

(R-89-277)

RESOLUTION NUMBER R-271417

ADOPTED ON JULY 12, 1988

WHEREAS, on April 20, 1988, the Board of Zoning Appeals considered the appeal of Craig Scott, Case No. 19884, from the denial of the Zoning Administration of his request for a conditional use permit to (1) create guest quarters in the second floor of a detached two-story building with the first floor to be a two-car garage where such use is permitted by conditional use permit only; (2) provide a driveway to the proposed garage, 30'0" in width where a maximum driveway width of 25'0" is permitted; (3) to maintain 13'0" of 6'0" high chain link fence observing a 2'0" front yard at the closest point where 15'0" is established; (4) 25'6" of open wrought iron fence ranging in height from 4'11" to 5'9½" observing a 2'0" front yard where 15'0" is established; (5) 24'2" of open wrought iron fence ranging in height from 4'9" to 6'2" observing a 1'7" front yard where 15'0" is established; (6) 19'8" of open wrought iron fence ranging in height from 5'0" to 5'10" observing a 0'0" street side yard where 15'0" is established - Lot 72, La Jolla Farms, Map 3487, located at 9603 La Jolla Farms Road, RI-20,000 Zone, Coastal Zone, Proposition "D" Height Limitation Zone; 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, an inspection of the subject property, and public testimony presented at the hearing; and

WHEREAS, the Board of Zoning Appeals adopted the findings of the Zoning Administrator. Specifically, those findings were that appellant had approximately a 1.1 acre site currently developed with a single-family dwelling and two (2), two-car garages. It was found that the guest house provision was intended to provide for additional facilities for guests that were in close proximity to the primary dwelling unit. The subject facility was as far removed from the single-family dwelling as possible and did not easily suggest that the residents would be guests taking meals in the primary dwelling unit. It was also found that in view of these factors, approval of the request would have an adverse impact on the neighborhood; and

WHEREAS, the Board did not find any circumstances to approve any deviation from the fence ordinance as the lot was twice the size of the minimum lot size in the zone; and

WHEREAS, in light of the foregoing, the Board of Zoning Appeals denied the appeal of Craig Scott and upheld the decision of the Zoning Administrator; and

WHEREAS, on July 12, 1988, the Council for The City of San Diego heard the appeal of Craig Scott from the decision of the Board of Zoning Appeals in the instant case; and

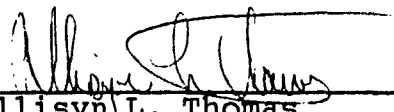
WHEREAS, in arriving at its decision, the City Council considered the staff report, decisions of the Zoning Administrator and Board of Zoning Appeals, the plans and materials submitted prior to and at the public hearing and public testimony presented at the hearing; and

WHEREAS, the City Council found that there was an expectation by people in established neighborhoods of preserving the neighborhood's environment and that approval of this request would turn the neighbor's property into a fishbowl. The City Council then adopted the findings of the Zoning Administrator and Board of Zoning Appeals as indicated above in that they had integrity and were well thought out; NOW, THEREFORE,

BE IT RESOLVED, by the Council for The City of San Diego, that it hereby denies the appeal of Craig Scott in Case No. 19884, and upholds the decision of the Board of Zoning Appeals.

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

APPROVED: JOHN W. WITT, City Attorney

By 
Allisyn L. Thomas
Deputy City Attorney

ALT:wk
08/02/88
Or.Dept:Clerk
R-89-277
Form=r.none

JUL 12 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 Struiksma	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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

Resolution Number R-271417 Adopted JUL 12 1988

RECEIVED
SAN DIEGO OFFICE
1988 AUG -3 PM 4:44
SAN DIEGO, CALIF. CA

1988