



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 047-09
2506 CALLE ANDALUCIA
MODIFICATION
JUNE 17, 2009

APPLICATION OF BUCHER-AGGELER REVOCABLE TRUST, 2506 CALLE ANDALUCIA, APN 041-421-001, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2009-00223)

The project site is located on the corner of Calle Andalucia and Calle Galicia, and is developed with a single family residence and attached garage. The proposed project involves an "as-built" fence located along the Calle Andalucia frontage. The discretionary application required for this project is a Modification to permit the fence to exceed the maximum allowable height of 3 ½' when located along 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 & 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 in favor or opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 10, 2009.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Paul and Jacqueline Miller, 2432 Calle Andalucia
 - b. Jackie Lincoln, 2507 Calle Andalucia
 - c. Paula Westbury, 650 Miramonte Drive
 - d. Theo Kracke, 2461 Calle Almonte
 - e. Jean Gartzke, 2526 Calle Galicia

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

Approved the subject application making the finding that 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 "as-built" fence secures privacy to the rear yard of this corner property without safety impacts to the neighborhood. Said approval is subject to the condition that the fence be approved by the Single Family Design Board prior to issuance of a building permit, and that the hedge along Calle Andalucia Street frontage be reduced to 3 ½' in height within 10 feet of the front property line and its height reduced to 8 feet within the required 30' front setback.

This motion was passed and adopted on the 17th day of June, 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.



Gloria Shafer, Staff Hearing Officer Secretary

6-24-2009

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.