

(R-85-1265)

RESOLUTION NUMBER R-262087

ADOPTED ON DECEMBER 3, 1984

WHEREAS, on September 5, 1984, the Board of Zoning Appeals considered the appeal of Evelina C. Da Rosa from the decision of the Zoning Administrator in denying the request of Jacqueline Osborn, owner, Ocean Beach Child Care Project, Inc., to maintain (relocate) a child care project to care for 20 children from three months to three years old, between 7:00 a.m. to 5:30 p.m., Monday through Friday, on Lot 8, Block 131, Roseville Refiled, Map No. 305, at 3111 Poe Street in the R-1-5 Zone; and

WHEREAS, in arriving at their decision, the Board of Zoning Appeals considered the decision of the Zoning Administrator, the plans and materials submitted prior to and at the public hearing, their visit to the subject property and the public testimony taken at the hearing; and

WHEREAS, the Board of Zoning Appeals found that there is responsibility of care for children and that care is best provided in a residential setting; and

WHEREAS, the time of arrival and method of transportation of instructors and children coming to the premises is reviewed and determined not to represent an adverse impact on the area; and

WHEREAS, in view of the temporary nature of the request, the Board of Zoning Appeals found that with conditions imposed the proposed use would not have an adverse impact on the area; and

WHEREAS, by a vote of 3 to 0 the decision of the Zoning Administrator was overruled by the Board of Zoning Appeals and the appeal was approved subject to the following conditions:

1. That care shall be limited to a maximum of 20 children at any one time, ranging from three months to three years of age, between the hours of 7:00 a.m. to 5:30 p.m., Monday through Friday;

2. That the proposed use shall comply with all the City regulations for such use; and

3. That this Conditional Use Permit shall be recorded with the County Recorder before final approval of the same; and


WHEREAS, the appeal of Evelina C. Da Rosa from the decision of the Board of Zoning Appeals regarding the request of Jacqueline Osborn for a conditional use permit came before the City Council on December 3, 1984; and

WHEREAS, the City Council in reviewing this matter and reaching their decision considered the decision of the Zoning Administrator, plans and materials submitted, the testimony of the public hearing and the decision of the Board of Zoning Appeals; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Council hereby denies the appeal and grants the Conditional Use Permit on the same terms and conditions set forth by the Board of Zoning Appeals.

BE IT FURTHER RESOLVED, that the finding of facts and conclusions of the Board of Zoning Appeals are hereby adopted as the findings of the City Council and that the decision of the City Council is final.

APPROVED: John W. Witt, City Attorney

By 
Janis Sammartino Gardner
Deputy City Attorney

JSG:ta:632
1/11/85
Or.Dept:Clerk
R-85-1265
Form=r.none

Passed and adopted by the Council of The City of San Diego on DEC 03 1984,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

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

(Seal)

By *Raymond L. Postlewaite* Deputy.

Office of the City Clerk, San Diego, California

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