

(R-92-1493)

RESOLUTION NUMBER R-279576

ADOPTED ON MARCH 17, 1992

WHEREAS, Don Hawthorne and Jim Siler, Owner/Permittee, by Michel Anderson, appealed the decision of the Planning Commission in denying Conditional Use Permit No. 91-0469 submitted by Don Hawthorne and Jim Siler, Owner/Permittee, to replace a previously existing garage and guest quarters with a new 880 square-foot, three car garage and a 835 square-foot guest quarters, located at 927 Sunset Cliffs Boulevard, described as Lot 14 of Block "1" of Azure Vista according to Map No. 1981, in the Peninsula Community Plan area, in the R1-5000 Zone; and

WHEREAS, the matter was set for public hearing on March 17, 1992, 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 Conditional Use Permit No. 91-0469:

1. The guest quarters will not adversely affect the neighborhood, the general or community plan, and will not be detrimental to the health, safety and general welfare of persons residing or working in the area. The proposed guest quarters has been designed to be compatible with the proposed single-family residence and existing neighborhood. The guest quarters will be restricted to be used only by temporary guests, family members,

or domestic employees. In addition, the development provides for three (3) off-street parking spaces to provide sufficient parking for the guest quarters.

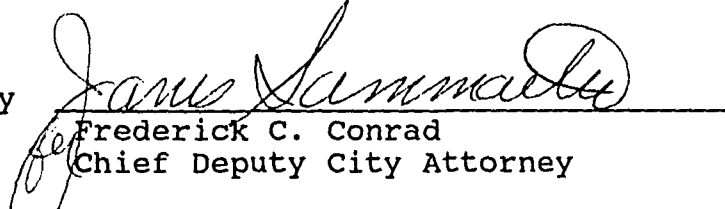
2. The guest quarters will comply with all the relevant regulations of the Municipal Code. The proposed guest quarters are in compliance with all the development regulations of the underlying R1-5000 zone, and the general criteria established for guest quarters in Section 101.0101.28 of the Municipal Code.

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 Down Hawthorne and Jim Siler, by Michel Anderson, is granted; the decision of the Planning Commission is overruled, and Conditional Use Permit No. 91-0469 is hereby granted to Don Hawthorne and Jim Siler, 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 C. Conrad
Chief Deputy City Attorney

FCC:pev
03/26/92
Or.Dept:Clerk
R-92-1493
Form=r.permit

COASTAL DEVELOPMENT PERMIT NO. 91-0469
AND CONDITIONAL USE PERMIT NO. 91-0469


CITY COUNCIL

This coastal development and conditional use permit is granted by the Council of The City of San Diego to Don Hawthorne and Jim Siler, 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 for the replacement of a previously existing garage and guest quarters with a new three-car garage and guest quarters coastal development located at 927 Sunset Cliffs, described as Lot 14 of Block "1" of Azure Vista, according to Map No. 1981, as recorded in the City of San Diego, in the Peninsula Community area, in the R1-5000 zone.
2. The facility shall consist of the following:
 - a. A 880 square-foot, three-car garage and a storage area and 835 square-foot guest quarters;
 - 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 three off-street parking spaces shall be maintained on the property in the location shown on Exhibit "A," as presented to the Council on March 17, 1992, dated March 17, 1992, 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," as presented to the Council, dated March 17, 1992, on file in the office of the Planning Department. No changes, 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 March 17, 1992, 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 cancelled 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 and conditional use 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. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the replacement of damaged sidewalk, adjacent to this site, on Sunset Cliffs Boulevard, satisfactory to the City Engineer.

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13. Prior to the issuance of any building permits, the applicant shall:
 - a. Ensure that building address numbers are visible and legible from the street (Uniform Fire Code section 10.208).
 - b. Show the location of all fire hydrants on the plot plan (Uniform Fire Code section 10.301).
 14. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
 15. This property may be subject to a building permit park fee in accordance with San Diego Municipal Code section 96.0401 et seq.
 16. Prior to Certificate of Occupancy, the applicant shall enter into an agreement with the City waiving the right to oppose special assessment proceedings initiated for any future alley improvements.
 17. The guest quarters will be restricted in use to persons employed on the premises, members of the family living in the primary dwelling unit or for temporary use by guests of the family living on the premises. The guest quarters will have no kitchen; and shall not be rented or leased or otherwise used as a separate dwelling.
 18. The applicant shall use opaque glass on the east elevation of the guest quarters and garage structure.
 19. Coastal Development Permit No. 91-0469 incorporates Conditional Use Permit (CUP) No. 91-0469. CUP No. 91-0469 shall not be valid until the coastal development permit becomes effective.
 20. Unless appealed the coastal development permit shall become effective on the eleventh (11th) day following the decision of the City Council.
 21. Unless appealed the coastal development permit shall become effective on the eleventh (11th) working day following receipt by the Coastal Commission of the Notice of Final Action.
 22. The coastal development permit must be utilized within thirty-six (36) months after the effective date. Failure to utilize the permit within thirty-six (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.

23. 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 March 17, 1992, by Resolution Nos. R-279575 and R-279576.

33413

Passed and adopted by the Council of The City of San Diego on MAR 17 1992
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:

(Seal)

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

By *William Ferguson*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-279576 Adopted MAR 17 1992