

1. COASTAL PERMIT AND DESIGN REVIEW (Project ID: 2011-0271): ROBERT WELTMAN

The subject property is located at **12990 Sir Francis Drake Boulevard, Inverness,** and is further identified as **Assessor's Parcel 112-042-07.**

The project is a proposal to construct a 25-foot tall, 2,641 square foot single family residence and attached 2-story, 20-foot tall, 849 square foot garage/workshop with upstairs recreation room. The 3.3 acre property is currently developed with an existing, 32-foot tall, 2,817 square foot single-family residence and attached 2-story, 24-foot tall, 1,363 square foot garage/workshop and upstairs bedroom.

The project applicant is proposing to locate the remodeled/rebuilt home entirely within the footprint of existing development on the property. The upper floor of the existing residence and garage will be removed, and approximately 70 percent of the first floor of the residence will be removed. As described above, the overall height of the residence is proposed to be reduced from 32 feet to 25 feet, and the height of the attached garage is proposed to be reduced from 24 feet to 20 feet. The overall building area of the residence and attached garage is proposed to be reduced from 4,180 square feet to 3,490 square feet (for a reduction of 690 square feet).

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 receipt of letter dated April 23, 2012 from the Inverness Association discussing the following items:

- The Third Valley Creek watershed restoration project;
- Clarification of the floor area calculations by Environmental Health Services staff;
- Height of the structures along Tomales Bay;
- Water is supplied by the Inverness Public Utility District;
- Construction hours and use of heavy equipment on weekends;
- Recommendation that filling of wetlands is prohibited;
- Recommendation that the County file a deed restriction stating the existing residence cannot exceed 3 bedrooms;
- Conditions of Approval 18 and 20 should be deleted if the "living fence" is not approved;
- A sprinkler system is required per Inverness Fire Department requirements;
- Recommendation to test the existing septic system before issuance of a Building Permit; and
- Recommendation to record the Notice of Decision with the Marin County Recorder's Office to notify future property owners of applicable site constraints and restrictions.

The Hearing Officer questioned the location of the propane tank in the wetland vegetation on the north side of the house, in close proximity to creek and wetlands area. Staff confirmed that one plan sheet showed that the propane tank could be located along the west side of the garage in an area previously disturbed by residential development without adding new impermeable surfaces to the site.

The public testimony portion of the hearing was opened.

The applicant, Kimberly Jessup, spoke regarding the following elements of the project:

- Meeting the with neighbors to review the plans and, although not a part of the proposed project, the applicant's willingness to assist in the future efforts to restore the wetlands;
- Making the house work with the site by reducing the existing structure's height and footprint;

- The property owner would like to add approximately 150 square feet of floor area given the Environmental Health Service Division's method of floor area calculation for septic systems;
- Sheets A1 and A2 call out different proposed locations for the propane tank, and the preferred location for the propane tank is to the west of the garage; and,
- The development is limited to three bedrooms and no guest house is allowed.

Members of the public speaking in favor of the project included: Bridger Mitchell

Favorable elements of the project were noted by members of the public, including the following:

- The water quality at Chicken Ranch Beach is of paramount importance to the community;
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- The County should clarify how floor area is calculated between the different divisions of the Community Development Agency; and
- Conditions of approval should explicitly prohibit any further grading, fill, and vegetation removal or installation in wetland areas on the subject property.

The public testimony portion of the hearing was closed.

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

- The applicants are good stewards of the land and the public maintains access to Chicken Ranch Beach;
- Condition of Approval #9: "Any significant alterations of land forms, including removal or placement of vegetation, or placement of fill, are prohibited unless the applicant obtains Coastal Permit approval pursuant to Section 22.56.055.B of the Interim Marin County Development Code.
- Condition of Approval # 13: "BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall provide a deed restriction stipulating that the room next to the family room labeled "studio" is not to be used as a bedroom. Contact Environmental Health Services staff for the recordation document."
- Condition of Approval #18 – Delete; and
- Condition of Approval # 20; "Due to the close proximity of the fence to a natural watercourse, non-native/invasive vegetation is prohibited.

The Hearing Officer noted that the Third Valley Creek restoration project is independent of this application. He directed staff to meet with Environmental Health Services staff to determine complying the floor area measurements for this project.

The Deputy Zoning Administrator (DZA) concurred with staff's findings and conditions of approval in the amended Resolution, and approved the Weltman 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.