



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

**RESOLUTION NO. 049-19
429 E MICHELTORENA
MODIFICATION
NOVEMBER 20, 2019**

APPLICATION OF REJANE LEAO, DESIGNER FOR MIRAN KOJIAN, 429 E MICHELTORENA STREET, APN 027-252-029, R-M ZONE, GENERAL PLAN DESIGNATION: MEDIUM-HIGH DENSITY RESIDENTIAL (PLN2019-00387)

The 2,310 square foot lot is currently developed with an existing one-story, single residential unit. An existing one-car garage is provided off-site (APN: 027-252-018). The proposed project involves a major interior remodel, the conversion of the existing enclosed front porch to habitable space, relocation of the water heater, a small bathroom addition at the location of the existing water heater, and replacement and alteration of existing windows. Minor Zoning Exceptions are requested by the Single Family Design Board (SFDB) to allow window alterations located within the required interior setbacks.

The discretionary application required for this project is an Interior Setback Modification to allow a small addition to encroach into the interior setback of an existing nonconforming residence. (SBMC §30.140.150.D.4 and SBMC §30.250.060).

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.

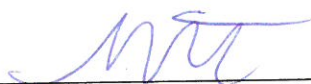
WHEREAS, no one appeared to speak, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 14, 2019
2. Site Plans

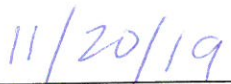
NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer approved the subject application, making the finding and determination that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot, and the proposed addition is appropriate because the four (4) square foot addition will square off the rear corner of the house, will not encroach further into the setback, and is not anticipated to cause adverse impact to the adjacent neighbors.

This motion was passed and adopted on the 20th day of November, 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.