



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 079-06  
3061 CALLE NOGUERA  
MODIFICATION  
NOVEMBER 22, 2006

**APPLICATION OF JAMES MACARI FOR MOLLY KELLOGG, 3061 CALLE NOGUERA,  
APN 053-342-001, E-3/SD-2 ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5  
UNITS PER ACRE (MST2006-00599)**

The 14,000 square foot project site is located on the corner of Calle Noguera and Calle Palo Colorado. Current development on site, which is currently under remodel, consists of a 1,600 square foot residence and 1,000 square foot detached accessory/garage structure. The discretionary application required for the project is a Modification to permit window alterations to a portion of the building located within the required six-foot (6') interior yard setback (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 or in opposition thereto, and the following exhibits were presented for the record:

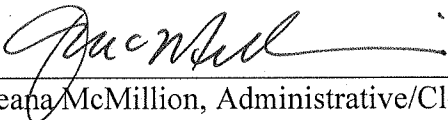
1. Staff Report with Attachments, November 22, 2006.
2. Site Plans
3. Correspondence received in support of the project:  
Brian David Frederick, 3057 Calle Noguera

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

Approved with the findings that the Modification is very minor and is necessary to secure an appropriate improvement, and is consistent with the purpose or intent of the ordinance. Said approval is subject to the condition that all hedges located along both front lot lines and within the public right-of-way be brought into conformance with the zoning ordinance.

This motion was passed and adopted on the 22nd day of November, 2006 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.

 11-22-06  
\_\_\_\_\_  
Deana McMillion, Administrative/Clerical Supervisor      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 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.