



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 044-19  
1040 MISSION RIDGE ROAD  
MODIFICATION  
OCTOBER 9, 2019

**APPLICATION OF SUSETTE NAYLOR, APPLICANT FOR OWNERS, RICHARD CHILES AND MARITA HAWRYLUK, 1040 MISSION RIDGE ROAD, APN 019-111-012, RS-1A ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL MAX 1 DU/ACRE (PLN2019-00198).**

The 17,695 square-foot site is currently developed with an existing split-level, single family dwelling and attached two-car garage. The proposed project involves an interior remodel and residential additions, including the conversion of a portion of the existing garage to habitable space, and an addition to the existing garage to maintain the minimum required two covered parking spaces. The proposal also includes permitting the "as-built" location of the residence.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is a Front Setback Modification to allow the proposed garage, bedroom, and terrace additions to encroach into the required 35' front setback (SBMC §30.20.030.A and §30.250.030).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Sections 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, and the following exhibits were presented for the record:

1. Staff Report with Attachments, October 3, 2019
2. Site Plans

**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:


- I. Approved the subject application, making the finding and determination that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to prevent an unreasonable hardship because the site is constrained by two 35' front setbacks that make it difficult to propose a conforming option. In addition, the proposed location for the additions and the "as-built" residence maximizes the useable space to build, therefore, reducing the need for excessive grading. Finally, the proposed additions and the "as-built" construction within the front setback are located approximately 60 feet from the existing street, therefore, no significant impacts are anticipated from the street.

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This motion was passed and adopted on the 9th day of October, 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.

  
\_\_\_\_\_  
Mary Ternovskaya, Commission 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 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.

