

RESOLUTION NO. 204862

FEB 15 1972

WHEREAS, CHARLES T. and JULIE L. FITCH, "Applicant," filed an application for a yard variance under Zoning Administrator Case No. 10839 to construct a two-story, 25 ft. x 52 ft. addition (first floor family room, shop and wine cellar, second floor - three bedrooms, one bath) to existing single family dwelling; addition to observe 0 ft. rear yard where 20 ft. is required at 7231 Monte Vista Avenue, more particularly described as portions of Lots 3 and 5, all of Lots 7, 9 and 11, Block 11, First Addition to South La Jolla, 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. 10839 pursuant to Section 101.0502 of the San Diego Municipal Code on November 5, 1971 and denied the request for a variance, which decision was filed in the office of the City Clerk on November 15, 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. 10839 and denied the request for said variance and filed the same in the office of the City Clerk on January 7, 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 17, 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 CHARLES T. and JULIE L. FITCH:

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 CHARLES T. and JULIE L. FITCH 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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 FEB 15 1972  
 SAN DIEGO, CALIF.

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 Judith A. Miller, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number	FEB 15 1972
204862	Adopted
<i>efh</i>	