

RESOLUTION NO. 207872 MAY 8 1973

WHEREAS, TIME DEVELOPMENT COMPANY by Michael A. Morris, Vice President, for Bahar Contracting Company, "Applicant," filed an application for an extension of time under Zoning Administrator Case No. 10499 to maintain for a period of one year, one single-faced, unlighted identification sign offering on-site "Lots For Sale"; sign to observe required front and street side yards, but to be 12 ft. overall height and 60 sq. ft. of face area where signs offering premises for sale may not exceed 4 ft. overall height nor exceed 8 sq. ft. in maximum area; subject property is located on Lot 1, Ardath Vistas, at the southwest corner of Ardath Road at its intersection with Ardath Court, in the R-1-10 Zone; and

WHEREAS, the Zoning Administrator of The City of San Diego held a public hearing on Zoning Administrator Case No. 10499 pursuant to Section 101.0502 of the San Diego Municipal Code on February 21, 1973, and denied the request for an extension of time, which decision was filed in the office of the City Clerk on February 27, 1973; and

WHEREAS, TIME DEVELOPMENT COMPANY (A. R. Wylie Sign Company, Agent) 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 March 26, 1973 upheld the decision of the Zoning Administrator under Case

No. 10499, and denied the request for an extension of time and filed the same in the office of the City Clerk on April 3, 1973; 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 April 13, 1973; and

WHEREAS, said appeal was set for public hearing on May 8, 1973, 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 extension of time to TIME DEVELOPMENT COMPANY:

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 8 to 0 the City Council hereby denies the appeal of TIME DEVELOPMENT COMPANY by Michael A. Morris, Vice President, for Bahar Contracting Company, from the decision of the Board of Zoning Appeals denying an extension of time.

APPROVED: JOHN W. WITT, City Attorney

By   
Peter D. Bulens, Deputy

PDB:lc  
5/16/73

Passed and adopted by the Council of The City of San Diego on MAY 8 1973,  
by the following vote:

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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 Mary Anne Neuse Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 207872 Adopted MAY 8 1973