

(R-92-992)

RESOLUTION NUMBER R-279374

ADOPTED ON FEBRUARY 4, 1992

WHEREAS, on February 4, 1992 the Council of The City of San Diego considered the appeal of the Uptown Community Planning Group by Michael LaBarre from the decision of the Board of Zoning Appeals which sustained the decision of the Zoning Administrator in partially approving a request by Jon M. Wainwright, property owner, for variances to maintain the following, currently in violation: (1) a second-story addition to a one-story, single-family dwelling resulting in a maximum height of 37'10" (building height is 32'0", the second-story chimney is 37'10" in height, and the first-story chimney is 33'4" in height) where a maximum height of 30'0" is permitted, and chimneys are not permitted to exceed 12 square feet above the height limit; (2) the addition which resulted in a Floor Area Ratio of .69 where .60 is permitted; (3) the addition observing a 6'11" street side yard where 10'0" is required (the existing house observes a 9'0" street side yard; (4) a 2'8" rear yard where 4'0" is required; (5) maximum 13'0" high columns for proposed covered patio observing a 1'0" street side yard where 10'0" is required; (6) the columns located in the driveway visibility area where a maximum height of 3'0" is permitted; (7) maximum 8'6" high combination retaining wall/open fence within the 15'0" front yard where 9'0" is the maximum height permitted provided that no single plan exceeds 6'0" in height and horizontal separations are

provided in compliance with design criteria; (8) maximum 8'6" high combination retaining wall/open fence within the 10'0" street side yard where 9'0" is the maximum height provided that no single plan exceeds 6'0" in height and horizontal separations are in compliance with design criteria; and (9) the 8'6" high combination retaining wall/open fence located within the corner visibility area where a maximum height of 3'0" is permitted. The subject property is located at 2160 Hickory Street in the RI-5000 zone, in the Uptown Community, and is further described as the southwesterly 90 feet of Lot 22, Block 6, Mission Hills, Map-1115; and

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

BE IT RESOLVED, by the Council of The City of San Diego, that it partially grants the appeal of the Uptown Community Planning Group and denies items 1, 2, 4, 5 and 6; approves item 3; and modifies items 7, 8 and 9, to approve a maximum 6'0" high fence on the property line. The wall portion of the same fence may be maintained but the open portion must be reduced to a maximum 6'0" as measured from the lowest elevation on the property. The following conditions apply as to those items approved and modified:

1. That a mutually agreed upon time line for accomplishing the above be reached by the property owner and Zoning Administrator, and that the time line be made a part of the

record in this case, including but not limited to files in the office of the City Clerk and Zoning Administrator.

2. That revised plans be submitted to the Zoning Administrator and approved within thirty (30) days. The revised plans shall comply with the height limit, floor area ratio, and fence ordinance.

3. That all modifications be complete within ninety (90) days.

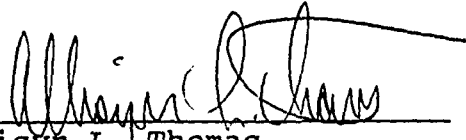
4. That the area above the garage shall never be enclosed or used for habitable space.

BE IT FURTHER RESOLVED, by the City Council, that it hereby adopts the findings of the Zoning Administrator as to those items it approved and modified.

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:lc
02/25/92
Or.Dept:Clerk
R-92-992
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Passed and adopted by the Council of The City of San Diego on FEB 04 1992
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"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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 type="checkbox"/>	<input checked="" 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 Mary Cepeda Deputy.

Office of the City Clerk, San Diego, California

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