



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 006-08
1315 ENSENADA STREET
MODIFICATION
JANUARY 30, 2008

**APPLICATION OF JOSEPH VAN THYNE, 1315 ENSENADA STREET, APN 017-231-007,
R-2 TWO-FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION:
RESIDENTIAL 12 UNITS PER ACRE (MST2006-00409)**

The 6,500 square foot project is currently developed with two (2) single-family residences and four (4) parking spaces. The proposed project involves a current enforcement case related to the location of the rear unit. The unit, which was built with a permit in 2001, was constructed within the required six-foot (6') interior yard setback.

The discretionary application required for this project is a Modification to permit the unit to be legalized in its current location within that required yard (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

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 the application, and two people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 28, 2008.
2. Site Plans

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

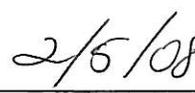
Approved the modification as requested, with the understanding that the proposed project is subject to approval by the Architectural Board of Review (ABR), and that the applicant be able to comply with safety and building standards of closing and creating a 1-hour protection along the exterior wall with likely removal of the eave in order to secure an appropriate improvement and meet the purpose and intent of the Zoning Ordinance.

This motion was passed and adopted on the 30th day of January, 2008, 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 written decision was issued.
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 Architectural Board of Review (ABR) 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 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 not 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.