



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: February 24, 2016

REPORT NO. HO 16-012

ATTENTION: Hearing Officer

SUBJECT: Hopkins Street Homes Variance
PROJECT NUMBER: 441033

LOCATION: 2781 Hopkins Street, San Diego, CA 92139

APPLICANT: Kim Barron

SUMMARY

Issue: Should the Hearing Officer approve a Variance for the construction of a single-family residence in the Skyline-Paradise Hills Community Plan area?

Staff Recommendation: APPROVE Variance No. 1549567.

Community Planning Group Recommendation: On October 13, 2015, the Skyline-Paradise Hills Planning Committee voted 10-2-1 to recommend approval of the Variance with no additional conditions.

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, New Construction or Conversion of Small Structures. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on January 22, 2016, and the opportunity to appeal that determination ended February 5, 2016.

BACKGROUND

The 0.33-acre project site is a vacant elongated rectangular lot located at 2781 Hopkins Street, at the terminus of Hopkins Street in the RS-1-7 Zone within the Skyline-Paradise Hills Community Plan (Community Plan). The site is bounded by developed residential lots to the north, undeveloped property to the south, recreation fields to the east and south east, and Hopkins Street to the west. The western portion of the lot adjacent to Hopkins Street is relatively level and part of a bisected mesa. The center of the lot includes a steep easterly descending slope with an approximately 65 feet elevation change to a broad, southerly unnamed tributary canyon of the Sweetwater River Valley. The existing site and surrounding residential subdivision is

characterized by graded front parcel lots and rear descending slope topography. The Community Plan's Residential Element designates the site for single-family residential with a low density range of 0 to 10 dwelling units per net residential acre.

The project proposes to construct a two-story, 1,880 square-foot, single-family dwelling unit with a two-car garage at the end of Hopkins Street cul-de-sac, adjacent to existing developed single-family residential lots. The site is unique in that it is bisected by a known earthquake fault line, La Nacion Fault, which cuts through perpendicular to the front middle third of the vacant lot. The applicant requests a Variance pursuant to San Diego Municipal Code (SDMC) Section 126.0802 for deviations to the minimum front yard setback and driveway length for the construction of the single-family residence.

DISCUSSION

The project proposes two variances. First, it proposes a variance from the RS-1-7 Zone's 15-foot minimum front setback, as required by Section 131.040B, Table 131-04D. The project requires a variance because without it, the project would be required to build across the two feet wide La Nacion Fault line. Therefore, the development will provide a six-foot minimum front setback. Second, the project proposes a variance from the RS-1-7 Zone's requirement that driveways must be at least 20 feet in length from the back of sidewalk, and if not, they must provide two parking spaces on the street abutting the subject property, as required by SDMC Table 142-05B (footnote 1). The project requires a variance because it cannot build a 20-foot driveway because the development's building structure is located within the minimum front setback area to avoid the La Nacion Fault area and the property's street frontage of approximately 51 feet cannot accommodate two parking spaces within the longest portion for the frontage (approximately 25 feet) minus the required 20 feet driveway opening. Therefore, the development will provide a minimum driveway length of nine feet that leads to the single-family residence attached two-car garage.

Considering the earthquake fault line, existing topography, and lot location of the proposed single family dwelling unit, circumstances and the site conditions are such that the strict application of the regulations of the Land Development Code would deprive the applicant of reasonable use of the land or premises. However, granting the proposed variance for front setback and driveway length deviations would be the minimum necessary that will permit the reasonable use of the land or premises. Therefore, City staff recommends the Hearing Officer approve the requested Variance.

ALTERNATIVES

1. Approve Variance No. 1549567, with modifications.
2. Deny Variance No. 1549567, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Tim Daly, Development Project Manager

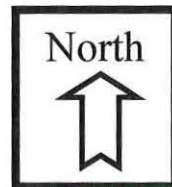
Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Exemption
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Plans (Provided to Hearing Officer)



Project Location

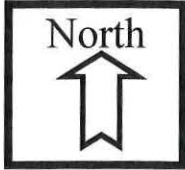
Hopkins Street Homes Variance, Project No. 441033
2781 Hopkins Street

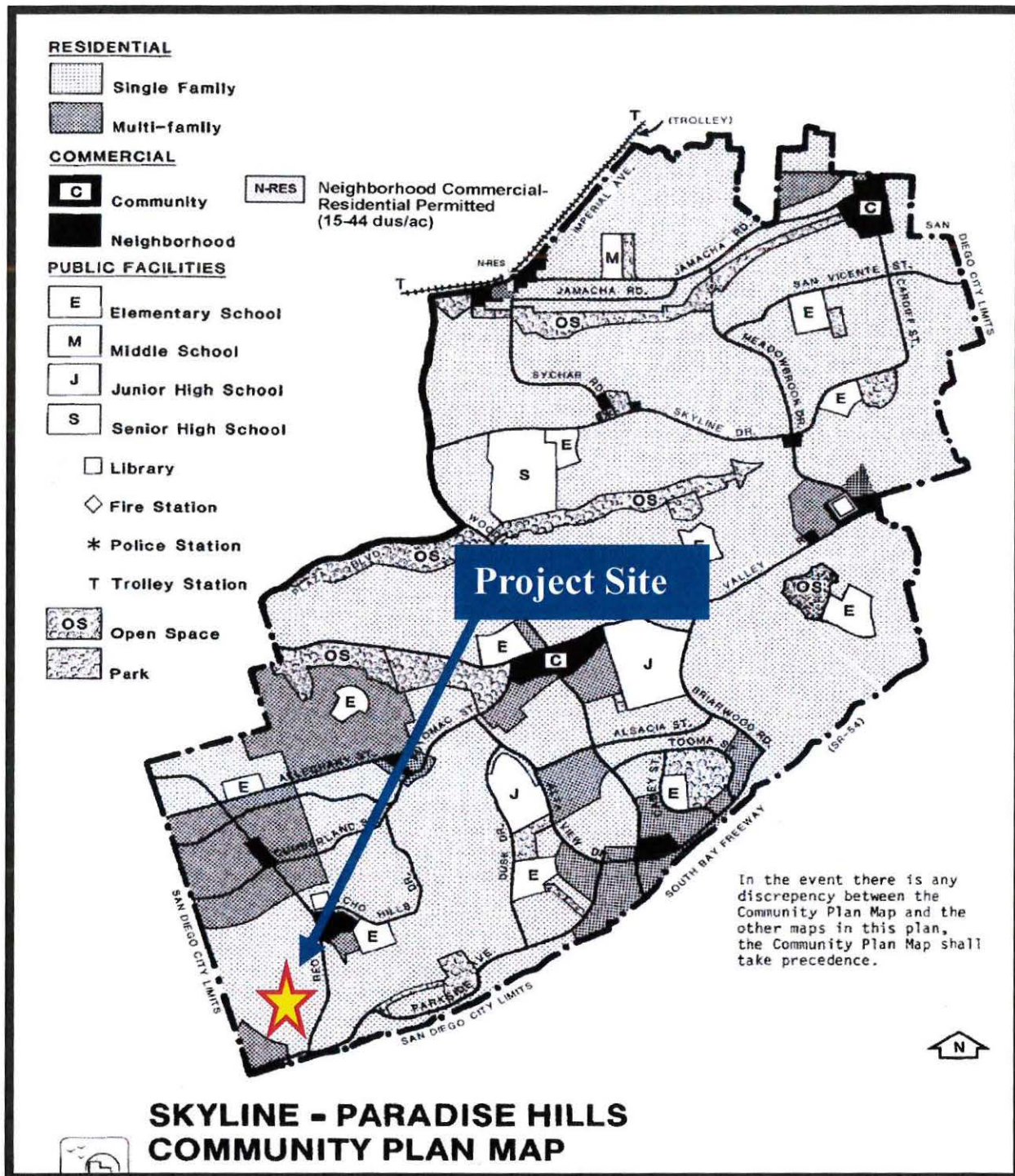




Aerial Photo

**Hopkins Street Homes Variance, Project No. 441033
2781 Hopkins Street**





Skyline-Paradise Hills Community Plan Map

Hopkins Street Homes Variance, Project No. 441033
 2781 Hopkins Street



PROJECT DATA SHEET

PROJECT NAME:	Hopkins Street Homes Variance	
PROJECT DESCRIPTION:	Variance pursuant to San Diego Municipal Code (SDMC) Section 126.0802 for a reduction in the minimum front yard setback and driveway length for the construction of the single family residence.	
COMMUNITY PLAN AREA:	Skyline-Paradise Hills	
DISCRETIONARY ACTIONS:	Variance	
COMMUNITY PLAN LAND USE DESIGNATION:	Single-Family Residential	
<u>ZONING INFORMATION:</u>		
ZONE: RS-1-7 LOT SIZE: Min. 5,000 s.f.; 14,223 s.f. existing FLOOR AREA RATIO: Max.0.50; 0.07 proposed FRONT SETBACK: Min. 15 feet; 6 feet proposed SIDE SETBACK: Min. 4 feet; 5 feet proposed REAR SETBACK: Min. 10 feet; 230 feet proposed PARKING: 2 parking spaces required		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Residential; RS-1-7	Residential
SOUTH:	Residential; RS-1-7	Vacant Lot
EAST:	Residential; RS-1-7	Recreation Field
WEST:	Residential; RS-1-7	Residential
DEVIATIONS OR VARIANCES REQUESTED:	Variance for the minimum front yard setback and driveway length regulations for the construction of the single family residence.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On October 13, 2015, the Skyline-Paradise Hills Planning Committee voted 10-2-1 to recommend approval of the Variance with no additional conditions.	

HEARING OFFICER RESOLUTION NO. HO-XXXX
VARIANCE NO. 1549567
2781 HOPKINS STREET VARIANCE PROJECT NO. 441033

WHEREAS, KIMB, INCORPORATED, Owner/Permittee, filed an application with the City of San Diego for a permit for the variances from the minimum front yard setback and driveway length for the construction of a 1,880-square-foot, single-family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1549567), on portions of a 0.33-acre site;

WHEREAS, the project site is located at 2781 Hopkins Street in the RS-1-7 Zone of the Skyline-Paradise Hills Community Plan;

WHEREAS, the project site is legally described as Lot 12, Block 39 of Map No. 2068 of Paradise Hills Unit No. 2 in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, October 29, 1927;

WHEREAS, on February 24, 2016, the Hearing Officer of the City of San Diego considered Variance No. 1549567 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on January 22, 2016, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) under CEQA Guideline Section 15303 (New Construction or Conversion of Small Structures); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated February 24, 2016.

FINDINGS:

Variance – Section 126.0805

- 1. There are special circumstances or conditions applying to the land or premises for which the variance is sought that are peculiar to the land or premises and do not apply generally to the land or premises in the neighborhood, and these conditions have not resulted from any act of the applicant after the adoption of the applicable zone regulations.** The 0.33-acre project site is a vacant elongated rectangular lot located at 2781 Hopkins Street, at the terminus of Hopkins Street in the Skyline-Paradise Hills Community Plan. The site is bounded by developed residential lots to the north, undeveloped property to the south, recreation fields to the east and south east, and Hopkins Street to the west. The western portion of the lot is relatively level and part of a dissected mesa. The center of the lot includes a steep easterly descending slope with approximately 65 feet elevation change to a broad, southerly unnamed tributary canyon of the Sweetwater River Valley. The existing site and surrounding residential

subdivision is characterized by graded front parcel lots and rear descending slope topography. The project proposes to construct a two-story, 1,880 square-foot, single-family dwelling unit at the end of Hopkins Street cul-de-sac adjacent to single-family residential lots. The site is unique and is bisected by a known earthquake fault line, La Nacion Fault, which cuts through perpendicular to the front middle third of the vacant lot.

In order to construct the proposed two-story single-family dwelling unit, the building structure must avoid construction across the two feet wide La Nacion Fault area with a five-foot setback from the westerly line of the fault area. Achieving the fault setback requirement will require locating the proposed building structure within the RS-1-7 Zone's 15-foot minimum front setback as required by San Diego Municipal Code (SDMC) Section 131.040B, Table 131-04D. Therefore, the development will provide a 6-foot minimum front setback due to the presence of the earthquake fault. In addition, the minimum driveway length in the RS-1-7 Zone is 20 feet in length from back of sidewalk as required by SDMC Table 142-05B (footnote 1). If the driveway is not 20 feet in length the project shall provide two spaces on street abutting the property subject to SDMC Section 142.0525(c)(4). The property's street frontage cannot accommodate two spaces as required and therefore, with the development's building structure located within the front setback to avoid the fault area, the minimum driveway length of 20 feet will be reduced to nine feet, leading to the building structures' two-car garage.

Therefore, considering the earthquake fault line, existing topography and lot location of the proposed single family dwelling unit, these special circumstances and conditions on the project site are unique to the land or premises and do not apply generally to the land or premises in the neighborhood. These conditions have not resulted from any act of the Owner/Permittee after the adoption of the applicable zone regulations.

2. The circumstances or conditions are such that the strict application of the regulations of the Land Development Code would deprive the applicant of reasonable use of the land or premises and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or premises. The 0.33-acre project site is a vacant elongated rectangular lot located at 2781 Hopkins Street, at the terminus of Hopkins Street in the Skyline-Paradise Hills Community Plan. The site is bounded by developed residential lots to the north, undeveloped property to the south, recreation fields to the east and south east, and Hopkins Street to the west. The western portion of the lot is relatively level and part of a dissected mesa. The center of the lot includes a steep easterly descending slope with approximately 65 feet elevation change to a broad, southerly unnamed tributary canyon of the Sweetwater River Valley. The existing site and surrounding residential subdivision is characterized by graded front parcel lots and rear descending slope topography. The project proposes to construct a two-story, 1,880 square-foot, single-family dwelling unit at the end of Hopkins Street cul-de-sac adjacent to single-family residential lots. The site is unique and is bisected by a known earthquake fault line, La Nacion Fault, which cuts through perpendicular to the front middle third of the vacant lot.

In order to construct the proposed two-story single-family dwelling unit, the building structure must avoid construction across the two feet wide La Nacion Fault area with a five-foot setback from the westerly line of the fault area. Achieving the fault setback requirement will require locating the proposed building structure within the RS-1-7 Zone's 15-foot minimum front setback as required by San Diego Municipal Code (SDMC) Section 131.040B, Table 131-04D. Therefore, the development will provide a 6-foot minimum front setback due to the presence of the

earthquake fault. In addition, the minimum driveway length in the RS-1-7 Zone is 20 feet in length from back of sidewalk as required by SDMC Table 142-05B (footnote 1). If the driveway is not 20 feet in length the project shall provide two spaces on street abutting the property subject to SDMC Section 142.0525(c)(4). The property's street frontage cannot accommodate two spaces as required and therefore, with the development's building structure located within the front setback to avoid the fault area, the minimum driveway length of 20 feet will be reduced to nine feet, leading to the building structures' two-car garage.

Considering the parcel lot's unique topography and fault area bisecting the lot, without the requested variances any residential development could not occur on the site and be consistent with the existing single-family development of similar size and configuration to others in the neighborhood. In addition, although the driveway will be shortened and the required two spaces abutting the project site cannot be provided, the project will be able to provide the two required off-street parking spaces within the building structure's garage. Therefore, considering the earthquake fault line, existing topography and lot location of the proposed single family dwelling unit, circumstances and the site conditions are such that the strict application of the regulations of the Land Development Code would deprive the applicant of reasonable use of the land or premises and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or premises.

3. The granting of the variance will be in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare. The 0.33-acre project site is a vacant elongated rectangular lot located at 2781 Hopkins Street, at the terminus of Hopkins Street in the Skyline-Paradise Hills Community Plan. The site is bounded by developed residential lots to the north, undeveloped property to the south, recreation fields to the east and south east, and Hopkins Street to the west. The western portion of the lot is relatively level and part of a dissected mesa. The center of the lot includes a steep easterly descending slope with approximately 65 feet elevation change to a broad, southerly unnamed tributary canyon of the Sweetwater River Valley. The existing site and surrounding residential subdivision is characterized by graded front parcel lots and rear fall slope topography. The project proposes to construct a two-story, 1,880 square-foot, single-family dwelling unit with a two-car garage at the end of Hopkins Street cul-de-sac adjacent to single-family residential lots. The site is unique and is bisected by a known earthquake fault line, La Nacion Fault, which cuts through perpendicular to the front middle third of the vacant lot.

In order to construct and occupy the proposed two-story single-family dwelling unit, the building structure must avoid construction across the two feet wide La Nacion Fault area with a five-foot setback from the westerly line of the fault area. Achieving the fault setback requirement will require locating the proposed building structure within the RS-1-7 Zone's 15-foot minimum front setback as required by San Diego Municipal Code (SDMC) Section 131.040B, Table 131-04D. Therefore, the development will provide a 6-foot minimum front setback due to the presence of the earthquake fault. In addition, the minimum driveway length in the RS-1-7 Zone is 20 feet in length from back of sidewalk as required by SDMC Table 142-05B (footnote 1). If the driveway is not 20 feet in length the project shall provide two spaces on street abutting the property subject to SDMC Section 142.0525(c)(4). The property's street frontage cannot accommodate two spaces as required and therefore, with the development's building structure located within the front setback to avoid the fault area, the minimum driveway length of 20 feet will be reduced to nine feet, leading to the building structures' two-car garage.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. All Uniform Building Codes governing the construction and continued operation of the development will apply to this site to prevent adverse effects to those persons or other properties in the vicinity. Therefore, considering the earthquake fault line, existing topography and lot location of the proposed single family dwelling unit, the proposed development with reduced setbacks and driveway length is in harmony with the general purpose and intent of the regulations and will not be detrimental to the public health, safety, or welfare.

4. The granting of the variance will not adversely affect the applicable land use plan. If the variance is being sought in conjunction with any proposed coastal development, the required finding shall specify that granting of the variance conforms with, and is adequate to carry out, the provisions of the certified land use plan. The 0.33-acre project site is a vacant elongated rectangular lot located at 2781 Hopkins Street, at the terminus of Hopkins Street in the Skyline-Paradise Hills Community Plan (Community Plan). The site is bounded by developed residential lots to the north, undeveloped property to the south, recreation fields to the east and south east, and Hopkins Street to the west. The western portion of the lot is relatively level and part of a dissected mesa. The center of the lot includes a steep easterly descending slope with approximately 65 feet elevation change to a broad, southerly unnamed tributary canyon of the Sweetwater River Valley. The site is unique and is bisected by a known earthquake fault line, La Nacion Fault, which cuts through perpendicular to the front middle third of the vacant lot.

The Community Plan's Residential Element designates the site for single-family residence with low density range of 0 to 10 dwelling units per net residential acre and the proposed single-family dwelling unit project is consistent with the use and density. The Community Plan's Urban Design Element indicates the community's natural base of hillsides, canyons, ravines, streams and vegetation are important set of assets that should be protected in new development. Specifically, "Site plans should utilize existing topography and preserve existing vegetation, ravines, watercourses and topographic features." In addition to avoiding construction over a earthquake fault, the construction of the two-story, 1,880 square-foot, single-family dwelling unit within the graded front portion of the lot avoids disturbing the rear lot's steep slope and preserves the topography of the neighborhood.

Therefore and considering the earthquake fault line, existing topography and lot location of the proposed single family dwelling unit, the proposed development with the variance is consistent with the adopted Community Plan, is not within a coastal development area with a certified land use plan, and granting of the variance will not adversely affect the applicable land use plan.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Variance No. 1549567 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Variance No. 1549567, a copy of which is attached hereto and made a part hereof.

Tim Daly
Development Project Manager
Development Services

Adopted on: February 24, 2016

SAP Number: 24006145

DRAFT

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24006145

VARIANCE NO. 1549567
2781 HOPKINS STREET VARIANCE PROJECT NO. 441033
Hearing Officer

This Variance No. 1549567 is granted by the Hearing Officer of the City of San Diego to KIMB, Incorporated, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0805. The 0.33-acre site is located at 2781 Hopkins Street in the RS-1-7 Zone of the Skyline-Paradise Hills Community Plan. The project site is legally described as Lot 12, Block 39 of Map No. 2068 of Paradise Hills Unit No. 2 in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, October 29, 1927.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for deviations to the minimum front yard setback and driveway length for the construction of a 1,880-square-foot, single-family residence described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 24, 2016, on file in the Development Services Department.

The project shall include:

- a. Construction of an approximately 1,880-square-foot, single-family residence with a variance to the minimum Front Yard Setback in the RS-1-7 Zone in which 15 feet is required and 6 feet is to be provided, and a variance to the minimum Driveway Length in the RS-1-7 Zone in which 20 feet in length from back of sidewalk is required and 9 feet is to be provided; and
- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning

regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 10, 2019.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary construction permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If 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. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

PLANNING/DESIGN REQUIREMENTS:

11. Owner/Permittee shall maintain a minimum of two off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

12. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

13. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on February 24, 2016 and Resolution No. HO-XXXX.

DRAFT

Permit Type/PTS Approval No.: Variance No. 1549567
Date of Approval: February 24, 2016

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Tim Daly
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

KIMB, Incorporated
Owner/Permittee

By _____

NAME:

TITLE:

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

NOTICE OF EXEMPTION

ATTACHMENT 7

TO: X Recorder/County Clerk
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project No.: 441033

Project Title: 2781 Hopkins Street Variance

Project Location-Specific: 2781 Hopkins Street, San Diego, California 92139

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: The project proposes a Variance for a deviation to the minimum front yard setback and driveway length to allow for the construction of a two-story, 1,880 square foot single family residence with attached 2-car garage on a 0.326 acre site.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Kim Barron (Owner),
1230 Monte Sereno Avenue,
Chula Vista, California, 91913
(619) 216-8220

Exempt Status: (CHECK ONE)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption: CEQA Exemption 15303 (New Construction or Conversion of Small Structures)
- Statutory Exemptions:

Reasons why project is exempt: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project, a Variance for a deviation to the front yard setback and driveway length to allow for the construction of a two-story, single family residence with attached garage meets the criteria set forth in CEQA Section 15303 which addresses the construction and location of limited numbers of new, small facilities or structures. Additionally, none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

Lead Agency Contact Person: Rhonda Benally

Telephone: (619) 446-5468

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA

Anna M. McPherson AICP / Senior Planner
Signature/Title

January 22, 2016
Date

Check One:

- Signed By Lead Agency
- Signed by Applicant

Date Received for Filing with County Clerk or OPR:



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

**Community Planning
Committee
Distribution Form Part 2**

Project Name: <i>2781 Hopkins St.</i>		Project Number: <i>441033</i>	Distribution Date:
Project Scope/Location: <i>Variance - set back.</i>			
Applicant Name: <i>Kim Barron</i>		Applicant Phone Number:	
Project Manager:	Phone Number:	Fax Number: <i>(619) 321-3200</i>	E-mail Address:
Committee Recommendations (To be completed for Initial Review):			
<input checked="" type="checkbox"/> Vote to Approve	Members Yes <i>10</i>	Members No <i>2</i>	Members Abstain <i>1</i>
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS:			
NAME: <i>John Mooney</i>		TITLE: <i>Chair</i>	
SIGNATURE: <i>[Signature]</i>		DATE: <i>October 13, 2015.</i>	
<i>Attach Additional Pages If Necessary.</i>		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other _____

Project Title: HOPKINS STREET HOMES Project No. For City Use Only: ~~368370~~ 441033

Project Address: 2781 HOPKINS STREET, SAN DIEGO, CA 92139

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: N/A
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: N/A
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: N/A
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: N/A
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Project Title:

Project No. (For City Use Only)

441033

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation [X] Limited Liability -or- [] General) What State? _____ Corporate Identification No. _____
Partnership []

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached [X] Yes [] No

Corporate/Partnership Name (type or print):

KIMB, INC

Owner [X] Tenant/Lessee []

Street Address: 1230 MONTE SERENO AVENUE

City/State/Zip: CIVILA VISTA, CA 91913

Phone No: 619-216-8220/619-200-9923 Fax No: 619-216-8228

Name of Corporate Officer/Partner (type or print): KIM M. BARRON

Title (type or print): PRESIDENT, SECRETARY, CFO/TREASURER

Signature: [Signature] Date: 9/16/15

Corporate/Partnership Name (type or print):

Owner [] Tenant/Lessee []

Street Address:

City/State/Zip: N/A

Phone No: N/A Fax No: N/A

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner [] Tenant/Lessee []

Street Address:

City/State/Zip: N/A

Phone No: N/A Fax No: N/A

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner [] Tenant/Lessee []

Street Address:

City/State/Zip: N/A

Phone No: N/A Fax No: N/A

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner [] Tenant/Lessee []

Street Address:

City/State/Zip: N/A

Phone No: N/A Fax No: N/A

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner [] Tenant/Lessee []

Street Address:

City/State/Zip: N/A

Phone No: N/A Fax No: N/A

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date: