

RESOLUTION NO.

RESOLUTION OF THE SAUSALITO CITY COUNCIL DENYING THE APPEAL AND UPHOLDING PLANNING COMMISSION RESOLUTION NO. 2007-35 DENYING DESIGN REVIEW AND VARIANCE PERMIT APPLICATION NO. DR VA 07-009 FOR A PROPOSED STAIRWAY AND ADDITION WITHIN A REQUIRED SIDE YARD SETBACK AND AN EXISTING GARAGE LOCATED WITHIN A REQUIRED REAR YARD SETBACK AT 103 BONITA STREET (APN 065-082-04)

WHEREAS, on November 7, 2007, the Sausalito Planning Commission denied Design Review and Variance Permit Application No. DR VA 07-009 filed by Don Olsen (architect) on behalf of Michal Staninec, for a proposed stairway and addition within a required side yard setback and an existing garage within a rear yard setback for the parcel at 103 Bonita Street (065-082-04); and

WHEREAS, Planning Commission Resolution No. 2007-35 with all requisite findings is incorporated by reference herein; and

WHEREAS, an appeal of the Planning Commission's decision was filed with the City of Sausalito on November 12, 2007 by Don Olsen opposing the findings made in Planning Commission Resolution 2007-035; and

WHEREAS, the Sausalito City Council has reviewed and considered the project plans titled "Staninec Residence" which were before the Planning Commission, as well as obtained evidence from site visits and received and considered oral and written testimony at the publicly noticed City Council meeting on the appeal held on January 8, 2008; and

WHEREAS, based on the record of this proceeding, including the testimony and materials received and described above, the City Council finds that the Planning Commission did not err in its decision to approve the Design Review and Variance Permit No. 07-009, and that the findings for approving a Variance cannot be made.

NOW, THEREFORE, THE CITY COUNCIL HEREBY FINDS AND RESOLVES AS FOLLOWS:

The City Council hereby denies the appeal and upholds the decision of the Planning Commission to deny Design Review and Variance Permit Application No. DR VA 07-009 as embodied in Resolution No. 2007-35.

RESOLUTION PASSED AND ADOPTED at the regular meeting of the City Council of the City of Sausalito on the 8th day of December 2008, by the following vote:

AYES:	Councilmember:
NOES:	Councilmember:
ABSENT:	Councilmember:
ABSTAIN:	Councilmember:

103 Bonita Street
Resolution No. _____

MAYOR OF THE CITY OF SAUSALITO

ATTEST: _____

CITY CLERK: _____