



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

**RESOLUTION NO. 044-14  
1826 E. LAS TUNAS ROAD  
MODIFICATION  
AUGUST 6, 2014**

**APPLICATION OF DENNIS THOMPSON, THOMPSON NAYLOR ARCHITECTS FOR  
MARILYN MAKEPEACE 2002 REVOCABLE TRUST, 1826 E. LAS TUNAS RD, APN: 019-  
082-011, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: LOW  
DENSITY RESIDENTIAL (1 UNIT/ACRE) (MST2014-00322)**

The 20,036 square foot lot is located in the Hillside Design District, and is currently developed with a 2,615 square foot single family dwelling, a 397 square foot garage, and a 260 square foot workshop. The proposal involves a new retaining wall to allow for two new uncovered parking spaces with associated grading and paving within the required front setback along Las Tunas Road. A previous application (MST2014-00002) was reviewed and approved by the Staff Hearing Officer on April 2, 2014 for the conversion of an existing garage to habitable, a one-story addition, and a new two-car garage. The discretionary application required for this project is an Front Setback Modification to allow the proposed parking spaces to be located within the required thirty-five 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, July 31, 2014.
2. Site Plans


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


- I.** Approved the Front Setback Modification making the following 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 parking spaces are appropriate because they provide usable off-street guest parking for the property, outside of the road easement, while maintaining adequate visual clearance for vehicular traffic.
- II.** Said approval is subject to the following conditions:
  - A.** The parking area shall not be used for recreational vehicle or trailer parking.

- B. A partial site plan showing the design and outline of the parking spaces from the street and a photo of the front of the residence, including the parking spaces, shall be provided to the Police Department.
- C. A "Private Property" sign that complies with Police Department requirements shall be posted by the parking area.

This motion was passed and adopted on the 6<sup>th</sup> day of August, 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.