

(R-89-759)

RESOLUTION NUMBER R-271574

ADOPTED ON AUGUST 2, 1988

WHEREAS, on August 2, 1988, the Council for The City of San Diego considered the appeal of Qualcomm, Inc., by Harvey P. White, Executive Vice President, from the decision of the Board of Zoning Appeals in partially granting Case No. C-19865 to (1) maintain an existing 33.14 foot high satellite earth station where such use is permitted by Satellite Antenna Permit only; and (2) to maintain the satellite earth station observing an 8'6" side yard where 25'0" is required-Lot C, in Acre Lot 9 of Sorrento Lands and Townsite, Map 483, located at 10555 Sorrento Valley Road, M-1A Zone; and

WHEREAS, in arriving at their decision, the City Council considered the staff report, decision 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 to move the satellite earth station would increase its visibility from Interstate 805, given the property's topography. The City Council also found that Qualcomm had made good faith efforts in obtaining the permit to locate the building pad and the cost of moving the satellite earth station, approximately \$30,000, was too high a penalty under the circumstances; and

WHEREAS, in view of the foregoing, the City Council believed that the request was in harmony with the general purpose and intent of zoning regulations, not injurious to the neighborhood or detrimental to public welfare, and does not adversely affect the Progress Guide and General Plan for The City of San Diego; NOW, THEREFORE,

BE IT RESOLVED, by the Council for The City of San Diego that the appeal of Qualcomm, Inc., by Harvey P. White, Executive Director, is granted and the decision of the Board of Zoning Appeals is modified in conformance with this decision, subject to the following conditions:

1. That landscape plans be submitted to and approved by the Zoning Administrator within thirty (30) days of the date of the hearing to screen the satellite from the properties to the northwest and Interstate 805.

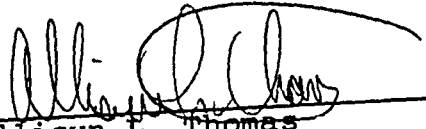
2. That all approvals be obtained from the appropriate agencies to screen the dish from Interstate 805 within the public right-of-way.

3. That the satellite antenna permit be signed and notarized by the applicant and returned to Zoning Administration to be recorded with the County Recorder within thirty (30) days of receipt of the resolution

BE IT FURTHER RESOLVED, by the City Council that its decision shall be, and is, final.

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APPROVED: John W. Witt, City Attorney

By 
Allisyn E. Thomas
Deputy City Attorney

ALT:wk
10/12/88
Or.Dept:Clerk
R-89-759
Form=r.none

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AUG 2 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 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.

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

(Seal)

By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

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