City of Santa Barbara
California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 026-22
134 LA PLATA
MODIFICATION
JULY 13, 2022

Assessor's Parcel Number:	045-211-019
Zoning Designation:	E-3/S-D-3 (One-Family Residence/Coastal Overlay)
Application Number:	PLN2022-00031 **Filing Date:** February 23, 2022
Applicant/Owner:	Jon Cates

The 6,685 square-foot site is currently developed with a single-unit residence. The proposed project involves construction of a new in-ground swimming pool, associated mechanical equipment, and an AC unit.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is a Front Setback Modification to allow the pool equipment and AC unit to be located in the secondary front setback along Calle Brevo (SBMC §28.15.060.A.5 and SBMC §28.92.110).

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, Thursday, July 7, 2022.
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 Staff Hearing Officer finds that the Front Setback Modification is necessary to secure an appropriate and common improvement on the lot: AC unit and pool equipment for a proposed in-ground pool at an existing single family residence. The subject lot is subject to two front setbacks since it is a corner lot, and while the equipment is technically within the secondary front setback, functionally it is in the rear yard of the residence. The rear yard is an appropriate location for such equipment.

II. Said approval is subject to the following conditions:

Said approval is subject to a condition that all work must cease if contaminated soil is found. Cal-GEM must be contacted immediately to determine the appropriate disposal and treatment method. This condition must be printed on the project plans submitted for a building permit.

This motion was passed and adopted on the 13th day of July, 2022 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.

Gillian Fennessy 7/13/2022

Gillian Fennessy, 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. **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 three (3) years 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 (36) 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.