



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 019-11  
221 OLIVER ROAD  
MODIFICATION  
MAY 4, 2011

**APPLICATION OF DAN WEBER, ARCHITECT FOR PATRICK AND LAUREN MCDERMOTT, 221 OLIVER ROAD, APN 041-329-001, E-3 (SINGLE-FAMILY) AND SD-3 (COASTAL) ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE (MST2011-00035)**

The 6,250 square-foot project site is currently developed with a single-family residence and attached two-car garage. The proposed project involves permitting an existing six foot high wall located within 50 feet of the corner of Oliver Road and Hudson Drive. The discretionary application required for this project is a Modification to allow the wall to exceed three and one half feet in height within 50 feet of the street corner (SBMC §28.87.170).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines §15303 (New Construction) and §15305 (Minor Alterations in Land Use Limitations).

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

1. Staff Report with Attachments, April 27, 2011.
2. Site Plans
3. Correspondence received in opposition to the project:
  - a. Paula Westbury, Santa Barbara, CA 93101.

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

- I. Approved the subject application making the findings 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 wall provides adequate vision clearance through the subject property at the corner of Oliver Road and Hudson Drive and the Modification is necessary to secure the appropriate improvement of the as-built wall on the lot.
- II. Said approval is subject to the condition that the landscaping within 50 feet of the street corner of Oliver Road and Hudson Drive be trimmed and maintained at a height not to exceed 3½ feet. The Applicant shall consult with Transportation Staff to verify if further reduction in height is necessary to increase sight visibility at the intersection of Oliver Road and Hudson Drive.

This motion was passed and adopted on the 4<sup>th</sup> day of May, 2011 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

5/10/11  
\_\_\_\_\_  
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.