



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 008-21 1258 SAN MIGUEL AVENUE MODIFICATION MARCH 10, 2021

APPLICATION OF TOM OCHSNER, 1258 SAN MIGUEL AVENUE, APN 045-050-021, E-3/S-D-3 (SINGLE FAMILY RESIDENTIAL) ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL (5 DU/AC), (PLN2020-00448)

The 6,020-square-foot site is currently developed with a 753-square-foot, single-unit residence and attached 254-square-foot, single-car garage. The project proposal involves demolition of the existing one-car garage and construction of a new 318-square-foot addition. The proposal also includes a new detached 237-square-foot, 1-car garage, relocation of the existing driveway, a new retaining wall with staircase, and removal of one street tree.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is a Front Setback Modification for the addition of new floor area in the front setback (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 Sections 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, one person appeared to speak, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 3, 2021.
2. Site Plans

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

- I. Approved the subject application, making the findings and determinations that the Front Setback Modification is consistent with the purposes and intent of Title 28 and is necessary to secure an appropriate improvement on the lot and promote uniformity of improvement. The existing residence, at 753 square feet, is relatively modest in size. The proposal involves demolition and reconstruction of the attached garage and covered entryway to create an additional 318 square feet of habitable living space. The new addition will unify the building design and maintain a comparable mass, bulk, and height to that of the existing residence. Additionally, by maintaining the 15-foot setback from the front lot line, the project will not increase the existing setback nonconformity, and will maintain the relatively uniform setback theme that has been established for existing residences on the north side of San Miguel Avenue. Lastly, the displaced parking space will be relocated to a new, conforming single-car garage in the rear portion of the property.

II. Said approval is subject to the following conditions:

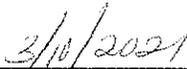
- A. The applicant shall, in consultation with the City Arborist, determine a suitable species and location for the replacement street tree in the vicinity of the project site. Said replacement tree shall be installed at the expense of the applicant prior to granting occupancy for the new addition to the residence. Documentation shall be submitted to planning staff to demonstrate this condition has been satisfied (a letter or email from the City Arborist or associated staff is acceptable).
- B. The abandoned driveway curb cut shall be removed and replaced with City standard curb, gutter, sidewalk, and parkway.
- C. The pavement of the abandoned driveway shall be removed to a distance of at least 15 feet from the front property line.

This motion was passed and adopted on the 10th day of March, 2021 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.



Kathleen Goo, 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. **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.