

(R-91-1374)

RESOLUTION NUMBER R-277214

ADOPTED ON JANUARY 15, 1991

WHEREAS, on January 15, 1991, the Council of The City of San Diego considered the appeal of Dr. and Mrs. Homer Peabody in Case No. C-20557, from the decision of the Board of Zoning Appeals in approving a fence variance which partially approved the maintenance of 93'-11" of retaining planter walls in excess of the maximum 3'0" permitted in the Nahant Court yard. The original request, denied by the Zoning Administrator on July 19, 1990, for a variance was for maintenance of 120'-11" of free-standing and retaining planter walls which exceed the three foot height limit permitted in the 15' required yard along Nahant Court. This appeal is also for allowance of a parking space within the side yard set back. The subject property is located at 3544-46 Bayside Walk, in the Mission Beach Planned District, R-S Subdistrict and is more particularly described as Lot A, Block 146, Mission Beach, Altered Map No. 1809; and

WHEREAS, in arriving at their 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 the overheight walls and parking in the required court yard were compatible with surrounding development in the area; NOW, THEREFORE,

BE IT RESOLVED, by the Council of San Diego that the appeal of Dr. and Mrs. Homer Peabody in Case No. C-20557 is hereby granted and the decision of the Board of Zoning Appeals is overturned to the extent it is inconsistent herewith.

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

APPROVED: JOHN W. WITT, City Attorney

By


Allisyn M. Thomas
Deputy City Attorney

ALT:PEV
02/22/91
Or.Dept:Clerk
R-91-1374
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SAN DIEGO, CALIF.

JAN 15 1991

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"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 *Blondel R. Baer* Deputy.

Office of the City Clerk, San Diego, California

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