



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 021-19
1708 LA VISTA DEL OCEANO DRIVE
FRONT SETBACK MODIFICATION
JULY 31, 2019

APPLICATION OF SARAH BRONSTAD, APPLICANT FOR OWNER, CLAUDIA ARANGO, 1708 LA VISTA DEL OCEANO DRIVE, APN 035-480-060, RS-15 ZONE, GENERAL LAND USE PLAN DESIGNATION: LOW DENSITY RESIDENTIAL 3 DWELLING UNITS/ACRE (PLN2005-00022).

The 44,356 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" built-in gas barbeque and sink within the secondary front setback. This is the last outstanding unpermitted item to finalize building permit BLD2006-00400.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is a Front Setback Modification to allow for an "as-built" built-in gas barbeque and sink to encroach into the required 30' secondary front setback (SBMC §28.15.060.A 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 approved the subject application, making the findings and determinations that 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 barbeque and sink do not affect the visual openness of the street frontage. The gas barbeque and sink are screened by a site wall and landscaping so as not to cause a visual impact to the properties across the street. The barbeque and grilling activities are not anticipated to pose nuisance issues with the adjacent property as the usable open yard, terrace and swimming pool at 1706 La Vista del Oceano Drive are not in close proximity to the barbeque. The barbeque and sink are sited nearest to the neighboring property's three-car garage, which should not cause nuisance issues to the neighbor.

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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.



7/31/2019

Mary Ternovskaya, Commission 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 Modification 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.