



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 018-14 1826 E. LAS TUNAS ROAD MODIFICATIONS APRIL 2, 2014

#### **APPLICATION OF DENNIS THOMPSON, THOMPSON NAYLOR ARCHITECTS, FOR MARILYN MAKEPEACE, 1826 E. LAS TUNAS ROAD, 019-082-011, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (1 UNIT/ACRE) (MST2014-00002)**

The 20,036 square foot lot is located in the Hillside Design District. The proposed project includes a 903 square foot one-story addition to the existing 2,479 square foot residence, including the conversion of the existing 675 square foot detached accessory building (garage and workshop) to habitable floor area, a 150 square foot addition between the two existing buildings, and a 78 square foot addition at the front of the residence. The proposal also includes the construction of a 564 square foot, detached, two-car garage with roof deck, site retaining walls, stairs, and approximately 270 cubic yards of site grading.

The discretionary applications required for this project are:

1. An Interior Setback Modification to allow alterations to the existing accessory space, including the conversion of accessory space to habitable floor area within the required 15 foot interior setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. A Front Setback Modification to allow the proposed new one-car garage to encroach into the required 35 foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and 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.

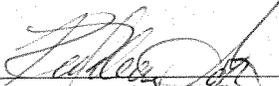
**WHEREAS**, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

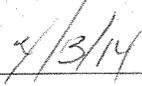
1. Staff Report with Attachments, March 20, 2014.
2. Site Plans

- I. NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:
- A.** Approved the Interior Setback Modification making the finding and determination that it is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement on the lot. The conversion of the existing accessory building (garage and workshop) to habitable space as an addition to the main residence is appropriate because it will reuse an existing development on site and the portion of the one story building that is being converted is not visible to the neighbor to the north due to the significant change in topography. The conversion of the one story accessory building is not anticipated to adversely impact the adjacent uphill neighbor to the west because the one-story building footprint is not being enlarged by the change in topography.
  - B.** Denied the Front Setback Modification making the finding and determination that the Modification to allow the oversized garage within the front setback is inconsistent with the purposes and intent of the Zoning Ordinance and is not necessary to secure an appropriate improvement on the lot. A reasonable alternative design solution is available. No site constraints exist that constitute an unreasonable hardship. The proposed site plan design can be redesigned to avoid the need for the granting of the front setback modification.
- II.** Said approval is subject to the following conditions
- A.** Compliance with Tier 3 Storm Water Management Program (SWMP) requirements must be demonstrated on the site and/or drainage plans for the project prior to final approval by the Single Family Design Board.
  - B.** The plans submitted for a building permit shall include a note in the area of the proposed pavers within the front setback parallel to Las Tunas that states that this area shall not be used for parking.

This motion was passed and adopted on the 2<sup>nd</sup> day of April, 2014 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, Staff Hearing Officer Secretary

  
\_\_\_\_\_  
Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council 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 two (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.