



# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

## STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR LONGSTRETH COASTAL PERMIT AND SECOND UNIT AMNESTY PERMIT

Item No:	C3.	Application Nos:	CP 08-24; SA 08-28
Applicants:	John and Carolyn Longstreth	Owners:	John and Carolyn Longstreth
Property Address:	10 Balmoral Way, Inverness	Assessor's Parcel:	112-143-11
Hearing Date:	April 17, 2008	Planner:	Johanna Patri, AICP Senior Planner

<b>RECOMMENDATION:</b>	<b>Approve with Conditions</b>
<b>LAST DATE FOR APPEAL:</b>	<b>April 24, 2008 to the Planning Commission</b>
<b>LAST DATE FOR ACTION:</b>	<b>April 17, 2008</b>

### PROJECT DESCRIPTION

The applicants are requesting a Coastal Permit and a Second Unit Amnesty Permit to legalize construction of improvements within the lower level at the rear of an existing residential structure and the conversion of this floor area into an approximately 430 square foot attached second dwelling unit on an approximately 19,119 square foot parcel in Inverness. According to the current property owner, the second unit was built approximately 1997 or 1998. The height of the residential structure is 28.5 feet. The structure is sited with the following setbacks from property lines: front (east) 23 feet; side (north) 6 feet; rear (west) 133 feet; 20 feet side (south). No new structural additions are proposed as part of this project.

### GENERAL INFORMATION

Countywide Plan:	C-SF3 (Coastal, Single-family, one dwelling unit per 1-5 acres)
Zoning:	C-RSP-1.0 (Coastal, Residential, Single Family Planned District, 1 unit per acre)
Lot size:	19,119 square feet
Adjacent Land Uses:	Single-family residential
Vegetation:	Native tree and shrub species, introduced landscaping
Topography and Slope:	Flat to moderately sloping
Environmental Hazards:	None identified

### ENVIRONMENTAL REVIEW

The Environmental Coordinator has determined that this project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 15301, Class 1 of the CEQA Guidelines because it entails legalizing the construction of improvements within a lower level at the rear of an existing residential structure and the conversion of this floor area to an attached approximately 430 square foot second dwelling unit on a residentially zoned property, which requires no vegetation removal and no grading and would have no potentially significant impacts on the environment.

## **PUBLIC NOTICE AND COMMENTS**

The Community Development Agency has provided public notice identifying the applicants, describing the project and its location, and giving the earliest possible decision date in accord with California Government Code requirements. This notice has been mailed to all property owners within 300 feet of the subject property. At the time this staff report was distributed, no comments had been received in response to the public notice.

## **REGULATION CONSISTENCY**

The proposed project is consistent with the mandatory findings to issue the Coastal Permit in accordance with the Local Coastal Program, Unit II and the Second Unit Amnesty program. (*Please refer to Findings IV and V in the attached Resolution.*)

## **PROJECT ANALYSIS**

### ***Background***

The applicants are requesting a Coastal Permit and a Second Unit Amnesty Permit to legalize the construction of improvements within a lower level at the rear of an existing residential structure and the conversion of this floor area into an approximately 430 square foot attached second dwelling unit. County Records indicate that originally an approximately 1,575 square foot, residence, with an unfinished attic and lower level, was built somewhere between 1908 and 1913. The Community Development Agency – Planning Division and Building Inspection records indicate that in 1986, with a Design Review Waiver approval from the Planning Division, an approximately 874 square foot addition within the attic, including a dormer extension and a deck, was constructed, resulting in an approximately 2,449 square foot, two-story residence with a height of 28.5 feet. The 1986 plans indicate that the second unit did not exist. The 1986 plans indicate that the lower level consisted of two shop rooms and a lavatory (half bath) totaling 330 square feet. The current owners believe that the lower level was remodeled into an approximately 430 square foot second unit and an approximately 70 square foot separate workshop by the previous owners in approximately 1997 or 1998. The current property owners state that the primary residence consists of 3,170 square feet. The second unit is currently utilized as a rental unit. The current owners are proposing to legalize the conversion of the lower level to a second dwelling unit through the County's Second Unit Permit Amnesty program. A Coastal Permit is required to allow the conversion and modifications of floor area that result in more than 10 percent of additional living space within the existing structure.

On October 2, 2007, the subject second unit was inspected by the Marin County Community Development Agency – Building and Safety Division staff for compliance with the Uniform Housing Code and the Second Unit Amnesty program. This inspection concluded that no corrections are required.

### ***Coastal Permit Requirement***

The project site consists of three legal lots (Lots 16, 17, and 18, of the "Map of Inverness" (Book 1 RM Page 80)). While the Planning maps indicate that all of the parcel may be in the California Coastal Commission (CCC) permit jurisdiction, Planning staff has consulted with the CCC staff who has reviewed the proposed project and the CCC staff has informed Planning staff that because the residential structure is sited on the upper portion of the property, CCC staff deems that the Coastal Permit jurisdiction in this case is located within the County's Coastal Permit jurisdiction, including the parking area that is associated with the second dwelling unit. Therefore, the CCC staff has requested that the County take action on this Coastal Permit.

### ***Visual Impacts and Neighborhood Character***

Legalization of the existing second unit within the lower level of the existing residential structure poses no adverse visual impacts since all improvements are contained within the existing footprint of the original residence. Furthermore, the constructed improvements are in keeping with the existing residence and are compatible with the neighborhood character.

### ***Protection of Natural Resources***

Review of the California Natural Diversity Data Based, prepared by the State Department of Fish and Game, indicates that the subject is in a potential habitat area for the pallid bat (*Antrozous pallidus*) and the rare Point Reyes Mountain Beaver (*Aplodontia rufa phaea*). However, the project does not entail any structural construction as the second unit is located within an existing structure; therefore legalization of the existing second unit would not impact any sensitive or endangered wildlife. Department of Public Works (DPW) has reviewed this project, including the location of the access and parking area associated with the second unit. All work associated with the driveway approach off Sir Francis Drake Boulevard required by DPW will occur within the road right-of-way of Sir Francis Drake, from the edge-of-pavement to the property line, a highly disturbed and trafficked area. Any remaining wildlife habitat on the subject property will not be endangered because no significant alteration or removal of natural vegetation is proposed and wildlife movement will not be hindered. Therefore, legalizing the second unit with the associated access and parking will not impact the potential wildlife habitat resources of the site.

A review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Game, indicates that the property is located in a potential habitat area for the Marin Knotweed (*Polygonum marinense*), Lyngbye's sedge (*Carex lyngbyei*), North Coast phacelia (*Phacelia insularis*), Marin hesperian (*Vespericola marinensis*), Coast lily (*Lilium maritimum*), and the Marin checker lily (*Fritillaria lanceolata* var. *tristulus*). However, the project does not entail any structural construction as the second unit is an existing structure; therefore legalization of the existing second unit would not impact any sensitive or endangered plants. Department of Public Works (DPW) has reviewed this project, including the location of the access and parking area associated with the second unit. All work associated with the driveway approach off Sir Francis Drake Boulevard required by DPW will occur within the road right-of-way of Sir Francis Drake, from the edge-of-pavement to the property line, a highly disturbed and trafficked area. Any remaining plant habitats on the subject property will not be endangered because no significant alteration or removal of natural vegetation is proposed. Therefore, legalizing the second unit with the associated parking will not impact the potential plant resources of the site.

### ***Protection of Stream Conservation Area***

Alder Creek, a blue line stream, as identified on the Inverness Quadrangle of the U.S. Geological Survey, and identified as an anadromous fish stream, runs along the northwest boundary of the property and Aberdeen Way. Department of Public Works (DPW) has reviewed this project, including the location of the access and parking area associated with the second unit. The parking area for the second unit has historically encroached approximately 50 feet into the 100-foot wide Stream Conservation Area; however, all work associated with the driveway approach off Sir Francis Drake Boulevard required by DPW will occur within the road right-of-way of Sir Francis Drake, from the edge-of-pavement to the property line. This is a highly disturbed and trafficked area and no other location is feasible (*Countywide Plan Policy BIO-4.1*). Therefore, legalizing the second unit with the associated access and parking will not impact the potential resources associated with Alder Creek.

## **CONCLUSION**

Staff finds the required findings for Coastal Permit and Second Unit Amnesty approvals can be made to approve the project because it would be compatible with the neighborhood and will not have adverse effects to neighboring properties or coastal resources. The project includes on-site parking for both the primary residence and the second unit, water service to the second dwelling unit, and sewage disposal in accordance with Marin County codes.

## **RECOMMENDATION**

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached Resolution conditionally approving the Longstreth Coastal Permit and Second Unit Amnesty applications.

## **ATTACHMENTS**

1. Proposed Resolution recommending conditional approval of the Longstreth Coastal Permit and Second Unit Amnesty Permit
2. CEQA Document
3. Location Map
4. Assessor's Parcel Map
5. Project Plans
6. 1986 Planning/Building Plans
7. Affidavit from Previous Owner
8. CDA Building and Safety Division Inspection letter, October 15, 2007
9. CDA – Environmental Health Services memo, January 8, 2008
10. Department of Public Works, Land Development memo, January 14, 2008
11. Inverness Public Utility District Confirmation of Water Service and memo, January 7, 2008

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION \_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING THE LONGSTRETH COASTAL PERMIT (CP 08-24) AND SECOND UNIT AMNESTY PERMIT (SA 08-28)  
10 BALMORAL WAY, INVERNESS  
ASSESSOR'S PARCEL 112-143-11

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**SECTION I: FINDINGS**

I. WHEREAS the applicants are requesting a Coastal Permit and Second Unit Amnesty Permit to legalize construction of improvements within a lower level at the rear of an existing residential structure and the conversion of this floor area into an approximately 430 square foot attached second dwelling unit on an approximately 19,119 square foot parcel in Inverness. County Tax Assessor's Records indicate that the original approximately 1,575 square foot, residence, with an unfinished attic and lower level, was built in 1913. The Community Development Agency – Planning Division and Building Inspection records indicate that in 1986, with a Design Review Waiver approval from the Planning Division, an approximately 874 square foot addition within the attic, including a dormer extension and a deck, was constructed, resulting in an approximately 2,449 square foot, two-story residence with a height of 28.5 feet. The 1986 plans indicate that the second unit did not exist. The 1986 plans indicate that the lower level consisted of two shop rooms and a lavatory (half bath) totaling 330 square feet. It is not known when the lower level was remodeled into an approximately 430 square foot second unit and an approximately 70 square foot separate workshop by a previous owner, but according to the current property owners, who purchased the property in 2006 with the second unit, the second unit has been utilized as a rental unit since the late 1980's. The structure is sited with the following setbacks from property lines: front (east) 23 feet; side (north) 6 feet; rear (west) 133 feet; 20 feet side (south). No new structural additions are proposed as part of this project. The current owners are proposing to legalize the conversion of the lower level to a second dwelling unit through the County's Second Unit Permit Amnesty program. A Coastal Permit is required to allow the conversion and modifications of floor area that result in more than 10 percent of additional living space within the existing structure.

The subject property is located at **10 Balmoral Way, Inverness** and is further identified as **Assessor's Parcel 112-143-11**.

II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing April 17, 2008, to consider the merits of the project, and hear testimony in favor of, and in opposition to, the project.

III. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15301, Class 1 because the project consists of legalization of an attached second dwelling unit within the lower level of an existing structure requiring no vegetation removal or grading and resulting in no significant environmental impacts.

IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings to approve a Coastal Permit (Marin County Code Section 22.56.130) and finds that this project conforms to the requirements of Local Coastal Program, Unit II, as follows:

A. Water Supply:

The Inverness Public Utility District has indicated that adequate water service is available to the property to serve both the primary residence and the second dwelling unit.

B. Septic System Standards:

The Marin County Community Development Agency - Environmental Health Services has reviewed and verified that the existing septic system is adequate to serve the primary residence and the second dwelling unit as proposed.

C. Grading and Excavation:

No grading or excavation would be required as the structure is an existing structure and the proposed second dwelling unit is contained within the lower level of the existing structure.

D. Archaeological Resources:

Review of the Marin County Archaeological Sites Inventory indicates that the subject property is located in an area of high archaeological sensitivity. However, as the project consists of the legalization of a second dwelling unit, within an existing structure, no potential archaeological resources would be impacted.

E. Coastal Access:

The subject property is not located between the sea and the first public road or adjacent to a coastal area identified by the Local Coastal Program, Unit II, where public access is desirable or feasible. While the project site is located within the boundary of the Tideland Survey Boundary, during a field inspection, staff found no evidence of historic public use of this site, and found that the site is not located near any tidelands or submerged lands.

F. Housing:

The proposed second dwelling unit will increase the availability of housing stock in the Inverness Community.

G. Stream Conservation Protection:

Alder Creek, a blue line stream, as identified on the Inverness Quadrangle of the U.S. Geological Survey, and identified as an anadromous fish stream, runs along the northwest boundary of the property and Aberdeen Way. Department of Public Works (DPW) has reviewed this project, including the location of the access and parking area associated with the second unit. The parking area for the second unit has historically encroached approximately 50 feet into the 100-foot wide Stream Conservation Area. All work associated with the driveway approach off Sir Francis Drake Boulevard required by DPW will occur within the road right-of-way of Sir Francis Drake, from the edge-of-pavement to the property line, a highly disturbed and trafficked area and no other location for this access is feasible. Therefore, legalizing the second unit with the associated access and parking will not impact the potential resources associated with Alder Creek.

H. Dune Protection:

The project site is not located in a dune protection area as identified by the Natural Resources Map for Unit I of the Local Coastal Program.

I. Wildlife Habitat:

Review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Game, indicates that the subject is in a potential habitat area for the pallid bat (*Antrozous pallidus*) and the rare Point Reyes Mountain Beaver (*Aplodontia rufa phaea*). However, the project does not entail any structural construction as the second unit is located within an existing structure; therefore legalization of the existing second unit would not impact any sensitive or endangered wildlife. Department of Public Works (DPW) has reviewed this project, including the location of the access and parking area associated with the second unit. All work associated with the driveway approach off Sir Francis Drake Boulevard required by DPW will occur within the road right-of-way of Sir Francis Drake, from the edge-of-pavement to the property line, a highly disturbed and trafficked area. Any remaining wildlife habitat on the subject property will not be endangered because no significant alteration or removal of natural vegetation is proposed and wildlife movement will not be hindered. Therefore, legalizing the second unit with the associated access and parking will not impact the potential wildlife habitat resources of the site.

J. Protection of Native Plant Communities:

Review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Game, indicates that the property is located in a potential habitat area for the Marin Knotweed (*Polygonum marinense*), Lyngbye's sedge (*Carex lyngbyei*), North Coast phacelia (*Phacelia insularis*), Marin hesperian (*Vespericola marinensis*), Coast lily (*Lilium maritimum*), and the Marin checker lily (*Fritillaria lanceolata* var. *tristulus*). However, the project does not entail any structural construction as the second unit is an existing structure; therefore legalization of the existing second unit would not impact any sensitive or endangered plants. Department of Public Works (DPW) has reviewed this project, including the location of the access and parking area associated with the second unit. All work associated with the driveway approach off Sir Francis Drake Boulevard required by DPW will occur within the road right-of-way of Sir Francis Drake, from the edge-of-pavement to the property line, a highly disturbed and trafficked area. Any remaining plant habitats on the subject property will not be endangered because no significant alteration or removal of natural vegetation is proposed. Therefore, legalizing the second unit with the associated parking will not impact the potential plant resources of the site.

K. Shoreline Protection:

The project site is not located adjacent to the shoreline or within a bluff erosion zone.

L. Geologic Hazards:

The project site is located in an area with some degree of geologic hazards as indicated on Geologic Hazards Map for Unit II of the Local Coastal Program. Additionally, part of the project site is located within the delineated boundaries of the San Andreas Fault zone as identified on the Alquist-Priolo Special Studies Zone Map. The Marin County Community Development Agency – Building and Safety Division will determine seismic compliance with the Marin County Building Codes when it issues a building permit for the conversion of the lower level

into a second dwelling unit, as required by conditions of approval. In addition, as a condition of approval, the applicants shall execute and record a Waiver of Liability holding the County, other governmental agencies, and the public harmless of any matter resulting from the existence of geologic hazards or activities on the subject property.

M. Public Works Projects:

The proposed project does not entail expansion of public roads, flood control projects, or utility services.

N. Land Division Standards:

The subject parcel is a legal lot of record. No land division or property line adjustment is proposed as part of this project.

O. Visual Resources:

The proposed project has no adverse impacts on visual resources since it is contained in the existing footprint and layout of the residence as originally built in 1913. The residential structure incorporates colors, and materials that are commonly found throughout the Inverness community. The project will not adversely impact scenic resources as seen from public roads, beaches, trails, and vista points.

P. Recreation/Visitor Facilities:

The proposed project will not provide commercial or recreational facilities, and the project site is not governed by VCR (Village Commercial Residential) zoning regulations, which require a mixture of residential and commercial uses.

Q. Historic Resource Preservation:

The project site is located outside of the historic preservation boundaries for Inverness as identified in the Marin County Historic Study for the Local Coastal Program and does not entail impacts to any historic resources. While the original 1913 structure was a good example of a shingle-bungalow, the structure was altered in 1986, converting attic space to living space and adding a dormer extension and a deck. The conversion of the lower level required the filling of some floor area under the original staircase and additional windows, which did not appreciably alter the remodeled residence, not impact an historic structure.

V. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the following mandatory findings to approve a Second Unit Second Unit Amnesty Permit pursuant to Marin County Board of Supervisors Ordinance #3480.

A. The existing residential second unit proposed for legalization was constructed or established prior to June 3, 2003, when the current Housing Element was adopted.

B. The 430 square foot second dwelling unit will provide a minimum of 220 square feet of floor area and will not exceed a maximum of 750 square feet of floor area.

C. While the current property owners live in the primary residence, the owner-occupancy requirement does not apply to second units in the Inverness community.



- D. Satisfactory completion of a Second Unit Housing Inspection by a Building & Safety Division Inspector was conducted on October 2, 2007 by the Marin County Community Development Agency – Building and Safety Division staff for compliance with the Uniform Housing Code and the Second Unit Amnesty program. This inspection concluded that no corrections are required. The second dwelling unit complies with the following minimum Uniform Housing Code standards:
1. The unit has independent heating controls;
  2. The unit has adequate light and ventilation;
  3. The unit has kitchen amenities including a sink, refrigerator, and stove; and,
  4. The unit has at least one bathroom with a sink, tub or shower, and toilet.
- E. The second unit complies with all current Marin County fire safety standards, including Section 19.04.065 of the Marin County Code. The second unit plans have been reviewed and accepted by the Inverness Public Utility District (District). There is adequate water service available for both fire suppression and domestic water service. The Inverness Fire Department found the application complete for Fire Department purposes, but recommends that the owners consider the merits of installing interior residential fire sprinklers in the existing residential structure and has been duly noted in the Conditions of Approval. (This is a recommendation only, not a requirement.)
- F. The proposed project has been reviewed and approved by the Inverness Public Utility District, which currently provides water to the property. The property is currently served by the Inverness Water System, and there is enough water available for fire suppression and domestic water service.
- G. One parking space shall be provided in addition to the required or existing parking for the primary residence. The parking plan for the primary residence and the second dwelling unit, which includes two parking spaces for the second unit, has been reviewed and accepted by the Department of Public Works. Conditions of approval will require some additional work to the driveway approach off Sir Francis Drake Boulevard.
- H. The Inverness Public Utility District currently provides water service to the property and adequate water is available to serve both the primary residence and the proposed second dwelling unit.
- I. Marin County Environmental Health Services has reviewed the proposed project and finds that there is adequate on-site sewage disposal and the project is acceptable as proposed.
- K. The second unit is not located in a floodplain according to flood hazard maps maintained by the Marin County Department of Public Works.
- L. The second dwelling unit is not located within 100 feet of a blue-line creek as identified on the Inverness Quadrangle of the U. S. Geological Survey. Alder Creek, a blue line stream identified as an anadromous fish stream, runs along the northwest boundary of the property and Aberdeen Way. Department of Public Works (DPW) has reviewed this project, including the location of the access and parking area associated with the second unit. The parking area for the second unit has historically encroached approximately 50 feet into the 100-foot wide Stream Conservation Area. All work associated with the driveway approach off Sir Francis Drake Boulevard required by DPW will occur within the road right-of-way of Sir Francis Drake, from the edge-of-

pavement to the property line, a highly disturbed and trafficked area and no other location for this access is feasible. Therefore, legalizing the second unit with the associated access and parking will not impact the potential resources associated with Alder Creek.

## **SECTION II: CONDITIONS OF PROJECT APPROVAL**

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Longstreth Coastal Permit (CP 08-24) and Second Unit Amnesty Permit (SA 08-28) pursuant to Sections 22.56I, and 22.82I of the Marin County Code and Board of Supervisor Ordinance #3480, subject to the following conditions:

### Marin County Community Development Agency - Planning Division

1. Pursuant to Marin County Board of Supervisors Ordinance #3463, the Second Unit Amnesty Permit legalizes the following: construction of improvements within the lower level at the rear of an existing residential structure and the conversion of this floor area into an approximately 430 square foot attached second dwelling unit on an approximately 19,119 square foot parcel in Inverness. The height of the residential structure is 28.5 feet. The structure is sited with the following setbacks from property lines: front (east) 23 feet; side (north) 6 feet; rear (west) 133 feet; 20 feet side (south). No new structural additions are proposed as part of this project. The subject property is located at **10 Balmoral Way, Inverness** and is further identified as **Assessor's Parcel 112-143-11**. **The street address for the second unit that is approved herein shall be 12 Balmoral Way, Inverness.**
2. The second unit approved herein shall meet the following adopted standards established by Marin County Board of Supervisors Ordinance #3480.
  - a. No additional dwelling units other than the primary dwelling unit and the approved second dwelling unit shall be permitted on the subject property. A second unit may be rented but shall not be sold separately from the single-family unit.
  - b. The addresses for the primary dwelling unit and the second unit shall be posted in conformance with the latest adopted version of the California Fire Code.
  - c. The Community Development Agency shall file this Notice of Decision, including all second unit amnesty standards, with the Marin County Recorder's Office. Recordation of the Notice of Decision shall serve to advise future property owners of the standards applicable to maintenance of the second unit.
  - d. Any changes or additions to the project shall be submitted to the Community Development Agency staff for review and approval before the contemplated modifications may be initiated. PLEASE BE APPRISED, this Second Unit Amnesty Permit obtains a legal, non-conforming status for the second unit. Any future addition or expansion of the second unit beyond what is legalized in this determination will be required to meet current regulatory standards.
  - e. Within 30 days of this decision, the applicant must submit an Amnesty Building Permit application to legalize the second unit. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
  - f. Within 90 days of this decision, an Amnesty Building Permit for all approved work must be issued. Requests for an extension to this timeline must be submitted in writing to the

Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.

- g. Within 120 days of this decision, the applicant must complete the approved work and receive approval of a final inspection by the Building and Safety Division. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant's control.
3. BEFORE FINAL INSPECTION, the applicants shall record a Waiver of Public Liability holding the County of Marin, other governmental agencies, and the public harmless because of any loss experienced by geologic or flooding actions. The Waiver of Public Liability shall be submitted to the Community Development Director for review and approval prior to recordation.

Marin County Department of Public Works.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

4. All improvements shall conform to Title §24 of the Marin County Code or as approved by DPW and the Fire Department.
5. The site plan shall show the full width of the Sir Francis Drake Blvd. right-of-way as well as the edge-of-pavement.
6. The driveway approach off Sir Francis Drake Blvd. from the edge-of-pavement to the property line shall be paved a minimum of 12-feet wide with 2" of asphalt over a minimum of 6" compacted aggregate base. Also, the approach shall have a minimum of 10-ft radius flares onto Sir Francis Drake Blvd.
7. The access gate to the parking off of Sir Francis Drake Blvd. shall have a minimum of 12-feet clear passable width.
8. An encroachment permit shall be required for work within the road right-of-way.

Inverness Fire Department

9. The Inverness Fire Department recommends that the owners consider the merits of installing interior residential fire sprinklers in the existing residential structure. This is a recommendation only, not a requirement.

**SECTION III: VESTING, PERMIT DURATION, AND APPEAL RIGHTS**

The applicant must vest this approval by obtaining an Amnesty Building Permit or other construction permit, if required, for the approved work, and substantially complete any required improvements in accordance with the approved permits consistent with the time lines specified in the Conditions of Approval or all rights granted in this approval shall lapse. This Second Unit Amnesty Permit is vested in perpetuity as long as the standards for the second are maintained.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Planning Commission. A Petition for Appeal and a \$600.00 filing fee must be submitted in the Community Development Agency - Planning Division, Room 308, Civic Center, San Rafael, no later than **4:00 p.m.** on **April 24, 2008.**

**SECTION IV: ACTION**

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 17<sup>th</sup> day of April 2008.

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JEREMY TEJIRIAN, AICP  
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

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Joyce Evans  
DZA Recording Secretary