



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 046-08

1125 ARBOLADO ROAD

MODIFICATIONS

JUNE 18, 2008

APPLICATION OF JOSE ESPARZA AGENT FOR CARLOS ADAME, 1125 ARBOLADO ROAD, APN 019-242-002, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, THREE UNITS PER ACRE (MST2008-00204)

The project site is currently developed with a single-family residence and detached two-car garage. The proposed project involves the legalization of an "as-built" hedge and the replacement of a retaining wall with a fence on top within 10' of the front lot line. The discretionary applications required for this project is a Modification to permit a retaining wall, fence and hedge to exceed the maximum allowable height of 3½' when located within ten-feet of a 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 15301.

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

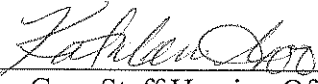
1. Staff Report with Attachments, May 12, 2008.
2. Site Plans
3. Correspondence received in opposition to the project:
Ms. Paula Westbury, 650 Miramonte Drive, Santa Barbara, CA 93109.

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

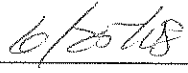
Approved the project, making the findings that the Modification is necessary to serve as an appropriate improvement and that the project meets the purpose and intent of the Ordinance because the retaining wall is necessary to support the grade and it does not pose safety or visual issues for the neighborhood, with the condition that the existing hedge be removed and replaced with landscaping which, at maturity, would not exceed the maximum height of 3½ feet.

This motion was passed and adopted on the 18th day of June, 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.



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. **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.
4. **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.