



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 029-09  
365 LOMA MEDIA ROAD  
MODIFICATION  
APRIL 22, 2009

**APPLICATION OF JOE WOODRUFF FOR WINAND & ERIKA JESCHKE, 365 LOMA MEDIA ROAD, APN 019-261-005, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00567)**

The 13,050 square foot project site is a through-lot with frontage on Loma Media to the north and south. Current development on site consists of a single-family residence, attached garage, and a series of "as-built" retaining walls leading from the rear of the residence down to Loma Media Road. The proposed project is a request to legalize the walls in their existing location and height. The discretionary application required for this project is a Modification to permit the cumulative height of the walls to exceed a height of 3 ½' within 10' of the front lot line and exceed 10' in height within the front setback (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 15303.

**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, April 15, 2009.
2. Site Plans
3. Correspondence received in support of the project:  
Paula Westbury, 650 Miramonte Drive

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

Approved the application making the following findings and determinations:

- I. The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed retaining system in the secondary front yard with the added landscaping as required by the Single Family Design Board, will provide stabilization for the site.
- II. Said approval is subject to the condition that the project return to Single Family Design Board to significantly screen the wall to be less visible from the right of way.

This motion was passed and adopted on the 22nd day of April, 2009 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.

  
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Gloria Shafer, Staff Hearing Officer Secretary

4-23-2009  
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. 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.
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 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 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.