

CORRECTED COPY

(R-91-916)

RESOLUTION NUMBER R-276798

ADOPTED ON OCTOBER 30, 1990

WHEREAS, Michael C. Russell and Barbara Huba appealed the decision of the Planning Commission in approving Coastal Development Permit No. 89-1260 submitted by Jane Gunsorek Fletcher, Owner/Permittee, to construct an additional two-bedroom living unit and garage totaling 1,410 square feet to an existing 1,151-square-foot home for a combined total of two units totaling 2,561 square feet, located 7337 Fay Avenue on the east side of Fay Avenue, north of Genter Street, west of Girard Avenue, and south of Pearl Street, and is more particularly described as Lot 6 except the easterly 75 feet, Lone Pine, Map No. 2819, in the La Jolla Community Plan area, in the R-3000 zone (Multiple Family Residential, one unit per 3,000 square feet of lot area); and

WHEREAS, the matter was set for public hearing on October 30, 1990, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Coastal Development Permit No. 89-1260:

1. The proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in an adopted Local Coastal Program Land Use Plan; nor will it obstruct views to and along the ocean and other scenic coastal areas from public vantage points. There are no known or mapped physical accessways crossing the site nor will the new two-story, twenty-one foot high structure obstruct views from public vantage points.

2. The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources. The proposed development is located in an urbanized area more than a quarter mile from marine resources, environmentally sensitive areas, or archaeological or paleontological resources.

3. The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources. The site currently has an existing home and no known recreational facilities, visitor-serving facilities or coastal scenic resources are currently located or proposed on or adjacent to the proposed site.

4. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources. There are no environmentally sensitive habitats and scenic resources located in or around the site, thus there should not be any adverse affect on these resources.

5. The proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards. The subject site is located in an existing urbanized area which proposes no alteration to the natural landform and there are no known unusual geologic, erosional, flood or fire hazards.

6. The proposed development will be visually compatible with the character of surrounding areas, and where feasible, will restore and enhance visual quality in visually degraded areas. The surrounding development is a mix of new and old one- and two-story structures with a variety of architectural styles. The proposed two-story structure is of comparable architectural quality.

7. The proposed development will conform with the General Plan, the Local Coastal Program, and any other applicable adopted plans and programs. The one unit add on to an existing single-family home complies with the medium density residential designation of the General Plan and the La Jolla Local Coastal Program.

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

BE IT FURTHER RESOLVED, that the appeal of Michael C. Russell and Barbara Huba is denied; the decision of the Planning Commission is sustained, and Coastal Development Permit No. 89-1260 is hereby granted to Jane Gunsorek Fletcher under the

terms and conditions set forth in the permit attached hereto and
made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

BY *Frederick Conrad*
Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
02/11/91
Or.Dept:Clerk
R-91-916
Form=r.permit

COASTAL DEVELOPMENT PERMIT NO. 89-1260
FLETCHER RESIDENCE

CITY COUNCIL

This coastal development permit is granted by the Council of The City of San Diego to JANE G. FLETCHER, an individual, Owner/Permittee, pursuant to Section 105.0201 of the Municipal Code of the City of San Diego.

1. Permission is hereby granted to Owner/Permittee to construct an additional two-bedroom living unit and carport totaling 1,120 square feet to an existing 1,151 square foot home for a combined total of two-units totaling 2,271 square feet, located at 7337 Fay Avenue, on the east side of Fay Avenue, north of Genter Street, west of Girard Avenue, and south of Pearl Street, described as Lot 6, except the easterly 75 feet, Lone Pine, Map No. 2819, City of San Diego, in the R-3000 zone.
2. The facility shall consist of the following:
 - a. Two-units totaling 2,271 square feet;
 - b. Landscaping;
 - c. Off-street parking; and
 - d. Incidental accessory uses as may be determined incidental and approved by the Planning Director.
3. Not fewer than four (4) off-street parking spaces shall be maintained on the property in the location shown on Exhibit "A," dated October 30, 1990, on file in the office of the Planning Department. Parking spaces shall comply with Chapter X, Article 1, Division 8 of the Zoning Regulations of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking space dimensions shall conform to Zoning Ordinance standards. Parking areas shall be clearly marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.
4. No permit 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; and
 - b. The coastal development permit is recorded in the office of the County Recorder.

5. Before issuance of any building permits, complete grading and working drawings shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated October 30, 1990, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.
6. 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 30, 1990, 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 and is to be maintained in a disease, weed and litter free condition at all times.
7. The property included within this coastal development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by The City of San Diego.
8. This coastal development permit may be canceled or revoked if there is a material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by The City of San Diego or Permittee.
9. This coastal development permit is a covenant running with the subject property 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 in this permit and all referenced documents.
10. The use of texture or enhanced paving shall be permitted only with the approval of the City Engineer and Planning Director, and shall meet standards of these departments as to location, noise and friction values, and any other applicable criteria.
11. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.
12. This project shall comply with standards, policies and requirements in effect at the time of approval of this project, including any successor or new policies, financing mechanisms, phasing schedules, plans and ordinances adopted by The City of San Diego after January 11, 1990.

13. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the replacement of curb and sidewalk adjacent to this site on Fay Avenue, satisfactory to the City Engineer.
14. Unless appealed this coastal development permit shall become effective on the tenth working day following receipt by the Coastal Commission of the Notice of Final Action.
15. This coastal development permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted as set forth in Section 105.0216 of the Municipal Code.
16. In the event that any condition of this permit, on a legal challenge by the Owner/Permittee of this permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, this permit shall be void.

APPROVED by the Council of The City of San Diego on October 30, 1990.

AUTHENTICATED BY:

MAUREEN O'CONNOR, Mayor
The City of San Diego

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

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this _____ day of _____, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.

Notary Public in and for the County
of San Diego, State of California

The undersigned Permittee, by execution hereof, agrees to each and every condition of this permit and promises to perform each and every obligation of Permittee hereunder.

JANE GUNSOREK FLETCHER
Owner/Permittee

By _____

NOTE: Notary acknowledgments
must be attached per Civil
Code Section 1180, et seq.
Form=p.ack

R. 276798

Passed and adopted by the Council of The City of San Diego on..... OCT 30 1990.....
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"/>
John Hartley	<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"/>
Linda Bernhardt	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Linda Lugano* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R. 276798* Adopted *OCT 30 1990*