

THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE:

April 10, 2013

REPORT NO. HO 13-019

ATTENTION:

Hearing Officer

SUBJECT:

PHAM RESIDENCE

PTS PROJECT NUMBER: 282249

LOCATION:

7411 Olivetas Avenue

APPLICANT:

Mark Mitchell, on behalf of Chieu Pham

SUMMARY

<u>Issue(s)</u>: Should the Hearing Officer approve the construction of first and second story additions to an existing single-family residence observing a 4'-0" street side yard where 10'-0" is required in the La Jolla Community Planning Area?

Staff Recommendation(s) - APPROVE Variance No. 993713 with conditions.

<u>Community Planning Group Recommendation</u> – On March 7, 2013, the La Jolla Community Planning Association voted 8-6-2 to recommend approval of the project with no conditions (Attachment 7).

<u>Environmental Review</u>: The project was determined to be exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on December 11, 2012, and the opportunity to appeal that determination ended December 26, 2012.

BACKGROUND/DISCUSSION

The project proposes the construction of first and second story additions to an existing one story residence with a Variance to observe a 4'-0" street side yard where 10'-0" is required. The structure would total 1,754 square feet and provide a two-car carport. The site is located at the northeast intersection of Olivetas Avenue and Marine Street, zoned RS-1-7 and designated as Low Density Residential Use (5-9 du/acre) within the La Jolla Community Planning area.

The property contains unusual circumstances it that it is substandard in both lot dimension and lot area, having 25 feet of frontage where 50 feet is required and 2,509 square feet of lot area

where 5,000 square feet is required in the RS-1-7 zone. It is a corner lot with no alley access. The existing residence observes a four-foot street side yard and is previously conforming as it was constructed in 1955, prior to the requirement for a street side yard setback. Imposition of a 10-foot street side yard setback along Marine Street would reduce the structure to a maximum width of 11 feet given the additional requirement for a 4-foot interior side yard, rendering the structure less functional and usable with respect to room sizes. Additionally, a reduction to the street side yard setback will facilitate compliance with structural building code requirements such as those necessary for toilet space minimum clearances and minimum sized hallway widths. Therefore, given the substandard lot dimension and area, the lack of alley access and the placement of the existing buildings, strict application of the 10-foot street side yard setback would deprive the applicant of reasonable use of the land. The development will not adversely affect the land use plan and the project does not propose other deviations. Please reference the draft Findings of Fact for a detailed analysis of the Variance request for your consideration (Attachment 5).

CONCLUSION:

The proposed project complies with the relevant development regulations, standards, and policies in effect for the project site per the La Jolla Community Plan and Local Coastal Program and all other City regulations, policies, guidelines, design standards and adopted land use plans applicable to this site. Staff has determined that the required findings can be supported and recommends that the Hearing Officer approve the project.

ALTERNATIVES:

- 1. **Approve** Variance No. 993713, with modifications.
- 2. **Deny** Variance No. 993713, if the findings required to approve the project cannot be affirmed.

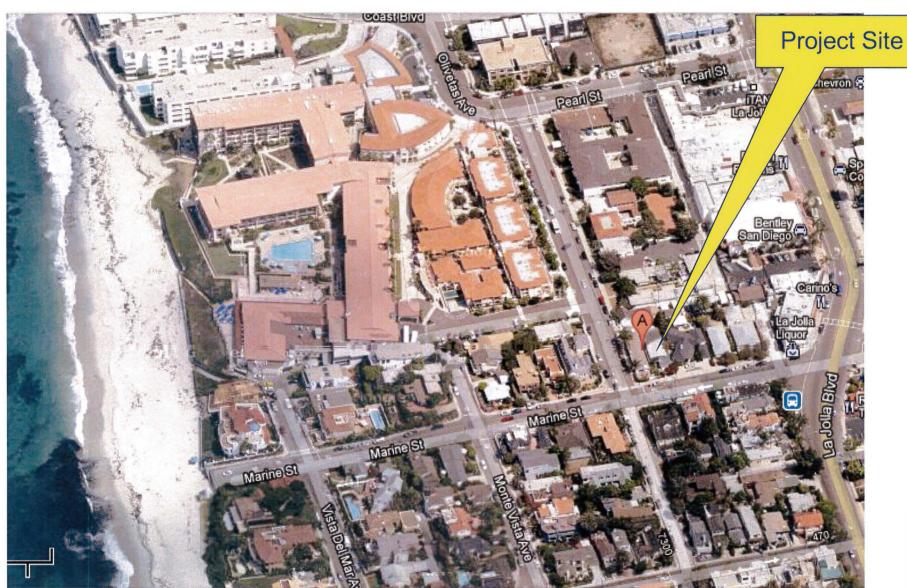
Respectfully submitted,

Morris Dye, Development Project Manager

Attachments:

- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Draft Permit Resolution with Findings
- 6. Draft Permit with Conditions

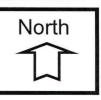
- Community Planning Group Recommendation Environmental Exemption Project Site Plans
- 7. 8. 9.





Aerial Photo

PHAM RESIDENCE – 7411 OLIVETAS AVENUE





Community Plan Land Attachment 2 Use Map

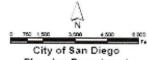
La Jolla **Existing Conditions** Land Use

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Legend

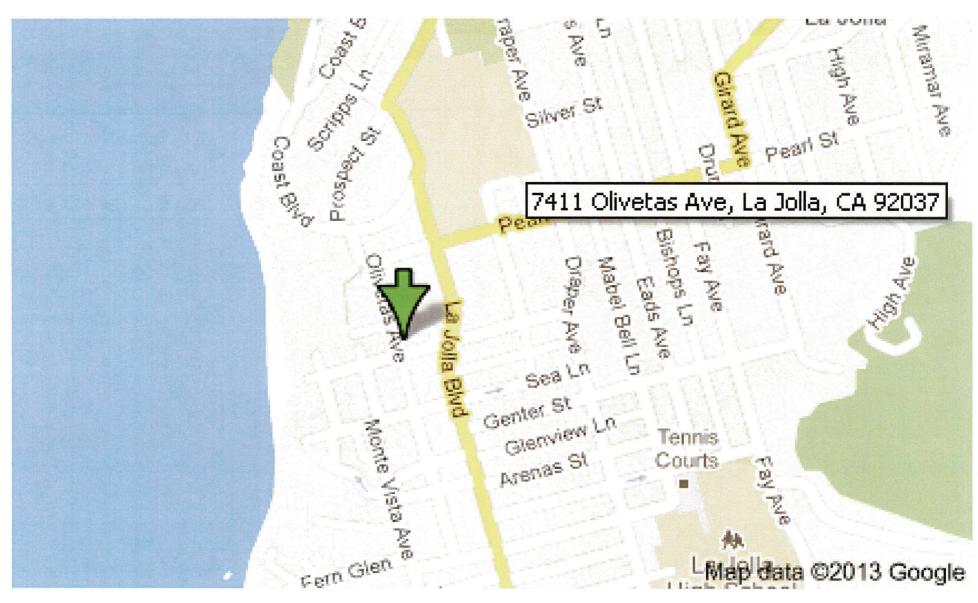
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Planning Department April 1, 2004

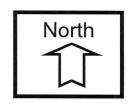






Project Location Map

<u>Pham Residence</u>– 7411 Olivetas Avenue PROJECT NO. 282449



PROJECT DATA SHEET		
PROJECT NAME:	Pham Residence	
PROJECT DESCRIPTION:	Demolition of a garage and the construction of 1 st and 2nd story additions to an existing 1,387 sf single story residence.	
COMMUNITY PLAN AREA:	La Jolla	
DISCRETIONARY ACTIONS:	Process Three Variance	
COMMUNITY PLAN LAND USE DESIGNATION:	Low-Density Residential (5-9 du/ac)	

CURRENT ZONING INFORMATION:

ZONE: RS-1-7

HEIGHT LIMIT: max = 30 feet

LOT SIZE: min = 5,000 sf

FLOOR AREA RATIO: max = 0.70

FRONT SETBACK: 15' min

SIDE SETBACK: 4' min

STREETSIDE SETBACK: 10'

REAR SETBACK: 13'

PARKING: 2 required

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Low-Density Residential (5-9 du/ac); RS-1-7	Single-family Res
SOUTH:	Low-Density Residential (5-9 du/ac); RS-1-7	Single-family Res
EAST:	Low-Density Residential (5-9 du/ac); RS-1-7	Single-family Res
WEST:	Low-Density Residential (5-9 du/ac); RS-1-7	Single-family Res
DEVIATIONS OR VARIANCES REQUESTED:	Variance to allow a 4-foot street side setback where a 10-foot setback is required.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	Approve	

HEARING OFFICER - RESOLUTION NO. VARIANCE NO. 993713 PHAM RESIDENCE - PROJECT NO. 282249

WHEREAS, CHIEU L. PHAM, Owner, and Permittee, filed an application with the City of San Diego for a permit to first and second story additions to an existing one-story single-family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 993713), on portions of a 2,509-square-foot lot;

WHEREAS, the project site is located at 7411 Olivetas Avenue in the RS-1-7 Zone, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Non-Appealable 2 area), the Parking Impact Overlay Zone (Beach Impact Area), the Residential Tandem Parking Overlay Zone, and the Transit Area Overlay Zone of the La Jolla Community Planning area;

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map 6409;

WHEREAS, on April 10, 2013, the Hearing Officer of the City of San Diego considered Variance No. 993713 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on December 11, 2012, 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 15301 (Existing Facilities]; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

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 April 10, 2013:

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 proposed project is the construction of first and second story additions to an existing one-story residence resulting in a 1,754-square-foot, two-story structure and attached 2-car carport. The property contains unusual circumstances in that it is substandard in both lot dimension and

lot area, having 25 feet of frontage where 55 feet is required and 2,509 square feet of lot area where 5,000 square feet is required in the RS-1-7 zone. It is a corner lot, located at the northeast intersection of Olivetas Avenue and Marine Streets with no alley access. The existing residence observes a four-foot street side yard and is previously conforming as it was constructed in 1955, prior to the requirement for a street side yard setback. These special circumstances do not generally apply to neighborhood and have not resulted from any of the applicant 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 proposed project is the construction of first and second story additions to an existing one-story residence resulting in a 1,754-square-foot, two-story structure and attached 2-car carport. The property contains unusual circumstances it that it is substandard in both lot dimension and lot area, having 25 feet of frontage where 55 feet is required and 2,509 square feet in lot area where 5,000 square feet is required in the RS-1-7 zone. It is a corner lot, located at the northeast intersection of Olivetas Avenue and Marine Streets with no alley access. The existing residence observes a four-foot street side yard and is previously conforming as it was constructed in 1955, prior to the requirement for a street side yard setback. Imposition of a 10-foot street side yard setback along Marine Street would reduce the structure to a maximum width of 11 feet given the additional requirement for a 4-foot interior side yard, rendering the structure less functional and usable with respect to room sizes. Additionally, a reduction to the street side yard setback will facilitate compliance with the California Residential code and the California Plumbing Code requirements such as those necessary for minimum room dimensions, minimum toilet clearances and minimum sized hallway widths for a two story residence.

Two examples to illustrate these code requirements:

Example Number 1: An 11 feet wide space with a hallway and a bedroom there would be three walls (two exterior and one interior) at five niches minimum in width and a three feet minimum wide hallway pursuant to California Residential Code section R311.6 leaving 6 feet nine niches for the bedroom. The CRC (California Residential Code) section R304.3 requires all rooms to be at least seven feet minimum in width. Furthermore, for a bedroom to function as such, with a standard size bed, 54 inches by 75 inches, three feet minimum access each side of the bed, a 24 inch deep wall closet with a five inch interior wall, would require a width of 13 feet. Add in the hallway and exterior walls to the bedroom totals minimum building width of 17 feet.

Example Number 2: An 11 feet wide space with a bathroom and a bedroom there would be three walls (two exterior and one interior) at five inches minimum in width. The bathroom would be required to be five feet wide for three issues. The first issue, access, using a standard 30 inch wide door with three inches each side for proper hardware clearances adjacent to a standard 24 inch deep vanity with sink totals five feet. The second issue, toilet clearances, a standard toilet with installation clearances and CPC (California Plumbing Code) clearances pursuant to section 407.5, requires 24 inches clear in front of the toilet will require four feet 10 inches minimum, with inches of remaining for the five feet wide bathroom. The third issue, the tub/shower unit.

ATTACHMENT 5

Standard tub/shower units require five feet clear. The remaining space for the bedroom allows for a standard bed, 54 inches by 75 inches, with three feet circulation each side of the bed for a total required bedroom and bathroom of 17 feet.

Several nearby properties in the same zone do not have these special circumstances (i.e. substandard lot sizes and dimensions) and are therefore, able to construct two or three stories to capture their allowable floor area ratio. Since applying the required setbacks would preclude the project from building a second story, the variance request allows the project to utilize their allowable FAR, which would otherwise be limited to what currently exists on the property.

Therefore, given the substandard lot dimension and area, the lack of alley access and the placement of the existing buildings, strict application of the 10-foot street side yard setback 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 proposed project is the construction of first and second story additions to an existing onestory residence resulting in a 1,754-square-foot, two-story structure and attached 2-car carport. The purpose and intent of the Variance process is to provide relief for cases in which, because of special circumstances applicable to the property including size, shape, topography, location, or surroundings, the strict application of the development regulations would deprive the property of privileges enjoyed by other property in the vicinity and under the same land use designation and zone. The site contains unusual circumstances which result in a deprivation in the use of the land and the building as described above in Variance Findings 1 and 2. The Variance will facilitate the construction of a 2-car carport, in compliance with the current regulations, where currently a one parking space is provided within an attached garage. The applicant provided documentation which establishes that several developments within the immediate vicinity encroach into the street side setbacks as allowed by discretionary actions, or due to their previously conforming status. A reduced street side yard setback has been established in the neighborhood. The project complies with all other applicable regulations of the underlying zone. The purpose and intent of the setback regulations is to provide of light and air to developments and adjacent properties, as well as to provide for exterior usable space.

The project was determined to be exempt from environmental review pursuant to the California Environmental Quality Act Section 15301 (Existing Facilities). The proposed development meets the purpose and intent of the Variance regulations, will provide off-street parking to current standards, is consistent with all other development regulations and the recommendations of the community plan. The development will emulate the established pattern of the development in terms of bulk, scale and character which includes one and two story residences several of which encroach into the street side yard setback. Therefore, 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.

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 proposed project is the construction of first and second story additions to an existing one-story residence resulting in a 1,754-square-foot, two-story structure and attached 2-car carport. The La Jolla Community Plan does not address Variances. The La Jolla Community Plan designates the site as Low Density Residential Use (5-9 du/acre) and the remodel of the existing residence is consistent with this designation. The community plan identifies Marine Street as a road from which a coastal body of water can be seen. The site is located approximately 3 blocks from the Pacific Ocean. The proposed development will be constructed entirely within private property and provides offsets at the second story. The structure will not impact existing public views along Marine Street to the ocean. The proposed development will be constructed entirely within private property and provides offsets at the second story. The structure will not impact existing public views along Marine Street to the ocean. Therefore, the 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. 993713 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No.993713, a copy of which is attached hereto and made a part hereof.

MORRIS DYE
Development Project Manager
Development Services

Adopted on: April 10, 2013

Job Order No. 24002704

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: 24002704

PHAM RESIDENCE – PROJECT NO. 282249 VARIANCE NO. 993713 HEARING OFFICER

This Variance No. 993713 is granted by the Hearing Officer of the City of San Diego to CHIEU L. PHAM, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0801. The 2,509 square-foot site is located at 7411 Olivetas Avenue in the RS-1-7 Zone, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Non-Appealable 2 area), the Parking Impact Overlay Zone (Beach Impact Area), the Residential Tandem Parking Overlay Zone, and the Transit Area Overlay Zone of the La Jolla Community Planning area. The project site is legally described as Parcel 1 of Parcel Map No. 6409.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to construct first and second story additions to an existing one-story single-family residence described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 6, 2013, on file in the Development Services Department.

The project shall include:

- a. First and second story additions to an existing one-story residence, resulting in a two-story, 1,754-square-foot residence and attached carport;
- b. Variance to observe a 4-foot street side yard setback where 10 feet is required;
- b. Off-street parking;
- c. 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 [ENTER DATE including the appeal time].
- 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 building 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.

- 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.
- 10. 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" conditions(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.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix G of the City's Storm Water Standards, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

12. 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.

- 13. 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.
- 14. The carport shall be constructed and maintained with at least two elevations of the element that are at least 75 percent completely open.

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 March 6, 2013 and Resolution Number [Approved Resolution Number].

ATTACHMENT 6

Permit Type/PTS Approval No.: Variance 993713

Date of Approval: April 10, 2013.

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

MORRIS DYE
Development Project Manager

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

and every condition of
Permittee hereunder.
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By _____CHIEU L. PHAM

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



LA JOLLA COMMUNITY PLANNING ASSOCIATION

P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900 http://www.LaJollaCPA.org Email: Info@LaJollaCPA.org

Regular Meeting - 07 March 2013

Sandra Teasley, PM Attention:

City of San Diego

Project: Pham Residence

7411 Olivetas Street

PN: 282249

Motion: Findings can be made for a Variance to reduce the required

street sideyard setback from 10ft to 4 ft for a 855 sq ft addition to an existing single family residence at 7411 Olivetas St.,

07 Mar 2013

Vote: 8-6-2

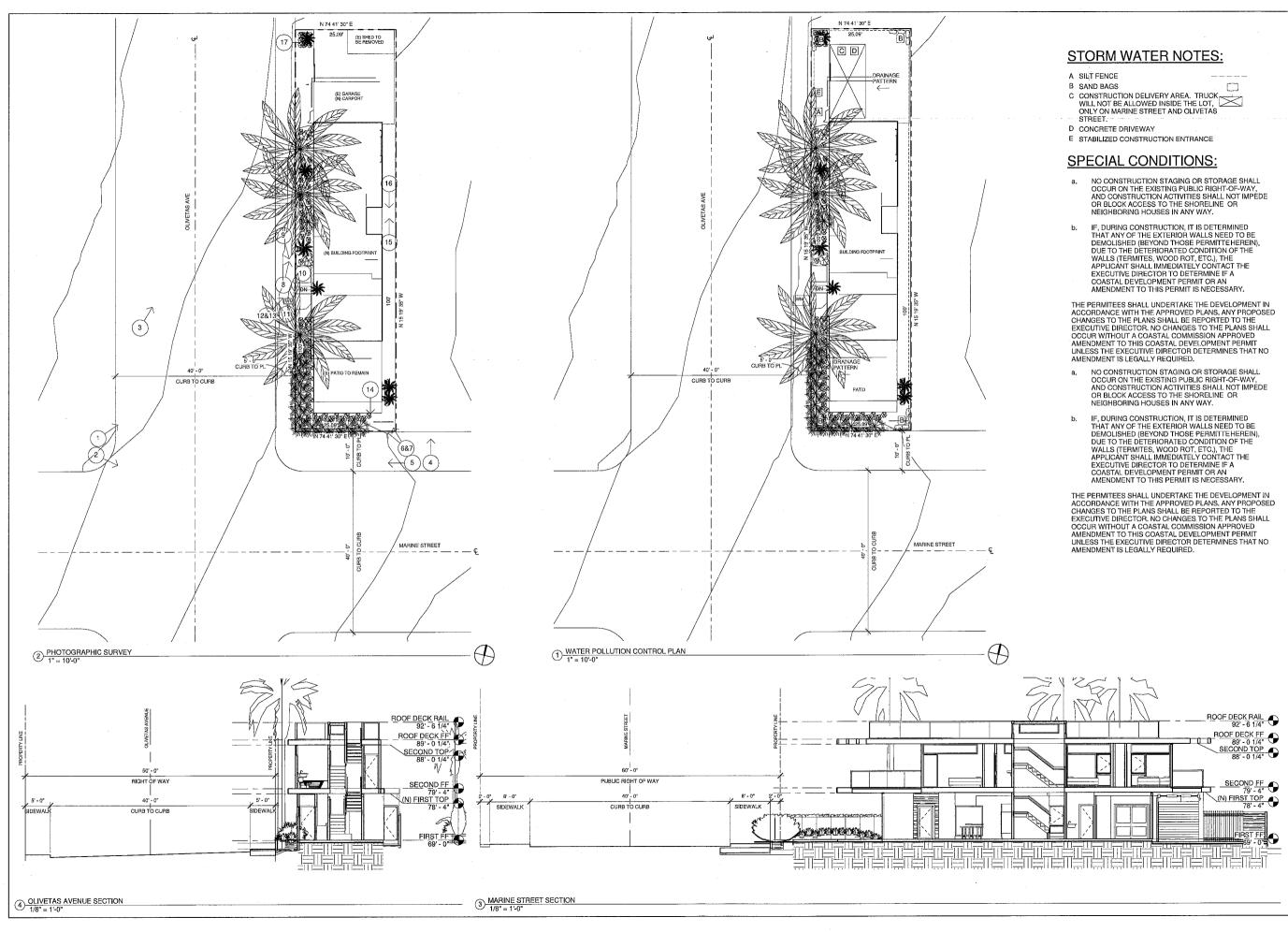
Submitted Tony Crisafi, President

by:

La Jolla CPA

Date

(Check one or both)	ATTACHIVIEN
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.:282249	PROJECT TITLE: Pham Residence
PROJECT LOCATION-SPECIFIC: The project is located at Community Planning Area.	7411 Olivetas Avenue La Jolla, CA 92037 within the La Jolla
PROJECT LOCATION-CITY/COUNTY: San Diego/San Di	ego
0.05 acre site. The project would demolish portions of the	ECT: The project is requesting a variance to reduce the isting 1,147 square-foot single family residence located on a ne first floor and garage and would construct an 855 square-construction of the second floor addition the house would
NAME OF PUBLIC AGENCY APPROVING PROJECT: City	of San Diego
Name of Person or Agency Carrying Out Project California 92037 (408) 390-7228.	: Chieu L. Pham, 7411 Olivetas Avenue La Jolla
EXEMPT STATUS: (CHECK ONE) () MINISTERIAL (SEC. 21080(b)(1); 15268); () DECLARED EMERGENCY (SEC. 21080(b)(3); 1 () EMERGENCY PROJECT (SEC. 21080(b)(4); 152 (X) CATEGORICAL EXEMPTIONS: SECTION 15301 () STATUTORY EXEMPTION:	269 (b)(c)
10,000 square-feet in areas where all public services and located on a site containing sensitive resources. Since t	ego determined that the project would qualify to be 5301 (Existing Facilities) which allows for the addition of up to facilities are available and where the project would not be the project is located in an area where public services exist and the categorical exempt from CEQA and the exceptions listed in
<u>Lead Agency Contact Person:</u> Jeff Szymanski <u>If filed by Applicant:</u>	<u>TELEPHONE:</u> (619) 446-5324
 ATTACH CERTIFIED DOCUMENT OF EXEMPTION FIT HAS A NOTICE OF EXEMPTION BEEN FILED BY THE YES NO 	
IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS	DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA
SIGNATURE PUDLE CHECK ONE:	December 11, 2012 DATE
(X) SIGNED BY LEAD AGENCY () SIGNED BY APPLICANT	DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



SCHEMATIC DESIGN
04/24/2012
VARIANCE SUBMITTAL
05/16/2012
VARIANCE FULL
06/05/2012
VARIANCE RESUBMIT
10/23/2012
LA JOLLA DPR REVIEW
01/08/2013
LA JOLLA DPR REVIEW

HEARING 01/29/2013

DDITION & REMODEL FOR MR. & MRS. PHAM



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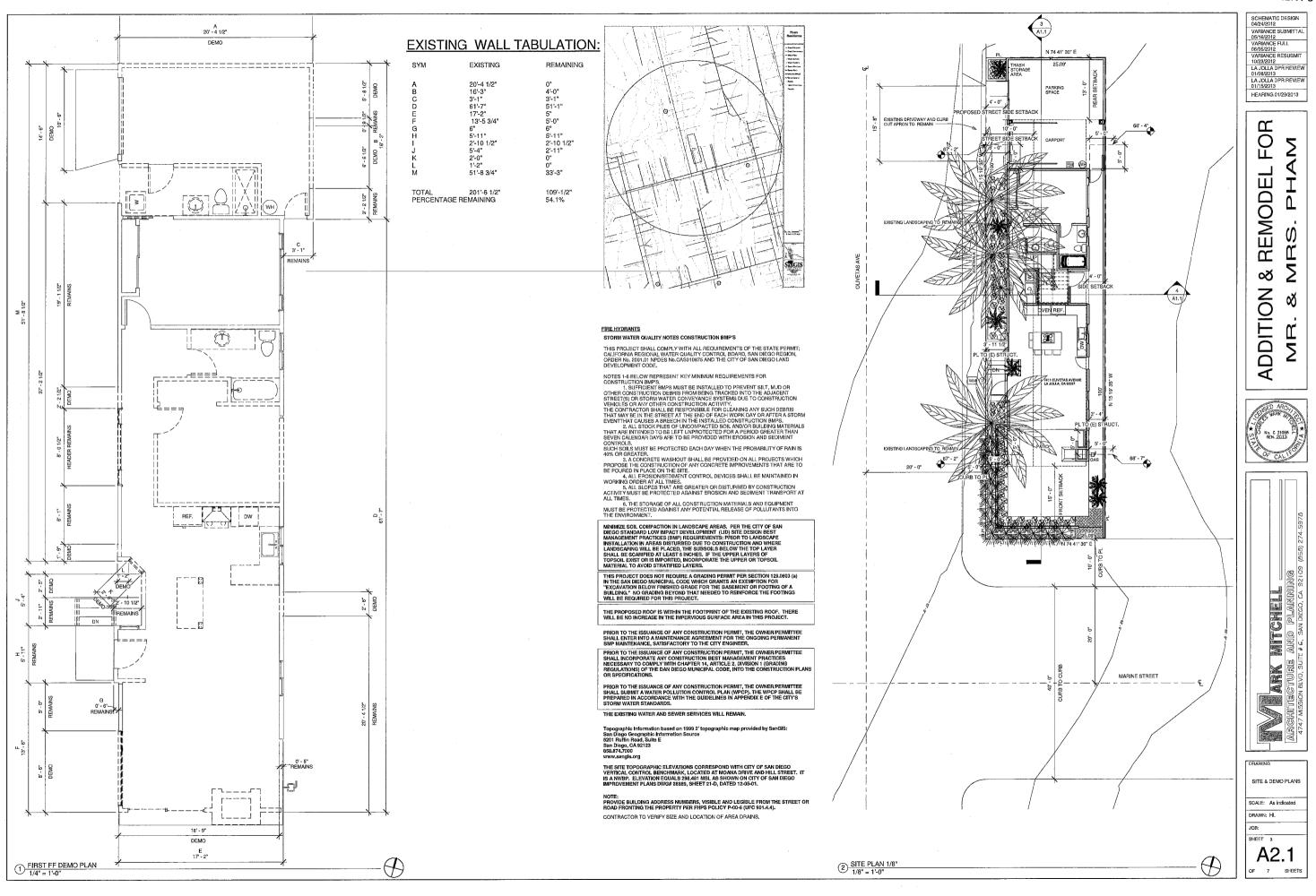


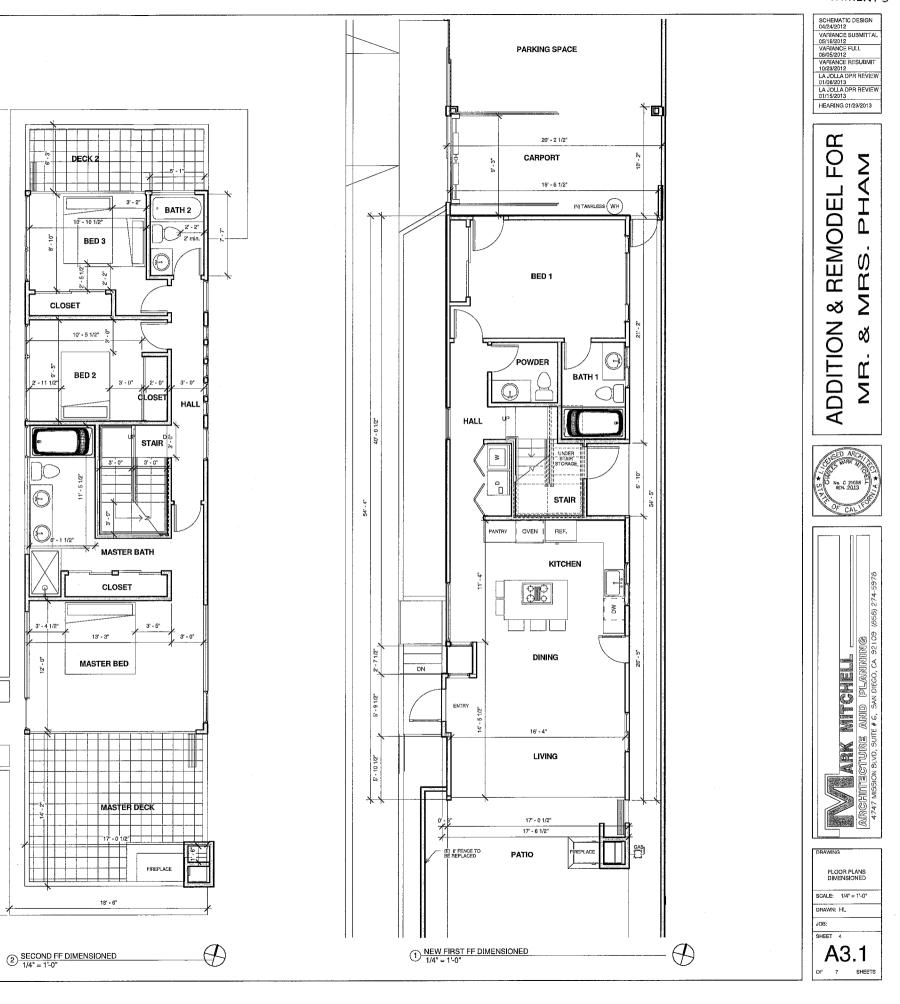
DRAWING
WPCP & PHOTO
SURVEY KEY

SCALE: As indicated
DRAWN: HL

JOB: SHEET 2

A1.1





DECK 2

10' - 10 1/2" BED 3

10' - 5 1/2"

BED 2

CLOSET

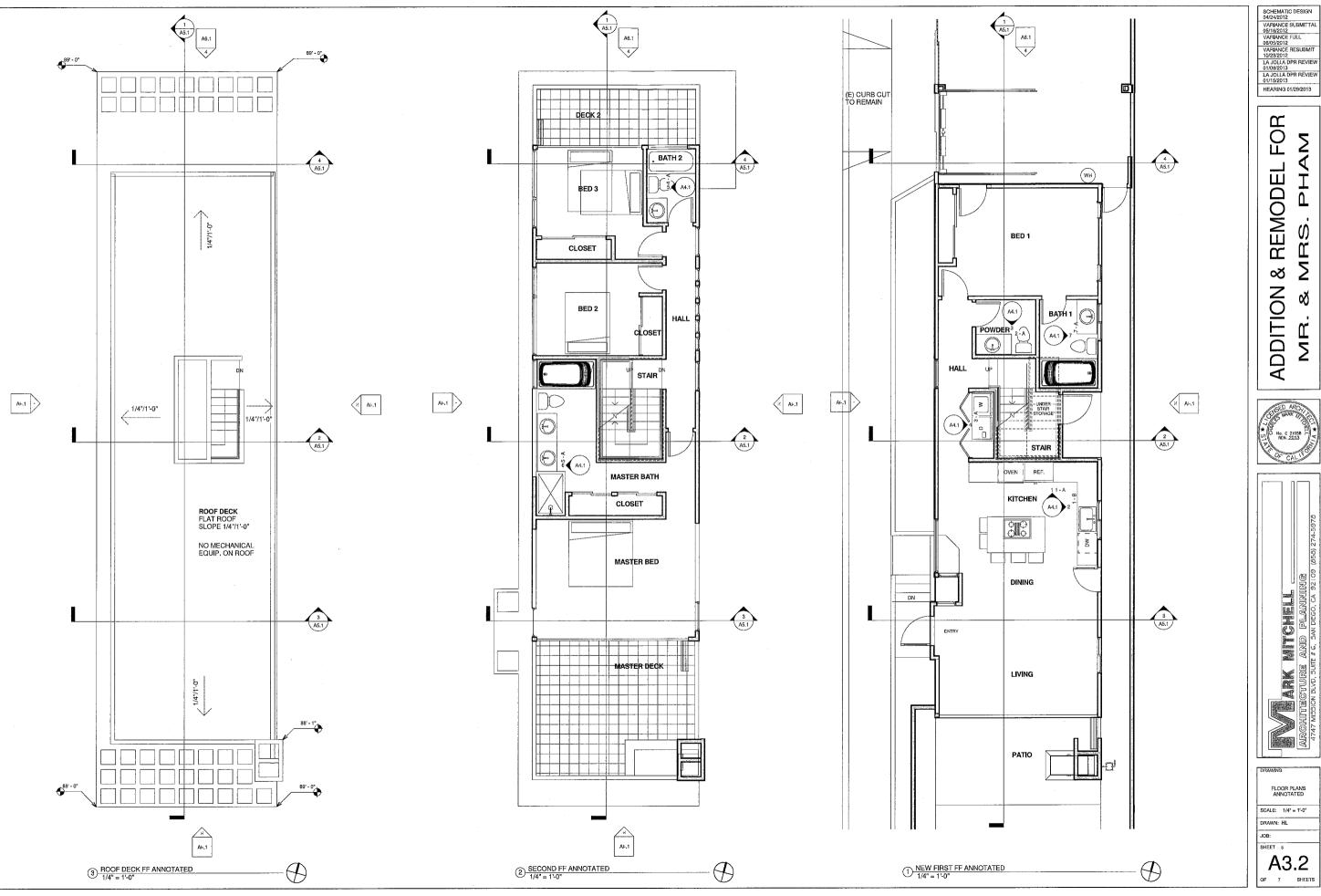
7 - 2"

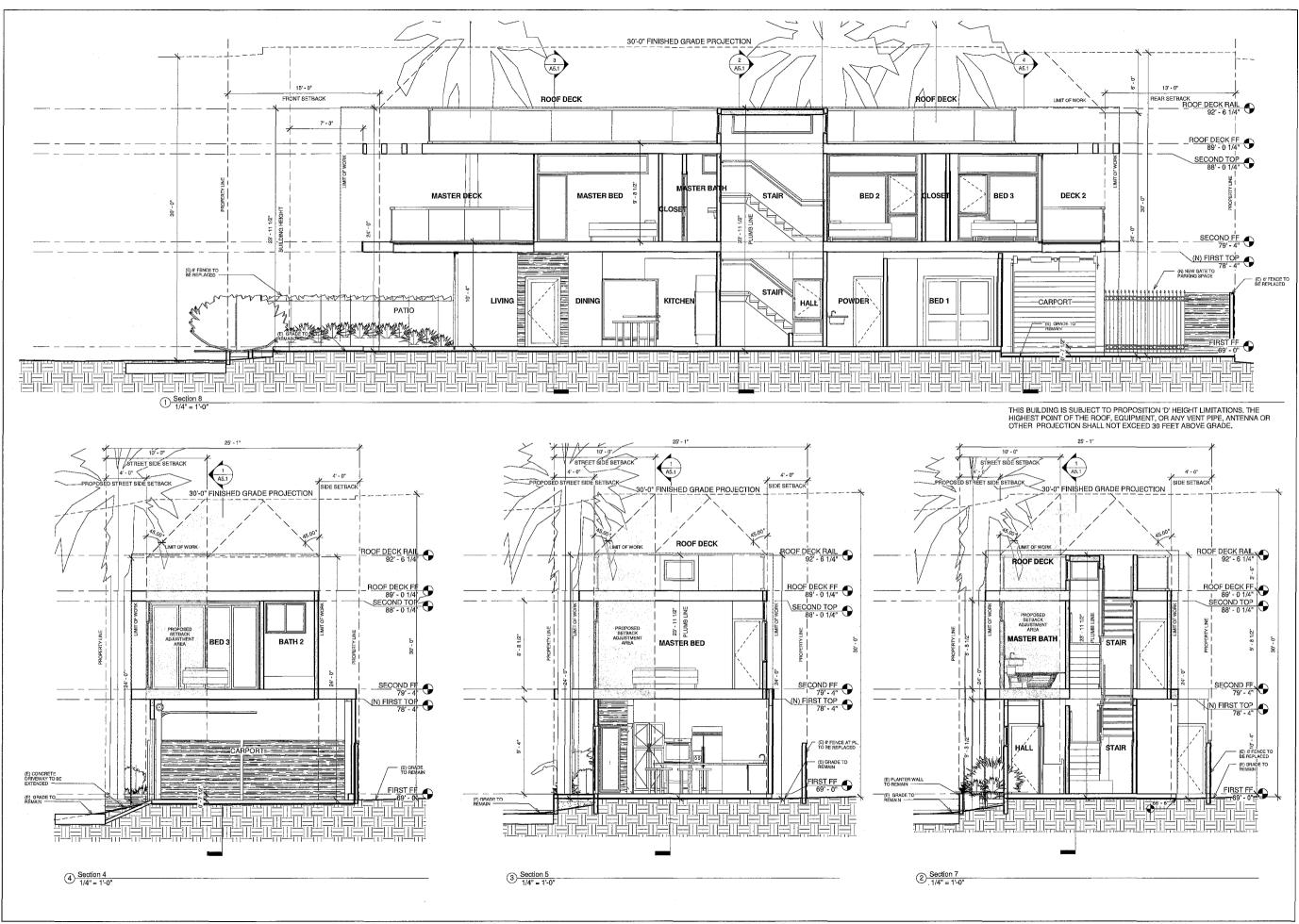
18' - 6"

3 ROOF DECK FF DIMENSIONED
1/4" = 1'-0"

ROOF DECK

6' - 1 1/2"





04/24/2012
VARIANCE SUBMITTAL
05/16/2012
VARIANCE FULL
06/05/2012
VARIANCE FULL
10/26/2012
VARIANCE RESUBMIT
10/28/2012
LA JOLLA DPR REVIEW
01/08/2013
LA JOLLA DPR REVIEW
01/15/2013 HEARING 01/29/2013

> FOR PHAM Ш REMOD RS. જ **ADDITION** Ø







VARIANCE SUBMITTAL 05/16/2012 05/16/2012
VARIANCE FULL
06/05/2012
VARIANCE RESUBMIT
10/23/2012
LA JOLLA DPR REVIEW

LA JOLLA DPR REVIEW HEARING 01/29/2013



COVER

C

SHEET

SCOPE OF WORK

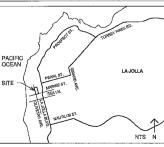
REMODEL OF EXISTING FIRST FLOOR, SECOND STORY ADDITION OVER EXISTING INCLUDING ROOF DECK. 50% EXISTING WALLS TO REMAIN, NO GRADING PROPOSED VARIANCE APPROVAL FOR 4 FOOT STREET SIDE SETBACK

BUILDING CODE DATA

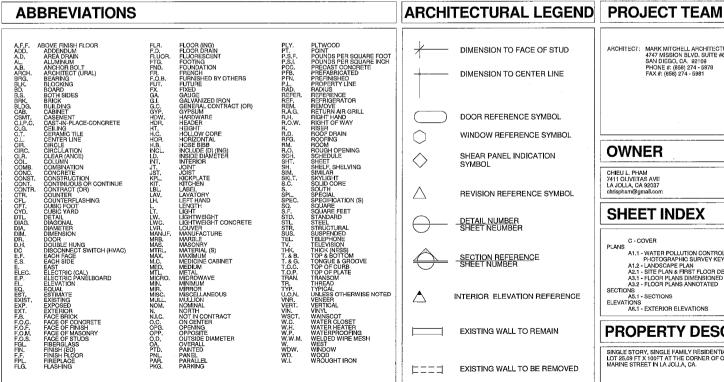
CONSTRUCTION:
OCCUPANCY CLASSIFICATION:
NUMBER OF STORIES:
GOVERNING CODES: SEE SP-1 GENERAL NOTES FOR COMPLETE LIST. ... SPRINKLER SYSTEM: AIRPORT APPROACH: AIRPORT ENVIRONS:

THIS PROJECT WILL COMPLY WITH THE CURRENT CALIFORNIA CONSTRUCTION CODES AND ADHERE TO THE 2016 CALIFORNIA BUILDING CODE, THE 2016 CALIFORNIA LEBECTRICAL CODE, THE 2016 CALIFORNIA PLUMBING CODE, AND THE 2016 CALIFORNIA PLUMBING CODE, AND THE 2016 CALIFORNIA MECHANICAL AND FIRE CODE.

VICINITY MAP



PHAM RESIDENCE



DIMENSION TO FACE OF STUD DIMENSION TO CENTER LINE DOOR REFERENCE SYMBOL WINDOW REFERENCE SYMBOL SHEAR PANEL INDICATION \Diamond \triangle REVISION REFERENCE SYMBOL SECTION REFERENCE SHEET NUMBER INTERIOR ELEVATION REFERENCE EXISTING WALL TO REMAIN EXISTING WALL TO BE REMOVED

NEW STUD WALL PER PLAN

MARK MITCHELL ARCHITECTURE AND PLANNING 4747 MISSION BLVD. SUITE #6 SAN DIEGO, CA. 92/109 PHONE #: (858) 274 - 5978 FAX #: (858) 274 - 5981 **OWNER** CHIEU L. PHAM 7411 OLIVETAS AVE LA JOLLA, CA 92037 chrispham@gmail.com SHEET INDEX PLANS
A1.1 - WATER POLLUTION CONTROL PLAN &
PHOTOGRAPHIC SURVEY KEY A1.2 - LANDSCAPE PLAN
A2.1 - SITE PLAN & FIRST FLOOR DEMO PLAN
A3.1 - FLOOR PLANS DIMENSIONED
A3.2 - FLOOR PLANS ANNOTATED A3.2 - FLOOR PLANS ANNOTATI SECTIONS A5.1 - SECTIONS ELEVATIONS A6.1 - EXTERIOR ELEVATIONS PROPERTY DESCRIPTION **VARIANCE FINDINGS**

(a) There are special circumstances or concitions applying to the land or premises for which the variance is sought that are peculiar to the land or premises and to 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;

(b) The circumstances or conditions are such that the strict application of the regulations of the Land Development Code would deprive the policant of reasonable use of the land or pranises and the variance granted by the City is the minimum variance that will permit the reasonable use of the land or premises:

(c) 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; and

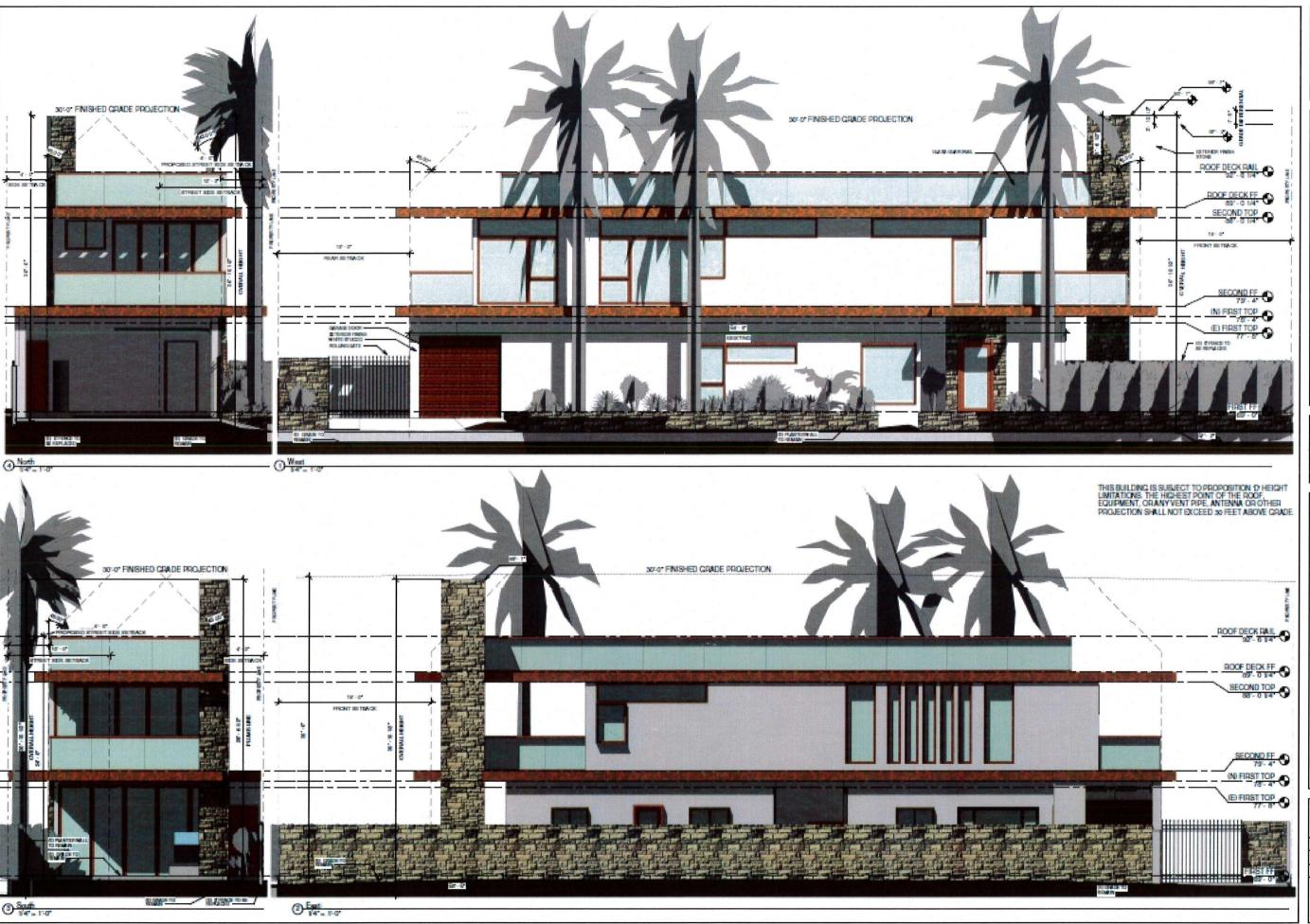
(d) The granting of the variance will not adversely affect the applicable land useplan. If the variance is being sought in conjunction with any proposed coastal development, the required finding shall speorly that granting of the variance conforms with, and is adequate to carry out, the provisions of the certified land use plan.

LEGAL DESCRIPTION
PARCEL 10 F PARCEL MAP NO. 6409, IN THE CITY OF SAN DIEGO,
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO
MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER
OF SAN DIEGO COUNTY, SEPTEMBER 26, 1976. PERMIT REQUIRED: YEAR BUILT: EXISTING USE: SINGLE FAMILY RESIDENTIAL SINGLE FAMILY RESIDENTIAL ZONE: RS-1-7, COASTAL COMMUNITY PLAN: LA JOLLA COMMUNITY PLAN 2509 SF 0 SF SETBACKS:
FRONT
SIDE
REAR
SIDE (STREET) BUILDING HEIGHT MAXIMUM ALLOWED: SHOWN: AREAS: COASTAL HEIGHT LIMIT ZONE: YES, S PARKING IMPACT ZONE: YES, RESIDENTIAL TANDEM PARKING ZONE: YES TRANSIT AREA: YES YES, 30FT YES, BEACH IMPACT EXISTING SQUARE FOOTAGE FIRST FLOOR: SECOND FLOOR: GARAGE: TOTAL EXISTING: 1,147 SF 240 SF 1,387 SF NEW SQUARE FOOTAGE FIRST FLOOR: SECOND FLOOR: GARAGE: TOTAL NEW: FIRST FLOOR REMODEL 250 SQ. FT TOTAL NEW + EXISTING NEW DECK AREA SECOND FLOOR: ROOF DECK: TOTAL: FLOOR AREA RATIO

PROJECT DATA

ASSESSORS PARCEL NUMBER N. 351-013-02-00

7411 OLIVETAS AVE LA JOLLA, CA 92037



VARIANCE SUBMETSA SWINGSTO

FOR REMODEL જ ADDITION Ø



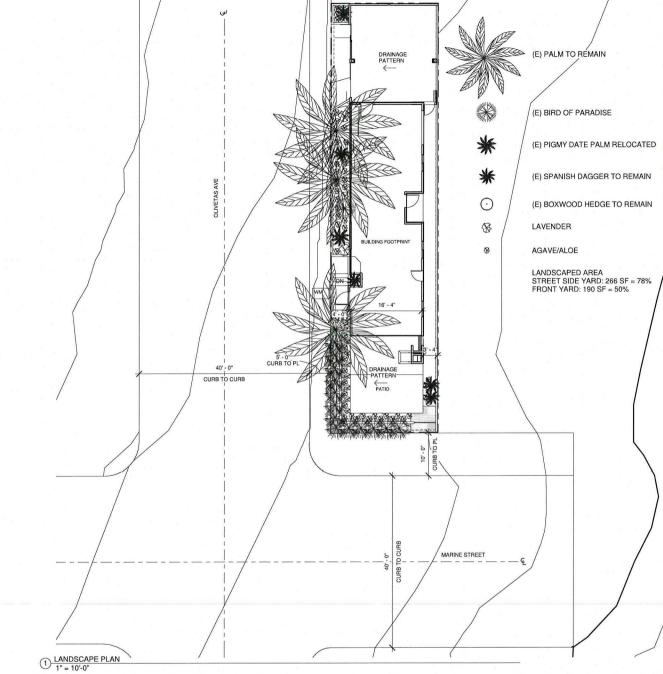


NOTE BY THE

A6.1









SCHEMATIC DESIGN
04/24/2012
VARIANCE SUBMITTAL
05/16/2012
VARIANCE FULL
06/05/2012
VARIANCE RESUBMIT
10/23/2012
LA JOLLA DPR REVIEW
01/05/2013
LA JOLLA DPR REVIEW
01/15/2013

OLLA DPR REVIE 8/2013 OLLA DPR REVIE 5/2013

ADDITION & REMODEL FOR MR. & MRS. PHAM





DRAWING

LANDSCAPE PLAN

SCALE: As indicated

DRAWN: Author

A1.2