



MARIN COUNTY

COMMUNITY DEVELOPMENT AGENCY

**STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR  
SUTTON COASTAL PERMIT AND DESIGN REVIEW EXTENSION**

Item No:	1	Project ID No:	11-0286
Applicant:	David Sutton and Gary Serrano	Application No:	EX 12-3
Property Address:	6976 Panoramic Highway, Stinson Beach	Owner:	David & Claudia Sutton and Gary & Shari Serrano
Hearing Date:	October 27, 2011	Assessor's Parcel:	195-233-09
		Planner:	Lorene Jackson

<b>RECOMMENDATION:</b>	<b>Approve with Conditions</b>
<b>APPEAL PERIOD:</b>	<b>November 3, 2011</b>
<b>LAST DATE FOR ACTION:</b>	<b>November 5, 2011</b>

**GENERAL INFORMATION:**

Countywide Plan:	C-SF3 (Coastal, Single-family, 1 unit/1-5 acres)
Zoning:	C-RA:B6 (Coastal Residential, Agricultural District, 3 acre minimum lot area)
Community Plan Area:	Stinson Beach Community Plan
Lot size:	3 acres
Adjacent Land Uses:	Single-family residential
Vegetation:	Non-native grassland, California bay and Coyote Brush
Topography and Slope:	Moderate to steeply sloping
Environmental Hazards:	None identified

The applicant is proposing to extend the time for vesting Sutton Coastal Permit 09-17 and Design Review 09-31, which were approved by the Deputy Zoning Administrator by Resolution 09-140 on October 15, 2009, with an expiration date of October 15, 2011.

Pursuant to Resolution 09-118 and Sections 22.56.120I and 22.82.130I of the Interim Development Code, the applicant needed to submit an application at least 10 days before the May 14, 2011 expiration date. Pursuant to Chapter 22.56.120I of the Interim Development Code, such a request needs to be reconsidered by the Deputy Zoning Administrator. The Deputy Zoning Administrator has the authority to extend the expiration date an additional four years from the original date of expiration.

On September 6, 2011, the applicants requested a four-year extension of time to vest the project. For stated financial reasons, the owners/applicants have been unable to apply for and proceed to vest the subject permits.

Extensions for coastal permits may be granted upon findings that the project continues to be in conformance with the requirements and objectives of the certified Local Coastal Program. The applicant is not requesting any modification to the project.

As such, because 1) the project has not changed, 2) the project is consistent with the Local Coastal Program, the Stinson Beach Community Plan, and the Coastal Permit and Design Review findings of the Interim Development Code, 3) the owner is facing financial constraints, and 4) the owner has applied in a timely manner for an extension of the expiration date for the approved projects, staff is recommending approval of the Sutton Coastal Permit and Design Review extension for four years.

**RECOMMENDATION:**

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached resolution approving the Sutton Extension of Coastal Permit 09-17 and Design Review 09-31.

- Attachments:**
1. Recommended Resolution approving the Sutton Coastal Permit and Design Review Extension
  2. CEQA Exemption
  3. Vicinity Map
  4. Assessor's Parcel Map
  5. Davis Sutton and Gary Serrano Request for Extension, September 6, 2011

*The following attachments are provided to the Deputy Zoning Administrator only, but are available for public review at the Community Development Agency, Room 308 from 8 a.m. to 4 p.m. Monday - Thursday and 8 a.m. to noon Friday.*

6. DZA Resolution 09-140 approving the Sutton Coastal Permit 09-17 and Design Review 09-31
7. Sutton Coastal Permit 09-17 and Design Review 09-31 Staff Report, October 15, 2009 with supplemental memorandum dated October 14, 2009.

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. 11-  
A RESOLUTION APPROVING THE  
SUTTON COASTAL PERMIT AND DESIGN REVIEW EXTENSION (EX 12-3)  
6976 PANORAMIC HIGHWAY, STINSON BEACH  
ASSESSOR'S PARCEL 195-233-09

\*\*\*\*\*

**SECTION I: FINDINGS**

- I. WHEREAS, the applicants and owners, David Sutton and Gary Serrano, have applied for a four-year time extension to vest the approved Coastal Permit and Design Review to construct a new 3,398-square foot single-family residence and 824-square foot attached garage. The new residence would attain a maximum height of 19 feet, be located west of an existing 540-square foot "barrel house", and have the following setbacks: 30 feet from the westerly front property line, 20 feet from the northerly side property line, and over 50 feet from the easterly rear and southerly side property lines. The project includes a new swimming pool, septic system, and 116-foot long driveway. Construction of the project would commence before or after the bird breeding season (February 1<sup>st</sup> through August 31<sup>st</sup>). The subject property is located at **6976 Panoramic Highway, Stinson Beach** and is further identified as **Assessor's Parcel 195-233-09**.
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly-noticed public hearing October 27, 2011, 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 extension of time to vest the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15303, Class 3 of the CEQA Guidelines because it entails construction of a new single-family residence that will not impact sensitive habitats, nor involve adverse grading or tree removal.
- IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project has not changed and remains consistent with the Marin Countywide Plan, Local Coastal Program, the Stinson Beach Community Plan, and the mandatory findings for a Coastal Permit (Section 22.56.130I of the Marin County Code) and Design Review (Section 22.82.120I of the Marin County Code), as originally approved and conditioned by the Deputy Zoning Administrator, with Resolution 09-140 on October 11, 2009.

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

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest this Coastal Permit and Design Review approval by complying with all conditions of approval as originally approved and conditioned by the Deputy Zoning Administrator, with Resolution 09-140 on October 15, 2009, obtaining Building Permits for the approved work, and substantially completing approved work before **October 15, 2015**, or all rights granted in this approval shall lapse. No more extension may be granted for cause pursuant to Section 22.56.120I of 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, the Building Permit and planning approvals may become null and void.

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 **November 3, 2011.**

**SECTION III: ACTION**

PASSED AND ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 27<sup>th</sup> day of October 2011.

---

BEN BERTO  
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

---

Joyce Evans  
DZA Secretary