

(R-88-1716)

RESOLUTION NUMBER R-270407

ADOPTED ON February 23, 1988

WHEREAS, the Zoning Administration considered the request of Robert E. and Nancy D. Kronemyer, Case No. C-19657, for a variance to maintain (1) 151'0" of stucco wall ranging in height from 5'11" to 6'4" observing a 0'0" front yard where 15'0" is required; (2) 11'0" of wrought iron driveway gate 6'4" high observing a 0'0" front yard where 15'0" is required; (3) 122'0" stucco wall ranging in height from 5'8" to 6'4" observing a 0'0" street side yard where 10'0" is required; and (4) 15'0" of wrought iron gates ranging in height from 5'4" to 6'0" observing 0'0" street side yard where 10'0" is required; westerly portion of Villa Tract La Jolla Park, Map 1535 and portion of Soledad Avenue as closed and not excepted, located at 7717 Ludington Place in the R1-8000 zone; and

WHEREAS, the Zoning Administrator considered the plans and materials submitted, staff report and inspected the subject property; and

WHEREAS, the Zoning Administrator was unable to find special circumstances to grant the variance as requested. The lot size exceeded the minimum lot size of the zone and the topographic relief of the site was not such as to cause hardships that would require a variance to fence height or placement regulations. In addition Ludington Place and Soledad Avenue are not listed as major streets on the City-wide street system and was not deemed a

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need for additional wall height to mitigate noise. Conformance with City-wide fence regulations would not deprive the owners of reasonable use of their property; and

WHEREAS, the Zoning Administrator denied the variance as requested but approved to maintain 11'0" of the 6'0" high wall and wrought iron gate at the northwest corner of the property between the main house and two-story residential structure attached to the garage, with conditions; and

WHEREAS, on October 7, 1987, the Board of Zoning Appeals considered the appeal of Robert E. and Nancy D. Kronemyer in the above case, Case No. C-19657, from the partial approval of the Zoning Administrator; and

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

WHEREAS, the Board of Zoning Appeals voted to deny the appeal as requested but approved: (1) the maintenance of 11'0" of the 6'0" high wall and wrought iron gate at the northwest corner of the property between the main house and two-story residential structure attached to the garage; and (2) permit 48'0" of concrete block wall with an average height of 5'6" located in the front yard observing a 0'0" yard where a 15'0" front yard is required, subject to conditions; and

WHEREAS, on February 23, 1988, the Council of The City of San Diego considered the appeal of Robert E. and Nancy D. Kronemyer,

Case No. C-19657, from the partial approval of the Board of Zoning Appeals; and

WHEREAS, in arriving at their decision the City Council considered the staff report, the decisions of the Zoning Administrator and Board of Zoning Appeals, the plans and materials submitted prior to and at the public hearing and heard public testimony on the case; and

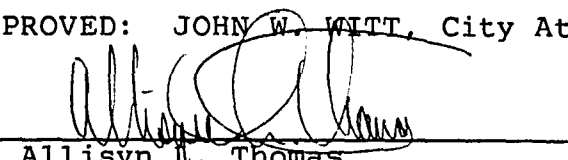
WHEREAS, the City Council found that special circumstances existed in this case. The stucco wall replaced a 6'0" high grape stake fence which had been in existence at the same location since the 1920s. In addition, the topography of the lot was unusual and a variance was necessary for reasonable use of the property; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the appeal of Robert E. and Nancy D. Kronemyer is hereby granted subject to the condition that the appellants landscape the wall adjacent to the public right-of-way. Photographs shall be submitted to the Zoning Administrator in a timely manner, upon completion of the landscaping.

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

APPROVED: JOHN W. WITT, City Attorney

By


Allisyn L. Thomas
Deputy City Attorney

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Or.Dept:Clerk
R-88-1716
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FEB 23 1988

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<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"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By *June G. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

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