



MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR SHEFFER VARIANCE AND DESIGN REVIEW CLEARANCE

Item No:	C3	Application No:	VR 08-16 and DC 08-96
Applicant:	Ann Bool	Owner:	Greg and Heidi Sheffer
Property Address:	319 Edgewood Avenue, Mill Valley	Assessor's Parcel:	047-021-09
Hearing Date:	September 25, 2008	Planner:	Lorene Jackson

RECOMMENDATION:	Approve with Conditions
APPEAL PERIOD:	October 9, 2008
LAST DATE FOR ACTION:	October 21, 2008

PROJECT DESCRIPTION:

The applicant, Ann Bool, on behalf of the owners, Greg and Heidi Sheffer, is requesting a Variance and Design Review Clearance approval to expand an existing 2,192 square foot single-family residence to 3,543 square feet. The existing home currently encroaches 11.5 feet into the required 25-foot front setback along the south driveway easement. A Variance is required for the following changes within that encroachment to 1) increase the existing maximum height from 17 feet to 23 feet and 2) further encroach into the front setback by 7 feet (28%) for a roofed entry landing. As proposed, the residence would result in a floor area ratio (FAR) of 31.8% on the 11,292 square foot parcel. With Design Review, the project qualifies for a Variance Exemption for the FAR (Sections 22.54.040). The proposed residence would attain a maximum height of approximately 30 feet above existing grade and maintain the following setbacks: 25 feet from the north front property line along Edgewood Avenue, 6.5 feet from the west side property line, 13.5 feet from the south front driveway easement, and 15 feet from the east side property line.

GENERAL INFORMATION:

Countywide Plan:	SF6 (Single-family, below 10,000 sq. ft. min. lot area, 4-7 units/acre)
Zoning:	R-1 (Residential Single-family, 7,500 sq. ft. minimum lot area)
Community Plan:	Tamalpais Community Plan
Lot size:	11,292 square feet
Adjacent Land Uses:	Single-family Residential
Vegetation:	Native oak and bay woodland with ornamental landscaping
Topography and Slope:	Steeply sloped
Environmental Hazards:	Urban Wildland Interface fire area

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 an addition to an existing single-family residence that would not result in potentially significant impacts to the environment.

PUBLIC NOTICE:

The Community Development Agency has provided public notice identifying the applicant, 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.

PLAN CONSISTENCY:

The proposed project is generally consistent with the goals and policies of the Marin Countywide Plan and the Tamalpais Community Plan. Please refer to the plan consistency findings contained in the attached resolution.

PROJECT ANALYSIS:

Setting

The subject property is a steeply sloped lot, greater than 45 percent downhill of the current building envelope, located between Edgewood Ave to the north and a southwesterly shared driveway easement, creating a lot with two 25-foot double frontage setbacks. The property is currently developed with a 2,192-square foot single family residence with a floor area ratio of .19 that encroaches approximately 13.5 feet within the front yard setback of the driveway easement. The driveway easement runs along a minor ridge that provides a relatively flat building area for each of the five properties fronting the easement. The land west of the driveway easement consists of heavily vegetated dedicated open space that drops steeply down into a small canyon. The surrounding neighborhood is characterized by single-family residences with varied sizes and architectural styles. Each of the five homes abutting the easement encroaches into the 25-foot front yard setback; both adjacent properties encroach with two-story residences.

The steep upslope and dense vegetation provide screening of the proposed project from Edgewood Ave. While homes along the shared driveway easement can be seen from a distance across the small valley to the west; the subject house is heavily screen by five large pines directly in front of the house.

Setback

The current two-story house and flat-roof garage encroach into the setback by 11.5 feet. The following changes require Variance approval:

- 1) Increased height over garage - The attached existing flat-roof garage is 9 feet in height and encroaches into the setback by 11.5 feet. A second-floor living space would be added above the garage and would be over 25 feet from the front easement. The increased height in this area of the encroachment would be for a sloped roof with a maximum height of 12.6 feet. This new roof would provide articulation and a 12.5 foot stepback for the second floor addition over the garage.
- 2) New front porch – An approximately 71-square foot roofed entry landing would have a minimum front setback of approximately 10.5 feet, encroaching into the front setback an additional 7 feet (28%) from the current garage at that point. The new porch would have a gable roof with a maximum height of 14 feet and would help break up the mass and bulk of the expanded two-story residence. There is currently no front entry into the house; existing entry access is through a single door along the side of the house.
- 3) The existing two-story house encroaches into the front-yard setback by 10 feet with a maximum height of 17 feet. The proposed project will increase the maximum height of this area to 23 feet.

However, the second floor would be stepped back 1 foot, reducing the front encroachment of the second floor to 9 feet. The increase height and space in the second floor encroachment is due to reclaiming more useable space in the master bedroom that is currently constricted with tapered ceiling heights created by a gambrel (barn style) roof line.

The reduced front yard setback along the road easement is a privilege enjoyed by other properties in the neighborhood with the same zoning. The steep topography and double frontage of the lot has prompted these variances, as well as this application. The location and design of the project will not adversely affect the visual quality of the area because it will be compatible with the surrounding natural environment, neighboring properties, and the overall character of the local community.

Floor Area Ratio

The proposed project exceeds the .30 Floor Area Ratio (FAR) by 155 square feet. This is due to the conversion of 438 square-feet of existing unimproved space in the understory of the house into a playroom and will not add to the mass and bulk of the residence. In situations where the additional floor area is created by using existing subfloor area, the Director may ministerially find a project exempt from the requirements of a Variance (Section 22.54.040 of the Marin County Code). Such exemptions are subject to Design Review and the resulting floor area ratio or floor area can not exceed 0.35, or 300 square feet, whichever is more.

While the Tamalpais Design Review Board recommended reducing the floor area ratio to comply with the .30 FAR limit, in this case, to do so would not reduce the building footprint, mass, and bulk. To achieve a .30 FAR, the applicant would merely omit the playroom and there would be no reduction in the overall appearance of the home. One comment was received during the public notice from a next-door property owner expressing concern in principle about exceeding the .30 floor area ratio. This letter is attached. The property owner expressed no further objection once it was explained that the FAR exceedance will reclaim understory and not alter the overall appearance of the house. No comments have been received since the story poles were erected.

Reclaiming understory areas is consistent with the County's Single-family Residential Guidelines for hillside design. Moreover, adding a second story over the existing garage will further minimize ground disturbance and loss of vegetation. To help break up the mass and bulk of the new structure, the second floor has also been stepped back 2 feet along the northwest side property line and along the front of the house, as described above.

Nonetheless, the project will result in the removal of two protected trees: one 17-inch diameter oak and one 16-inch diameter bay, for which the property owners would be required to replace two for one on the subject property, or make a payment into the County Tree Preservation Fund. The addition will also extend into a cluster of oak trees along the northwest side of the garage that provide valuable screening. As conditioned, a qualified arborist will examine the health of any trees to be trimmed and perform or oversee any necessary pruning. Additionally, the foundation will be pier-and-grade-beam to minimize impacts to tree roots.

RECOMMENDATION:

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached resolution approving the Sheffer Variance and Design Review Clearance.

- Attachments:
1. Proposed Resolution recommending approval of the Sheffer Variance and Design Clearance
 2. CEQA Exemption
 3. Location Map

4. Assessor's Parcel Map
5. Site Plan
6. Floor Plan
7. Elevations
8. Tiburon Fire Protection District Signoff, received 6/09/08
9. Department of Public Works Memo, 6/13/08
10. Marin Municipal Water District Letter, 6/18/08
11. Tam Design Review Board Memo, 7/2/08
12. Suzanne Gruden's Letter, 6/18/08

cc: Ann Bool
Greg and Heidi Sheffer
Suzanne Grudem

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION 09-

A RESOLUTION APPROVING THE SHEFFER VARIANCE AND DESIGN REVIEW CLEARANCE
319 EDGEWOOD AVENUE, WILL VALLEY
ASSESSOR'S PARCEL 047-021-09

SECTION I: FINDINGS

- I. WHEREAS the applicant, Ann Bool, on behalf of the owners, Greg and Heidi Sheffer, is requesting a Variance and Design Review Clearance approval to expand an existing 2,192 square foot single-family residence to 3,543 square feet. The existing home currently encroaches 11.5 feet into the required 25-foot front setback along the south driveway easement. A Variance is required for the following changes within that encroachment to 1) increase the existing maximum height from 17 feet to 23 feet and 2) further encroach into the front setback by 7 feet (28%) for a roofed entry landing. As proposed, the residence would result in a floor area ratio (FAR) of 31.8% on the 11,292 square foot parcel. With Design review, the project qualifies for a Variance Exemption for the FAR (Sections 22.54.040). The proposed residence would attain a maximum height of approximately 30 feet above existing grade and maintain the following setbacks: 25 feet from the north front property line along Edgewood Avenue, 6.5 feet from the west side property line, 13.5 feet from the south front driveway easement, and 15 feet from the east side property line. The subject property is located at 319 Edgewood Avenues, Mill Valley, and is further identified as Assessor's Parcel 047-021-09.
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing September 11, 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 it entails an addition to an existing single-family residence that would not result in potentially significant impacts to the environment.
- IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Marin Countywide Plan (CWP) for the following reasons:
 - A. The proposed project would comply with the CWP SF6 Land Use Designation as a single family residence;
 - B. The proposed project would comply with governing development standards related to parking, grading, drainage, and utility improvements as verified by the Department of Public Works;
 - C. The proposed project would comply with Marin County standards for flood control, geotechnical engineering, and seismic safety, and include improvements to protect lives and property from hazard;
 - D. The proposed project would not cause foreseeable significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or their services; and

- E. The proposed project would minimize soil disturbance and maximize protection of natural vegetation.
- V. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Tamalpais Area Community Plan because:
- A. The proposed project involves construction of additional living space to an existing single-family residence, which is a principally permitted use of the property, which is on standard size lot for the R-1 zoning district.
 - B. The proposed project would not adversely impact the surrounding natural environment relative to vegetation and species habitats and on-site drainage.
 - C. The proposed project would not adversely impact the surrounding built environment relative to views from adjacent properties, privacy for the subject and surrounding properties, and building design, mass, and bulk.
 - D. The subject property maintains adequate off-street parking to accommodate the proposed project as verified by the Marin County Department of Public Works.
 - E. The proposed project will not exceed a maximum height of 30 feet above natural grade.
- VI. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings to approve a **Variance** with modifications (Section 22.54.050 of the Marin County Code).

A. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other properties in the vicinity under an identical zoning district.

Because of special circumstances applicable to the physical characteristics of the property, particularly topography and two front yard setbacks, strict application of the development standards of the R-1 zoning district would deprive the subject property of privileges enjoyed by other properties in the vicinity with the identical zoning. The subject property is very steep, exceeding a 45 percent slope downhill from the building envelope of the existing house and proposed addition. The existing house is currently situated within the 25-foot front yard setback from a driveway easement shared with five neighbors.

The existing house and attached garage encroaches into the 25-foot front setback by up to 11.5 feet. This Variance will address the following changes within the front setback: 1) A proposed new roofed porch will encroach an additional 7 feet beyond the existing house, for a total encroachment of 14.5 feet into the front setback. 2) The proposed 1,351 square-foot two-story addition would be stepped back 11 feet over the garage and one foot over the existing first floor of the house. The maximum height within the front encroach would increased from 9 feet to 12.6 feet over the garage to accommodate a pitched roof that will help reduce the mass and bulk of the second-floor addition. The maximum height over the existing house would increase from 17 feet to 23 feet, but would be stepped back one foot on the second floor, again to reduce the mass and bulk of the existing and propose second floor. The increased height and space within the second floor encroachment reclaims more useable space in the master bedroom that had been constricted with tapered ceiling heights from the existing gambrel (barn style) roof line.

The five homes located along the shared driveway easement encroach into the 25-foot front setback; the two adjoining homes encroach with two-story structures. Therefore, strict application of the zoning ordinance setback would deprive the property owners of privileges enjoyed by neighboring properties.

B. The granting of a Variance for the property will not be detrimental to the public welfare or injurious to other property in the vicinity.

The proposed addition would result in no detriment with respect to light, air, privacy, and views to surrounding properties. The proposed addition would be located along the front and northern side of the existing residence, and is similar in mass and location to surrounding structures. Also, the addition has been designed to architecturally improve the existing structure and be consistent with the surrounding community. Based on these factors, the proposed work would not result in adverse impacts to the public welfare or surrounding properties. The Tamalpais Design Review Board has reviewed and approved the additions within the setback and neighboring property owners have not raised objections to the increase mass and bulk of the proposed addition. Overall, the proposed project would meet the applicant's objectives without adversely impacting the character of the local community.

C. The granting of a Variance for the property does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity under an identical zoning district.

Review of planning records indicates two nearby properties, under the same zoning, have previously been granted Variance approval for setback encroachments. Consequently, approval of the proposed Variance would be consistent with previous County actions in the community.

Further, all homes located along the shared driveway easement encroach in 25-foot front setback; the two adjoining homes encroach with two-story structures. Therefore, granting a front yard setback Variance for the subject property would not constitute a special privilege that is inconsistent with the limitations placed on other properties in the vicinity.

D. The granting of a Variance for the property does not authorize a use or activity that is not otherwise expressly authorized by the particular zoning district regulations governing such property.

The granting of this Variance would not allow or authorize a use or activity that is not otherwise expressly authorized by the governing R-1 zoning district regulations because it involves additions to a single-family residence, a permitted use.

VII. Whereas, the Marin County Deputy Zoning Administrator finds that the Mandatory Findings for a Design Review Clearance per Section 22.42.020.B7 of the Marin County Development Code can be made. The proposed project is minor and incidental to the existing single-family residential use on the property and within the intent and objectives for Design Review, based on the following findings:

A. The proposed project will properly and adequately perform or satisfy its functional requirements without being unsightly or creating incompatibility/disharmony with its locale and surrounding neighborhood;

- B. The proposed project will not impair, or substantially interfere with the development, use, or enjoyment of other property in the vicinity, including, but not limited to, light, air, privacy and views, or the orderly development of the neighborhood as a whole, including public lands and right-of-ways;
- C. The proposed project will not directly, or cumulatively, impair, inhibit, or limit further investment or improvements in the vicinity, on the same or other properties, including public lands and rights-of-ways;
- D. The proposed project will be in compliance with the design and locational characteristics listed in Chapter 22.16 (Planned District Development Standards);
- E. The proposed development will minimize or eliminate adverse physical or visual effects, which might otherwise result from unplanned or inappropriate development, design, or placement.
- F. The design, location, size, and operating characteristics of the proposed use are consistent with the Countywide Plan and applicable zoning district regulations, are compatible with the existing and future land uses in the vicinity, and will not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

SECTION II: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Sheffer Variance (VR 08-16) and Design Review Clearance (DC 08-96) subject to the following conditions:

Marin County Community Development Agency, Planning Division

1. Pursuant to Chapters 22.56 and 22.48 (Coastal Permit and Use Permit) of the Marin County Code, the Sheffer Variance and Design Review Clearance are approved to expand an existing 2,192 square foot single-family residence to 3,543 square feet. The existing home currently encroaches 11.5 feet into the required 25-foot front setback along the south driveway easement. A Variance is required for the following changes within that encroachment to 1) increase the existing maximum height from 17 feet to 23 feet and 2) further encroach into the front setback by 7 feet (28%) for a roofed entry landing. As proposed, the residence would result in a floor area ratio (FAR) of 31.8% on the 11,292 square foot parcel. With Design Review, the project qualifies for a Variance Exemption for the FAR (Sections 22.54.040). The proposed residence would attain a maximum height of approximately 30 feet above existing grade and maintain the following setbacks: 25 feet from the north front property line along Edgewood Avenue, 6.5 feet from the west side property line, 13.5 feet from the south front driveway easement, and 15 feet from the east side property line. The subject property is located at 319 Edgewood Avenues, Mill Valley, and is further identified as Assessor's Parcel 047-021-09.
2. Plans submitted for a building permit shall substantially conform to the following plans on file in the Marin County Community Development Agency and identified as **Exhibit A2**, sheet A3 entitled "Existing Elevations", prepared by TAM Design and received March 31, 2008, **Exhibit E** consisting of 7 sheets (A1 to A7), entitled "Sheffer Residence", prepared by Ann Bool, received July 31, 2008, **Exhibit F** entitled "Plot Plan with Elevations", prepared by Jacobs Land Surveying, received August 5, 2008, and **Exhibit G** entitled "Sheffer Residence Proposed Materials" received April 16, 2008.

3. Approved exterior building materials and colors shall substantially conform to the color/materials sample board which is identified as Exhibit G, prepared by the applicant, received April 16, 2008, and on file with the Marin County Community Development Agency including:
 - a. Siding – Benjamin Moore Sea Pine AC-17
 - b. Roof – Dark Gray Composition Shingle
 - c. Trim – Benjamin Moore Swiss Coffee OC-45

Deviations from the approved colors and materials shall be submitted for review and approval by the Community Development Director.

4. All flashing, metal work, and trim shall be painted or coated with an appropriately subdued, nonreflective color.
5. All utility connections and extensions serving the project shall be installed underground.
6. Any exterior lighting shall be directed downward, located and/or shielded so as not to cast glare on nearby properties, and the minimum necessary for safety purposes.
7. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the site plan or other first sheet of the office and job site copies of the Building Permit plans to list these conditions of approval as notes. Plan sheets A2 to A4 shall be revised to correctly show true north.
8. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall hire a certified arborist to evaluate the health of the trees and expected impacts from the proposed project. A copy of the arborist report shall be submitted to the Community Development Agency. Any trimming of the oak trees shall be done in accordance with the arborist report. Additionally, the applicant shall construct a pier-and-grade-beam rather than perimeter foundation.
9. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall install temporary construction fencing around trees and vegetation to be retained in the vicinity of any area of grading, construction, materials storage, soil stockpiling, or other construction activity. The fencing is intended to protect existing vegetation during construction and shall remain until all construction activity is complete. The applicant shall submit site photographs confirming installation of the fencing to the Community Development Agency.
10. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall confirm with the Community Development Agency the location and species of four replacement trees (2 for 1) to be planted on their property. Alternatively, the applicant can contribute \$500.00 per tree removed and not replaced to the County Tree Preservation Fund with the County of Marin Parks and Open Space Department and provide a receipt of such payment to the Planning Division.
11. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Conformance demonstrating that the project qualifies for a “Certified” or better rating under the Marin Green Home: Remodeling Green Building Residential Design Guidelines. The Building Permit shall include specifications demonstrating compliance with all construction-related measures that are used to meet the “Certified” or better rating.
12. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall record a Waiver of Public Liability holding the County of Marin, other governmental agencies, and the public harmless because of loss experienced by geologic actions.

13. If archaeological, historic, or prehistoric resources are discovered during construction, construction activities shall cease, and the Community Development Agency staff shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may occur in compliance with State and Federal law. A registered archeologist, chosen by the County and paid for by the applicant, shall assess the site and shall submit a written report to the Community Development Agency staff advancing appropriate mitigations to protect the resources discovered. No work at the site may recommence without approval of the Community Development Agency staff. All future development of the site must be consistent with findings and recommendations of the archaeological report as approved by the Community Development Agency staff. If the report identifies significant resources, amendment of the permit may be required to implement mitigations to protect resources. Additionally, the identification and subsequent disturbance of an Indian midden requires the issuance of an excavation permit by the Department of Public Works in compliance with Chapter 5.32 (Excavating Indian Middens) of the County Code.
14. All construction activities shall comply with the following standards:
 - a. Except for such non-noise generating activities, including but not limited to, painting, sanding, and sweeping, construction activity is only permitted between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. and 5:00 p.m. on Saturday. No construction shall be permitted on Sundays or the following holidays (New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving, Christmas). If the holiday falls on a weekend, the prohibition on noise-generating construction activities shall apply to the ensuing weekday during which the holiday is observed. At the applicant's request, the Community Development Agency staff may administratively authorize minor modifications to these hours of construction.
 - b. It shall be the responsibility of the applicant to ensure that all construction materials and equipment are stored on-site (or secured at an approved off-site location) and that all contractor vehicles are parked in such a manner as to permit safe passage for vehicular, pedestrian, and bicycle traffic at all times.
15. The applicant/owner hereby agrees to defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of the Sheffer Variance 08-16 and Design Review Clearance 08-96, for which action is brought within the applicable statute of limitations. This indemnification shall include, but not be limited to, damages, fees, and/or costs awarded against the County, if any, and the cost of suit, attorney's fees, and other costs, liabilities, and expenses incurred in connection with such proceedings, whether incurred by the applicant/owner, the County, and/or the parties initiating or bringing such proceeding.
16. Any changes or additions to the project shall be submitted to the Community Development Agency in writing for review and approval before the contemplated modifications may be initiated. Construction involving modifications that do not substantially comply with the approval, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications are obtained by the applicant.
17. BEFORE FINAL INSPECTION, the applicant shall submit a signed Statement of Completion confirming that the project has been constructed in compliance with all of the measures that were used to meet the "Certified" or better rating under the Marin Green Home: Remodeling Green Building Residential Design Guidelines.

18. BEFORE FINAL INSPECTION, the applicant shall verify to the Community Development Agency that any replacement trees required in Condition 10 have been planted.

Department of Public Works – Land Use & Water Resources

19. If the applicant decides to repair the existing rock wall at driveway entrance, the new wall shall be relocated outside of driveway easement.

SECTION III: VESTING AND APPEAL RIGHTS

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest this approval by obtaining a Building Permit for the approved work and substantially completing all approved work by **September 25, 2010**, or all rights granted in this approval shall lapse unless the applicant applies for an extension at least 30 days before the expiration date above and the Zoning Administrator approves it. An extension of up to four years may be granted for cause pursuant to Section 22.82.130 of the Marin County Code. This permit shall be valid in perpetuity upon timely vesting of the approval and adherence to all conditions of approval.

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 October 9, 2008**.

SECTION IV: ACTION

PASSED AND ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 25th day of September 2008.

JEREMY TEJIRIAN
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Secretary