

RESOLUTION NO. 204861

FEB 15 1972

WHEREAS, DARCON CORPORATION, "Applicant," filed an application for a zone variance under Zoning Administrator Case No. 10838 to maintain for a period not to exceed six months, an existing contractor's storage yard and filed office in connection with development of R-3 zoned property adjacent to west and south at 8700 and 8704 Lake Ashmere Drive, more particularly described as Lots 3 and 4, College Ranch No. 5, in the R-1-5 Zone; and

WHEREAS, the Zoning Administrator of The City of San Diego held a public hearing on Zoning Administrator Case No. 10838 pursuant to Section 101.0502 of the San Diego Municipal Code on October 22, 1971, and denied the request for a variance, which decision was filed in the office of the City Clerk on November 2, 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 December 27, 1971, upheld the decision of the Zoning Administrator under Case No. 10838 and denied the request for said variance and filed the same in the office of the City Clerk on January 10, 1972; and

WHEREAS, pursuant to the provisions of Section 101.0505 of the San Diego Municipal Code, Applicant filed an appeal from the decision of the Board of Zoning Appeals to the City Council on January 20, 1972; and

WHEREAS, said appeal was set for public hearing on February 15, 1972, 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 variance to DARCON CORPORATION:

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 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 8 to 0 the City Council hereby upholds the decision of the Board of Zoning Appeals and denies the appeal of DARCON CORPORATION, by Jerome J. Speh, for a variance.

APPROVED: JOHN W. WITT, City Attorney

By C. Alan Sumption
C. Alan Sumption, Deputy

cav.
2/18/72

Passed and adopted by the Council of The City of San Diego on FEB 15 1972,
by the following vote:

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SAN DIEGO, CALIF. VII

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

By *Justin A. Nielsen*, Deputy.

Office of the City Clerk, San Diego, California

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