

RESOLUTION NUMBER R-290278

ADOPTED ON JUNE 16, 1998

WHEREAS, John Lett, property owner and applicant, appealed the decision of the Board of Zoning Appeals in denying a request for a variance to enclose an existing loading dock area, observing a 4'0" interior side yard where 19'-11" is required at 8330 Arjons Drive which intersects with Miralani Drive (legally described at Lot 24, Miralani Business Park Unit No. 1, Map No. 9503), in the Mira Mesa Community Plan Area, in the MIB zone; and

WHEREAS, the matter was set for public hearing on June 16, 1998, extensive 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,

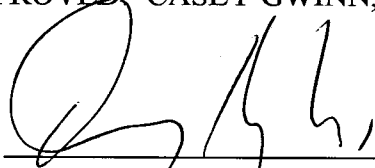
BE IT RESOLVED, by the Council of The City of San Diego, that it adopts the following findings with respect to Board of Zoning Appeals Variance No. C-21524/96001510-P-1:

1. That federal regulations concerning the handling of pharmaceuticals create special circumstances that do not apply generally to other buildings in the neighborhood.
2. That these special circumstances are such that a strict application of the side yard setback requirements would deprive the applicant of the reasonable use of the building.
3. That the granting of the variance is in harmony with the general purpose and intent of the zoning regulations, and not otherwise detrimental to the neighborhood or public welfare.
4. That the granting of the variance will not adversely affect the Progress Guide and General Plan for The City of San Diego.

BE IT FURTHER RESOLVED, that the appeal of John Lett is granted, the decision of the Board of Zoning Appeals is overruled, and the request for a variance to enclose an existing loading dock area at Lot 24, Miralani Business Park Unit No. 1, Map No. 9503, to observe a 4'0" interior side yard where 19'-11" is required, is hereby granted.

APPROVED: CASEY GWINN, City Attorney

By



Douglas K. Humphreys
Deputy City Attorney

DKH:lc
10/29/98
Or.Dept:Clerk
Aud.Cert:N/A
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