

RESOLUTION NUMBER R-263596

ADOPTED ON JULY 2, 1985

WHEREAS, on March 20, 1985, the Board of Zoning Appeals considered the appeal of Pardee Construction Company by Mike Madigan, Senior Vice President, in Case-C-10092 from the denial by the Zoning Administrator of the request of Pardee Construction Company to maintain and extend for a period of one year the existing model home sales complex used for the sale of new homes constructed by Pardee Construction Company in the Mira Mesa Community, where such uses are permitted only for sale of new homes in the same subdivision as the complex - Lots 127 through 134, Block 115, Mira Mesa Verde Unit No. 3, Map-6366, and Lots 121 through 124, Mira Mesa Verde Unit No. 2, Map-6465, located on Stanwell Circle and Stanwell Court in the R1-5000 Zone; and

WHEREAS, in arriving at their decision, the Board of Zoning Appeals reviewed the appellants' testimony, the plans and materials submitted, the finding of facts of the Zoning Administrator, visited the subject property and heard public testimony on this matter; and

WHEREAS, after discussion, the Board of Zoning Appeals moved to deny the appeal, upholding the decision of the Zoning Administrator and making his finding of facts their finding of facts, as the Board of Zoning Appeals found no unusual circumstances or hardship which would warrant the variance requested; and

WHEREAS, on May 21, 1985, the City Council considered the appeal of Pardee Construction Company by Mike Madigan, Senior Vice President, from the decision of the Board of Zoning Appeals in denying the request to maintain and extend for a period of one year the model home sales complex; and

WHEREAS, in arriving at its decision, the City Council reviewed the appellants' testimony and the decision of the Board of Zoning Appeals and heard public testimony on this matter; and

WHEREAS, the City Council granted said appeal and overturned the decision of the Board of Zoning Appeals pursuant to six conditions set forth in Resolution No. R-263247 adopted on May 21, 1985; and

WHEREAS, on May 28, 1985, the City Council voted to reconsider this item and to renoticed it for hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the appeal of Pardee Construction Company by Mike Madigan, Senior Vice President, is hereby granted and the decision of the Board of Zoning Appeals is overturned.

BE IT FURTHER RESOLVED, that said approval is granted pursuant to the following conditions:

1. That the model compound shall be built out as single-family projects in accordance with the currently filed tentative maps;
2. That no additional maps shall be filed which could be served by this model compound;

3. That the model compound shall not be used as a resale office for single-family dwellings;

4. That the model compound shall not be the subject of requested rezonings;

5. That the model compound shall be converted to the primary use indicated in the existing zoning; and

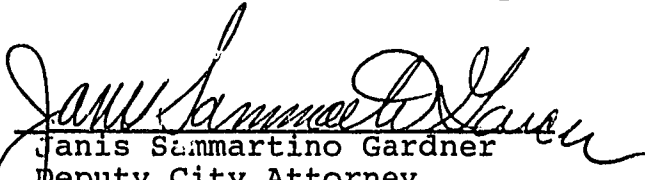
6. That this extension of time shall not exceed three years and shall expire on May 21, 1988.

BE IT FURTHER RESOLVED, that said approval is granted for a three year period.

BE IT FURTHER RESOLVED, that the decision of the City Council shall be final.

APPROVED: JOHN W. WITT, City Attorney

By

  
Janis Sammartino Gardner  
Deputy City Attorney

JSG:ta:632

7/16/85

REV. 1 - 8/27/85

Or.Dept:Clerk

R-86-96

Form=r.none

# CORRECTED COPY

Passed and adopted by the Council of The City of San Diego on JUL 2 1985,  
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 Struikma	<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"/>
<del>Diak Murphy</del>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT
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.

(Seal)

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

By June A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

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