

**2. COASTAL PERMIT AND DESIGN REVIEW (Project I.D. 2009-0393):
JOE DROSIHN**

LAJ

A proposal to construct a new 1,781-square foot single-family residence, 1,898-square foot attached garage, and 476-square foot detached guest house on a 14,979-square foot lot. The two-story residence and garage would attain a maximum height of 27.5-foot above finished grade and have the following setbacks: 3 feet from the northerly front property line, 3 feet from the easterly side property line, 30 feet from the westerly side property line, and approximately 58 feet from the southerly rear property line. That portion of the structure located within the 25-foot front and 10-foot side yard setbacks required for a single-family residence would be a two-story garage. The lower level garage would be accessed from an existing driveway and the second level would be accessed from an existing driveway on the adjacent vacant property (Assessor's Parcel Number 195-222-29.) The guest house would attain a maximum height of approximately 14.8 feet and would be located 10 feet from the easterly side property line and approximately 31 feet from the rear property line. The project would result in a 24.1% floor area ratio. Zoning for the proposed site is C-R1:B2 (Coastal Single-family Residential, 10,000 square foot minimum lot area) The subject property is located at **3265 State Route 1, Stinson Beach** and is further identified as **Assessor's Parcel No. 195-222-28**.

The Deputy Zoning Administrator (DZA) asked if staff had any additional comments or had received additional correspondence since the staff report was distributed and the staff responded, noting the following:

- A supplemental memorandum dated February 16, 2012, regarding proposed revisions to the Department of Public Works (DPW) Condition of Approval; and
- The project description in the staff report clarified that design review was for the retaining walls only, which was not included in the Public Notice. .

The public testimony portion of the hearing was opened.

Joe Drosihn, applicant, spoke regarding his conversation with CalTrans regarding the existing encroachments into their right-of-way. After discussing the height limits, he requested that Condition of Approval 2 (a) be eliminated.

The public testimony portion of the hearing was closed.

The Deputy Zoning Administrator (DZA) made several comments pertaining to the project, including the following:

- Overall it was a very good design well suited to the site.
- There is no need for adding new conditions 39 and 40 since CalTrans will enforce their own requirements;
- Should CalTrans in the future require removal of any private improvements in the right-of-way, the property owner would have to do so at their own expense;
- The Hearing Office commented on the findings concerning the project's height, and determined that the project plans are consistent with the maximum height limit in the coastal code.

- The proposed eaves do not meet the current neighborhood norms for sideyard building setback, and he supports staff's condition for relocation of the building for greater sideyard setback. This could also be accommodated with a lot line adjustment, or a no-building easement if determined to be acceptable by Building. Increasing the front yard setback is not necessary due to the downhill topography.

The Deputy Zoning Administrator (DZA) approved the project with the following modifications to the project:

- Delete Condition of Approval 2 (a) ;
- Condition of Approval 2 (b) – Modify to read: “The roof plans shall be revised so that the roof overhangs are a least 3 feet from the easterly side property line. Alternately, to achieve the same minimum setback the property line may be adjusted, or a no-building easement recorded if determined to be acceptable to the Building Department”;
- Condition of Approval 20 – Modify to read: “Only those trees and native vegetation identified for removal in Exhibit A shall be removed...”;
- [Eliminate suggested DPW's Caltrans conditions 39 and 40 on the supplemental memo];
and
- New Condition of Approval #40: Should Cal-trans require the removal of existing structures located within the Cal-trans right-of-way, these structures shall be removed at the owner's expense.

The Deputy Zoning Administrator (DZA) concurred with staff's findings and conditions of approval in the Resolution, as amended, and approved the Drosihn Coastal Permit and Design Review.

The Deputy Zoning Administrator (DZA) informed all parties of interest that this action may be appealed to the Marin County Planning Commission within five (5) working days, Friday February 24, 2012 at noon, to accommodate the holiday.