



MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY
BRIAN C. CRAWFORD, DIRECTOR

**STAFF REPORT TO THE MARIN COUNTY DEPUTY ZONING ADMINISTRATOR
LEVIN COASTAL PERMIT AND DESIGN REVIEW**

Item:	C3	Project ID:	10-0120
Applicant:	Jerry Kler, Architect	Applications:	CP 10-38 and DM 10-79
Property Address:	25 Ahab Drive, Muir Beach	Owners:	William Levin and Laurel Simes
Hearing Date:	July 15, 2010	Assessor's Parcel:	199-283-11
		Planner:	Neal Osborne

RECOMMENDATION:

Approve with Conditions

APPEAL PERIOD:

Five working days to the Planning Commission

LAST DATE FOR ACTION:

August 8, 2010

PROJECT DESCRIPTION:

The project is a proposal to construct a 558 square foot detached garage, an 80 lineal foot pervious concrete driveway and turnaround area, concrete retaining walls from 2 feet tall up to 7.4 feet tall to support the turnaround area, landscape terraces, and concrete steps. The proposal includes removal of two storage sheds and the asphalt driveway, widening the driveway to a 12-foot width with 20 cubic yards of excavation on the upslope side, and 225 cubic yards of fill on the downslope side for the turnaround area. The garage would be accessory to an existing 4,518 square foot single-family residence on a 1.54-acre lot. Including the 200 square foot cabana, the proposal would result in a residential development with 4,736 square feet of floor area with a 7% Floor Area Ratio (FAR). The garage would have a maximum height of 11 feet from finished exterior grade. The garage would have the following minimum setbacks from corresponding property lines: 25.5 feet front (north), 9.4 feet side (east), 220 feet side (west), and 208 feet rear (south). The exterior color and materials of the garage and retaining walls would match the exterior of the existing residence with integral greenish-tan color stucco and concrete respectively. The garage roof would match the standing seam copper roof on the residence.

In order to approve the project, the findings contained in the following Marin County Code Section(s) (MCC) would need to be made: *22.56.130I (Coastal Permit) and 22.82.040I (Design Review)*. The Design Review findings are required for this conventionally zoned property because the total building area exceeds 4,000 square feet and a portion of the retaining wall would be more than 6 feet tall. The garage location in the 30-foot front yard and 20-foot side yard is permitted pursuant to MCC Section 22.72.055I because the front half of the lot exceeds 20% average slope with a slope of 42%.

The project site is located within the appeal jurisdiction of the California Coastal Commission and the County of Marin's decision on the Coastal Development Permit may be appealed to the California Coastal Commission.

GENERAL INFORMATION:

Countywide Plan

Land Use Designation: C-SF3, Coastal single Family, one unit per acre to 5 acres

Zoning: C-RA:B4, Coastal Residential Agricultural District, one acre minimum lot area

Lot size: 1.54 acre

Adjacent Land Uses: Single-family residential

Vegetation: Introduced pine trees, cypress trees, and ornamental landscaping

Topography and Slope: The site is relatively steep 45% downslope with southern aspect.

Environmental Hazards: The upland property is within 3-miles of the San Andreas Fault Zone.

ENVIRONMENTAL REVIEW:

The Environmental Coordinator has determined that this project is Categorical Exempt from the requirements of the California Environmental Quality Act pursuant to Section 15303, Class 3(e) of the CEQA Guidelines because it entails the construction of a detached garage, retaining walls, and a driveway that would not result in significant tree removal, grading, 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 public hearing date in accord with California Government Code requirements. This notice has been mailed to all property owners within 600 feet of the subject property. Staff has not received any comments from the public regarding the proposed project.

PLAN CONSISTENCY:

The project would be consistent with the goals and policies of the Marin Countywide Plan and the Marin County Local Coastal Program, Unit I because it involves the construction of a detached garage, driveway, and retaining walls accessory to an existing single-family residence within the Seacape Subdivision with no adverse impacts to coastal resources. The project would be consistent with zoning codes applicable in the coastal zone (Title 22, Interim) because the garage is a permitted use that would meet all development standards on a lot with more than 20% slope. Therefore, the project would be consistent with the goals and policies of the Marin Countywide Plan, the Muir Beach Community Plan, and the Local Coastal Program, Unit I. Please refer to the recommended resolution for detailed findings.

PROJECT ANALYSIS:

Site Planning

The proposal would locate the driveway in generally the same location as the existing driveway and the garage would be in the same general location as existing sheds to be removed. Widening of the existing 10-foot wide driveway to provide the standard 12-foot driveway width and a turnaround area would necessitate the construction of retaining walls and importation of 205 cubic yards of fill on the steep property. One pine tree would be removed and the applicant proposes two replacement Maple trees and additional landscaping. Shrubs are proposed within the planter areas downslope of the retaining walls that would support the fill for the turnaround area.

The project would minimize grading and provide a driveway in compliance with Marin County Code Title 24 design standards with a 12-foot width and 18% slope. The provision of a new turnaround area would minimize potential traffic hazards and the difficulty associated with backing up the driveway to Ahab Drive.

Existing trees provide visual screening along the front and sides of the property. The extent and scale of development would blend into the surroundings with no substantial effects to neighbors or coastal resources, because the garage would be of modest size and height in the same general location as the sheds to be removed. The retaining walls would face into the subject property and would not result in adverse visual effects as viewed from the road and surrounding properties. The 558 square foot garage would not substantially increase the overall scale of development on the 1.54-acre property and would match the design of the recently remodeled single-family residence. The scale of development on the property is large in comparison to other properties but would be well below the 30% floor area ratio maximum with a proposed 7% floor area ratio on the relatively large 1.54-acre property. The design of the garage and retaining walls would blend into the hillside, match the design of the existing residence, and be compatible with the community character.

Yard Regulations

The garage would be located partially within the standard 30-foot front yard and the 20-foot east side yard of the C-RA:B4 zoning district with property line setbacks of 25.5 feet and 9.4 feet respectively. The location of the garage on a lot that has a slope of more than 40 percent in the front one-half would comply with Marin County Code Section 22.72.055I that allows parking structures to encroach into front and side yard areas where the slope of the front one-half of the lot is greater than 20 percent.

The proposed garage location is generally in the same location as two existing sheds that would be removed. These sheds have building areas of approximately 100 square feet and 80 square feet on a level terrace at the end of the existing driveway. The location of the garage would not result in visual or privacy effects to neighboring properties due to the steep slope of the land and substantial distances to adjacent residences. Existing mature pine trees along Ahab Drive and the east side yard also provide screening of the proposed building site. The adjacent residences are approximately 80 feet to the southeast and 225 feet to the west from the proposed garage location.

Height Standards

The garage would have a maximum height of 13 feet above exterior finished grade and a maximum height of 11 feet above the parking surface in the garage. Because the garage is proposed within the front and side yard areas as allowed on the steeply sloped property pursuant to Marin County Code Section 22.72.055I, the height of the garage is measured from the parking surface pursuant to Marin County Code Section 22.70.060I. The height of the garage would comply with the 15-foot height standard for a detached accessory structure.

The retaining wall would have a maximum height of 7 feet above exterior finished grade as a series of walls and planters that step down the steep slope. The maximum height of the retaining wall would be one foot more than the 6-foot height standard for a retaining wall facing into the center of the property. However, proposed landscaping at the base of the wall would soften the visual appearance. The location in the central portion of the property, and the orientation of the wall facing into the middle of the property would also have minimal visual effects to neighbors.

Public Comments

No public comments have been received in regards to this project.

CONCLUSION:

Staff finds that the proposed design of the garage and retaining walls has form, height, color, and materials that would match the design of the existing residence and retaining walls in a location that minimizes grading and visual impacts. The project would be compatible with the surrounding neighborhood and coastal resources.

RECOMMENDATION:

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

- Attachments:
1. Proposed Resolution recommending approval with conditions of the Levin Coastal Permit and Design Review
 2. Environmental Document
 3. Location Map
 4. Assessor's Parcel Map
 5. Site Plan
 6. Elevations, Roof Plan, Colors, and Sections
 7. Preliminary Grading and Drainage Plan
 8. Landscape Plan and Vegetation Management Plan
 9. Marin County Fire Department memorandum, 6/7/10
 10. Department of Public Works memorandum, 6/2/10
 11. Environmental Health Services memorandum, 5/28/10

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION ____

A RESOLUTION APPROVING
THE LEVIN COASTAL PERMIT AND DESIGN REVIEW

ASSESSOR'S PARCEL 199-283-11

25 AHAB DRIVE, MUIR BEACH

SECTION 1: FINDINGS

- I. WHEREAS, Jerry Kler, on behalf of the property owners William Levin and Laurel Simes, proposes to construct a 558 square foot detached garage, an 80 lineal foot pervious concrete driveway and turnaround area, concrete retaining walls from 2 feet tall up to 7.4 feet tall to support the turnaround area, landscape terraces, and concrete steps. The proposal includes removal of two storage sheds and the asphalt driveway, widening the driveway to a 12-foot width with 20 cubic yards of excavation on the upslope side, and 225 cubic yards of fill on the downslope side for the turnaround area. The garage would be accessory to an existing 4,518 square foot single-family residence on a 1.54-acre lot. Including the existing 200 square foot cabana, the proposal would result in a residential development with 4,721 square feet of floor area with a 7% Floor Area Ratio (FAR). The garage would have a maximum height of 11 feet from finished exterior grade. The garage would have the following minimum setbacks from corresponding property lines: 25.5 feet front (north), 9.4 feet side (east), 220 feet side (west), and 208 feet rear (south). The exterior color and materials of the garage and retaining walls would match the exterior of the existing residence with integral greenish-tan color stucco and concrete respectively. The garage roof would match the standing seam copper roof on the residence. The subject property is within the C-RA:B4 zoning district and is located at 25 Ahab Drive, Muir Beach, further identified as Assessor's Parcel 199-283-11.
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on July 15, 2010, 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 15303, Class 3(e) of the CEQA Guidelines because it entails the construction of a detached garage accessory to an existing single-family residence, retaining walls, and a driveway with turnaround area that would not result in significant grading or other adverse impacts on the environment.
- IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Marin Countywide Plan because:
 - A. The proposed project would comply with Marin County standards for geotechnical engineering and seismic safety, and include improvements to protect lives and property from hazard;

- B. The proposed project would result in the construction of a garage and driveway improvements to an existing single-family residence, a principally permitted use under the governing CSF-3 general plan designation;
 - C. The proposed project would result in development which conforms to the governing standards related to building height, size and location;
 - D. The proposed project would comply with governing development standards related to grading, flood control, drainage and utility improvements as verified by the Department of Public Works;
 - E. The proposed project would not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or their services; and
 - F. 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 Muir Beach Community Plan because:
- A. The proposed project involves construction of accessory structures and various improvements to an existing single-family residential property, which is a principally permitted use on the property.
 - B. The proposed project would not adversely impact the surrounding natural environment with regard to vegetation, wildlife habitats, or drainage.
 - C. The proposed project would maintain adequate off-street parking to accommodate the proposed project as verified by the Marin County Department of Public Works.
 - D. The proposed project would match the design character of the existing residence and would not adversely impact the surrounding built environment with regard to views from adjacent properties, privacy for the subject and surrounding properties, and access from Ahab Drive.
- VI. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings for Coastal Permit approval pursuant to the requirements and objectives of the Local Coastal Program, Unit I (§22.56.130I of the Marin County Code) as described below.
- A. Water Supply:

The Muir Beach Community Services District serves the subject property and has reviewed the project and made no comments.
 - B. Septic System Standards:

Marin County Environmental Health Services regulates individual sewage disposal systems in the area of the subject property. Marin County Environmental Health Services reviewed the proposed project and recommended approval with conditions of

approval that require the proposed structures maintain 5-foot setbacks from the septic system on the subject property.

C. Grading and Excavation:

The subject property is 45% slope and moderate grading is proposed for 20 cubic yards of excavation and 225 cubic yard of fill. Excavation would occur for widening of the driveway and construction of retaining walls. The fill would be required for a turnaround area supported with retaining walls and planter box terraces. All grading and excavation work would be subject to the review and approval of the Department of Public Works, Land Use and Water Resources Division, to ensure consistency with Marin County requirements.

D. Archaeological Resources:

Review of the Marin County Archaeological Sites Inventory indicates that the subject property is located in an area of archaeological sensitivity. However, the moderate grading proposed would not likely disturb cultural resources because most of the site has previously been developed. A project condition requires that in the event cultural resources are discovered during construction, all work shall be immediately stopped and the services of a qualified consulting archaeologist shall be engaged to assess the value of the resource and to develop appropriate mitigation measures.

E. Coastal Access:

The project is located more than ¼-mile inland of the Pacific Ocean at an elevation of approximately 180 feet and would not impede coastal access.

F. Housing:

The proposed project would not result in the removal of a residential building that provides housing opportunities for people of low or moderate income, and would not affect the availability of housing stock within the Muir Beach community.

G. Stream Conservation Protection:

The project site is not located near a creek or in an area subject to the streamside conservation policies of the Marin Countywide Plan or Local Coastal Program.

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:

The Natural Resources Map for Unit I of the Local Coastal Program indicates that the subject property is located in an area of sensitive wildlife resources. Also, review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Game, indicates that the subject property is located adjacent to the habitat area for the federally listed endangered Monarch Butterfly (Danaus plexippus). However, the project

will have a minimal impact to the habitat value of the known habitat area because it involves the construction of a detached garage accessory to a single-family residence on a developed site within the existing Seacape Subdivision.

J. Protection of Native Plant Communities:

The Natural Resources Map for Unit I of the Local Coastal Program indicates that the subject property is not located in an area containing rare plants. A review of the California Natural Diversity Data Base, prepared by the State Department of Fish and Game, indicates that the subject property is not located in the habitat area for rare, threatened, or endangered plant species. In addition, the relatively small-scale project on previously disturbed property would not have an adverse impact on the habitat of native plant communities.

K. Shoreline Protection:

The subject property is not adjacent to the shoreline, and the proposed project would not result in adverse affects to the shoreline. The project would not require additional shoreline protection.

L. Geologic Hazards:

The project site is located within 3 miles of the San Andreas Fault Zone and would be subjected to strong ground shaking during a proximate seismic event. The Marin County Community Development Agency - Building Inspection Division will determine seismic compliance with the California Building Code. In addition, as a condition of project approval, the applicant 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:

No land division is proposed as part of this project.

O. Visual Resources:

The project would be located in the previously developed portion of the property where the existing sheds would be removed, and would result in no adverse visual effects. The exterior materials would be unobtrusive copper patina, greenish tan, and tan colors. The lighting for the exterior would be directed downward and hooded.

P. Recreation/Visitor Facilities:

The project site is governed by C-RA:B4 (Coastal, Residential Agricultural) zoning regulations that allows for a residential uses. The project would have no affect on recreation or visitor facilities.

Q. Historic Resource Preservation:

The existing residence on the subject property is not historically significant.

- VII. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings for Design Review approval (Section 22.82.040I) of the Marin County Code) as described below.

The project, as modified by conditions of approval, is consistent with the required findings cited above because the garage and retaining walls would result in structures with heights, and bulk proportionately appropriate to the site and would provide adequate setbacks from property lines and other buildings on the subject and surrounding properties. Construction of a detached garage accessory to a single-family residence would conform to permitted uses in the zoning district that governs the subject property and would be situated solely on the subject property. The proposed garage and driveway improvements would minimize drainage alterations, grading and excavation, and other adverse physical effects on the natural environment. Finally, the design of the proposed improvements, as modified by conditions of approval, would be compatible with other residential buildings in the vicinity, would respect the surrounding natural environment, and would not adversely affect views from other properties in the vicinity.

The proposed development would be of a comparable height, size, and scale with other structures in the surrounding community. Additionally, the garage and retaining walls would not impact the existing light or privacy of surrounding residences because the garage would not exceed a height of 13 feet above grade and the retaining walls face into the center of the subject property. Finally, the project would minimize potential adverse visual impacts because it would be constructed of building materials that compliment the surrounding natural and built environment.

SECTION 2: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, LET IT BE RESOLVED, that the Deputy Zoning Administrator approves the Levin Coastal Permit and Design Review application subject to the following conditions:

1. Pursuant to Marin County Coastal Zoning Code Sections 22.56.130I, 22.82.040I, this Coastal Permit and Design Review approval permits the construction of a 558 square foot detached garage, an 80 lineal foot pervious concrete driveway and turnaround area, concrete retaining walls from 2 feet tall up to 7.4 feet tall to support the turnaround area, landscape terraces, and concrete steps. The proposal includes removal of two storage sheds and the asphalt driveway, widening the driveway to a 12-foot width with 20 cubic yards of excavation on the upslope side, and 225 cubic yards of fill on the downslope side for the turnaround area. The garage would be accessory to an existing 4,518 square foot single-family residence on a 1.54-acre lot. Including the 200 square foot cabana, the proposal would result in a residential development with 4,736 square feet of floor area with a 7% Floor Area Ratio (FAR). The garage would have a maximum height of 11 feet from finished exterior grade. The garage would have the following minimum setbacks from corresponding property lines: 25.5 feet front (north), 9.4 feet side (east), 220 feet side (west), and 208 feet rear (south). The exterior color and materials of the garage and retaining walls would match the exterior of the existing residence with integral greenish-tan color stucco and concrete respectively. The garage roof would match the standing seam copper roof

on the residence. The subject property is located at 25 Ahab Drive, Muir Beach, and is further identified as Assessor's Parcel 199-283-11.

2. Except as modified herein, plans submitted for a Building Permit for the approved project shall substantially conform to plans on file in the Marin County Community Development Agency, Planning Division, identified as Exhibit A, "Project Design For: William and Laurel Levin" consisting of three sheets prepared by Jerry Allen Kler Associates Architects and one sheet prepared by ILS Associates, Inc.
3. 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 Coastal Permit and Design Review Conditions of Approval as notes.
4. BEFORE FINAL INSPECTION, the applicant shall submit a Statement of Completion, signed by a certified or licensed landscape design professional, verifying that all approved and required landscaping has been installed in accordance with the approved landscape plan and Chapter 23.10 of the Marin County Code.
5. All flashing, metal work and trim shall be an appropriately subdued, non-reflective color and all exterior lighting shall be downward directed and hooded.
6. During construction, the applicant shall take all appropriate measures, including watering of disturbed areas and covering the beds of trucks hauling fill to or spoils from the site, to prevent dust from grading and fill activity from depositing on surrounding properties.
7. The applicant shall be responsible for ensuring that the number of construction vehicles shall be limited to the minimum number necessary to complete the project.
8. No trees, except those approved for removal with this project, shall be removed except to comply with local and State fire safety regulations, to prevent the spread of disease as required by the State Food and Agriculture Department, and to prevent safety hazards to people and property.
9. Any new utilities proposed to serve the approved project shall be underground.
10. 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.
11. 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.
12. 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 the approval of the 558 square foot garage, retaining walls, driveway and turnaround area, and landscaping, for which action is brought within the applicable statute of limitations.
13. 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.

Department of Public Works, Land Use and Water Resources

14. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall fulfill the following requirements:
- a. The plans shall be reviewed and approved by a Registered Civil Engineer with soils engineering expertise or a Registered Geotechnical Engineer. Certification shall be either by the engineer's stamp and signature on the plans, or by stamp and signed letter.
 - b. A separate Building Permit is required for each site/driveway retaining wall with a height of 4 feet or more or 3 feet when backfill area is sloped or has a surcharge (measured from the bottom of the footing to the top of the wall). Include engineer calculations showing a minimum of a 1.5 factor-of-safety for sliding and overturning. Also include cross section references on the site plan to the structural plans for the retaining walls.
 - c. A registered Engineer shall design the site/driveway retaining walls. Plans and calculations must have the Engineer's/Architect's wet stamp and signature.
 - d. Submit Erosion and Siltation Control plans.

- e. The driveway approach (from the Ahab Drive edge-of-pavement to the property line) shall be paved in asphalt only.
- f. An Encroachment Permit shall be required for work within the road right-of-way.
- g. The driveway shall have a roughed surface [MCC Section 24.04.300].
- h. Only one of the two resident cars is able to achieve a head-out in no more than turning movement from the garage. Also, if guest parking is intended within the driveway, neither of the two guest parking spaces is capable of achieving a head-out in no more than one turning movement [MCC Section 24.04.277]. However, due to the following, DPW can approve the driveway plan as presented:
 - i. The site is constrained with steep slopes and extensive grading with retaining walls would be required to completely comply with the turnaround standard resulting in excessive impact.
 - ii. DPW staff does not consider backing out of the proposed driveway inordinately difficult or dangerous.
 - iii. There appears to be adequate parking for guests on the Ahab Drive shoulder along the contiguous frontage of the property in lieu of parking within the driveway. Note that parking within the right-of-way cannot be dedicated to any one property.
- i. Provide a note on the plans that the Design Engineer/Architect shall certify to the County in writing that all grading, drainage, and retaining wall construction was done in accordance with plans and field directions. Also note that driveway, parking, and other site improvements shall be inspected by a Department of Public Works engineer

Marin County Environmental Health Services

- 15. Maintain a 5-foot setback between the driveway and the sand filter. Maintain a 5-foot setback between the garage and the sand filter.

Marin County Fire Department

- 16. Fire hydrants shall be tested and installed prior to framing or lumber delivery to the site.
- 17. Roadways and driveways shall be installed with first lift asphalt or concrete prior to framing or lumber delivery to the site.
- 18. Using Hazard Assessment Matrix properly determine hazard points; select and apply proper defense zone.
- 19. Confirm proper defensible space zone determined using matrix.
- 20. Verify plants installed are per approved plan. Verify proper spacing.
- 21. Verify removal of hazardous flammable plants and trees.
- 22. Verify irrigation in place and functioning.

SECTION 3: VESTING AND APPEAL RIGHTS

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest the Levin Coastal Permit and Design Review approval by obtaining a Building Permit and substantially completing all of the approved work before July 15, 2012, or all rights granted in this approval shall lapse unless the applicant applies for an extension at least 30 days before the expiration date and the Community Development Director approves it.

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 Community Development Agency, Planning Division, Room 308, Marin County Civic Center, San Rafael, no later than 4:00 p.m. on July 22, 2010.

SECTION 4: DECISION

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 15th day of July, 2010.

JOHANNA PATRI
DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
Deputy Zoning Administrator Secretary