



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 036-12  
1313 GILLESPIE STREET  
MODIFICATION  
OCTOBER 3, 2012

**APPLICATION OF THOMAS MOORE, ARCHITECT FOR ANSELMA JUAN, 1313 GILLESPIE STREET, APN 039-083-006, R-2 TWO FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL (MST2012-00327)**

The site is currently developed with a 1,470 square foot, one-story residence and a detached three-car garage. The proposal involves constructing a 60 square foot, partially covered front entry deck and associated concrete steps within the required 15 foot front setback. The discretionary application required for this project is a Modification to allow a new covered front entry porch and steps to encroach into the required 15 foot front setback (SBMC § 28.18.060 & 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 (Alterations to Existing Small Structures).

**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, September 12, 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 Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed porch element is appropriate because the entry porch and deck will not add floor area and will provide easier access into the structure, define the entry giving it improved street presence, and is consistent with the pattern of development along Gillespie Street.

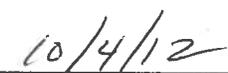
II. Said approval is subject to the following conditions that:

- A. The 3½ foot tall wood fence with pedestrian gate shown on the proposed plan at the northeast corner of the residence shall be relocated to the front property line on Gillespie Street to prevent vehicle access to the portion of driveway to be abandoned, and to prevent parking within the front setback;
- B. All fences, hedges, walls and screens shall be documented on the permit plan set to be in compliance with SBMC §28.87.170; and
- C. All as-built work be clearly document on the plans and addressed on the building permit set.

This motion was passed and adopted on the 3<sup>rd</sup> day of October, 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, 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. **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 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.