



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 086-06

1900 LASUEN ROAD

MODIFICATION

DECEMBER 6, 2006

**APPLICATION OF TRISH ALLEN, SUZANNE ELLEDGE PLANNING & PERMITTING SERVICES, INC., AGENT FOR EL ENCANTO, INC., EL ENCANTO HOTEL AND GARDEN VILLAS, 1900 LASUEN ROAD, APN 019-170-022, R-2/4.0/R-H: TWO FAMILY RESIDENTIAL/ 4 UNITS PER ACRE/ RESORT-RESIDENTIAL HOTEL ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 3 UNITS/ACRE (MST99-00305)**

The project consists of a proposal for an eighty square foot addition to Cottage 11 located at the El Encanto Hotel. The existing building currently encroaches into the 30 foot interior yard setback and the proposed addition would cause a portion of the building to encroach further into the interior yard setback.

The discretionary application required for this project is a Modification to allow an encroachment into the interior yard setback (SBMC§28.27.050).

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.

**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 in favor of or in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 6, 2006.
2. Site Plans

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

- I. Approved the modification to allow the encroachment into the interior yard setback as it is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposal would enable the reconstruction of the east wall of the building in a manner that would preserve the existing historic features on the building, would improve the soil quality on a portion of the site, and would not negatively impact the adjacent neighbors because it would be setback more than the Zoning Ordinance requirement of the adjacent property and there is adequately screening by existing and proposed vegetation along the property line.

II. Said approval is subject to the following conditions:

- A. **Prior Conditions of Approval.** The project shall be subject to the conditions of approval associated with the approved El Encanto Master Plan (MST99-00305) contained in Planning Commission Resolutions 057-04 and 037-05 as deemed applicable by the Community Development Director.
- B. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on December 6, 2006 consists of a Modification to allow an eighty square foot addition to Cottage 11, located at the El Encanto Hotel, to encroach into the interior yard setback and the improvements, including revisions to the landscape plan, shown on the plans signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.

The project shall conform to that which is described in the Letter Addendum to the Historic Structures/Sites Report dated July 16, 2006 prepared by Alexandra C. Cole, Preservation Planning Associates and accepted by the Historic Landmarks Commission on July 26, 2006.

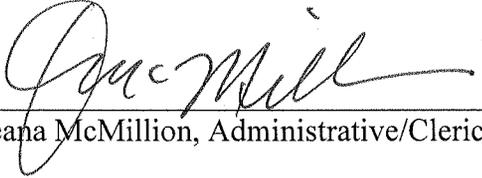
- C. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
  - 1. **Design Review Requirements.** Plans shall show all design and landscape elements as approved by the Historic Landmarks Commission.
  - 2. **Conditions on Plans/Signatures.** All Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

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Property Owner		Date
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Contractor	Date	License No.
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Architect	Date	License No.
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Engineer	Date	License No.

This motion was passed and adopted on the 6th day of December, 2006 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.

 \_\_\_\_\_ 12-12-06  
Deana McMillion, Administrative/Clerical Supervisor      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 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.
3. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Historic Landmarks Commission (HLC) approval and then a building permit.
4. **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.
5. **NOTICE OF APPROVAL TIME LIMITS:**  
The Staff Hearing Officer's action approving the Modification shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:
  1. A building permit for the use authorized by the approval is issued within twenty-four (24) months of granting the approval. An extension may be granted by the Community Development Director, if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.
  2. The approval has not been discontinued, abandoned or unused for a period of six months following the earlier of (a) an Issuance of a Certificate of Occupancy for the use, or (b) two (2) years from granting the approval.