



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 012-20

216 SANTA ROSA PL

MODIFICATION

JULY 1, 2020

APPLICATION OF BOB KLAMMER, ARCHITECT FOR ANN TOZIER AND JOE BLOMMER, 216 SANTA ROSA PL, APN 045-196-005, E-3/S-D-3 (SINGLE UNIT RESIDENTIAL) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (2019-00556)

Proposal to construct a new 614 square-foot Accessory Dwelling Unit (ADU) above the existing residence and nonconforming garage pursuant to California Government Code §65852.2. The proposal includes a new first floor entry addition at the rear (west) of the garage, a new storage addition to the garage, and a new upper story deck for the ADU. The new deck is located above the nonconforming garage and encroaches into the minimum required 20'-0" setback. Other site alterations include a new air conditioner, a new patio serving the primary residence, new site fence and gate, and new and relocated utility meters. The subject parcel is zoned E-3/S-D-3 and is located in the Non-Appealable Jurisdiction of the Coastal Zone.

The discretionary applications associated with the project are a Front Setback Modification to allow the upper story deck to encroach into the required front setback (SBMC §28.92.110) above the existing nonconforming garage.

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

1. Staff Report with Attachments, June 25, 2020
2. Site Plans
3. Correspondence received:
 - a. James and Donalda Field, Santa Barbara CA

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

Approved the subject application, making the finding that the Front Setback Modification is consistent with the general purposes of the Zoning Ordinance and the E-3/SD-3 Zone, and is

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necessary to secure an appropriate improvement on a lot. The proposed upper story deck is appropriate because it is an area that provides outdoor living space to the ADU occupants, will not detract from the single residential environment, and provides a space that minimizes impacts to the neighbors.

This motion was passed and adopted on the 1st day of July, 2020 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.

Mt

Mary Ternovskaya, Commission Secretary

July 1, 2020

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 (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.

