



MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR PRATT VARIANCE AND DESIGN REVIEW (VR 10-18 AND DR 10-83)

Item No:	H1.	Application No:	VR 10-18 and DR 10-83
Applicant:	Jeffrey C. Pratt	Owner:	Jeffrey C. Pratt
Property Address:	15 Wildwood Lane, Novato	Assessor's Parcel:	146-340-82
Hearing Date:	June 17, 2010	Planner:	Daniella Hamilton
	RECOMMENDATION:		Approve with Conditions
	APPEAL PERIOD:		10 days to the Marin County Planning Commission
	LAST DATE FOR ACTION:		June 27, 2010

PROJECT DESCRIPTION:

The applicant, Jeffrey C. Pratt, requests Variance and Design Review approval to allow construction of a 1,053 square foot 3-car garage, a 34 square foot ground floor addition, a 744 square foot second story addition, and a new, 712 square foot ground level wrap around covered porch on the existing 1,518 single family residence on a 2.8 acre property. In combination with 7,789 square feet of existing accessory structures and the 683 square foot caretaker unit a total building area of 11,787 square feet and a floor area ratio (FAR) of 9% is proposed for the property. Design Review is required for development that exceeds a building area of 4,000 square feet, and a Variance is required for FAR in excess of 5% in the A-10 zoning district. The proposed project would maintain setbacks of more than 100 feet from the northwest front property line, the northeast side property line, and the southeast rear property line, and 33.11 feet from the southwestern side property line.

GENERAL INFORMATION:

CWP Land Use Designation:	AG2 (Agriculture, 1 unit/10 acres)
Zoning:	A-10 (Agriculture, 1 unit/10-30 acres)
Lot area:	2.8 acres
Adjacent Land Uses:	Residential
Vegetation:	Mature oak trees scattered around the property, lawn at the front entry to the property, various minor ornamental shrubs around the perimeter of the existing residence.

Topography and Slope: Mostly level, gently sloping to the north.
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 Section 15301, Class 1 of the CEQA Guidelines because the proposed project would not result in significant tree removal, grading, drainage alterations or other adverse impacts on 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 600 feet of the subject property.

PLAN CONSISTANCY:

The project, as modified by conditions of approval, is generally consistent with the goals and policies of the Marin Countywide Plan and the Indian Valley Specific Plan because it involves an addition to an existing residence in an agricultural area. Please refer to the plan consistency findings contained in the attached Resolution for more information.

PROJECT ANALYSIS:

SETTING

The subject property is located in a residential area where many of the lots, including this one, are developed with equestrian-related amenities, including riding arenas, stables, barns, and fenced pastures and paddocks. This 2.8 acre property is zoned A-10 in an area zoned primarily A-2:B-4, except for the adjacent 12.2 acre property which is also zoned A-10. The Indian Valley Specific Plan (IVSP) notes that there are 400 parcels in Indian Valley, 373 of which are zoned A-2: B-4, and only 7 of which are zoned A-10. At the time that the IVSP was adopted (March 4, 2003), all except one of the A-10 parcels were developed. The existing lot size, use (residential and equestrian facility), and intensity of development is consistent with the development in the surrounding A-2:B-4 zoning district. Many mature oak trees are located on the project site as well as on surrounding properties providing shade and contributing to the overall rural residential character of the neighborhood.

BACKGROUND

The subject property was originally part of a 25 acre lot of Subdivision C of the Novato Ranch, a map recorded in 1910. The site was identified as APN 146-340-18 in 1956. In 1969 a building permit was issued to allow a building to be moved from another property in Novato to be placed on the site as “a second unit for ranch help.” Subsequent to this original permit, a septic permit and multiple Building Permits were issued for the development on the property. Pursuant to Section 66499.35.C of the Subdivision Map

Act, issuance of development permits is the functional equivalent of a Certificate of Compliance. The subject property is currently under separate ownership from any surrounding lots. Therefore, the subject property is a non-conforming legal lot of record surrounded by mostly smaller lots zoned A-2: B-4. Still zoned A-10, the lot that is now the Pratt property is only 2.8 acres in size, far smaller than the minimum lot size required for the zone district, yet consistent with the surrounding pattern of development. The original name of the street providing access to the project site was "Leisure Acres." It has since been renamed "Wildwood Lane." The 12.8 acre property across the street from the Pratt property retains the A-10 zone appellation, and adjoins properties to the southwest that are also zoned A-10.

DEVELOPMENT ISSUES

The project site is a non-conforming legal lot of record, only 2.8 acres in the A-10 zoning district where the minimum lot size is 10 acres. The existing FAR per Section 22.130.030.F "Floor Area Ratio," at 8%, is in excess of the maximum 5% FAR normally allowed under the A-10 zone. The property is bounded on three sides by the A-2: B-4 zoning district, where the maximum allowed FAR is 30%, and the maximum allowed home size is 7,000 square feet, with Design Review approval. Residential uses and equestrian facilities are permitted uses in both the A-10 and A-2: B-4 zoning districts. The number of horses allowed on a property is not regulated in the A-10 zoning district.

A Variance from the standards for floor area is requested because the proposed addition would increase the FAR to 9%, exceeding the maximum 5% allowed by the A-10 zoning district. IVSP policy A-2:B-4 establishes a maximum home size of 7,000 square feet in the A-2:B-4 zoning district. While this maximum home size does not apply in the A-10 zoning district, it should be noted that the existing and proposed size of the home on the property is substantially below 7,000 square feet and would therefore be a size that is compatible with the maximum 7,000 square foot home size allowed on the adjacent properties that are governed by the A-2: B-4 zoning district.

The project is subject to Design Review pursuant to Section 22.42.020.B.1 because it involves additions to a single-family residence in the A-10 zone on a lot that contains more than 4,000 square feet of building area. Relevant plans and policies for Design Review approval include the IVSP and the Single Family Residential Design Guidelines. The proposed project is visually consistent with the surrounding neighborhood, and in keeping with the rural residential, equestrian character of Indian Valley, as discussed at length in the Findings section of the attached Resolution.

CONCLUSION

As discussed in the attached Resolution, the proposed project, as conditioned, would be consistent with the mandatory Findings for approval of a Variance pursuant to Marin County Code Section 22.54.050 and for Design Review approval pursuant to 22.42.060 because the property is physically constrained for development by virtue of its substandard size, is consistent with the Indian Valley Specific Plan with regard to floor area ratio, is compatible with the surrounding neighborhood with regard to design, size and scale, and is consistent with the policies of the Marin Countywide Plan.

RECOMMENDATION:

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached Resolution approving the Pratt Variance and Design Review based on the findings and subject to the conditions contained therein.

Attachments:

1. Resolution recommending approval of the Pratt Variance and Design Review.
2. Environmental Document
3. Location Map
4. Assessor's Parcel Map
5. Department of Public Works Memorandum, May 5, 2010
6. Department of Environmental Health Services memorandum, April 28, 2010
7. North Marin Water District letter, April 27, 2010
8. Novato Fire Protection District letter, April 25, 2010
9. E-mail from neighbor John De Dominic, June 7, 2010

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION -----

A RESOLUTION APPROVING THE PRATT VARIANCE AND DESIGN REVIEW
ASSESSOR'S PARCEL 146-34-80

SECTION I: FINDINGS

- I. WHEREAS the applicant, Jeffrey C. Pratt, requests Variance and Design Review approval to allow construction of a 1,053 square foot 3-car garage, a 34 square foot ground floor addition, a 744 square foot second story addition, and a new, 712 square foot ground level wrap around covered porch on the existing 1,518 single family residence on a 2.8 acre property. In combination with 7,789 square feet of existing accessory structures and the 683 square foot caretaker unit a total building area of 11,787 square feet and a floor area ratio (FAR) of 9% is proposed for the property. Design Review is required for development that exceeds a building area of 4,000 square feet, and a Variance is required for FAR in excess of 5% in the A-10 zoning district. The proposed project would maintain setbacks of more than 100 feet from the northwest front property line, the northeast side property line, and the southeast rear property line, and 33.11 feet from the southwestern side property line.
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on June 17, 2010 to consider the merits of the project, and hear testimony regarding 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 (CEQA), per Section 15301, Class 1 of the CEQA Guidelines because it would not result in significant tree removal, grading, drainage alterations or other adverse impacts on the environment.
- IV. WHEREAS The proposed project, as modified by the conditions of approval, is consistent with the goals and policies of the Marin Countywide Plan as discussed below:
 - A. The project is consistent with CWP natural systems policies requiring the enhancement, protection, and management of native habitats and the protection of woodlands, forest, and tree resources (*CWP Policies BIO-1.1 and BIO-1.3*) because the project would not entail the removal of native trees and the project site was previously developed.
 - B. The project would not result in impacts to special-status species (*CWP Policies BIO-1.1, BIO-2.1, and BIO-2.2*) because, according to the California Natural Diversity Database, the subject property does not provide habitat for special-status species of plants or animals.
 - C. The project would not significantly impact the ecotones on the project site (*CWP Policies BIO-2.3 and BIO-2.4*) because the subject property is located far enough from the shoreline to avoid being constrained by ecotones.

- D. No wetlands or stream conservation areas would be affected by the project (*CWP Policies BIO-3.1 and CWP BIO-4.1*) because there are no wetlands or streams on or adjacent to the subject property.
 - E. The project would not result in significant storm water runoff to downstream creeks or soil erosion and discharge of sediments into surface runoff (*CWP Policies WR-2.1, WR-2.2, WR-2.3, and WR-2.4*) because the proposed project would involve minimal grading or disturbance of soil, would minimally increase the impermeable area on the site, and the existing drainage system complies with the standards and best management practices required by the Department of Public Works.
 - F. The project would be constructed in conformance County earthquake standards, as verified during review of the Building Permit application (*CWP Policies EH-2.1, EH-2.3, and CD-2.8*) and the subject property is not constrained by unusual geotechnical problems, such as existing fault traces.
 - G. The project design and conditions of approval ensure adequate fire protection (*CWP Policy EH-4.1*), removal of hazardous vegetation (*CWP Policy EH-4.2*), water for fire suppression (*CWP Policy EH-4.c*), defensible space and compliance with Marin County fire safety standards, construction of fire sprinklers and fire-resistant roofing and building materials (*CWP Policies EH-4.d, EH-4.e, EH-4.f, and EH-4.n*), and clearance of vegetation around the proposed structure (*CWP Policy EH-4.h*).
 - H. The project would meet energy efficient standards for exterior lighting, and would reduce excessive lighting and glare (*CWP Policy DES-1.h*) because any exterior lighting would be shielded and downward-directed.
 - I. The project would preserve visual quality and protect scenic quality and views of the natural environment from adverse impacts related to development (*CWP Policy DES-4.1*) because the proposed development would maintain the existing landscaping, would involve no tree removal, and would include new landscaping associated with the proposed addition to the existing residence.
- V. WHEREAS, the proposed project is consistent with the Indian Valley Specific Plan including Specific Plan policy 3.1.1 because it would maintain the rural residential character of the Indian Valley area by limiting tree removal and exterior lighting.
- VI. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings for Design Review approval (Section 22.42.060 of the Marin County Code) as described below.
- A. The proposed development provides architectural design, massing, materials, and scale appropriate to and compatible with the site surroundings and the community.**

The proposed garage, second story, and wrap around porch addition to the existing single-story residence incorporate exterior design details and finish materials to match the existing residence, including asphalt shingles, horizontal siding, brick veneer around the base of the porch, and vinyl sash windows with wood trim (on the garage and upstairs addition, only). The proposed additions add visual interest and enhance the architectural quality of the very simple and utilitarian style of the residence, bringing it up to date and in keeping with the surrounding neighborhood. The

residence is located well back from the street, providing attractive views of, and through, the large site. The proposed garage faces away from the street.

- B. The proposed development results in site layout and design (including building arrangement, exterior appearance, heights, setbacks, drainage, fences and walls, grading, lighting, signs, etc.) that will not eliminate significant sun and light exposure, views, vistas, and privacy to adjacent properties; that will not result in light pollution, trespass, and glare; and that will not adversely affect rights-of-way or pathways for circulation.**

The proposed additions to the existing residence maintain sufficient setbacks from property boundaries that the improvements will have no effect on the sun and light exposure, views, vistas, or privacy of adjacent properties. The layout of the addition and the exterior appearance will enhance the appearance of the existing residence. The proposed additions are located within the developed area of the property, and would have no effect on rights-of-way or pathways for circulation.

- C. The proposed development will provide appropriate separation between buildings and will be properly and adequately landscaped with maximum retention of trees, native plants, and other natural features consistent with fire safety requirements.**

The dominant visual features of the project site are the mature oak trees towering over the property. The oaks, as well as other, non-native trees, are located throughout the property. No trees will be removed. Native grasses and minimal shrubbery around the perimeter of the house provide adequate landscaping and are consistent with fire safety requirements. Trees and bushes along property boundaries will remain.

- D. The proposed development will minimize cut and fill, the reforming of the natural terrain, and appurtenant structures (e.g. retaining walls and bulkheads).**

The proposed addition will be located on the level area occupied by the existing house. Minimal cut and fill will be required to prepare the site for the foundation.

- E. The proposed development complies with the Single-family Residential Design Guidelines and the design and locational characteristics listed in Chapter 22.16 (Planned District Development Standards).**

The proposed garage entrance does not face the street, the exterior materials would be compatible with the other development on the property, and a standard condition ensures that exterior lighting is minimized.

- F. The project is designed to conserve energy and natural resources by meeting the green building standards in Table 4-6 of the Marin County Code.**

The applicant is required to meet the "Certified" standard for projects between 1,001 and 1,500 square feet of additional area, with a total of 70 points for all green building measures. The applicant proposes to exceed the "Certified" standard and meet the "Silver" standard, with a total of 105 points for all green building materials.

- G. The design, location, size, and operating characteristics of the proposed use are consistent with the Countywide Plan and applicable zoning district regulations and will not be detrimental to the public interest, health, safety, convenience, or welfare of the County.**

This 2.8 acre property is zoned A-10 in an area zoned primarily A-2:B-4, except for the adjacent 12.2 acre parcel which is also zoned A-10. The property is developed with a single family residence, a caretaker's unit, and a riding stable with related accessory structures. These uses are principally allowed in both the A-10 and A-2:B-4 zoning districts, and are consistent with the pattern of use in the Indian Valley area. The IVSP describes the pattern of community and development thus: *"Property in Indian Valley is used principally for single-family housing interspersed with equestrian uses, orchards and livestock (cattle, sheep) pasture and grazing. There is no multiple family use, no institutional use, and no commercial use other than home-office oriented businesses and several horse stables and plant nurseries."* The lot size, use (residential and equestrian facility), and intensity of development is consistent with the development in the neighborhood.

The proposed remodel and addition to this existing single family residence is consistent with the Countywide Plan, the Indian Valley Specific Plan, the A-10 zoning district with respect to design, location, size and operating characteristics, and will not be detrimental to the public interest, health safety, convenience, or welfare of the County.

- VII. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings for Variance approval (Section 22.54.050 of the Marin County Code) as described below.

- A. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, or topography), so that the strict application of this Development Code denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts.**

The subject property is 2.8 acres in an A-10 zoning district, which requires a minimum lot size of 10 acres. This situation is unique to the property because there are no other properties in the surrounding area under the A-10 zoning district that have only 28% of the required lot area. The substandard lot size is therefore a special physical circumstance that is unique to the property.

- B. That granting the Variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel.**

The project involves additions to an existing residence, including a garage, which is a principally permitted use in the A-10 zoning district. Therefore the project would not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel.

- C. That granting the Variance does not result in special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the real property is located.**

The project would not result in special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is located. Rather, the project would allow the property owner to enjoy the same privileges as enjoyed by owners of neighboring properties, and typical of properties located in the surrounding area. As discussed in the plan consistency findings and Design Review finding VI.G, the project would be compatible with the character of the surrounding community.

D. That granting the Variance will not be detrimental to the public interest, health, safety, convenience, or welfare of the County, or injurious to the property or improvements in the vicinity and zoning district in which the real property is located.

The proposed development would not have detrimental effects on public interest, health, safety, convenience or welfare of the County, or injurious to the property or improvements in the vicinity and the governing A-10 zoning district in which the real property is located because it involves alterations to an existing residence in a residential zone. The Variance would allow improvements to the property that are in keeping, in both intensity and use, with the surrounding neighborhood, and would help maintain the rural character and equestrian lifestyle proscribed in the Indian Valley Specific Plan. The proposed project would cause no injury to the property nor to improvements in the vicinity or the zone district, and is of compatible design with respect to single family homes along Wildwood Lane.

SECTION II: CONDITIONS OF PROJECT APPROVAL (DR 10-83) and (VR 10-18)

NOW, THEREFORE, LET IT BE RESOLVED, that the Deputy Zoning Administrator approves the Pratt Variance and Design Review subject to the following conditions:

1. Pursuant to Section 22.42.060 (Variance) and 22.54.050 (Design Review) of the Marin County Code, this Design Review and Variance approval for Jeffrey C. Pratt authorizes the construction of a 1,053 square foot 3-car garage, a 34 square foot ground floor addition, a 744 square foot second story addition, and a new, 712 square foot ground level wrap around covered porch on the existing 1,518 single family residence on a 2.8 acre property. In combination with 7,789 square feet of existing accessory structures and the 683 square foot caretaker unit a total building area of 11,787 square feet and a floor area ratio (FAR) of 9% is approved for the property. The approved project shall maintain setbacks of more than 100 feet from the northwest front property line, the northeast side property line, and the southeast rear property line, and 33.11 feet from the southwestern side property line. The subject property is located at **15 Wildwood Lane, in Novato**, and is further identified as **Assessor's Parcel 146-340-82**.
2. Plans submitted for a Building Permit shall substantially conform to plans identified as "Exhibit A," entitled, "A Garage, Bedroom & Porch Addition for Jeff Pratt" consisting of 5 sheets prepared by Dennis Key, of Key Architecture, dated March 18, 2010 and received April 14, 2010, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
3. Approved exterior building materials and colors shall substantially conform to the color/materials identified on "Exhibit B," prepared by Jeffrey C. Pratt, received April 14, 2010, and on file with the Marin County Community Development Agency:

- A. Hardi-Plank horizontal siding;
- B. Benjamin Moore AC-32 Pismo Dunes (house color), Benjamin Moore Essex Green (trim color); and
- C. Roof: Elk 40 year composite asphalt shingles, Weatherwood.

All flashing, metal work, and trim shall be treated or painted an appropriately subdued, non-reflective color.

- 4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Design Conformance contained in the Green Building Residential Certification Form demonstrating that the project meets or exceeds the required green building rating "Certified".
- 5. Exterior lighting shall be located and/or shielded so as not to cast glare on nearby properties
- 6. 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.
- 7. All construction activities shall comply with the following standards:
 - A. 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 and the following holidays (New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day). Loud noise-generating construction-related equipment (e.g., backhoes, generators, jackhammers) can be maintained, operated, or serviced at the construction site from 8:00 a.m. to 5:00 p.m. Monday through Friday only. Minor jobs (e.g., painting, hand sanding, sweeping) with minimal or no noise impacts on the surrounding properties are exempted from the limitations on construction activity. 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.
- 8. 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.

9. BEFORE FINAL INSPECTION, the applicant shall submit a signed Statement of Construction Conformance contained in the Green Building Residential Certification Form certifying that the measures identified in the Statement of Design Conformance have been installed and/or utilized as part of the project to meet or exceed the required green building rating level.

Department of Public Works – Land Use

Prior to issuance of a building permit:

1. Head-in parking spaces shall be a minimum eight and one-half feet by eighteen feet. Parallel spaces shall be a minimum eight feet by twenty feet. For constrained locations such as garages serving single-family dwellings, spaces shall be a minimum nine feet by twenty feet. MCC 24.04.380
2. Drainage shall comply with 2007 CBC Section 1803.3
3. Add the following note on the plans, if construction activity, equipment, vehicles and/or material delivery and storage cause damage to Indian Valley Road (e.g., pavement,) beyond normal wear and tear, as determined by the agency, then the permittee shall be responsible for the repair of the same. MCC 24.04.016.
4. Add a note on the plans indicating that the Design Engineer/Architect shall certify to the County in writing upon the completion of work that all grading, drainage was completed in accordance with the approved plans and field direction. Also note that DPW Engineer shall inspect and accept work after receipt of certification letter. Certification letter shall reference building permit number or numbers for specific work being certified, the address of the property and the Assessor's Parcel Number.
5. Add a note on the plans indicating that all construction plans submitted to the County pursuant to any permit application shall consider the potential for erosion and sedimentation at the construction site and shall comply with Marin County Code (MCC) 24.04.625 and 24.04.627. Also per MCC 23.18.093 any construction contractor performing work in the county shall implement appropriate BMP's to preven discharge of construction wastes or contaminants from construction materials, tools and equipment from entering a county storm drain system.

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 the improvements in accordance with the approved permits by June 17, 2012, or all rights granted in this approval shall lapse unless the applicant applies for an extension at least 10 days before the expiration date above and the Community Development Agency staff approves it. An extension of up to four years may be granted for cause pursuant to Section 22.56.050.B.3of the Marin County Code.

The Building Permit approval expires if the building or work authorized is not commenced within one year from the issuance of such permit. A Building Permit is valid for two years during which construction is required to be completed. All permits shall expire by limitation and become null and void if the building or work authorized by such permit is not completed within two years from the date of such permit. Please be advised that if your Building Permit lapses after the vesting date stipulated in the Planning permit (and no extensions have been granted), the Building Permit and planning approvals may become null and void. Should you have difficulty meeting the deadline for completing the work pursuant to a Building Permit, the applicant may apply for an extension at least 10 days before the expiration of the Planning permit.

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 Planning Department, Room 308, Civic Center, San Rafael, no later than 4:00 p.m. on July 1, 2010.

SECTION IV: DECISION

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 17th day of June, 2010.

JOHANNA PATRI, AICP
DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
Deputy Zoning Administrator Secretary