THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: October 29, 2026 REPORT NO. PC-26-031

HEARING DATE: November 5, 2026

SUBJECT: 7354 Romero Drive Variance and Coastal Development Permit, Process Three Decision Appeal

PROJECT NUMBER: PRJ-1101825

REFERENCE: Variance No. 12542 (Zoning Administrator Variance)
HO-26-037 Report to the Hearing Officer July 22, 2026

OWNER/APPLICANT: Behnam Tashakorian, Owner / Scott A. Spencer and Associates, Applicant

SUMMARY

Issue: Should the Planning Commission grant or deny the appeal of the Hearing Officer's approval of a Coastal Development Permit and Variance for the construction and subsequent modifications of a two-story addition to a one-story, single-dwelling unit (for a total of three stories) allowing a 13.6-foot front-yard setback (where 20 feet is required) and a 3.1-foot west side-yard setback (where 4 feet is required) located at 7354 Romero Drive within the La Jolla Community Plan area?

Proposed Actions:

1. DENY the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393.

Fiscal Considerations: None. The applicant funds a deposit account that recovers all costs associated with processing the application.

Code Enforcement Impact: Building and Land Use Enforcement (BLUE) Case No. CE-0531642 was opened on October 15, 2024 following an inspection that found more than 50 percent of the exterior walls were demolished during construction, thereby disqualifying the Coastal exemption for Building Permit No. PTS-0685100. A Coastal Development Permit is required. Additionally, a Stop Work Order was issued on October 18, 2024, and the project was referred to the City Attorney's Office for further action. See Project Chronology (Attachment 2 – Hearing Officer Report). The proposed project will address current code enforcement issues at the site.

Housing Impact Statement: The project will demolish an existing single-dwelling unit and construct a

single-dwelling unit, resulting in no change to the residential density of the subject site.

Community Planning Group Recommendation: The applicant did not seek a recommendation for this application.

Environmental Impact: A CEQA Guideline Section 15162 Consistency Evaluation was prepared against the previously certified Program Environmental Impact Report No. 92-0199/SCH No. 92071032 as addended, via Addendum Nos. 94-0625 and 40-0747. This activity is within the scope of the program approved earlier, and the program EIR adequately describes the activity for the purposes of CEQA. A Mitigation Monitoring and Reporting Program will be implemented consistent with the previously certified environmental document. (Attachment 6).

BACKGROUND

The 0.297-acre (12,995.5 square feet) project site is located at 7354 Romero Drive, within an urbanized single-dwelling-unit neighborhood in La Jolla. The site is zoned RS-1-4 and designated for Very Low-Density Residential use within the La Jolla Community Plan with a density range of zero to five (0-5) dwelling units per acre (du/ac). The area is on the northwestern slopes of Mount Soledad and generally slopes down from the southeast to the northwest. The site's topography also slopes downward from the east-southeast corner of the property at 470 feet above mean sea level (AMSL) to the west-northwest corner at 454 feet AMSL. Other properties in the area have been granted variances to allow construction of homes to account for changes in topography or irregularly shaped lots (adjacent homes on Country Club Drive, Remley Place, and farther up the street on Romero Drive have been granted variances for setback encroachments).

The existing 3,435-square-foot one-story single-dwelling was first constructed in 1951. A garage addition was constructed in 1975, with Variance No. 12542 approved by the Zoning Administrator in 1974 to allow the addition to encroach into the side- and front-yard setbacks (3'-6" and 14'-0", respectively). The original variance was granted to account for the steepness of Romero Drive across the frontage (east-to-west approximately 12-foot rise over approximately 110 feet in property width) and the steepness of the property: 472' AMSL to the northeast and 450' AMSL to the southwest. The driveway cut is at the northwestern edge of the property, at approximately 462' AMSL.

In 2022, a building permit was issued to allow the remodel and two-story addition of the dwelling (for a total of three stories). During construction, City building inspectors determined that the extent of exterior wall demolition exceeded the 50 percent limit for a coastal exemption, thereby triggering the requirement for a Coastal Development Permit per San Diego Municipal Code (SDMC) Section 126.0708. Continued unpermitted activity at the site prompted additional enforcement responses, culminating in a formal stop-work order (CPNO No. CE-0531642 on October 18, 2024) and a legal referral to the City Attorney's Office. Furthermore, field observations and the current application process revealed discrepancies between the original, 1975 garage construction and the 1974 variance approval, establishing the need for a new variance to formally reconcile and clarify the as-built conditions.

DISCUSSION

Project Description:

The project proposes the following modifications to the existing 3,435-square-foot (sf) one-story dwelling:

First Floor	340 sf addition 495 sf Accessory Dwelling Unit (ADU) conversion (not counted in FAR)
Second Floor	2,714 sf addition
Third Floor	172 sf addition
Total New Construction	3,226 sf
New Total Building Area	**6,667 sf** (below the maximum FAR of .52 or 6,737 sf)

The project maintains the exterior walls of the existing development and builds vertically. DSD-Planning staff conducted a pre-construction inspection prior to any construction activities and, with the submittal of both previous and updated topographic surveys, determined that the dwelling had observed a 3.1-foot setback at the western side-yard setback and a 13.6-foot front-yard setback when originally constructed. No grading is proposed. Public improvements required by the project scope include new curb and gutter along the Romero Drive right-of-way, and a new driveway designed to current City standards.

Permits Required:

- A Process Three Variance per SDMC Section 126.0804 is required for deviations to the RS-1-4 setback regulations, allowing the structure to observe a 3.1-foot side yard setback (where 4 feet is required) and a 13.6-foot front yard setback (where 20 feet is required);

- A Process Two Coastal Development Permit per SDMC Section 126.0708 is required for coastal development within the non-appealable area of the Coastal Overlay Zone.

These permits are consolidated for a decision by the Hearing Officer per SDMC 112.0103 with appeal rights to the Planning Commission.

Legal Standard for Appeal of the Hearing Officer Decision

An appeal of the Hearing Officer's decision may only be granted with evidence supporting one of the following findings:

1. Factual Error. The statements or evidence relied upon by the decision maker when approving, conditionally approving, or denying a permit, map, or other matter were inaccurate; or

2. New Information. New information is available to the applicant or the interested person that was not available through that person's reasonable efforts or due diligence at the time of the decision; or

3. Findings Not Supported. The decision maker's stated findings to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker; or

4. Conflicts. The decision to approve, conditionally approve, or deny the permit, map, or other matter is in conflict with a land use plan, a City Council policy, or the Municipal Code.

Pursuant to San Diego Municipal Code Section (SDMC) Section 112.0506(c), the Planning Commission may only deny the appeal and affirm approval of the project if none of the above findings are supported by sufficient evidence or grant the appeal and reverse approval of the project if it finds one of the above findings is supported by sufficient evidence. The Planning Commission may also modify the decision being appealed.

PROJECT APPEAL DISCUSSION

Julie Hamilton, on behalf of Concerned Neighbors, filed an appeal of the project on August 5, 2026. The grounds for the project appeal were "Factual Error," and "Findings not Supported" with Concerned Neighbors describing the grounds for the project appeal as follows:

> Construction began under the auspices of a building permit for the remodel of a single-dwelling unit. The building inspector halted the project noting that the applicant had demolished more than 60% of exterior walls (SDMC §126.0704(a)(5).) The inspector informed the applicant that a coastal development permit was required. The applicant continued building the project despite the inspector's notification. The applicant continued building the project over the next year and a half despite multiple "stop work" orders and enforcement actions. The residence is nearly complete; it appears the project awaits paint and fixtures. The timeline of the project shows the applicant's attorney threatened the city with litigation and soon thereafter city staff indicated it could support a variance for the new structure. This applicant violated the municipal code and was awarded a variance for his wrongdoing. The Hearing Officer's approval of a coastal development permit and variance is based on erroneous information and the findings for a coastal development permit and variance are not supported by substantial evidence.

Appeal Issues and Staff Responses

Appeal Issue 1
Appellant States:

PROJECT DESCRIPTION: The project description identifies the project as construction and subsequent modifications to a one-story, single-dwelling unit. However, the one-story, single-dwelling unit was demolished without a coastal development permit in violation of the municipal

code. In addition, the land development code requires that when more than one permit, map or other approval is required for a single development, the applications shall be consolidated, and the action of the decision maker shall be considered one consolidated action (SDMC §126.0707(e)). The land development code definition of development is expansive and includes any improvement made to the lot. During the development of the single-dwelling unit the applicant also built a new swimming pool. Staff have opined the swimming pool was built under a separate permit; however, the coastal development regulations require the swimming pool to be included in this application for a coastal development permit. The applicant submitted the application for a coastal development permit on July 26, 2023. As the images below show, the pool was built while the coastal development permit was pending and should have been included in the application for a coastal development permit.

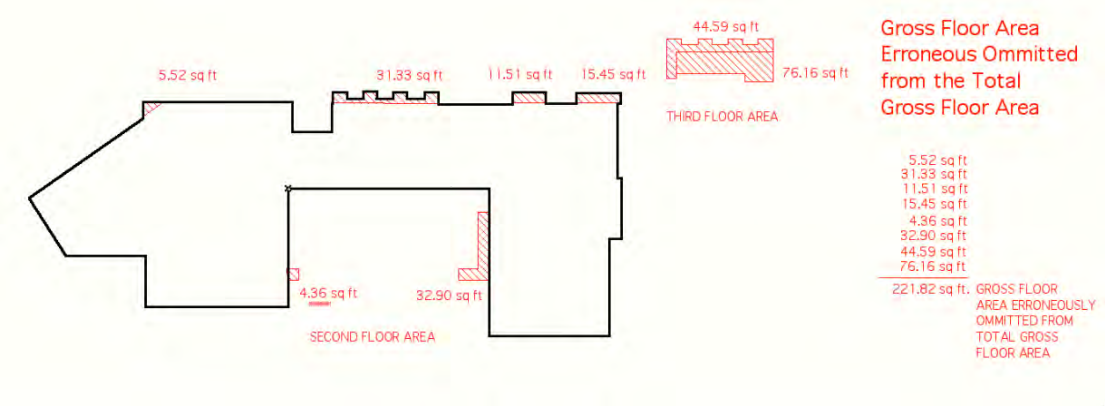
Staff Response:

The project scope is for the remodel and addition to an existing single-dwelling unit. The San Diego Municipal Code (SDMC) defines *coastal development* and, within SDMC 126.0707(e), limits exemptions for existing structures to 50 percent demolition of exterior walls. Based on field observations, the demolition of exterior walls exceeded the limit by approximately 10 percent. The remedy for exceeding this exemption is a Coastal Development Permit (CDP). During review, additional errors were encountered that necessitated modifications to the entire project, which are shown in Exhibit A and described within the project report to the Hearing Officer. This includes the discovery that the 1975 construction exceeded the variance granted in 1974. A Variance is required to approve the proposed project to remedy this exceedance

The pool construction was granted under Building Permit No. 2568215 (PTS No. 692816), inspected, and completed. A CDP is not required for the pool scope of work. Nonetheless, the pool has been shown on the site plan drawings, and approval of the pool is not required to be included in the CDP application, as it has been granted an exemption from the requirement to obtain a CDP pursuant to SDMC 126.0704(i).

Appeal Issue 2
Appellant States

GROSS FLOOR AREA: The applicant states and the city staff erroneously agreed the gross floor area of the third floor of project equals 172.25 square feet. However, the applicant erroneously omitted 221.82 square feet of third floor area within the exterior surface of the surrounding exterior walls. The gross floor area for the project equals 6,889.51 square feet; resulting in an FAR of .532 where land development code limits the FAR to .52.



Staff Response:

The Exhibit A for the project identifies all areas calculated in accordance with SDMC Section 113.0234. Planning staff reviewed the gross floor area calculations in relation to the structure and the grade adjacent to the exterior walls and confirmed that the measurements were applied consistent with the requirements of the SDMC.

Gross floor area (GFA) is measured from the exterior walls, in accordance with the applicable SDMC Section 113.0234. The project includes enclosed design elements attached to the building's exterior walls; however, these features are not considered part of the floor area. They function as architectural design elements located along the building's outer perimeter and do not meet the definition of gross floor area. Because these areas are non-habitable and do not align with the gross floor area criteria outlined in SDMC Section 113.0234, they are not included in the GFA calculation.

Staff determined that portions of the third level were not included in the GFA calculation because they did not meet the criteria for "phantom floor areas," which are used to identify areas that must be counted toward gross floor area under SDMC Section 113.0234.

On Sheets A1.2 through A2.2, the same set of stairs included in the second-floor gross floor area calculation is also shown on the third floor. Since these stairs were already counted at the second-floor level, they are not counted again as part of the third-floor GFA and did not trigger any phantom floor square footage as required in SDMC 113.0234.

During ministerial review, the project will not exceed the allowed FAR nor Coastal or structure height limitations of the zone.

Appeal Issue 3
Appellant States:

> *PROJECT PLANS: The project plans considered by the Hearing Officer are inconsistent and inaccurate.*

- *Sheet A1.1* *Does not accurately depict the walls that were demolished.*
- *Sheet A3.0* *Front elevation does not show roof eaves.*
  Rear elevation does not accurately reflect wrap-around balcony on west side of structure.
  Rear elevation shows second floor cantilever that is not reflected on floor plans.
- *Sheet A3.1* *Right elevation does not accurately reflect reduced balconies.*
- *Sheet 4.0* *Section A shows a cantilevered second floor on east and west side that is not reflected on the floor plans or elevations.*

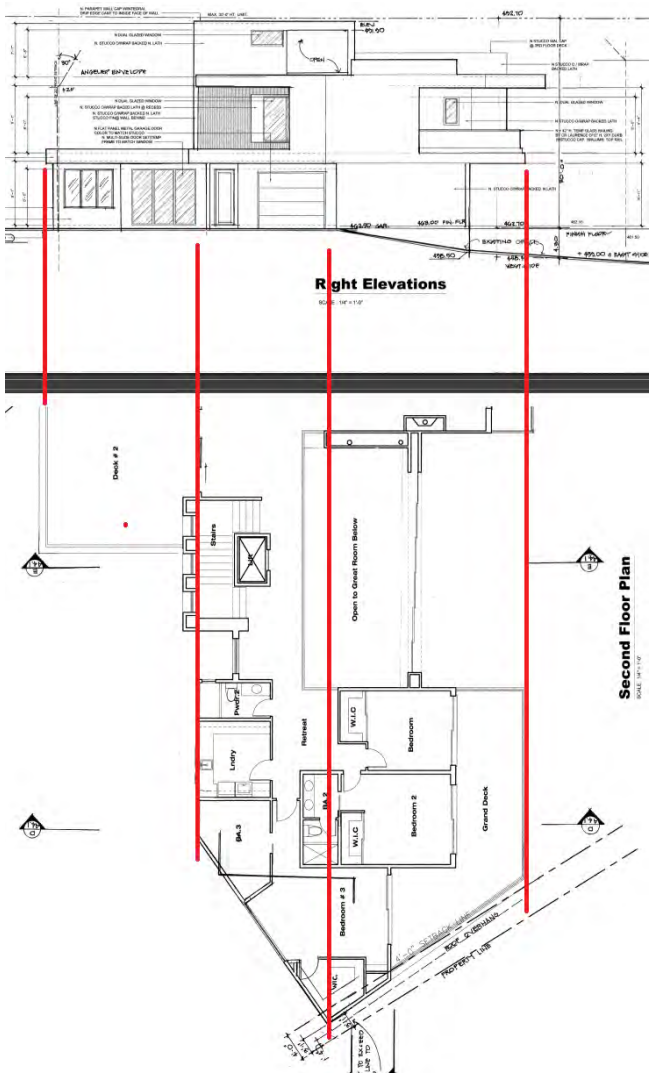
Staff Response:

Sheet A1.1: The exact area of demolished walls is not relevant to a Coastal Development Permit application. That information would only be necessary to obtain an exemption from a Coastal Development Permit. The plans are not inaccurate; rather, they demonstrate that total demolition is not proposed. Because field inspections during the building permit review process determined that demolition of exterior walls exceeded the Coastal exemption limits, a Coastal Development Permit is required.
Sheet A3.0: Front Elevation is taken from the "front" of the main façade, and not parallel to the street frontage. The elevation is used in concert with topographic data, elevation data, and section data to demonstrate that the proposal is not over Structure height or Coastal height.

The rear elevation balcony is shown accurately, and the plans and elevations demonstrate compliance with the height regulations in SDMC Section 113.0270 and the base zone height in Section 131.0431, Table 131-04D.

The rear elevation cantilever is in the master bedroom area as shown on floor plans and included towards FAR.

Sheet A3.1: See the composite diagram to the right, which shows the floor plan with red lines leading up to the elevation. The elevation and decks align accurately. Staff analyzed these elevations for conformance to various measurements of height, existing grade, and proposed grade.



Sheet 4.0: The cantilevered area that is counted towards FAR is only located in the master bedroom area. The applicant provided cut sections that intersect the floor plans at an angle. As shown on the topographic survey, there is a 3.1-foot distance from the edge of the structure to the property line near the bedroom No. 3 walk-in closet (Sheet 2.1) and along the first floor at the garage (Sheet 2.0). These measurements were incorporated into the gross floor area breakdown on Sheet 6.0, demonstrating that all areas of the building were accounted for in the applicant's total square footage calculation.

Appeal Issue 4

Appellant States:

The findings for a coastal development permit require the decision maker find the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. (SDMC§126.0708(a)(3).) The land development code is the certified Implementation Program for the Local Coastal Program. A variance is required because the project does not comply with the land development code and the findings for a variance are not supported. Therefore, the findings for a coastal development permit cannot be made.

In addition to the findings for a variance not being supported, the variance fails to include all the nonconformities with the land development code associated with the development of this site. The pool is a vanishing edge pool with a 7' wall. The pool wall constitutes a retaining wall in this instance and exceeds the allowable height for a retaining wall. (SDMC §142.0340(d)(1).) Therefore, the pool wall is not consistent with the land development code or the certified Implementation Program and must be included in the variance to comply with the Implementation Program.

Although the plans submitted as Exhibit A show reduced balcony widths on both second-floor

balconies at the back of the house; these balconies are already built. There is no assurance the balconies will be reduced per the submitted plans. If the balconies are not reduced, they are within 6' of the pool; which means the structure height is calculated from the lowest edge of the pool. This causes the structure to exceed the height limit. Without some assurance the balconies will be reduced via special conditions, the project is not consistent with the Implementation Program. A variance is not allowed to increase the structure height in the coastal overlay zone. This nonconformity cannot be resolved until the balconies are reduced; a special condition is required to force timely modification of the balconies.

Staff Response:

Exhibit A demonstrates that the balconies must be at least six (6) feet from the pool edge. Conformance with this requirement will be confirmed during ministerial review of the building permit. Additionally, the inspection of all modifications will require significant deconstruction and reconstruction for inspectors to confirm code compliance and safety.

A new building permit will be required for the dwelling because the original permit has expired. All future building permit applications must accurately reflect existing on-site conditions, and the City will only approve a new building permit with the information presented in Exhibit A. This includes observing a 3.1-foot setback at the western property line on the first and second floors, a 13.6-foot setback at the front property line, and decks that must be set back six feet from the pool edge to meet SDMC requirements for structure height. Additionally, the FAR will be limited to what was constructed, with modifications to the third floor and the conversion of interior space.

As stated in the response to Appeal Issue #1 above, staff reviewed the pool under Building Permit No. 2568215 (PTS-692816) and determined that the scope of the pool and its improvements met the criteria for a Coastal Exemption and is not considered a retaining wall. The Land Development Code provides for a Variance; therefore, approval of a variance is consistent with the Code.

Findings for both the Coastal Development Permit and the Variance can be made because the project is consistent with the Land Development Code requirements discussed in response to all appeal issues. The Coastal Development Permit and Variance are required through the project to bring the site into compliance with the Land Development Code and the certified Implementation Program for the Local Coastal Program.

Appeal Issue 5
Appellant States:

The findings for a variance are not supported by evidence in the record.
Special Circumstances: The land development code requires the decision maker find "[t]here 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 in the neighborhood…" (SDMC §126.0805(a).)
The findings in the hearing officer's resolution of approval discusses the conditions of Romero

Drive and the impact of Romero Drive on the ability to develop the property. The findings fail to discuss how these conditions are peculiar to this property and do not generally apply to the land or premises in the neighborhood. With no affirmative showing that this property differs substantially from other parcels in the neighborhood, this variance would grant a special privilege prohibited under the code. (Topanga Assn. for a Scenic Community v. County of Los Angeles 1974) 11 Cal.3d 506, 522.) That is because most of the property in the neighborhood is subject to similar conditions with steep streets and cobblestone curb and gutter. The entire Country Club neighborhood of La Jolla is defined by steep streets and cobblestone curb and gutter.

The findings then go on to discuss the location of the driveway and the impact of the location of the driveway on the project. The findings fail to mention that the conditions of approval require the improvement of the street frontage on Romero Drive and removal and replacement of the driveway. These conditions moot any consideration due to the curb and gutter on Romero Drive or the location of the driveway. In addition, there is no evidence in the record that conditions and circumstances of this project site are peculiar to the land or premises and do not generally apply to the land or premises in the neighborhood.

Staff Response:

The dwelling was constructed to reflect the practical realities of the site. Its original footprint and orientation were determined by the lot's topographic constraints, the need to minimize grading, and the structural feasibility of establishing a stable building pad on a sloped property. Because of these physical limitations, the Zoning Administrator granted the original variance in 1974. As noted in the Hearing Officer's report, site topography is both sloped up along Romero Drive and sloped down the property to the south-southwest. To meet Coastal Development Permit regulations, the driveway must be reduced from the current width. The driveway cut is located in a place that cannot feasibly be moved, and the building footprint represents the only reasonable and functional buildable area on the site.

Under the Land Development Code, property owners are generally allowed to develop a second story in alignment with their established first-floor footprint (previously conforming regulations within SDMC section 127.0101 et seq). This allowance prevents excessive grading, avoids impractical structural redesign, and maintains the logical layout and functionality of homes built on challenging terrain. In this case, strict application of current setbacks would prohibit the applicant from building upward over their existing load-bearing walls and foundation, an ability that is normally afforded to all property owners and would instead force a substantial redesign of the dwelling. Such a redesign would require full redesign of the existing foundation, significant grading on a slope, and a reduction in the home's functional area. No other provisions in the Land Development Code allow an applicant to build a second story, consistent with their existing footprint, that encroaches on the required setback.

Many homes in this older Mount Soledad subdivision required similar variances due to natural slope conditions, irregular lot geometries, and historic street widths. Granting this variance maintains consistency with past approvals and the built environment rather than creating a

precedent for new or expanded development.

The existing conditions of the site are not the result of any action by the applicant, but rather the product of the original construction conditions and the prior variance granted for the main dwelling. With no other ministerial pathway available to maintain the existing structural footprint on the second level, a variance is the only feasible mechanism to allow continued lawful use.

Because of these circumstances, there are special circumstances or conditions for which a variance is sought that are peculiar to the land or premises in the neighborhood.

Appeal Issue 6
Appellant States:

REASONABLE USE: The land development code also requires the decision maker find the circumstances or conditions are such that 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 is the minimum variance that will permit reasonable use of the land or premises. Variances should not be granted because the applicant wants a larger structure or finds the code inconvenient. "[I]f the property can be put to effective use, consistent with its existing zoning ...without the deviation sought, it is not significant that the variance sought would make the applicant's property more valuable, or that [it] would enable him to recover a greater income (Broadway, Laguna etc. Assn. v. Board of Permit Appeals (1967) 66 Cal.2d 767, 775.)"

The applicant is requesting a variance to allow a 6,667 square foot single-dwelling unit with an ADU to replace the previously existing 3,435 square foot single-dwelling unit. The variance allows a reduced side and front yard setback for the new second floor. The land development code allows expansion of a previously conforming structural envelope limited to the first story level. (SDMC §127.0106(b)(7).) Allowing a variance that expands the nonconformity to the second level of a house is not the minimum necessary to allow reasonable use of the premises given the lower floor of the house, as built, totals more than 3,000 square feet of gross floor area; thereby allowing reasonable use of the premises. The findings included in the hearing officer's resolution fail to bridge the analytical gap between the evidence and the legal criteria for a variance and are not supported by evidence in the record.

Staff Response: The original variance, granted in 1974, was a request to construct a two-car garage on a lot with steep topographic conditions. The existing dwelling, existing site constraints, and the steepness of Romero Drive all led the Zoning Administrator to approve a Variance to construct a garage and driveway at the only feasible location on the premises. These unique site constraints exist today, and strict application of the current Land Development Code would effectively deprive the property of reasonable use because the original siting and orientation of the SDU were a necessary design response to the slope, chosen to reduce grading, preserve hillside stability, and comply with earlier approved setback variances. These constraints are inherent to the property and cannot be altered without substantial structural intervention. Without the requested variance, the property owner would be deprived of reasonable use of the land, including the ability to develop to the permitted height and allowed floor area ratio. The variance represents the minimum relief

necessary to allow the owner to exercise their by-right development potential while respecting the lot's physical constraints.

The Hearing Officer's decision modified staff's draft findings to include floor area ratios, building sizes, and the number of stories of neighboring residences in Finding B.4. Staff has added this information to the findings provided.

Conclusion:

City staff has reviewed and analyzed the appeal issues and determined that the appellant did not provide sufficient evidence to support any of the findings that are grounds for appeal. Staff recommends the appeal be denied and the Hearing Officer's decision of July 22, 2026, be affirmed.

ALTERNATIVES

1. Deny the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393.

2. Grant the appeal and overturn the Hearing Officer decision to approve Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393.

Respectfully submitted,

Michael Prinz
Assistant Deputy Director
Development Services Department

Travis Cleveland
Development Project Manager
Development Services Department

Attachments:

1. Hearing Officer Report HO-26-037
2. Draft Permit with Conditions
3. Draft Permit Resolution with Findings
4. Copy of Appeal

ATTACHMENT 1

THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: July 15, 2026 REPORT NO. HO-26-037

HEARING DATE: July 22, 2026

SUBJECT: 7354 Romero Drive Variance and Coastal Development Permit, Process Three Decision

PROJECT NUMBER: PRJ-1101825

REFERENCE: Variance No. 12542 (Zoning Administrator Variance)

OWNER/APPLICANT: Behnam Tashakorian, Owner / Fiffin Sweeny, Applicant

SUMMARY

Issues: Should the Hearing Officer approve a Coastal Development Permit and a Variance for the construction and subsequent modifications of a two-story addition to a one-story, single-dwelling unit (for a total of three stories) allowing a 13.6-foot front-yard setback (where 20 feet is required) and a 3.1-foot west side-yard setback (where 4 feet is required) located at 7354 Romero Drive within the La Jolla Community Plan area?

Proposed Actions:

1. Approve Coastal Development Permit No. PMT-3243580; and

2. Approve Variance No. PMT-3335393;

Fiscal Considerations: Not applicable. The applicant funds a deposit account that recovers all costs associated with processing the application.

Code Enforcement Impact: Building and Land Use Enforcement (BLUE) Case No. CE-0531642 was opened following an inspection that found more than 50 percent of the exterior walls were demolished during construction, thereby disqualifying the Coastal exemption for Building Permit No. PTS-0685100, and requires a Coastal Development Permit. Additionally, several code enforcement actions were taken due to continued construction activities at the site. A Stop Work Order was issued on October 18, 2024, and the project was referred to the City Attorney's Office for further action. See Project Chronology (Attachment 2).

Community Planning Group Recommendation: The applicant did not obtain a recommendation for this application.

Environmental Impact: A CEQA Guideline Section 15162 Consistency Evaluation was prepared against the previously certified Program Environmental Impact Report No. 92-0199/SCH No. 92071032 as addended, via Addendum Nos. 94-0625 and 40-0747. This activity is within the scope of the program approved earlier, and the program EIR adequately describes the activity for the purposes of CEQA. A Mitigation Monitoring and Reporting Program will be implemented consistent with the previously certified environmental document. (Attachment 6).

BACKGROUND

The 0.297-acre (12,995.5 square feet) project site is located at 7354 Romero Drive, within an urbanized, single-dwelling unit neighborhood in La Jolla. The site is zoned RS-1-4 and designated for Very Low-Density Residential uses within the La Jolla Community Plan with a density range of zero to five dwelling units per acre (du/ac). The area is on the northwestern slopes of Mount Soledad and generally slopes down from the southeast to the northwest. The site's topography also slopes downward from the east-southeast corner of the property at 470 feet mean sea level (MSL) to the west-northwest corner at 454 feet MSL. Many properties in the area have been granted variances to allow construction of homes to account for changes in topography or irregularly shaped lots (adjacent homes on Country Club Drive, Remley Place, and farther up the street on Romero Drive have been granted variances for setback encroachments).

The existing 3,435-square-foot one-story single-dwelling had a garage addition constructed in 1975, with Variance No. 12542 approved by the Zoning Administrator in 1974 to allow the garage addition to encroach into the side- and front-yard setbacks (3'-6" and 14'-0", respectively). The original variance was granted to account for the steepness of Romero Drive across the frontage (east-to-west approximately 12-foot rise over approximately 110 feet in property width) and the steepness of the property: 472' above mean sea level (AMSL) to the northeast and 450' AMSL to the southwest. The driveway curb cut is at the northwestern edge of the property, at approximately 462' AMSL. In 2022, a building permit was issued to allow the remodel and two-story addition of the dwelling (for a total of three-stories). During construction, City building inspectors determined that the extent of exterior wall demolition exceeded the 50 percent limit for a coastal exemption, thereby triggering the requirement for a Coastal Development Permit per San Diego Municipal Code (SDMC) Section 126.0708. Continued unpermitted activity at the site prompted additional enforcement responses, culminating in a formal stop-work order (CPNO No. CE-0531642 on October 18, 2024) and a legal referral to the City Attorney's Office. Furthermore, field observations and the current application process revealed discrepancies between the original construction and the 1974 variance approval, establishing the need for a new variance to formally reconcile and clarify the as-built conditions.

DISCUSSION

Project Description:

The project proposes the following modifications to the existing 3,435-square-foot (sf) one-story dwelling:

First Floor	340 sf addition 495 sf ADU conversion (not counted in FAR)
Second Floor	2,714 sf addition
Third Floor	172 sf addition
Total New Construction	3,226 sf
New Building Area	**6,667 sf** (below the maximum FAR of .52 or 6,737 sf)

The project maintains the exterior walls of the existing development and builds vertically. DSD-Planning staff conducted a pre-construction inspection prior to any construction activities and, with the submittal of both previous and updated topographic surveys, determined that the dwelling had observed a 3.1-foot setback at the western side-yard setback and a 13.6-foot front-yard setback when originally constructed. No grading is proposed. Public improvements include new curb and gutter along the Romero Drive right-of-way, and a new driveway designed to current City standards.

Permits Required:

- A Variance per SDMC Section 126.0804 is required for deviations to the RS-1-4 setback regulations, allowing the structure to observe a 3.1-foot side yard setback (where 4 feet is required) and a 13.6-foot front yard setback (where 20 feet is required);

- A Coastal Development Permit per SDMC Section 126.0708 is required for coastal development within the Coastal Overlay Zone.

Variance and Community Plan Analysis:

The La Jolla Community Plan (LJCP) has two policies that are relevant to the project to meet LJCP goals:

1. Maintain existing residential character and encourage buildout of residential areas at the plan density.
2. [A]void extreme and intrusive changes to the residential scale of La Jolla's neighborhoods.

There are no partial, intermittent, or other scenic vistas identified within the LJCP Identified Public Vantage Points Figure 9; therefore, no view corridor easements are required within the side-yard setbacks. The proposed project meets the recommended density at 3 du/ac, and the second-story addition is located over the existing dwelling.

Dwellings in the vicinity range in style, with a mix of one-, two-, and three-story dwellings. The proposed project is generally within the size and scale of other dwellings in the vicinity and does not present an extreme or intrusive change to the scale of the neighborhood. Except for the requested variance, the project meets all other requirements of the Land Development Code, including Floor Area Ratio and structure height. The requested variance is the minimum variance required for the project and will not be detrimental to the goals of the La Jolla Community Plan.

Romero Drive rises approximately 12 feet in elevation along the project frontage, and the building facade is not parallel to Romero Drive, extending east-southeast, further reducing the structure's visual impact. The variance is requested for relief of the western side-yard setback from 4.0 feet to 3.1 feet, and the front-yard setback from 20.0 feet to 13.6 feet, and only at the garage area and second-story addition. This new variance will account for the historical configuration of the original structure, the proposed addition, and irregularities encountered during construction. The property immediately to the west is a corner lot with two street frontages. The Romero project's side yard meets a rear yard (where typically side yards are adjacent to rear yards). The proposed second floor is located next to the rear-yard setback of the adjacent property, so visual impacts are minimal, and staff supports the variance.

If the variance were not granted, the project would not be at parity with the neighboring properties. The project would need to be further reduced in floor area or would potentially require significant grading to be constructed to the limits of the RS-1-4 regulations.

Project Issues:

During review, various issues came to light. First, the original lot area utilized by the prior design professional was incorrect. A new design professional assumed responsibility for the project and revised the drawings to comply with SDMC regulations. Secondly, the home as constructed exceeded the Floor Area Ratio (FAR) limit of 0.52. The applicant has chosen to convert interior space to an Accessory Dwelling Unit (ADU), removing 495 square feet of floor area from the FAR calculation. Additional modifications to the third-floor habitable space further reduced the project, and the rear decks are reduced to limit the building envelope and meet the height limitations of the RS-1-4 zone and Coastal Height Limit. The total reductions create a project with a total of 6,667 square feet (or 0.51 FAR). With these revisions, the design of the project conforms to the regulations of the RS-1-4 zone (with the exception of the variance at the garage area of the home, which now includes a second-story addition).

Therefore, the variance requested clarifies the construction history of the project and is the minimum variance that will permit the reasonable use of the premises.

Conclusion:

Staff has reviewed the proposed project and has provided draft findings and conditions of approval (Attachments 3 and 4), determining the project is in conformance, with the exception of the variance, with the policies and regulations of the Land Development Code and the Community Plan. Staff recommend that the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393, with modifications.

2. Deny Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Francisco Mendoza
Development Project Manager
Development Services Department

Attachments:

1. Aerial Photographs
2. Project Chronology – BLUE Enforcement and City Attorney Referral
3. Community Plan Land Use Map
4. Draft Resolution with Findings
5. Draft Permit Conditions
6. 15162 Consistency Analysis
7. Ownership Disclosure Statement
8. Variance No. 12542 approved in 1974
9. Civil Penalty Notice and Order No. CE-0531642
10. Project Plans

ATTACHMENT 1



The City of SAN DIEGO

Aerial Photograph

7354 Romero Dr
Project No. PRJ-1101825

North

The City of SAN DIEGO

7354 Romero Dr – Project Chronology

Date - Action

2/10/2022 - PRJ-685100 – Building Permit Issued.

6/13/2023 – BC&S issued a DS13 (correction notice) – plans no longer accurate, demo of exterior walls approximately 60% and no further inspections available until a CDP was obtained.

7/26/2023 – Application for CDP opened under PRJ-1101825.

8/25/2023 – Application deemed complete.

11/02/2023 – AL1 emailed to applicant team.

11/29/2023 – Second review submitted.

12/6/2023 – Letter to Elyse Lowe from Philip Merten re: ongoing construction at 7354 Romero, stating that it is in violation of the LDC.

1/19/2024 – AL2 emailed to POC. Response date of 4/18/2024.

1/22/2024 - emails to contractor and designer about stopping work from DPM Travis Cleveland (TC)

1/23/2024 – Email to TC from Owner's attorney, Matthew Khalil, acknowledging the request to stop working and requesting to be allowed to continue with work on pool under separate permit. TC response that would ask Building Official and made Mr. Khalil aware of SDMC 129.0105(c).

1/25/2024 – Mr. Merten advised DSD that work was still ongoing.

2/26/2024 – Same as above, Mr. Merten also alleges further code violations.

4/15/2024 – TC Checkin with designer on resubmittal deadline. Multiple discussions by email with designer and M. Khalil over new steps and timing. CDP resubmittal deadline extended to 4/25/2024.

5/15/2024 – Letter from M. Khallil alleging vesting right to approved building permit, alleging damages and threatening lawsuit.

5/28/2024 – Legal Services Request to City Attorney's office re: response to 5/15 letter.

5/31/2024 – Response from CAO on LSR.

8/14/2024 – Building Permit 685100 Canceled.

6/6/2024 – Response sent to Mr. Khalil. NO permission to violate codes based on prior approval if prior approval was for project not in conformance with LDC.

6/12/2024 – Applicant made aware of previous variance C-12542 allowing 14' front yard and 3.5' west side yard.

7/17/2024 – TC informs M. Khalil that staff can consider supporting variance for current project, requests findings.

8/15/2024 – Variance findings provided.

9/6/2024 – Planning staff reviewed variance findings and can likely support, TC to refine and get back to applicant.

9/18/2024 – Mr. Merten advises construction is still ongoing at site.

10/10/2024 – Assistant Director Geiler spoke with the property owner, owner's attorney and the designer advising to stop all work on the property until CDP obtained (pool permit is separate and can be worked on). TC also separately spoke with attorney and advised that staff could support variance. In that phone call TC also reinforced that work should stop and that permission to continue working was not ever granted by TC. Attorney advised his applicant to weatherize and stop work.

10/15/2024 – Geiler received call work continuing on site and called PO again advising no work to be done on property, except on pool permit. BLUE case CE-0531642 opened for unpermitted work.

10/16/2024 – Combination Building Inspector (CBI) JHannis conducted inspection. Unpermitted work on house observed. Superintendent and workers told to stop. Administrative Citation (AC) #74149 for $1000.00 issued same day and mailed on 10/16/2024.

10/18/2024 – Stop Work Order issued by Assistant Director Geiler and BC&S posted on property

11/6/2024 – CPNO issued to property owner.

12/23/2024 – CBI JHannis observed stucco work to residence. AC #77305 for $1000 issued

12/26/2024 – CBI JHannis – follow-up inspection. Additional work to house observed. AC #77306 for $1000 issued

1/2/2025 - CBI JHannis – follow-up inspection. Additional work to 2nd flr of house observed. AC #77307 $1000 issued

1/22/2025 – Prior Design Professionals requested to be removed from the application.

1/24/2025 – Notice of Pending Enforcement Action (NOPEA) recorded on title.

2/5/2025 – Updated Findings provide by Applicant

3/13/2025 – New Design Professional added to project.

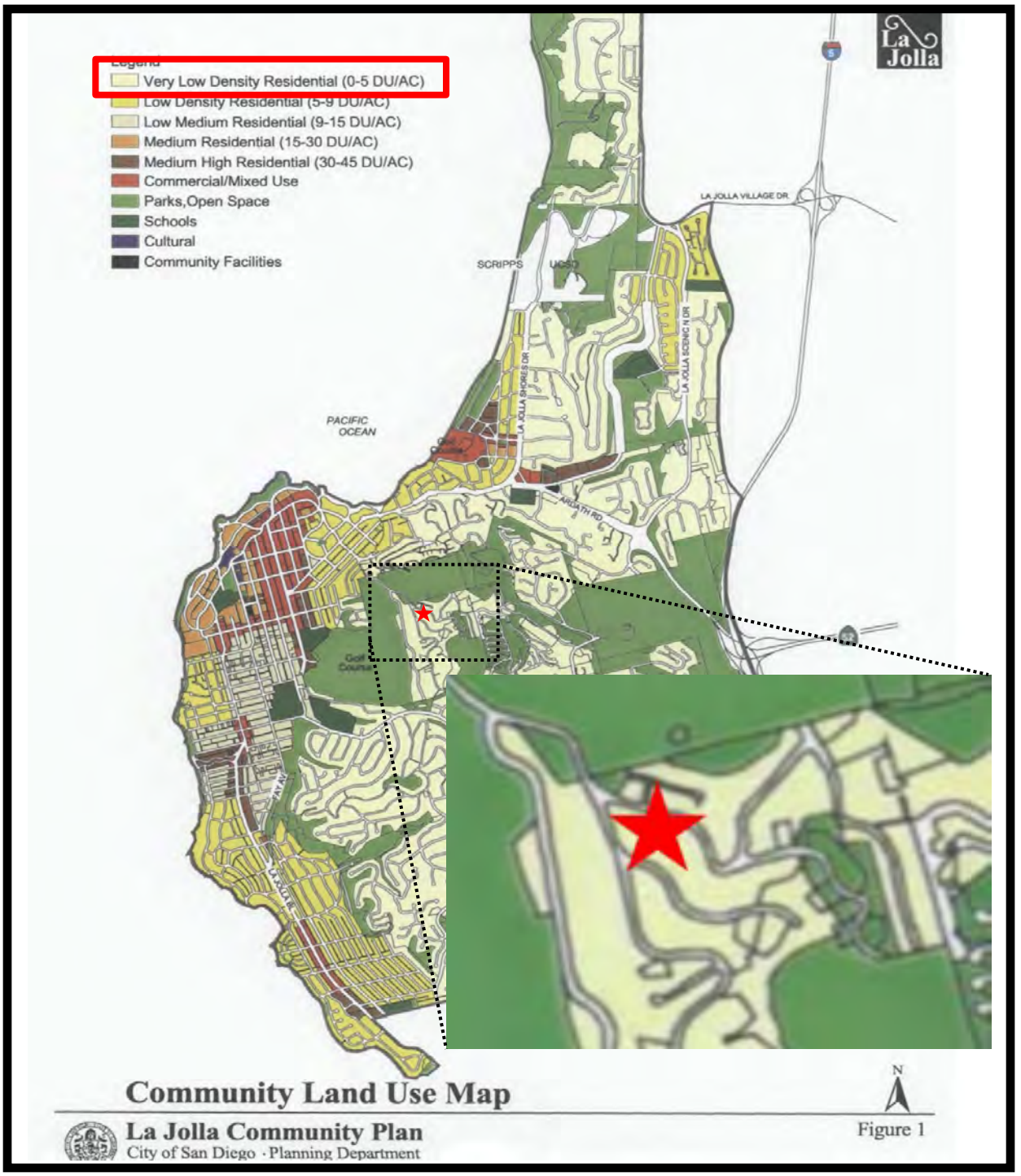
5/29/2025 – Updated topographic survey submitted and Lot area discrepancies discovered. Additional clarifying issues determined.

8/25/2025 – AL#3 – Identified potential issues with survey information.

11/15/2025 – Drawings reviewed and still contained errors.

2/6/2026 – AL#4 – Issued.

3/6/2026 – Final review and staff signoff.



The City of SAN DIEGO

Land Use Plan

7354 Romero Dr
Project No. PRJ-1101825

North

HEARING OFFICER RESOLUTION NO. HO-_____
COASTAL DEVELOPMENT PERMIT NO. PMT-3243580
AND VARIANCE NO. PMT-3335393
7354 ROMERO DRIVE VARIANCE - PROJECT NO. 1101825

WHEREAS, BEHNAM TASHAKORIAN, a married man as his sole and separate property, Owner/Permittee, filed an application with the City of San Diego for a Coastal Development Permit and Variance for the construction of a second- and third-story addition to a single dwelling unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. PMT-3243580 and PMT-3335393), on portions of a 0.297-acre site;

WHEREAS, the project site is located at 7354 Romero Drive, in the RS-1-4 (Residential Single) Base Zone, the Coastal Overlay Zone (Non-Appealable), and the Coastal Height Limitation Overlay of the La Jolla Community Plan;

WHEREAS, the project site is legally described as:
LOT 3, BLOCK “C” LA JOLLA COUNTRY CLUB HEIGHTS, ACCORDING TO MAP THEREOF NO. 1975, 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, DECEMBER 21, 1926, AND MORE PARTICULARLY DESCRIBED WITHIN INTERSPOUSAL INDIVIDUAL GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MAY 29, 2020, AS DOCUMENT NO. 2020-0272295 O.R.;

WHEREAS, on July 22, 2026, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 3243580 and Variance No. PMT-3335393:

A. COASTAL DEVELOPMENT PERMIT FINDINGS [SDMC Section 126.0708]

1. **The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

   The 0.297-acre property is located at 7354 Romero Drive within the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP). There are no physical accessways on the premises that is legally used by the public nor any proposed public accessway identified in the LJCP. The Pacific Ocean is located approximately 0.57 miles to the north.

   The property takes access from Romero Drive, and there are no partial, intermittent, or other scenic vistas identified within the LJCP Identified Public Vantage Points Figure 9. The proposal will have no effect on the public views or vantage points as identified in the LJCP. Therefore, the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the LJCP.

2. **The proposed coastal development will not adversely affect environmentally sensitive lands.**

   The project site is a previously graded lot with a single-dwelling unit. No new grading is proposed or required. The existing walls and foundation will be modified to support a second- and third-story addition. Surrounding the property are developed single-dwelling unit lots in a built, urban environment. There are no Multi-Habitat Planning Area designated lands, as defined in SDMC 143.0110, on or adjacent to the project site.

   During construction, Low Impact Development (LID) stormwater strategies will be incorporated into the site to control construction debris and runoff from entering the storm drain and water supply. These strategies include the use of gravel bags, silt fencing, and a sediment/desilting basin. New curb and gutter will be constructed along Romero drive, providing for efficient and safe transport of stormwater from the right-of-way. After construction, Best Management Practices such as hydroseeding, straw and wood mulch, and physical stabilization using landscaping with native vegetation will maintain stormwater compliance for the project site. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

3. **The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.**

The project site is within the Very-Low Density Residential designation of the La Jolla Community Plan and Local Coastal Program (LJCP) with a range of 0-5 dwelling units per acre (du/ac). The existing single-dwelling unit will be remodeled and expanded in floor area, and meets the density range and use requirements of the LJCP (3 du/ac). The proposed remodel has been redesigned to comply with the height limitations of the Coastal Height Limitation Overlay and the floor area ratio limitations of the RS-1-4 zone. Because of historic topographic constraints, the addition above the garage requires a variance. With the granting of the variance (variance findings incorporated herein), the proposed coastal development is in conformity with the LJCP and complies with all regulations of the certified Implementation Program.

4. **For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.**

   The Pacific Ocean is located approximately 0.57 miles to the north. The project is located outside of the nearest public road and sea or shoreline; therefore, this finding does not apply.

B. <u>VARIANCE FINDINGS [SDMC Section 126.0805]</u>

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. '**

   Romero Drive is a narrow, two-lane residential street with cobblestone curb and gutter and without sidewalks. The original variance was granted to allow the garage and a small portion of the house to encroach into the side and front yard setbacks to account for the steepness of Romero Drive across the frontage (east-to-west approximately 12-foot rise over approximately 100 feet in property width) and the steepness of the property (north-to-south approximately 22 feet or 472' Mean Sea Level (MSL) at the northeast end and 450' MSL at the southwestern end). The driveway curb cut was made at the northwestern edge of the property, with the garage and house encroaching into the front and side yard setback (in 1974, the side yard setbacks were 6.0 feet, and the front yard setback was 20.0 feet. The SDMC has since changed to allow a 4.0-foot modified side-yard setback. The home is sited northwest to southeast, so a majority of the house does not encroach into the setback.

   The project does not propose grading or expansion of the building's existing footprint, but due to field changes in the under-construction project, a Coastal Development Permit and Variance are required to expand vertically into the previously granted variance. It was also determined through field investigations and

topographic surveys that the original construction observed a 3.1-foot side-yard setback and a 13.6-foot front-yard setback. The original variance, granted in 1974, resolved topographic issues that are peculiar to this premises, and do not apply generally to the neighboring properties. These topographic challenges exist today. Therefore, 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 these conditions have not resulted from any act of the applicant after the adoption of the application 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 6,667-square-foot single-dwelling unit (SDU) is constrained by steep topography, the existing footprint of the structure, and the height restrictions of the base zone and the Coastal Height Limitation overlay. If the variance were not granted, the house would need to be completely remodeled, with revisions to the parking and site design of the premises.

   Additionally, the existing topography would limit the overall structure height of the SDU if expanded further into the slope at the southern end of the property, thereby allowing construction to comply with the premises' FAR limitations. Therefore, 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.

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 original variance granted a partial 3.5-foot setback at the western side yard and a 14.0 front yard setback (where 6.0 and 20.0 were required, respectively). This variance was granted for the addition of a garage to an existing, nonconforming single-story single-dwelling unit. These regulations have since changed, and the proposed variance requests to clarify what was constructed in 1975: a 3.1-foot side yard setback, where a modified 4.0-foot side yard setback is currently required. Since the side yard is less than 5 feet from the property line, the construction regulations require a more fire-resistive construction. Different details and materials with greater fire resistance will be required to protect the public health and safety. To satisfy this safety intent without altering the existing footprint, the affected wall will be upgraded to a 1-hour fire-resistance rating; any roof overhangs within the setback will feature protected, non-combustible soffits; and unprotected openings (windows/doors) will be strictly limited or eliminated, in compliance with modern fire separation code.

Additionally, the layouts of properties in the vicinity are irregular. The adjacent property to the west is a corner lot with two street frontages. The proposed variance is requested for a side yard abutting a rear yard. This protects against future encroachments or situations that would create two properties with very tight setbacks. Because this property is located at the rear of a property with two frontages, it will maintain the harmony of the existing neighborhood development pattern. Finally, because the structure is being vertically expanded rather than further encroaching on the setback, the original variance conditions granted remain in place today. Therefore, the proposed variance 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 La Jolla Community Plan (LJCP) has two policies that are relevant to the project to meet LJCP goals:

   - Maintain existing residential character and encourage buildout of residential areas at the plan density.
   - [A]void extreme and intrusive changes to the residential scale of La Jolla's neighborhoods.

   There are no partial, intermittent, or other scenic vistas identified within the LJCP Identified Public Vantage Points Figure 9; therefore, no view corridor easements are required within the side-yard setbacks. The proposed project meets the recommended density at 3 du/ac, and the second-story addition is located over the existing dwelling, in the area of the garage originally granted a variance in 1974.

   Dwellings in the vicinity range in styles and vernaculars, with a variety of one, two-, and three-story dwellings. The proposal is generally within the size and scale of other dwellings in the vicinity and does not present an extreme or intrusive change to the scale of the neighborhood. Except for the encroachment at the side-yard setback and front-yard setback (and only at the garage area and second-story addition of the home), all regulations are met (Floor Area Ratio, Overall Structure Height, and Coastal Height). The requested variance is the minimum variance required for the project and will not be detrimental to the goals of the La Jolla Community Plan.

   Romero Drive rises approximately 12 feet in elevation along the project frontage, and the building facade is not parallel to Romero Drive, extending east-southeast, further reducing the structure's visual impact. The Romero project variance is requested for relief of the western side-yard setback from 4.0 feet to 3.1 feet, and the front-yard setback from 20.0 feet to 13.6 feet, only at the garage area and second-story addition. This new variance will account for the historical configuration

of the original structure, the proposed addition, and irregularities encountered during construction. The property immediately to the west is a corner lot with two street frontages. The Romero project's side yard meets a rear yard (where typically side yards are adjacent to side yards). The proposed second floor is located next to the rear-yard setback of the adjacent property, so visual impacts are minimal and the variance can be supported.

Because the variance maintains the residential scale and character of the neighborhood while adhering to the community plan's density limits, the granting of the variance and coastal development conform with, and are adequate to carry out, the provisions of the certified land use plan.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393 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. PMT-3243580/PMT-3335393, a copy of which is attached hereto and made a part hereof.

Francisco Mendoza
Development Project Manager
Development Services

Adopted on: June 24, 2026

IO: 24010095

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

INTERNAL ORDER NUMBER: 24010095 SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-3243580
VARIANCE NO. PMT-3335393
7354 ROMERO DRIVE VARIANCE - PROJECT NO. 1101825
HEARING OFFICER

This Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393 (Permit) is granted by the Hearing Officer of the City of San Diego to BEHNAM TASHAKORIAN, a married man as his sole and separate property, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708 and 126.0805. The 0.297-acre site is located at 7354 Romero Drive in the RS-1-4 zone, the Coastal Overlay Zone Non-Appealable Overlay, and the Coastal Height Limitation Overlay zones of the La Jolla Community Plan area.

The project site is legally described as:
LOT 3, BLOCK "C" LA JOLLA COUNTRY CLUB HEIGHTS, ACCORDING TO MAP THEREOF NO. 1975, 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, DECEMBER 21, 1926, AND MORE PARTICULARLY DESCRIBED WITHIN INTERSPOUSAL INDIVIDUAL GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MAY 29, 2020 AS DOCUMENT NO. 2020-0272295 O.R.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a second- and third-story addition to a single dwelling unit with a variance for western side setback and front yard setback described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 25, 2025, on file in the Development Services Department.

The project shall include:

a. A 6,667-square-foot 3-story single dwelling unit;

b. A Variance to allow a 3.1-foot side-yard setback and a 13.6-foot front yard setback to be observed at the garage and second story.

c. Existing landscaping; and

d. 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 August 6, 2029.

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.

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" 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.

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.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the private storm drain connection, sidewalk underdrains, trench drain, cobble stone curb and gutter, non-standard driveway, steps, stairs, landscapes, and irrigation, within the right-of-way, satisfactory to the City Engineer.

12. Development of this project shall comply with all permanent stormwater requirements of Municipal Stormwater Permit No. 2013-0001, or subsequent order, and the current version of the City of San Diego's Stormwater Standards Manual.

13. Development of this project shall comply with all stormwater construction requirements of the current version of the City of San Diego's Stormwater Standards Manual.

14. The developer is responsible for ensuring that all final design plans, grading plans, and building plans incorporate applicable best management practices (BMPs).

PLANNING/DESIGN REQUIREMENTS:

15. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC.

16. 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.

17. 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 permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 July 22, 2026, and Resolution No. HO-_____.

Coastal Development Permit No. PMT-3243580
Variance No. PMT-3335393
Date of Approval: July 22, 2026

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

_____
Francisco Mendoza
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.

BEHNAM TASHAKORIAN
Owner/Permittee

By _____
Behnam Tashakorian

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

THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: July 1, 2026

TO: Environmental/Project File
Development Services Department

FROM: Anne B. Jarque, Senior Planner, Development Services Department

SUBJECT: 7354 Romero Drive Coastal Development Permit (PRJ-1101825)
California Environmental Quality Act – Section 15162 Consistency Evaluation

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The City of San Diego (City), as Lead Agency, completed a California Environmental Quality Act (CEQA) Section 15162, Subsequent Environmental Impact Reports and Negative Declarations, consistency evaluation for the proposed 7354 Romero Drive Coastal Development Permit (CDP) (Project).

A CEQA Guidelines section 15162 Consistency Evaluation (Evaluation) was performed to determine whether the conditions specified in this section would require the preparation of a new or subsequent environmental document. As outlined in this Evaluation, the City has determined that the Project is within the scope of the previously certified Program Environmental Impact Report (PEIR) No. 92-0199/State Clearinghouse (SCH) No. 92071032 as modified through Addendum Nos. 94-0625 and 40-0747, prepared for the La Jolla and Pacific Beach Community Plan and Local Coastal Program Land Use Plan Updates.

PREVIOUS ENVIRONMENTAL AND PROJECT APPROVALS

La Jolla and Pacific Beach Communities Plan PEIR No. 92-0199 and Addendum Nos. 94-0625 and 40-0747

The City, as Lead Agency, prepared PEIR No. 92-0199, which was certified on March 29, 1994, via Resolution No. R-283639 by the City Council. The PEIR evaluated a comprehensive update to both the La Jolla and Pacific Beach Community Plans. The PEIR evaluated General Plan Amendments, Community Plan Amendments, Rezones and Categorical Exclusions from the Coastal Development Permit for portions of the Pacific Beach Community Plan Update. The PEIR concluded that adoption of the updated Plans would result in significant unmitigated impacts on Traffic and Circulation, Air Quality, Geology and Soils, Biology, Cultural Resources, Hydrology/Water Quality, and Noise.

After certification of the PEIR, City Council adopted Addendum No. 94-0625 to PEIR No. 92-0199 via Resolution No. 286265 on August 15, 1995. The 1994 La Jolla and Pacific Beach Community Plan and Local Coastal Program Update incorporated additional language relative to Categorical Exclusions from a Coastal Development Permit for portions of Pacific Beach and La Jolla.

Additionally, Addendum No. 40-0747 to PEIR to the La Jolla Community Plan and Local Coastal Program (2002 Plan Update) was adopted by the City Council on June 4, 2022, via Resolution No. 296623. The 2002 Plan Update addressed issues identified by the California Coastal Commission, as well as the City's adoption of the Land Development Code and the Multiple Species Conservation Program Subarea Plan, and development of the Strategic Framework Element Progress Guide and General Plan. Other changes include standardizing the residential land-use density categories and street classifications for the community, implementing an in-lieu fee parking program and affordable housing policies, and making minor text and policy revisions. Addendum No. 40-0747 acknowledged the adoption of a mitigation framework and stated that it would remain applicable.

Previous Project Approvals

1974 Variance Approval

In May of 1974, Variance C-12,542 was approved for the project site allowing the construction of an approximately 452-square-foot garage addition to an existing non-conforming single-family dwelling. The 1974 Variance allowed 14- and 15-foot front-yard setbacks where 20 feet were required, as well as a three-foot, six-inch side-yard setback on the western property line, where six feet were required.

2022 Ministerial Combination Permit (PTS No. 685100)

In January 2022, a combination permit was issued for the remodel of an existing single-dwelling unit. However, in June 2023, the City inspected the site and found that more than 50% of the exterior walls had been demolished without a Coastal Development Permit. The property owner was subsequently directed to submit for a Coastal Development Permit. Consequently, the 2022 combination permit was canceled in August 2024.

ENVIRONMENTAL SETTING

The 0.297-acre project site is located at 7354 Romero Drive, between Country Club Drive and Brodiaea Way (Figure 1 – Location Map). The project area is on the northwestern slopes of Mount Soledad which generally slopes down from the southeast to the northwest. The site’s topography slopes downward from the southeast corner of the property, from 470 above mean sea level (AMSL) to the northwest corner, which is at 454 feet AMSL. The site is designated Very Low Density Residential (0-5 dwelling units/acre) and zoned RS-1-4 (Residential-Single Unit) in the La Jolla Community Plan. Surrounding land uses include residential development directly to the north, east, west and south. The La Jolla Country Club is approximately 500 feet west of the site along Fairway

Road, and the La Jolla Heights Natural Park (Open Space) is located approximately 400 feet to the north.

At the time the application was filed, the site was developed with an existing three-story single-family dwelling unit with formed decks, stucco on the exterior and a finished roof. A pool and spa were also located at the rear of the property, which were under construction as permitted by a ministerial permit (PTS 692816).

CODE ENFORCEMENT BACKGROUND

In 2022, a building permit was issued to allow the remodel and two-story addition of the dwelling (for a total of three-stories). During construction, City building inspectors determined that the extent of exterior wall demolition exceeded permissible limits for a coastal exemption, thereby triggering the requirement for a Coastal Development Permit per San Diego Municipal Code (SDMC) Section 126.0504. Continued unpermitted activity at the site subsequently prompted additional enforcement responses, culminating in a formal stop-work order (Civil Penalty Notice and Order No. CE-0531642 on October 18, 2024) and a legal referral to the City Attorney's Office. Furthermore, field observations and the current application process revealed discrepancies between the original construction and the 1974 variance approval, establishing the need for a new variance to formally reconcile and clarify the as-built conditions.

PROJECT DESCRIPTION

The project requires a Coastal Development Permit and Variance for the remodel of the original 3,435-square-foot one-story residence. The remodel includes modifications to the first floor, as well as a new second and third story for a total gross floor area of 6,667 square feet. The project would also convert 495 square feet of interior office space into an accessory dwelling unit (ADU), reduce the second-floor deck area, reconstruct the third-floor mezzanine to provide windows and open roof deck access, and various site improvements (i.e., new curb and gutter along the Romero Drive right-of-way and a new driveway).

Because the property owner demolished more than 50% of the original one-story residence's exterior walls, a Coastal Development Permit is required. A new Variance is required to allow the reconstructed garage and new second floor to encroach into the required side- and front-yard setbacks. The project proposes a 3.1-foot west-side yard setback, where 4 feet is required and a 13.6-foot front yard setback, where 20 feet is required.

CEQA 15162 CONSISTENCY EVALUATION

DSD reviewed the Project and conducted an evaluation using the previously certified PEIR as addended. The following evaluation substantiates the conclusion that supports a determination that no subsequent document is required.

As described above, the project site is currently developed with a three-story single-family dwelling. The certified PEIR as addended anticipated residential uses on the project site and within the surrounding area consistent with the Community Plan's Very Low Density Residential (0-5 dwelling units/acre) designation. Except for the Variance request, the project would be consistent with the land use and zoning regulations (Floor Area Ratio, Overall Structure Height, and Coastal Height). The project does not impact any visual resources (designated view corridors/sheds).

The modification to the existing single-dwelling unit would not result in significant physical environmental impacts related to traffic and circulation, air quality, geology and soils, biology, cultural resources, hydrology/water quality, and noise , as analyzed in the PEIR. The physical effects to replace the existing driveway, curb and gutter in compliance with SDMC would not result in a significant traffic and circulation impact, and none of the PEIR mitigation measures related to the roadway improvements apply to this project. No changes to the land use are proposed and a single-family dwelling would not exacerbate air quality impacts that would exceed San Diego Air Basin standards; therefore, no impact is identified, and none of the PEIR mitigation measures related to the air quality apply to this project. A Preliminary Geotechnical Investigation (Geotechnical Exploration Inc., October 21, 2020) and Addendum (Geotechnical Exploration Inc., November 17, 2023) were prepared. The PEIR geology and soils mitigation measures would not be applicable to this project because the site is not located on a coastal bluff or steep hillside (i.e., formerly Hillside Review Overlay Zone). The project would be required to implement proper engineering design and use standard construction practices to ensure that the potential for impacts from regional geologic hazards would remain less than significant. The site does not contain any sensitive biological resources and is not located within or adjacent to the City's Multiple Species Conservation Program's Multi-Habitat Planning Area; therefore, no impacts to biology were identified and none of the PEIR Biology mitigation measures apply. City Historic staff reviewed the project and determined the structure built in 1951 was not historically significant. Qualified staff conducted a California Historical Resources Inventory System site search and no recorded archaeological sites were identified within the project site. No impacts on significant cultural resources are identified, and no PEIR mitigation measures would apply. The project would also comply with the City's Storm Water Regulations during and after construction, and appropriate best management practices would be utilized to ensure hydrology/water quality impacts are less than significant, and no PEIR mitigation measures would apply. Furthermore, noise impacts would be consistent with the analysis in PEIR, as the project would be consistent with the existing residential land use. The project is required to comply with the City's Noise Ordinance (SDMC Section 59.5.0401 Sound Level Limits and SDMC Section 59.5.0404 Construction Noise), and therefore, impacts would be less than significant, and the PEIR noise mitigation measures would not be required.

CONCLUSION

Overall, implementation of the Project would not result in any significant direct, indirect or cumulative impacts beyond those disclosed in the previously certified PEIR as addended.

Section 15162 of the CEQA Guidelines states:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based on the current project review, none of the situations described in sections 15162 and 15168 of the CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts from the project. This Evaluation, therefore, supports the use of the previously certified PEIR under CEQA Guidelines Section 15162, as the environmental document adequately covers the proposed Project and no mitigation measures are required.

Anne B. Jarque

Senior Planner

Analyst: R. Benally

AJ/rb

cc: Elizabeth Shearer-Nguyen, Program Manager, Development Services Department
Francisco Mendoza, Development Project Manager, Development Services Department
Rhonda Benally, Associate Planner, Development Services Department

Figures:
Figure 1 – Location Map
Figure 2 – Site Plan

Previous Environmental Document and Technical Appendices (under separate cover):

La Jolla and Pacific Beach Community Plan and Local Coastal Program Land Use Plan Updates Program Environmental Impact Report No. 92-0199/SCH No. 92071032

Preliminary Geotechnical Investigation Report, prepared by Geotechnical Exploration, Inc., October 21, 2020.

Geotechnical Reconnaissance Report Addendum, prepared by Geotechnical Exploration, Inc., November 17, 2023.

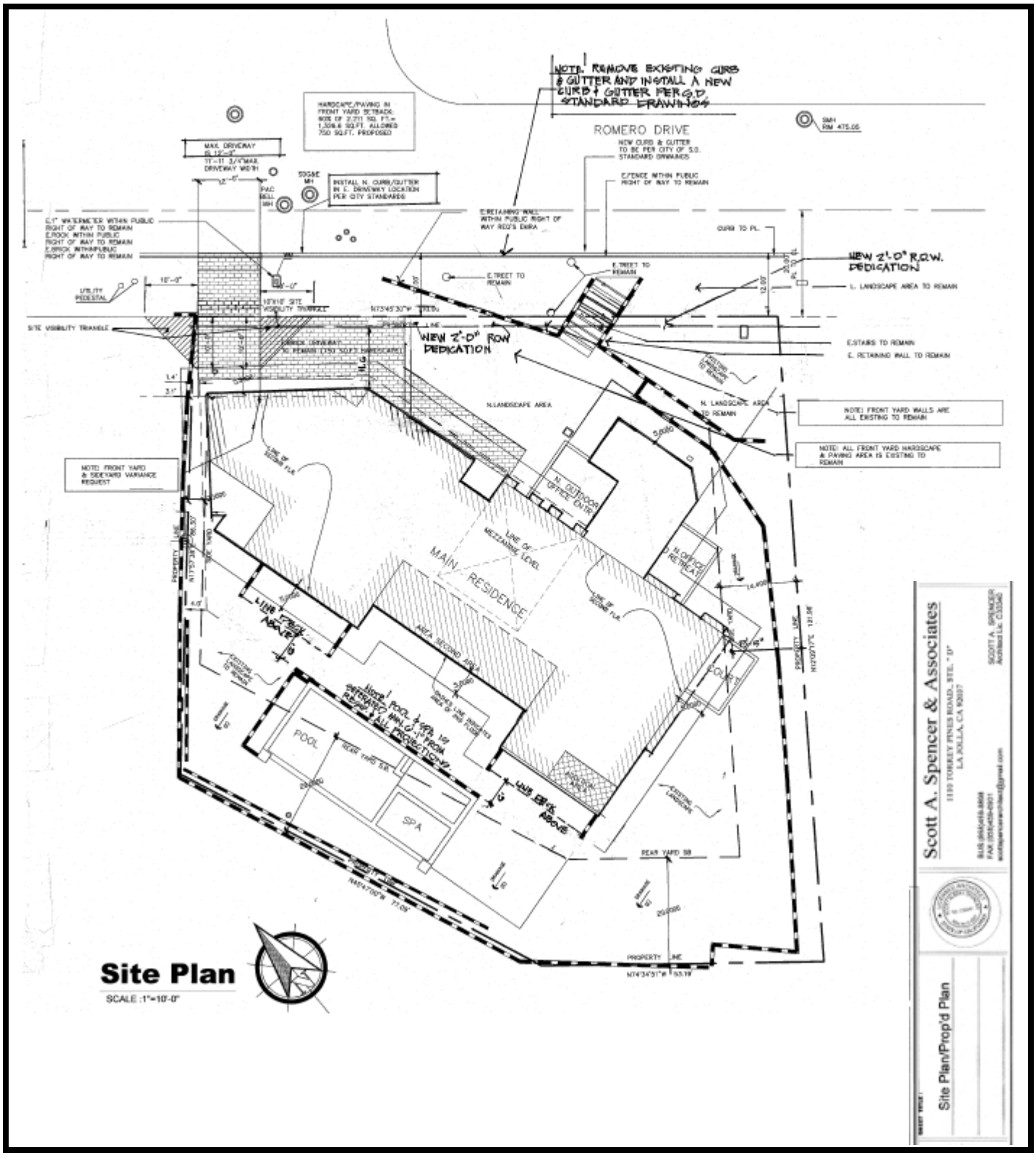


The City of SAN DIEGO

Location Map

7354 Romero Drive Coastal Development Permit / Project No. 1101825
Development Services Department

FIGURE No. 1



The City of SAN DIEGO

Site Plan

7354 Romero Drive Coastal Development Permit / Project No. 1101825
Development Services Department

FIGURE No. 2

Docusign Envelope ID: 64116424-2192-8B83-83B8-0A8DFA1C3EE4

Development Services

FORM
DS-318
July 2024

Ownership Disclosure Statement

Permit/Approval Type: *Check the appropriate box for permit/approval and type(s) requested (See Project Submittal Manual):*

■ **Development Permit:** Coastal Development and Variance

❑ **Subdivision Approval:** _____

❑ **Policy Approval:** _____

Project Title: 7354 Romero Drive **Project No. *For City Use Only*:** 1101825

Project Location/Address/Accessor's Parcel Number:
7354 Romero Drive

Specify Form of Ownership/Legal Status (please check):

■ Individual ❑ Partnership ❑ Corporation ❑ Limited Liability -or- ❑ General – What State? CA

Corporate Identification No.: _____ ❑ Trust - Date of Trust: _____

❑ City of San Diego/Asset Management Department: _____

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. On the second page of this form, please list the owner(s), the applicant(s), and other financially interested persons of the above-referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application, or:

Important Instructions

1. If the applicant includes a corporation or partnership, include the names, titles, and addresses of all individuals owning more than 10% of the shares.
2. If it's a publicly owned corporation, include the names, titles, and addresses of the corporate officers.
3. If any person is a nonprofit organization or a trust, list the names and addresses of *ANY* person serving as an officer, director, trustee or beneficiary of the nonprofit organization.
4. 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 30 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.
5. A signature is required of at least one of the property owners.
6. Attach additional pages if needed.

Property Owner/Authorized Agent (Per SDMC §112.0102)

■ Owner ❑ Authorized Agent ❑ Member ❑ Trustee ❑ Tenant/Lessee ❑ Successor Agency
❑ City of San Diego/Asset Management Department*

Name of Individual: Behnam Tashakorian

On behalf of:

Street Address: 1110 Torrey Pines Rd, Suite D

City: La Jolla State: CA Zip: 92037

Phone Number: (619) 954-9344 Email: ben@legacywestpartners.com

Signature: Signed by: 02508844CBCE402 Date: 7/6/2026

Additional pages attached: ❑ Yes ■ No

(Signature within this section not required for City of San Diego/Asset Management Department)

Applicant ■ Check if Same as Property Owner/Authorized Agent (Per SDMC §112.0102)

❑ Owner ❑ Authorized Agent ❑ Member ❑ Trustee ❑ Tenant/Lessee ❑ Successor Agency

Name of Individual:

On behalf of:

Street Address: 1110 Torrey Pines Rd, Suite D

City: La Jolla State: CA Zip: 92037

Phone Number: (619) 954-9344 Email: ben@legacywestpartners.com

Signature: Signed by: 02508844CBCE402... Date: 7/6/2026

Additional pages attached: ❑ Yes ■ No

Other Financially Interested Persons ■ Check if N/A

❑ Owner ❑ Authorized Agent ❑ Member ❑ Trustee ❑ Tenant/Lessee ❑ Successor Agency

Name of Individual:

On behalf of:

Street Address: 1110 Torrey Pines Rd, Suite D

City: La Jolla State: CA Zip: 92037

Phone Number: (619) 954-9344 Email:

Signature: Date:

Additional pages attached: ❑ Yes ❑ No

RECEIVED
CITY CLERK'S OFFICE
1974 MAY 31 PM 4:00
SAN DIEGO, CALIF.

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - CASE NO. 12542

AMENDMENT - YARD VARIANCE - (HEARING)

The Zoning Administrator has considered your request, dated 5/29/74, for Amendment to Case No. 12542, dated 5/3/74, and does hereby AMEND said resolution to read as follows:

ROBERT & MARY PRICE - to construct approximately 452 sq. ft. garage addition to existing nonconforming single family dwelling observing 14' front yard; addition to observe 14' front yard where 20' is required; eaves to encroach 5' beyond the 14' front yard; addition to observe 3'-6" sideyard on west property line where 6' is required - per Exhibit "A" on file, dated 5/29/74 -- Lot 3, Block C, La Jolla Country Club Heights, Map #1975, at 7354 Romero Drive between Brodiaea and Country Club Drive, Zone R-1-10.

This Amendment is not a permit or license, and any permits and licenses required by law must be obtained from the proper department. Furthermore, if any condition of this grant is violated, or if the same be not complied with in every respect, then this variance shall be subject to revocation; provided, however, that after being notified in writing by the City that a condition has been violated and that subject permit is null and void within ten (10) days, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

The permission granted by this Amendment shall become effective and final on the eleventh day after it is filed in the office of the City Clerk, unless a written appeal is filed on official form and accompanied by required fee within ten (10) days; said appeal to be filed in Zoning Administration, Third Floor, City Operations Building, 1222 First Avenue. An appeal from any decision of the Zoning Administrator may be taken to the Board of Zoning Appeals by the applicant, any governmental body or agency, by any owner of real property located within the City or by any resident of the City. See Municipal Code Section 101.0504.

CITY PLANNING DEPARTMENT

Voyd H. Beights
Zoning Administrator

VHB:JFC:fb

CC: Jespersen & Ives
7533 Draper Ave.
La Jolla, 92037

FILED IN OFFICE
OF CITY CLERK
MAY 31 1974

RIGHT OF APPEAL expires
10 DAYS
after the above date.

Revised Plan

the rear of the lot. A further examination

RECEIVED
CITY CLERK'S OFFICE
1974 MAY 31 PM 4:00
SAN DIEGO, CALIF.

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ROBERT & MARY PRICE - to construct approximately 452 sq. ft. garage addition to existing nonconforming single family dwelling observing 14' front yard; addition to observe 14' front yard where 20' is required; eaves to encroach 5' beyond the 14' front yard; addition to observe 3'-6" sideyard on west property line where 6' is required - per Exhibit "A" on file, dated 5/29/74 -- Lot 3, Block C, La Jolla Country Club Heights, Map #1975, at 7354 Romero Drive between Brodiaea and Country Club Drive, Zone R-1-10.

This Amendment is not a permit or license, and any permits and licenses required by law must be obtained from the proper department. Furthermore, if any condition of this grant is violated, or if the same be not complied with in every respect, then this variance shall be subject to revocation; provided, however, that after being notified in writing by the City that a condition has been violated and that subject permit is null and void within ten (10) days, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

The permission granted by this Amendment shall become effective and final on the eleventh day after it is filed in the office of the City Clerk, unless a written appeal is filed on official form and accompanied by required fee within ten (10) days; said appeal to be filed in Zoning Administration, Third Floor, City Operations Building, 1222 First Avenue. An appeal from any decision of the Zoning Administrator may be taken to the Board of Zoning Appeals by the applicant, any governmental body or agency, by any owner of real property located within the City or by any resident of the City. See Municipal Code Section 101.0504.

CITY PLANNING DEPARTMENT

Voyd H. Beights
Zoning Administrator

VHB:JFC:fb

CC: Jespersen & Ives
7533 Draper Ave.
La Jolla, 92037

FILED IN OFFICE
OF CITY CLERK

MAY 31 1974

RIGHT OF APPEAL expires
10 DAYS
after the above date.

Revised Plan

the rear of the lot. A further examination

ATTACHMENT 2
ATTACHMENT 1

7533 DRAPER AVENUE
LA JOLLA, CALIFORNIA 92037

5/28/74

City Planning Dept.
MAY 29 1974
RECEIVED

Zoning Administrator,
City of San Diego

It is herein requested that Variance Request Case # 12542 approved and filed 5/3/74 be ammended to allow a 3'-6" West side yard. Request is made in order to accomodate a 2 car garage within the requirements of the Zoning Laws.

Attached is an ammended plot plan indicating acceptance of this change by the Westerly nieghbor.

Thank You,

Clifford A. Ives for

Mr. & Mrs. Robert Price
7354 Romero Dr.
La Jolla, Calif. 92037

ACCOUNTS ARE DUE AND PAYABLE UPON PRESENTATION. INTEREST AT THE RATE OF 1% PER MONTH (12% PER YEAR) WILL BE ADDED TO ALL PAST DUE ACCOUNTS.

Lot 5 abutting to the southeast is improved with a single family dwelling, and observes a 17' front yard where 20' is required. Across the street, at 7351 Romero Drive, Resolution 3614, on 12/15/48, was granted for a garage to observe a 5' front yard on Remley Place where 20' is required. On Lot 3 located 200' to the east, C-8465, on 11/29/67, granted permission for a dwelling to observe a 16' front yard on Romero Drive where 20' is required.

The existing topography of the parcel does not allow a similar sized garage in any other location.

Revised Plan

the rear of the lot. A further examination

CITY CLERK'S OFFICE
1974 MAY -3 PM 4:08
SAN DIEGO, CALIF.

CITY OF SAN DIEGO - DECISION OF THE ZONING ADMINISTRATOR - CASE NO. 12542

YARD VARIANCE - (HEARING)

The Zoning Administrator has considered the request of ROBERT & MARY PRICE to construct approximately 452 sq. ft. garage addition to existing nonconforming single family dwelling, portion of which observes a 14' front yard; addition to a'so observe 15' front yard where 20' is required - Lot 3, Block C, La Jolla Country Club Heights, Map #1975, at 7354 Romero Drive between Brodiaea and Country Club Drive, Zone R-1-10; and after consideration of the following finding of facts, has AMENDED said request to include 9' eaves as shown on plans, and APPROVED the request:

FINDING OF FACTS

After thorough consideration of the statements contained in the application, the report of the Investigator thereon, a study of the plans, a personal inspection of the property and the surrounding district, and statements made before the Zoning Administrator at the hearing on April 26, 1974, all of which are by reference made a part hereof, it was found that the four requirements for granting a variance as enumerated in Section 101.0502 of the Municipal Code have been established by the following facts:

The front 60% of the lot is level and averages 4' below street grade. The rear 40% of the lot is also level but some 10' lower than the front. The single family dwelling built on the front portion of the lot observes a 14' front yard at its closest point where 20' is now required. No part of the rear portion has been developed with any building due to the substantial grade separation. No covered parking is provided on the site, and parking is presently provided in the circular driveway, most of which is within the required front yard.

Lot 5 abutting to the southeast is improved with a single family dwelling, and observes a 17' front yard where 20' is required. Across the street, at 7351 Romero Drive, Resolution 3614, on 12/15/48, was granted for a garage to observe a 5' front yard on Remley Place where 20' is required. On lot 9 located 200' to the east, C-9465, on 11/29/67, granted permission for a dwelling to observe a 16' front yard on Romero Drive where 20' is required.

The existing topography of the parcel does not allow a similar sized garage in any other location.

Revised Plan

the rear of the lot. A further examination

1. There are special circumstances or conditions applying to the land or buildings for which the adjustment is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to the land or buildings in the neighborhood. Such conditions shall not have resulted from any act of the applicants subsequent to the adoption of the applicable zoning ordinance.

2. The aforesaid circumstances or conditions are such that the strict application of the provisions of the ordinance would deprive the applicants of the reasonable use of the land or buildings and that the variance granted by the City is the minimum variance that will accomplish this purpose.

3. The granting of the variance will be in harmony with the general purpose and intent of the Zoning Regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

4. The granting of the variance will not adversely affect the PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO.

The foregoing Finding of Facts is further supported by maps and exhibits and which are herein incorporated by reference and made a part hereof.

This variance is not a permit or license and any permits and licenses required by law must be obtained from the proper department. Furthermore, if any condition of this grant is violated, or if the same be not complied with in every respect, then this variance shall be subject to revocation; provided, however, that after being notified in writing by the City that a condition has been violated and that subject permit is null and void within ten (10) days if a public hearing was held and within five (5) days if a public hearing was not held, an appeal may be filed with the Board of Zoning Appeals to show cause why subject permit should be reinstated.

Failure to utilize such variance within the eighteen (18) month period will automatically void the same, in accordance with Municipal Code Section 101.0508.

The permission granted by this variance shall become effective and final on the eleventh day after it is filed in the office of the City Clerk if a public hearing was held, and within five (5) days if a public hearing was not held; said appeal to be filed in Zoning Administration, Third Floor, City Operations Building, 1222 First Avenue. An appeal from any decision of the Zoning Administrator may be taken to the Board of Zoning Appeals by the applicant, any governmental body or agency, by any owner of real property located within the City or by any resident of the City. See Municipal Code Section 101.0504.

CITY PLANNING DEPARTMENT

Voyd H. Beights
Zoning Administrator

VHB:JFC:fb

FILED IN OFFICE
OF CITY CLERK

MAY 3 1974

RIGHT OF APPEAL expires
10 DAYS
after the above date.

Revised Plan

[illegible] of the lot. A further examination

Case No. 12542

PRESENT: No one.

DISCUSSION: MR. BEIGHTS commented the lot is unusual in shape and has topographic conditions that are adverse. The garage will observe a setback equal to that of the existing dwelling.

DECISION: The application was approved as requested, and amended to include the 5' eaves as shown on plans.

Revised Plan

[illegible] the rear of the lot. A further examination

ATTACHMENT 2
ATTACHMENT 1

Hearing of 4/26/74
JFC

STAFF REPORT
4/22/74

Case No. 12542
~~XRD~~ YARD

ROBERT PRICE & MARY_____ request permission to construct approximately 452 sq. ft. garage addition to existing nonconforming single family dwelling, portion of which observes a 14' front yard; addition to also observe 14' front yard where 20' is required - Lot 3, Block C, La Jolla Country Club Heights, Map #1975, at 7354 Romero Drive between Brodiaea & Country Club Drive, Zone R-1-10.

FINDINGS OF THE INVESTIGATOR:

Subject property is irregular in shape and contains 12978 sq. ft. It has 110' of frontage on Romero Drive; Romero Drive is 40' wide with 20' of paving, and 10' from the edge of paving to the property line. No curbs or sidewalks are installed. The front 60% of the lot is level and averages 4' below street grade. The rear 40% of the lot is also level but some 10' lower than the front. The site is improved with a ~~large~~, one-story single family dwelling built on the front portion of the lot, observing 14' front yard at its closest point where 20' is now required. No part of the rear portion has been developed with any building due to the ~~large~~ substantial 10' grade separation. No covered parking is ~~maintained~~ provided on the site, and parking is presently provided in the circular driveway, most of which is within the required front yard.

The neighborhood is comprised of R-1-10 zoned parcels of varying size and shape. The area is on the northwestern slopes of Mt. Soledad, and generally slopes down from the southeast to the northwest. Almost every parcel has a grade separation from its neighbors. Lot 5 abutting to the southeast is improved with a single family dwelling, and observes a 17' front yard where 20' is required. Across the street, at 7351 Romero Drive, Resolution 3614, 12/15/48, was granted for a garage to observe a 5' front yard on Remley Place where 20' is required. On Lot 8 located 200' to the east, C-8465, 11/29/67, granted permission for the dwelling to observe a 16' front yard on Romero Drive where 20' is required.

The entire project will consist of a 452 sq. ft. garage on the first floor, and a 377 sq. ft. second-story addition located over the rear portions of the garage and

Revised Plan

the rear of the lot. A further examination

dwelling. The total coverage will be 2747 sq. ft. or 21.2%, and the new FAR will be .234 where .35 is permitted. If the garage were to observe the required setback of 20', the rear portion would extend over the top of the bank and would increase the construction costs considerabley. The second-story addition will observe a 23' front yard, and no variance is necessary for its construction. The existing topography of the parcel does not allow a similar sized garage in any other location except within the front yard and would require a greater variance than presently requested.

No objections from any City Departments; no objections from property owners in the area; six property owners have signed the variance application indicating their approval.

NOTE TO ZA: This 452 sq. ft. garage contains only one legal size parking space. The narrowest part of the garage is 16' due to the protruding corner of the existing dwelling. If a 2' side yard reduction were granted, two full-size parking spaces could be made, also 2' could be removed from the front of the garage and a 16' front yard could be observed. The existing eaves are 5' and the proposed are also 5' where 4' is the maximum permitted in the front yard.

JFC:fb

C-12542

LA JOLLA COUNTRY CLUB HEIGHTS — BLOCK C

Lot 5 — C-11403 N.H. — 8-11-72
Permit to Kirk L. Peterson to erect (1) approx 60' brick wall on front PL ranging in height from 2' to 4' obs at closest point a 0' front yard where max 3' wall is perm in req 20' front yard plus additional walls within front yard, 4' max ht. with lamps on top as per plans dated 8-10-72 (2) install garage door within non-conf por of gar (non-conf gar obs 17' front yard where 20' is req) 7330 Romero Dr betw Country Club Dr and Brodiaea Way, Zone R-1-10.

LA JOLLA COUNTRY CLUB HEIGHTS — BLOCK D

Lot 1 — C-3348 — 5-4-60
Permit to F. H. Tewksbury to constr 2 story addn to and alter exist sin fam res por of res obs 5' side yard where 10' req; addn to obs req side yard at 7383 Remley Pl. Zone R-1-C.

Por Lot 2 — C-5495 — 4-5-63
Z.A. considered amend appl to compl alters in progress to exist sin fam dwell which incl play room with bar sink 3 bedrooms and bath on lower floor and to ~~dixxxxx2xxxxxx~~ erect 2 story addn with 4' side yard 3' from eave to PL where 8' side yard is req which incl new entrance entry hall, powder room, enlargement of liv room with int stairway to lower floor which includes bath, hall and storage room; exist main entrance to be closed to enlarge dining room at 7362 Remley Pl Zone R-1-C and DENIED 4' side yard but APPROVED addn to obs 5' side yard and eaves 3'-9" from side lot line. Cond'l.
AGREE NO. 1242 - 4-5-63

SWly 110' of Lot 3 — Res 3614 — 12-15-48
Permit to Jeanne Fiori to constr res and gar on par; gar to have 5' SB on Remley Pl req SB to be obs on Romero Dr.

SWly 110' of Lot 3 — Res 3862 — 5-4-49
Ext of 6 mos from expiration date of Res 3614 to Jean Fiori to constr res and gar 5' SB Remley Pl.

Revised Plan

... the rear of the lot. A further examination

C-12542

LA JOLLA COUNTRY CLUB HEIGHTS BLOCK D

Lot 4 C-3777 N.H. 12-27-60
Permit to Donald Schmock to constr carport and laundry room addn to exist sin fam res; exist res has 6' side yard on East side; proposed addn obs 9' side yard on west side; 7345 Remley Pl. Zone R-1-C.

Lot 8 C-8465 N.H. 11-29-67
Permit to Dr. Louis Layton to complete constr and maintain sin fam dwell obs 4.93' side yard where 6' is req and obs 16' front yard on Romero Dr. where 20' is req at 7318 Broadiaea Way betw Romero Dr. Zone R-1-10.

LA JOLLA COUNTRY CLUB HEIGHTS BLOCK C

Lot 9 Res 4963 9-5-50
Permit to Leland Miller to erect garage 31'-4" x 22' to be used as a garage and home workshop, caretaker's sleeping room above 9' rear yard at 7271 Carrizo Drive.

Revised Plan

[illegible] the rear of the lot. A further examination

ATTACHMENT 8
ATTACHMENT 1

FILE NO.:

DATE : March 28, 1974

TO : Max Schmidt - Planning Department

FROM : V. H. Beights - Zoning Administrator

SUBJECT: Yard Variance - Case No. 12542

carry

The Zoning Administrator will conduct a public hearing on Friday, April 26, 1974 at 2:00 P. M., in the Council Chambers, 12th Floor, City Administration Building, to consider the following request:

> ROBERT PRICE requests permission to construct approximately 452 sq. ft. garage addition to existing nonconforming single family dwelling, portion of which observes a 14' front yard; addition to also observe 14' front yard where 20' is required; at 7354 Romero Dr - between Brodiaea and Country Club Dr. Lot 3, Block C, La Jolla Country Club Hts. Zone R-1-10.

Your comments and recommendations on the above-described request, as it may relate to your department, would be appreciated no later than Friday, April 19, 1974

V. H. Beights

cc: Dick Hamilton - Permits - 402
Chief R. Anderson - Fire - 216
Bldg. Inspection

REPLY

No objections provided applicant obtains usual driveway permit.

RH 4/17/74

FORM CD-160

Revised Plan

[illegible] the rear of the lot. A further examination

MAILED
JAN 16 2025
BUILDING AND LAND USE
ENFORCEMENT DIVISION

January 16, 2025

REVISED CIVIL PENALTY NOTICE AND ORDER

Location: **7354 Romero Drive, San Diego, CA 92037**

APN No.: 352-213-0200

Property Owner/
Responsible Person: Behnam Tashakorian
Address: 2133 Harbour Heights Road
San Diego, CA 92109

Zoning Designation: RS-1-4

You are hereby notified that the property identified above is in violation of the San Diego Municipal Code (SDMC). Permit PTS-685100 was canceled on August 14, 2024, and the City of San Diego advised you to stop all unpermitted construction on October 11, 2024, and October 15, 2024. On **October 16, 2024, and January 2, 2025,** the following violations were observed at the property and must be corrected:

- Observed ongoing unpermitted work to a single-family dwelling.
- 50% or more of the structure's existing exterior walls were removed without obtaining a Coastal Development Permit.

This is a violation of the following code section(s):

Code Section **Violation Description**

- SDMC §129.0202 - When a Building Permit Is Required
- SDMC §129.0302 - When an electrical Permit Is Required
- SDMC § 129.0402 - When a Plumbing/Mechanical Permit Is Required-
- SDMC §126.0702 - When a Coastal Development Permit Is Required
- SDMC §126.0704(a)(5)- The demolition or removal of 50 percent or more of the exterior walls of the existing structure.
- SDMC §§121.0202-121.0203 provides the authority regarding enforcement of the Land Development Code.

- SDMC §121.0302 requires compliance with the Land Development Code, specifies these violations are not permitted, and provides authority for the abatement of public nuisances.

If you correct the above violations as identified below, you will not be subject to any administrative civil penalties.

In order to avoid administrative civil penalties, you must correct the violations as follows:

- **Immediately** - Cease all unpermitted work and obtain the required Coastal Development Permit. A Stop Work Order was issued on October 18, 2024. The only authorized work on site is for the pool only (Permit PTS-692816).

- **By May 6, 2025,** obtain required permits to remove or keep unpermitted work; complete all required inspections.

All applications for permits must be submitted online. Please go to https://www.sandiego.gov/development-services and click on apply for a permit online. Be advised that BLUE will be reviewing the submitted plans for enforcement compliance.

Reinspection fees are assessed for each inspection after the issuance of a violation notice in accordance with the SDMC §13.0103. An invoice will be sent following each inspection until compliance is achieved. Current reinspection fees range between $253 and $267.

Please refer to the San Diego Municipal Code sections cited for additional information via https://www.sandiego.gov/city-clerk/.

Additional forms and documents to assist in your compliance efforts are available at: https://www.sandiego.gov/ced/forms.

Failure to Comply with Notice and Order

If you fail to comply with this Notice and Order in the time and manner set forth above, you are subject to civil administrative penalties pursuant to SDMC §§12.0801-12.0810. The penalty rate for the above listed violation(s) has been established in accordance with SDMC §§12.0801-12.0810 at **$1000.00** per violation per day and shall be an ongoing assessment of penalties at the daily rate until the violations are corrected. Administrative civil penalty amounts are established by the Development Services Director.

The following factors were used in determining the amount:
- the duration of the violation
- the frequency or recurrence of the violation
- the nature and seriousness of the violation

- the history of the violation
- the willfullness of Responsible Person's misconduct
- the impact of the violation upon the community

Pursuant to SDMC §12.0805(a), in determining the date on which civil penalties shall begin to accrue, the Development Services Director considers the date when the Building Land Use Enforcement first discovered the violations as evidenced by the issuance of a Notice of Violation or any other written correspondence. The date on which the civil penalties began to accrue is **October 16, 2024**, and shall end on the date that the violation(s) has been corrected to the satisfaction of the Development Services Director or the Enforcement Hearing Officer.

Civil Penalties Hearing

If you fail to comply with the Notice and Order, written notice of the time and place of an administrative enforcement hearing will be served on you at least 10 calendar days prior to the date of the hearing in accordance with SDMC §12.0403. At the hearing, you may present evidence concerning the existence of the violation(s) and whether the amount of administrative civil penalties assessed was reasonable in accordance with SDMC §12.0808. Failure to attend an administrative enforcement hearing will constitute a waiver of your rights to an administrative hearing and administrative adjudication of the violation(s) set forth above.

Administrative Costs

The Development Services Director or Enforcement Hearing Officer is authorized to assess administrative costs. Administrative costs may include, but are not limited to: staff time to investigate and document violations; laboratory, photographic, and other expenses incurred to document or establish the existence of a violation; and scheduling and processing of the administrative hearing and all actions.

Failure to Comply with Administrative Enforcement Order

If you fail, neglect, or refuse to obey an order to correct the violations, administrative civil penalties will continue to accrue on a daily basis until the violation is corrected. The unpaid amount of administrative civil penalties will be referred to the City Treasurer for collection, recorded as a code enforcement lien against the property in accordance with SDMC §§13.0201-13.0204, and may be referred to the City Attorney to file a court action to recover the unpaid amount. Failure to correct the violations may also result in referral to the City Attorney for further enforcement action.

If you have any questions concerning this Notice and Order, or to schedule a compliance inspection, please contact **Jerry Hannis, Combination Inspector I, at (619) 459-3821 or jhannis@sandiego.gov.**

BGM/JBH/ao

cc: File

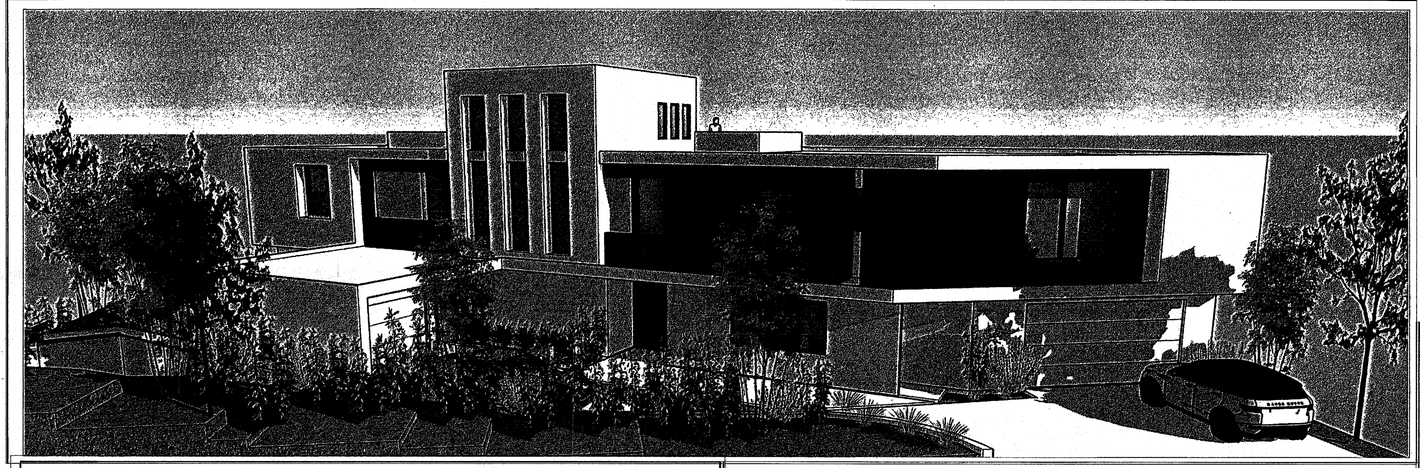
Case No. 0531642

This information will be made available in alternative formats upon request.

0531642_7354_RomeroDr_blue105_J.Hannis

7354 ROMERO DRIVE LA JOLLA, CALIFORNIA

SINGLE FAMILY DWELLING REMODEL AND ADDITION



ABBREVIATIONS

AC.	ACOUSTIC
ACT.	ACTUAL
AL.	ALUMINUM
ARCH.	ARCHITECTURAL
AVG.	AVERAGE
BLK.	BLOCK
BPL.	BEARING PLATE
BR.	BRICK, BEDROOM
CPT.	CARPET
CMU.	CONC MSNRY UNIT
CFM.	CFM.
C.I.	CAST IRON
CL.	CENTERLINE
CLG.	CEILING
CLO.	CLOSET
CONST.	CONSTRUCTION
CONC.	CONCRETE
CONT.	CONTINUOUS
CT.	CERAMIC TILE
C.TO C.	CNTR TO CNTR
CW.	COLD WATER
DB.	DOUBLE
DTL.	DETAIL
DIA.	DIAMETER
DIM.	DIMENSION
DN.	DOWN
DO.	DITTO
DR.	DOOR
DS.	DOWN SPOUT
DWG.	DRAWING
E.	EXISTING
EA.	EACH
ELEV.	ELEVATIONS
EST.	ESTIMATED
E.W.	EACH WAY
EXIST.	EXISTING
EXT.	EXTERIOR
F.F.	FINISH FLOOR
FL.	FLOOR
FLASH.	FLASHING
F.O.	FINISH OPENING
GA.	GAUGE
GALV.	GALVANIZED
G.I.	GALVANIZED IRON
GL.	GLASS
GYP. BD.	GYPSUM BOARD
HB.	HOSE BIBB
HC.	HOLLOW CORE
HDW.	HARDWARE
HM.	HOLLOW METAL
HORT.	HORIZONTALUR.URINAL
HT.	HEIGHT
HW.	HOT WATER
I.D.	INSIDE DIMENSION
INTR.DSGNR.	INTERIOR DESIGNER
INSUL.	INSULATION
INT.	INTERIOR
KIT.	KITCHEN
LAM.	LAMINATED
LAV.	LAVATORY
LR.	LIVING ROOM
LT.LIGHT	LT.LIGHT
MAR.	MARBLE
MATL.	MATERIAL
MAX.	MAXIMUM
MET.	METAL
MIN.	MINIMUM
M.O.	MASONRY OPENING
MULL.	MULLION
N.	NEW
N.A.	NOT APPLICABLE
NAT.	NATURAL
NIC.	NOT IN CONTRACT
NO.,#	NUMBER
NOM.	NOMINAL
NTS.	NOT TO SCALE
O.C.	ON CENTER
O.D.	OUTSIDE DIMENSION
P.	PAINT
PL.	PLASTER, PLATE
PLYWD.	PLYWOOD
POL.	POLISHED
PSI.	LBS. PER SQR INCH
PSF.	LBS PER SQR FOOT
R.	RISER, RANGE, RADIUS
RCP.	REFLECTED CEILING PLAN
REBAR.	REINFORCING BAR
REFR.	REFRIGERATOR
REF.	REFERENCE
REV.	REVISION
RM., RMS.	ROOM, ROOMS
R.O.	ROUGH OPENING
S.A.	SUPPLY AIR
S.& V.	STAIN AND VARNISH
SC.	SOLID CORE
SCR.	SCREEN
SCHED.	SCHEDULE
SEC.	SECTION
SHT.	SHEET
SPECS.	SPECIFICATIONS
SQ. FT.	SQUARE FEET
STL.	STEEL
STO.	STORAGE
STRUCT.	STRUCTURAL
SUSP.	SUSPENDED
T.	THREAD, THICKNESS TEMPERED
TH.	THRESHOLD
THK.	THICKNESS
TYP.	TYPICAL
UNO.	UNLESS NOTED OTHERWISE
UR.	URINAL
VCT.	VINYL COMPOSITION TILE
VIF.	VERIFY IN FIELD
VERT.	VERTICAL
VEST.	VESTIBULE

MAXIMUM CUT

NOTE! THE MAXIMUM CUT ON THIS PROJECT IS 2'-0"!

NOTE!
COASTAL DEVELOPMENT PERMIT #: PMT-3243580
VARIANCE #: 3335393

CODES

THIS BUILDING SHALL COMPLY WITH THE FOLLOWING:CITY OF SAN DIEGO CURRENT PLANNING, ENGINEERING, AND BUILDING DEPARTMENT REGULATIONS.
2022 ed. OF THE CALIFORNIA RESIDENTIAL CODE
2022 ed. OF THE CALIFORNIA MECHANICAL CODE
2022 ed. OF THE CALIFORNIA ELECTRICAL CODE
2022 ed. OF THE CALIFORNIA PLUMBING CODE
2022 ed. OF THE CALIFORNIA FIRE CODE
2022 ed. OF THE CALIFORNIA GREEN BUILDING STANDARDS
2022 ed. OF THE CALIFORNIA ENERGY CODE
OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CURRENT EDITION

SCOPE OF WORK

SET OF DRAWINGS

THE WORK DESCRIBED IN THIS [redacted] SETS FOR THE SPECIFIC DIRECTIVES PRESCRIBING ACTIVITIES AS THEY RELATE TO THE FOLLOWING OBJECTIVES FOR THIS PROJECT...

COASTAL DEVELOPMENT PERMIT REQUIRED DUE TO MORE THAN 50% WALLS DEMO'D DURING CONSTRUCTION.
CDP APPROVAL#_____.

1. REMODEL AND ADDITION TO EXISTING SINGLE FAMILY RESIDENCE OF 3,437 SQ. FT. TO INCLUDE THE FOLLOWING:

1ST FLOOR-
- REMODEL ENTIRE E. RESIDENCE [redacted]
- ADDITION TO GREAT ROOM [redacted]

2ND FLOOR-
- ADDITION OF N. 2ND FLOOR AREA [redacted]
- ADDITION N. DECK #2 [redacted]
- ADDITION OF N. MASTER DECK [redacted]
- ADDITION OF N. GRAND DECK [redacted]

3RD FLOOR-
- ADDITION OF N. PENTHOUSE AREA [redacted]
- ADDITION OF N. ROOF TOP DECK [redacted]

PROJECT DATA

PARCEL INFORMATION

OWNER/FINANCIALLY RESPONSIBLE	RAMI AMIR
ADDRESS	7354 ROMERO DRIVE LA JOLLA, CA 92037
APN	352-213-02-00
LOT AREA	[redacted]
LEGAL	BLOCK C, LOT 3, LA JOLLA COUNTRY CLUB HEIGHTS MAP 001975
YEAR BUILT	1951
OVERLAYS	COASTAL (COZ) N-APP-1, COASTAL HT. LIMIT AND PARKING IMPACT
GEO HAZARD	52

ZONING INFORMATION

ZONING	RS-1-4
F.A.R.	.52 X 12,989.90 = MAX. 6,737,068 S.F.

EXISTING STRUCTURE

# OF STORIES	1
SPRINKERED	NO
OCCUPANCY	R3
CONSTRUCTION TYPE	V-B
E. FLOOR AREA	2,890 SQ.FT.
E. GARAGE AREA	545 SQ.FT.
1ST FLOOR:	3435

AREA OF ACCESSORY DWELLING: 495.0 S.F. EXEMPT FROM F.A.R. INCLUSION

NET NEW FIRST FLOOR INCLUDING GARAGES. 3279.87 S.F.

NEW SECOND FLOOR AREA 2714.25 S.F.

'PHANTOM FLOOR' AREA @ SECOND FLOOR 500.25 S.F.

THIRD FLOOR AREA 172.25 S.F.

TOTAL FLOOR AREA 6,666.62 SQ.FT.

% FLOOR AREA RATIO: 51.4 %

MAX. ALLOW. 52% OR 6,737.068 S.F.

TOTAL ADDITION 3231.62 SQ.FT.

SHEET INDEX

SHEET #	SHEET NAME	SHEET TITLE
1	TS	TITLE SHEET
2	A0.0	SITE/PROP 'D' PLAN
3	A1.0	EXISTING FLOOR PLAN
4	A1.1	DEMOLITION FLOOR PLAN
5	A2.0	PROPOSED FIRST FLOOR PLAN
6	A2.1	PROPOSED SECOND FLOOR PLAN
7	A2.2	PROPOSED THIRD FLOOR PLAN
8	A2.3	UPPER ROOF PLAN
9	A3.0	EXTERIOR ELEVATIONS
10	A3.1	EXTERIOR ELEVATIONS
11	A4.0	BUILDING SECTION
12	A4.1	BUILDING SECTION
13	A4.2	BUILDING SECTION
14	A5	SURVEY
15	A6	AREA CALCULATIONS
16	A6.1	AREA CALCULATIONS

PROJECT: Romero Drive

OWNER(S): [redacted]

Scott A. Spencer & Associates
1110 TORREY PINES ROAD, STE. " D"
LA JOLLA, CA 92037
BUS.(858)459-8898
FAX.(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

LICENSED ARCHITECT SCOTT ALBERT SPENCER No. C33340 REN.05-31-2027 STATE OF CALIFORNIA

SHEET TITLE: TITLE SHEET

DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE: 9/6/2025
JOB NUMBER:
SCALE: As Noted

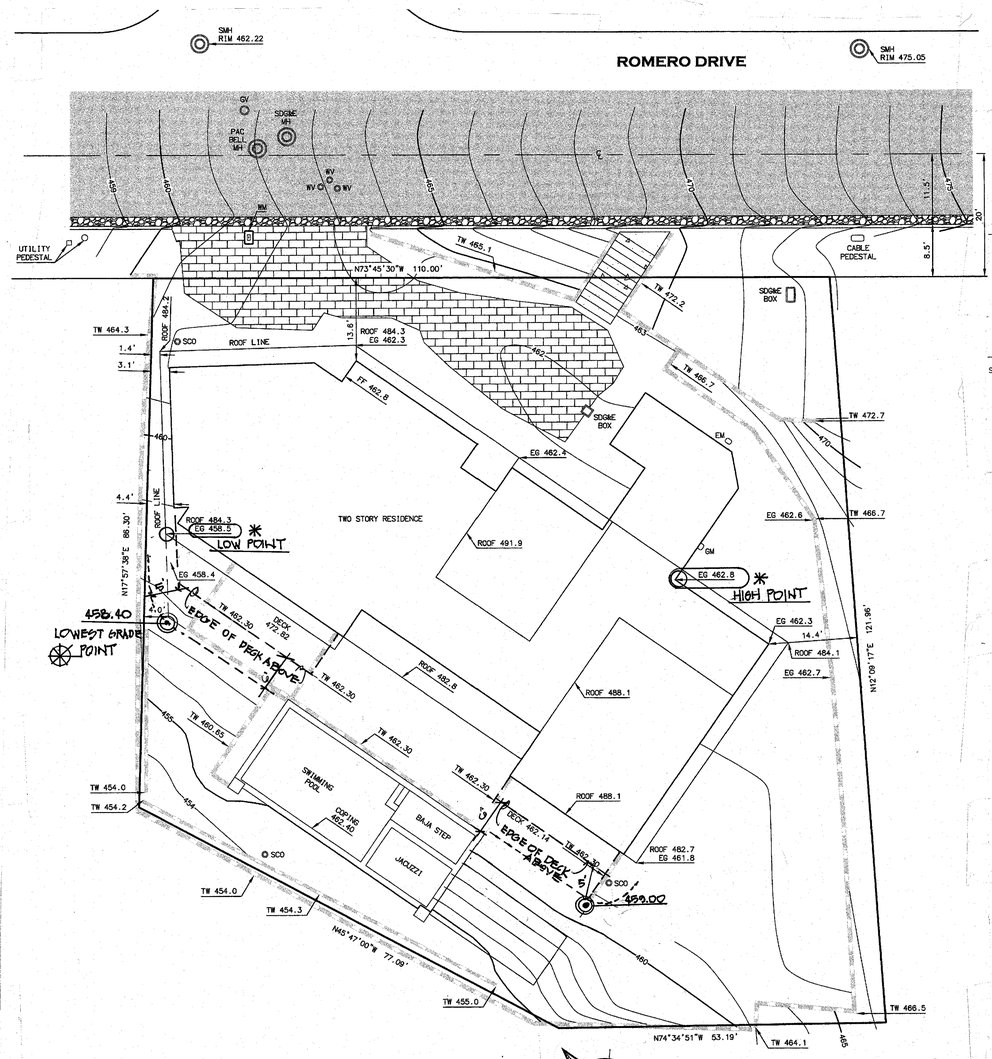
REVISIONS	BY	DATE
1		
2		
3		
4		

TS

TITLE BLOCK INF.

PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA.
SHEET TITLE: TITLE SHEET
DATE: MARCH 12,2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT.3243580
VARIANCE-3335393
ARCHITECT: Scott A. Spencer
Phone: (858)459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT:
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C. LOT 3, U Country Club Hts.Map No.1975
APN: 352-213-02-00
OWNER: B.TASHAKORIAN
OCCUPANCY: R-3/U
SITE AREA: 14,044 S.F.
CONSTRUCTION: V-B
ZONE: RS-1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL
SHT.No: 1
SHT. 1 OF 16 REVISIONES.

1 5-1-2025
2 6-17-2025
3 8-1-2025
4 OCT.15,2025
5 NOV.20,2025
6 DEC.20,2025
7 3/5/2026



Prop. "D" Site Plan

SCALE :1"=10'-0"

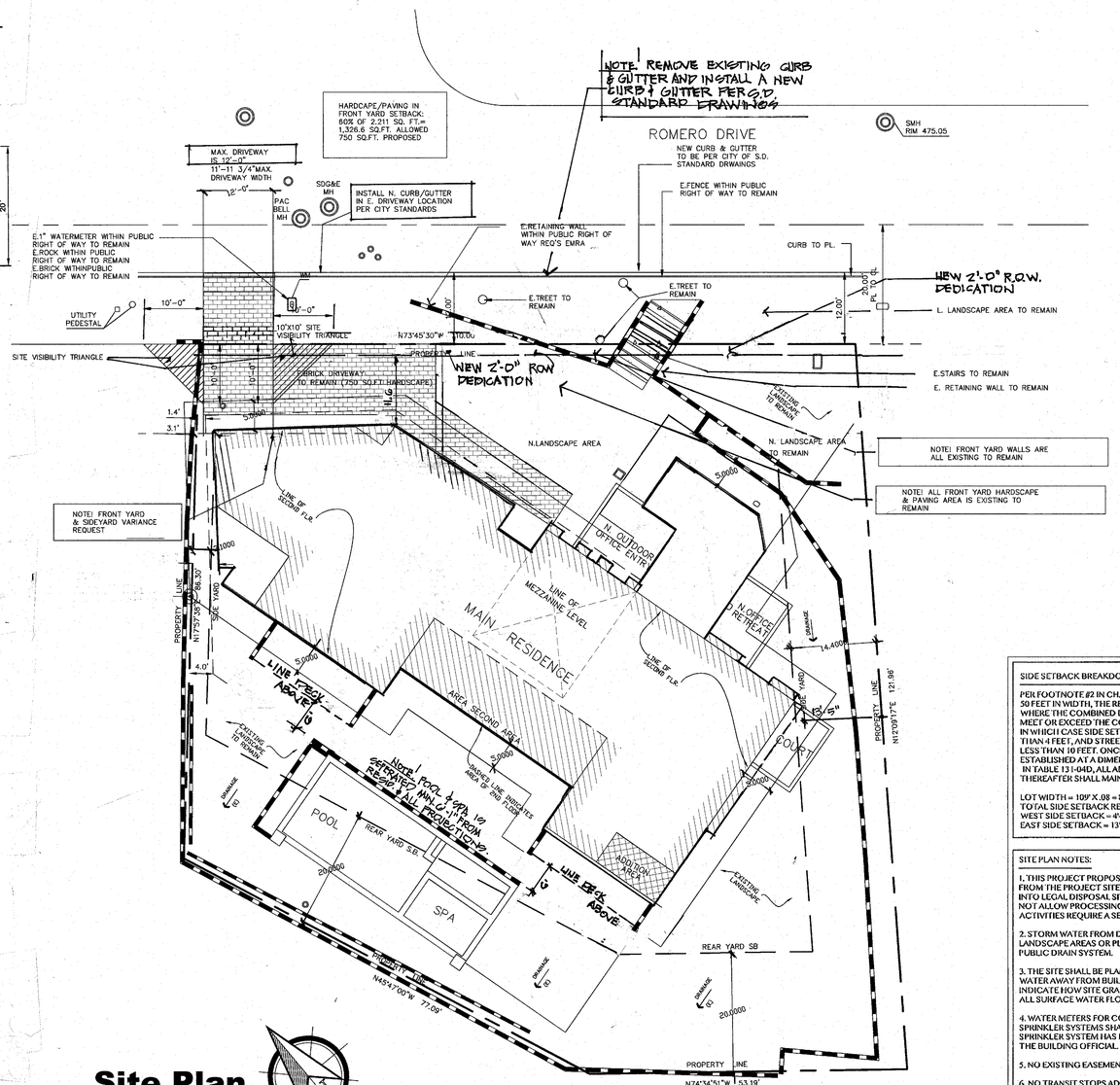
GRADE DIFFERENTIAL

462.8
- 458.5
4.3'

+ 30.00

✳ LOWEST GRADE POINT
458.40
+ 30.00'
488.40
+ 4.30 GRADE DIFFERENTIAL
492.70
MAX HEIGHT ELEVATION

SEE SHT. A3.0 TALLEST HEIGHT ELEVATION 491.90



Site Plan

SCALE :1"=10'-0"

EARTHWORK QUANTITIES TABLE		
1) CUT QUANTITIES	:	10 CU.YD.
2) FILL QUANTITIES	:	10 CU.YD.
3). IMPORT. EXPORT	:	0 CU.YD
4). MAX. CUT DEPTH	:	2 FT.
5). MAX. FILL DEPTH	:	2 FT.

PROP 'D'

1. THE HIGHEST POINT OF THE ROOF, EQUIPMENT, OR ANY VENT, PIPE, ANTENNA OR OTHER PROJECTION SHALL NOT EXCEED 30 FEET ABOVE BASE OF MEASUREMENT (REFERENCE DATUM).

2. A PRE-CONSTRUCTION INSPECTION IS REQUIRED DUE TO THE HEIGHT OF THE PROPOSED STRUCTURE BEING WITHIN ONE FOOT OF THE MAXIMUM HEIGHT ALLOWED IN THE COASTAL HEIGHT LIMIT OVERLAY ZONE (PROPOSITION D)." THE PRE-CONSTRUCTION INSPECTION MUST BE SCHEDULED AND CLEARED BY THE FIELD INSPECTOR BEFORE ANY SUBSEQUENT INSPECTIONS CAN BE SCHEDULED.

3. THIS PROJECT MUST COMPLY WITH THE SAN DIEGO MUNICIPAL CODE REQUIREMENTS FOR MAXIMUM HEIGHT OF THE STRUCTURE NOT TO EXCEED 30 FEET (SDMC, SECTIONS 131.0444 AND 132.0505). HIGHEST POINT OF THE ROOF EQUIPMENT, PIPE, VENT, ANTENNA OR OTHER PROJECTION SHALL NOT EXCEED 30 FEET ABOVE GRADE.

PROP D DATUM:

SIDE SETBACK BREAKDOWN

PER FOOTNOTE #2 IN CH. 13 ART. 1 DIV. 4 PG 37-FOR LOTS GREATER THAN 50 FEET IN WIDTH, THE REQUIRED SIDE SETBACKS MAY BE REALLOCATED WHERE THE COMBINED DIMENSION OF EACH SIDE SETBACK WOULD MEET OR EXCEED THE COMBINED TOTAL REQUIRED IN TABLE 131-04D, IN WHICH CASE SIDE SETBACKS SHALL NOT BE REDUCED TO LESS THAN 4 FEET, AND STREET SIDE SETBACKS SHALL NOT BE REDUCED TO LESS THAN 10 FEET. ONCE A SIDE SETBACK IS REALLOCATED AND ESTABLISHED AT A DIMENSION LESS THAN THE PERCENTAGE INDICATED IN TABLE 131-04D, ALL ADDITIONS TO THE PRIMARY STRUCTURE THEREAFTER SHALL MAINTAIN THE ESTABLISHED SIDE SETBACK.,

LOT WIDTH = 109' X .08 = 8.72'
TOTAL SIDE SETBACK REQUIRED = 17.44'
WEST SIDE SETBACK = 4'-0"
EAST SIDE SETBACK = 13'-5"

SITE PLAN NOTES:

1. THIS PROJECT PROPOSES EXPORT OF 0 CUBIC YARDS OF MATERIAL FROM THE PROJECT SITE. ALL EXPORT MATERIAL MUST BE DISPOSED INTO LEGAL DISPOSAL SITE. THE APPROVAL OF THIS PROJECT DOES NOT ALLOW PROCESSING AND SALE OF THE MATERIAL. ALL SUCH ACTIVITIES REQUIRE A SEPARATE CONDITIONAL USE PERMIT.

2. STORM WATER FROM DOWNSPOUTS SHALL BE ROUTED TO EITHER LANDSCAPE AREAS OR PLANTER BOXES PRIOR TO REACHING THE PUBLIC DRAIN SYSTEM.

3. THE SITE SHALL BE PLANNED AND DEVELOPED TO KEEP SURFACE WATER AWAY FROM BUILDINGS. CONSTRUCTION PLANS SHALL INDICATE HOW SITE GRADING OR A DRAINAGE SYSTEM WILL MANAGE ALL SURFACE WATER FLOWS.

4. WATER METERS FOR COMBINED DOMESTIC WATER AND FIRE SPRINKLER SYSTEMS SHALL NOT BE INSTALLED UNTIL THE FIRE SPRINKLER SYSTEM HAS BEEN SUBMITTED AND APPROVED BY THE BUILDING OFFICIAL.

5. NO EXISTING EASEMENTS ON PROPERTY

6. NO TRANSIT STOPS ADJACENT TO PROPERTY

7. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN PART 2 CONSTRUCTION BMP STANDARDS CHAPTER

8. AFTER THE BUILDING PERMIT HAS BEEN ISSUED, THE OWNER SHALL BE RESPONSIBLE FOR ANY COSTS INCURRED AS A RESULT OF CHANGES TO THE DESIGN OF THE FIRE SPRINKLER SYSTEM WHICH PRODUCE A HIGHER GPM AND A LARGER METER SIZE REQUIREMENT.

TITLE BLOCK INF.

PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA. SHT.No: 2
SHEET TITLE: SITE/PROP."D" PLAN SHT. 2 OF 16
DATE: MARCH 12,2025 REVISIONS:
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT 3243580
VARIANCE-3335393
1 5-1-2025
2 6.17.2025
3 8.1.2025
4 OCT.15.2025
5 NOV.20.2025
6 DEC.26.2025
ARCHITECT: Scott A. Spencer
Phone: (858)459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT:
GEOLOGIC HAZARD CATEGORY: 52 3/5/2026
LEGAL: BLK C, LOT 3, Li Country Club Hts.Map No.1975
APN: 352-213-02-00
OWNER B.TASHAKORIAN CONSTRUCTION: V-B
OCCUPANCY: R-3/U ZONE: RS-1-4
SITE AREA: 14,044 S.F. EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

ATTACHMENT 1

PROJECT: Romero Drive
OWNER(S): - -

Scott A. Spencer & Associates
1110 TORREY PINES ROAD., STE. " D"
LA JOLLA, CA 92037
BUS:(858)459-8898
FAX:(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

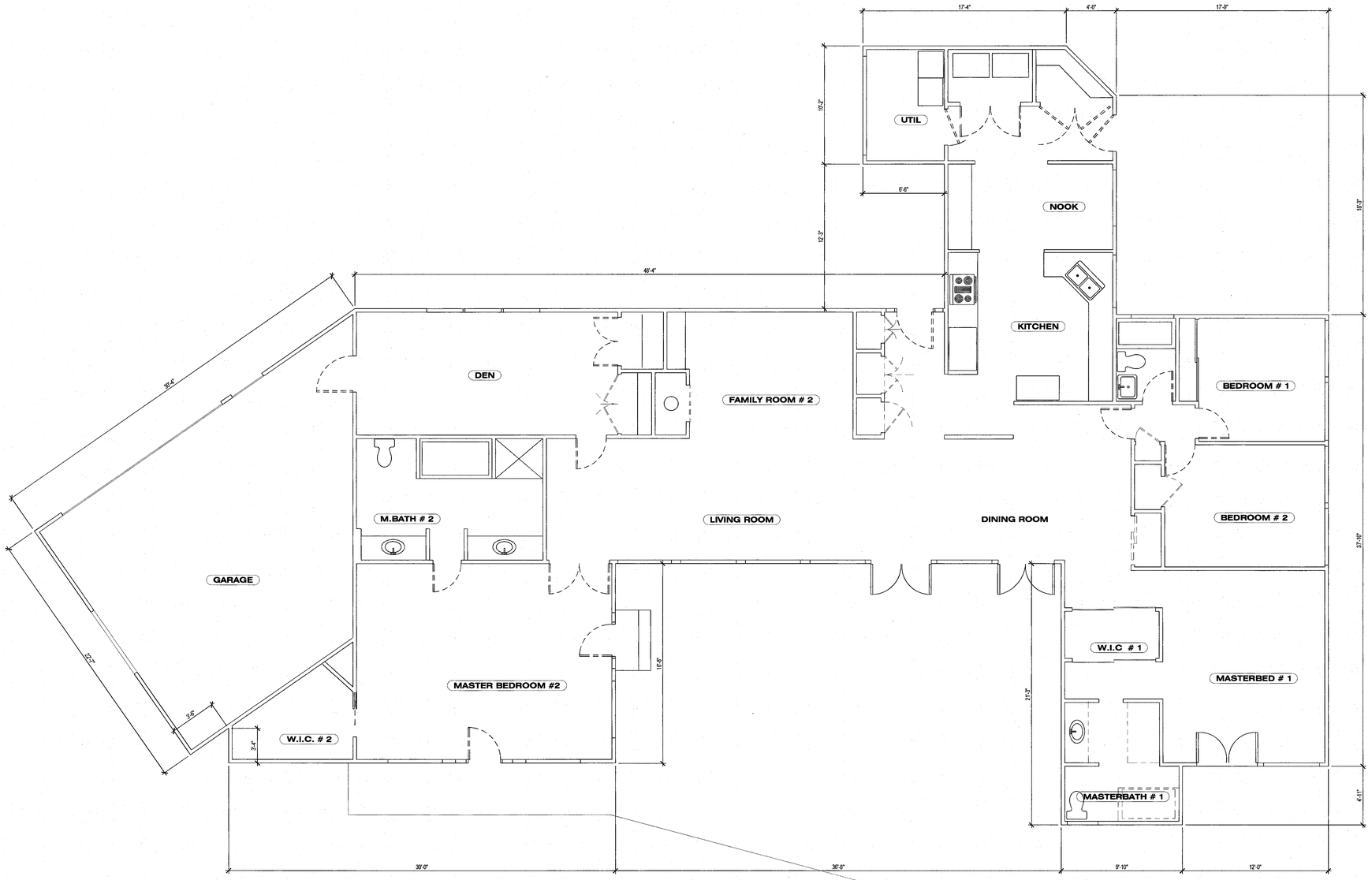
LICENSED ARCHITECT SCOTT ALBERT SPENCER No. C33340 REN. 08-31-2026 STATE OF CALIFORNIA

SHEET TITLE: Site Plan/Prop'd Plan

DESIGN BY: Arch. Scott A.
CHKD BY:
DRWN BY:
DATE: 9/6/2025
JOB NUMBER:
SCALE: As Noted

REVISIONS BY DATE
1
2
3
4
5

A0.0



TITLE BLOCK INFO

PROJECT: 7354 ROMERO DRIVE LA JOLLA, CA
SHEET TITLE: EXISTING FLOOR PLAN
DATE: MARCH 12, 2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT.
PMT: 3243380
VARIANCE: 3333333
ARCHITECT: Scott A. Spencer
Ph: 858-459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT: TOPIA LANDS. DESIGN
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C, LOT 3, U Country Clup Hts Map No: 1975
APN: 352-213-02-00
OWNER : B.TASHAKORIAN
OCCUPANCY: R-3/ U
SITE AREA: 14,044 Sq. Ft.

SHT. NO: 3
SHT. 3 OF 16
REVISIONS:
1 5.1.2025
2 6.11.2025
3 8.1.2025
4 OCT. 15 2025
5 NOV 20, 2025
6 DEC. 24, 2025
7 3/5/26

TYPE OF CONSTRUCTION: V- B
ZONE: RS 1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

PROJECT : Romero Drive
OWNER(S) : - -

Scott A. Spencer & Associates
1110 TORREY PINES ROAD., STE. " D"
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FAX.(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

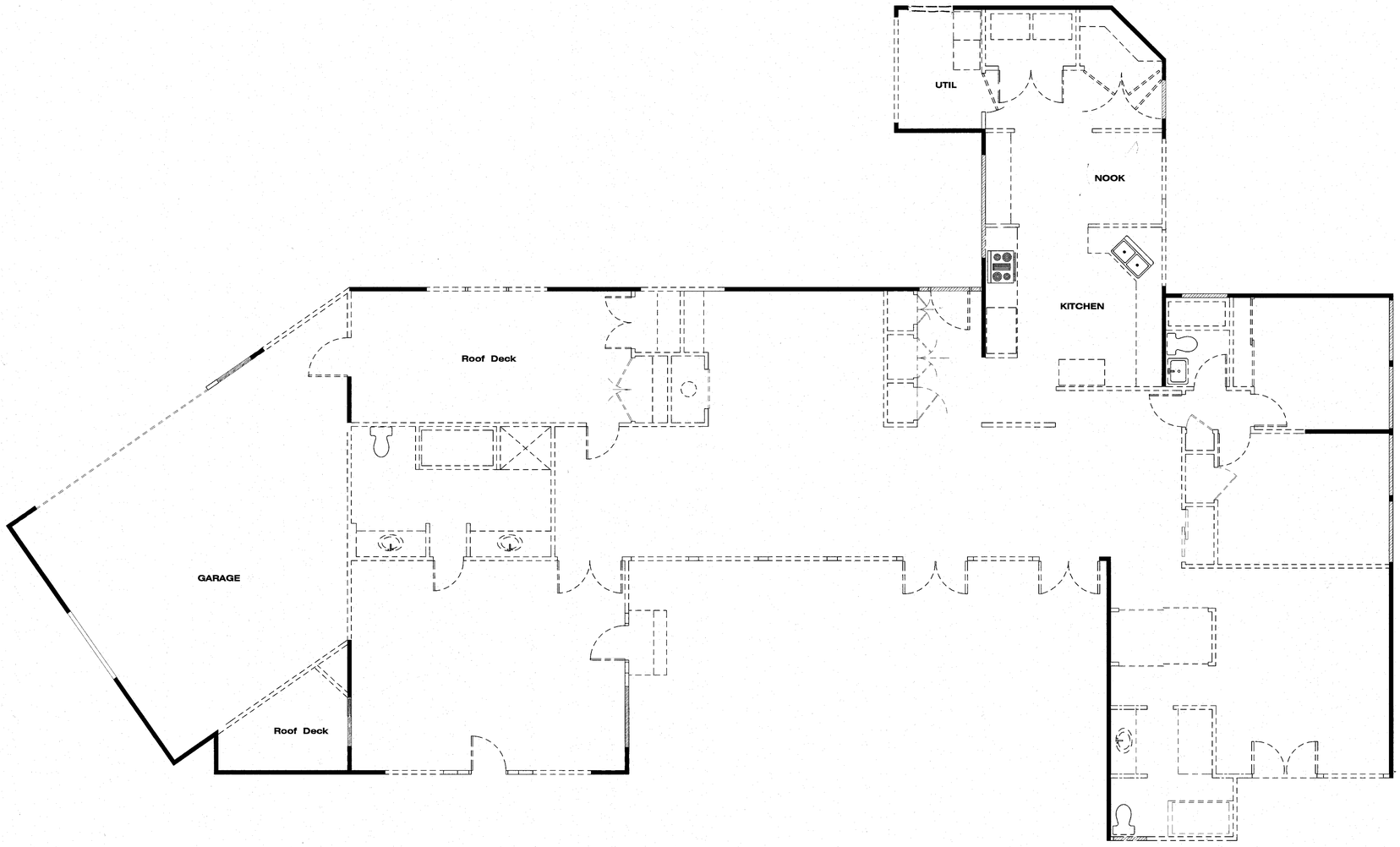
LICENSED ARCHITECT SCOTT ALBERT SPENCER No. C33340 REN. 05-31-2027 STATE OF CALIFORNIA

SHEET TITLE : Existing Floor Plan

DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE: 9/6/2025
JOB NUMBER:
SCALE: As Noted

REVISIONS	BY	DATE

A1.0



Demolition Plan

SCALE : 1/4" = 1'-0"

LEGEND

EXISTING WALL TO REMAIN

EXISTING WALL -IN-FILL OPENING

DEMO WALL , DOORS, ETC.....,

TITLE BLOCK INF.

PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA.
SHEET TITLE: DEMO FLOOR PLAN
DATE: MARCH 12,2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT:3243560
VARIANCE-3335393
ARCHITECT: Scott A. Spencer
Phone: (858)459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT:
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C. LOT 3, LI Country Club Hts Map No.1975
APN: 352-213-02-00
OWNER B.TASHAKORIAN
OCCUPANCY: R-3/U
SITE AREA: 14,044 S.F.
CONSTRUCTION: V-B
ZONE: RS-1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

SHT.No: 4
SHT. 4 OF 16
REVISIONES:
1 5-1-2025
2 6.17.2025
3 9.1.2025
4 OCT.15 2025
5 NOV.20.2025
6 DEC.26.2025
7 3/5/2026

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scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

LICENSED ARCHITECT
SCOTT ALBERT SPENCER
No. C33340
REN. 05-31-2027
STATE OF CALIFORNIA

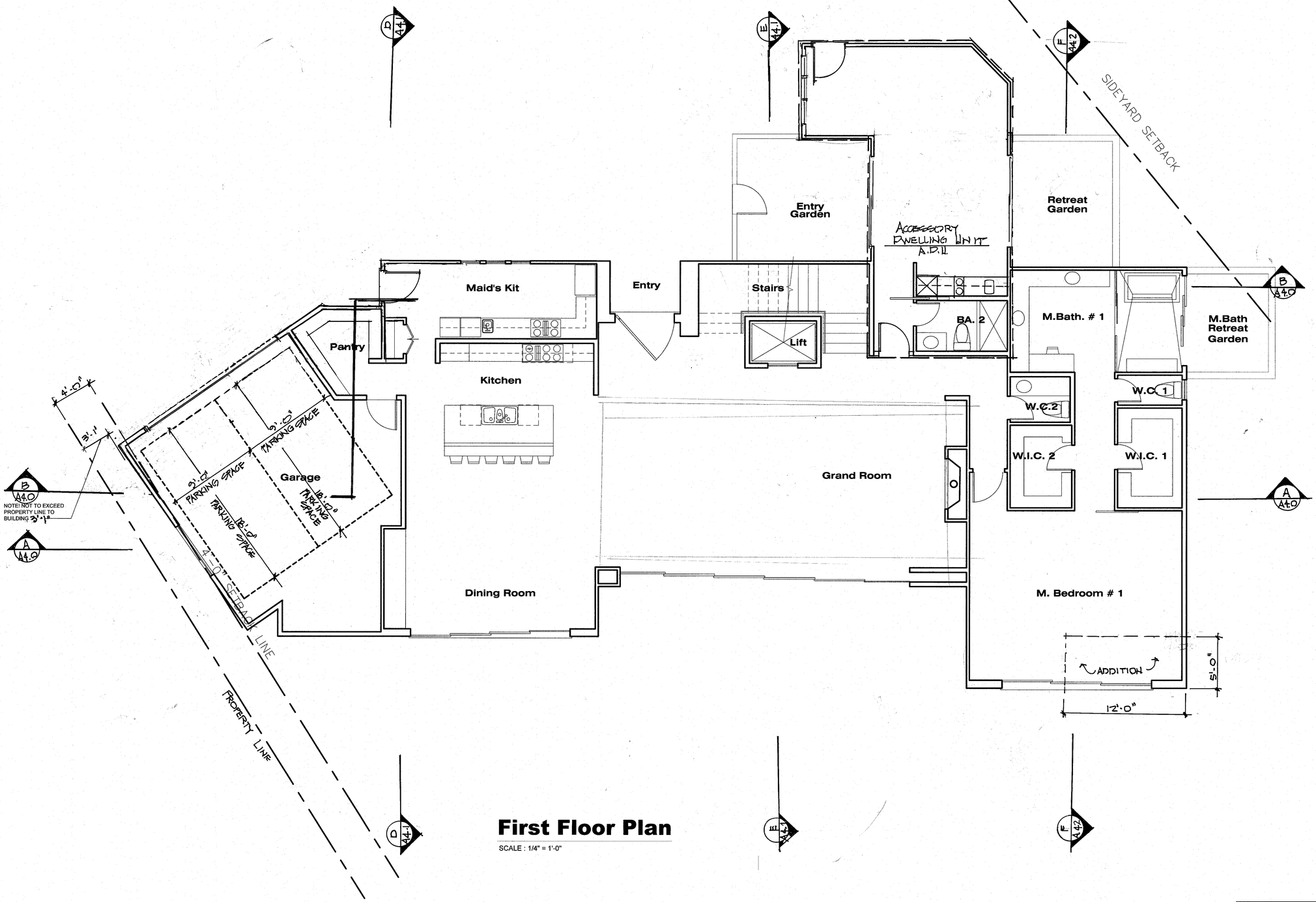
PROJECT : Romero Drive
OWNER(S) : -
-

SHEET TITLE : Existing Floor Plan

DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE: 9/6/2025
JOB NUMBER:
SCALE: As Noted

REVISIONS	BY	DATE
1		
2		
3		
4		

A1.1



First Floor Plan

SCALE : 1/4" = 1'-0"

TITLE BLOCK INF.

PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA.
SHEET TITLE: FLOOR PLAN THIRD FLR.
DATE: MARCH 12,2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT.3243580
VARIANCE-3335393
ARCHITECT: Scott A. Spencer
Phone: (858)459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT:
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C. LOT 3, LJ Country Club Hts.Map No.1975
APN: 352-213-02-00
OWNER B.TASHAKORIAN
OCCUPANCY: R-3/U
SITE AREA: 14,044 S.F.

SHT.No: 5
SHT. 5 OF 16
REVISIONES:
5-1-2025
6.17.2025
8.1.2025
OCT.12,2025
NOV.20,2025
DEC.26,2025
3/5/2026

CONSTRUCTION: V-B
ZONE: RS-1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

PROJECT: Romero Drive
OWNER(S): - -

Scott A. Spencer & Associates
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scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

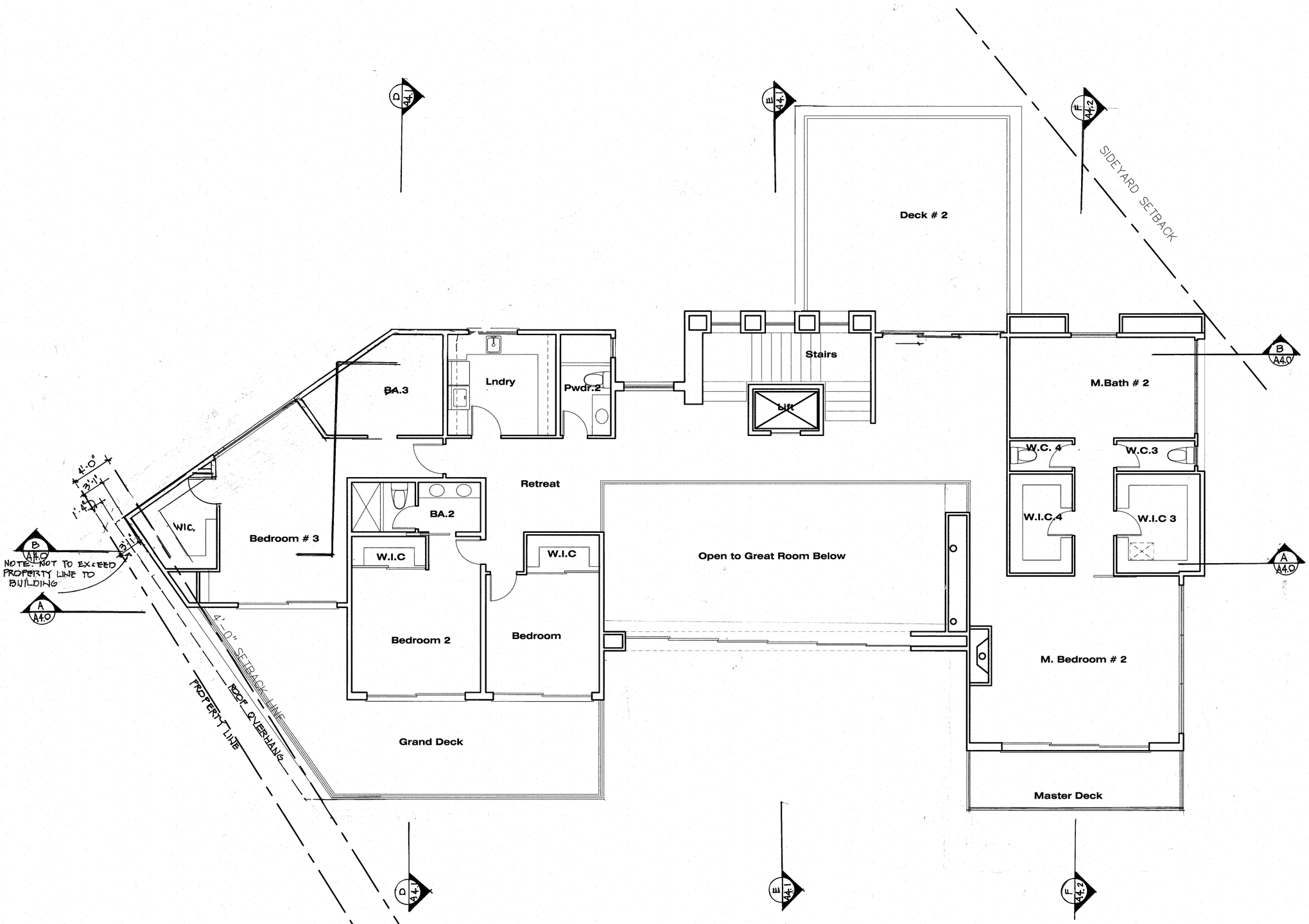
LICENSED ARCHITECT SCOTT ALBERT SPENCER No. C33340 REN.05-31-2027 STATE OF CALIFORNIA

SHEET TITLE: First Floor Plan

DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE: 9/6/2025
JOB NUMBER:
SCALE: As Noted

REVISIONS	BY	DATE
1	*	*
2		
3		
4		

A2.0



Second Floor Plan

SCALE : 1/4" = 1'-0"

TITLE BLOCK INF.

PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA. SHT.No: 6
SHEET TITLE: FLOOR PLAN THIRD FLR. SHT. 6 OF 16
DATE: MARCH 12,2025 REVISIONES:
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT.3243580
VARIANCE-3335393
1 5-1-2025
2 6.11.2025
3 8.1.2025
4 10.15.2025
5 11.20.2025
6 12.29.2025
7 3/5/2026
ARCHITECT: Scott A. Spencer
Phone: (858)459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT:
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C. LOT 3, LJ Country Club Hts Map No.1975
APN: 352-213-02-00
OWNER B.TASHAKORIAN CONSTRUCTION: V-B
OCCUPANCY: R-3/U ZONE: RS-1-4
SITE AREA: 14,044 S.F. EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

PROJECT: Romero Drive
OWNER(S): - -

Scott A. Spencer & Associates
1110 TORREY PINES ROAD., STE. " D"
LA JOLLA, CA 92037
BUS:(858)459-8898
FAX:(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

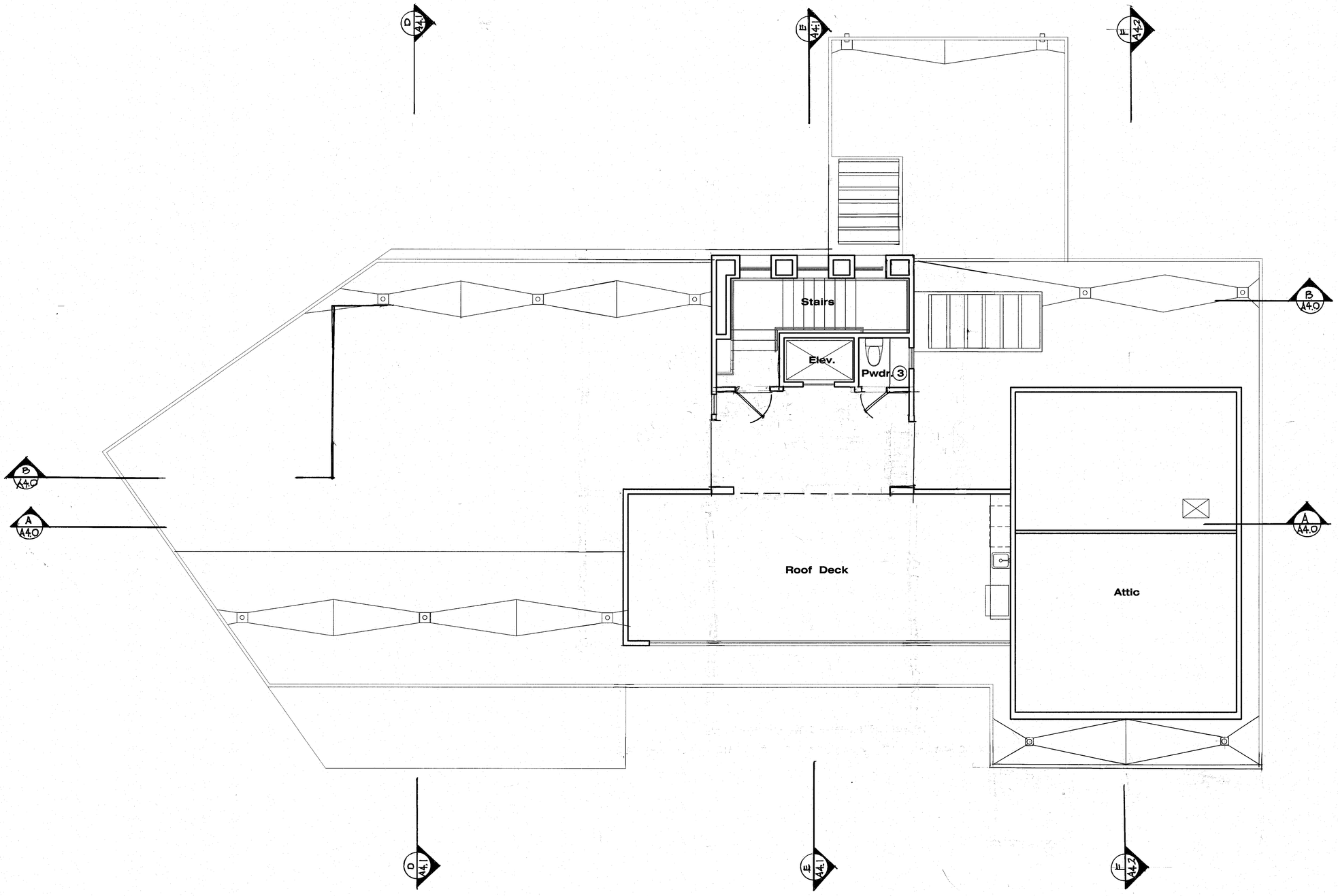
LICENSED ARCHITECT SCOTT ALBERT SPENCER No. C33340 REN.05.31.2027 STATE OF CALIFORNIA

SHEET TITLE: Second Floor Plan

DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE: 9/6/2025
JOB NUMBER:
SCALE: As Noted

REVISIONS	BY	DATE
1		
2		
3		
4		

A2.1



Third Floor Plan

SCALE : 1/4" = 1'-0"

TITLE BLOCK INF.

PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA
SHEET TITLE: FLOOR PLAN THIRD FLR.
DATE: MARCH 12,2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT.3243580
VARIANCE-3335393
ARCHITECT: Scott A. Spencer
Phone: (858)459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT:
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C. LOT 3, LJ Country Club Hts Map No.1975
APN: 352-213-02-00
OWNER B.TASHAKORIAN
OCCUPANCY: R-3/U
SITE AREA: 14,044 S.F.
CONSTRUCTION: V-B
ZONE: RS-1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

SHT.No: 7
SHT. 7 OF 16
REVISIONES:
1 5-1-2025
2 6.11.2025
3 8.1.2025
4 OCT15,2025
5 NOV.20,2025
6 DEC.26,2025
7 3/5/2026

PROJECT: Romero Drive
OWNER(S): - -

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BUS:(858)459-8898
FAX:(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

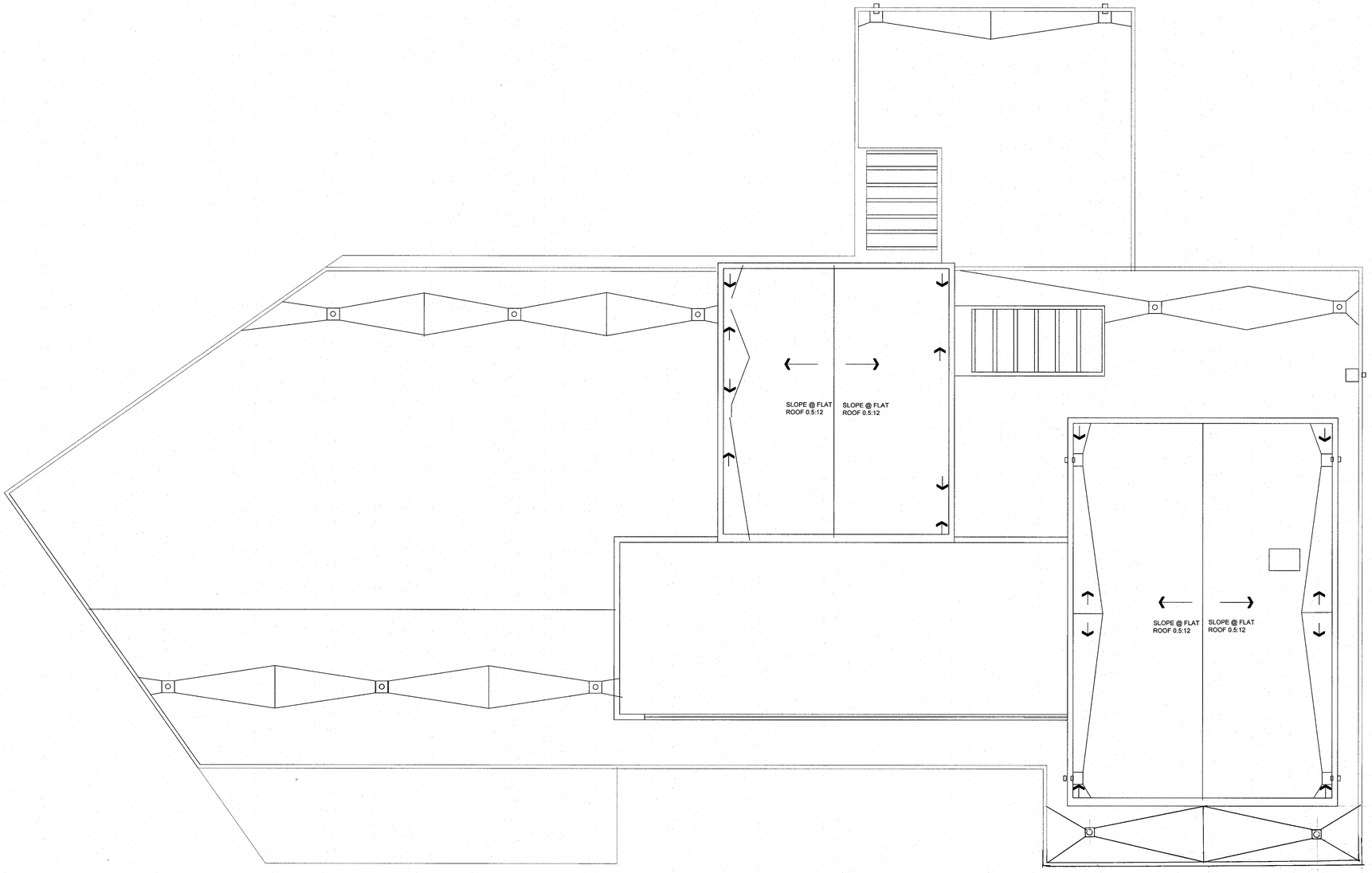
LICENSED ARCHITECT SCOTT ALBERT SPENCER No. C33340 REN. 05-31-2027 STATE OF CALIFORNIA

SHEET TITLE: Third Floor Plan

DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE: 9/6/2025
JOB NUMBER:
SCALE: As Noted

REVISIONS	BY	DATE
1		
2		
3		
4		

A2.2



Upper Roof Plan

SCALE : 1/4" = 1'-0"

TITLE BLOCK INF.

PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA.
SHEET TITLE: FLOOR PLAN THIRD FLR.
DATE: MARCH 12,2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT.3243580
VARIANCE-3335393
ARCHITECT: Scott A. Spencer
Phone: (858)459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT:
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C, LOT 3, LI Country Club Hts Map No.1975
APN: 352-213-02-00
OWNER B.TASHAKORIAN
OCCUPANCY: R-3/U
SITE AREA: 14,044 S.F.
CONSTRUCTION: V-B
ZONE: RS-1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

SHT.No: 8
SHT. 8 OF 16
REVISIONES:
1 5-1-2025
2 SEPT. 2025
3 DEC. 2025
4 OCT. 15, 2025
5 NOV. 20, 2025
6 DEC. 26, 2025
7 MAR 5, 2026

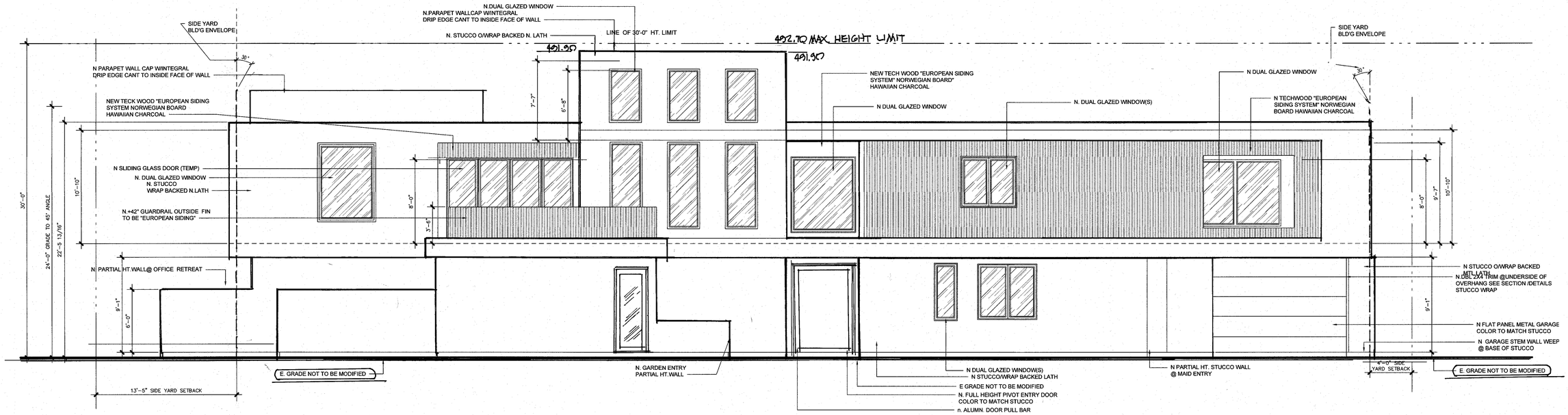
Scott A. Spencer & Associates
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LA JOLLA, CA 92037
BUS:(858)459-8898
FAX:(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

LICENSED ARCHITECT
SCOTT ALBERT SPENCER
No. C33340
REN: 05-31-2027
STATE OF CALIFORNIA

PROJECT : Romero Drive
OWNER(S) : - -
SHEET TITLE : Upper Roof Plan
DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE: 9/9/2025
JOB NUMBER:
SCALE: As Noted

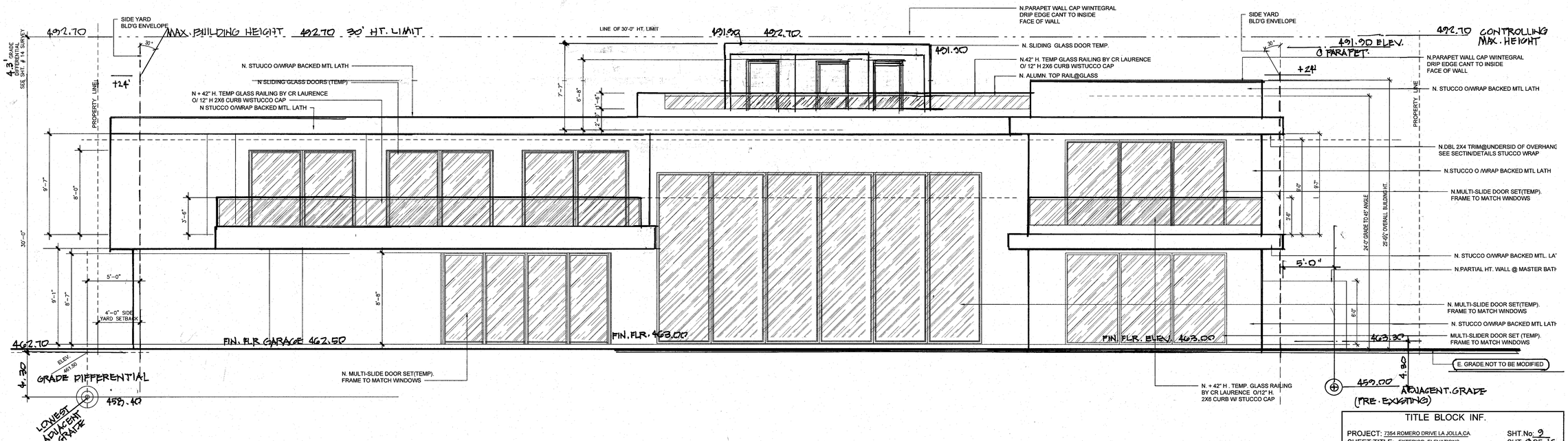
REVISIONS	BY	DATE
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4		

A2.3



Front Elevation

SCALE : 1/4" = 1'-0"



Rear Elevation

SCALE : 1/4" = 1'-0"

TITLE BLOCK INF.

PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA.
SHEET TITLE: EXTERIOR ELEVATIONS
DATE: MARCH 12,2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT.3243580
VARIANCE-3335393
ARCHITECT: Scott A. Spencer
Phone: (858)459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT:
GEOLOGIC HAZARD CATEGORY:
LEGAL: BLK C. LOT 3, LJ Country Club Hts.Map No.1975
APN: 352-213-02-00
OWNER: B.TASHAKORIAN
OCCUPANCY: R-3/U
SITE AREA: 14,044 S.F.
ZONE: RS-1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL
CONSTRUCTION: V-B

SHT.No: 9
SHT. 9 OF 16
REVISIONES:
1 5-1-2025
2 6.17.2025
3 8.1.2025
4 OCT 3, 2025
5 NOV. 20, 2025
6 DEC. 26, 2025
7 3/3/, 2026

PROJECT: Romero Drive
OWNER(S): - - -

Scott A. Spencer & Associates
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BUS:(858)459-8898
FAX:(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

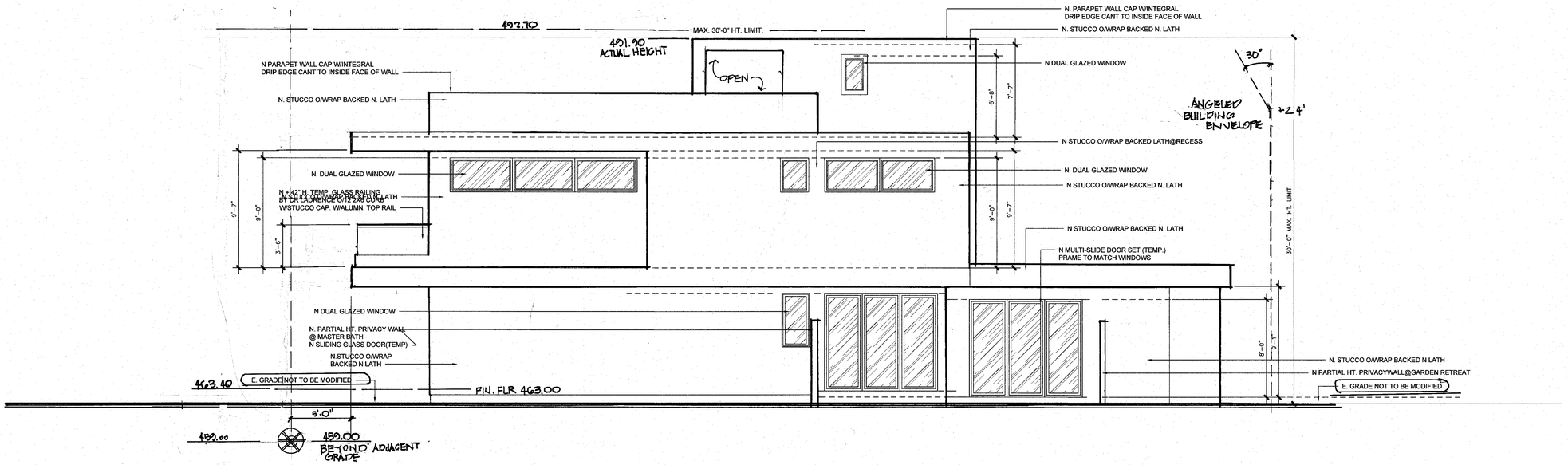
LICENSED ARCHITECT SCOTT ALBERT SPENCER No. C33340 REN. 05-31-2027 STATE OF CALIFORNIA

SHEET TITLE: Building Eelvations

DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE: 9/6/2025
JOB NUMBER:
SCALE: As Noted

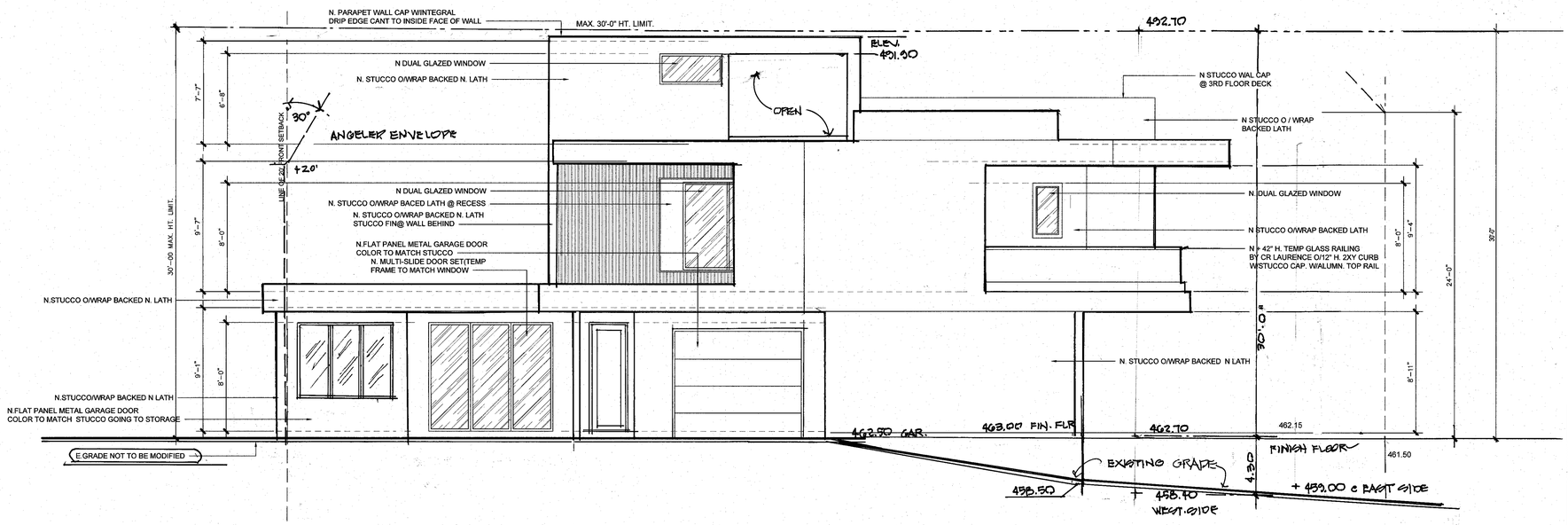
REVISIONS	BY	DATE
1	*	*
2		
3		
4		

A3.0



Left Elevations

SCALE : 1/4" = 1'-0"



Right Elevations

SCALE : 1/4" = 1'-0"

TITLE BLOCK INF.	
PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA	SHT.No: 10
SHEET TITLE: EXTERIOR ELEV'S	SHT. 10OF 16
DATE: MARCH 12,2025	REVISIONES:
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT PMT.3243580 VARIANCE-3335393	5-1-2025
	9.17.2025
ARCHITECT: Scott A. Spencer	8.1.2025
Phone: (858)459-8898	10.15.2025
CIVIL ENGINEER:	11.20.2025
LANDSCAPE ARCHITECT:	12.26.2025
GEOLOGIC HAZARD CATEGORY: 52	3/5/2026
LEGAL: BLK C. LOT 3, LJ Country Club Hts.Map No.1975	
APN: 352-213-02-00	
OWNER: B.TASHAKORIAN	CONSTRUCTION: V-B
OCCUPANCY: R-3/U	ZONE: RS-1-4
SITE AREA: 14,044 S.F.	EXISTING USE: RESIDENTIAL
	PROPOSED USE: RESIDENTIAL

PROJECT : Romero Drive

OWNER(S) : - -

Scott A. Spencer & Associates
1110 TORREY PINES ROAD., STE. " D"
LA JOLLA, CA 92037
BUS:(858)459-8898
FAX:(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

LICENSED ARCHITECT
SCOTT ALBERT SPENCER
No. C33340
REN. 05-31-2027
STATE OF CALIFORNIA

SHEET TITLE : Building Eelvations

DESIGN BY: Arch. Scott A.

CHK'D BY:

DRWN BY:

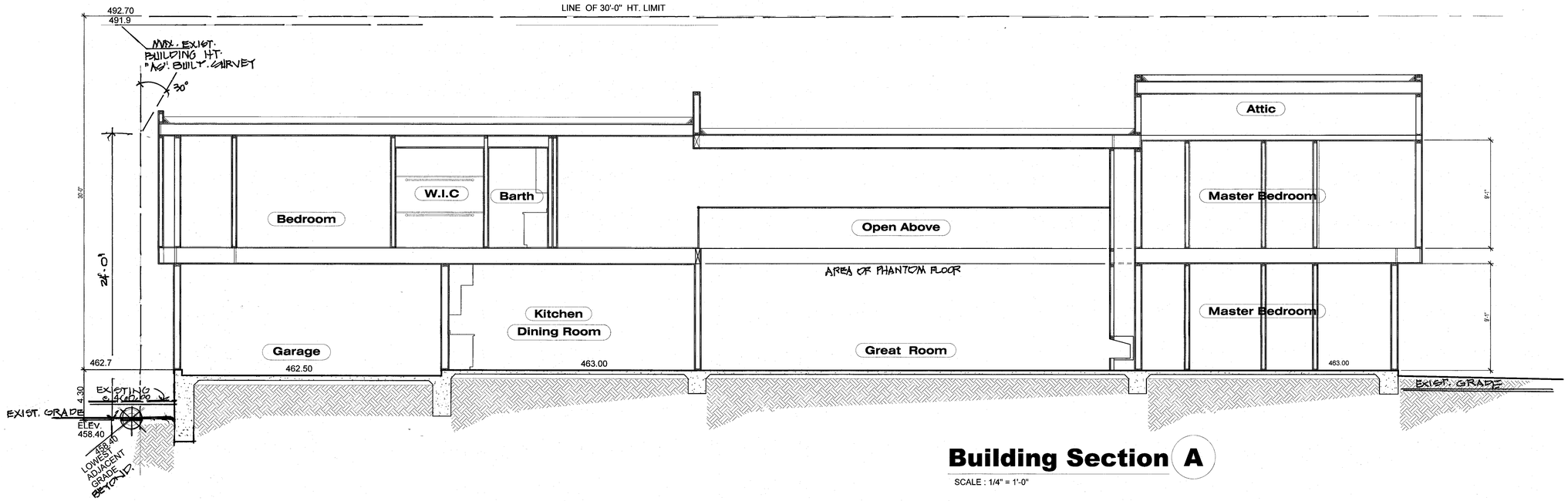
DATE: 9/6/2025

JOB NUMBER:

SCALE: As Noted

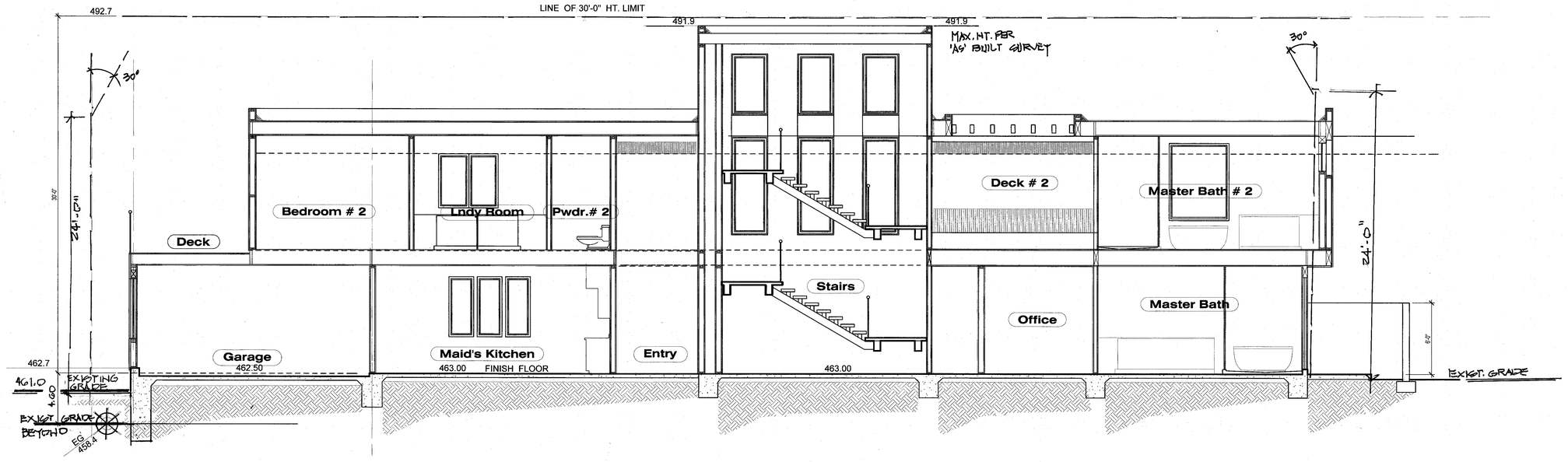
REVISIONS	BY	DATE
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A3.1



Building Section A

SCALE : 1/4" = 1'-0"



Building Section B

SCALE : 1/4" = 1'-0"

TITLE BLOCK INF.

PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA.
SHEET TITLE: Building Sections
DATE: MARCH 12,2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT.3243580
VARIANCE-3335393
ARCHITECT: Scott A. Spencer
Phone: (858)459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT:
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C. LOT 3, LI Country Club Hts Map No.1975
APN: 352-213-02-00
OWNER B.TASHAKORIAN
OCCUPANCY: R-3/U
SITE AREA: 14,044 S.F.
SHT.No: 11
SHT 11 OF 16
REVISIONES:
5-1-2025
6.17.2025
8.1.2025
10.15.2025
11.20.2025
12.26.2025
3/5/2026
CONSTRUCTION: V-B
ZONE: RS-1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

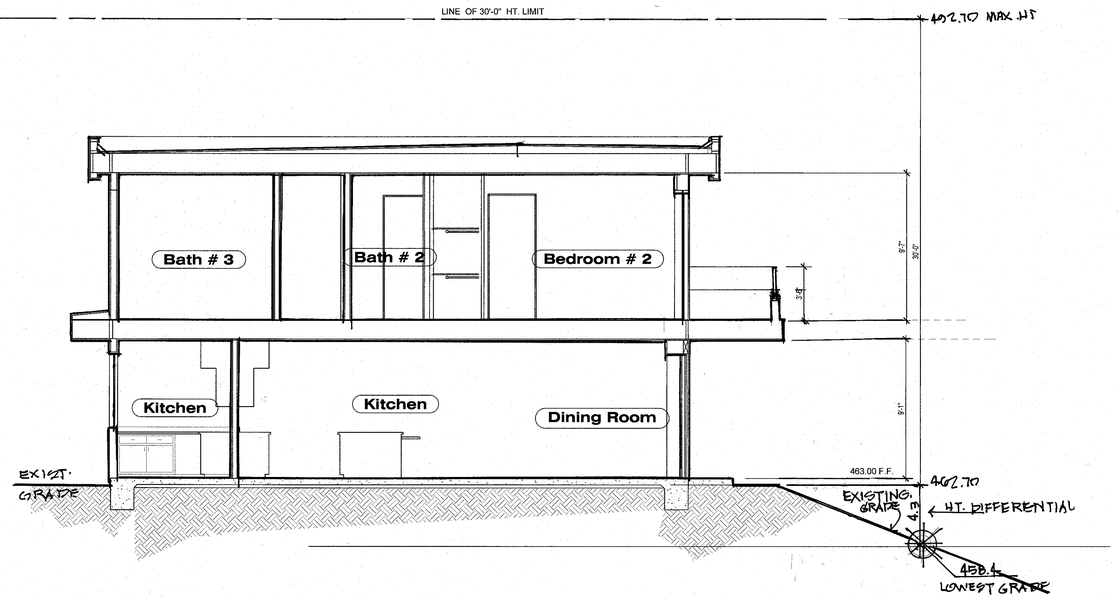
Scott A. Spencer & Associates
1110 TORREY PINES ROAD., STE. " D"
LA JOLLA, CA 92037
BUS:(858)459-8898
FAX:(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

LICENSED ARCHITECT SCOTT ALBERT SPENCER No. C33340 EXP. 05-31-2027 STATE OF CALIFORNIA

PROJECT: Romero Drive
OWNER(S): - -
SHEET TITLE: Building Sections
DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE: 9/6/2025
JOB NUMBER:
SCALE: As Noted

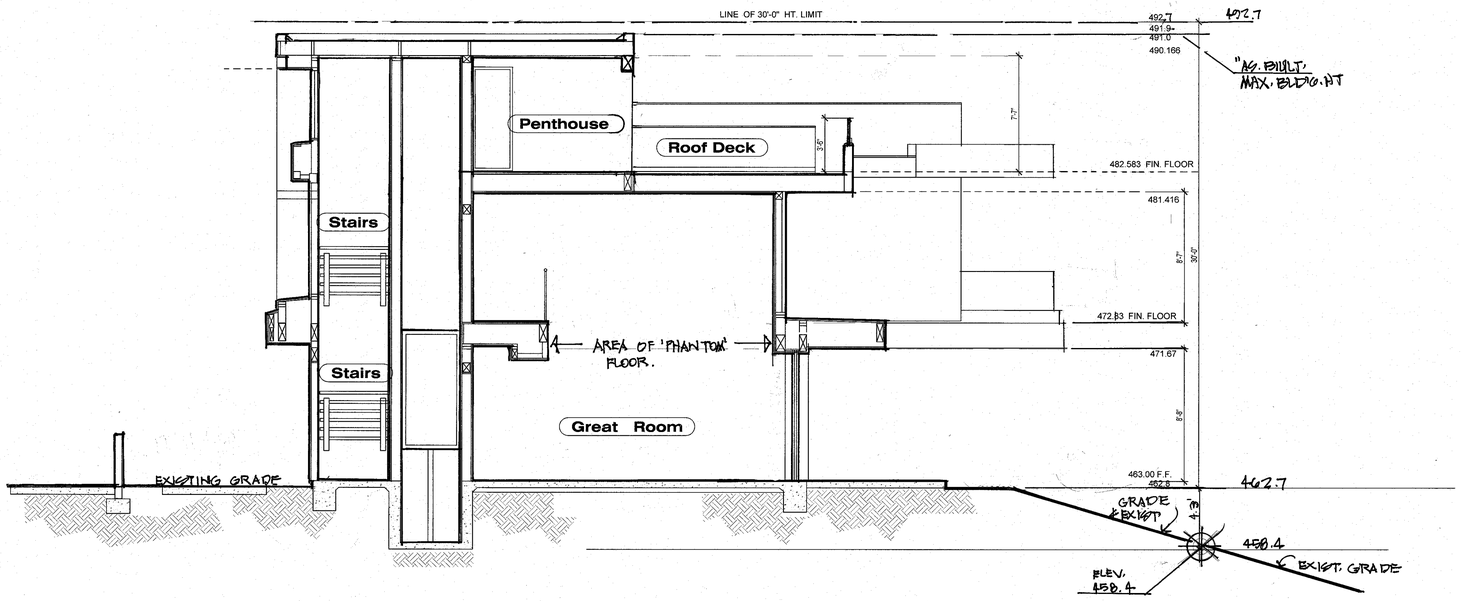
REVISIONS	BY	DATE

A4.0



Building Section D

SCALE : 1/4" = 1'-0"



Building Section E

SCALE : 1/4" = 1'-0"

TITLE BLOCK INF.

PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA. SHT.No: 12
SHEET TITLE: Building Sections SHT. 12OF 16
DATE: MARCH 12,2025 REVISIONES:
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT.3243580
VARIANCE-3335393
1 5-1-2025
2 6.17.2025
3 8.1.2025
4 10.15.2025
5 11.20.2025
6 12.26.2025
7 3/5/2026
ARCHITECT: Scott A. Spencer
Phone: (858)459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT:
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C. LOT 3, U Country Club Hts.Map No.1975
APN: 352-213-02-00
OWNER: B.TASHAKORIAN CONSTRUCTION: V-B
OCCUPANCY: R-3/U ZONE: RS-1-4
SITE AREA: 14,044 S.F. EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

PROJECT: Romero Drive
OWNER(S): -
-

Scott A. Spencer & Associates
1110 TORREY PINES ROAD., STE. " D"
LA JOLLA, CA 92037
BUS:(858)459-8898
FAX:(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

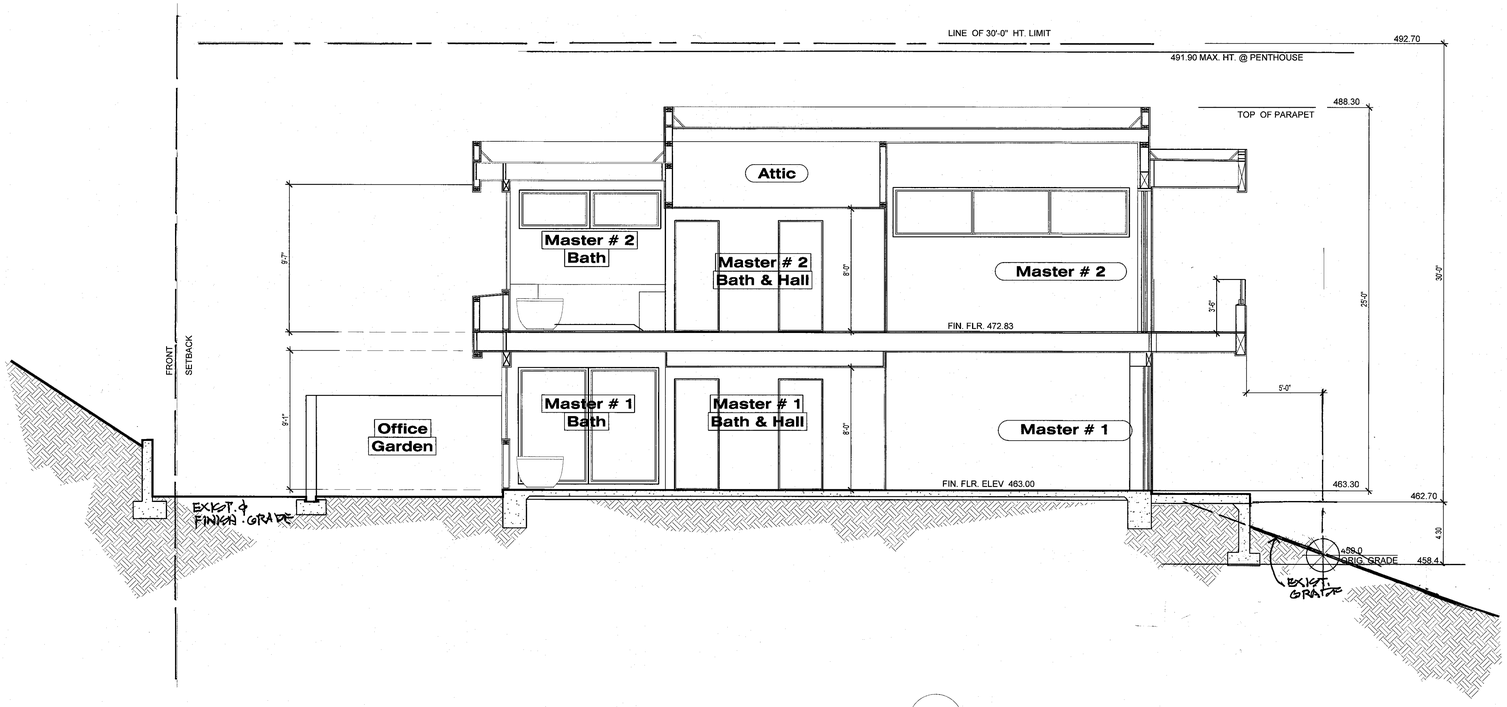
LICENSED ARCHITECT SCOTT ALBERT SPENCER No. C33340 REN. 05-31-2027 STATE OF CALIFORNIA

SHEET TITLE: Building Sections

DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE: 9/6/2025
JOB NUMBER:
SCALE: As Noted

REVISIONS	BY	DATE
1	*	*
2		
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A4.1



Building Section F

SCALE : 1/4" = 1'-0"

TITLE BLOCK INF.

PROJECT: 7354 ROMERO DRIVE LA JOLLA,CA.
SHEET TITLE: Building Sections
DATE: MARCH 12,2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT.3243580
VARIANCE-3335393
ARCHITECT: Scott A. Spencer
Phone: (858)459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT:
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C. LOT 3, LJ Country Club Hts.Map No.1975
APN: 352-213-02-00
OWNER B.TASHAKORIAN
OCCUPANCY: R-3/U
SITE AREA: 14,044 S.F.
CONSTRUCTION: V-B
ZONE: RS-1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

SHT.No: 13
SHT.13 OF 16
REVISIONES:
1 5-1-2025
2 6-17-2025
3 8-01-2025
4 OCT. 15, 2025
5 NOV. 20, 2025
6 DEC. 26, 2025
7 3/15/2026

PROJECT : Romero Drive
OWNER(S) : - -

Scott A. Spencer & Associates
1110 TORREY PINES ROAD., STE. " D"
LA JOLLA, CA 92037
BUS.(858)459-8898
FAX.(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A . SPENCER
Architect Lic. C33340

LICENSED ARCHITECT
SCOTT ALBERT SPENCER
No. C33340
REN. 05.31.2027
STATE OF CALIFORNIA

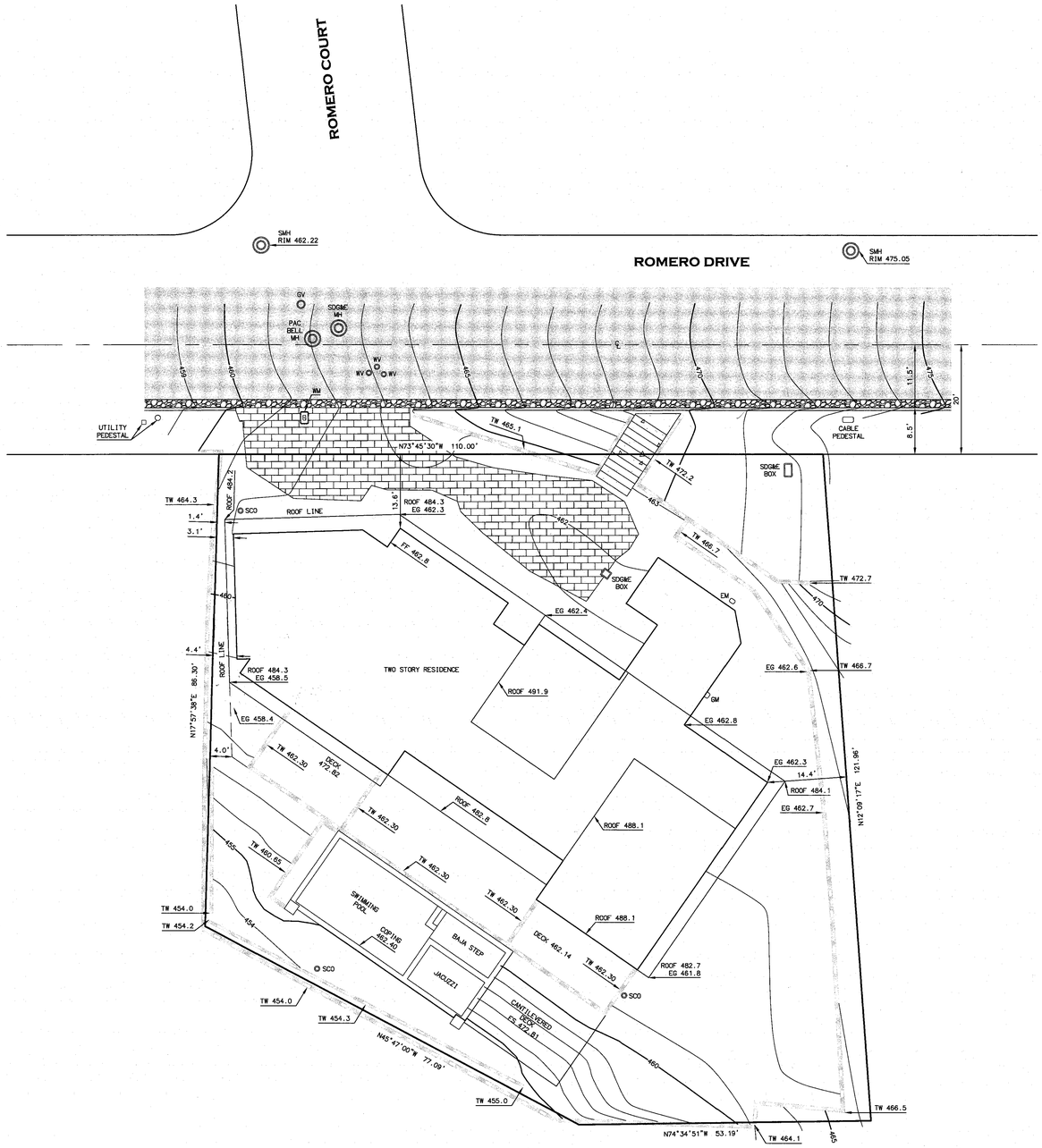
SHEET TITLE : Building Sections

DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE: 9/6/2025
JOB NUMBER:
SCALE: As Noted

REVISIONS	BY	DATE
1		
2		
3		
4		

A4.2

NOTE: These Plans are for a Coastal Development Permit. They are not official until City Agencies agree that a Coastal Dev.Permit is to be Granted based upon these plans or Modified Plans (See Revisions- dates)



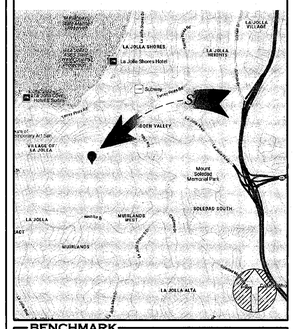
LEGEND

EG --- EXISTING GROUND
FF --- FINISH FLOOR
GV --- GAS VALVE
MH --- MAN HOLE
TW --- TOP OF WALL
WM --- WATER METER
WV --- WATER VALVE
SCO --- SEWER CLEAN OUT

GRAPHIC SCALE

10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.

VICINITY MAP



BENCHMARK

THE BENCHMARK FOR THIS SURVEY IS A CITY OF SAN DIEGO VERTICAL CONTROL MONUMENT, A BRASS PLUG, LOCATED AT THE NORTHWEST CORNER OF ROMERO DRIVE AND ROMERO COURT.

ELEVATION = 462.695 FEET (NGVD '29)

SITE INFORMATION

7354 ROMERO DRIVE
LA JOLLA, CA 92037

LEGAL DESCRIPTION

LOT 3 IN BLOCK "C" OF LA JOLLA COUNTRY CLUB HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1975, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 21, 1926, BEING DESCRIBED IN DOCUMENT NO. 2020-0272296, RECORDED MAY 29, 2020.

APN: 352-213-02
GROSS AREA - 0.297 ACRES
12,955.90 SQ. FT.

THE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON HAVE BEEN ESTABLISHED FROM A FIELD SURVEY OF SURFACE FEATURES, CONTRACTOR TO VERIFY EXACT LOCATION PRIOR TO CONSTRUCTION.

PLAN PREPARED BY

ACCURATE LAND SURVEYS
2514 ALPINE BLVD. SUITE #4, ALPINE, CA 91901
PH. 619-445-0110

SEAL

PROFESSIONAL LAND SURVEYOR ROBERT J. RUSSELL EXP. MAR 31 27 NO. 8211 STATE OF CALIFORNIA

SHEET TITLE

TOPOGRAPHIC MAP

DATE

09/16/2025

SHEET NUMBER

SHEET 1 OF 1

JOB NO. 254483 ROMERO DRIVE

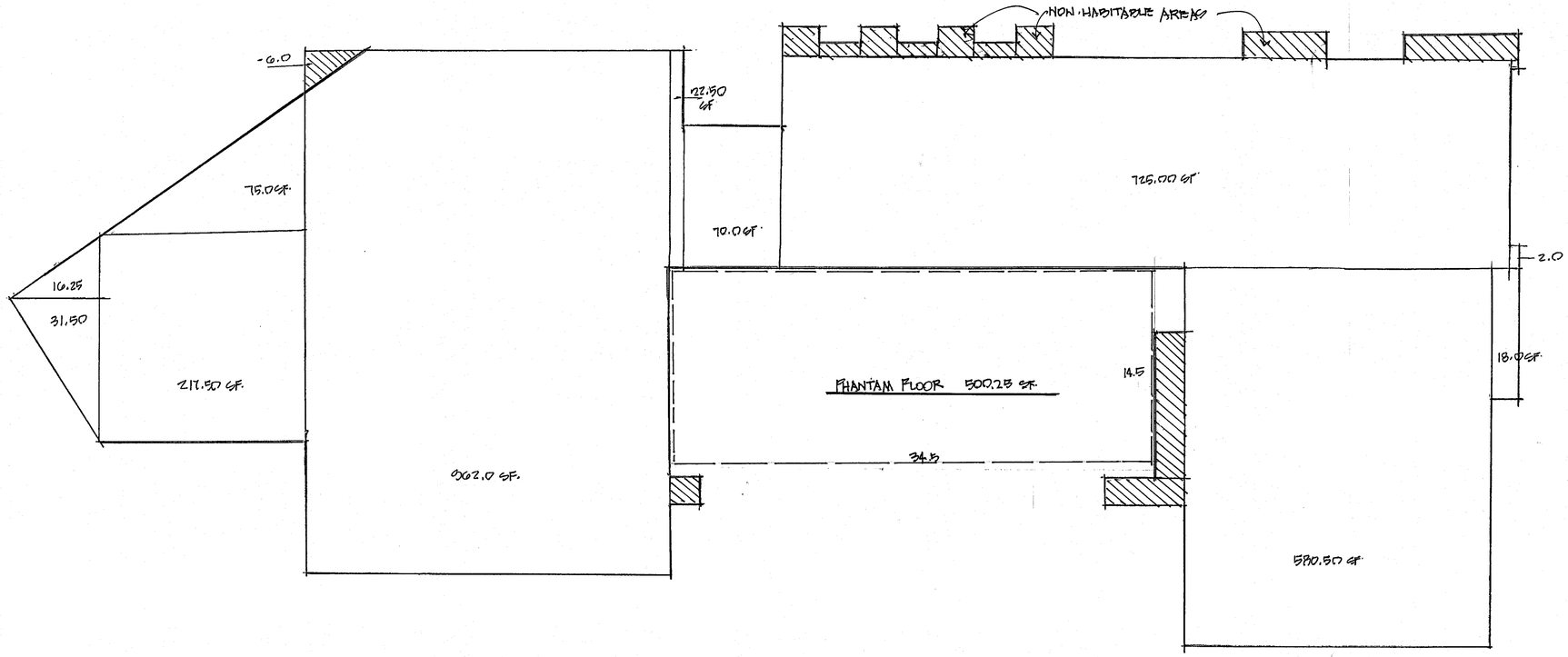
Scott A. Spencer & Associates
1110 TORREY PINES ROAD, STE D LA JOLLA, CA 92037
TEL (858) 459-8898 (FAX) 459-8901

LICENSED ARCHITECT SCOTT ALBERT SPENCER No. C33340 REN. 08-31-2027 STATE OF CALIFORNIA

TITLE BLOCK INFO
PROJECT: 7354 ROMERO DRIVE LA JOLLA, CA
SHEET TITLE: TOPO - SURVEY
DATE: MARCH 12, 2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT PMT - 2743580 VARIANCE - 3333373
ARCHITECT: Scott A. Spencer
Ph: 858-459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT: TOPIA LANDS. DESIGN
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C, LOT 3, LJ Country Club Hts Map No: 1975
APN: 352-213-02-00
OWNER : B.TASHAKORIAN
OCCUPANCY: R-3/ U
SITE AREA: 14,044 Sq. Ft.
TYPE OF CONSTRUCTION: V- B
ZONE: RS 1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

SHT. NO: 14
SHT 14 OF 16
REVISIONS:
1 12.1.2025
4 10.15.2025
5 11.20.2025
6 12.26.2025
7 3/5/2026

A5



SECOND FLOOR AREA
SCALE: 1/4"=1'-0"

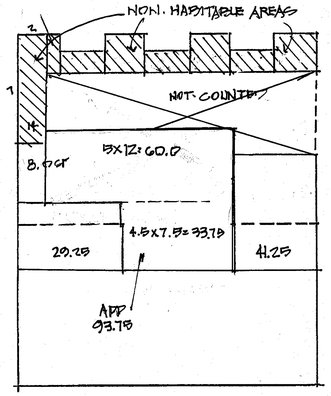
2.0
18.0
580.50

725.00
+500.25 'PHANTOM FLOOR'

70.00
12.50

962.0
- 6.0
75.0
217.5
31.5
10.25

3214.50
THIS FLOOR



THIRD FLOOR AREA
SCALE: 1/4"=1'-0"

93.75
8.00
29.25
41.25

172.25 SF
THIS FLOOR

TITLE BLOCK INFO
PROJECT: 7354 ROMERO DRIVE LA JOLLA, CA
SHEET TITLE: BUILDING AREA CALC.
DATE: MARCH 12, 2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT: 3242258
VARIANCE: 3333373
ARCHITECT: Scott A. Spencer
Ph: 858-459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT: TOPIA LANDS. DESIGN
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C, LOT 3, LJ Country Club Hts Map No: 1975
APN: 352-213-02-00
OWNER: B.TASHAKORIAN
OCCUPANCY: R-3/ U
SITE AREA: 14,044 Sq. Ft.
TYPE OF CONSTRUCTION: V-B
ZONE: RS 1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

SHT. NO: 15
SHT. 15 OF 16
REVISIONS:
1 5.1.2025
2 6.17.2025
3 8.1.2025
4 10.15.2025
5 11.20.2025
6 12.26.2025
7 3/5/2026

PROJECT: Romero Drive
OWNER(S): - -

Scott A. Spencer & Associates
1110 TORREY PINES ROAD., STE. " D"
LA JOLLA, CA 92037
BUS:(858)459-8898
FAX:(858)459-8901
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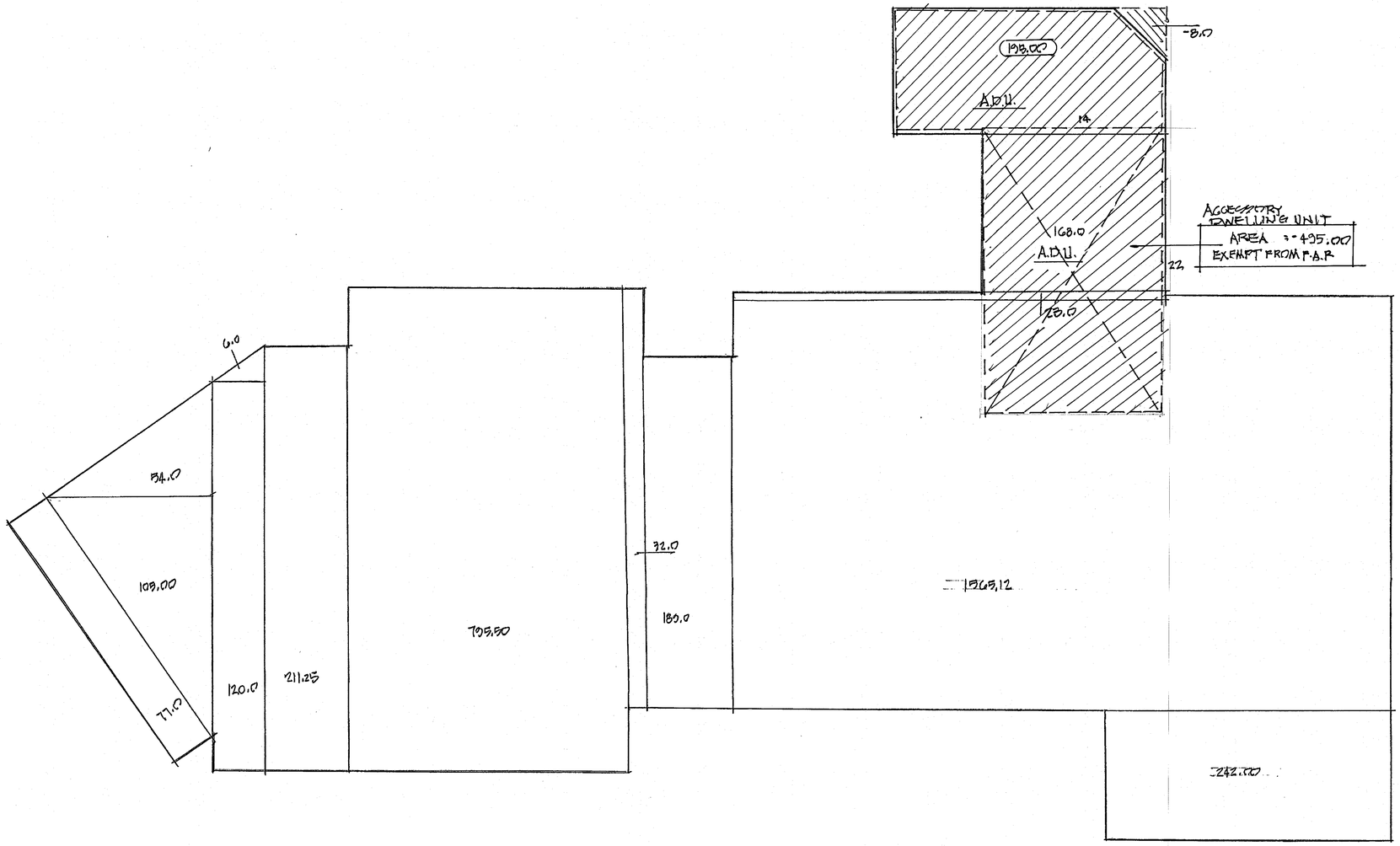
LICENSED ARCHITECT
SCOTT ALBERT SPENCER
No. C33340
REN. 08.31.2025
STATE OF CALIFORNIA

SHEET TITLE: Building Areas

DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE:
JOB NUMBER:
SCALE: As Noted

REVISIONS	BY	DATE

A6.0



FIRST FLOOR AREA
SCALE: 1/4"= 1'-0"

MAX. ALLOWED FLOOR AREA: 7022.00 SQ.FT

FIRST FLOOR AREA	:	3,279.87	SF.
SECOND FLOOR AREA	:	3214.50	SF.
THIRD FLOOR AREA	:	172.25	SF.
TOTA FLOOR AREA	:	6,666.62	SQ.FT (REV.)

198.00
- 8.00
168.00
23.00
1565.12
242.00
198.00
32.00
795.80
211.25
120.00
54.00
109.00
77.00
6.00
GROSS
3774.87
THIS FLOOR
- 495.00 ADU
3279.87 NET FLOOR AREA

TITLE BLOCK INFO
PROJECT: 7354 ROMERO DRIVE LA JOLLA, CA
SHEET TITLE: BUILDING AREAS
DATE: MARCH. 12, 2025
SCOPE OF WORK: COASTAL DEVELOPMENT PERMIT
PMT. 3247986
VARIANCE - 7335373
ARCHITECT: Scott A. Spencer
Ph: 858-459-8898
CIVIL ENGINEER:
LANDSCAPE ARCHITECT: TOPIA LANDS. DESIGN
GEOLOGIC HAZARD CATEGORY: 52
LEGAL: BLK C, LOT 3, LJ Country Club Hts Map No: 1975
APN: 352-213-02-00
OWNER : B.TASHAKORIAN
OCCUPANCY: R-3/ U
SITE AREA: 14,044 Sq. Ft.
TYPE OF CONSTRUCTION: V- B
ZONE: RS 1-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

SHT. NO: 16
SHT 16 OF 16
REVISIONS:
1 5.1.2025
2 6.17.2025
3 8.1.2025
4 10.15.2025
5 11.20.2025
6 12.26.2025
7 3/5/2026

PROJECT: Romero Drive
OWNER(S): - -

Scott A. Spencer & Associates
1110 TORREY PINES ROAD., STE. " D"
LA JOLLA, CA 92037
BUS.(858)459-8898
FAX.(858)459-8901
scottspencerarchitect@gmail.com
SCOTT A. SPENCER
Architect Lic. C33340

LICENSED ARCHITECT
SCOTT ALBERT SPENCER
No. C33340
SIGNS 05.31.2027
STATE OF CALIFORNIA

SHEET TITLE: Building Areas

DESIGN BY: Arch. Scott A.
CHK'D BY:
DRWN BY:
DATE:
JOB NUMBER:
SCALE: As Noted

REVISIONS BY DATE

A6.1

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

INTERNAL ORDER NUMBER: 24010095 SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-3243580
VARIANCE NO. PMT-3335393
7354 ROMERO DRIVE VARIANCE - PROJECT NO. 1101825
PLANNING COMMISSION

This Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393 (Permit) is granted by the Planning Commission of the City of San Diego to BEHNAM TASHAKORIAN, a married man as his sole and separate property, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708 and 126.0805. The 0.297-acre site is located at 7354 Romero Drive in the RS-1-4 zone, the Coastal Overlay Zone Non-Appealable Overlay, and the Coastal Height Limitation Overlay zones of the La Jolla Community Plan area.

The project site is legally described as: LOT 3, BLOCK “C” LA JOLLA COUNTRY CLUB HEIGHTS, ACCORDING TO MAP THEREOF NO. 1975, 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, DECEMBER 21, 1926, AND MORE PARTICULARLY DESCRIBED WITHIN INTERSPOUSAL INDIVIDUAL GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MAY 29, 2020 AS DOCUMENT NO. 2020-0272295 O.R.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a second- and third-story addition to a single dwelling unit with a variance for western side setback and front yard setback described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 5, 2026, on file in the Development Services Department.

The project shall include:

a. A 6,667-square-foot 3-story single dwelling unit;

b. A Variance to allow a 3.1-foot side-yard setback and a 13.6-foot front yard setback to be observed at the garage and second story.

c. Existing landscaping; and

d. 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 November 5, 2029.

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.

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" 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.

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.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any building permit, the Owner/Permittee shall provide an Irrevocable Offer of Dedication on Romero Drive to provide a 12-foot curb-to-property-line distance, to the satisfaction of the City Engineer.

12. Prior to the issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the reconstruction of a 12-foot-wide driveway, adjacent to the site on Romero Drive, satisfactory to the City Engineer.

13. Prior to the issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the removal of existing gutter and construction of City Standard curb and gutter matching the existing flow line on Romero Drive, satisfactory to the City Engineer.

14. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement from the City Engineer for the non-standard driveway, landscaping, irrigation, trees, stairs and steps along Romero Drive Public Right-of-way.

15. The existing drainage system as shown on the site plan is private and subject to approval by the City Engineer.

16. Development of this project shall comply with all permanent stormwater requirements set forth in Municipal Stormwater Permit No. 2013-0001, or any subsequent order, as well as the current version of the City of San Diego's Stormwater Standards Manual.

17. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

PLANNING/DESIGN REQUIREMENTS:

18. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with the requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

19. 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.

20. 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 permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 Planning Commission of the City of San Diego on November 5, 2026, and Resolution No. _____-PC.

ATTACHMENT 2

Coastal Development Permit No. PMT-3243580
Variance No. PMT-3335393
Date of Approval: November 5, 2026

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

_____
Francisco Mendoza
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.

BEHNAM TASHAKORIAN
Owner/Permittee

By _____
Behnam Tashakorian

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

PLANNING COMMISSION RESOLUTION NUMBER _____-PC
COASTAL DEVELOPMENT PERMIT NO. PMT-3243580
AND VARIANCE NO. PMT-3335393
7354 ROMERO DRIVE VARIANCE - PROJECT NO. 1101825

RECITALS

The Planning Commission of the City of San Diego adopts this Resolution based on the following:

A. BEHNAM TASHAKORIAN, a married man as his sole and separate property, Owner/Permittee, submitted an application with the City of San Diego for a Coastal Development Permit and Variance for the construction of a second- and third-story addition to a single dwelling unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. PMT-3243580 and PMT-3335393), for the 7354 Romero Drive Variance project (Project).

B. The 0.297-acre site is located at 7354 Romero Drive within the La Jolla Community Plan in the RM-1-4 (Residential Single) zone, the Coastal Overlay Zone (Non-Appealable) and the Coastal Height Limit Overlay Zone. The project site is legally described as LOT 3, BLOCK “C” LA JOLLA COUNTRY CLUB HEIGHTS, ACCORDING TO MAP THEREOF NO. 1975, 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, DECEMBER 21, 1926, AND MORE PARTICULARLY DESCRIBED WITHIN INTERSPOUSAL INDIVIDUAL GRANT DEED RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MAY 29, 2020, AS DOCUMENT NO. 2020-0272295 O.R.

C. On July 22, 2026, the Hearing Officer of the City of San Diego approved Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393, with modifications, pursuant to the Land Development Code of the City of San Diego.

D. On August 5, 2026, Julie Hamilton, on behalf of Concerned Neighbors, filed an appeal of the Hearing Officer's approval of Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393, with modifications, pursuant to the Land Development Code of the City of San Diego.

E. On November 5, 2026, the Planning Commission considered the appeal, and Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393, pursuant to the Land Development Code of the City of San Diego.

ACTION ITEMS

Be it resolved by the Planning Commission of the City of San Diego:

1. The Planning Commission of the City of San Diego adopts the following findings with respect to Coastal Development Permit No. PMT-3243580 under SDMC section 126.0708 and Variance No. PMT-3335393 under SDMC section 126. 0805:

1. **The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

   The 0.297-acre property is located at 7354 Romero Drive within the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP). There are no physical accessways on the premises that are legally used by the public nor any proposed public accessway identified in the LJCP. The Pacific Ocean is located approximately 0.57 miles to the north.

   The property takes access from Romero Drive, and there are no partial, intermittent, or other scenic vistas identified within the LJCP Identified Public Vantage Points Figure 9. The proposal will have no effect on the public views or vantage points as identified in the LJCP. Therefore, the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the LJCP.

2. **The proposed coastal development will not adversely affect environmentally sensitive lands.**

   The project site is a previously graded lot with a single-dwelling unit. No new grading is proposed or required. The existing walls and foundation will be modified to

support a second- and third-story addition. Surrounding the property are developed single-dwelling unit lots in a built, urban environment. There are no Multi-Habitat Planning Area designated lands, as defined in SDMC section 143.0110, on or adjacent to the project site.

The project is conditioned to comply with the current Municipal Stormwater Permit, to provide a Water Pollution Control Plan, and to comply with the current version of the City's Stormwater Standards Manual. These documents require managing site drainage and potential water pollutants to prevent debris and runoff from entering the storm drain and the water supply. Typical management strategies include, but are not limited to, the use of gravel bags, silt fencing, and a sediment/desilting basin. New curb and gutter will be constructed along Romero Drive, providing for efficient and safe transport of stormwater from the right-of-way. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

3. **The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.**

   The project site is within the Very-Low Density Residential designation of the La Jolla Community Plan and Local Coastal Program (LJCP) with a range of 0-5 dwelling units per acre (du/ac). The existing single-dwelling unit will be remodeled and expanded in floor area, and meets the density range and use requirements of the LJCP (3 du/ac). The proposed remodel has been redesigned to comply with the height limitations of the Coastal Height Limitation Overlay and the floor area ratio limitations of the RS-1-4 zone. Because of historic topographic constraints, the addition above the garage requires a variance. With the granting of the variance (variance findings incorporated herein), the proposed coastal development is in conformity with the LJCP and complies with all regulations of the certified Implementation Program.

4. **For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.**

   The Pacific Ocean is located approximately 0.57 miles to the north. The project is located outside of the nearest public road and sea or shoreline; therefore, this finding does not apply.

B. <u>VARIANCE FINDINGS [SDMC Section 126.0805]</u>

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.**

Romero Drive is a narrow, two-lane residential street with cobblestone curb and gutter and without sidewalks. The original variance was granted to allow the garage and a small portion of the house to encroach into the side and front yard setbacks to account for the steepness of Romero Drive across the frontage (east-to-west approximately 12-foot rise over approximately 100 feet in property width) and the steepness of the property (north-to-south approximately 22 feet or 472' Mean Sea Level (MSL) at the northeast end and 450' MSL at the southwestern end). The driveway curb cut was made at the northwestern edge of the property, with the garage and house encroaching into the front and side yard setback (in 1974, the side yard setbacks were 6.0 feet, and the front yard setback was 20.0 feet. The SDMC has since changed to allow a 4.0-foot modified side-yard setback. The home is sited northwest to southeast, so a majority of the house does not encroach into the setback.

The project does not propose grading or expansion of the building's existing footprint, but due to field changes in the under-construction project, a Coastal Development Permit and Variance are required to expand vertically into the previously granted variance. It was also determined through field investigations and topographic surveys that the original construction observed a 3.1-foot side-yard setback and a 13.6-foot front-yard setback. The original variance, granted in 1974, resolved topographic issues that are peculiar to this premises, and do not apply generally to the neighboring properties. These topographic challenges exist today. Therefore, 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 these conditions have not resulted from any act of the applicant after the adoption of the application 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 6,667-square-foot single-dwelling unit (SDU) is constrained by steep topography, the existing footprint of the structure, and the height restrictions of the base zone and the Coastal Height Limitation overlay. If the variance were not granted, the house would need to be completely remodeled, with revisions to the parking and site design of the premises.

   Additionally, the existing topography would limit the overall structure height of the SDU if expanded further into the slope at the southern end of the property, thereby allowing construction to comply with the premises' FAR limitations. Therefore, 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.

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 original variance granted a partial 3.5-foot setback at the western side yard and a 14.0 front yard setback (where 6.0 and 20.0 were required, respectively). This variance was granted for the addition of a garage to an existing, nonconforming single-story single-dwelling unit. These regulations have since changed, and the proposed variance requests to clarify what was constructed in 1975: a 3.1-foot side yard setback, where a modified 4.0-foot side yard setback is currently required. Since the side yard is less than 5 feet from the property line, the construction regulations require a more fire-resistive construction. Different details and materials with greater fire resistance will be required to protect the public health and safety. To satisfy this safety intent without altering the existing footprint, the affected wall will be upgraded to a 1-hour fire-resistance rating; any roof overhangs within the setback will feature protected, non-combustible soffits; and unprotected openings (windows/doors) will be strictly limited or eliminated, in compliance with modern fire separation code.

   Additionally, the layouts of properties in the vicinity are irregular. The adjacent property to the west is a corner lot with two street frontages. The proposed variance is requested for a side yard abutting a rear yard. This protects against future encroachments or situations that would create two properties with very tight setbacks. Because this property is located at the rear of a property with two frontages, it will maintain the harmony of the existing neighborhood development pattern. Finally, because the structure is being vertically expanded rather than further encroaching on the setback, the original variance conditions granted remain in place today. Therefore, the proposed variance 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 La Jolla Community Plan (LJCP) has two policies that are relevant to the project to meet LJCP goals:

   - Maintain existing residential character and encourage buildout of residential areas at the plan density.
   - [A]void extreme and intrusive changes to the residential scale of La Jolla's neighborhoods.

There are no partial, intermittent, or other scenic vistas identified within the LJCP Identified Public Vantage Points Figure 9; therefore, no view corridor easements are required within the side-yard setbacks. The proposed project meets the recommended density at 3 du/ac, and the second-story addition is located over the existing dwelling, in the area of the garage originally granted a variance in 1974.

Dwellings in the vicinity range in styles and vernaculars, with a variety of one, two-, and three-story dwellings. Multiple dwellings in the vicinity range of various sizes:

7343 Romero Drive:	6,961 sf	0.39 FAR	2 stories
7330 Romero Drive:	4,659 sf	0.30 FAR	1 story
7285 Carrizo Drive:	7,820 sf	0.51 FAR	3 stories
7295 Country Club Drive:	7,583 sf	0.36 FAR	2 stories
7351 Romero Drive:	2,650 sf	0.31 FAR	1 story
7362 Remley Place:	4,388 sf	0.45 FAR	2 stories
7383 Remley Place:	6,884 sf	0.33 FAR	2 stories
7342 Remley Place:	2,208 sf	0.19 FAR	2 stories
7354 Romero Drive:	**6,667 sf**	**0.52 FAR**	**3 stories**

The proposal is generally within the size and scale of other dwellings in the vicinity and does not present an extreme or intrusive change to the scale of the neighborhood. Except for the encroachment at the side-yard setback and front-yard setback (and only at the garage area and second-story addition of the home), all regulations are met (Floor Area Ratio, Overall Structure Height, and Coastal Height). The requested variance is the minimum variance required for the project and will not be detrimental to the goals of the La Jolla Community Plan.

Romero Drive rises approximately 12 feet in elevation along the project frontage, and the building facade is not parallel to Romero Drive, extending east-southeast, further reducing the structure's visual impact. The Romero project variance is requested for relief of the western side-yard setback from 4.0 feet to 3.1 feet, and the front-yard setback from 20.0 feet to 13.6 feet, only at the garage area and second-story addition. This new variance will account for the historical configuration of the original structure, the proposed addition, and irregularities encountered during construction. The property immediately to the west is a corner lot with two street frontages. The Romero project’s side yard meets a rear yard (where typically side yards are adjacent to side yards). The proposed second floor is located next to the rear-yard setback of the adjacent property, so visual impacts are minimal and the variance can be supported.

Because the variance maintains the residential scale and character of the neighborhood while adhering to the community plan's density limits, the granting of the variance and coastal development conform with, and are adequate to carry out, the provisions of the certified land use plan.

2. The above findings are supported by the minutes, maps, and exhibits, all of which are incorporated by this reference.

3. Based on these findings adopted by the Planning Commission of the City of San Diego, Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393 are granted by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms, and conditions as set forth in Coastal Development Permit No. PMT-3243580 and Variance No. PMT-3335393, a copy of which is attached to and made a part of this Resolution by this reference.

Travis Cleveland
Development Project Manager
Development Services

Adopted on: November 5, 2026

IO#: 24010095

Development Services

THE CITY OF SAN DIEGO

FORM
DS-3031
November 2022

Development Permit/ Environmental Determination Appeal Application

In order to ensure your appeal application is successfully accepted and processed, you must read and understand Information Bulletin (IB) 505, "Development Permits/Environmental Determination Appeal Procedure."

1. Type of Appeal: ☑ Appeal of the Project
   ☐ Appeal of the Environmental Determination
2. Appellant: Please check one ☐ Applicant ☐ Officially recognized Planning Committee
   ☑ "Interested Person"
   (Per San Diego Municipal Code (SDMC) § 113.0103)

Name:	E-mail:
Concerned Neighbors	julie@jmhamiltonlaw.com

Address:	City:	State:	Zip Code:	Telephone:
501 W. Broadway, Suite 8	San Diego, CA		92101	(619) 278-0701

3. Project Name:
   7354 Romero Drive, PRJ-1101825
4. Project Information:
   Construction and subsequesnt modifications of a two-story addition to a single dwelling
   Permit/Environmental Information Determination and Permit/Document No:
   Coastal Development Permit No. PMT-3243580, Variance No. PMT-3335393
   Date of Decision/Determination: 7/22/26
   City Project Manager: Francisco Mendoza
   Decision (Describe the permit/approval decision):
   Hearing Officer approval of a coastal development permit and a variance
5. Ground for Appeal (Please check all that apply):
   ☑ Factual Error
   ☐ New Information
   ☐ Conflict with other Matters
   ☐ City-wide Significance (Process four decisions only)
   ☑ Findings Not Supported

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in the SDMC § 112.0501. Attach additional sheets if necessary.)

6. **Applicant's** Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: 1990cb89-b060-40c7-bb8d-4462c9f159c9 Digitally signed by 1990cb89-b060-40c7-bb8d-4462c9f159c9 Date: 2026.08.05 14:10:17 -07'00' Date: 8/5/26

Note: Faxed appeals are not accepted.

Reference Table

- San Diego Municipal Code (SDMC)
- Development Permits/Environmental Determination Appeal Procedure (IB-505)



The Law Office of
Julie M. Hamilton

August 5, 2026

Kelly Modén, Chair
San Diego Planning Commission
7650 Mission Center Rd
San Diego, CA 921018-4423
planningcommission@sandiego.gov

FILED ELECTRONICALLY

RE: APPEAL OF HEARING OFFICER DECISION
7354 Romero Drive
Coastal Development Permit No. PMT-3243580
Variance No. PMT-33335393

Chair Modén:

Please accept this letter as an attachment to the Appeal of the above project. I represent Concerned Neighbors, consisting of several residents in the vicinity of the project. Construction began under the auspices of a building permit for the remodel of a single-dwelling unit. The building inspector halted the project noting that the applicant had demolished more than 60% exterior walls. (SDMC §126.0704(a)(5).) The inspector informed the applicant that a coastal development permit was required. The applicant continued building the project despite the inspector's notification. The applicant continued building the project over the next year and a half despite multiple "stop work" orders and enforcement actions. The residence is nearly complete; it appears the project awaits paint and fixtures. The timeline of the project shows the applicant's attorney threatened the city with litigation and soon thereafter city staff indicated it could support a variance for the new structure. This applicant violated the municipal code and was awarded a variance for his wrongdoing. The Hearing Officer's approval of a coastal development permit and variance is based on erroneous information and the findings for a coastal development permit and variance are not supported by substantial evidence.

Concerned Neighbors appeals this project on the following grounds:

Factual Error

PROJECT DESCRIPTION:

The project description identifies the project as construction and subsequent modifications to a one-story, single-dwelling unit. However, the one-story, single-dwelling unit

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was demolished without a coastal development permit in violation of the municipal code. In addition, the land development code requires that when more than one permit, map or other approval is required for a single development, the applications shall be consolidated, and the action of the decision maker shall be considered one consolidated action. (SDMC §126.0707(e).) The land development code definition of development is expansive and includes any improvement made to the lot. During the development of the single-dwelling unit; the applicant also built a new swimming pool. Staff have opined the swimming pool was built under a separate permit; however, the coastal development regulations require the swimming pool to be included in this application for a coastal development permit. The applicant submitted the application for a coastal development permit on July 26, 2023. As the images below show, the pool was built while the coastal development permit was pending and should have been included in the application for a coastal development permit.

Project site at time of application for coastal development permit. (Google Earth image dated 6/20/23)

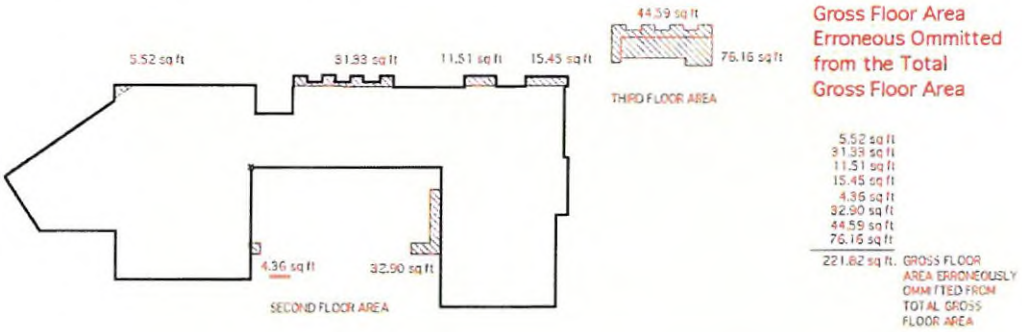


Project site while coastal development permit was pending: (Google Earth image dated 2/15/24.)



GROSS FLOOR AREA

The applicant states and the city staff erroneously agreed the gross floor area of the third floor of project equals 172.25 square feet. However, the applicant erroneously omitted 221.82 square feet of third floor area within the exterior surface of the surrounding exterior walls. The gross floor area for the project equals 6,889.51 square feet; resulting in an FAR of .532 where land development code limits the FAR to .52.



PROJECT PLANS

The project plans considered by the Hearing Officer are inconsistent and inaccurate.

- Sheet A1.1 Does not accurately depict the walls that were demolished.
- Sheet A3.0 Front elevation does not show roof eaves.
  Rear elevation does not accurately reflect wrap-around balcony on west side of structure.
  Rear elevation shows second floor cantilever that is not reflected on floor plans.
- Sheet A3.1 Right elevation does not accurately reflect reduced balconies.
- Sheet 4.0 Section A shows a cantilevered second floor on east and west side that is not reflected on the floor plans or elevations.

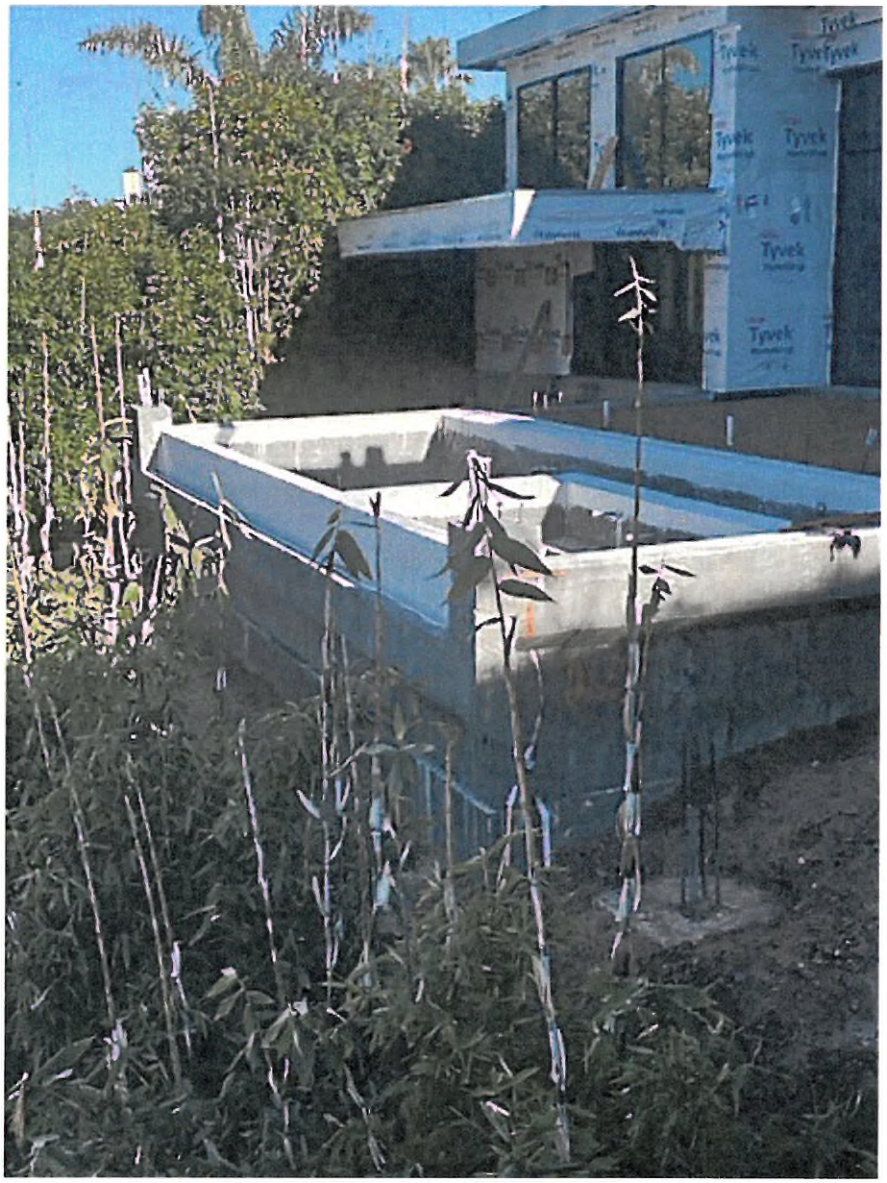
Findings Not Supported

COASTAL DEVELOPMENT PERMIT

The findings for a coastal development permit require the decision maker find the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. (SDMC §126.0708(a)(3).) The land development code is the certified Implementation Program for the Local Coastal Program. A variance is required because the project does not comply with the

land development code and the findings for a variance are not supported. Therefore, the findings for a coastal development permit cannot be made.

In addition to the findings for a variance not being supported, the variance fails to include all the nonconformities with the land development code associated with the development of this site. The pool is a vanishing edge pool with a 7' wall. The pool wall constitutes a retaining wall in this instance and exceeds the allowable height for a retaining wall. (SDMC §142.0340(d)(1).) Therefore, the pool wall is not consistent with the land development code or the certified Implementation Program and must be included in the variance to comply with the Implementation Program.



Although the plans submitted as Exhibit A show reduced balcony widths on both second-floor balconies at the back of the house; these balconies are already built. There is no assurance the balconies will be reduced per the submitted plans. If the balconies are not reduced, they are within 6' of the pool; which means the structure height is calculated from the lowest edge of the pool. This causes the structure to exceed the height limit. Without some assurance the balconies will be reduced via special conditions, the project is not consistent with the Implementation Program. A variance is not allowed to increase the structure height in the coastal overlay zone. This nonconformity cannot be resolved until the balconies are reduced; a special condition is required to force timely modification of the balconies.

VARIANCE

The findings for a variance are not supported by evidence in the record.

Special Circumstances

The land development code requires the decision maker find "[t]here 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 in the neighborhood..." (SDMC §126.0805(a).) The findings in the hearing officer's resolution of approval discusses the conditions of Romero Drive and the impact of Romero Drive on the ability to develop the property. The findings fail to discuss how these conditions are peculiar to this property and do not generally apply to the land or premises in the neighborhood. With no affirmative showing that this property differs substantially from other parcels in the neighborhood, this variance would grant a special privilege prohibited under the code. (*Topanga Assn. for a Scenic Communioty v. County of Los Angeles* 1974) 11 Cal.3d 506, 522.) That is because most of the property in the neighborhood is subject to similar conditions with steep streets and cobblestone curb and gutter. The entire Country Club neighborhood of La Jolla is defined by steep streets and cobblestone curb and gutter.

The findings then go on to discuss the location of the driveway and the impact of the location of the driveway on the project. The findings fail to mention that the conditions of approval require the improvement of the street frontage on Romero Drive and removal and replacement of the driveway. These conditions moot any consideration due to the curb and gutter on Romero Drive or the location of the driveway. In addition, there is no evidence in the record that conditions and circumstances of this project site are peculiar to the land or premises and do not generally apply to the land or premises in the neighborhood.

Reasonable Use

The land development code also requires the decision maker find the circumstances or conditions are such that 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 is the minimum

variance that will permit reasonable use of the land or premises. Variances should not be granted because the applicant wants a larger structure or finds the code inconvenient. "[I]f the property can be put to effective use, consistent with its existing zoning …without the deviation sought, it is not significant that the variance sought would make the applicant's property more valuable, or that [it] would enable him to recover a greater income.... (*Broadway, Laguna etc. Assn. v. Board of Permit Appeals* (1967) 66 Cal.2d 767, 775.)"

The applicant is requesting a variance to allow a 6,667 square foot single-dwelling unit with an ADU to replace the previously existing 3,435 square foot single-dwelling unit. The variance allows a reduced side and front yard setback for the new second floor. The land development code allows expansion of a previously conforming structural envelope limited to the first story level. (SDMC §127.0106(b)(7).) Allowing a variance that expands the nonconformity to the second level of a house is not the minimum necessary to allow reasonable use of the premises given the lower floor of the house, as built, totals more than 3,000 square feet of gross floor area; thereby allowing reasonable use of the premises. The findings included in the hearing officer's resolution fail to bridge the analytical gap between the evidence and the legal criteria for a variance and are not supported by evidence in the record.

Conclusion

The project plans submitted and considered by the Hearing Officer are inaccurate and must be corrected before being adopted as Exhibit A. In addition, the project description fails to describe the project accurately as demolition of the existing residence and construction of a new residence. The description of the variance also fails to include construction of the swimming pool and the need for a variance for the pool wall height and FAR. The findings for a coastal development permit cannot be made because the proposed project is not consistent with the certified Implementation Program and the findings for a variance are not supported by evidence in the record. There is no evidence of special circumstances or conditions that are peculiar to this land and do not apply to other land or premises in the neighborhood. Similarly, there is no evidence that strict application of the land development code would deprive the applicant of reasonable use of the land or premises or that the variance granted is the minimum variance that will permit reasonable use of the land or premises.

The application for a variance should be denied. Any approval of a coastal development permit must require that all nonconforming aspects of the project as built shall be modified immediately. The applicant has shown proclivity to build in violation of the land development code without remorse. He should not be rewarded for bad behavior by allowing the illegal structure to remain.

Regards,

Julie M. Hamilton

Julie M. Hamilton
Attorney for Appellant
Concerned Neighbors