

(R-89-1904)

RESOLUTION NUMBER R-272394

ADOPTED ON November 22, 1988

WHEREAS, on November 22, 1988, the Council for the City of San Diego, California, considered the appeal of George Hronopoulos, by Timothy J. Graves, Graves Engineering, Inc., from the decision of the Planning Commission in granting La Jolla Planned District Special Use Permit LJC-87-0400, proposing to allow for an addition and remodel of an existing 2,009 square foot, single-family residence, adding 1,822 square feet for a total of 3,831 square foot residence on a 4,922 square foot lot; and

WHEREAS, the subject property is located at 274 Coast Boulevard and is further described as Lots 1, 2 and 3, Nicholas Addition, Map 952, in the La Jolla Planned District, Zone 5, in the La Jolla Community Plan area; and

WHEREAS, the applicant requested a variance to allow the retention of existing nonconforming front, rear and interior side yard setbacks associated with the existing structure, given that the necessary cost of the improvements would exceed 50 percent of the assessed value of the original structure as specified in Chapter X, Article 1, Division 3 of the San Diego Municipal Code and required by the La Jolla Planned District ordinance, section 103.1205 (nonconforming uses); and

WHEREAS, the City Council considered the plans and materials submitted prior to and at the public hearing, staff report and public testimony at the hearing; and

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WHEREAS, the applicant presented the testimony of Tony Ciani, an architect, who proposed certain facade changes to the subject property; and

WHEREAS, the City Council found that special circumstances existed, specifically that the cottage on the subject property was located on a bluff and that the topography of the bluff limited the applicant's ability to landscape the property and extend the cottage. In addition, the City Council found that to deny the variance would deny the applicant reasonable use of the property and the granting of the variance would not be detrimental to the public safety, health and welfare. In fact, it would preserve the aesthetic value of La Jolla and preserve its neighborhood character; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to La Jolla Planned District Special Use Permit No. LJC-87-0400:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the La Jolla Community Plan.
2. The proposed use, because of the conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity.
3. The proposed use will comply with the relevant regulations in the Municipal Code. The project fulfills all requirements of the Municipal Code relevant to Planned District Developments and tentative maps and meets the criteria and guidelines of the adopted La Jolla Community Plan.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, by the Council of The City of San Diego, that in light of the foregoing, the appeal of George Hronopoulos, by Timothy J. Graves, Graves Engineering, Inc., is denied and the Special Use Permit LJC-87-0400 is hereby granted to Nicholas Wallner and Sally E. Wallner, Family Trust, including the facade changes proposed by Tony Ciani, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

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

APPROVED: JOHN W. WITT, City Attorney

By


Allisyn E. Thomas
Deputy City Attorney

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LA JOLLA PLANNED DISTRICT SPECIAL USE PERMIT NO. 87-0400

CITY COUNCIL

This special use permit is granted by the Council of The City of San Diego to NICHOLAS WALLNER and SALLY E. WALLNER FAMILY TRUST, Owner/Permittee, under the conditions in Section 101.0910 of the Municipal Code of the City of San Diego.

1. Permission is granted to Owner/Permittee to construct an addition and remodel of an existing 2,009-square-foot single-family residence, adding 1,822 square feet for a total of 3,831-square-foot residence on a 4,922-square-foot lot located at 274 Coast Boulevard between South Coast Boulevard and Prospect Street, described as Lot Nos. 1, 2 and 3, Nicholas Addition, Map 952, in the La Jolla Planned District Zone 5.

2. The facility shall consist of the following:

a. An addition and remodel of an existing 2,009-square-foot single-family residence adding 1,822 square feet for a total 3,831-square-foot residence on a 4,922-square-foot lot.

The remodel will add a second story master bedroom suite and bath. The basement level will be enlarged to include a guest bedroom, bath, study, and physical therapy area. New decking and a two-car garage will also be constructed. All new construction will observe current setback regulations of the La Jolla Planned District Ordinance;

b. The project shall include approval of a variance to allow retention of existing structure nonconforming rear, interior side yard and front yard setbacks as follows:

<u>SETBACK</u>	<u>REQUIRED</u>	<u>EXISTING/PROPOSED</u>
Rear	15 feet	varies to 1 foot at closest point
Interior Side	7 feet (for height above 20 ft.)	3 feet
Front	15 feet	7' - 8" at closest point

c. Off-street parking;

- c. Accessory uses as may be determined incidental and approved by the Planning Director.
3. This project requires the approval of the Coastal Commission before issuance of grading or building permits.
3. This project requires the approval of the Coastal Commission before issuance of grading or building permits.
4. No fewer than two off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated October 6, 1988, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked.
5. No permit for construction of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:
 - a. The Permittee signs and returns the permit to the Planning Department;
 - b. The special use permit is recorded in the office of the County Recorder.
6. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated October 6, 1988, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications for amendment of this permit shall have been granted.
7. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A," dated October 6, 1988, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended.
8. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.
9. This special use permit must be used within 36 months after the date of City approval or the permit shall be void. An

Extension of Time may be granted as set forth in Section 101.0910 of the Municipal Code. Any such extension must meet all Municipal Code requirements and applicable guidelines in effect at the time the extension is considered.

10. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
11. After establishment of the project, the property shall not be used for any other purposes unless:
 - a. Authorized by the Planning Director; and
 - b. The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
 - c. The permit has been revoked by the City.
12. This special use permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.
13. This special use permit is a covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.

PASSED AND ADOPTED by the Council of The City of San Diego on October 6, 1988.

ALT:lc
04/07/89
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Passed and adopted by the Council of The City of San Diego on **NOV 22 1988**,
 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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	
Resolution Number R-272394	Adopted NOV 22 1988