARREN LANG, 301 VISTA DE LA CUMBRE, APN 053-091-002, RS-7.5/USS ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2018-00666)**

The proposed project involves a 234 square foot second-story addition to an existing non-conforming 1,868 square foot single-unit residence located on a 7,405 square foot lot. The existing residence consists of a 392 sf garage on the first floor with a 1,476 sf residence above (second floor). The existing second floor of this residential structure encroaches into the required six foot interior setback by approximately six inches, along the southern property line. The proposed addition would expand a bedroom at the rear of the second floor of the existing residence. The expansion would continue the plane of the existing exterior building wall that is located in the setback.

The discretionary application required for this project is:

1. Interior Setback Modification to allow the construction of a bedroom expansion on the second story within the required six-foot interior setback (SBMC Table 30.20.030.A and §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).

**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 9, 2019
2. Site Plans

**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer approved the subject application, making the findings and determinations that the Modification is consistent with the purposes and intent of the Zoning Ordinance because the encroachment would allow an addition to an existing residential structure without affecting light or air and is necessary to secure an appropriate improvement on the lot. The proposed encroachment is appropriate because it is relatively minor (seven square feet) and allows the bedroom expansion to remain in line with the existing house without having to make major structural changes to the existing roof. Additionally, the expansion would be an extension

of the livable area that functions as the "main floor" since the first floor is limited to garage use only due to the topography of the lot.

This motion was passed and adopted on the 16th day of January, 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.

  
Heidi Reidel, Commission Secretary

1/18/19  
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 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.