

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. 12-115

A RESOLUTION APPROVING THE RAUH COASTAL PERMIT AND DESIGN REVIEW  
EXTENSION

82 SEACAPE DRIVE, MUIR BEACH  
ASSESSOR'S PARCEL 199-261-03

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**SECTION I: FINDINGS**

- I. WHEREAS, Jonathan Rauh and Mary Hobson, are seeking extension of the expiration date for Coastal Permit 10-27 and Design Review 10-60, which permitted the construction of a new, two-level, 3,627 square foot, structure with a primary unit and second unit, with a 676 square foot deck, and a 591 square foot, detached garage. The structure consists of a two level primary residence with a floor area of approximately 2,883 square feet, as well as a 745 square foot second unit on the lower level. The height of the two story residential structure will be a maximum of 25 feet in height above natural grade. The height of the garage will be a maximum 15 feet above natural grade. The two unit residence and detached garage will result in a maximum 18.8% floor area ratio (FAR). The two unit residence will maintain the following minimum setbacks: 1) 32 feet from the southerly front property line; 2) 50 feet from the northerly rear property line; 3) 20 feet from the westerly side property line; and 4) 25 feet from the easterly side property line. The detached garage will maintain the following setbacks: 1) 3 feet from the southerly front property line; 2) 103 feet from the northerly rear property line; 3) 3 feet from the westerly side property line; and 4) 88 feet from the easterly side property line. A second unit permit is a ministerial permit which will only be granted with a separate decision after the Coastal Permit and Design Review extensions have been granted. **The subject property is located at 82 Seacape Drive, in Muir Beach, and is further identified as Assessor's Parcel 199-261-03.**
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly-noticed public hearing October 25, 2012, 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 will not result in any significant environmental impacts per the prior Categorical Exemption adopted by the Deputy Zoning Administrator.
- 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, and the mandatory findings for a Coastal Permit (Section 22.56.1301 of the Marin County Code) and Design Review (Section 22.82.1201 of the Marin County Code), as approved and conditioned by the Deputy Zoning Administrator, with Resolution 10-0143 on October 28, 2010.

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

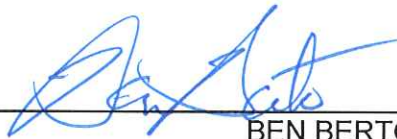
NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest this Coastal Permit (CP10-27) and Design Review (DR10-60) approval by complying with all conditions of approval, obtaining Building Permits for the approved work, and substantially completing approved work before October 28, 2016, or all rights granted in this approval shall lapse.

The Building Permit approval expires if the building or work authorized in this approval does not commence within one year from issuance of such permits. 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 the permit. Please be advised that if your Building Permit lapses after the vesting date stipulated in the approval, and no extensions have been granted, the Building Permit may become null and void. No additional Use Permit and Design Review extensions are available to you beyond this date.

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 1, 2012.**

**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 25<sup>th</sup> day of October 2012.



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BEN BERTO  
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:



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Joyce Evans  
DZA Secretary