



The County of San Diego

Planning Commission Hearing Report

Date:	June 13, 2025	Case/File No.:	Namoo Residence Variance Permit; PDS2024-VAR-24-086
Place:	County Conference Center 5520 Overland Avenue San Diego, CA 92123	Project:	Administrative Variance
Time:	9:00 a.m.	Location:	894 Bernita Road, El Cajon, CA 92020
Agenda Item:	# 2	General Plan:	Semi-Rural Residential (SR-1)
Appeal Status:	No further appeals available for the Administrative Variance; Notice of Exemption CEQA Environmental Determination appealable to the Board of Supervisors	Zoning:	Limited Agriculture (A70)
Applicant/Owner:	Samer Namoo	Community:	Valle De Oro Community Plan Area
Environmental:	Notice of Exemption	APN:	493-400-39-00

A. OVERVIEW

The purpose of this report is to provide the Planning Commission (PC) with the necessary information to consider a request for a Standard Variance (VAR) associated with the proposed development of a single-family residence at 894 Bernita Road. The requested action would authorize a reduction in the front yard setback from forty feet to twenty feet in order to allow for the construction of a new two-story single-family dwelling and associated site improvements. This report includes a staff analysis of project conformance with the County Zoning Ordinance, San Diego County General Plan, and procedural requirements pursuant to Section 7100 et seq. of the Zoning Ordinance.

Staff recommends approval of the Variance request, subject to conditions and findings outlined under Section 7107 of the Zoning Ordinance because the proposed reduction in setback will not grant a special privilege and it is necessary to allow for reasonable development of the parcel due to unique site constraints.

The project site is located in the Valle de Oro Community Plan Area and is designated as Semi-Rural

Residential (SR-1) under the County's General Plan. The 0.50-acre parcel (APN 493-400-39-00) is zoned RR (Rural Residential) and is constrained by a 20-foot-wide private road easement that bisects the lot, substantially limiting the buildable area. The applicant seeks relief from the front yard setback standard to increase design flexibility while maintaining compatibility with surrounding residential properties.

B. REQUESTED ACTIONS

This is a request for the Planning Commission to evaluate the proposed Variance for a single-family residence, to determine if the required findings can be made and, if so, take the following actions:

1. Adopt the Environmental Findings included in Attachment D, which includes a finding that the project is exempt from the California Environmental Quality Act (CEQA).
2. Grant Variance PDS2024-VAR-24-086, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment B).

C. PROJECT BACKGROUND

A discretionary permit application (PDS2024-VAR-24-086) was submitted to the County on November 4, 2024, by Boushra Salem of Finest City Design Builder, acting on behalf of the property owner, Samer Namoo. The proposed project includes demolition of the existing 868-square-foot structure (already completed), and construction of a new 4,000-square-foot two-story residence, along with a swimming pool, driveway, fire access turnaround, and an alternative on-site wastewater treatment system (septic system) in the rear of the property.

The variance was initially noticed for public comment on January 21, 2025. In accordance with Section 7105 of the Zoning Ordinance, the decision was to be rendered by the Director of Planning & Development Service unless a hearing was requested by an interested party. A hearing request was submitted by one of the parties who received public notice of the project. In consultation with County Counsel, it was determined that the request met the requirements of Section 7105, and the matter was therefore scheduled for a hearing before the Planning Commission.

D. DEVELOPMENT PROPOSAL

1. Project Description

The applicant proposes to construct a new 4,000-square-foot, two-story single-family residence at 894 Bernita Road, along with associated site improvements. The project includes the installation of a 600-square-foot in-ground swimming pool, which will be processed under a separate permit. To support on-site wastewater needs, an alternative septic treatment system is proposed in the rear portion of the property, along with a 1,050-square-foot reserve disposal area. Vehicular access will be provided by a 1,600-square-foot permeable driveway, and fire safety access is accommodated through a designated turnaround. Additional site features include utility service improvements to support the new residential development.

The project site is constrained by the presence of a private road easement, which bisects the front portion of the property and establishes a 40-foot front yard setback measured from its centerline. To accommodate the proposed development, the applicant is requesting a front yard setback variance

to allow a reduced setback of 20 feet. No other setback variances are being sought. The rear of the property is designated for the septic treatment system and reserve area, and relocating the residence further back would conflict with required health and safety separations between structures and site wastewater infrastructure. As such, the variance is necessary to allow reasonable development of the site, while maintaining compliance with environmental health regulations.



Figure 1: View facing north, showing entry onto the parcel with the access easement bisecting the parcel.



Figure 2: Rear of the lot facing southwest, highlighting interior site conditions and existing boundary wall.



Figure 3: Aerial showing shared access easement.

2. Subject Property and Surrounding Land Uses

The subject property is located at 894 Bernita Road in the unincorporated community of El Cajon, within the Valle de Oro Community Plan Area. The site is identified by Assessor's Parcel Number (APN) 493-400-39-00 and encompasses approximately 0.50 gross acres (0.42 net acres). The parcel is situated in a developed semi-rural residential neighborhood and is accessed via a private road easement originating from Horizon Hills Drive. The property is relatively rectangular in shape, measuring approximately 105 feet wide by 207.5 feet deep, and is constrained by a 20-foot-wide road easement that bisects the lot longitudinally, significantly limiting the area available for development.

The parcel is currently vacant, following the permitted demolition of a previously existing 868-square-foot residence. The topography of the site features moderate slopes and scattered boulder formations, particularly in the rear yard area, which further restricts the buildable area and influences the final siting of the proposed home.

Surrounding land uses are primarily residential in nature, as illustrated in Table D-1: Surrounding Zoning and Land Uses, which shows that all adjacent properties are designated as Semi-Rural Residential (SR-1) under the General Plan and zoned Limited Agriculture (A70). These neighboring properties, located along Horizon Ridge, Bluff Place, Horizon Hills Drive, and Horizon Pointe, are developed with single-family residential homes. The residential character is further emphasized by parcel sizes generally ranging from 0.5 to over 1.5 acres.

A survey of nearby properties within a 500-foot radius indicates an average home size of approximately 3,500 square feet. These homes are typically set back further from the road and are not impacted by bisecting easements or similar constraints. The proposed residence, at 4,000 square

feet, is consistent in scale and bulk with other homes in the vicinity and would maintain the semi-rural character of the area.

The area includes a mix of mature landscaping, retaining walls, and private driveways, and reflects an established pattern of development. The subject parcel is not located within a mapped flood hazard zone, nor is it subject to any special overlay zones or scenic corridor designations. Given these conditions and the constraints imposed by the road easement and septic system location, the requested front yard setback variance is necessary to enable a comparable and context-sensitive residential development that aligns with the neighborhood character. See Figure 5 for the approximate location of the proposed single-family residence.

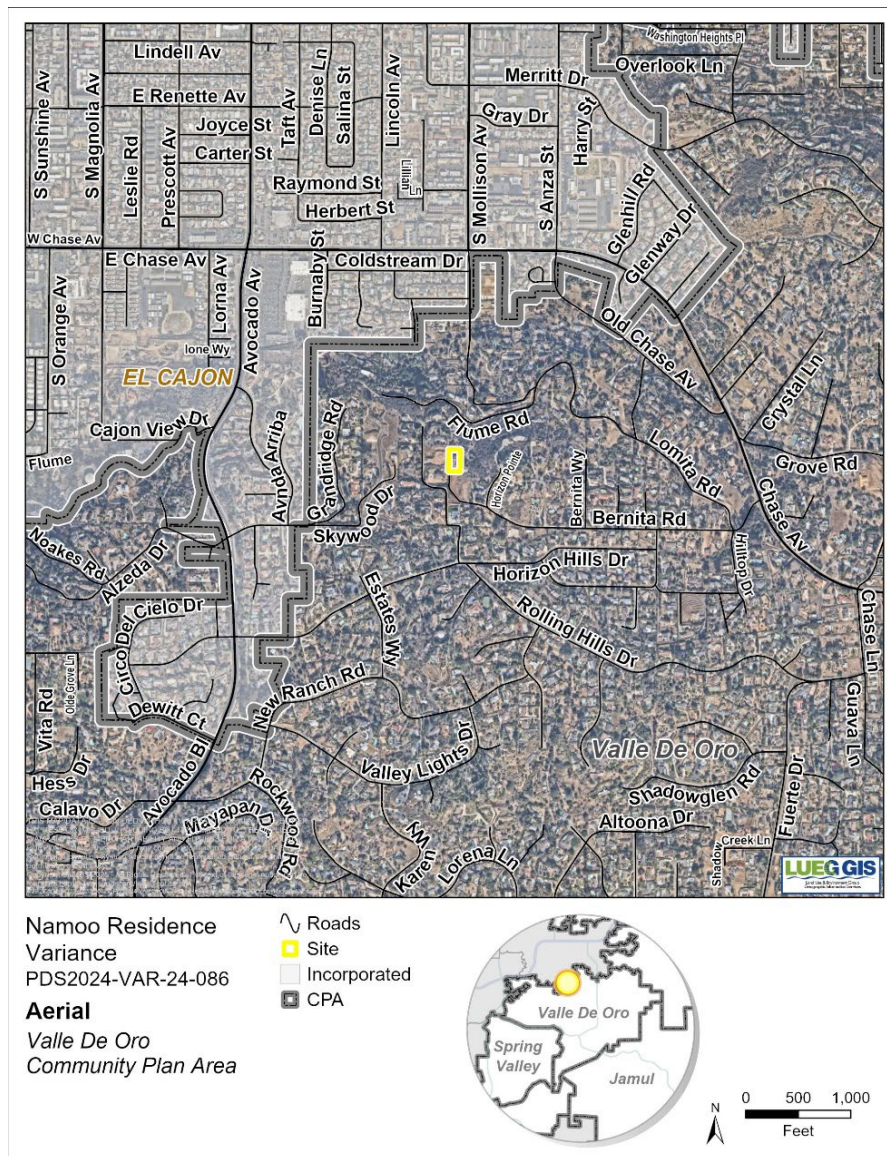


Figure 4: Vicinity Map

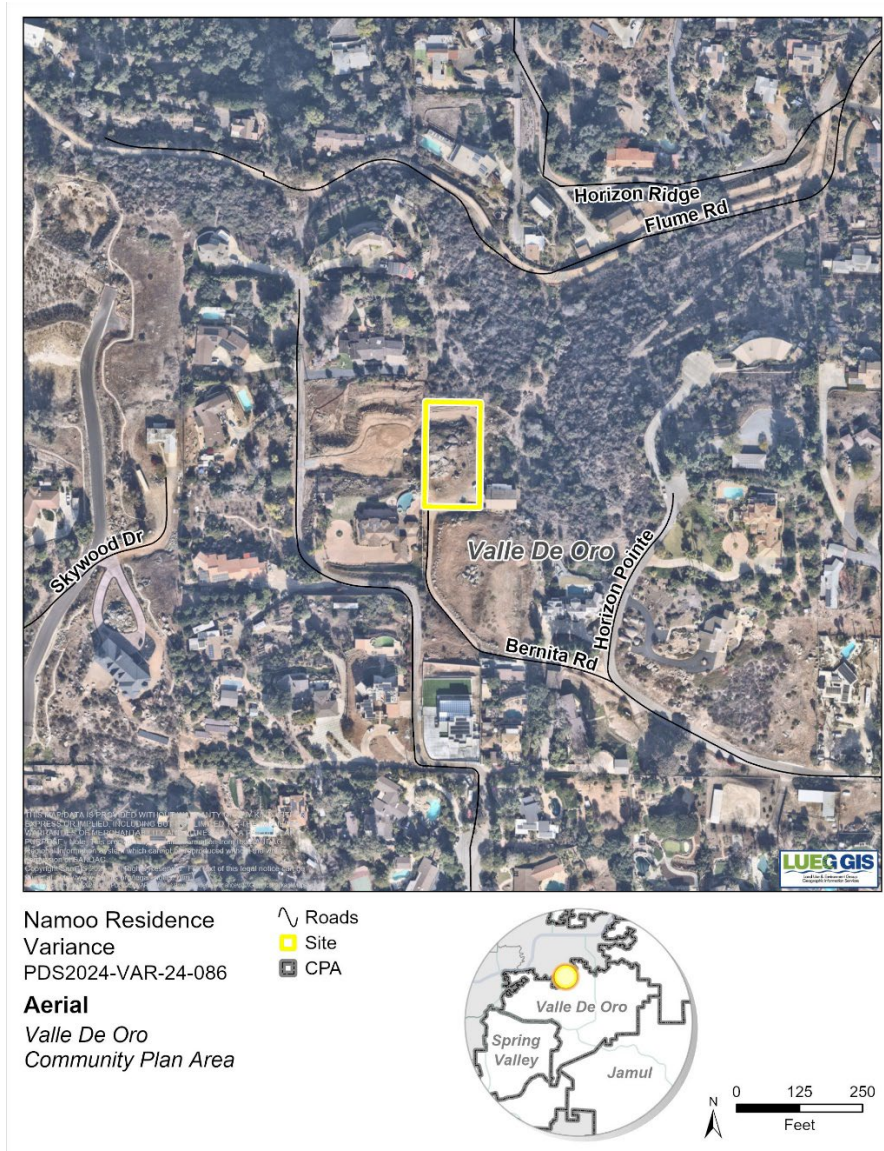


Figure 5: Aerial photograph showing proposed project site and project vicinity.

Location	General Plan	Zoning	Adjacent Streets	Description
North	Semi-Rural Residential (SR-1)	Limited Agriculture (A70)	Horizon Ridge	Single Family Residential
East	Semi-Rural Residential (SR-1)	Limited Agriculture (A70)	Bluff Place	Single Family Residential

Location	General Plan	Zoning	Adjacent Streets	Description
South	Semi-Rural Residential (SR-1)	Limited Agriculture (A70)	Horizon Hills Dr	Single Family Residential
West	Semi-Rural Residential (SR-1)	Limited Agriculture (A70)	Horizon Pointe	Single Family Residential

Table D-1: Surrounding Zoning and Land Uses

E. ANALYSIS AND DISCUSSION

The Project has been reviewed to ensure it conforms to all the relevant ordinances and guidelines, including, but not limited to, the San Diego County General Plan, the Valle De Oro Community Plan, the Zoning Ordinance, and CEQA Guidelines. The following subjects were reviewed for the project and are detailed below: Site Planning Analysis, Physical Constraints, Community Compatibility/Visual Impacts Consistency with Surrounding Development.

1. Key Requirements for Requested Actions

The Planning Commission should consider the requested actions and determine if the following determinations can be made:

- a. Is the Project consistent with the vision, goals, and policies of the General Plan?
- b. Does the Project comply with the policies set forth under the Valle De Oro Community Plan?
- c. Is the Project consistent with the County's Zoning Ordinance?
- d. Is the Project consistent with the County's Variance Ordinance?
- e. Does the Project comply with CEQA?

2. Project Analysis

The project site is uniquely constrained by both its physical configuration and legal encumbrances, despite being located within a residential zone that permits single-family development. Due to the presence of a 20-foot-wide private road easement bisecting the lot, the parcel's usable area is significantly reduced compared to surrounding properties. As a result, the proposed two-story, 4,000-square-foot single-family residence requires approval of a front yard setback variance to allow for proper site planning and functional layout. The variance will facilitate development that is consistent with the surrounding neighborhood in both scale and character, while accommodating the site's septic system, topographic conditions, and infrastructure requirements.

Site Planning Analysis

The project site consists of a 0.50-acre parcel located within a semi-rural residential neighborhood in the Valle de Oro Community Plan Area. The parcel is constrained by a 20-foot-wide private road easement that bisects the property, limiting the functional buildable area. The proposed project

includes construction of a new 4,000-square-foot two-story single-family residence, along with a 600-square-foot in-ground swimming pool, permeable driveway, and fire access turnaround. The proposed site layout was reviewed by staff and determined to be consistent with the intent of the Zoning Ordinance, subject to the granting of a front yard setback variance. The variance would allow a reduction from the standard 40-foot front yard setback (measured from the centerline of the easement) to 20 feet. The requested adjustment enables the proposed structure to fit within the remaining developable area of the parcel, while preserving space in the rear yard for a septic system and reserve area. The site layout balances development needs with regulatory requirements and infrastructure design constraints and maintains adequate setbacks from adjacent properties.

Physical Constraints

The property's topographic conditions further complicate development of the site. The site includes moderate slopes and natural rock outcroppings, particularly toward the rear of the lot, which restrict where construction can reasonably occur. The location of the septic system and required separation distances limit the ability to shift the home further back on the parcel. These factors, combined with the bisecting road easement, significantly reduce site flexibility. Without relief from the front yard setback, development on the parcel would result in a disproportionately small buildable area when compared to other properties in the vicinity. The requested variance accommodates the parcel's physical limitations while enabling construction of a residence consistent with the character of the area.

Community Compatibility/Visual Impacts

The proposed residence is compatible with the established visual and architectural character of the neighborhood. Homes in the area are generally one to two stories in height and range between 3,000 to 5,000 square feet on average. The project proposes a 4,000-square-foot structure with associated improvements that match the scale and form of surrounding development. Although the requested front yard setback would position the home closer to the private roadway than others in the area, existing landscaping and topographic variation will help reduce visibility from adjacent parcels and public view corridors. The design is typical of the neighborhood, and the development will maintain a residential appearance consistent with the Valle de Oro Community Plan's intent.

Consistency with Surrounding Development

The surrounding neighborhood is composed of single-family residential lots ranging from approximately 0.5 to over 1.5 acres in size. An evaluation of twenty-four nearby parcels indicates an average home size of approximately 3,750 square feet. The proposed residence would be similar in both scale and massing, ensuring consistency with the existing built environment. The setback reduction would allow the applicant to construct a home that is reasonably sized for the lot and reflective of the broader development pattern in the community. Approval of the variance would not introduce a new or incompatible land use, and the design integrates with the surrounding semi-rural context, supporting General Plan goals for neighborhood continuity and infill development.

3. General Plan Consistency

The proposed Project is consistent with the following relevant General Plan goals, policies, and actions as described in Table E-1.

Table E-1: General Plan Conformance

General Plan Policy	Explanation of Project Conformance
<p>GOAL LU-1 – Planned Communities: Support development that maintains the unique character of communities while providing for growth.</p> <p>GOAL LU-6 – Compatibility of Land Uses: Ensure development is compatible with the scale, character, and environmental setting of the area.</p>	<p>The proposed single-family residence aligns with the scale and character of nearby homes in the semi-rural residential neighborhood. The project reflects the surrounding development pattern and maintains the low-density residential use envisioned for this community.</p> <p>The residence is designed to be consistent in massing and form with surrounding homes, averaging approximately 3,750 square feet. The 4,000-square-foot proposed home is appropriate given the neighborhood context and does not introduce incompatible land uses or visual impacts.</p>
<p>POLICY LU-2.1 – Maintain Rural Character: Preserve the rural community character and lifestyle by directing appropriate design and scale of development.</p> <p>POLICY LU-5.5 – Development Siting and Design: Require development to minimize grading and respond to site topography, drainage, and other physical constraints.</p> <p>POLICY COS 11.3 – Development Siting and Design. Require development in visually sensitive areas to minimize visual impacts and preserve unique or special visual features, particularly in rural areas.</p>	<p>The proposed project maintains rural characteristics by using permeable paving, incorporating on-site wastewater treatment, and retaining the lot's spacious layout despite its physical constraints. The design is sensitive to the area's rural identity.</p> <p>The presence of a bisecting private road easement and a steep rear slope with boulders presents physical constraints that limit feasible development on the property. The requested variance allows for reasonable site utilization without requiring excessive grading or impacting environmentally sensitive areas.</p> <p>The proposed residence is visually compatible with the neighborhood, and existing vegetation, fencing, and topography will help screen the structure. The home is not located along a scenic corridor and will not impact any designated visual resources.</p>

4. Zoning Ordinance Consistency

a. Development Regulations

The proposed Project complies with all applicable zoning requirements of the A70 (Limited Agriculture) zone with the incorporation of conditions of approval (See Table E-2).

Table E-2: Zoning Ordinance Development Regulations

CURRENT ZONING REGULATIONS		CONSISTENT?
Use Regulation:	A70	Yes
Animal Regulation:	L	N/A
Density:	-	N/A
Lot Size:	1AC	N/A
Building Type:	C	N/A
Height:	G	Yes
Lot Coverage:	-	N/A
Setback:	C	Yes, with approval of Variance
Open Space:	-	N/A
Special Area Regulations:	-	N/A

Development Standard	Proposed/Provided	Complies?
Section 4600 of the Zoning Ordinance sets the maximum height requirements. This parcel has a designated height of "G" which requires structures to be no more than 35 feet in height.	The proposed structure is a single-family residence and accessory uses. The structure does not exceed 35 feet in height. No height exception is requested.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4810(d) of the Zoning Ordinance requires a 40-foot front yard setback measured from the centerline of a private easement less than 40 feet wide.	The proposed residence encroaches into the required 40-foot front yard setback. A Standard Variance is requested. If approved, the project would comply with the applicable front yard setback requirements.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

b. Zoning Ordinance Consistency

The proposed project involves the construction of a new single-family residence on a legal lot zoned A70 (Limited Agriculture), with a Semi-Rural Residential (SR-1) land use designation under the San Diego County General Plan. A detached single-family residence is a permitted use in the A70 zone pursuant to Section 6110 of the Zoning Ordinance.

The project complies with applicable development standards for building height (Section 4600), attached and detached accessory structures (section 6156.a.1 and 6156.h) and off-street parking (Section 6758). However, the proposed structure encroaches into the required 40-foot front yard setback, measured from the centerline of the private road easement, as specified in

Section 4810(d) of the Zoning Ordinance. A Standard Variance is therefore requested to allow a reduced front yard setback.

The project has been reviewed for consistency with applicable policies of the San Diego County General Plan, including the Land Use Element. The proposed residence will maintain a semi-rural development pattern, is compatible with surrounding residential uses, and avoids impacts to environmentally sensitive areas. Therefore, with approval of the requested variance, the project would be consistent with both the Zoning Ordinance and the General Plan.

Table E-3: Zoning Ordinance Consistency

Development Standard	Proposed/Provided	Complies?
Section 6110 of the Zoning Ordinance allows detached single-family residences by right in the A70 zone.	The construction of a detached single-family residence is a permitted use in the A70 zone. No discretionary permit required for use.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 6156.a.1 of the Zoning Ordinance limits the total area of attached accessory structures on parcels less than 1 acre to 1,000 sq ft or 25% of living area, whichever is greater.	If attached accessory structures (such as a garage or storage room) are proposed, they will comply with the area limit of 1,000 square feet or 25% of the proposed residence, whichever is greater.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 6156.h of the Zoning Ordinance limits the total area of all detached accessory structures on parcels less than 1 acre to 2,000 square feet.	If any detached garage, workshop, or similar non-habitable structure is proposed, the combined area will not exceed 2,000 square feet. Structures not meeting main building setbacks are limited to a combined area of 1,000 square feet.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 6156.h.3 of the Zoning Ordinance limits detached accessory structures to 12 feet in height unless they meet main building setbacks, in which case they may be up to 24 feet.	Detached accessory structures will be limited to one story and 12 feet in height, unless sited to meet main building setbacks, in which case 24 feet is allowed. No structures exceeding these limits are proposed.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 6758 of the Zoning Ordinance requires two off-street parking spaces per single-family dwelling.	The project will provide two off-street parking spaces, either uncovered or in a garage	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

5. California Environmental Quality Act (CEQA) Compliance

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), and it has been determined that the proposed action qualifies for a Categorical Exemption pursuant to Section 15305 of the State CEQA Guidelines. Section 15305 exempts minor alterations in land use limitations, such as setback variances, where the project will not result in any changes in land use or density.

The request involves a Standard Variance to allow a reduced front yard setback for the construction of a single-family residence. The subject property is a legal lot, zoned A70 (Limited Agriculture), and has an average slope of less than 20 percent. The project does not propose subdivision, grading beyond ordinance thresholds, or any development that would result in adverse environmental effects. Therefore, the project is exempt from environmental review under CEQA.

F. COMMUNITY PLANNING GROUP AND DESIGN REVIEW BOARD RECOMMENDATION

On December 3, 2024, the Valle De Oro Community Planning Group (CPG) recommended approval of the project without conditions by a vote of 10-0-0-5 (10– Ayes; 10– Noes; 0 – Abstain; 5 – Absent/Vacant).

The Valle De Oro CPG Recommendation Form and Meeting Minutes are found in Attachment E, Public Documentation.

G. PUBLIC INPUT

In accordance with Board Policy I-49, public notices were distributed at the time of application submittal to ensure at least 20 different property owners within approximately 500 feet of the project site were notified. During the permit processing period, staff received general inquiries as well as formal written comments expressing concerns in opposition to the proposed project.

Following the issuance of the Notice of Proposed Standard Variance Application on January 21, 2025, which included the opportunity for the public to request a hearing, additional written opposition was submitted. While staff worked with concerned property owners to address and resolve the majority of issues raised, one unresolved concern remained.

As a result, a formal request for a hearing was submitted in opposition to the Variance. In response, public notices were again distributed to a minimum of 20 property owners within approximately 500 feet of the site, and the project was scheduled for consideration by the Planning Commission in accordance with Zoning Ordinance Section 7105.

H. RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find the Project in conformance with CEQA and adopt the Environmental Findings included in Attachment D which include a finding that the project is exempt from CEQA.
2. Grant PDS2024-VAR-24-086, make the findings, and impose the requirements and conditions as set forth in the Form of Decision in Attachment B.

Report Prepared By:

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Report Approved By:

Vince Nicoletti, Director
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Vince.nicoletti@sdcounty.ca.gov

AUTHORIZED REPRESENTATIVE:

Vince Nicoletti

VINCE NICOLETTI, DIRECTOR

ATTACHMENTS:

Attachment A – Planning Documentation

Attachment B – Form of Decision Approving PDS2024-VAR-24-086

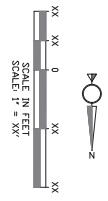
Attachment C – Environmental Documentation

Attachment D – Environmental Findings

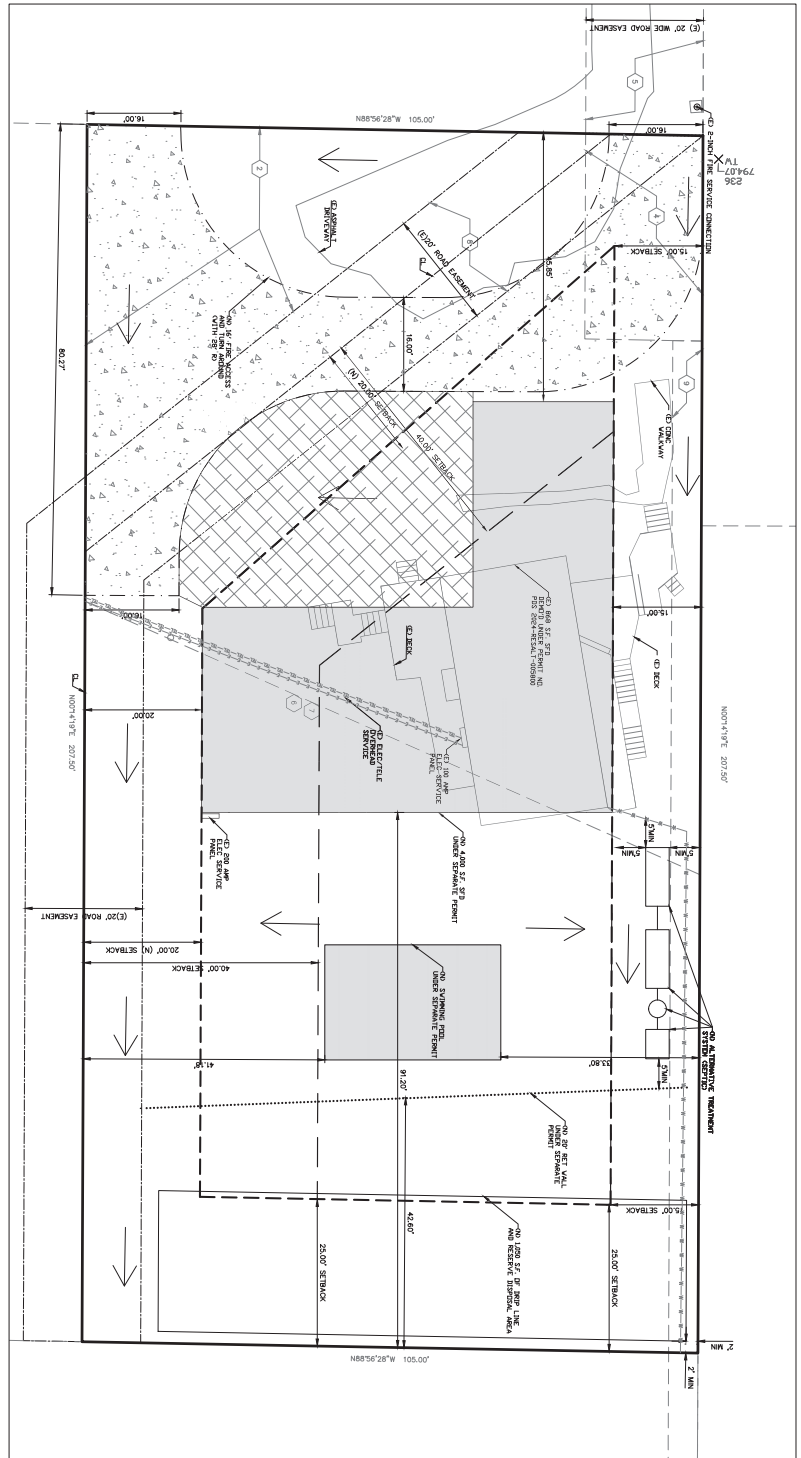
Attachment E – Public Documentation

Attachment F – Ownership Disclosure Form

Attachment A – Planning Documentation



- LEGEND**
- (N) BUILDING ADDITIONS
 - (N) FIRE ACCESS & TURN AROUND (MIN 5' CONCRETE)
 - (N) DRIVEWAY (PERMEABLE PAVEMENT)
 - PROPERTY LINE
 - EASEMENT & CENTER LINES
 - (N) SETBACK
 - (E) SETBACK
 - (E) WATER SERVICE
 - (E) ELECTRICAL SERVICE
 - (E) GAS SERVICE
 - (E) TEL SERVICE



- EASEMENT NOTES**
- EASEMENT FOR WATER LINES AND INCIDENTAL PURPOSES RECORDED MARCH 14, 1927 IN BOOK 1340 OF DEEDS, PAGE 124.
 - EASEMENT FOR ROAD AND INCIDENTAL PURPOSES RECORDED NOVEMBER 14, 1920 AS BOOK 3559, PAGE 121 OF O.R.
 - EASEMENT FOR POLES AND WIRES AND INCIDENTAL PURPOSES RECORDED MAY 23, 1952 AS BOOK 4476, PAGE 494 OF O.R.
 - EASEMENT FOR POLES AND WIRES AND INCIDENTAL PURPOSES RECORDED MAY 28, 1952 AS BOOK 4482, PAGE 478 OF O.R.
 - EASEMENT FOR ROAD PURPOSES PER DOCUMENT RECORDED OCTOBER 30, 1958 IN BOOK 7329, PAGE 239 OF O.R.
 - EASEMENT FOR WATER LINE AND ACCESS AND INCIDENTAL PURPOSES RECORDED FEBRUARY 11, 1971 AS INSTRUMENT NO. 27299 OF O.R.

CONTACT INFORMATION:

BOUSHA SALEM, PE, BLS
777 JARAMACHA RD #174
EL CERRILLO, CA 94530
TEL: (925) 255-5555
FINSOTTY@GMAIL.COM

OWNER INFORMATION:

SAMER NAMOO
1963 SONNET STREET
EL CERRILLO, CA 94530
(619) 277-3805
SAMER@NAMOOENGINEERING.COM

AREA SUMMARY TABLE

AREA	REMARKS	SIZE (SQ. FT.)
EX - ONE STORY BLDG	850	850
EX - DRIVEWAY	710	710
EX - CONC. WALKWAY	180	180
EX - SWIMMING POOL	600	600
EX - PERMEABLE DRIVEWAY	1,600	1,600
EX - TOTAL		3,500

SITE INFORMATION:

894 BERNITA ROAD
EL CERRILLO, CA 94530
APN NO. 483-403-39-00
LOT AREA 0.42 AC (18,717 SQ. FT.)
ZONING: RES-10
OWNER: SAMER NAMOO

SUBMITTAL LOG	
DESCRIPTION:	APPROVED BY / DATE:
ORIGINAL	NMO / 10/30/2024
REV 01	NMO / 12/10/2024

PLOT PLAN FOR:	
NAMOO RESIDENCE	
894 BERNITA ROAD	

SHEET	
1	1

**Attachment B – Form of Decision
Approving PDS2024-VAR-24-086**



County of San Diego

VINCE NICOLETTI
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 210, SAN DIEGO, CA 92123
(858) 505-6445 General • (858) 694-2705 Code Compliance
(858) 565-5920 Building Services

June 13, 2025

PROJECT NAME: NAMOO RESIDENCE VARIANCE
PROJECT RECORD ID: PDS2024-VAR-24-086
PROJECT ADDRESS: 894 Bernita Road, El Cajon, CA 92020
APN: 493-400-39-00

DECISION OF THE DIRECTOR

This approval is a Variance to allow a reduction in the required front yard setback from 40 feet to 20 feet (measured from the centerline of a 20-foot-wide private road easement), to allow for the construction of a 4,000-square-foot, two-story single-family residence, in substantial conformance with the plot plan approved on June 13, 2025, pursuant to and in accordance with Sections 7100 through 7149 of the San Diego County Zoning Ordinance.

EXPIRATION: The Variance expires on June 13, 2027, unless construction and/or use in reliance has started, or unless an extension has been granted previously by the Zoning Administrator.

SPECIFIC CONDITIONS: Compliance with the following Specific Conditions (Mitigation Measures when applicable) shall be established before the property can be used in reliance upon this Site Plan. Where specifically indicated, actions are required prior to approval of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified:

ANY PERMIT: *(Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).*

1. GEN#1-RECORDATION OF DECISION

INTENT: In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall sign, notarize with an 'all purpose acknowledgement' and return the original recordation form to PDS. **DOCUMENTATION:** Signed and notarized original recordation form. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder's Office. **MONITORING:** The PDS Zoning Counter shall

verify that the Decision was recorded and that a copy of the recorded document is on file at PDS.

2. GEN#2–FILING OF NOE

INTENT: In order to comply with CEQA and State law, the permit NOE shall be filed at the County Recorder's Office. **DESCRIPTION OF REQUIREMENT:** The applicant shall take the original NOE and required fees to the San Diego County Recorder's Office and file the document within five (5) days of permit approval and return a copy of the filed document to PDS. **DOCUMENTATION:** The filed NOE form. **TIMING:** Within the first five (5) days of the appeal period, the applicant/owner shall take the original NOE form and required filing fees to the San Diego County Recorder's Office and file the document. **MONITORING:** The PDS Zoning Counter shall verify that the NOE was filed and that a copy of the document is on file at PDS.

BUILDING PERMIT: *(Prior to approval of any building plan and the issuance of any building permit).*

3. GEN#3–BUILDING PERMIT APPLICATION

INTENT: The project shall obtain the required approvals as part of the building permit process. **DESCRIPTION OF REQUIREMENT:** The applicant shall obtain approval from the Department of Environmental Health and Quality (DEHQ) for septic. **DOCUMENTATION:** The applicant shall ensure that the listed approvals and permits are obtained and implemented on the building permit. **TIMING:** Prior to approval of any building plan or issuance of any building permit, compliance with this condition is required. **MONITORING:** The [PDS, BPPR] shall review the building plans for compliance with this condition.

OCCUPANCY: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

4. PLN#1–SITE PLAN IMPLEMENTATION

INTENT: In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved plot plan and the building plans. **DOCUMENTATION:** The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** approval of any building plan, issuance of any building permit, and/or final sign off associated with the structures referenced above, compliance with this condition is required. **MONITORING:** The [PDS, BI] and [DPR TC, PP] shall inspect the site for compliance with the approved Building Plans.

ONGOING: *(Upon establishment of use, the following conditions shall apply during the term of this permit).*

5. PLN#2–SITE CONFORMANCE

INTENT: In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved building plans, and plot plan(s). This includes, but

is not limited to maintaining the following: Failure to conform to the approved plot plan(s); is an unlawful use of the land and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **DOCUMENTATION:** The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Compliance Division] is responsible for enforcement of this permit.

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VARIANCE PERMIT FINDINGS

- a. That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, that do not apply generally to property in the same vicinity and under identical zoning classification;***

The subject lot is constrained by a 20-foot-wide private road easement bisecting the property, reducing the developable area and triggering a 40-foot front setback that cannot reasonably be accommodated due to physical and environmental constraints including moderate slopes and the location of the septic system at the rear of the site.

- b. That, because of those special circumstances, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification;***

Due to the parcel configuration of the site, strict application of the setback standard would deprive the property of the ability to construct a residence similar in size and location to other parcels in the area. Such limitations are not as prominent or present with other properties in the vicinity that are under the same zoning classification. Based on these constraints, the only adequate location for a house would require encroachment into the 40 foot front yard setback.

- c. That granting the variance or its modification is subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated;***

The main objective is to establish a single-family dwelling on the subject parcel such as enjoyed by the neighboring properties and allowed by the Zoning Ordinance. The site has an access easement bisecting the parcel. The variance allows development consistent with surrounding homes. The proposed size and location of the structure are typical for the neighborhood and do not confer special privileges.

- d. That the variance will not authorize a use or activity which is not otherwise expressly authorized by the applicable use classification;***

The proposed construction of a residential dwelling unit is consistent with the A70 use regulation of the property and surrounding properties.

- e. That granting the variance or its modification will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and zone in which the property is located; and***

The project only proposes a reduction to the front yard setbacks. The driveway and parking design meets all requirements of the Zoning Ordinance. No safety issues were identified. The applicant must still obtain building permits for the structure and conform to all building code requirements. Therefore, the granting of the variance or its modification will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and zone in which the property is located.

- f. That granting the variance or its modification will not be incompatible with the San Diego County General Plan.***

The proposed variance would reduce the front yard setback requirement to accommodate the construction of a single-family dwelling unit. The subject property is designated Semi-Rural Residential (SR-1) under the San Diego County General Plan, which supports low-density residential development consistent with the surrounding semi-rural character. The project conforms to the intent of the SR-1 designation and supports key General Plan policies, including LU-1, LU-5.5, and COS-11.3. Policy LU-1 (Planning Framework) encourages new development to be located in areas where it complements existing community character, minimizes environmental impacts, and utilizes existing infrastructure. The proposed development is surrounded by similar single-family residences and is supported by existing infrastructure, promoting infill development that aligns with the established development pattern. Policy LU-5.5 (Community Character) emphasizes compatibility with the unique character of each community. The project's design maintains architectural consistency with neighboring structures and responds to site-specific constraints while preserving the visual and spatial character of the area. Policy COS-11.3 (Stewardship of Scenic Resources) promotes context-sensitive design that preserves scenic quality and minimizes visual impacts in semi-rural areas. The proposed home is sited to integrate existing topography and vegetation, incorporating appropriate orientation and screening measures. The variance does not result in a change in land use or increased density and remains consistent with both the General Plan and the Zoning Ordinance. Therefore, granting the variance will not be incompatible with the San Diego County General Plan and supports context-sensitive, responsible development.

ORDINANCE COMPLIANCE NOTIFICATIONS: The project is subject to, but not limited to the following County of San Diego, State of California, and US Federal Government, Ordinances, Permits, and Requirements:

LIGHTING ORDINANCE COMPLIANCE: In order to comply with the [County Lighting Ordinance 59.101](#) et seq. and Zoning Ordinance Sections 6322, 6324, and 6326, the onsite lighting shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise

conform to the [County Lighting Ordinance 59.101](#) et seq. and Zoning Ordinance Sections 6322 and 6324. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to lighting. No additional lighting is permitted. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification, pursuant to the County of San Diego Zoning Ordinance.

NOISE ORDINANCE COMPLIANCE: In order to comply with the [County Noise Ordinance 36.401](#) et seq. and the Noise Standards pursuant to the General Plan Noise Element (Table N-1 & N-2), the property and all of its uses shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. No loudspeakers, sound amplification systems, and project related noise sources shall produce noise levels in violation of the County Noise Ordinance. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

NOTICE: To comply with State law, the applicant/owner must file the Notice of Determination (NOD)/Notice of Exemption (NOE) signed by the lead agency and remit required fees to the County Clerk's Office within five (5) working days of the date of project approval. Payment or sufficient proof of prior payment to the County Clerk is required at the time of filing. The filing of a NOD or NOE reduces the period of time the CEQA document can be challenged to 35 days. However, if the NOD/NOE is not filed, this period is extended to 180 days. The CDFW adjusts fees annually based on inflation. You must pay the amount effective January 1 of the year of the project decision.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		
Department of Public Works (DPW)			
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU
Department of Environmental Health (DEH)			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
Department of Parks and Recreation (DPR)			

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
Department of General Service (DGS)			
Real Property Division	RP		

APPEAL PROCEDURE: Within ten calendar days after the date of this Decision of the Director, the decision may be appealed to the Planning Commission in accordance with [Section 7166 of the County Zoning Ordinance](#). An appeal shall be filed with the Secretary of the Planning Commission within TEN CALENDAR DAYS of the date of this notice AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. Filing of an appeal will stay the decision of the Director until a hearing on your application is held and action is taken by the Planning Commission. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of approval of this Decision.

PLANNING & DEVELOPMENT SERVICES
VINCE NICOLETTI, DIRECTOR

BY: 
Daniella Hofreiter, Planning Manager
Project Planning Division

email cc:

Eddie Scott, Project Manager, PDS
Oday Yousif, Valle De Oro CPG Chair
Nicole George, Applicant Team
Sameer Namoo, Applicant

Attachment C – Environmental Documentation

2-24 NOTICE OF EXEMPTION

TO: Recorder/County Clerk
Attn: James Scott
1600 Pacific Highway, M.S. A33
San Diego, CA 92101

FROM: County of San Diego
Planning & Development Services, M.S. O650
Attn: Project Planning Division Section Secretary

SUBJECT: FILING OF NOTICE OF EXEMPTION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name: Namoo Residence Variance Permit; PDS2024-VAR-24-086

Project Location: 894 Bernita Road, El Cajon, CA 92020 APN: 493-400-39-00

Project Applicant: Salem Boushra, OBO Samer Namoo 771 Jamacha Rd #174, CA 92019 (619) 990-2369

Project Description: The applicant requests a Variance for a parcel constrained by a private road easement across the front portion of the property, which imposes a 40-foot front yard setback measured from the easement centerline. Due to this constraint and the required separation from the proposed septic system and reserve area at the rear, the applicant seeks a reduced front yard setback of 20 feet to allow for reasonable site development while maintaining compliance with environmental health regulations.

Agency Approving Project: County of San Diego

County Contact Person: Eddie Scott Telephone Number: (619) 323-8090

Date Form Completed: June 13, 2025

This is to advise that the County of San Diego Director of Planning and Development Services has approved the above described project on June 13, 2025 and found the project to be exempt from the CEQA under the following criteria:

- Exempt status and applicable section of the CEQA ("C") and/or State CEQA Guidelines ("G"): (check only one)
 - ☐ Declared Emergency [C 21080(b)(3); G 15269(a)]
 - ☐ Emergency Project [C 21080(b)(4); G 15269(b)(c)]
 - ☐ Statutory Exemption. C Section:
 - ☒ Categorical Exemption. G Section: 15305 – Minor Alterations in Land Use Limitations
 - ☐ G 15061(b)(3) - It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to the CEQA.
 - ☐ G 15182 – Residential Projects Pursuant to a Specific Plan
 - ☐ G 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning
 - ☐ Activity is exempt from the CEQA because it is not a project as defined in Section 15378.
- Mitigation measures ☐ were ☒ were not made a condition of the approval of the project.
- A Mitigation reporting or monitoring plan ☐ was ☒ was not adopted for this project.

Statement of reasons why project is exempt: Pursuant to Section 15305 of the California Environmental Quality Act (CEQA), exempt: Pursuant to Section 15305 of the California Environmental Quality Act (CEQA), the project is exempt from CEQA because the project consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to, minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.

Signature: Eddie Scott Telephone: (619) 323-8090

Name (Print): Eddie Scott Title: Associate Planner

This Notice of Exemption has been signed and filed by the County of San Diego.

This notice must be filed with the Recorder/County Clerk as soon as possible after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15062.

Attachment D – Environmental Findings

**NAMOO RESIDENCE VARIANCE PERMIT;
PERMIT NO.: PDS2024-VAR-24-086**

**ENVIRONMENTAL FINDINGS
JUNE 13, 2025**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15305 for the reasons stated in the Notice of Exemption.
2. Find that the proposed project is consistent with the Resource Protection Ordinance (RPO) (County Code, Section 86.601 et seq.).
3. Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management and Discharge Control Ordinance (County Code, section 67.801 et seq.).

Attachment E – Public Documentation



County of San Diego, Planning & Development Services
**COMMUNITY PLANNING OR SPONSOR
GROUP PROJECT REVIEW**
ZONING DIVISION

Record ID(s): _____

Project Name: _____

Project Manager: _____

Project Manager's Phone: _____

Scope of Review:

Board Policy I-1 states; *"groups may advise the appropriate boards and commissions on discretionary projects as well as on planning and land use matters important to the community."* Planning & Development Services (PDS) has received an application for the project referenced above. PDS requests that your Group evaluate and provide comment on the project in the following areas:

- The completeness and adequacy of the Project Description
- Compatibility of the project design with the character of the local community
- Consistency of the proposal with the Community Plan and applicable zoning regulations
- Specific concerns regarding the environmental effects of the project (e.g., traffic congestion, loss of biological resources, noise, water quality, depletion of groundwater resources)

Initial Review and Comment:

Shortly after an application submittal, a copy of the application materials will be forwarded to the Chair of the applicable Planning or Sponsor Group. The project should be scheduled for initial review and comment at the next Group meeting. The Group should provide comments on planning issues or informational needs to the PDS Project Manager at your earliest convenience.

Planning Group review and advisory vote:

- A. **Projects that do not require public review of a CEQA document:** The Group will be notified of the proposed hearing date by the PDS Project Manager. The project should be scheduled for review and advisory vote at the *next Group meeting*.
- B. **Projects that require public review of a CEQA document:** The Chair of the Planning Group will be noticed when an environmental document has been released for public review. The final review of the project by the Group, and any advisory vote taken, should occur *during the public review period*.

As part of its advisory role, the Group should provide comments on both the adequacy of any environmental document that is circulated and the planning issues associated with the proposed project. The comments provided by the Group will be forwarded to the decision-making body and considered by PDS in formulating its recommendation.

Notification of scheduled hearings:

In addition to the public notice and agenda requirements of the Brown Act, the Group Chair should notify the project applicant's point of contact and the PDS Project Manager at least two weeks in advance of the date and time of the scheduled meeting.



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County of San Diego, Planning & Development Services

**COMMUNITY PLANNING OR SPONSOR
GROUP PROJECT RECOMMENDATION**
ZONING DIVISION

Record ID(s): _____

Project Name: _____

Planning/Sponsor Group: _____

Results of Planning/Sponsor Group Review

Meeting Date: _____

A. Comments made by the group on the proposed project.

B. Advisory Vote: The Group ☐ **Did** ☐ **Did Not** make a formal recommendation, approval or denial on the project at this time.

If a formal recommendation was made, please check the appropriate box below:

- MOTION:**
- ☐ Approve without conditions
 - ☐ Approve with recommended conditions
 - ☐ Deny
 - ☐ Continue

VOTE: _____ Yes _____ No _____ Abstain _____ Vacant / Absent

C. Recommended conditions of approval:

Reported by: _____ Position: _____ Date: _____

Please email recommendations to BOTH EMAILS;

Project Manager listed in email (in this format): Firstname.Lastname@sdcounty.ca.gov and to CommunityGroups.LUEG@sdcounty.ca.gov

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 • (858) 694-8985 • (888) 267-8770
<http://www.sdcounty.ca.gov/pds>

Wisam Aziz

5042 Bluff Place

El Cajon, CA 92020

619-494-6337

Jan 26 2025

To: County Of San Diego

Att. Mr. Eddie Scott

Subj: CASE NUMBER PDS2024-VAR-24-086

☐ Good day Mr. Scott; I received the Notice of Proposed Standard Variance Application dated Jan 22, 2025. I am hereby requesting not to approve the Variance for the following reasons:

o When we built our house, it is because of the open space, privacy this land gave us, and being further away from the adjacent neighbors. We complied with the required Setback as noted in the zoning requirement. By allowing this Variance, the neighbor will encroach on our privacy and will be built looking into our backyard.

O Secondly, the property on Bernita is on one huge rock and the closer they build to our property the increased risk of the foundation of our property being unstable. We see a safety issue with the property in general and changing the variance will cause safety issues for our home.

o In addition, when the new buyer purchased the lot, they knew that there was an issue with location of the house, and in order to build, there was additional cost that they have to pay. This is easily mitigated but at higher cost to the developer. We are requesting that the director will not approve the Variance and we are requesting PUBLIC HEARING. Thank you for your time.

V/R

Wisam Aziz



1/26/25

From: gene@cipparone.com
To: [Scott, Eddie](#)
Subject: [External] Variance - Case No. PDS2024-VAR-24-086
Date: Wednesday, January 29, 2025 5:30:26 PM
Attachments: [image001.png](#)

Eddie,

My client, Amad and Muna Attisha, the legal owners of the property located at 5044 Bluff Place, El Cajon, CA 92020 want to object to the granting of this variance and request a hearing so they can speak to their concerns.

Thank you.

Gene Cipparone



Gene Cipparone – Architect, Inc.
P.O. Box 602
Poway, CA 92074
Phone: 858-354-0071
Email: gene@cipparone.com

LETTER OF AUTHORIZATION

February 20,2025

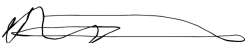
We, **Muna Attisha** and **Amad Attisha**, hereby authorize **Hani Toma** to act as our designated point of contact for all matters related to the variances concerning **5044 Bluff Palace El Cajon 92020**.

Hani Toma is authorized to communicate, submit documents, and represent us in any discussions or proceedings regarding the variances. Any inquiries, updates, or correspondence related to this matter should be directed to Hani Toma on our behalf.

Should you require any further verification, please do not hesitate to contact us at 619-654-4443.

Muna Attisha

Signed by:



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Amad Attisha

DocuSigned by:



1BADBC7238CF42A...

Attachment F – Ownership Disclosure Form



2-34

County of San Diego, Planning & Development Services
APPLICANT'S DISCLOSURE OF OWNERSHIP
INTERESTS ON APPLICATION FOR ZONING
PERMITS/ APPROVALS
ZONING DIVISION

Record ID(s) _____

Assessor's Parcel Number(s) 493-400-39

Ordinance No. 4544 (N.S.) requires that the following information must be disclosed at the time of filing of this discretionary permit. The application shall be signed by all owners of the property subject to the application or the authorized agent(s) of the owner(s), pursuant to Section 7017 of the Zoning Ordinance. **NOTE:** Attach additional pages if necessary.

A. List the names of all persons having any *ownership interest* in the property involved.

Samer Namoo _____


B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

N/A _____

C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

N/A _____

NOTE: Section 1127 of The Zoning Ordinance defines Person as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."


Signature of Applicant
Boushra Salem
Print Name

----- OFFICIAL USE ONLY -----

SDC PDS RCVD 11-04-24
VAR24-086

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123

For any questions, please email us at: PDSZoningPermitCounter@sdcounty.ca.gov
<http://www.sdcounty.ca.gov/pds>

