

**SAUSALITO PLANNING COMMISSION
RESOLUTION NO. 2025-13**

**APPROVAL OF A VARIANCE APPLICATION AND ZONING PERMIT AS CONDITIONED TO
FACILITATE A 214-SQUARE-FOOT CONVERSION OF INTERIOR LOWER LEVEL
CRAWLSPACE INTO A BATHROOM AND FINISHED STORAGE AREA AT 74 CLOUD VIEW
ROAD
APN: 065-182-01
PROJECT ID: 2024-00185**

WHEREAS, on August 12, 2024, a Zoning Permit application was filed by the Applicant, Bruno Kanter, on behalf of Property Owners, Sarah and Tom Hoffman, requesting approval to facilitate a 214-square-foot conversion of interior lower level crawlspace into a bathroom and finished storage area at 74 Cloud View Road (APN: 065-182-01); and

WHEREAS, on September 10, 2024, Community Development Department Staff deemed the Zoning Permit application incomplete and determined that a variance would be required to permit the proposed conversion of interior crawlspace into a bathroom and finished storage area; and

WHEREAS, on September 30, 2024, a Variance and Zoning Permit application was filed by the Applicant, Bruno Kanter, on behalf of Property Owners, Sarah and Tim Hoffman, requesting approval to facilitate a 214-square-foot conversion of interior lower level crawlspace into a bathroom and finished storage area at 74 Cloud View Road (APN: 065-182-01); 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 Variance and the Zoning Permit requested for the Project and considered the information contained in the staff report as well as any and all oral and written testimony on the Project; and

WHEREAS, the Planning Commission has reviewed and considered the Project plans titled "Residential Remodel: 74 CLOUD VIEW RD.", received February 27, 2025; and

WHEREAS, the Planning Commission finds that the 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 May 14, 2025, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, on May 14, 2025, the Planning Commission moved to continue this application to a date certain of June 11, 2025 after providing comments to staff and the applicant team regarding the proposed application; and

WHEREAS, the Planning Commission considered the application during a public meeting on June 11, 2025, 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

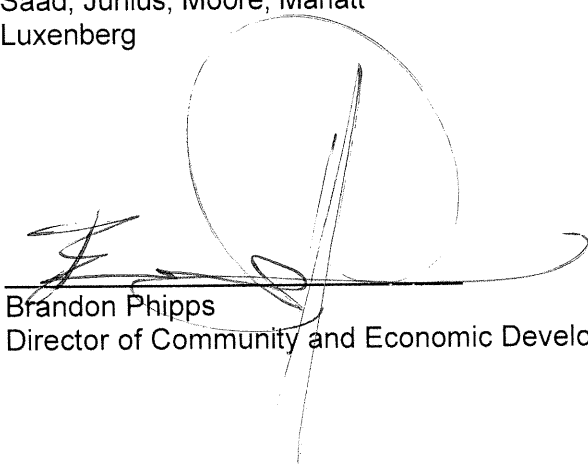
WHEREAS, the Planning Commission finds that the application is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines; and

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES:

1. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines
2. The requested Variance and Zoning Permit to facilitate a 214-square-foot conversion of existing lower level crawlspace into a bathroom and finished storage area at 74 Cloud View Road (APN: 065-182-01) 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 "Residential Remodel: 74 CLOUD VIEW RD.", received February 27, 2025 (Attachment 3)

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Planning Commission on the 11th day of June 2025, by the following vote:

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



Brandon Phipps
Director of Community and Economic Development

ATTACHMENTS

1. Findings
2. Conditions of Approval
3. Project Plans, received February 27, 2025, titled "Residential Remodel: 74 CLOUD VIEW RD."

SAUSALITO PLANNING COMMISSION

RESOLUTION NO. 2025-13

June 11, 2025

APN: 065-182-01

PROJECT ID: 2024-00185

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 landlocked, steeply sloped with a 43% downhill slope, and is substandard relative to the Minimum Parcel Size of the R-1-6 Zoning District. These aspects of the lot pose significant restrictions 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 landlocked, steeply sloped, and substandard relative to 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 noncompliant structure and significantly limits the property owner's ability to make 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 variance requested is necessary for the preservation of the property owners' right to make meaningful improvements to their property that support their evolving lifestyle and family needs and their right to ensure the safe construction of their residence. The requested variance serves to enable the property owners to retroactively permit an illegal interior conversion which would include subsequent building review and inspections to ensure that the converted space does not pose any structural, health, or life safety issues. 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 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 proposed project is proposed entirely within the existing envelope of the main residence and will not result in an expansion or intensification of occupancy or use of the property. No impact will be posed to traffic, circulation, curb appeal, or the development potential of surrounding properties.

- 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 variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district. The proposed project allows the property owners to increase the utility of their existing residence which is limited in terms of development potential due to the substandard, steeply sloped, and landlocked nature of the property. This interior conversion of crawl space to living area is a solution for the property owners to make meaningful improvements to their home which work around the limitations presented by the substandard, sloped, and landlocked nature of the property.

- 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 variance will be in harmony with the general purpose and intent of this title and the General Plan. The proposed project is contained entirely within the envelope of the existing residence. The proposed project increases the utility and livability of the property while maintaining the City's residential character through minimal impact to the stepped forms, mass, bulk, and density relative to the surrounding homes. 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.

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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. As part of the Building Permit application, all final Conditions of Approval shall be restated on the construction drawings and the applicant shall thoroughly and accurately document in writing compliance with each Condition of Approval at the time of Building Permit application and any other subsequent submittals.
3. The project shall be designed and constructed as shown in the set of plans "Residential Remodel: 74 CLOUD VIEW RD.", February 27, 2025 (Attachment 3).
4. Pursuant to SMC 10.50.180(B), the Community Development Director is authorized to administratively approve minor modifications to the approved plans.
5. All applicable City fees as established by City Council resolutions and ordinances shall be paid.
6. 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.
7. 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.
8. Prior to issuance of a building permit, the applicants shall reimburse the City for any known unpaid costs associated with the project, including work done by consultants.
9. 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.

10. 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.

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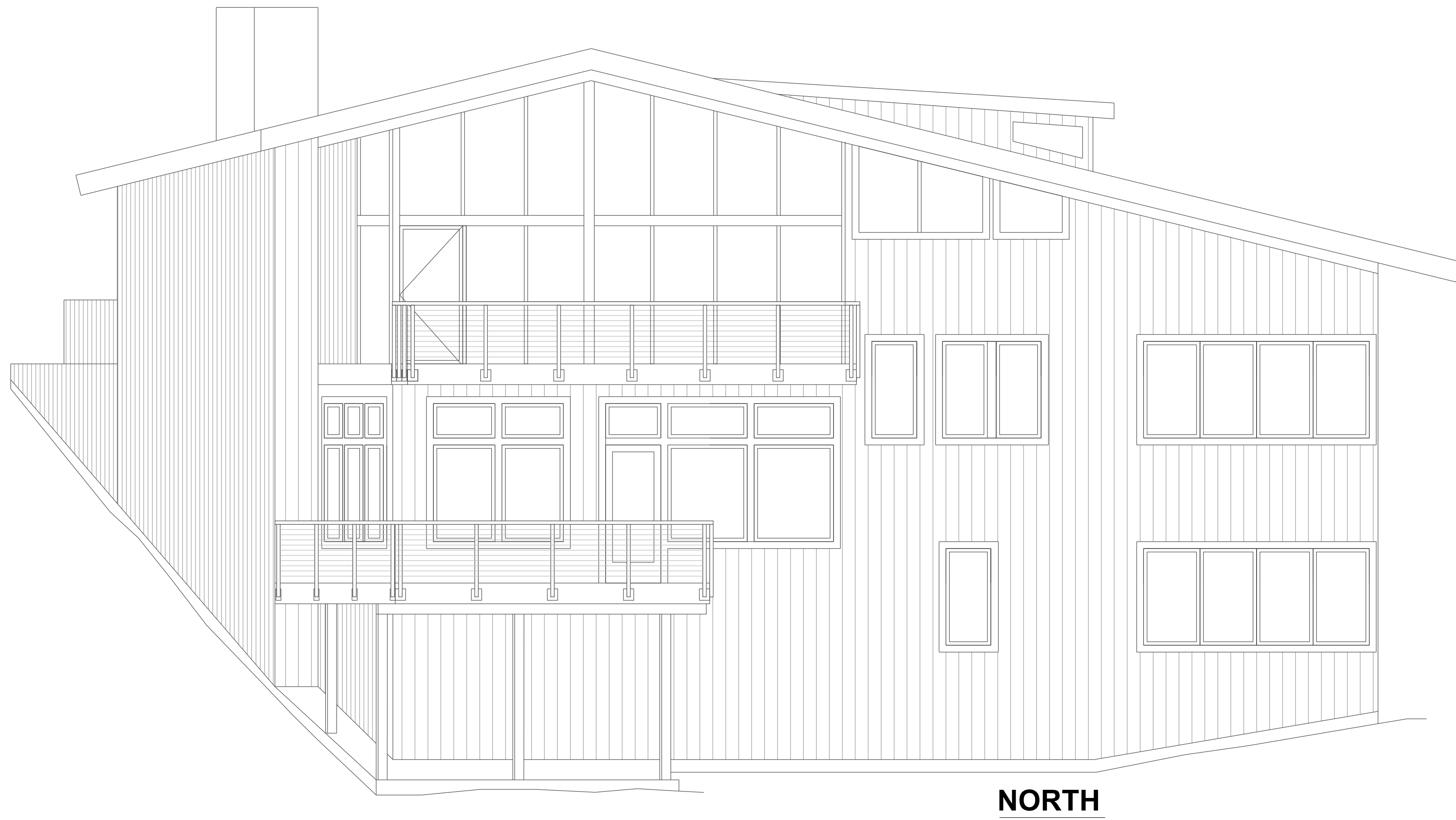
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ATTACHMENT 3: PROJECT PLANS



EAST

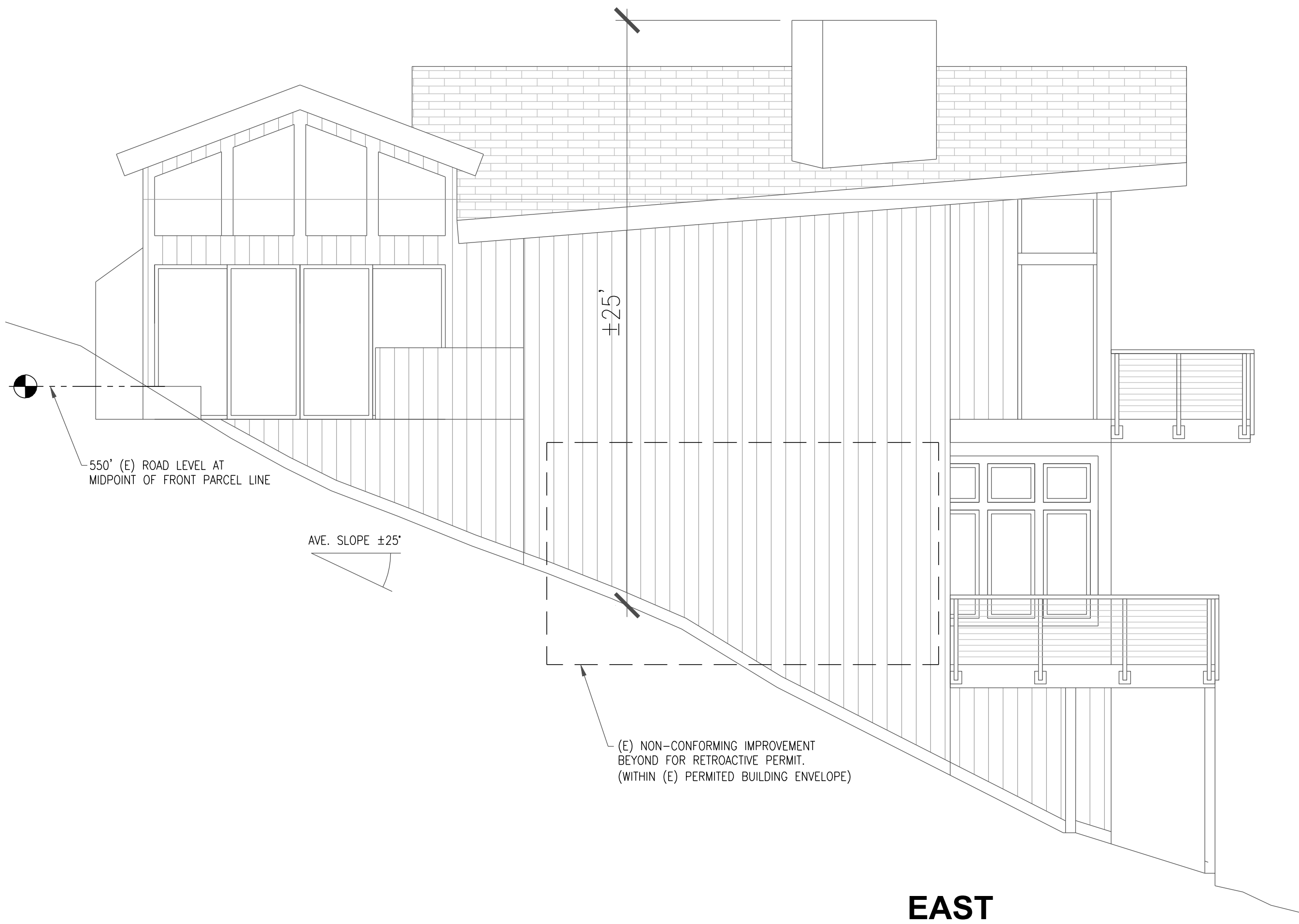


NORTH

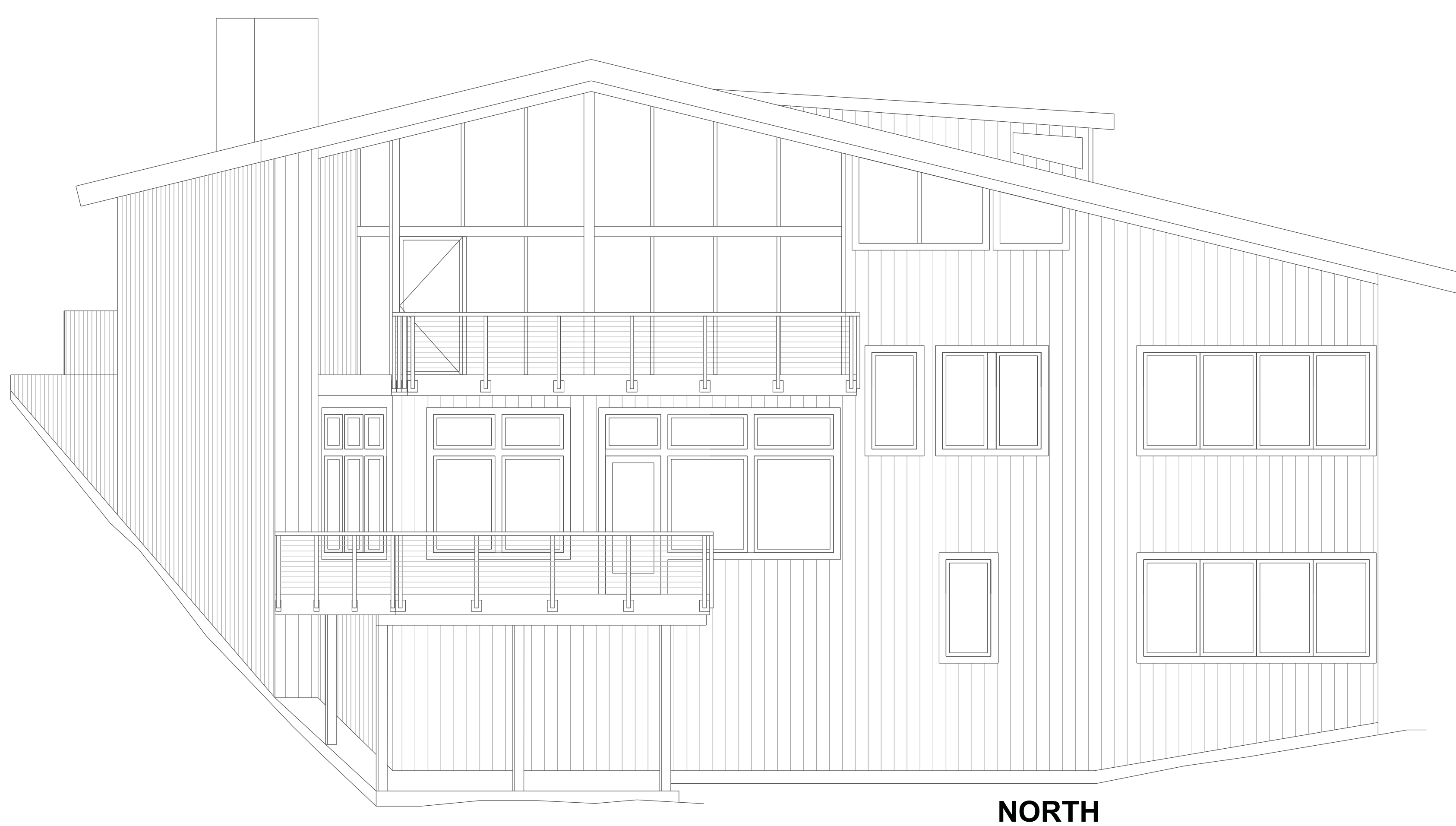
EXISTING ELEVATIONS

2

1/4" = 1'-0"



EAST



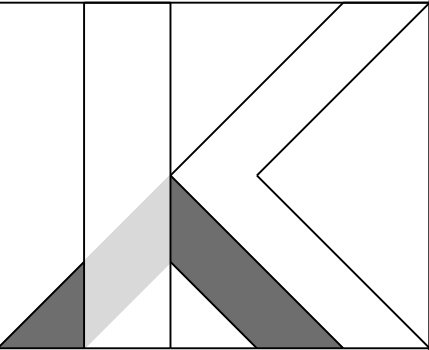
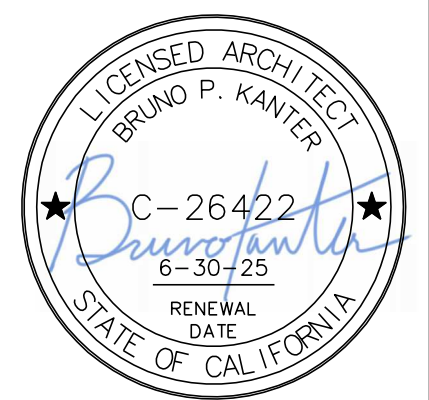
NORTH

PROPOSED ELEVATIONS (NO CHANGE)

1

NOTE: NO WORK AT SOUTH & WEST ELEVATIONS

1/4" = 1'-0"



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415.921.5456

RESIDENTIAL REMODEL:
74 CLOUD VIEW RD.
SAUSALITO, CA 94965

JOB NO.	BK
DRAWN	
CHECKED	
DATE	
REVISIONS:	
1	2-25-25

SHEET TITLE:
ELEVATIONS

SHEET NO.
A3.0