

**SAUSALITO PLANNING COMMISSION
RESOLUTION NO. 2024-20**

**APPROVAL OF A VARIANCE APPLICATION AND ZONING PERMIT TO
CONSTRUCT A NEW 176-SQUARE-FOOT REAR ADDITION AND FACILITATE AN
INTERIOR REMODEL AT 82 CENTRAL AVENUE**

APN: 065-202-05

PROJECT ID: 2024-00128

WHEREAS, on July 3, 2024, a Variance and Zoning Permit application was filed by the Applicant, Heather Wright Foye, on behalf of Property Owners, Evan Goldschmidt and Laura Gelston, requesting approval of two Variances and a Zoning Permit to construct a new 176-square-foot rear addition and facilitate an interior remodel at 82 Central Avenue (APN: 065-202-05); and

WHEREAS, the project site is located within the General Plan Medium Low Density Residential land use designation and the Single-Family (R-1-6) Zoning District; and

WHEREAS, the Planning Commission has reviewed the Variances, and the Zoning Permit requested for the proposed Project and considered the information contained in the staff report as well as any and all oral and written testimony on the proposed Project; and

WHEREAS, the Planning Commission has reviewed and considered the Project plans titled "Goldschmidt/Gelston Residence", received August 20, 2024; and

WHEREAS, the Planning Commission finds that the proposed project, as conditioned herein, is consistent with the General Plan and complies with the requirements of the Zoning Ordinance as described in the staff report; and

WHEREAS, the Planning Commission considered the application during a public meeting on November 13, 2024, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission finds that the requisite findings for approval set forth in SMC Section 10.68.050 can be made; and

WHEREAS, the Planning Commission finds that the application is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 and Section 15304 of the CEQA Guidelines; and

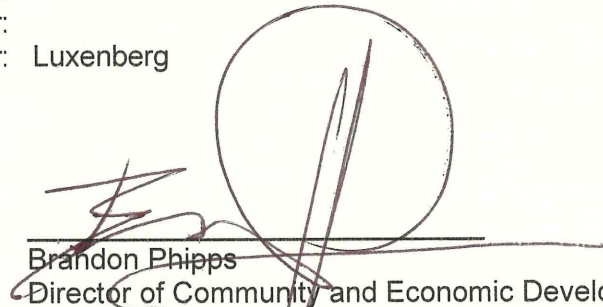
NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES:

1. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 and Section 15304 of the CEQA Guidelines
2. The requested Variances to construct a new 176-square-foot rear addition and facilitate an interior remodel at 82 Central Avenue (APN: 065-202-05) is hereby approved based upon the attached findings (Attachment 1), subject to the attached Conditions of Approval (Attachment 2), and as shown in the Project plans titled "Goldschmidt/Gelston Residence", received August 20, 2024 (Attachment 3)
3. The requested Zoning Permit to construct a new 176-square-foot rear addition and facilitate

an interior remodel at 82 Central Avenue (APN: 065-202-05) is hereby approved based upon the attached findings (Attachment 1), subject to the attached Conditions of Approval (Attachment 2), and as shown in the Project plans titled "Goldschmidt/Gelston Residence", received August 20, 2024 (Attachment 3)

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Planning Commission on the 13th day of November 2024, by the following vote:

AYES: Commissioner Member: Saad, Junius, Feller, Marlatt
NOES: Commissioner Member:
ABSENT: Commissioner Member:
ABSTAIN: Commissioner Member: Luxenberg



Brandon Phipps
Director of Community and Economic Development

ATTACHMENTS

1. Findings
2. Conditions of Approval
3. Project Plans, received August 20, 2024, titled "Goldschmidt/Gelston Residence"

**SAUSALITO PLANNING COMMISSION
RESOLUTION NO. 2024-20
November 13, 2024
APN: 065-202-05
PROJECT ID: 2024-00128**

ATTACHMENT 1: FINDINGS

VARIANCE FINDINGS

The granting authority may approve or conditionally approve a variance only if the following findings in SMC 10.68 can be made:

- A. There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same district.**

The lot is less than half the size of the Minimum Parcel Size of the R-1-6 Zoning District and is thus significantly restricted in terms of development/improvement potential relative to other properties within the R-1-6 Zoning District through the enforcement of the provisions of this title.

- B. Owing to such exceptional or extraordinary circumstances the literal enforcement of the provisions of the title would result in practical difficulty or unnecessary hardship.**

The literal enforcement of this title would result in practical difficulty as the property is located on a parcel that is less than half the size of the minimum parcel size in the R-1-6 Zoning District. The literal enforcement of this title locks the existing residence in as an existing nonconforming structure and prohibits the property owners from making improvements to accommodate their evolving lifestyle and family needs.

- C. Such variance is necessary for the preservation of a substantial property right of the petitioner, possessed by other property in the same district.**

The Variances requested are necessary for the preservation of the property owners' right to make meaningful improvements to their property that support their evolving lifestyle and family needs. This is a right which is generally possessed by other property owners within the R-1-6 Zoning District on conforming standard lots.

- D. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity or in the district in which the subject property is located.**

The granting of such variances will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity or in the district in which the subject property is located. The proposed addition is located largely under an existing, compliant second-level deck, and is proposed outside of the 5-foot side yard setback to help

preserve the welfare of the neighborhood from a character and safety standpoint, and to comply with the City's setback requirements. The proposed location of the addition outside the 5-foot side yard setback ensures that the proposed project will not increase the existing nonconforming nature of the existing single-family residence. Southern Marin Fire Protection District (SMFD) has also reviewed this project proposal and imposed conditions to ensure that the granting of these Variances will not result in an addition which poses increased fire risk to surrounding properties in the neighborhood.

E. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

The granting of the requested Variances will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district. The proposed addition is minimal in terms of impact on floor area ratio and building coverage, and the rear addition is proposed outside of the 5-foot side yard setback to comply with the City's setback requirements. The proposed location of the addition outside the 5-foot side yard setback ensures that the proposed project will not create a physical exacerbation of the nonconforming setback encroachment of the existing main residence.

F. The granting of such variance will be in harmony with the general purpose and intent of this title and the general plan.

The granting of such variances will be in harmony with the general purpose and intent of this title and the General Plan. The proposed residential addition, which is largely underneath an existing second-level deck, maintains the City's residential character through minimal impact to the stepped forms, mass, bulk, and density of the surrounding homes. The proposed residential addition both preserves the City's residential character and increases the utility of an existing single-family home on a substandard lot for property owners with an evolving lifestyle and family needs. This aligns with the intent of the General Plan to increase the density and/or utility of existing uses to accommodate anticipated population growth while preserving the residential character of the City.

**SAUSALITO PLANNING COMMISSION
RESOLUTION NO. 2024-20
November 13, 2024
APN: 065-202-05
PROJECT ID: 2024-00128**

ATTACHMENT 2: CONDITIONS OF APPROVAL

General Conditions

1. Pursuant to Sausalito Municipal Code Section 10.50.120 (Implementation of Permits), it shall be the Applicant's responsibility to diligently proceed to carry out the Conditions of Approval and implement any approved permit(s). This shall include establishing the approved use/implementing the permit(s) within the time limits set forth by the applicable code.
2. The project shall be designed and constructed as shown in the set of plans "Goldschmidt/Gelston Residence", received April 20, 2024 (Attachment 3).
3. The Applicant/Property Owner(s) shall defend, indemnify (including reimbursement of all fees and costs reasonably incurred by separate counsel retained by the City), and hold harmless the City and its elected and appointed officials, officers, agents and employees, from and against any and all liability, loss, damage, or expense, including without limitation reasonable attorney's fees which City may suffer or incur as a result of any claims relating to or arising from the City's approval of the project or any portion of the project, or construction thereof.
4. In the event that any condition imposing a fee, exaction, dedication, or mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be subject to review by the City and substitute conditions may be imposed.
5. Any mechanical equipment installed in connection with this project shall be subject to Sausalito Municipal Code Section 12.16.130 - Machinery, equipment, fans and air conditioning.
6. At the time of building permit application, the applicant shall file a reasonable estimate of the value of the project, and based thereon, a construction time limit shall be established for the project in accordance with the criteria set forth in Sausalito Municipal Code Section 10.54.100. The applicant shall submit information reasonably requested by the Community Development Director to support the estimated value of the project. Such documentation may include without limitation an executed construction contract. The time for completion of the construction shall also be indicated on the construction permit.

Advisory Notes:

Advisory notes are provided to inform the applicant of Sausalito Municipal Code requirements, and requirements imposed by other agencies. These requirements include, but are not limited to, the items listed below:

1. Pursuant to Municipal Code Section 12.16.140, the operation of construction, demolition, excavation, alteration, or repair devices and equipment within all residential zones and areas within a 500-foot radius of residential zones shall only take place during the following hours:
 - Weekdays – Between 8:00 a.m. and 6:00 p.m.
 - Saturdays – Between 9:00 a.m. and 5:00 p.m.
 - Sundays and City Holidays (not including Sundays) – Prohibited
 - Homeowners currently residing on the property and other legal residents may operate the equipment themselves on Sundays and City holidays between 9:00 a.m. and 6:00 p.m.
2. All applicable City fees as established by City Council resolutions and ordinances shall be paid.
3. Pursuant to Municipal Code Chapter 11.17, dumping of residues from washing of painting tools, concrete trucks and pumps, rock, sand, dirt, agricultural waste, or any other materials discharged into the City storm drain system that is not composed entirely of stormwater is prohibited. Liability for any such discharge shall be the responsibility of person(s) causing or responsible for the discharge. Violations constitute a misdemeanor in accordance with Section 11.17.060.B.

ATTACHMENT 3: PROJECT PLANS

[illegible]

GENERAL

- [illegible]

CONSTRUCTION

- [illegible]

DEMOLITION

- [illegible]

SMOKE & CARBON MONOXIDE ALARMS

- [illegible]

ELECTRICAL

- [illegible]

MECHANICAL
DUPLEX

- MECHANICAL**
1. The mechanical properties of a material are those which describe its behavior under the influence of forces. These properties include strength, stiffness, ductility, and toughness. The mechanical properties of a material are determined by its atomic structure, which is in turn determined by the chemical composition and the processing history of the material.
2. The mechanical properties of a material can be measured using a variety of techniques. The most common technique is the tensile test, in which a specimen of the material is pulled apart until it fractures. The force required to pull the specimen apart is a measure of its strength. The displacement of the specimen during the test is a measure of its ductility. The area under the stress-strain curve is a measure of the material's toughness.
3. The mechanical properties of a material can be improved by a variety of methods. One common method is to increase the material's strength by increasing the amount of dislocations in its atomic structure. Another common method is to increase the material's ductility by increasing the amount of grain boundary area in its atomic structure. These methods can be used in combination to improve the mechanical properties of a material.
4. The mechanical properties of a material are important in many applications. For example, the strength of a material is important in the design of structural components. The ductility of a material is important in the design of components that must be able to deform without fracturing. The toughness of a material is important in the design of components that must be able to absorb energy without fracturing.
5. The mechanical properties of a material are also important in the selection of materials for a particular application. For example, a material with high strength and high ductility would be a good choice for a structural component. A material with high strength and low ductility would be a poor choice for a structural component. A material with high strength and high toughness would be a good choice for a component that must be able to absorb energy without fracturing.
6. The mechanical properties of a material are also important in the design of manufacturing processes. For example, a material with high strength and high ductility would be a good choice for a process that involves forming. A material with high strength and low ductility would be a poor choice for a process that involves forming. A material with high strength and high toughness would be a good choice for a process that involves welding.
7. The mechanical properties of a material are also important in the design of testing equipment. For example, a material with high strength and high ductility would be a good choice for a testing equipment that involves pulling. A material with high strength and low ductility would be a poor choice for a testing equipment that involves pulling. A material with high strength and high toughness would be a good choice for a testing equipment that involves impact.
8. The mechanical properties of a material are also important in the design of safety equipment. For example, a material with high strength and high ductility would be a good choice for a safety equipment that involves restraining. A material with high strength and low ductility would be a poor choice for a safety equipment that involves restraining. A material with high strength and high toughness would be a good choice for a safety equipment that involves absorbing energy.
9. The mechanical properties of a material are also important in the design of medical equipment. For example, a material with high strength and high ductility would be a good choice for a medical equipment that involves supporting. A material with high strength and low ductility would be a poor choice for a medical equipment that involves supporting. A material with high strength and high toughness would be a good choice for a medical equipment that involves absorbing energy.
10. The mechanical properties of a material are also important in the design of sports equipment. For example, a material with high strength and high ductility would be a good choice for a sports equipment that involves supporting. A material with high strength and low ductility would be a poor choice for a sports equipment that involves supporting. A material with high strength and high toughness would be a good choice for a sports equipment that involves absorbing energy.

PLUMBING

1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms and the underlying causes of the problem.
2. The second step is to gather information about the problem. This involves collecting data and conducting research to understand the problem better.
3. The third step is to analyze the information. This involves identifying the key factors that are contributing to the problem and determining the best course of action.
4. The fourth step is to develop a plan. This involves outlining the steps that need to be taken to solve the problem and assigning responsibilities to the relevant parties.
5. The fifth step is to implement the plan. This involves putting the plan into action and monitoring progress.
6. The sixth step is to evaluate the results. This involves assessing the effectiveness of the plan and making adjustments as needed.
7. The seventh step is to communicate the results. This involves sharing the findings of the evaluation with the relevant parties.
8. The eighth step is to document the process. This involves recording the steps that were taken and the results that were achieved.
9. The ninth step is to review the process. This involves reflecting on the experience and identifying lessons learned.
10. The tenth step is to improve the process. This involves making changes to the process to make it more effective in the future.

105 EAST 42ND STREET
NEW YORK, NY 10017

- # ENERGY CODE

13. *Journal of the American Medical Association*, 273:1211-1212 (1995).

- # GREEN BUILDING

WILLIAMS AND URBAN INTERFACE (WUI)

- [illegible]

STAIN DAMS I AMOHE C CLEAR CASH

- # STAIRS, RAILS, HANDRAILS & GUARDRAILS

WINDOWS, SKYLIGHTS, DOORS, & EGRESS

1. NEW AND USED TRUCKS, THE CHRYSLER GROUP, IN THE COUNTRY OF ITALY. (L. G. 3000)
2. NEW AND USED TRUCKS, THE CHRYSLER GROUP, IN THE COUNTRY OF ITALY. (L. G. 3000)
3. NEW AND USED TRUCKS, THE CHRYSLER GROUP, IN THE COUNTRY OF ITALY. (L. G. 3000)
4. NEW AND USED TRUCKS, THE CHRYSLER GROUP, IN THE COUNTRY OF ITALY. (L. G. 3000)
5. NEW AND USED TRUCKS, THE CHRYSLER GROUP, IN THE COUNTRY OF ITALY. (L. G. 3000)
6. NEW AND USED TRUCKS, THE CHRYSLER GROUP, IN THE COUNTRY OF ITALY. (L. G. 3000)
7. NEW AND USED TRUCKS, THE CHRYSLER GROUP, IN THE COUNTRY OF ITALY. (L. G. 3000)
8. NEW AND USED TRUCKS, THE CHRYSLER GROUP, IN THE COUNTRY OF ITALY. (L. G. 3000)
9. NEW AND USED TRUCKS, THE CHRYSLER GROUP, IN THE COUNTRY OF ITALY. (L. G. 3000)
10. NEW AND USED TRUCKS, THE CHRYSLER GROUP, IN THE COUNTRY OF ITALY. (L. G. 3000)

FOUNDATIONS

4. A more detailed study of the various factors involved in the development of the disease is needed. This study should include a detailed study of the various factors involved in the development of the disease, including the role of the immune system, the role of the environment, and the role of the genetic factors.

ROOF ASSEMBLIES

- [illegible]

BATHROOMS

- [illegible]



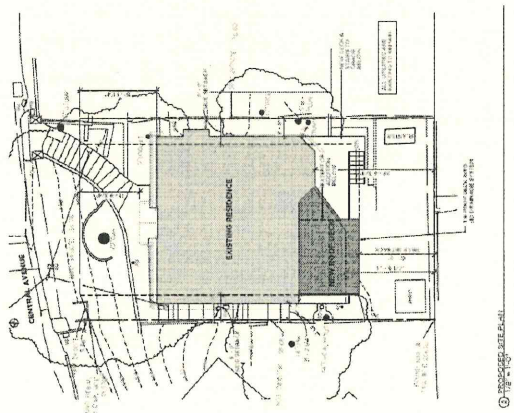
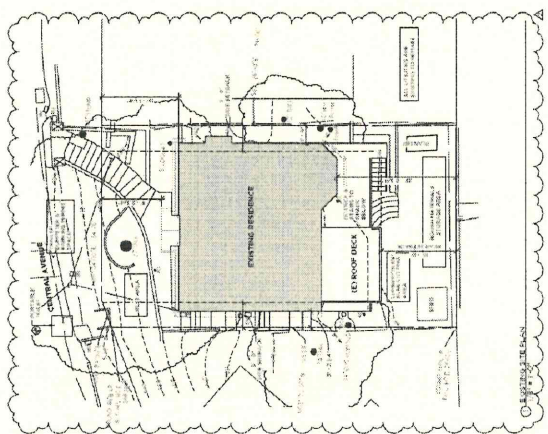
A1.0

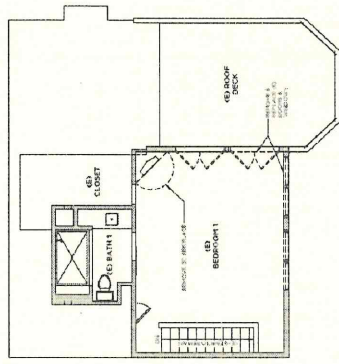
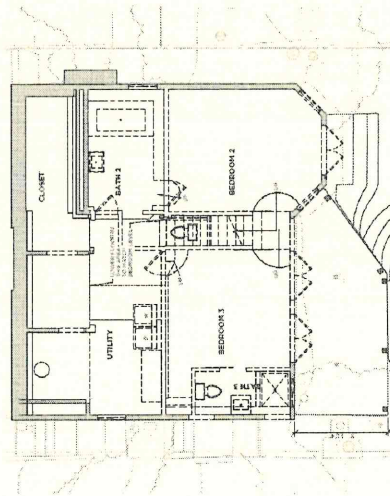
EXISTING & PROPOSED SITE PLANS
GOLDSCHMIDT/GELSTON RESIDENCE
83 CENTRAL AVE. SAUSALITO, CA 94965
APN: 065-202-05



DAVID WRIGHT
ARCHITECT
10000
STATE OF CALIFORNIA

WRIGHT ARCHITECTURE



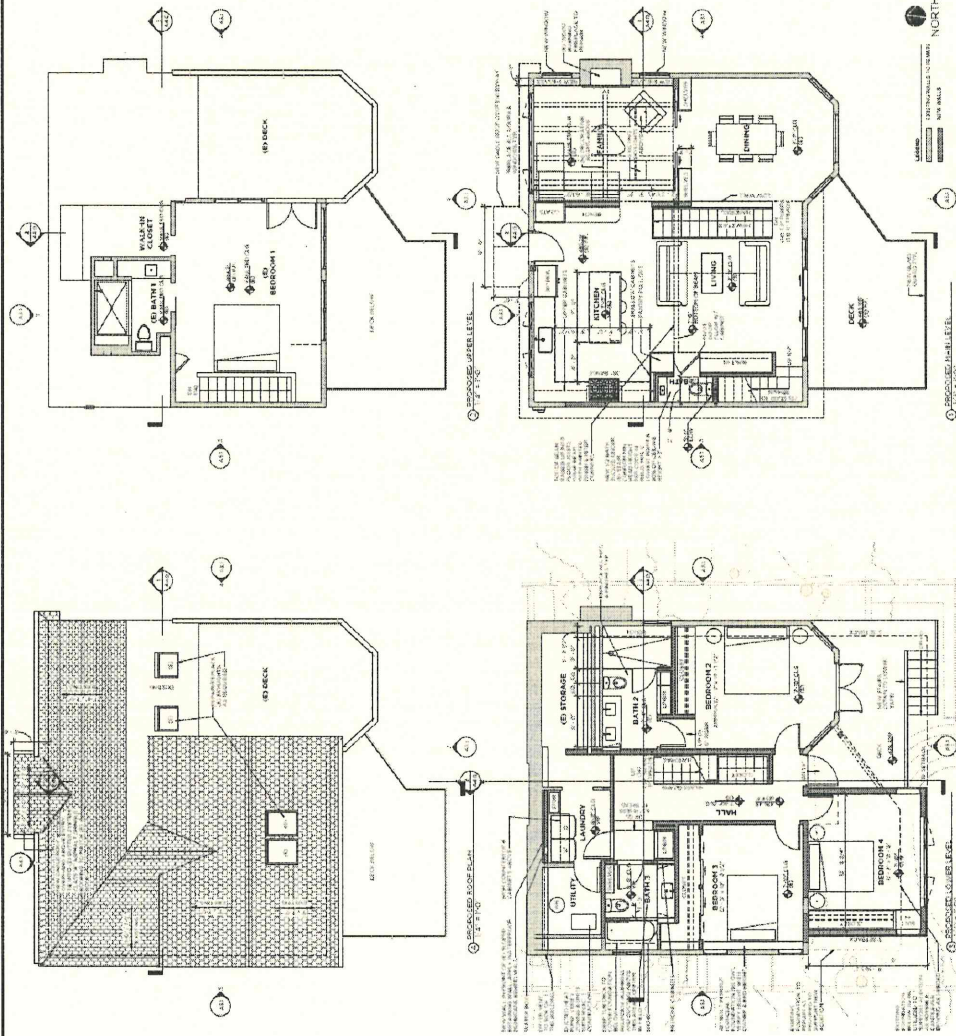


A2.2

PROPOSED FLOOR PLANS
GOLDSCHMIDT/GELSTON RESIDENCE
82 CENTRAL AVE. SAUSALITO, CA 94965
APN 065-202-05



WRIGHT ARCHITECTURE

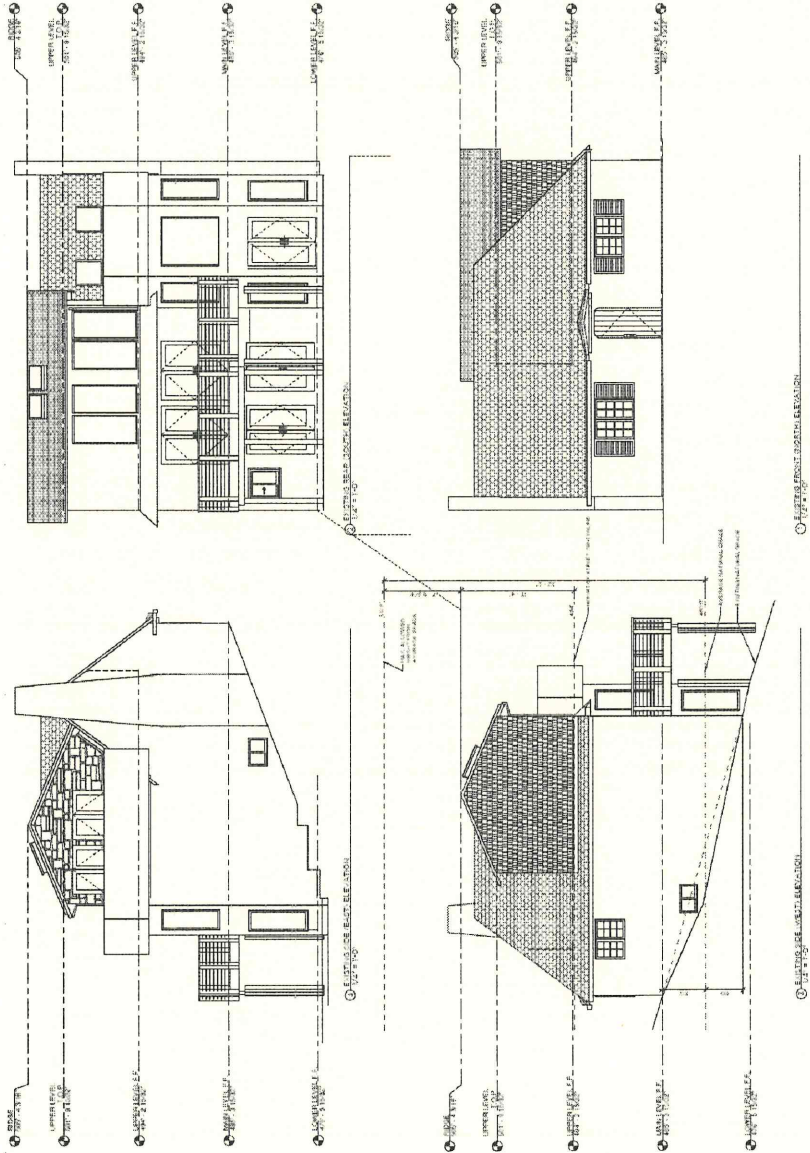


A3.0

EXISTING EXTERIOR ELEVATIONS
GOLDSCHMIDT/GELSTON RESIDENCE
82 CENTRAL AVE. SAUSALITO, CA 94965
APN: 065-202-05



WRIGHT ARCHITECTURE



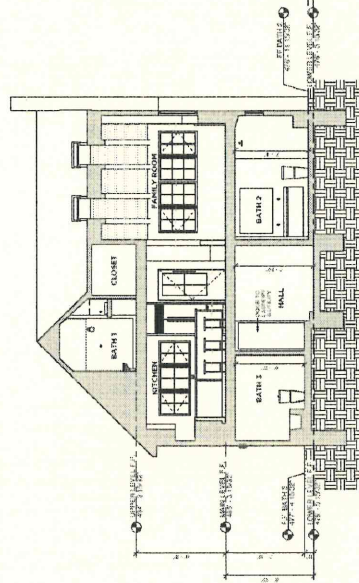
A4.0

BUILDING SECTIONS

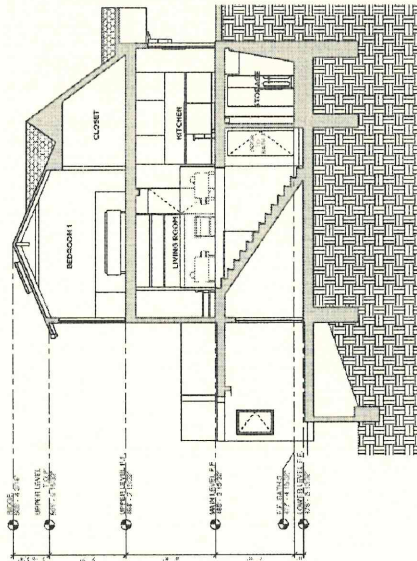
GOLDSCHMIDT/GELSTON RESIDENCE
 87 CENTRAL AVE., SAUSALITO, CA 94965
 APN 083-02-05



WRIGHT ARCHITECTURE



SECTION A-A



SECTION B-B