

RESOLUTION NO. 201316 NOV 24 1970

WHEREAS, MESA SHOPPING CENTER, Owner, and SOMERSET LAND COMPANY and KAUFMAN & BROAD, INC., Lessees, "Applicant," filed an application for a variance under Zoning Administrator Case No. 9955 to develop property for use as a model home complex, sales office, and parking lot for sale of homes in Mirador Subdivision where agricultural or residential use only is permitted on Mira Mesa Boulevard, approximately 1 1/2 miles westerly of Highway 395 in Interim Zone A-1-1; and

WHEREAS, the Zoning Administrator of The City of San Diego held a public hearing on Zoning Administrator Case No. 9955, pursuant to Section 101.0503 of the Municipal Code of The City of San Diego on July 3, 1970, and denied the request for said variance, which decision was filed in the office of the City Clerk on July 10, 1970; and

WHEREAS, the Board of Zoning Appeals on September 28, 1970, upheld the decision of the Zoning Administrator under Case No. 9955, and denied the variance and filed the same in the office of the City Clerk October 8, 1970; and

WHEREAS, pursuant to the provisions of Section 101.0507.1 of the Municipal Code of The City of San Diego, Applicant, by E. C. Brazell filed an appeal from the decision of the Board of Zoning Appeals to the City Council on October 16, 1970; and

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WHEREAS, said appeal was set for public hearing on November 3, 1970, testimony having been heard and evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That all of the following facts exist with respect to the denial of the variance to Mesa Shopping Center, Somerset Land Company and Kaufman & Broad, Inc.:

1. There are no special circumstances or conditions applying to the land or building for which the adjustment is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to the land or buildings in the neighborhood.

Subject property is a leased area of four acres located approximately 1500 feet west of U. S. 395. This property has been leased by the applicant to construct five model homes of the type to be sold in the remote subdivision location. Mirador Subdivision is approximately 1 1/2 miles westerly of this location. Present zoning is A-1-1 Interim, which requires one acre for each single family dwelling. The area is proposed to be developed with parking area for 34 cars. Extensive landscaping is indicated on the plans submitted.

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The surrounding area consists of large vacant acreages which are developing as single family dwelling complexes. There are two large developments in the area which have model compounds similar to the proposed and are located in the subdivision which they advertise.

2. The strict application of the provisions of the ordinance would not deprive the applicants of the reasonable use of the land or buildings.

3. The granting of the adjustment would not be in harmony with the general purposes and intent of the ordinance and would be injurious to the neighborhood or otherwise detrimental to the public welfare.

4. The granting of this variance would adversely affect the Master Plan of the City.

The above findings are further supported by the minutes, tape of the proceedings, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that by a vote of 7 to 1 the decision of the Board of Zoning Appeals denying said appeal under Zoning Administrator Case No. 9955 be, and the same is hereby upheld in the same manner and the appeal of MESA SHOPPING CENTER, SOMERSET LAND COMPANY and KAUFMAN & BROAD, INC. by E. C. Brazell is denied.

APPROVED: JOHN W. WITT, City Attorney

By C. Alan Sumption  
C. Alan Sumption, Deputy

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NOV 24 1970

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_  
by the following vote:

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CITY CLERK'S OFFICE

1970 DEC 15 PM 3:28

MR SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

By Elfa N. Hamel, Deputy. *EH*

Office of the City Clerk, San Diego, California

Resolution Number 201316 Adopted NOV 24 1970

FORM CC-1276 (1-69)

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