



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 022-17 1021 LAGUNA STREET, UNIT 2 MODIFICATION APRIL 12, 2017

APPLICATION OF DOUGLAS BEARD, AGENT FOR RANDALL TINNEY, 1021 LAGUNA STREET, UNIT 2, APN 029-530-002, R-3 MULTI FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MEDIUM-HIGH DENSITY RESIDENTIAL (15-27 DU/ACRE) (MST2016-00566)

The project is for an "as-built" air conditioning unit to be located within the required six-foot interior setback on a 15,528 square foot lot located in the El Pueblo Viejo District. The property is part of a six-unit, three-story condominium development. This application will address enforcement case ENF2016-00285.

The discretionary application required for this project is an Interior Setback Modification to allow the air conditioner condenser to encroach into the required six-foot interior setback along the southeast property line (SBMC § 28.21.060 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, April 6, 2017.
2. Site Plans

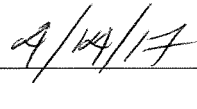
NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer approved the requested Interior Setback Modification making the findings and determinations that the Modification is necessary to secure an appropriate improvement on the lot. The location of the "as-built" air conditioning condenser at the rear of the unit is an appropriate improvement to the residence given the limited outdoor space. Further, it provides an upgrade to the property which is not anticipated to adversely impact the adjacent neighbors.

This motion was passed and adopted on the 12th day of April, 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.



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 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 **Historic Landmarks Commission (HLC)** 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.