

RESOLUTION NO. 203877 OCT 5 1971

WHEREAS, FRANK and MARY DORIE VALIN, Owners, "Applicant," filed an application for a fence variance under Zoning Administrator Case No. 10641 to erect approximately 80 feet of 6-foot high decorative block wall observing a 5-foot 3-inch setback on Coronado Avenue where a maximum 3-foot wall is permitted in the established 15-foot setback, at 1626 Chatsworth Boulevard, more particularly described as Lot 15, Block 2, Loma Lands Park, in the R-1-5 Zone; and

WHEREAS, the Zoning Administrator of The City of San Diego considered the request of Applicant on Zoning Administrator Case No. 10641 pursuant to Section 101.0502 of the San Diego Municipal Code and denied the request for a fence variance, which decision was filed in the office of the City Clerk on July 29, 1971; and

WHEREAS, Applicant appealed the decision of the Zoning Administrator to the Board of Zoning Appeals pursuant to Section 101.0504 of the San Diego Municipal Code; and

WHEREAS, the Board of Zoning Appeals on August 23, 1971, upheld the decision of the Zoning Administrator under Case No. 10641 and denied the request for said variance and filed the same in the office of the City Clerk on August 31, 1971; and

WHEREAS, pursuant to the provisions of Section 101.0505 of the San Diego Municipal Code, Richard J. Fernandes, Agent for Applicant, filed an appeal from the decision of the Board of Zoning Appeals to the City Council on September 8, 1971; and

WHEREAS, said appeal was set for public hearing on October 5, 1971, 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 request for a fence variance to FRANK and MARY VALIN:

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

2. The aforesaid circumstances or conditions are such that the strict application of the provisions of the ordinance would not deprive the applicant of the reasonable use of the land or buildings.

3. The granting of the variance would not be in harmony with the general purpose and intent of the zoning regulations and would be injurious to the neighborhood or otherwise detrimental to the public welfare.

4. The granting of the variance would adversely affect the Progress Guide and General Plan for The City of San Diego.

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 6 to 0 the City Council hereby upholds the decision of the Board of Zoning Appeals and denies the appeal of FRANK and MARY DORIE VALIN for a fence variance.

APPROVED: JOHN W. WITT, City Attorney

By C. Alan Sumption  
C. Alan Sumption, Deputy

CAS:cav  
10/13/71

OCT 5 1971

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

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SAN DIEGO, CALIF. *KL*

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

**EDWARD NIELSEN**

City Clerk of The City of San Diego, California .

(Seal)

By *Janith A. Nielsen*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 203877 Adopted OCT 5 1971

*eh*