

(R-85-1187)

RESOLUTION NUMBER R- 262222

ADOPTED ON DEC 18 1984

WHEREAS, BILLIE L. WUCHER and JAMES P. WUCHER, individuals, "Owners," and FREDERICK R. PALUMBO, an individual, "Permittee," filed an application for an amendment to Conditional Use Permit No. 82-0458, to utilize portions of Historical Site No. 163, located on the northeast side of Laurel Street at 30th Street, described as Lot 5, Block H, Burlingame, Map No. 1402, in the R1-5000 Zone of the Park North-East Community Plan area, as two law offices and a residence; and

WHEREAS, on October 25, 1984, the Planning Commission of The City of San Diego made its findings of fact, granted said amendment to Conditional Use Permit No. 82-0458 and filed said decision in the office of the City Clerk on November 29, 1984; and

WHEREAS, on November 1, 1984, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, BURLINGAME HOMEOWNERS ASSOCIATION, by Ernest D. Smith, President, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on December 18, 1984, 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 the proposed amendment of Conditional Use Permit No. 82-0458:

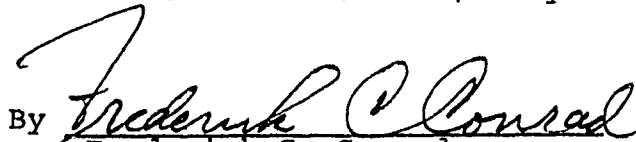
1. The proposed use will adversely affect the neighborhood, the General Plan and Community Plan and will be detrimental to the health, safety and general welfare of persons residing or working in the area. The proposed use of the building is not compatible with its designation as an historical site.

2. The proposed use would not comply with the relevant regulations of the San Diego Municipal Code.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that this Council does hereby grant the appeal of BURLINGAME HOMEOWNERS ASSOCIATION, by Ernest D. Smith, President, overrules the decision of the Planning Commission and denies to Owner/Permittee the requested amendment to Conditional Use Permit No. 82-0458.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ib:632
12/27/84
Or.Dept:Clerk
CUP-82-0458.1
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DEC 18 1984

Passed and adopted by the Council of The City of San Diego on
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"/>
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.

By *June A. Blackwell*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

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