City of Santa Barbara
California

CITY OF SANTA BARBARA STAFF HEARING OFFICER
RESOLUTION NO. 020-19
1701 LA VISTA DEL OCEANO DRIVE
FRONT SETBACK AND INTERIOR SETBACK MODIFICATIONS
JULY 31, 2019


The 16,247 square-foot site is currently developed with two-story single family residence with a three-car garage and a swimming pool. The project involves a proposal to permit an “as-built” trash enclosure located within the front and interior setbacks. This is the last outstanding unpermitted item to close building permit BLD2006-00415.

The discretionary application required for this project is:

A. A Front Setback Modification to allow for an “as-built” trash enclosure to encroach into the required 30’ front setback (SBMC §28.15.060.A and SBMC §28.92.110.B).**

B. An Interior Setback Modification to allow for an “as-built” trash enclosure to encroach into the required 10’ easterly interior setback (SBMC §28.15.060.B and SBMC §28.92.110.B).**

**Due to the age of this project, it is being reviewed under Title 28, rather than Title 30.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Sections 15303 (New Construction of Small Structures) 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, July 22, 2019
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 Front Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The trash enclosure does not affect the visual openness of the street frontage and the stucco walls and wooden door are consistent with the aesthetics of the residence and existing driveway gate. The stucco walls
and surrounding landscaping provide adequate screening so as not to cause a visual impact from the street. The location of the trash enclosure towards the front of the property is consistent with the existing trash enclosure on the adjacent property to the east and provides convenient access to cart trash to and from the street for pickup.

The Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The trash enclosure does not significantly affect the sense of openness, light, or air between the two properties. The trash enclosure is adjacent to an existing trash enclosure on the property to the east and not near living space or required open yard areas and is not anticipated to cause adverse impacts to the adjacent property. The stucco walls and surrounding landscaping provide adequate screening from the neighboring property so as not to cause an impact to the neighbors.

II. Said approval is subject to the following condition:

Any change in the materials or color of the trash enclosure and/or trash enclosure gate shall require review by the Single Family Design Board (SFDB).

This motion was passed and adopted on the 31 day of July, 2019 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.

Mary Ternovskaya, Commission Secretary

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 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 thirty six 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.