



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 027-08

1635 MIRA VISTA

MODIFICATION

APRIL 9, 2008

APPLICATION OF BILL WOLF, FOR MICHAEL MILLHOLLAN,
1635 MIRA VISTA, APN 019-090-031, E-1 ONE FAMILY RESIDENCE ZONE, GENERAL
PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2006-00097)

The 18,000 square foot project site is currently developed with a single-family residence with attached garage. The proposed project involves a reconfiguration of the existing driveway to allow relocation of the garage door to the elevation facing the street. The discretionary application required for this project is a Modification to permit a retaining wall with fence on top, to exceed three and one-half feet (3 ½') in height when located within ten-feet of a front lot line or for the first twenty-feet along a 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 either in favor of the application or opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 2, 2008.
2. Site Plans
3. Correspondence received in opposition to the project:
Paula Westbury, 650 Miramonte Drive, Santa Barbara, CA 93109

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

Approved the project by making the required findings that the Modification of wall heights is necessary to secure an appropriate improvement on site by allowing retention of front yard area that will be used for accessing the required parking, and meets the purpose and intent of the Ordinance by not creating a safety issue for the community. Said approval is subject to the condition that the landscaping above the proposed retaining wall be maintained at a maximum allowable height of 3½ feet from the street, so as to appear to be within compliance of the code from the public right-of-way, and upon return to the Single Family Design Board (SFDB), select appropriate landscape materials and plantings, and that the paving in the driveway be reduced as shown in the plan.

This motion was passed and adopted on the 9th day of April, 2008 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

4/10/08

Kathleen Goo, Staff Hearing Officer 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 Single Family Design Board (SFDB) 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.