

(R-86-177)

RESOLUTION NUMBER R-263656

ADOPTED ON JULY 9, 1985

WHEREAS, on February 20, 1985, the Board of Zoning Appeals considered the appeal of Christine Mattson in Case-C-18672 from the denial of the Zoning Administrator of the conditional use permit request to maintain existing 300 sq. ft. guest quarters attached to a garage on a lot with an existing single-family dwelling; guest quarters observing a 1'0" interior side yard where 4'0" side yard is required - Lot 7, Block 24, Bird Rock Addition, Map No. 1083 located at 5439 Beaumont Avenue 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, the Board of Zoning Appeals found that the proposed use would not adversely affect the neighborhood, the community plan, or the general plan and would not be detrimental to the health, safety, and general welfare of persons residing or working in the area; and

WHEREAS, after discussion, the Board of Zoning Appeals moved to overrule the Zoning Administrator and granted the appeal to allow maintenance of the existing 300 sq. ft. guest quarters attached to the garage, on a lot with an existing single-family

dwelling; guest quarters to observe a 1'0" interior side yard where 4'0" side yard is required subject to the following conditions:

1. That revised plans be submitted to and approved by the Zoning Administrator prior to the issuance of any permits;
2. Said plans shall include one parking space off the alley adjacent to the garage;
3. That the revised plans shall include access from the garage to the improvements on the property;
4. That the existing kitchen shall be removed within 30 days of receipt of this resolution;
5. That the guest house shall be used solely by occupants of the main dwelling, their guests or employees, shall contain no kitchen or cooking facilities and shall not be rented or sold separately;
6. That the project shall comply with all the requirements of the Building Inspection Department; and
7. That this conditional use permit shall be recorded within 30 days of receipt of this resolution; and

WHEREAS, on July 9, 1985, the City Council considered the appeal of Paul Morris and David J. Comstock from the decision of the Board of Zoning Appeals; and

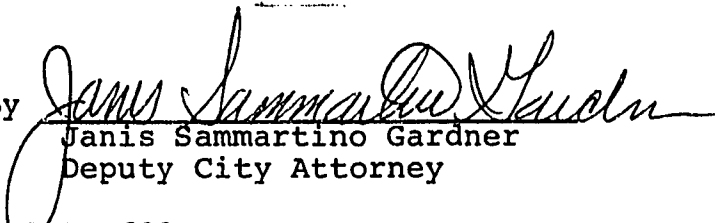
WHEREAS, in arriving at its decision, the City Council reviewed the appellants' testimony in the decision of the Board of Zoning Appeals and heard public testimony on this matter; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the appeal is denied and that the decision of the Board of Zoning Appeals remain in force including the conditions outlined by the Board of Zoning Appeals; and

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
7/26/85
Or.Dept:Clerk
R-86-177
Form=r.none

Passed and adopted by the Council of The City of San Diego on JUL 9 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 Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 7 - vacant	<input 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.

(Seal)

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

By *Barbara Baxter*, Deputy.

Office of the City Clerk, San Diego, California

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