



**STATEMENT OF OFFICIAL ACTION
FINDINGS AND DETERMINATION OF THE
ZONING ADMINISTRATOR**

PROJECT INFORMATION	
Zoning Administrator Meeting: November 10, 2020	Agenda Item: 3-A
Permit: 20ENT-0224 (Fence Wall Hedge Modification)	
Address: 706 10 th Street	
Applicant: Dennis Banks	
Property Owner: Arik Kashper	
Case Planner: Tiffany Lin, Associate Planner	
REQUEST:	The applicant requests approval of a height modification for an existing 8' high hedge within the front yard setback along the front and side (north and south) property lines. The subject property is located in the Single-Unit Residential (R1) zoning district. Pursuant to Santa Monica Municipal Code (SMMC) Section 9.21.050(A)(1), fences, walls, and hedges cannot exceed a maximum height of 42 inches within the required front yard setback as measured from the lowest finished grade adjacent to either side of the fence, wall, or hedge. SMMC Section 9.43.080(B) allows an applicant to request a modification to these height limitations in the front, side, and rear setbacks.
CEQA STATUS:	Categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3 of the State Implementation Guidelines in that the project involves the approval of a hedge in the front setback of a single-unit residential property.

PROPERTY INFORMATION	
Zoning District:	Single-Unit Residential (R1)
Parcel Area (SF)/Dimensions:	7,500 SF / 50' x 150'
Rent Control Status:	N/A
Relevant Prior Permits:	None

ZONING ADMINISTRATOR ACTION	
DENIED based on findings.	January 25, 2021
Effective Date Of Action If Not Appealed:	February 9, 2021

FENCE, WALL, HEDGE HEIGHT MODIFICATION – FINDINGS

1. The subject hedge will not be compatible with other similar structures in the neighborhood. The proposed 8'-high hedge is 4.5' above the maximum height limit for hedges in the front yard area and will be incompatible with the overall character of the immediate neighborhood which consists of 27 residential parcels on the block between Alta Avenue and Montana Avenue along both sides of 10th Street of which only four parcels have obtained prior nonconforming fence/wall/hedge height registrations. The subject block contains 12 parcels with open front yards. 11 parcels contain unpermitted nonconforming height hedges in the front yard areas that are not legally registered and have not received height modification approvals. Four parcels on this block contain legally registered nonconforming height hedges. Of the four registered existing nonconforming height hedges, only two include similar hedge configurations that are comparable to the 8'-high hedges proposed at the subject property. The other two registered nonconforming height hedges are for hedges along the side parcel lines only and for a site that now has a conforming height hedge.

Allowing nonconforming hedge heights on the subject parcel will detract from the overall neighborhood character by obstructing the view of the front yard area and the front building façade. Adjacent to either side of the subject property are properties with facades that are fully visible from the public right-of-way. The visual impact of the proposed hedges along the front and side parcel lines with a portion that extends towards the residence to partially enclose the front yard area is not in keeping with the character of the neighborhood. In addition, the subject property is not located in close proximity to nuisance land uses or along a street with higher traffic volumes that would warrant additional height to offset impacts due to traffic or other safety concerns.

3. The modification will impair the integrity and character of the neighborhood in which the fence, wall, or hedge is located. Only four parcels contain legally registered non-conforming height hedges within the front yard setbacks out of the 27 residential parcels located between Alta Avenue and Montana Avenue along both sides of 10th Street. On the subject block there are 11 nonconforming height hedges in the front yard areas that are not legally registered and have not received height modification approvals, while the remaining 12 parcels have open front yards. The 11 parcels that include nonconforming height hedges predominantly include hedges that are located along the side parcel lines only. The requested height modifications will not provide transparency into the subject site similar to other parcels in the adjacent area. The 8'-high hedges proposed along the front and side (north and south) parcel lines in the front yard area will create a negative visual effect by isolating the property from the neighborhood which is contrary to the generally open streetscape that typifies the neighborhood's visual character.

APPLICANT NOTICE

This decision of the Zoning Administrator may be appealed to the Planning Commission during a 14 calendar day appeal period following the decision date. Such an appeal may be made by filing an official appeal form with the City Planning Division, 1685 Main Street, Room 212, Santa Monica, CA 90401, accompanied by the required filing fee.

Jing Yeo

January 25, 2021

Jing Yeo, AICP
Zoning Administrator

Date