

(R-92-2143)

RESOLUTION NUMBER R-280205

ADOPTED ON JUNE 23, 1992

WHEREAS, James R. Toone appealed the decision of the Planning Commission in granting, with the modified condition of requiring the full improvement of Trenton Avenue to City standards and consistent with environmental concerns of the canyon, Hillside Review Permit/Resource Protection Ordinance Permit No. 91-0456 submitted by James R. Toone, Owner/Permittee, for the construction of a 1,869 square foot single-family house on a 3,125 square foot lot, located at Trenton Street (a named alley) and described as Lot 36, Block 5 of American Park Addition, Map No. 983, in the Clairemont Community Plan area, in the R1-5000 zone; and

WHEREAS, the matter was set for public hearing on June 23, 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 Hillside Review Permit No. 91-0456:

1. The site is physically suitable for the design and siting of the proposed structure and will result in the minimum disturbance of sensitive areas. A maximum of nine percent encroachment is allowed into the hillside. Landscape plans shall conform to the Brush Management Alternate Compliance Requirements

set forth in the landscape plans in Exhibit "A," dated June 23, 1992, on file in the office of the Planning Department. This would include the entire site per alternative compliance.

2. The grading and excavation proposed in connection with the development will not result in soil erosion, silting of lower slopes, slide damage, flooding, severe scarring or any other geological instability which would affect health, safety and general welfare as approved by the City Engineer. Disturbed slopes are planted with plants as shown on the landscape plans in Exhibit "A," dated June 23, 1992, on file in the office of the Planning Department.

3. The proposed development retains the visual quality of the site, the aesthetic qualities of the area and the neighborhood characteristics by utilizing proper structural scale and character, and varied architectural treatments.

4. The proposed development is in conformance with the Open Space Element of the General Plan, the Open Space and Sensitive Land Element of the community plan, any other adopted applicable plan, and the zone. The applicant has discussed the feasibility of open space dedications or easements with appropriate City staff.

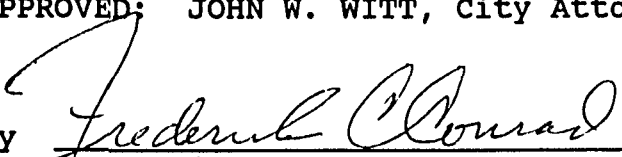
5. The proposed development is in conformance with the qualitative guidelines and criteria as set forth in Document No. RR-262129, "Hillside Design and Development Guidelines."

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 James R. Toone is denied; the decision of the Planning Commission is sustained, and Hillside Review Permit No. 91-0456 is hereby granted with the modified condition to James R. Toone, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By

  
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Frederick C. Conrad  
Chief Deputy City Attorney

FCC:lc  
07/02/92  
Or.Dept:Clerk  
R-92-2144  
Form=r.permit

HILLSIDE REVIEW PERMIT/RESOURCE PROTECTION ORDINANCE  
PERMIT NO. 91-0456  
TRENTON AVENUE SINGLE-FAMILY RESIDENCE

CITY COUNCIL

This Hillside Review Permit/Resource Protection Ordinance Permit is granted by the Council of The City of San Diego to JAMES R. TOONE, Owner/Permittee, pursuant to conditions in Section 101.0454 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to construct a single family house on a vacant lot, located in Clairemont, described as Lot 36, Block 5, American Park Addition, Map No. 983 in the R1-5000 Zone.
2. The Hillside Review Permit requires the following:
  - a. One single-family house consisting of 1,869 square feet;
  - b. Slopes shall not exceed 2:1 slope in grade; and
  - c. Exposed decks to be of non-combustible material:
    - (1) Concrete Sonotube foundations
    - (2) Steel beams covered with stucco
    - (3) Steel deck with concrete cover
    - (4) Railing to be metal pipe railing
  - d. The south facing walls to be a 2-hour fire resistive construction with a maximum 25 percent unrated openings.
3. No permit for grading 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 Hillside Review Permit is recorded in the office of the County Recorder.
4. 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 June 23, 1992, on file in the office of the Planning Department. No change,

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modifications or alterations shall be made unless appropriate applications, findings of substantial conformance or amendment of this permit shall have been granted.

5. 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 June 23, 1992, on file in the office of the Planning Department. Approved planting shall be installed. 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.
6. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
7. This permit must be utilized within 36 months of the date of approval, failure to utilize this permit within 36 months will automatically void the permit unless extended under the provisions of Section 101.454(H) of the Municipal Code. Any such extension must meet all regulations, policies and Municipal Code provisions in effect at the said time extension is considered.
8. This Hillside Review Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.
9. This Hillside Review Permit is a covenant running with 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.
10. The Permittee/Applicant shall comply with all requirement of the Uniform Building Code (UBC) and secure all necessary building permits prior to construction.
11. Prior to the issuance of any building permits, the applicant shall:
  - a. Ensure that building address numbers are visible and legible from street (Uniform Fire Code ("UFC") 10.208).
  - b. Show the location of all fire hydrants on the plot plan (UFC 10.301).
  - c. Comply with the City of San Diego *Landscape Technical Manual* regarding brush and landscaping.

- d. Comply with the conditions that a hammerhead be installed per the Fire Department's requirements and per the UFC 10.207.
  - e. This community may be subject to impact fees, as established by City Council at the time of issuance of building permits.
  - f. This property may be subject to a building permit park fee in accordance with San Diego Municipal Code section 96.0401 et seq.
- 12. No accessory structures are permitted within the designated Zone 1 area, including but not limited to: wood decks, trellises, gazebos, etc. Non-combustible structures may be approved by the Fire Marshall subject to the approval by the Planning Director.
  - 13. The Fire Department may consider deviations from these conditions or may require additional conditions at the time of final inspection if it is deemed that an eminent health and safety risk still exists.
  - 14. These conditions shall be in addition to those architectural features outlined in Section 6.6-2 of the "Landscape Technical Manual" document number RR-274506, on file in the office of the City Clerk.
  - 15. All requirements shall conform to any applicable city and regional building code standards.
  - 16. At no time shall the brush management required by the approved permit encroach in to any adjoining property, public or private. Approval by the Planning Director is required if any subsequent off-site encroachments are necessary. Any additional encroachments in the native vegetation are subject to additional environmental review.

Passed and adopted by the Council of The City of San Diego on June 23, 1992, by Resolution Nos. R-280205 and R-280206.



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JUN 23 1992

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:

(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  Deputy.

Office of the City Clerk, San Diego, California

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Number ..... Adopted JUN 23 1992