



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 020-06

127 CEDAR LANE

MODIFICATION

APRIL 26, 2006

**APPLICATION OF PHILIP SUDING, AGENT FOR PATRICIA & JERROLD HAUPTMAN,
127 CEDAR LANE, APN 015-092-004, E-1 ONE FAMILY RESIDENCE ZONE, GENERAL
PLAN DESIGNATION: RESIDENTIAL 3 UNITS/ACRE (MST2006-00169)**

The 9,100 square foot project site is currently developed with single family residence and attached two-car garage. The proposed project involves site improvements including an increase in height of an existing concrete landscape wall from 8 feet to 10 feet, a new swimming pool, spa, reflecting pool, new privacy walls, a hardscape patio, covered pool equipment, storage areas, and new landscape. The discretionary application required for this project is a Modification to allow the increased height on the landscape wall to exceed the maximum height of 8 feet (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, one person appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 26, 2006.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Brian Felix, 135 Cedar Lane.

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

I. Approved the subject application making the findings that the difference in the two property's grades necessitates the need for the higher wall, the maximum allowed height is 11 feet. The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.

II. Said approval is subject to the following conditions:

That the deck be consistent with the Zoning Ordinance or an additional separate Modification application may be filed.

This motion was passed and adopted on the 26th day of April, 2006 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.

Deana McMillion, Administrative/Clerical Supervisor, Date
Staff Hearing Officer Secretary

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.