



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 023-07
264 N. LA CUMBRE ROAD
MODIFICATION
MARCH 28, 2007

APPLICATION OF GARY GRAY, 264 N. LA CUMBRE ROAD, APN 057-240-018, E-3 ONE FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2006-00705)

The 12,164 square foot lot is currently developed with a duplex and two (2) uncovered parking spaces. The proposed project involves relocation of the two parking spaces to the side of the residence. The discretionary application required for this project is a Modification to permit a wall to exceed the maximum allowable height of 3 ½' when located within ten-feet (10') of a front lot line or twenty feet (20') along the driveway (SBMC §28.87.170).

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 or in opposition thereto, and the following exhibits were presented for the record:

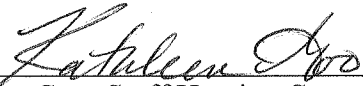
1. Staff Report with Attachments, March 21, 2007.
2. Site Plan

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

Approved the project for combined wall and fence height along the front property line adjoining a driveway, making the findings that design and elevation for the forward exit does not pose a safety concern of the Modification and is necessary to secure an appropriate improvement of the lot and does not violate the purpose or intent of the Zoning Ordinance due to the grade of the driveway which will allow for an unobstructed forward exiting into the right-of-way.

This motion was passed and adopted on the 28th day of March, 2007 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 Commission 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 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.