



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: November 24, 2004

REPORT NO. HO 04-191

ATTENTION: Hearing Officer

SUBJECT: BALTAZAR RESIDENCE - PROJECT NUMBER 15857

LOCATION: 7267 Draper Avenue

APPLICANT: Phillip Baltazar and Erica Wortham

SUMMARY

Requested Action - Should the Hearing Officer approve a Coastal Development Permit and a Variance to reduce the required rear yard setback, demolish existing residence and construct a new two-story with basement single family residence on a 3,096 square-foot site?

Staff Recommendation -

1. ADOPT Mitigated Negative Declaration No. 15857 and adopt MMRP;
2. APPROVE Coastal Development Permit No. 34883; and
3. APPROVE Variance No. 34884.

Community Planning Group Recommendation – On April 2, 2004, the La Jolla Community Planning Association voted 18-0-0 to recommend the project could be approved if the rear deck is removed, so that a variance would not be needed.

Environmental Review – Mitigated Negative Declaration No. 15857 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

BACKGROUND

The proposed project is located at 7267 Draper Avenue, between Genter Street to the south and Sea Lane to the north. The project site is fairly square in shape, relatively level, located in the RM-1-1 Zone, Coastal Overlay (non-appealable) and Coastal Height Limitation Overlay zones of the La Jolla Community Plan.

The subject property is within walking distance of multiple areas identified as City of Villages “Opportunity Areas”. These areas include the La Jolla Village Area, the Pearl Street Commercial Corridor, and the Nautilus Street Commercial Area. The property is also located within walking distance of such public facilities as La Jolla High School and La Jolla Recreation Center.

The property is a 3,096 square-foot site and is the result of a lot split that happened in 1950 from a larger lot. The site is currently improved with a one-story 797 square-foot single family residence with an attached garage built in 1950.

DISCUSSION

The proposed project is to demolish an existing 797 square-foot single story, single family residence with an attached garage to construct a new 2,146 square-foot, two-story over basement, single family residence with an attached two-car garage. A Variance is also being sought to allow the proposed 72 square-foot, second story deck to observe an 8’-1” rear yard setback where 15’-0” is required. The proposed basement would consist of a two-car garage, family room, den, office, bedroom, a full bath and a half bath, laundry room, and a wine storage room. The proposed first floor would consist of an entry, master bedroom with full bath, a bedroom, and a full bath. The proposed second floor would consist of a living room, dining room, kitchen and deck. Some grading will take place on the site consisting of a maximum cut of 11’-6” and 560 cubic yards of exported material.

According to the San Diego Municipal Code (SDMC) minimum lot size for the RM-1-1 zone is 6,000 square feet with minimum lot dimensions of 50’-0” by 80’-0”. The subject property is a 3,096 square-foot site with lot dimensions of 50.43’ by 61’-0” rendering it a substandard lot within the RM-1-1 zone. Due to the substandard size of the lot the owner is requesting a variance for the proposed second story deck to encroach 6’-11” into the required 15’-0” rear yard setback.

Community Group Input

The La Jolla Coastal Development Permit Review Committee met and decided the findings could not be made for the Variance request. The committee recommended the project be approved without the deck encroaching into the rear yard set back (Attachment 9)

However, staff has determined the variance would be appropriate for this location and would result in a more desirable project than that which would be achieved if designed to adhere to the strict conformance of development regulations for this site.

CONCLUSION

With the exception of the variance, the proposed project is consistent with the current policies and regulations of the City of San Diego. The project as proposed would be visually compatible with the character of the surrounding area and would blend in with the existing residential development and neighborhood. Staff believes the findings can be made for the proposed variance allowing the second story deck to encroach into the required rear yard setback. The proposed variance would not adversely impact the use of the site but does conform to the proposed coastal development. The proposed project is consistent with the recommended land use and design guidelines in effect for this site per the adopted La Jolla Community Plan, the RM-1-1 Zone, Coastal Overlay (non-appealable), Coastal Height Limitation Overlay zones and the La Jolla – La Jolla Shores Local Coastal Land Use Plan. Staff recommends approval of Coastal Development Permit No. 34883 and Variance No. 34884.

ALTERNATIVES

1. Approve Coastal Development Permit No. 34883 and Variance No. 34884, with modifications.
2. Deny Coastal Development Permit No. 34883 and Variance No. 34884, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Vena Lewis, Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan(s)
6. Project Plans
7. Draft Permit with Conditions
8. Draft Resolution with Findings
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Project Chronology
12. Mitigated Negative Declaration No. 15857