



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 032-22 1734 GILLESPIE STREET MODIFICATIONS AUGUST 24, 2022

Assessor's Parcel Number: 043-181-001
Zoning Designation: R-2 (Two-Unit Residential)
Application Number: PLN2020-00407
Applicant: Emmanuel Angulo
Owner: Adriana and Jorge Velazquez

The 6,000 square-foot site is located at the corner of W. Islay Street and Gillespie Street. The parcel is currently developed with a duplex, including two two-car garages. The proposed project involves permitting as-built additions on the first and second floors, as well as a perimeter masonry wall. The discretionary applications under the jurisdiction of the Staff Hearing Officer required for this project are:

- A. Front Setback Modification to allow permitting an as-built second story addition within the Front Setback along W. Islay Street (SBMC Table 30.20.030.B and SBMC §28.92.110 or 30.250.020).
- B. Open Yard Modification to reduce the previously approved reduced Open Yard (SBMC § 30.140.140 and SBMC §30.250.020).

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, and the following exhibits were presented for the record:

1. Staff Report with Attachments, Wednesday, August 17, 2022.
2. Site Plans
3. Correspondence received:
 - a. Sharon Kussman
 - b. Sean Carroll

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

- I. Approved the subject application, making the following findings and determinations:

A. FRONT SETBACK MODIFICATION (SBMC §30.250.060)

The Staff Hearing Officer finds that the Front Setback Modification is necessary to secure an appropriate improvement, a bedroom addition, on the lot since the lot is located on a corner and subject to two front setbacks. The as-built addition was built in the same style as the existing duplex and has been reviewed by the Architectural Board of Review, first in 2014 and then again in 2022 under the current application, to ensure neighborhood compatibility.

B. OPEN YARD MODIFICATION (SBMC §30.250.060)

The Staff Hearing Officer finds that the Open Yard Modification is necessary to secure an appropriate improvement on the lot, residential additions to an existing duplex. The as-built addition (a second story balcony) and masonry site wall that have reduced the functional Open Yard for the site are appropriate improvements in that they provide privacy and architectural interest. The Architectural Board of Review reviewed the masonry wall and as-built additions in both 2014 and 2022 for neighborhood compatibility and determined that they were consistent with the neighborhood and met the ABR's guidelines. The Open Yard, as drawn, is a reduction from the originally approved Open Yard, but represents the functional, existing conditions of the site with space that is confined by the as-built masonry wall and open to the sky, consistent with the purpose and intent of Open Yard. Finally, the second story as-built balcony that cantilevers over the Open Yard, reducing the definition-fitting Open Yard, provides an opportunity for the tenant of Unit B to enjoy outdoor living, albeit in a location that technically cannot be counted as Open Yard.

This motion was passed and adopted on the 24th day of August 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, Commission Secretary

8/24/2022

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 MODIFICATIONS 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 resubmit design review materials under your PLN case for 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 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 (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.