



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 080-07
3834 LA CUMBRE HILLS LANE
MODIFICATION
SEPTEMBER 26, 2007

**APPLICATION OF MATT BENWITT, 3834 LA CUMBRE HILLS LANE, APN 057-170-060,
E-3 ONE-FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL
PLAN DESIGNATION: 5 UNITS PER ACRE (MST2007-00226)**

The 12,500 square foot project site is currently vacant. The proposed project involves the construction of a 2,500 square foot single-family residence with attached three-car garage. The discretionary applications required for this project are Modifications to allow garage space in excess of 500 square feet and wall heights in excess of 3 ½' when located within the first ten-feet of a front lot line or within the first twenty-feet along a driveway (SBMC §28.87.160 & 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 neither in favor nor in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, September 19, 2007.
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 Modifications by making the findings that parking in excess of 500 square feet will secure an appropriate improvement by providing adequate parking for the demands of the family, reduces street parking, and meets the purpose and intent of the Ordinance; and that the wall height in excess of 3½ feet is necessary to secure an appropriate improvement by providing a level grade for the driveway without visibility obstructions to the right-of-way, with acknowledgement of the applicant that a minor enlargement of the garage size may be allowed under direction by the Architectural Board of Review.

This motion was passed and adopted on the 26th day of September, 2007 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 _____ 9/28/07 _____
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 Architectural Board of Review (ABR) approval and then a building permit. <keep>
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.