



STAFF REPORT

SAUSALITO CITY COUNCIL

AGENDA TITLE: Schedule for DeSantis Appeal Hearing (DR 08-034)

RECOMMENDED MOTION:

Schedule the public hearing on the DeSantis Appeal for the September 15, 2009 City Council meeting.

BACKGROUND AND DISCUSSION

On March 18, 2009 the Planning Commission approved Design Review Permit DR 08-034 for a 125 square-foot addition and 117 square-foot porch at 46 Santa Rosa Avenue. On March 30, 2009, Julie and Edward Murphy, 44 Santa Rosa, appealed the Planning Commission's approval of the Design Review Permit. Before a City Council appeal hearing had been scheduled, the Community Development Department received a letter on April 29, 2009 from Mr. Murphy countersigned by Mr. DeSantis stating that the property owners were working on a mutually-agreeable redesign of the project that would be resubmitted to the Planning Commission for approval. Mr. Murphy and Mr. DeSantis are, in the interim, requesting that the City Council's hearing on the appeal be postponed to the last meeting in September, 2009. Mr. Murphy has stated that if a mutually agreeable solution is approved by the Planning Commission prior to the appeal hearing he will withdraw the appeal.

FISCAL IMPACT


No fiscal impact.

RECOMMENDATION

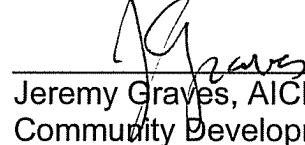
Schedule the public hearing on the DeSantis Appeal for the September 15, 2009 City Council meeting.

ATTACHMENT: April 29, 2009 letter from Edward Murphy countersigned by Michael DeSantis

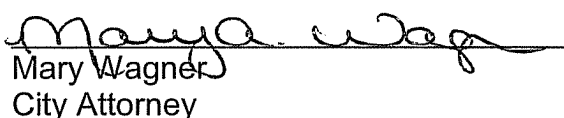
PREPARED BY:


Lilly Schinsing
Associate Planner

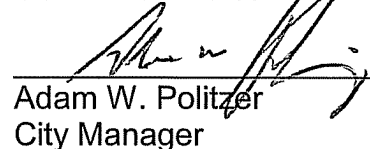
REVIEWED BY:


Jeremy Graves, AICP
Community Development Director

REVIEWED BY:


Mary Wagner
City Attorney

SUBMITTED BY:


Adam W. Politzer
City Manager

APR 29 2009

3:53 PM

RECEIVED

EDWARD A. MURPHY
44 SANTA ROSA AVENUE
SAUSALITO, CA 94965

April 29, 2009

Hand delivered to the Planning Department

Lilly Schinsing
City of Sausalito Planning Department
Litho Street
Sausalito, CA

**RE: PLANNING SUBMITTAL ZP 08-022
Design Review Permit DR 08-034
46 Santa Rosa Avenue**

Dear Ms. Schinsing:

As you know, Julie Murphy and I have appealed the decision of the Sausalito Planning Commission concerning the above-referenced application (the "Appeal"); which decision was rendered at the meeting of the Planning Commission on March 18, 2009; and which decision concerns the design of certain remodeling of 46 Santa Rosa represented on Architectural Plans dated September 19, 2008 and submitted to the Planning Department on January 5, 2009 (the "Approved Design").

It is my understanding that, although the hearing on the Appeal was scheduled for the meeting of the City Council to be held May 5, 2009, the Planning Department has itself already postponed the hearing on the Appeal to May 26, 2009.

As I have informed you, Michael De Santis is considering new designs for the remodel of his kitchen, laundry room and bathroom at 46 Santa Rosa which would replace the Approved Design.


Michael and I are hoping to come to a mutually agreeable solution which would replace the Approved Design. Until we conclude our discussions, I do not wish to drop or withdraw the Appeal, but rather wish to postpone any hearing on it.

In order to give the De Santis' time to come up with a new design and in order to give us all time to discuss the new design, please continue the hearing on the

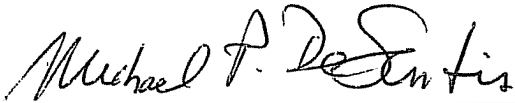
Appeal to an indefinite date, or if you must have a certain date, to a meeting of the City Council at the end of September, 2009.

Thank you for your cooperation.

Edward A. Murphy



I concur with and join this request to continue the hearing on the Appeal while new designs and solutions are explored.



Michael De Santis