



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 011-12  
20 ALISAL ROAD  
MODIFICATIONS  
APRIL 4, 2012

**APPLICATION OF JAMES MACARI, ARCHITECT FOR MICHAEL B. AND CHRISTINA M. JOHNSON, 20 ALISAL ROAD, APN: 019-312-009, A-1 ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RES. (MAX. 1 UNIT/ACRE) (MST2011-00288)**

The 41,382 square foot project site was previously developed with a single-family residence and a detached two-car garage, which were destroyed in the Tea Fire. The proposed project consists of construction of a new 2,777 square foot single family residence, an attached 482 square foot two-car garage, and associated retaining wall system. The project will comply with all recommendations outlined in the Geotechnical report dated February 15, 2012, prepared by Workman Engineering and Consulting.

The discretionary applications required for this project are:

1. A Modification to permit new construction within the required 35' front setback (SBMC §28.15.060 & 28.92.110), and;
2. A Modification to allow a wall with guardrail to exceed 8' in height within the required 35' front setback (SBMC §28.87.170 & 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 Sections 15301 & 15305.

**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 in favor of the application, and one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 28, 2012.
2. Site Plans
3. Correspondence received in opposition to the project:
  - a. Paula Westbury, Santa Barbara, CA.

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

- I. Approved the modifications making the findings and determinations that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on the lot. The proposed changes within the required setbacks allow for a single family residence to be replaced and for covered parking to be provided on a lot with significant development constraints. The proposed guardrails are appropriate because they are required for safety by the Building Code.
  
- II. Said approval is subject to the following conditions:
  - A. The pedestrian doors to the garage shall swing out from, and not into, the garage.
  - B. The guardrail on top of the wall shall be the minimum height required to meet Building Code requirements, subject to review and approval by the Single Family Design Board.
  - C. The height of the proposed buildings shall not exceed 30 feet in height per Santa Barbara Municipal Code 28.15.050.
  - D. The existing paved area that was the former garage foundation shall be removed or reduced in size so as to provide only the minimum amount of pavement necessary for adequate maneuvering in and out of the proposed garage and to discourage parking in the front setback.

This motion was passed and adopted on the 4<sup>th</sup> day of April, 2012 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 \_\_\_\_\_ Date 4/5/12  
Kathleen Goo, Staff Hearing Officer Secretary

**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. <Keep>
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.