



## CITY OF SAUSALITO PLANNING DIVISION MEMORANDUM

Date: October 13, 2010  
To: Historic Landmarks Board (HLB)  
From: Heidi Burns, Associate Planner  
Subject: **HLB 50-year Review of Zoning Permit for 99 Miller Lane  
(APN 065-151-41)**

The applicant and property owner, Ray Withy, is requesting a 50-year review for the following proposed modifications to an existing mid-century single family residence located at 99 Miller Lane:

- ✓ Demolish approximately 573 square feet of atrium and stairway that was constructed in 1967;
- ✓ Demolish existing exterior deck adjacent to atrium and stairway
- ✓ Construct a new 1,825 square feet two-story addition within the footprint of the aforementioned 1967 addition;
- ✓ Construct a new lower level exterior deck; and
- ✓ Revised Landscape and Hardscape plans

Board members Nichols and Supino are preparing a 50-year review memo. No HLB Board members live within 500 feet of the project site and are therefore not conflicted out from the review of the 50-year memo.

#### Attachments:

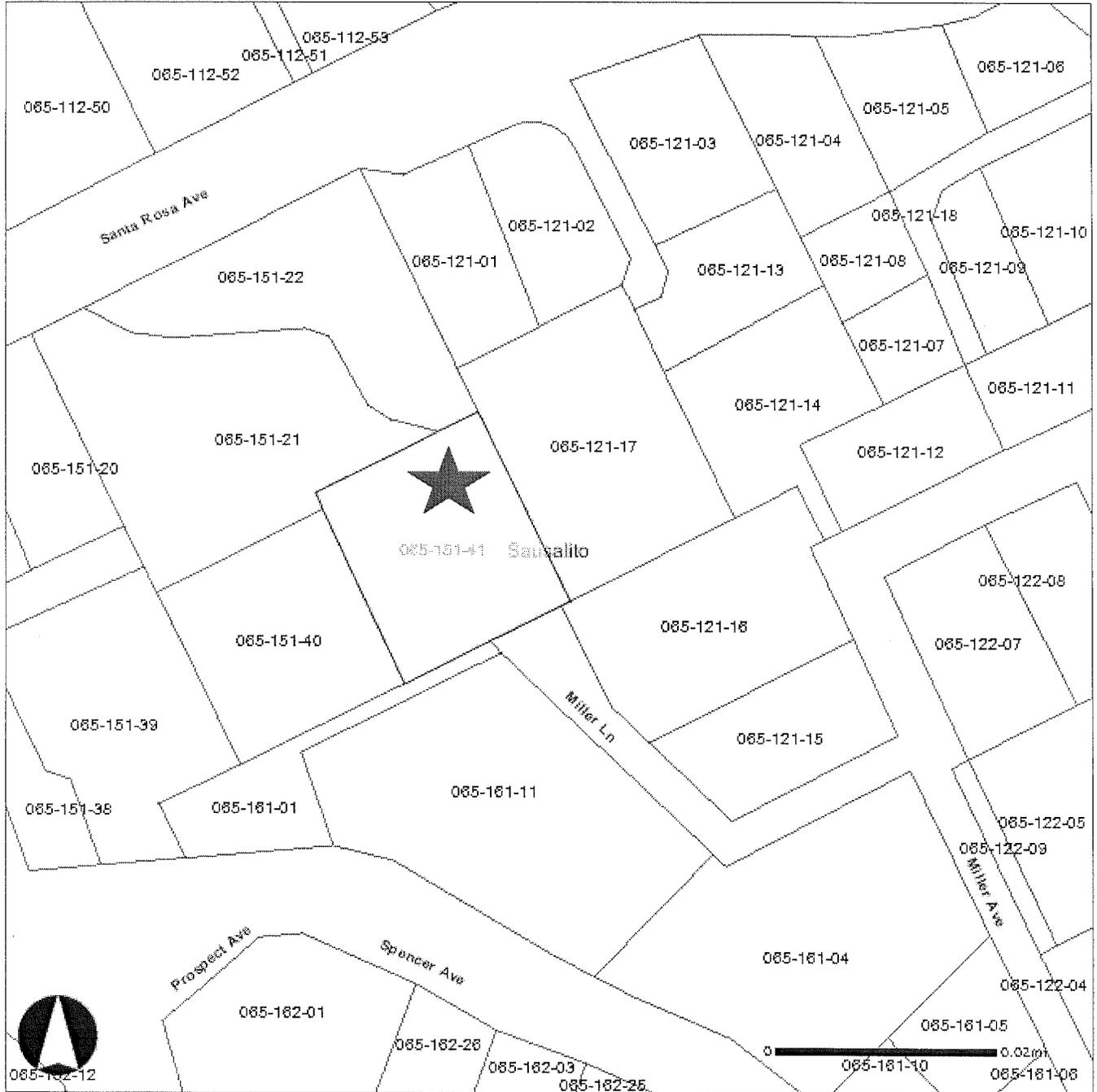
1. Vicinity Map
2. Marin County Assessor Records
3. Project Description and History prepared by Michael Rex dated July 15, 2010
4. Land Use and Building Permit Summary dated September 8, 2010
5. Project Plans dated July 15, 2010
6. Photos and Renderings

I:\CDD\PROJECTS - ADDRESS\M\Miller 99\DR-HLB 10-144\HLB 50-Year Routing Memo 10-13-10.doc

# VICINITY MAP

99 Miller Lane

DR/HLB 10-144



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- PARCEL AND DEED INFORMATION FOR ROLL YEAR: 2010
- OWNERSHIP INFORMATION
- VALUE AND ASSESSMENT EVENT INFORMATION
- NOTE: TAX BILLS FOR 2010 HAVE NOT YET BEEN CREATED. INFORMATION SHOWN BELOW REFLECTS LAST YEAR'S VALUES.
- NOTE: THE OWNER AND DEED INFORMATION ABOVE REPRESENTS THE ASSESSOR'S CURRENT INFORMATION.
- THE VALUES ABOVE REPRESENT THE PRELIMINARY OR ORIGINAL BILL VALUES FOR THE PROPERTY.
- THE TAX VALUES BELOW REPRESENT THE ORIGINAL SECURED BILL OR SUBSEQUENT REVISIONS TO THAT BILL.
- DATA IS UPDATED MONTHLY.
- PROPERTY TAX INFORMATION



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Parcel and Deed Information for Roll Year: 2010		
Parcel Number	Property Start Date	Deed Reference Id
065-151-41	November 11, 1911	07-065387
Roll Year	As of Date	Extract Date
2010	01/01/2010	June 14, 2010

Ownership Information			
Owner Sequence	Owner Name	Percent	Capacity Cd
0001	WITHY RAYMOND M /TR/	100	

Value and Assessment Event Information		
	Tax Roll Year	Value
Land	2010	1,440,000
Improvements	2010	954,912

Note: Tax bills for 2010 have not yet been created. Information shown below reflects last year's values.

Note: The owner and deed information above represents the assessor's current information.  
The values above represent the preliminary or original bill values for the property.  
The tax values below represent the original secured bill or subsequent revisions to that bill.  
Data is updated monthly.

Property Tax Information				
Tax Roll Year: 2009	Bill to: WITHY RAYMOND M /TR/			Bill No: 09-0046326
Fund Id	Tax Rate	Fund Title	Contact Information	Amount
		BASIC TAX		25,445.94
109163		CITY OF SAUSALITO-RUNOFF CHARGE	NBS (800) 676-7516	15.00
108934	.0060	MARIN COM COLLEGE2004-1 C-11/04	DEPT OF FINANCE TAX DIVISION (415) 499-6168	99.22
108945	.0076	MARIN COM COLLEGE2004-2 C-11/04	DEPT OF FINANCE TAX DIVISION (415) 499-6168	389.32
109192		MMWD-FIREFLOW	TERRY STIGALL (415) 945-1404	75.00
105110		MS MOSQUITO #1	MARIA GARCIA-ADARVE-SCI CONSUL (800) 273-5167	10.72
109253	.0186	SAUS GO BOND 2006 A&B SERIES	AUDITORCONTROLLER TAX DIVISION (415) 499-6168	470.74
105475		SAUS-MARIN CITY SANITARY	JOYCE KRUEGER (415) 332-0244	776.00
108942	.0090	SAUS-MARINCITY SCHBND5-2006A&B	DEPT OF FINANCE TAX DIVISION (415) 499-6168	216.28
109009		SAUSALITO CITY-SEWER CHARGE	NBS (800) 676-7516	360.00
108936	.0165	SAUSALITO SCH BND'05 I-11/2000	DEPT OF FINANCE TAX DIVISION (415) 499-6168	389.32
			DEPT OF FINANCE TAX	

108922	.0078	TAM UNION H SCH BD'02 A-3/2001	DIVISION (415) 499-6168	259.54
108914	.0035	TAM UNION HIGH BD'01 A-03/2001	DEPT OF FINANCE TAX DIVISION (415) 499-6168	109.40
108932	.0117	TAM UNION HIGH BD'04 A-03/2001	DEPT OF FINANCE TAX DIVISION (415) 499-6168	284.98
108938	.0174	TAM UNION HIGH BND'06 A-6/2006	DEPT OF FINANCE TAX DIVISION (415) 499-6168	427.48
107761		TAM UNION HIGH SCHOOL DIST	KALEY CLONEY (415) 945-3709	225.08
<b>Total Bill Charges:</b>				29,554.02

Location Information	
Tax Rate Area	009000
Census Tract	0
Supervisor District	3
Assessment City Code	SAS

Property Characteristics	
Construction Year	1952
Use Code	Single-Resid. - Improved 11
Living Units	1
Number of Bedrooms	2
Number of Bathrooms	2
Enrolled Acres	0
Land Sq. Ft.	10,969
Living Area Sq. Ft.	2,823
Garage Sq. Ft.	320
Unfinished Sq. Ft.	
Deck/Patio Sq. Ft.	596
Pool Sq. Ft.	

The information has been extracted from the Assessor's Equalized Tax Roll and reflects the most recent tax bill.

**408.3. Property characteristics information; public records.**

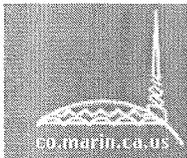
Except as otherwise provided in Sections 451 and 481 and in Section 6254 of the Government Code, property characteristics information maintained by the assessor is a public record and shall be open to public inspection.

For purposes of this section, property characteristics, includes, but is not limited to, the year of construction of improvements to the property, their square footage, the number of bedrooms and bathrooms of all dwellings, the property's acreage, and other attributes of or amenities to the property, such as swimming pools, views, zoning classifications or restrictions, use code designations, and the number of dwelling units of multiple family properties.

Notwithstanding Section 6257 of the Government Code or any other provision of law, if the assessor provides property characteristics information at the request of any party, the assessor may require that a fee reasonably related to the actual cost of developing and providing the information be paid by the party receiving the information. The actual cost of providing the information is not limited to duplication or production costs, but may include recovery of developmental and indirect costs, as overhead, personnel, supply, material, office, storage, and computer costs. All revenue collected by the assessor for providing information under this section shall be used solely to support, maintain, improve, and provide for the creation, retention, automation, and retrieval of assessor information.

The Legislature finds and declares that information concerning property characteristics is maintained solely for assessment purposes and is not continuously updated by the assessor. Therefore, neither the county nor the assessor shall incur any liability for errors, omissions, or approximations with respect to property characteristics information provided by the assessor to any party pursuant to this section. Further, this subdivision shall not be construed to imply liability on the part of the county or the assessor for errors, omissions, or other defects in any other information or records provided by the assessor pursuant to the provisions of this part.

The contact for this page is: [assessor@co.marin.ca.us](mailto:assessor@co.marin.ca.us)



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RECEIVED

JUL 15 2010

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT

July 14, 2010

Members of the Planning Commission  
City of Sausalito  
420 Litho Street  
Sausalito, CA 94965

**RE: DESIGN REVIEW APPLICATION FOR RENOVATIONS TO THE  
WITHY/McDONALD RESIDENCE AT 99 MILLER LANE – APN 065-151-41**

Dear Commissioners:

This letter describes in detail the project submitted by Ray Withy and Flynn McDonald to renovate their home located at 99 Miller Lane as illustrated on plans prepared by our office dated June 30, 2010.

#### Overview

Ray and Flynn have resided at 99 Miller Lane since late 2005 and decided to purchase the property in 2007. They love Sausalito and their home here. This property is their only residence, and they plan to live here for many years to come. However, after living in the home for nearly five years, Ray and Flynn have learned of the home's deficiencies including needed upgrades, repair/replacement of old and failing systems, and living space that does not meet the needs of today's families. They have also had to address safety and liability concerns stemming from a failed retaining wall on the east property line, a garage roof that had structurally failed, and unsafe conditions created by previous work done by others next to their garage and in their west garden. Additionally, they have had to address landscape issues occasioned by previous neglect: they have begun the process of having the heritage trees on the property professionally maintained by qualified arborists, and they have already planted, in coordination with neighbors, hedge plants along their property line for privacy screening.

In this design review application, Ray and Flynn have now decided to expand the home's usable space, essentially within its existing footprint, by renovating space that is currently an unconditioned glass atrium and deck, which, in its current configuration, provides no useful function for the family. This atrium was a 1967 addition to an original 1951 structure (as described in detail below.) The couple has spent considerable time, energy, and resources over the last year or so developing a plan that thoughtfully balances conservation and upgrade.

Ray and Flynn have been actively engaged with adjacent neighbors to address the safety, liability, and landscape issues described above. Many of these issues are already resolved or are currently being resolved. They have also been in dialogue with the neighbors concerning the renovation project, which is the subject of this design review application. Only one concern was raised, and that concern was addressed by Ray and Flynn, incorporated into the design, and approved by the concerned neighbor.

## **History of 99 Miller Lane**

Over time, the 99 Miller Lane home has been added to or changed to meet the needs of its owners. The original home was designed by Theodore Bernardi in 1951 and received an award from the AIA in 1956. Mr. Bernardi was a well respected local architect and principal of Wurster, Bernardi & Emmons. Mr. Bernardi designed this home as his own residence, and he resided there with his wife, Beatrice, a well known local artist. The couple lived on the upper floor, and the only connection with the lower floor was via an outside wooden stairs adjacent to the deck. The lower floor consisted of a studio where Mrs. Bernardi once had large looms for weaving textile artwork. This space is now the master suite. The space that was once two small bedrooms now serves as Ray and Flynn's home office. Mr. Bernardi had a workshop on the lower level of the home and this space is now being used as a home gym. For its time, the house incorporated innovative technology such as an early hydronic heating system; however, the system has been progressively failing over the years, and Ray and Flynn plan to replace it with a new one at some point. However, the original 1951 house structure is not the subject of this application.

In 1967, well after the construction of the main residence, the Bernardis constructed a large glass atrium at the west end of their existing entry deck, enclosing the outdoor stairway that connected the upper and lower levels. The deck was extended to the east at this time. While the atrium addition provided covered access between floors, its form was somewhat inconsistent with the design of the original home. The atrium utilized many commercial, as opposed to residential, elements. These utilitarian and somewhat incongruous design and material choices, when compared to the original structure, may simply have been a result of the fact that Mr. Bernardi's architecture practice had shifted to commercial structures by that time. Additionally, the space was left unconditioned, is largely unusable in its current configuration, and is now in need of significant repair. This space is a component of this application.

In the 1980s, Mr. Bernardi added a small two-story addition on the west end of the '51 house structure to provide for an elevator and partial bathrooms.

A subsequent owner, David Finkelstein, further changed the residence in the 1990s. An original carport was converted into a two-car garage, and the elevator was removed from the addition to the '51 structure and was replaced with a full bathroom on each floor. The original exterior incense cedar siding of the '51 structure was painted over and then the paint was later sandblasted off. Four skylights were also added to the '51 structure. Various interior finishes were also modified: the main floor finishes were changed to mask extensive water damage caused by a leaking roof, and the lower floor finishes were changed to suit Dr. Finkelstein's own aesthetic. In addition, a wooden retaining wall faced with a brick veneer and supporting a brick patio, was built in the west garden.

In 2004, Dr. Finkelstein submitted a proposal to the Planning Commission in which he proposed building a third story on top of the existing '51 house structure. The Planning Commission did not approve his proposal. At the Project's last hearing in 2006, the Planning Commission suggested instead that additional space and functions could be achieved by adding space under the deck and at the lower level and/or over the garage. Ray and Flynn liked the Commission's idea of adding the space at the lower level and so in the proposed project they are planning to 75% of the new and reconfigured space at the lower level, 25% at the main floor, and no third story whatsoever.

### **Owners' Project Goals:**

1. Restore, renovate, and expand the usable space in the home to meet current family needs and update lighting, mechanical, and electrical systems.

2. Honor and reflect Mr. Bernardi's design work, which is expressed primarily in the architecture of the original 1951 house structure.
3. Avoid negative impacts to the use, enjoyment, or value of neighboring property.
4. Rectify, as soon as possible, areas that pose significant safety and liability concerns. (Ongoing.)
5. Address landscaping that had been neglected and plant privacy screening as soon as possible, as appropriate, around the property's perimeter. (Ongoing.)
6. Be environmentally sensitive and sustainable in terms of energy use, water conservation/management, and the use of materials.

**Project Description:**

1. *Site:*

The 10,969 sq. ft. parcel, in the R-1-6 Zoning District, includes a 1,073 sq. ft. Driveway and Utilities Easement serving an adjacent vacant lot to the west. The Project site is a downhill parcel having an average slope of 11 degrees. Existing trees of noticeable size include coastal live oaks, maples, and a bay laurel.
2. *Floor Area:*

The proposed Project will add 1,048 sq. ft. of new Floor Area to the existing 3,059 resulting in a 4,107 sq. ft. home with an FAR of .415 in a Zoning District that allows an FAR of .45 or 4,453 sq. ft. The majority of the 1,048 sq. ft. of new Floor Area will be added by building 771 sq. ft. downward under the existing deck. Only 277 sq. ft. of new Floor Area will be added to the main level by expanding the area of the existing atrium for a new foyer, breezeway, and living/dining room.
3. *Building Coverage:*

Building Coverage will increase by only 8 sq. ft., from 3,497 sq. ft. or 31.9% of the lot, to 3,505 sq. ft. or 31.9%. The maximum Building Coverage allowed is 3,839 sq. ft. or 35%.
4. *Building Height:*

Building Height will be reduced by 1'-3 3/4", from 20'-3 3/4" to 19'-0", where up to 32 feet is allowed.
5. *Proposed New Addition:*
  - A. Demolition
    - 1) Remove the 573 sq. ft. atrium and stairway added in 1967.
    - 2) Remove the existing 204 sq. ft. mechanical room/laundry, storeroom, and hallway under the atrium.
  - B. Construct a 1,825 sq. ft. addition comprising a foyer, breezeway, living/dining room and a stairway atrium on the main level, and a snooker room/library, guest suite, laundry, mechanical room, and store room on the lower level. This construction is essentially within the existing footprint in the location of the existing foyer, atrium, stairway, storage area, and deck on the main level and mechanical room/laundry, storeroom, and hallway on the lower level.
  - C. The design of the addition expresses the architectural character of the original 1951 house structure with its opposing shed roofs, glazing between structural posts, and exposed roof beams. The new atrium, inspired by the '67 addition, connects the 1951 house structure to the new addition allowing the individuality of the '51 structure to be expressed while bridging old to new. The repositioned stairway connecting the two floors will, as before, be enclosed in an atrium.

6. *Proposed Site Improvements (some of which have already begun):*
- A. Complete the west hillside garden by planting native, low water tolerant plants and complete the lower west patio stonework.
  - B. Complete the installation of a drip irrigation system for all landscape areas of the site.
  - C. Install a storm drain system throughout the site. Evaluate the feasibility of installing a water catchment system for landscape irrigation and storm water management. Two areas where a cistern could be located are indicated on the civil engineering drawing, for further evaluation.
  - D. Re-grade and landscape the entry court.
  - E. On the lower level, provide on grade a small landing outside the snooker room and a small patio fronting the new guest suite and plant that hillside as in A. above.
  - F. Protect the maximum number of existing heritage trees during construction and plant two new coastal live oaks on the property.

**Conformance with Zoning Standards:**

As the following summary shows, the proposed Project complies with all aspects of Sausalito's Zoning standards for the R1-6 Zoning District wherein the Project site lies.

- Parcel Size: Minimum required is 6,000 sq. ft. The existing site is 10,969 sq. ft. less the 1,073 sq. ft. access easement, resulting in a net parcel size of 9,896 sq. ft.
- Floor Area: Maximum Floor Area is 45% of the net parcel size of 9,896 sq. ft. or 4,453 sq. ft. The existing home is 3,059 sq. ft. for an FAR of .31. We propose adding 1,048 sq. ft. of new Floor Area, resulting in a home having a total of 4,107 sq. ft. of Floor Area, for an FAR of .415, which is below the maximum allowed.
- Building Coverage: Maximum Building Coverage is 35% of the entire parcel of 10,969 sq. ft. or 3,839 sq. ft. The existing Building Coverage is 3,497 sq. ft. or 31.9%. We propose adding 8 sq. ft. of new Building Coverage, resulting in a total of 3,505 sq. ft. or 31.9%, which is below the maximum allowed.
- Building Height: Maximum Building Height is 32 ft. The existing house is 20'- 3 3/4". The proposed Building Height is 19'- 0", or 1' 3 3/4" lower than existing and 13'- 0" lower than the maximum allowed.
- Setbacks: Minimum Rear Yard (north) is 15 ft. The existing rear setback varies from 8'- 0" to 13 ft. No expansion on Rear Yard side of the house is proposed.
- Minimum Left Side Yard (west) is 5'- 0". The existing left setback is 11'-5 1/2" and no expansion on this side of the property is proposed.
- Minimum Right Side Yard (east) is presently 5'-0" and it becomes 8'-4" per Sausalito Z. O. 10.40.070-D.1. The proposed addition augments the building length along the right side of the property and triggers a setback increase. The existing deck encroaches into this setback by 5 1/2" at a corner and we propose enclosing under the deck to provide a guest suite, but the Zoning Ordinance allows for this encroachment, because the deck isn't parallel to the property line, and in such cases an encroachment can be allowed, provided that:
- The average depth of the yard is at least equal to the required depth.
  - No more than 50% of the building encroaches.
  - The yard is no less than 3' in depth at any point.

The proposal meets all these requirements.

**Impervious Surfaces:** Maximum impervious surfaces are allowed up 67.5% or 7,404 sq. ft. Existing impervious surfaces total 6,360 sq. ft. Proposed is 6,301 sq. ft. or 57 %, a 59 sq. ft. decrease.

**Parking:** Two on-site parking spaces are required and two are provided, plus two additional on-site guest parking spaces.

### **Approval Findings:**

1. *Consistent with the General Plan*

The General Plan seeks to preserve structures having historic significance or character. Although the '51 house structure is not itself the subject of this application, the Project honors the original building and its ideals. In doing so, the Project preserves the best of Theodore Bernardi's design and ensures that the home has a viable future.

2. *Design complements the Surrounding Neighborhood*

The existing building, with its wood siding and earth tone colors, blends in well with the site's wooded setting. The proposed building forms reflect the existing ones and utilize many of the same materials and earth tone colors.

3. *The Project is in scale with surrounding structures*

The proposed addition will occupy much of the existing structure's footprint. The only expansion of significance will be a partial enclosure of the existing deck on the main level and enclosing under the existing deck and atrium on the lower level. The addition will not exceed the height of the existing building.

4. *Project minimizes obstruction of views*

No views that are enjoyed by neighbors or the public will be obstructed by the proposed work.

7. *Minimizes a prominent profile above a ridgeline*

The site is nowhere near a ridgeline.

6. *Landscaping provides visual relief and is attractive*

A landscape plan was prepared with input from neighbors and is included in this Project submittal. This plan demonstrates the care given to the landscape component of the Project. Among the many landscape improvements (some of which have already been completed), the plan includes the following elements:

- Significant plant screening to enhance privacy has already been planted between the Project and the Williams property on the east and between the Project and the Jacobson/Wolfe property on the north. Additional screening on the west property line is ongoing.
- The west garden is currently being landscaped and a brick patio, constructed sometime in the '90s, is being replaced with natural stone complementing the original stone wall.
- Vine plantings on the current harsh concrete retaining wall adjacent to the easement and on the concrete garage wall as well as planting of the easement area with native plants
- A re-landscaped entry court
- Where appropriate, native plant materials, low water use plants, and plants suitable for proximity to oaks will be used.

7. *Adequate light & air to adjacent properties*  
Both the existing home and the proposed addition are set far back from neighboring properties and thus do not impact light or air to adjacent properties.
8. *Exterior lighting and mechanical equipment has low impact*  
No new chimneys are planned. Small, existing boiler flues will be re-located between the garage and the new addition; this is a discreet feature located far from neighboring properties. Proposed exterior lighting is the minimum necessary for safety and code compliance. All exterior fixtures will direct light downward and have shielded light sources. For illustrations of the proposed exterior light fixtures, see the Landscape plans, Sheet L1.0 for garden lighting locations and fixture types. For the proposed exterior light fixtures attached to the building, see the Architectural plans, Sheets A2.1 & A2.2.
9. *Provides reasonable level of privacy for the site and adjacent properties*  
Abundant plant material exists between the Project site and the Andrews/Coxhead home above, the Jacobson/Wolfe home below, and the Williams home to the east. New privacy screening along the west property line between the Wither/McDonald home and the Oremland home to the northwest is being implemented. A concern raised by Dr. Oremland regarding privacy screening between the Wither/McDonald home and Dr. Oremland's vacant lot south of his home has also been addressed. Specifically, several areas of glazing originally proposed on the west side of the new dining room facing Dr. Oremland's vacant lot have been changed to reduce the area of glass. This design change was incorporated into this application and approved by Dr. Oremland.
10. *Circulation and parking is functional and safe*  
A turnaround, which is needed for emergency equipment accessing the Wither/McDonald property, has been planned with input from the Fire Department. The area for guests to park is well defined and outside this turnaround area. The construction last year of a wooden retaining wall east of the turnaround area along the property line shared with the Williamses will help carry the load of automobiles and resist slumping and erosion on this side of the Wither/McDonald parcel.
11. *Protected trees and significant natural features are preserved*  
Trees required to be protected and the actions necessary to promote their health during construction are defined in the Project Arborist Report. Little grading is planned outside of the building footprint.
12. *Heightened Review Findings can be made*  
See below.

**Heightened Review Findings:**

1. *Protected trees are protected*  
Yes, see Arborist Report. All heritage trees on the property will be saved except for one maple tree that was damaged by improper management techniques by a previous owner. This one removed tree will be replaced by the planting of two new coastal live oaks. The removal of this tree is also critical for allowing construction equipment access in a manner conducive to protecting the root systems of all of the remaining heritage trees. A Tree Protection Plan is already in place and operating in connection with ongoing construction.
2. *Yards and setbacks are proportional to the size of the structure*  
Little work is proposed outside the existing building footprint. Setbacks meet code requirements.

3. *Minimizes obstruction of views*  
There is no blockage of views enjoyed from neighboring properties.
4. *No hazard to public safety*  
No large cuts or construction on unstable soil are planned. Large trees have been inspected and are not recommended for removal. The large bay tree below the home requires periodic inspections.
5. *Minimal grading outside the building footprint*  
All grading is below the existing atrium and deck, set well back from adjacent properties. At its highest point, cuts will be no higher than one story and will be retained with concrete walls.
6. *Adequate guest parking is available*  
The one public parking space at the end of Miller Lane will be preserved. A new guest parking area for two cars on site is planned in the entry court, outside of the turnaround area needed for emergency vehicles. Two cars can also be parked in the existing garage.
7. *Adequate landscaping to maximize privacy and minimize the appearance of bulk*  
Significant landscaping has already been done, more is currently underway, as described above, and more is planned, as shown on the Project's Landscape plans prepared by landscape firm, Roth/LaMotte.

**Project Benefits:**

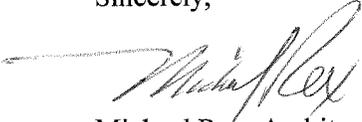
1. There will be no blockage of views, light, or air enjoyed by neighbors.
2. The heights of the home's roof lines will essentially remain the same; they will, in fact, be slightly lower than the existing roof lines.
3. Privacy has already been enhanced via the planting of significant vegetative screening between the Project site and the Williams property to the east, the site's closest neighbor.
4. The unsightly underside of the existing deck will be replaced with the guest suite, and new screening has already been planted in this location (as described above).
5. The architectural character of the Bernardi design will be preserved.
6. Improvements to the property will extend the life of the original Bernardi residence.
7. The entry court will be more inviting.
8. All mature trees, save one previously damaged maple, will be preserved and protected and two new coastal live oaks will be planted.

**Conclusion:**

Ray and Flynn have spent considerable time, energy, and resources for over a year developing a plan for their home located at 99 Miller Lane that thoughtfully and lovingly balances conservation and upgrade. Just as Theodore Bernardi evolved his home to meet the changing needs of his family, so Ray and Flynn are evolving their home to meet the needs of a modern family, and, therefore, ensuring that the home has a viable future. Significant effort has been expended to insure that the proposed addition is in keeping with the architecture of the original 1951 house. In so doing, Ray and Flynn have honored the building and its original ideals. Ray and Flynn have also been actively involved in neighborhood outreach for this Project. The owners of adjacent properties, who could be most impacted by the Project, were consulted during this design process to insure that what was proposed avoided negative impacts on the use and enjoyment of their property. The response by neighbors has been very positive, and the one concern that was voiced has been addressed by Ray and Flynn and incorporated into this proposal. See Ray and Flynn's neighborhood outreach letter submitted with their application.

We trust the Commissioners will recognize the merits of this well considered, thoughtful proposal and approve the Project as presented.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Rex". The signature is written in dark ink and is positioned above the printed name.

Michael Rex, Architect

Cc: Dr. Ray Withy and Ms. Flynn McDonald



# MEMORANDUM

## CITY OF SAUSALITO

---

**TO:** Historic Landmarks Board

**FROM:** Heidi Burns, Associate Planner

**DATE:** September 8, 2010

**SUBJECT:** 99 Miller Lane

Below is a detailed history of all land use and building permit activity:

Date	Permit #	Details
1951		New Construction of the House
1967	Zoning Permit # 293*	314 square foot addition
1967	Building Permit (BP) #4981**	600 square foot entry hall addition and extend deck
1983	Certificate of Compliance	Lots were legally created in December 1950 and May 1951 with easement
1988	Zoning Permit*	7 foot horizontal extension to add elevator. Permit expired with no final inspection on 6-25-90
1988	Building Permit A0816**	7 foot horizontal extension to add elevator. Permit expired with no final inspection on 6-25-90
1989	Building Permit EP1013**	Plumbing and electrical permit
1990	Building Permit A2855**	Replace and repair exterior deck use
1991	Building Permit A3203**	Termite and dry rot repair
1991	Building Permit A3242**	Reroof
1993	Residential Building Record***	No known nonconformities
1995	Building Permit AE5021**	Replace existing garage-184 building coverage addition
1999	Residential Building Record***	Rear yard setback nonconformity identified
2001	Building Permit A9191**	Reroof permit
2004	Building Permit E10921**	Undergrounding of utilities
2004	50-Year Memo	HLB memo regarding 99 Miller Lane ( <b>attached</b> )
2006	Grading Permit	Grading Miller Lane right-of-way
2007	Residential Building Record**	Rear yard setback nonconformity identified
2007	Building Permit A12328**	Building permit for new retaining wall and grading for a driveway
2009	Building Permit B09-303**	Garage repair and new retaining wall

*Building Permit History*  
*99 Miller Lane*

\*Zoning Permit: A Zoning Permit is issued by the Planning Division to review the conformance of a project with the general development standards identified in Title 10 (Zoning Ordinance) of the Municipal Code.

\*\*Building Permit: A Building Permit is a document authorizing the holder to construct a building/structure/remodel of a particular kind on a particular lot.

\*\*\*Residential Building Record: Pursuant to Chapter 8.28 of the Municipal Code, prior to the sale or exchange of any residential building in the City, the owner or authorized agent shall obtain from the City a report of the residential building record showing the regularly authorized use, occupancy, and zoning classifications of such property.

**Attachment**

1. 50-Year Memo prepared by the HLB on April 22, 2004

M E M O R A N D U M

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TO: Sausalito Planning Commission  
FROM: Sausalito Historic Landmarks Board  
RE: 99 Miller Avenue – APN 065-151-41  
DATE: April 22, 2004

The Historic Landmarks Board (HLB) reviewed the plans for a new third-story loft addition, stamped "Received March 23, 2004." Architect Theodore C. Bernardi designed this home for himself in the Contemporary American International Style. Bernardi, a partner of Wurster, Bernardi and Emmons Architects, was principal-in-charge of many of the firm's major projects.

He was presented with many awards, including an AIA Award of Merit in 1956 for his home (subject property), an AIA Architectural Firm Award Medal in 1965, and was elected to the Fellowship in the AIA in 1962. (See Attached Bio)

The HLB feels the project as proposed will not deter from the structure, as the articulation of roof pitch, vertical siding, wood windows and doors, and railing details will be in keeping with the existing. Furthermore, the HLB believes this proposal meets the criteria set forth in the *Secretary of the Interior's Standards for Rehabilitation*.

**The Sausalito Historic Landmarks Board, at its publicly noticed meeting of April 22, 2004, accepted the contents contained within this memorandum:**

AYES: Warren, Sears, Blois and Chair Hodgson  
NOES:  
ABSTAIN:  
ABSENT: Corker

**References:**

Phone Directories 1952-1958 – Source: Sausalito Historical Society  
Theodore C. Bernardi Biography – Source: University of California Berkeley  
*A Field Guide to American Houses*, By Virginia & Lee McAlester – Source: Sausalito Library

## **Biography of Theodore C. Bernardi**

### ***Source: University of California Berkeley***

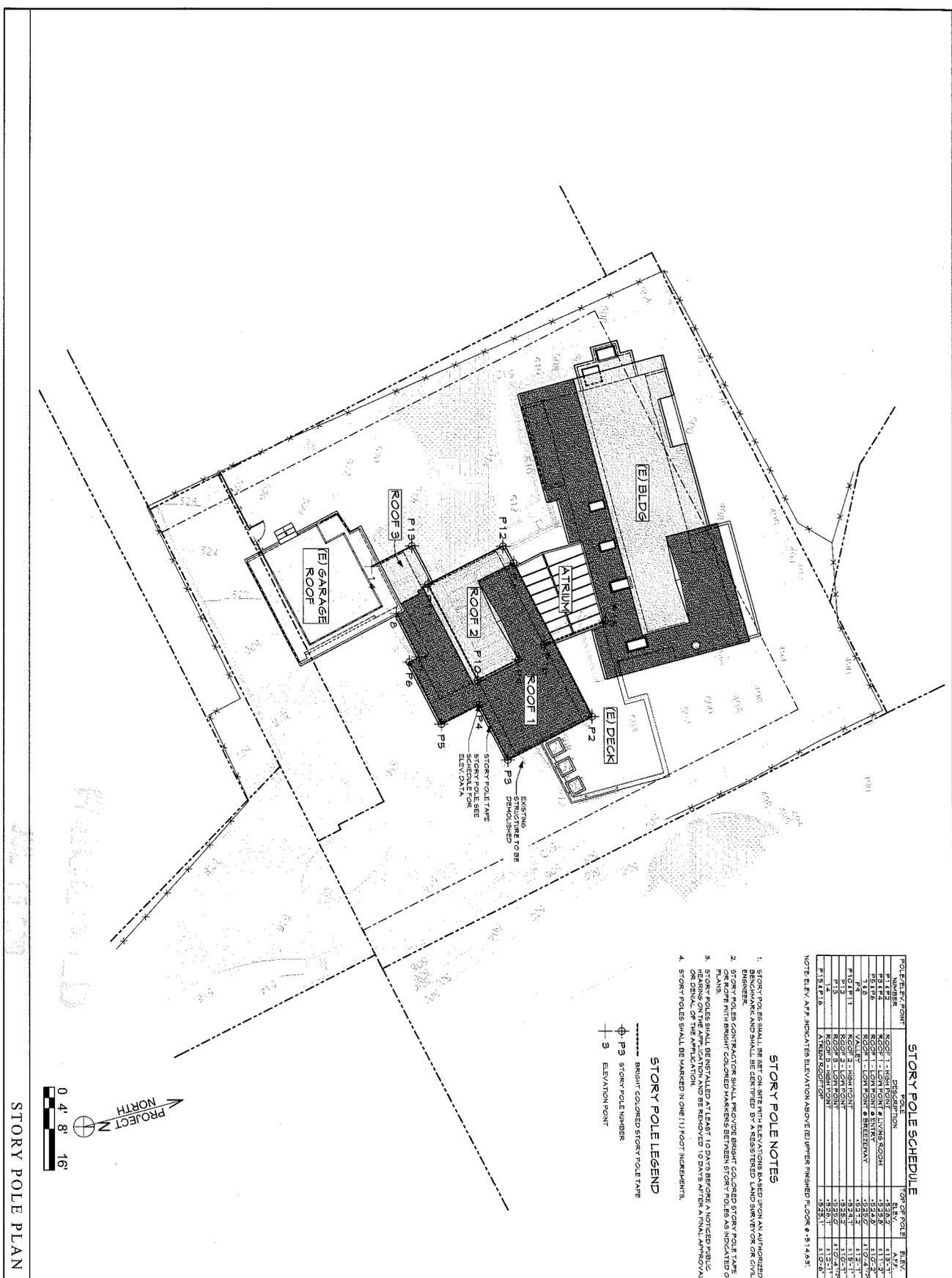
Theodore C. Bernardi was born in Dalmatia, Yugoslavia, in 1903 and moved with his family to the United States in 1912. He earned his bachelor's degree in architecture at UC Berkeley in 1924, and stayed on at the University to study at the graduate level. Over the next nine years he supplemented his academic studies by working as an architect and draftsman in a number of Bay Area firms, including the office of Timothy Pflueger. Bernardi obtained his architectural license in 1933, and joined the firm of William W. Wurster the following year. After eight years with Wurster, during which he was responsible for the design and construction of major projects, he left the firm to pursue an independent practice. His projects during this time included over a dozen government housing projects.

Bernardi returned to Wurster's firm as a partner in 1944, and with the addition of Donn Emmons the following year, the firm became Wurster, Bernardi & Emmons. Bernardi was Principal-in-Charge of many of the firm's major projects, including the Schuckl Canning Company office building in Sunnyvale (1930), the Master Plan for University of California Santa Cruz (1962), and the Ice House renovation in San Francisco's North Waterfront (1967). His own home in Sausalito (1950) won a 1956 AIA Award of Merit in 1956.

In addition to his work at the firm, Bernardi was a lecturer in the Department of Architecture, UC Berkeley from 1954-1971. He was elected to Fellowship in the American Institute of Architects in 1962, and the firm won the AIA Architectural Firm Award Medal in 1965. Though his role in the firm became less active during the 1970s, Bernardi continued to work on projects until his death in 1990.





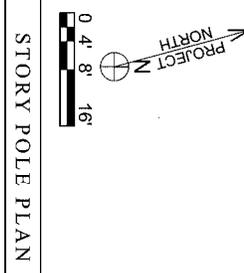


**STORY POLE SCHEDULE**

POLE/ELEV. POINT	POLE	TOP OF POLE	ELEV.
ROOF 1 - HIGH POINT	ROOF 1	528.5'	113.5'
ROOF 1 - LOW POINT	ROOF 1	525.0'	110.0'
ROOF 1 - HIGH POINT	ROOF 1	525.0'	110.0'
ROOF 1 - LOW POINT	ROOF 1	522.0'	107.0'
VALLEY	VALLEY	521.5'	106.5'
ROOF 2 - HIGH POINT	ROOF 2	521.5'	106.5'
ROOF 2 - LOW POINT	ROOF 2	518.5'	103.5'
ROOF 3 - HIGH POINT	ROOF 3	518.5'	103.5'
ATRIUM ROOF TOP	ATRIUM	525.1'	107.6'

NOTE: ELEV. ABOVE INDICATES ELEVATION ABOVE THE UPPER FINISHED FLOOR # 91445.

- STORY POLE NOTES**
- STORY POLES SHALL BE SET ON SITE WITH ELEVATIONS BASED UPON AN AUTHORIZED BENCHMARK AND SHALL BE CERTIFIED BY A REGISTERED LAND SURVEYOR OR CIVIL ENGINEER.
  - STORY POLES SHALL PROVIDE BRIGHT COLORED STORY POLE TYPERS OR ROPE WITH BRIGHT COLORED MARKERS BETWEEN STORY POLES AS INDICATED ON PLANS.
  - STORY POLES SHALL BE INSTALLED AT LEAST 12 DAYS BEFORE A NOTICE PERMITS FOR CONSTRUCTION OF THE STRUCTURE TO BE DEMOLISHED OR AFTER A NOTICE PERMITS FOR CONSTRUCTION OF THE STRUCTURE TO BE DEMOLISHED.
  - STORY POLES SHALL BE MARKED IN ONE (1) FOOT INCREMENTS.



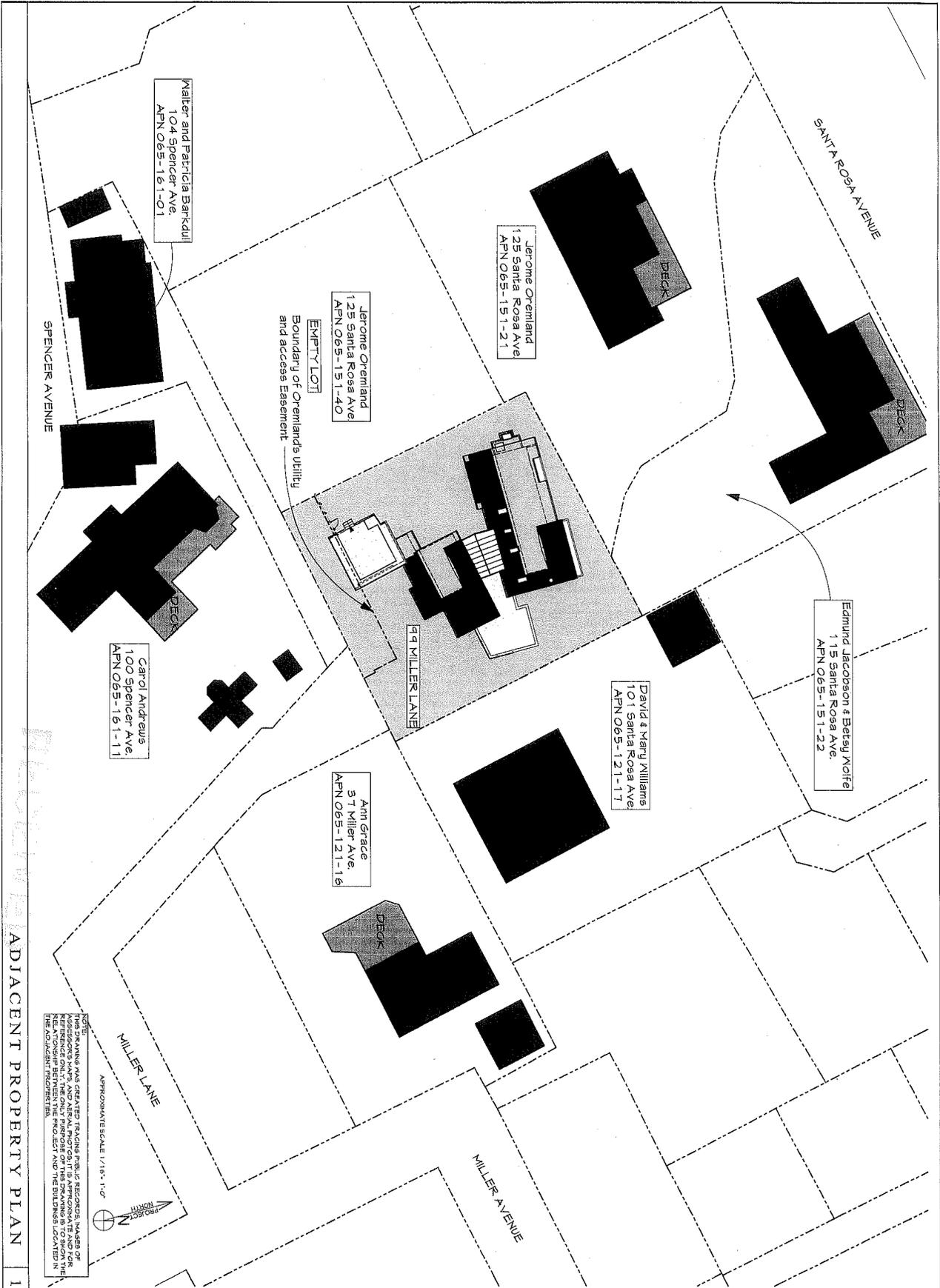
STORY POLE PLAN 1

MICHAEL REK ASSOCIATES  
 ARCHITECTURE & DESIGN  
 1730 BRIDGEWAY  
 SUITE 211  
 CALIFORNIA 94963  
 TEL: 415.311.1400  
 FAX: 415.311.1461  
 WWW.MREK.COM

**RENOVATION TO THE  
 WITHY/McDONALD  
 RESIDENCE**  
 99 Miller Lane, Sausalito - CA 94965  
 APN 065-151-41

DATE: 06/30/2010  
 DRAWN: MREK  
 CHECKED: MREK  
 SCALE: 1/8" = 1'-0"

PROJECT: WITHY/McDONALD RESIDENCE  
 SHEET: A1.2



ADJACENT PROPERTY PLAN 1

1

THIS DRAWING HAS CREATED TRACING PUBLIC RECORDS, MAPS OF ASSESSORS MAPS AND AERIAL PHOTOS. IT IS APPROXIMATE AND FOR RELATIONSHIP BETWEEN THE PROJECT AND THE BUILDINGS LOCATED IN THE ADJACENT PROPERTIES.

APPROXIMATE SCALE 1/16" = 1'-0"

PROJECT NORTH

ADJACENT PROPERTY PLAN

A1.3

**RENOVATION TO THE WITHY/McDONALD RESIDENCE**  
 99 Miller Lane, Sausalito - CA 94965  
 APN 065-151-41

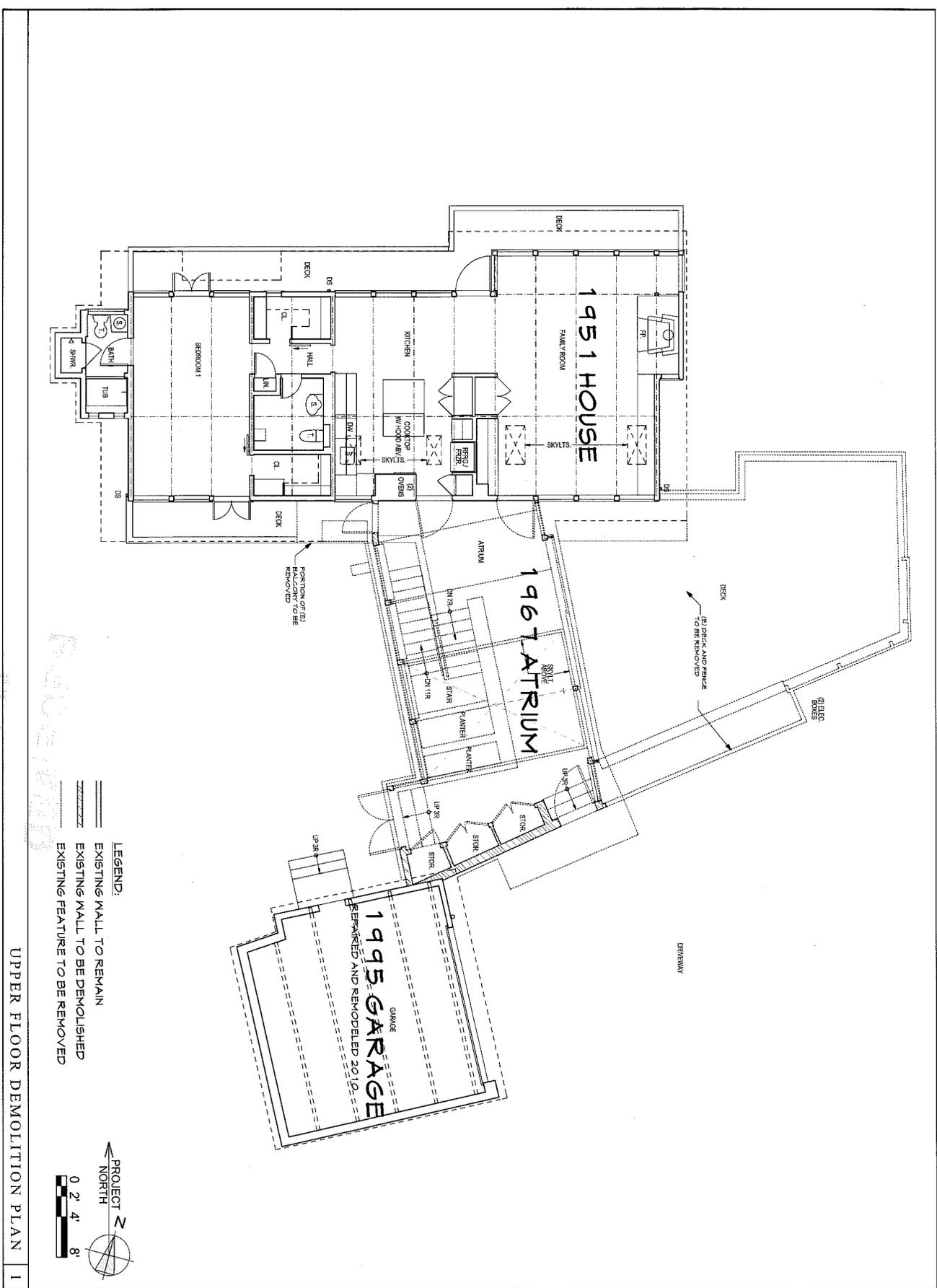


MICHAEL REX ASSOCIATES  
 ARCHITECTURE & DESIGN  
 1730 BRIDGEWAY  
 Sausalito, CA 94965  
 CALIFORNIA 94965  
 FAX: 415.331.1449  
 WWW.MRAXSOCCO.COM

CITY OF Sausalito  
 JUL 15 2010







UPPER FLOOR DEMOLITION PLAN 1

MICHAEL BEX ASSOCIATES  
 AN OFFICE OF BEX & ASSOCIATES  
 1730 BRIDGEWAY  
 SUITE 210  
 SAUSALITO, CA 94965  
 TEL: 415.311.1400  
 FAX: 415.311.1444  
 WWW.BEXASSOCIATES.COM

**RENOVATION TO THE  
 WITHY/ McDONALD  
 RESIDENCE**  
 99 Miller Lane, Sausalito - CA 94965  
 APN 065-151-41



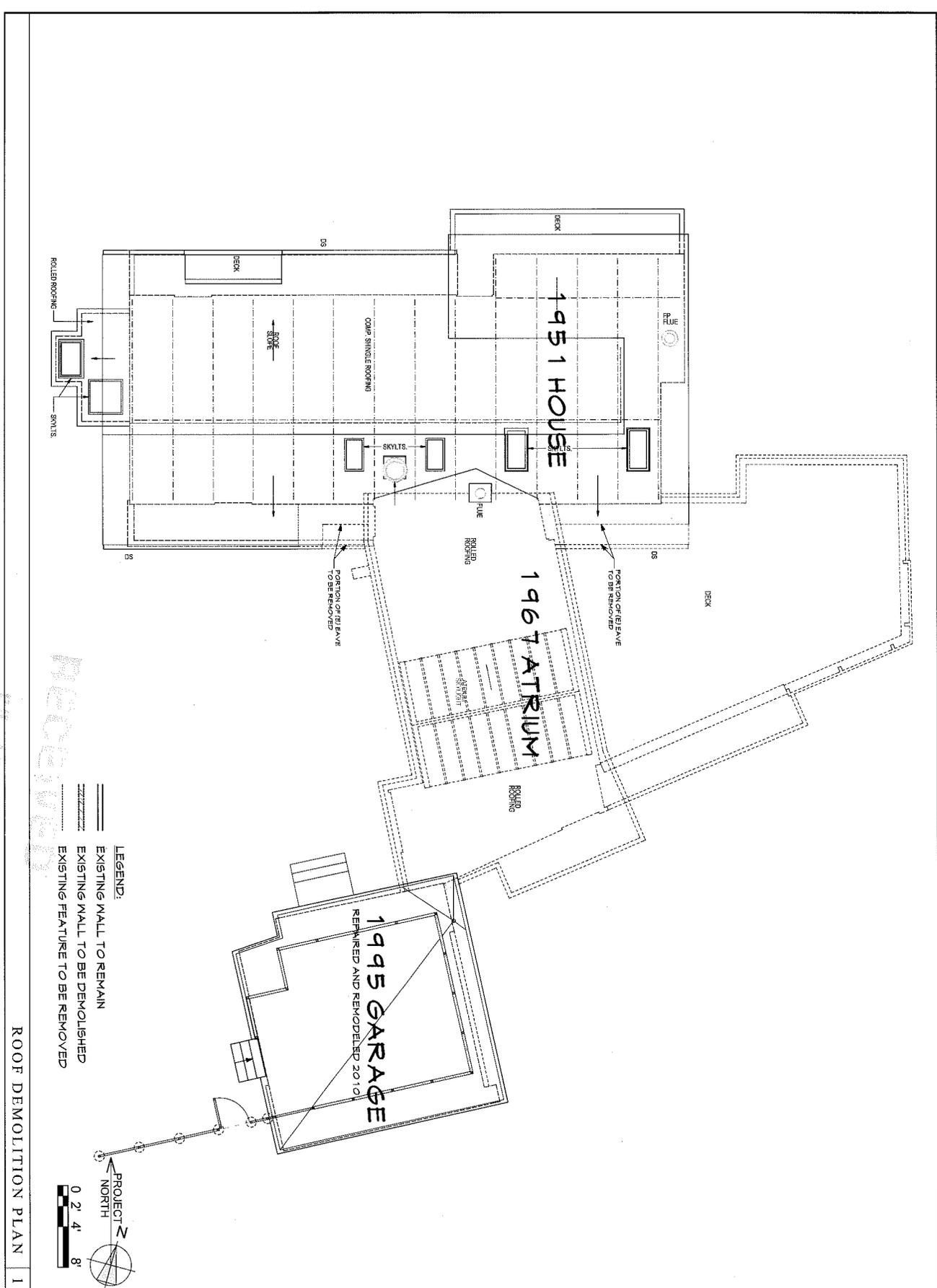
THE ENGINEER  
 06/02/2010  
 DRG SUBMITTAL SET

NO.	REVISION	DATE
1	ISSUE FOR PERMITS	06/02/2010
2	REVISED PER COMMENTS	06/02/2010
3	REVISED PER COMMENTS	06/02/2010
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5	REVISED PER COMMENTS	06/02/2010
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50	REVISED PER COMMENTS	06/02/2010

UPPER FLOOR  
 DEMOLITION PLAN

A2.02

JUL 15 2010  
 CITY OF SAUSALITO  
 DEPARTMENT OF PUBLIC WORKS  
 1000 MILLER LANE  
 SAUSALITO, CA 94965  
 TEL: 415.311.1400  
 FAX: 415.311.1444  
 WWW.SAUSALITO.CA.GOV



ROOF DEMOLITION PLAN 1

PROJECT: 2

0' 2' 4' 8'

LEGEND:

- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- EXISTING FEATURE TO BE REMOVED

DATE: 02/20/10  
 DRAWN: J. L. BERT  
 CHECKED: J. L. BERT  
 PROJECT: 1951 HOUSE, 1967 ATRIUM, 1995 GARAGE  
 SHEET: 1-2  
 SCALE: 1/4" = 1'-0"

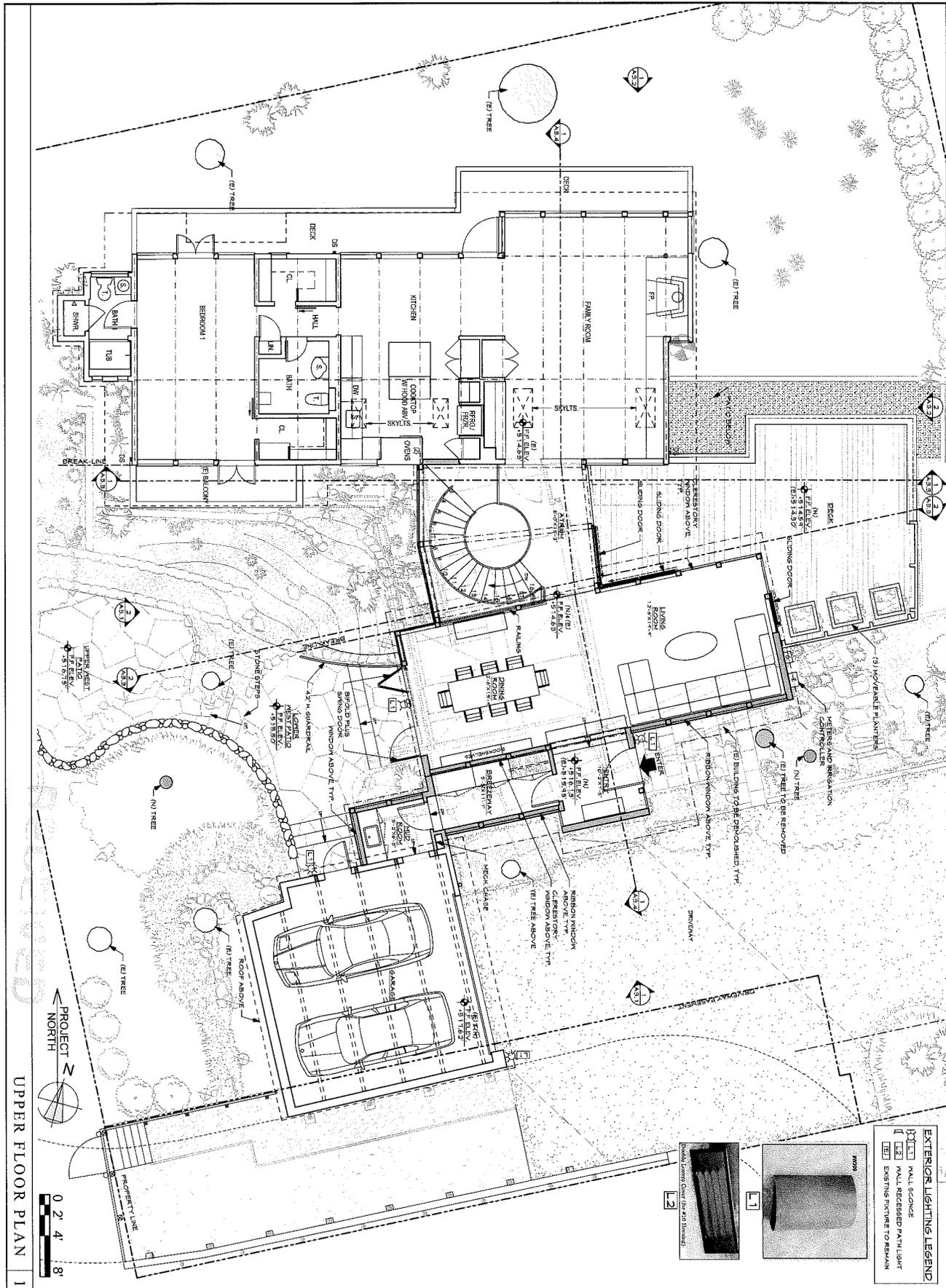
RENOVATION TO THE  
 WITHY/ McDONALD  
 RESIDENCE  
 99 Miller Lane, Sausalito - CA 94965  
 APN 065-151-41

MICHAEL LEVY ASSOCIATES  
 ARCHITECT & DESIGN  
 1750 BRIDGEWAY  
 SUITE 811  
 SAN FRANCISCO, CALIFORNIA 94960  
 TEL: 415.331.1446  
 FAX: 415.331.1443  
 WWW.LEVYASSOCIATES.COM

CITY OF SAUSALITO  
 RECEIVED  
 JUL 15 2010

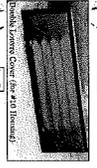
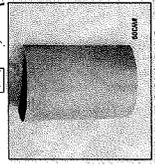
A2.03





**EXTERIOR LIGHTING LEGEND**

[Symbol]	MALL SCIENCE
[Symbol]	MALL RECEIVED PATH LIGHT
[Symbol]	EXISTING FUTURE TO REMAIN



MICHAEL KEAS ASSOCIATES  
ARCHITECTURE & DESIGN  
1150 BRINDLEWAY  
SUITE 101  
CALIFORNIA 94965  
TEL: 415.311.1400  
WWW.MKEAS.COM

**RENOVATION TO THE  
WITHY/ McDONALD  
RESIDENCE**  
99 Miller Lane, Sausalito - CA 94965  
APN 065-151-41

DATE: 02/20/10  
DRAWN: SUBMITTAL SET

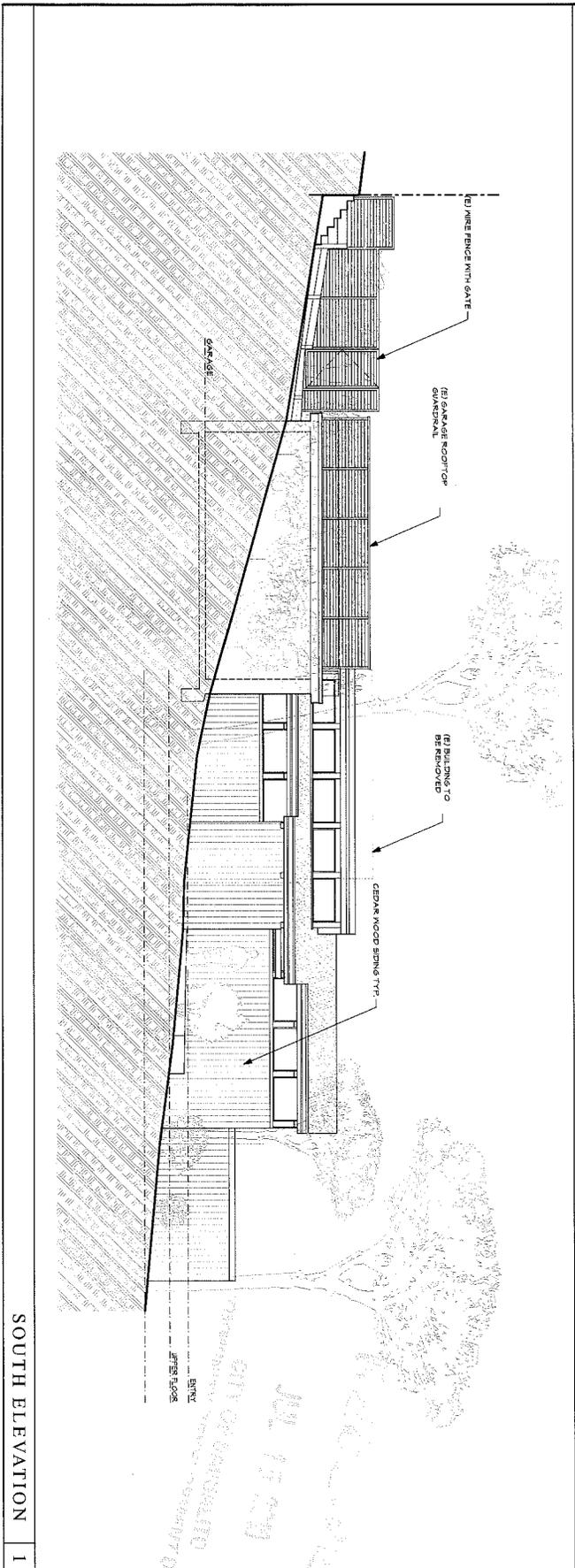
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UPPER FLOOR PLAN

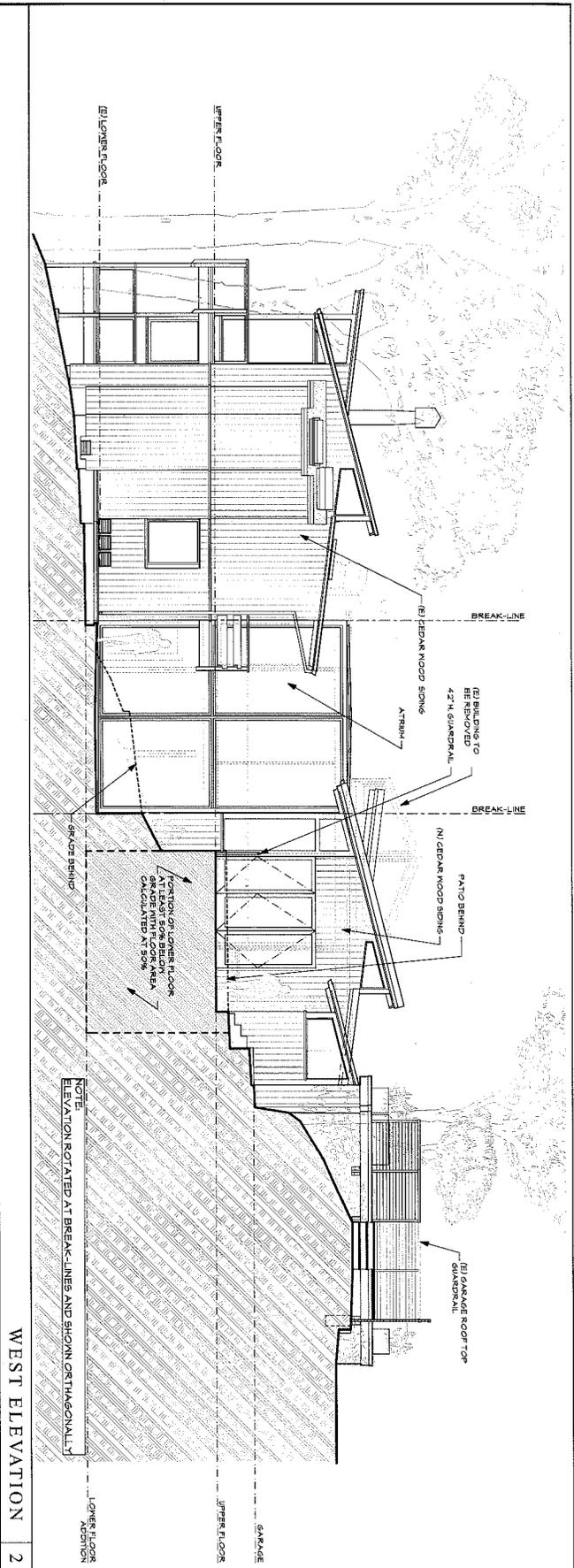
**A2.2**

CITY OF SAUSALITO  
JUL 15 2009





SOUTH ELEVATION 1



WEST ELEVATION 2

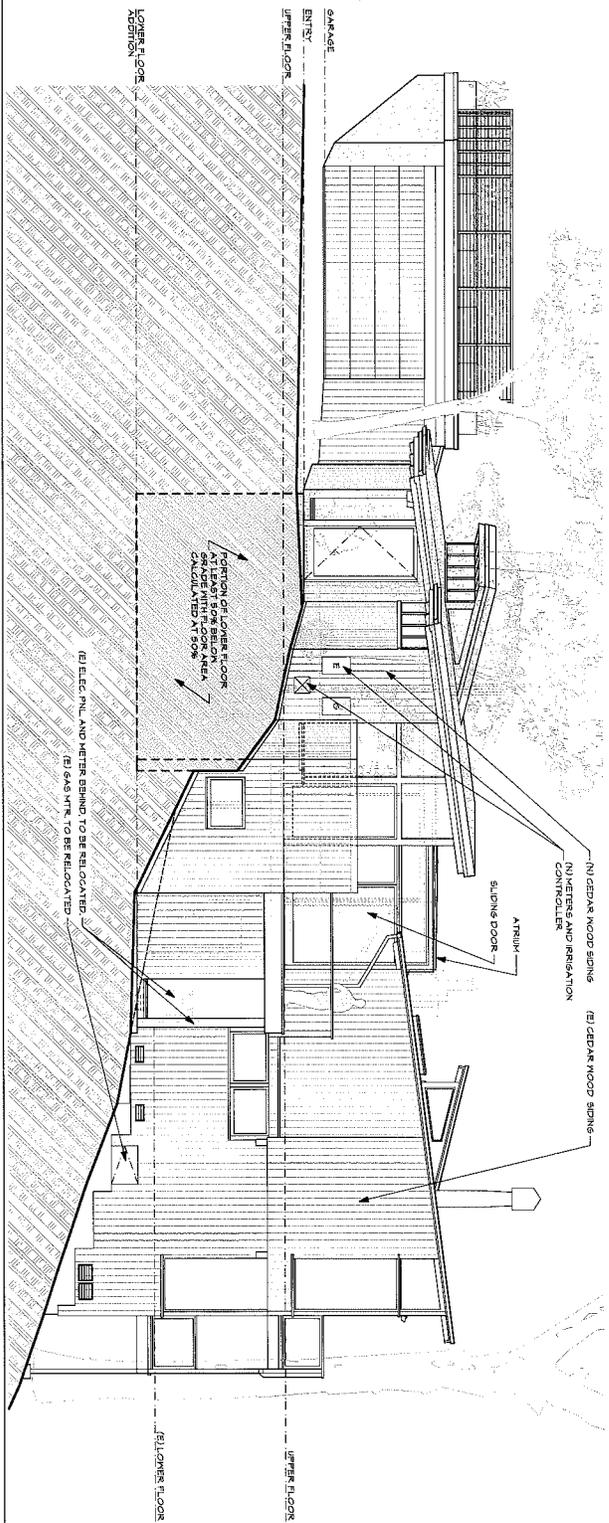
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12/20/2024	REVISED
01/20/2025	REVISED

**RENOVATION TO THE WITHY/ McDONALD RESIDENCE**  
 99 Miller Lane, Sausalito - CA 94965  
 APN 065-151-41

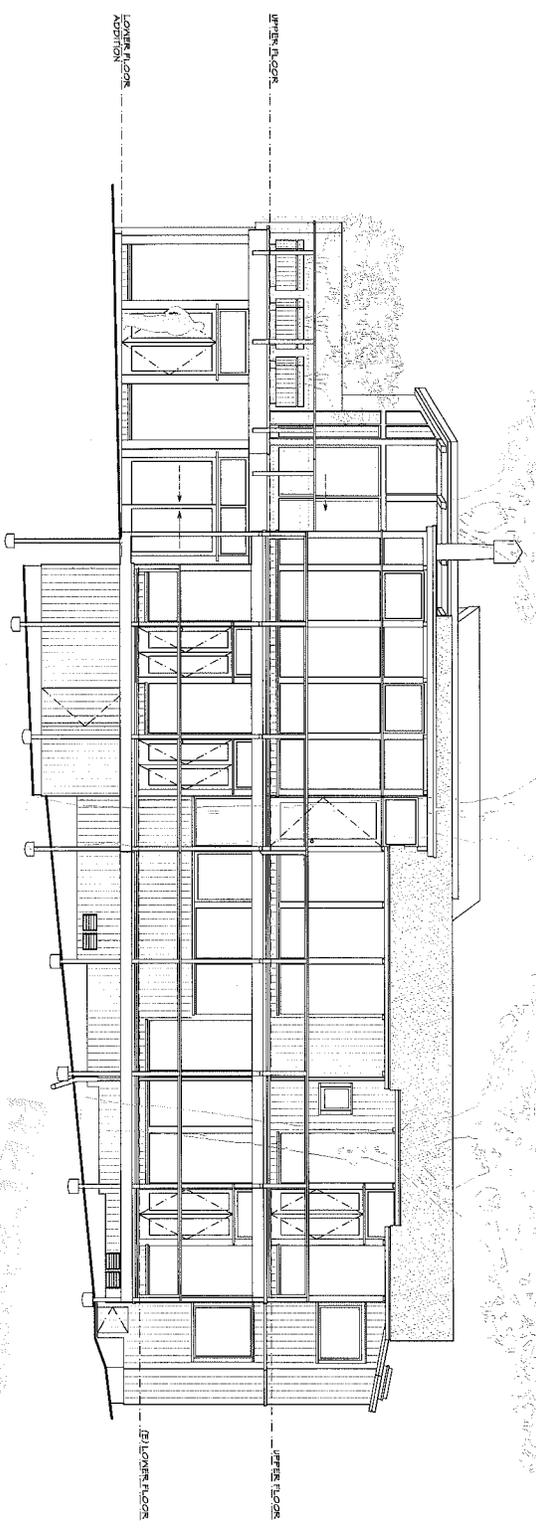


MICHAEL REY ASSOCIATES  
 ARCHITECTURE & INTERIOR DESIGN  
 1750 BRIDGEWAY SUITE 211  
 SAUSALITO, CA 94965  
 TEL: 415.331.1400  
 FAX: 415.331.1463  
 WWW.REYASSOC.COM

**A3.1**  
 SOUTH AND WEST ELEVATIONS



EAST ELEVATION 2



NORTH ELEVATION 1

RECEIVED  
CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT DEPT.



MICHAEL REX ASSOCIATES  
ARCHITECTURE & DESIGN  
1750 BRIDGEWAY  
SUITE 8211  
SANTA LITA  
COSTA MESA, CA 92626  
TEL: 415.511.1400  
FAX: 415.511.5483  
WWW.MRXASO.COM

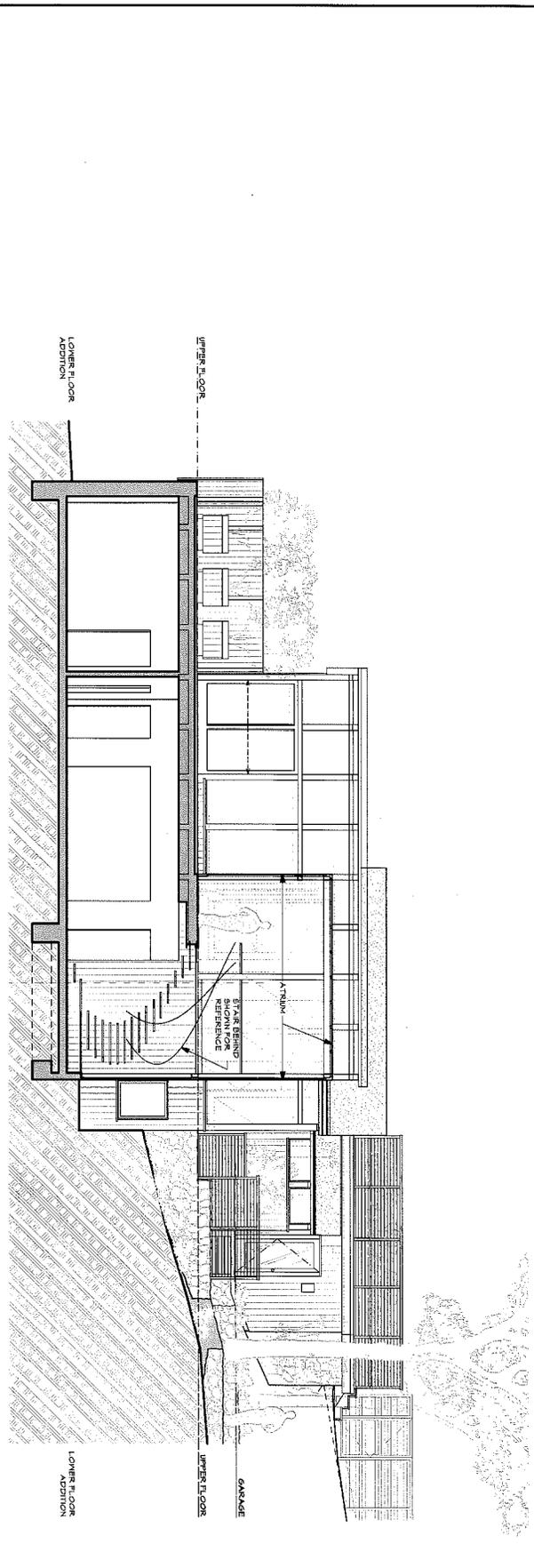
RENOVATION TO THE  
WITHY/ McDONALD  
RESIDENCE  
99 Miller Lane, Sausalito - CA 94965  
APN 065-151-41

DATE: 06/20/10  
DRAWING NO.: DSB SUBMITTAL SET

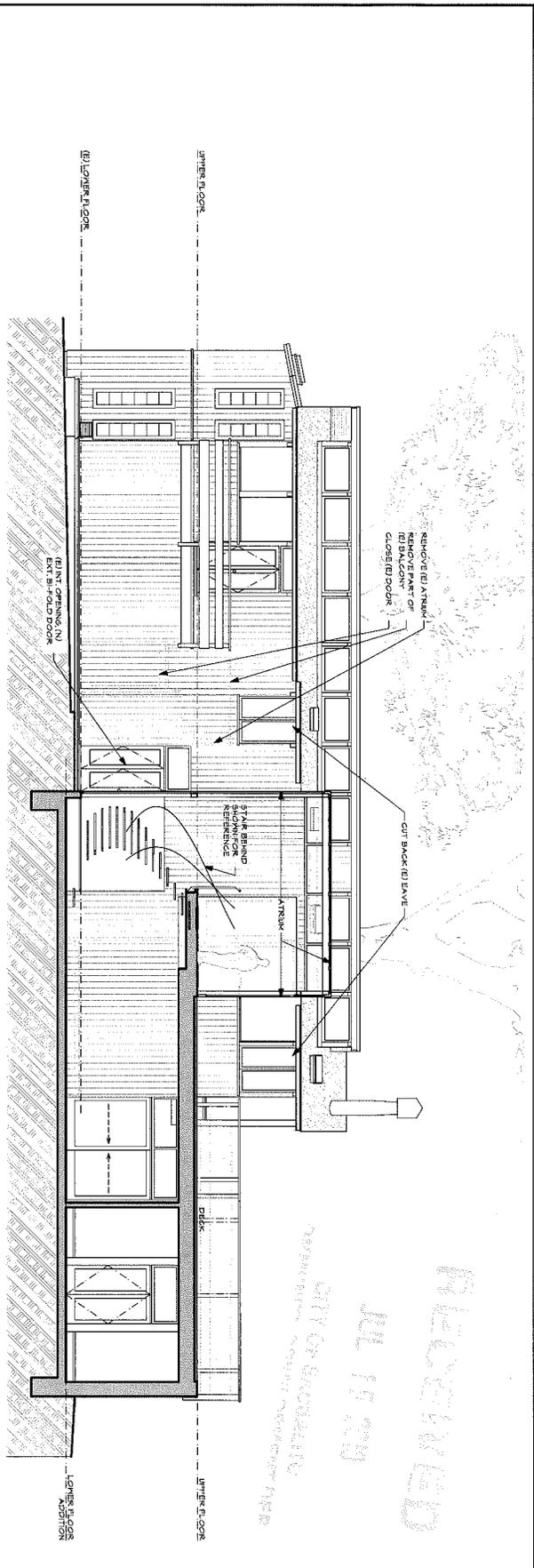
PROJECT: 99 MILLER LANE, SAUSALITO, CA  
OWNER: MICHAEL REX ASSOCIATES  
SCALE: 1/4" = 1'-0"

NORTH AND EAST  
ELEVATIONS

A3.2



SECTION TOWARD THE (N) BLDG 2



SECTION TOWARD THE (E) BLDG 1

ARCHITECTURE ASSOCIATES  
 MICHAEL REYNOLDS  
 1710 BRIDGEWAY  
 SUITE 221  
 SAUSALITO, CA 94965  
 TEL: 415.331.1400  
 FAX: 415.331.5441  
 WWW.EKASO.COM

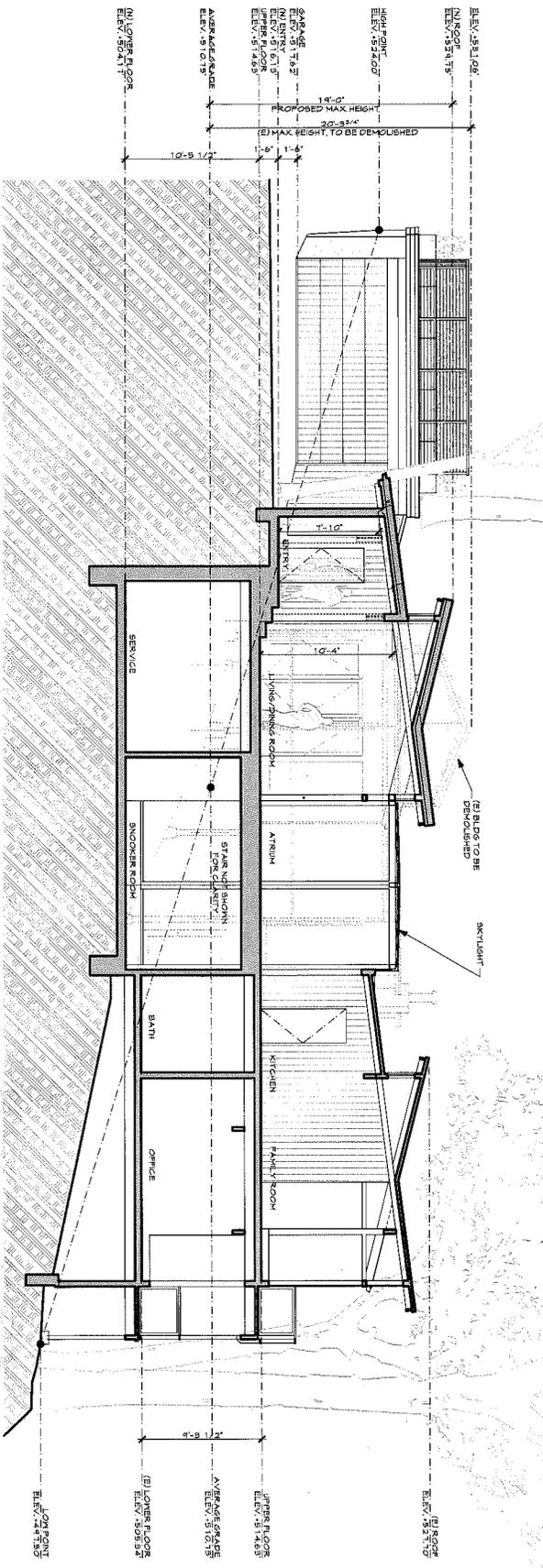


**RENOVATION TO THE  
 WITHY/ McDONALD  
 RESIDENCE**  
 99 Miller Lane, Sausalito - CA 94965  
 APN 065-151-41

DATE: 02/07/2010  
 DES: SUBMITTAL SET

DATE: 1/4 • 1/02  
 SCALE: 1/4" = 1'-0"

A3.3



SECTION ACROSS (N) AND (E) BUILDINGS 1

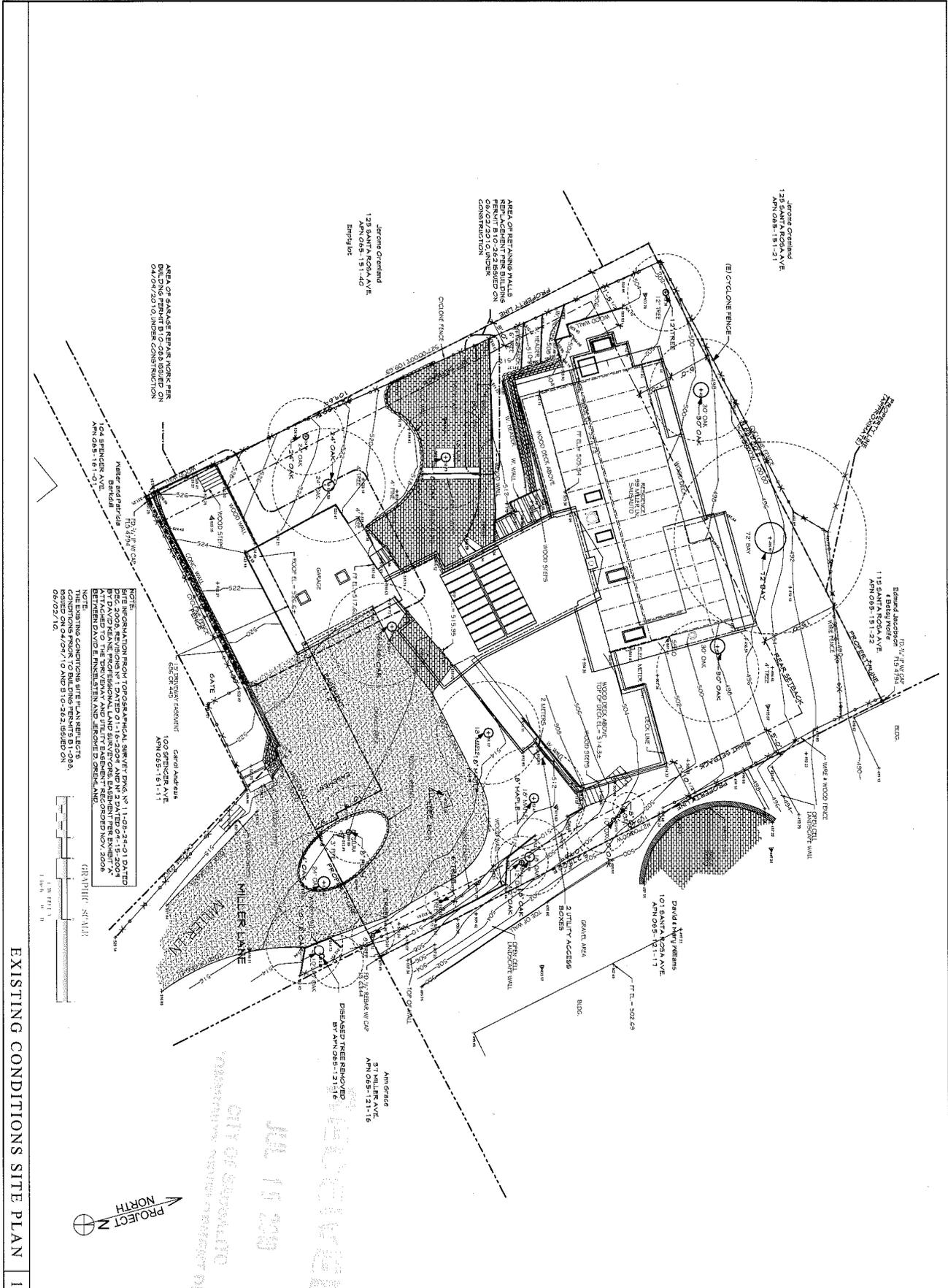
JUL 15 2010  
 CITY OF SAUSALITO  
 ENGINEER/ARCHITECT ASSOCIATE/PPP

DATE APPROVED	06/30/2010
DATE SUBMITTED	06/30/2010
PROJECT	RENOVATION TO THE WITHY/McDONALD RESIDENCE
CLIENT	MICA
SCALE	1/4" = 1'-0"
DESIGNER	MICA
DATE	06/30/2010
PROJECT	RENOVATION TO THE WITHY/McDONALD RESIDENCE
CLIENT	MICA
SCALE	1/4" = 1'-0"
DESIGNER	MICA
DATE	06/30/2010

**RENOVATION TO THE WITHY/McDONALD RESIDENCE**  
 99 Miller Lane, Sausalito - CA 94965  
 APN 065-151-41



MICHAEL REX ASSOCIATES  
 ARCHITECTURE & DESIGN  
 1756 BRIDGEWAY  
 SUITE 211  
 Sausalito, CA 94965  
 TEL: 415.311.1400  
 FAX: 415.311.1400  
 WWW.BXASO.COM



Jerome Gruning  
129 MILLER AVE  
SAN FRANCISCO  
APN 065-151-100  
Employer

AREA OF GARAGE REPAIR WORK PER  
04/09/2010 UNDER CONSTRUCTION

AREA OF RETAINING WALLS  
REPLACEMENT PER BILLING  
PERMIT B10-242 ISSUED ON  
06/22/10

Edward Jacobson  
115 SANTA ROSA AVE  
SAN FRANCISCO  
APN 065-151-200

David Newlin  
101 SANTA ROSA AVE  
SAN FRANCISCO  
APN 065-107-117

Carol Andrus  
100 SPENCER AVE  
SAN FRANCISCO  
APN 065-161-111

37 MILLER AVE  
SAN FRANCISCO  
APN 065-121-116

DECEASED TREE REMOVED  
BY APN 065-121-116

NOTE: CONSULTATION PERIOD FOR SAN FRANCISCO PLANNING NO. 11, 2009-2011 DATED  
MAY 2009. REVIEWERS: 1) DATED 01-14-2009 AND IN 2) DATED 02-15-2009 BY  
PAUL VANDERKAM, PROFESSIONAL LAND SURVEYOR, EXHIBIT PER EXHIBIT "A"  
RETIRED DAVID E. HENNINGSEN AND JEROME D. GRUNING IN 2009.

NOTE: EXISTING CONDITIONS ARE PER AN ORDER 0578  
CONDITIONS FOR THE BUILDING PERMITS B1-058A  
ISSUED ON 04/29/10 AND B10-242 ISSUED ON  
06/22/10.

GRAPHIC SCALE  
1" = 10'-0"

PROJECT NORTH

EXISTING CONDITIONS SITE PLAN 1

**RENOVATION TO THE WITHY/ McDONALD RESIDENCE**  
99 Miller Lane, Sausalito - CA 94965  
APN 065-151-41

**EC1.1**

EXISTING CONDITIONS SITE PLAN

DATE: 06/20/10

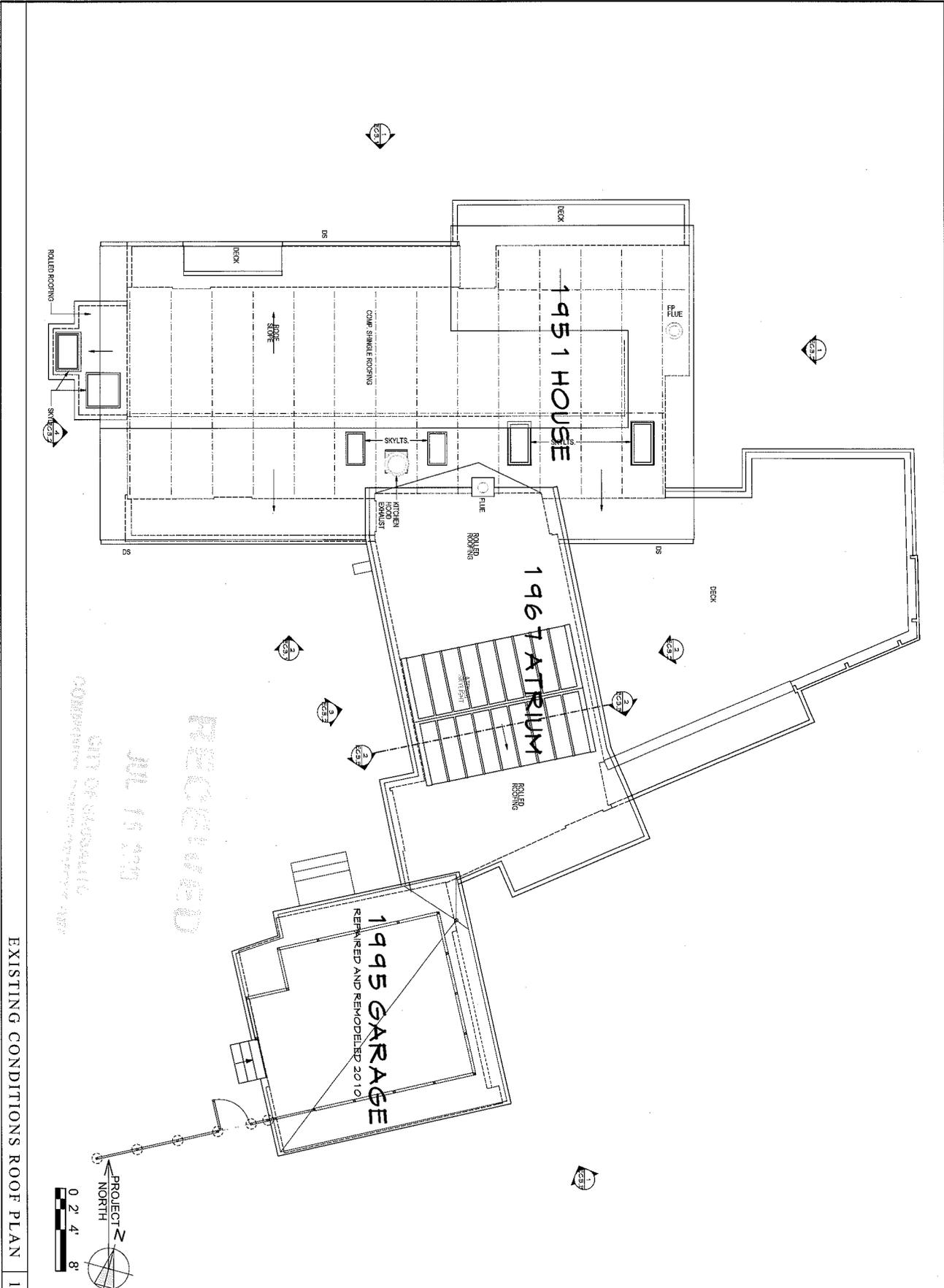
PROJECT: 06/20/10

SCALE: 1/8" = 1'-0"

MICHAEL REB ASSOCIATES  
ARCHITECTURE & DESIGN  
1750 BRIDGEWAY  
SUITE 821  
SAUSALITO, CA 94965  
TEL: 415.331.4400  
FAX: 415.331.4488  
WWW.MREASSOCI.COM







EXISTING CONDITIONS ROOF PLAN 1

RECEIVED  
 JUL 15 2010  
 CITY OF SAUSALITO  
 COMMUNITY DEVELOPMENT DEPARTMENT

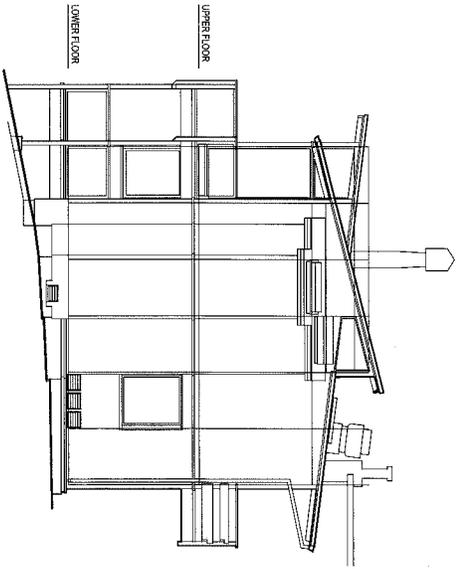
**RENOVATION TO THE WITHY/ McDONALD RESIDENCE**  
 99 Miller Lane, Sausalito - CA 94965  
 APN 065-151-41

**EC2.3**

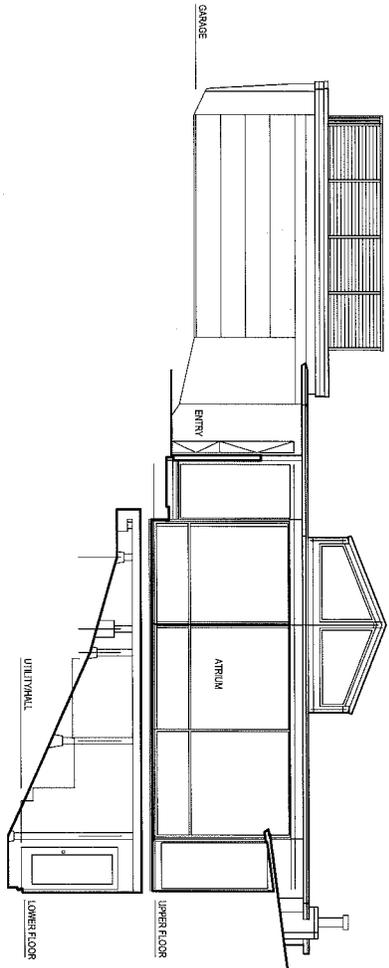
EXISTING CONDITIONS ROOF PLAN

ARCHITECTURE & DESIGN  
 1750 BRIDGEWAY  
 SUITE 401  
 CALIFORNIA 94965  
 TEL: 415.331.1400  
 FAX: 415.331.1406  
 WWW.MRSAS.COM

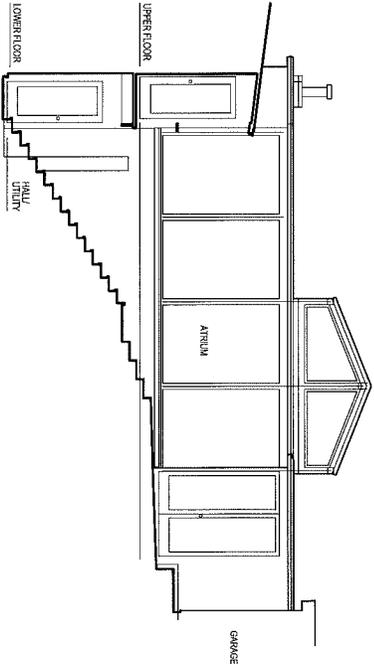




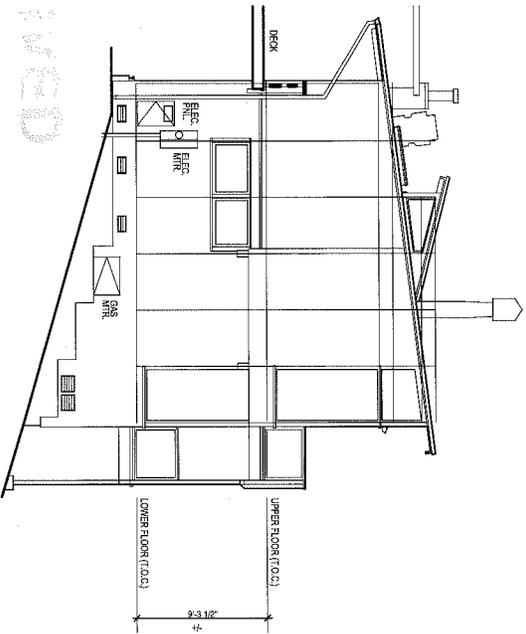
EXISTING CONDITIONS WEST ELEVATION 4



EXISTING CONDITIONS ATRIUM EAST ELEVATION 2



EXISTING CONDITIONS ATRIUM WEST ELEVATION 3



EXISTING CONDITIONS EAST ELEVATION 1

RECEIVED  
JUL 19 2009

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT DEPT

MICHAEL BRY ASSOCIATES  
ARCHITECTURE & DESIGN  
1730 BRIDGEWAY  
SUITE 100  
SAN FRANCISCO, CA 94133  
TEL: 415.398.1400  
FAX: 415.398.1403  
WWW.MBRYASSOCIATES.COM



RENOVATION TO THE  
WITHY/ McDONALD  
RESIDENCE  
99 Miller Lane, Sausalito - CA 94965  
APN 065-151-41

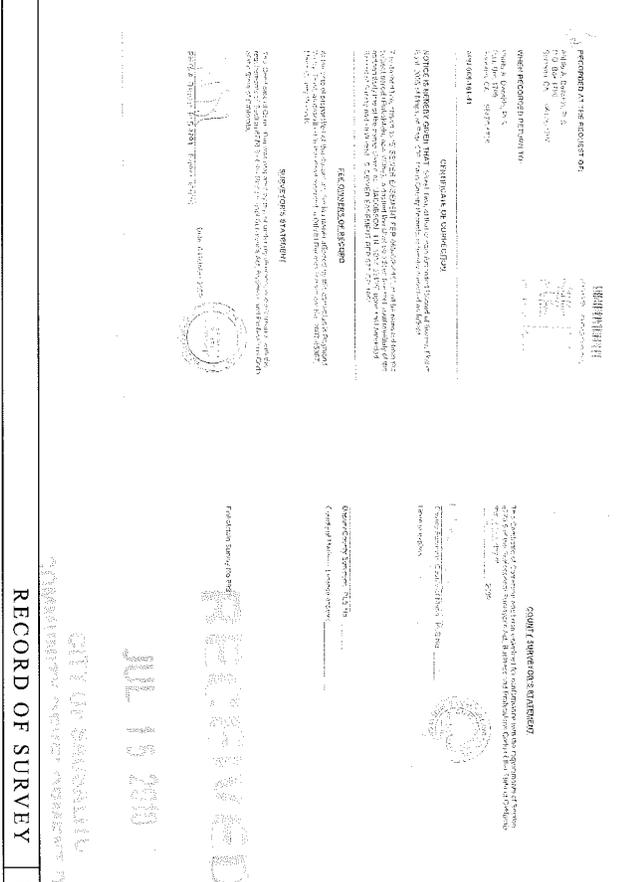
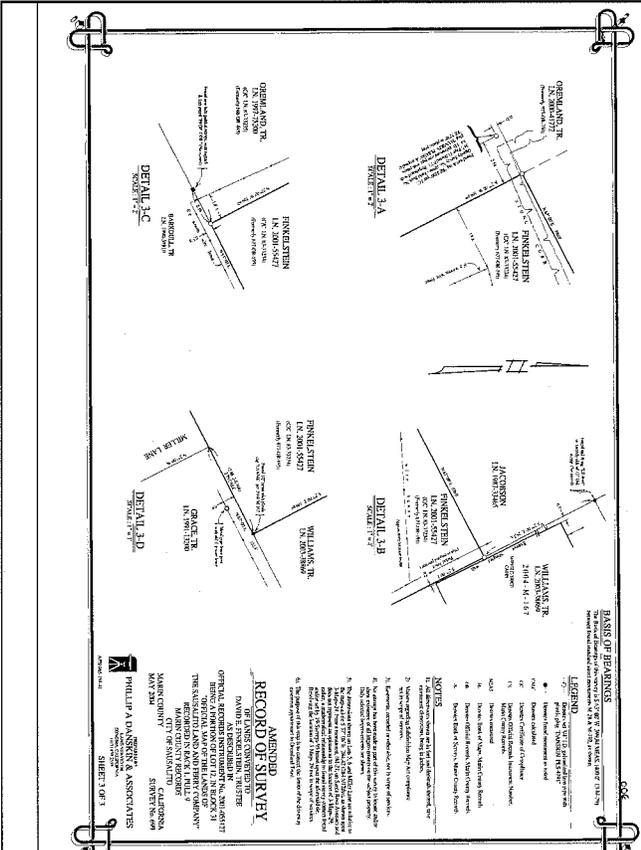
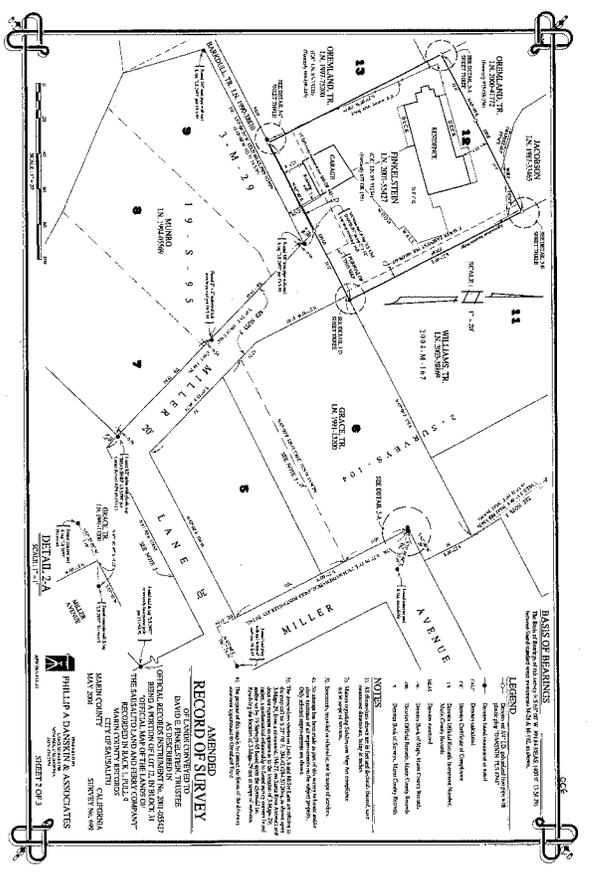
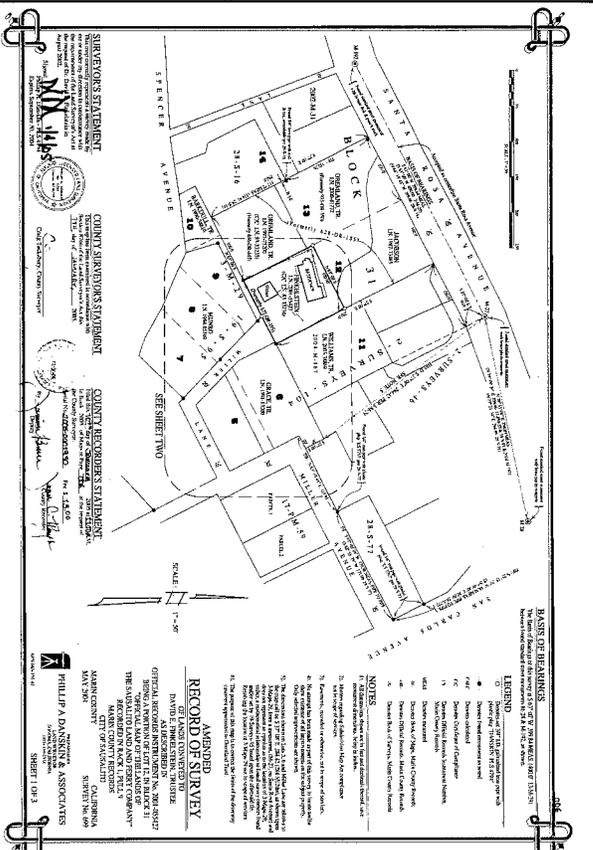
DATE: 06/20/2010  
DRAWN: DMB  
SUBMITTAL SET  
PROJECT: 1730 BRIDGEWAY  
SHEET: EC3.2  
EXISTING CONDITIONS EAST AND WEST ELEVATIONS











RENOVATION TO THE  
WITHY/ McDONALD  
RESIDENCE  
99 Miller Lane, Sausalito - CA 94965  
APN 065-151-41

MICHAEL INC ASSOCIATES  
ARCHITECTURAL DESIGN  
1330 BRIDGEWAY  
SAUSALITO  
TEL: 415.311.4400  
FAX: 415.311.4468  
WWW.MICHAELINC.COM

RECORDED  
JUL 15 2010  
CITY OF SAUSALITO  
PLANNING AND COMMUNITY DEVELOPMENT DEPT  
RECORD OF SURVEY 1

DATE SUBMITTED: 08/20/10  
DATE SUBMITTED SET: 08/20/10

RECORD OF SURVEY  
T2