



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 020-18  
743 LITCHFIELD LANE  
FRONT SETBACK MODIFICATION  
MAY 9, 2018

**APPLICATION OF RYAN MILLS, AGENT FOR INGER BUDKE, 743 LITCHFIELD LANE, APN 041-181-010, RS-15 ZONE (RESIDENTIAL SINGLE UNIT), GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 3 DU/ACRE) (MST2018-00002)**

The 17,656 square-foot site is currently developed with a one-story single family residence and attached two-car garage. The existing residence is non-conforming to the front setback. The proposed project involves the conversion of the existing garage to habitable space, construction of a residential addition underneath the existing residence, construction of a new attached two-car garage at the front of the existing structure, removal of an existing storage shed and playhouse, removal of an existing five-foot tall fence, and construction of a new five-and-a-half foot tall fence along the southern interior property line.

As proposed, the new garage will require a Parking Design Waiver from the Transportation Division for its width.

The driveway apron will be relocated under a separate Public Works permit to document construction in the City's right-of-way.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is:

1. Front Setback Modification to allow the proposed garage and architectural projection over the garage to be located in the required 30'-0" front setback (SBMC §30.20.030.A and SBMC §30.250.030.B).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities) and 15305 (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 and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 2, 2018
2. Site Plans

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

- I. Approved the subject application, making the following findings and determinations:

The Staff Hearing Officer finds that the front setback modification for the proposed garage and overhead architectural projection is consistent with the general purposes and intent of the Zoning Ordinance and is necessary to secure development that is generally consistent with existing patterns of development in the neighborhood and promote uniformity of improvement to the existing non-conforming residence. While the proposed architectural projection would encroach an additional three feet into the setback from the existing non-conforming building, it would maintain approximately a 16'-0" front setback. The architectural projection would be an appropriate improvement to highlight both vehicular and pedestrian entrances to the residence and provide architectural interest to the front elevation. The proposed garage would supply the required two covered parking spaces, which would maintain the required parking. The proposed garage would be in-line with the existing residence and encroach no farther into the required front setback. Further, development on the western side of Litchfield Lane is located towards the front of the lots due to a slope at the rear of the lots, with many lots observing approximately a 20'-0" front setback despite the 30'-0" front setback requirement.

This approval is subject to the following standard condition regarding unanticipated discovery of archaeological resources:

**Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization. A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

This motion was passed and adopted on the 9th day of May, 2018 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.

  
\_\_\_\_\_  
Krystal M. Vaughn, Staff Hearing Officer Secretary

  
\_\_\_\_\_  
Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission 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 three (3) years from the date of the approval, per SBMC §30.205.120, 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.