



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 032-11
33 E. MICHELTORENA STREET
MODIFICATIONS
JULY 27, 2011

APPLICATION OF GARY JENSEN, ARCHITECT FOR ARCHDIOCESE OF LOS ANGELES, 33 EAST MICHELTORENA STREET, APN 027-232-014, R-O (RESTRICTED OFFICE USE) ZONE, GENERAL PLAN DESIGNATION: OFFICES AND RESIDENTIAL, 12 UNITS PER ACRE (MST2011-00180).

The 2.73-acre site is currently developed with a school and seminary building. The proposed project involves permitting an existing 12-foot high hedge on an existing 6-foot high fence within 10 feet of the front lot line and within 50 feet of the corner at Arrellaga and Anacapa Streets. Also proposed are permitting an existing 12-foot high hedge on an existing 6-foot high fence and construction of new portions of the fence ranging from 6 to 9 feet high within 10 feet of the front lot line at Anacapa Street.

The discretionary applications required for this project are Modifications to allow a fence and hedge to exceed three and one half feet in height within 10 feet of the front lot lines and to exceed three and one half feet in height within 50 feet of a street corner (SBMC §28.87.170 and §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines §15303 (New Construction) and §15305 (Minor Alterations in Land Use Limitations).

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

1. Staff Report with Attachments, July 20, 2011.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.

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


- I. Approved the subject application making the findings that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The fences and hedges are appropriate because they provide for safety and security of the school site, some visual screening of the playground and visual access through the arches, and adequate vision clearance at the corner of Arrellaga and Anacapa Streets.

II. Said approval is subject to the following conditions:

- A. The hedges shall be trimmed and maintained to include six-foot radius arches between the ten-inch trunks to allow vision ports through the hedge.
- B. The hedge shall be trimmed and maintained at a maximum height of 3½ feet within 10-feet of the south entrance and egress gate to the property on the Anacapa Street frontage.

This motion was passed and adopted on the 27th day of July 2011 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 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 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 Historic Landmarks Commission (HLC) 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.