



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 059-14

2314 DE LA VINA STREET AND 111 JUNIPERO STREET
MODIFICATIONS
OCTOBER 15, 2014

APPLICATION OF EARTHFORM DESIGNS, APPLICANT FOR RADIS FAMILY TRUST, 2314 DE LA VINA STREET, APN: 025-113-019, R-4 MULTI-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MEDIUM-HIGH DENSITY RESIDENTIAL (15-27 DU/ACRE) AND 111 JUNIPERO STREET, APN: 025-113-004, R-4 MULTI-FAMILY RESIDENCE AND E-3 ONE-FAMILY RESIDENCE ZONES, GENERAL PLAN DESIGNATION: MEDIUM-HIGH DENSITY RESIDENTIAL (15-27 DU/ACRE) (MST2014-00224)

The proposed project involves landscape and hardscape alterations including the unpermitted removal of six existing mature Italian Cypress trees and three mature Queen Palm trees, approval of an "as-built" wood fence along the northern property line, a new trash enclosure area to serve both properties, relocation of parking spaces, returning a parking space back to its originally-permitted condition, and the widening of an existing driveway. Also proposed is a new 14'-0" long, 6'-0" tall wood fence with motorized gate facing the alley at the interior of the site and replacement of an existing wood railing at 111 W. Junipero Street to match the existing metal railing at 2314 De La Vina Street. This project will address violations identified in enforcement case ENF2014-00308.

The discretionary applications required for this project are:

1. Interior Setback Modification to allow the trash enclosure area to be located in the required six-foot interior setback at the Junipero property (SBMC §28.15.060 and SBMC §28.92.110); and
2. Interior Setback Modification to allow the new trash enclosure area and motorized gate equipment to be located in the required six-foot interior setback at the Junipero property (SBMC §28.15.060, SBMC §28.21.060 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, October 9, 2014.
2. Site Plans

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

- I. Approved the Interior Setback Modifications making the findings and determinations that Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed new trash area and motorized gate equipment are appropriate because they will provide an adequate legal trash and recycling area for both properties with a motorized gate and they are not anticipated to adversely impact the adjacent neighbors.

- II. Said approval is subject to the following conditions:
 - A. A Covenant of Easement for Parking, Trash and Access shall be recorded for the two properties.

 - B. The applicant shall provide an Open Living Space plan that clearly identifies the minimum 15% total lot area to be landscaped with one area to be a minimum size of 16 feet x 20 feet to show the location of the non-conforming open yard per SBMC Section 28.21.081.B.

 - C. The applicant shall provide a plan that shows a minimum of 5% of the total area used for parking and vehicle turn around areas to be landscaped to allow uncovered parking in the interior setbacks per SBMC Section 28.90.001.H.

 - D. The applicant shall provide keypad access to the alley gate from both inside and outside of the property.

 - E. The vine plantings along the southern property line shall be located 10 feet back from the front property line along De La Vina Street as shown on the plans.

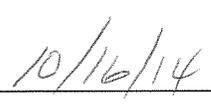
 - F. The storage of miscellaneous items and trash receptacles shall be removed from the required parking spaces and the parking spaces shall be available for the parking of vehicles at all times.

This motion was passed and adopted on the 15th day of October, 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 **Architectural Board of Review (ABR)** 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.