

RESOLUTION NO. R-250950

(R.80-1893)

Conditional Use Permit No. 527-PC

JAN 3 1980

WHEREAS, GARY J. EMBLEM, an individual, Owner, and HOME AWAY FROM HOME, INC., a California corporation, hereafter referred to as "Permittee," filed an application under Conditional Use Permit No. 527-PC to construct and operate a residential-care facility for 45 emotionally disabled adults, located on the north side of C Street between 25th Street and 26th Street in the R-4 Zone. The property is more particularly described as Lots 39 through 42, W. J. Prout's Resubdivision of Block 28, H.W. Higgins Addition, Map No. 838; and

WHEREAS, on March 23, 1978, the Planning Commission of The City of San Diego made its findings of facts, granted said Conditional Use Permit No. 527-PC, and filed said decision in the office of the City Clerk on November 27, 1978; and

WHEREAS, on November 16, 1978, the Planning Commission of The City of San Diego reconsidered the granting of Conditional Use Permit No. 527-PC, made its findings of facts, revoked said Conditional Use Permit No. 527-PC, and filed said decision in the office of the City Clerk on December 6, 1978; and

WHEREAS, on November 22, 1978, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, WARREN SEINSOTH appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on January 2, 1979, continued to January 9 and April 10, 1979, and January 8, 1980, and testimony having been heard, evidence

having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same, NOW, THEREFORE,

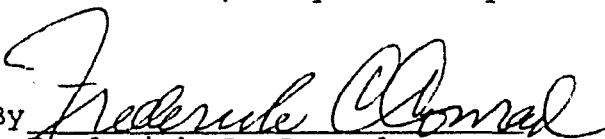
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

All of the following facts exist with respect to Conditional Use Permit No. 527-PC:

1. That the City Council hereby revokes Conditional Use Permit No. 527-PC, based on findings of the Planning Department that conditions concerning outside activities and noise have not been met;
2. That the action of the City Council is supported by minutes, documents and testimony received by the City Council, all of which are herein incorporated by reference;
3. That the effective date of the revocation shall be sixty (60) days from the date of the adoption of this resolution and the use of the property for a residential-care facility shall cease as of that date. The use of the premises for a residential-care facility after the effective date of the revocation of the Conditional Use Permit shall be unlawful.

BE IT FURTHER RESOLVED, that the appeal of WARREN SEINSOTH is denied, and this Council does hereby revoke Conditional Use Permit No. 527-PC.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

Passed and adopted by the Council of The City of San Diego on JAN 3 1980,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Ellen Bovard, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-250950 Adopted JAN 3 1980