



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 085-08  
1307 HILLCREST ROAD  
MODIFICATION  
NOVEMBER 5, 2008

**APPLICATION OF JULES BENDER, 1307 HILLCREST ROAD, APN 019-112-004, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 1 UNIT PER ACRE (MST2008-00461)**

The 23,070 square foot project site is currently developed with a single family residence and attached garage. The proposed project involves a request to install an exit gate across the easterly portion of the circular driveway. The discretionary application required for this project is a Modification to permit the gate to exceed the maximum allowable height of 3 ½' when located within twenty-feet of the front lot line (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 opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, October 29, 2008.
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:
  - A. The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.
  - B. The proposed gate is appropriate because although it will be located seventeen feet from the actual right-of-way, it will be located twenty feet back from the traveled right-of-way.
  - C. The reduction/removal of vegetation to improve visibility to the west, will address the public safety concern.
- II. Said approval is subject to the condition that vegetation adjacent to the driveway be removed and/or reduced as required by SBMC §28.87.170 to allow for adequate visibility when exiting the driveway.

This motion was passed and adopted on the 5th day of November, 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.



\_\_\_\_\_  
Gloria Shafer, Staff Hearing Officer Secretary

11-10-08

\_\_\_\_\_  
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 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 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.