



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 048-12 50 RUBIO ROAD MODIFICATION OCTOBER 31, 2012

APPLICATION OF JAMES ZIMMERMAN, ARCHITECT FOR KENNETH TOMPETRINI AND SUSAN ALLEN, 50 RUBIO ROAD, APN 029-330-009, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2012-00326)

The 12,197 square foot lot is currently developed with an existing single-family residence to remain unaltered. This project includes permitting 100 linear feet of an "as-built" site wall varying from 3'-6" to 7'-6" in height. Approximately 32 feet of the wall is located within less than five feet of an existing retaining wall, and the cumulative height will exceed the maximum allowable of eight feet. The project will address violations identified in enforcement case ENF2012-00252. The discretionary application required for this project is a Modification to allow the combined height of the walls to exceed the maximum allowable height of eight feet within a required setback. (SBMC § 28.87.170 and SBMC § 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities).

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, October 24, 2012.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer approved the Modification making the findings and determinations that it is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed wall will exceed the allowable height by only eight inches and is appropriate because the increase in height is negligible, there is a change in topography, and the proposed improvement is supported by the downhill neighbor which is most affected by the resulting height of the walls.

This motion was passed and adopted on the 31st day of October, 2012 by the Staff Hearing Officer of the City of Santa Barbara.

