

RESOLUTION NO. 208794 SEP 11 1973

WHEREAS, WILLIAM and NANCY PICKETT, "Applicants," filed an application for a zone variance under Zoning Administrator Case No. 12024 to construct an 18- by 25-foot 7-inch family room addition to existing single-family dwelling, addition to observe an 18-foot rear yard where a 20-foot rear yard is required, at 4970 Mt. Ashmun, between Augustus and Blackburn Avenues, more particularly described as Lot 1952, Clairemont Unit 22, in the R-1-5 Zone; and

WHEREAS, the Assistant Zoning Administrator of The City of San Diego held a public hearing on Zoning Administrator Case No. 12024 pursuant to Section 101.0502 of the San Diego Municipal Code, and denied the request for said variance, which decision was filed in the office of the City Clerk on June 12, 1973; and

WHEREAS, Applicants appealed the decision of the Assistant 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 July 23, 1973, upheld the decision of the Assistant Zoning Administrator under Case No. 12024 and denied the variance and filed the same in the office of the City Clerk on August 3, 1973; and

WHEREAS, pursuant to the provisions of Section 101.0505 of the San Diego Municipal Code, Applicants filed an appeal from the decision of the Board of Zoning Appeals to the City Council on July 27, 1973; and

WHEREAS, said appeal was set for public hearing and was heard on September 11, 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 granting of a variance that allows Applicants to construct an 18- by 25-foot 7-inch family room addition to existing single-family dwelling, addition to observe an 18-foot rear yard where a 20-foot rear yard is required, at 4970 Mt. Ashmun, between Augustus and Blackburn Avenues, more particularly described as Lot 1952, Clairemont Unit 22, in the R-1-5 Zone:

1. There are 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. Such conditions have not resulted from any act of the Applicants subsequent to the adoption of the applicable zoning ordinance.

2. The aforesaid circumstances or conditions are such that the strict application of the provisions of the ordinance would deprive the Applicants of the reasonable use of the land or buildings and that the variance granted by the City is the minimum variance that will accomplish this purpose.

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

4. The granting of the variance will not 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 the City Council does hereby grant the appeal of WILLIAM and NANCY PICKETT from the decision of the Board of Zoning Appeals and does hereby grant to WILLIAM and NANCY PICKETT a variance in the form and with the terms and conditions as set forth in that original variance, Case No. 12024.

APPROVED: JOHN W. WITT, City Attorney

By 
Peter D. Bulens, Deputy

PDB:lc
9/20/73

208794

SEP 11 1973

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

RECEIVED
CITY CLERK'S OFFICE
1973 SEP 27 AM 9:48
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 checked="" 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 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 Ann C. Jallott, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **208794** Adopted **SEP 11 1973**