

(R-87-68)

RESOLUTION NUMBER R-266155

ADOPTED ON JULY 1, 1986

WHEREAS, on May 7, 1986, the Board of Zoning Appeals considered the appeal of Lawrence T. Woodburn from the denial by the Zoning Administrator of his request to construct a garage addition containing a full bath to an existing two-story, single-family dwelling: 1) garage addition to observe a 1'0" front yard where a 15'0" front yard is required; and 2) garage addition to result in a .69 floor area ratio where a maximum .60 floor area ratio is permitted, Lot 7, Bird Rock Resubdivision of portion of Block I, Map No. 1138, Bird Rock City by the Sea, located at 5670 Dolphin Place in the R1-5000 Zone; and

WHEREAS, in arriving at their decision, the Board of Zoning Appeals considered the Zoning Administrator's decision, considered the staff report, conducted an inspection of the subject property and heard public testimony presented at the hearing; and

WHEREAS, in arriving at its decision, the Board of Zoning Appeals found that:

1. The findings of the Zoning Administrator regarding Item 1) above of the request, was appropriate and, therefore, adopted the findings of the Zoning Administrator as their findings;

2. Given the size of the lot and the general size of homes developed in the R1-5000 Zone on the west side of Dolphin Place, the requested floor area ratio was both appropriate and necessary to derive minimum reasonable use;

3. In light of testimony presented by the applicant and investigation of the site by the Board of Zoning Appeals, the expanded floor area was most appropriately used to provide a two-car garage for the residence;

4. The potential use of the expanded floor area, for purposes other than parking, would not be appropriate nor needed to provide minimum reasonable use; and

WHEREAS, in view of the foregoing, the Board of Zoning Appeals believed that this variance, as approved, was the minimum necessary to allow reasonable use as enjoyed by surrounding development; and

WHEREAS, on July 1, 1986, the City Council considered the Appeal of Lawrence T. Woodburn, from the decision of the Board of Zoning Appeals; 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, in making its decision, the City Council considered:

1. Lawrence T. Woodburn's proposal of revised plans, deleting a bathroom;
2. Precedent and other similar structures in the vicinity;
3. Appropriate architecture and design; and
4. Other hardships as found by the Zoning Administrator and the Board of Zoning Appeals; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the appeal of Lawrence T. Woodburn, in light of the foregoing, hereby grants a portion of the appeal and overturns the decision

of the Zoning Administrator on Item 2) above, to approve garage addition to result in a .69 floor area ratio, where a maximum .60 floor area ratio is permitted, subject to the following conditions:

1. That the construction on the project site comply with all the requirements of the Building Inspection Department;


2. That construction on the project site shall be in substantial conformance with the revised plans presented to the City Council;

3. That revised plans shall be submitted to and approved by Zoning Administration prior to the issuance of building permits; and

4. That this variance shall be signed and notarized by the applicant and returned to the Zoning Administrator to be recorded with the County Recorder, within thirty days of receipt of this resolution.

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  
07/03/86  
Or.Dept:Clerk  
R-87-68  
Form=r.none

JUL 01 1986

Passed and adopted by the Council of The City of San Diego on .....  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

ED STRUIKSMA  
Deputy Mayor of The City of San Diego, California.

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

By *Charles G. Abdelnour*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number **R-266155** Adopted **JUL 01 1986**

RECEIVED  
CITY CLERK'S OFFICE  
1986 JUL 38 AM 11: 19  
SAN DIEGO, CALIF.

**01293**