



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

**RESOLUTION NO. 021-17
2255 LAS TUNAS ROAD
MODIFICATION
MARCH 29, 2017**

**APPLICATION OF TERI MALINOWSKI, AGENT FOR TRACY ROCHESTIE,
2255 LAS TUNAS ROAD, APN: 019-162-008, A-1 SINGLE FAMILY ZONE, GENERAL PLAN
DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 1 DU/ACRE), (MST2015-00571)**

The 15,959 square foot project site is currently developed with a one story, 1,689 square foot single-family residence with an attached 414 square foot carport. The proposed project is for ground floor additions and a reconfiguration of interior spaces resulting in a net increase of 8 square feet to the dwelling. The proposal also includes a total of 901 square feet of patios, a new covered front entry, a patio cover at the rear, new windows and doors, an outdoor fireplace, a new site retaining wall, and new storage areas within the carport. The proposed total of 2,111 square feet on a 15,959 square foot lot in the Hillside Design District is 49% of the guideline maximum floor-to-lot area ratio. The proposal will address violations identified in enforcement case ENF2015-00501 and Zoning Information Report ZIR2015-00060.

The discretionary application required for this project is an Interior Setback Modification to allow windows to be enlarged and a new door at the rear of the house and to permit a window to be removed and a door to be replaced with a window on the side of the dwelling within the required 15 foot interior 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 to 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 23, 2017
2. Site Plans

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

- I. Approved the requested Interior Setback Modification 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 "as-built" window additions and alterations at the rear and side of the dwelling are appropriate improvements to a single family residence because they will not result in a significant increase of new openings, they will enhance the aesthetics of the existing residence and they are not anticipated to adversely impact the adjacent neighbors as the new door that is partially within the interior setback faces the "rear" property line.

II. Said approval is subject to the following conditions:

- A. The violations identified in ZIR2015-00060 for the unpermitted laundry hookups in the upstairs closet and the over height hedges along the driveway will be abated.
- B. The air condenser unit added at the side of the building shall be either removed or relocated and permitted. If permitted, it must comply with the City's Noise Ordinance.

This motion was passed and adopted on the 29th day of March, 2017 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.



Julie Rodriguez, Planning Commission Secretary

3/29/17

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.