



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 103-09  
1308 DOVER HILL ROAD  
MODIFICATION  
DECEMBER 16, 2009

**APPLICATION OF KATIE O'REILLY ROGERS, AGENT FOR RUNE ELIASSEN, 1308 DOVER HILL ROAD, APN 019-103-016, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2009-00501)**

The 19,642 square foot project site is currently developed with a single family residence and attached two-car garage. The site is currently under construction with improvements to the existing driveway and motor court. This application is a request to increase the height of a portion of a retaining wall within the required ten-foot interior yard setback and to rebuild a retaining wall that exceeds 3 ½ feet in height along the first 20 feet of the driveway. The discretionary applications required for this project are Modifications to permit a wall to exceed the maximum allowable height of 8 feet when located within a required setback and to permit a wall to exceed a maximum allowable height of 3 ½ feet when located along a front lot line or along the first 20' of a driveway (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 & 15305.

**WHEREAS**, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, one person people appeared to speak in opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 9, 2009.
2. Site Plans
3. Correspondence received expressing concerns for the project:
  - a. Paula Westbury, 650 Miramonte Drive, Santa Barbara, Ca

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

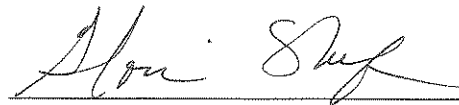
- I. Approved the project making the finding that the Modification of wall heights are necessary to secure an appropriate improvement on the site and meets the purpose and intent of the ordinance by not creating a safety issue for the community.
- II. Said approval is subject to the following conditions: 1) The maximum height of the retaining wall along the driveway shall not exceed 48 inches for the first 20 feet from driveway grade. The maximum height of the columns at the driveway entrance shall be 42 inches above grade. 2) The column within the interior setback at the eastern corner shall not exceed a maximum of 13½ feet above grade. 3) The height of the wall at the eastern corner shall be a maximum of

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11½ feet. 4) Provide additional landscaping screening or other hardscape materials to soften the eastern most column and wall's off site visual effect. The Single Family Design Board shall review the landscape plan on Consent Calendar.

This motion was passed and adopted on the 16th day of December, 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

1-6-2010

\_\_\_\_\_  
Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission by filing a written notice with the Community Development Department by Thursday, January 7, 2010.
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) Consent Calendar 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.

