## MARIN COUNTY PLANNING DIVISION
### ADMINISTRATIVE DECISION

#### Barton Design Review

**Decision:** Approved  
**Date:** September 23, 2022

### Project Information
- **Project ID No:** P3512  
- **Applicant(s):** Adam Barton  
- **Owner(s):** Adam Barton  
- **Assessor’s Parcel No(s):** 045-111-10  
- **Property Address:** Vacant parcel located between 40 and 60 Mountain View Ln., Mill Valley  
- **Project Planner:** Erin Yattaw  
  - Phone: 415-473-3535  
  - Email: eyattaw@marincounty.org

### Designation
- **Countywide Plan Designation:** SF5 (Low Density Residential)  
- **Community Plan Area:** Tamalpais Area Community Plan  
- **Zoning District:** R1-B2 (Residential Single-Family, minimum lot size 10,000 square feet)  
- **Environmental Determination:** CEQA Guidelines section 15303, Class 3

### PROJECT SUMMARY

The applicant requests Design Review approval to construct a new 2,130 square foot single-family dwelling on a vacant lot in Mill Valley. 1,637 square feet of the proposed development would be considered floor area and would result in a floor area ratio of 25 percent on the 6,460 square foot lot. The proposed building would reach a maximum height of 26 feet, 8 inches above surrounding grade and the exterior walls would have the following setbacks: 5 feet from the northwestern front property line; 7 feet, 4 inches from the northeastern side property line; 8 feet, 7 inches from the southwestern side property line; 51 feet from the southeastern rear property line.

Design Review approval is required pursuant to Marin County Code Section 22.42.020.D because the project entails constructing a single-family dwelling on a vacant lot that is at least 50 percent smaller in total area than required for new lots under the slope regulations in compliance with Section 22.82.050.
COUNTYWIDE PLAN CONSISTENCY

The proposed project is consistent with the Marin Countywide Plan (CWP) for the following reasons:

A. The project is consistent with the CWP woodland preservation policy (BIO-1.3) because the project would not entail the irreplaceable removal of a substantial number of mature, native trees.

B. The project is consistent with the CWP special-status species protection policy (BIO-2.2) because the subject property does not provide habitat for special-status species of plants or animals.

C. The project is consistent with the CWP natural transition and connection policies (BIO 2.3 and BIO 2.4) because the project would not substantially alter the margins along riparian corridors, wetlands, baylands, or woodlands.

D. The project is consistent with the CWP stream and wetland conservation policies (BIO-3.1 and CWP BIO-4.1) because the proposed development would not encroach into any Stream Conservation Areas or Wetland Conservation Areas.

E. The project is consistent with CWP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff (WR-1.3, WR-2.2, WR-2.3) because the grading and drainage improvements would comply with the Marin County standards and best management practices required by the Department of Public Works.

F. The project is consistent with CWP seismic hazard policies (CWP Policies EH-2.1, EH-2.3, and CD-2.8) because it would be constructed in conformance with County earthquake standards, as verified during review of the Building Permit application and the subject property is not constrained by unusual geotechnical problems, such as existing fault traces.

G. The project is consistent with CWP fire hazard management policies (EH-4.1, EH-4.2, EH-4.5) because it would meet all fire safety requirements, as verified by the local fire protection district during review of the Building Permit application.

H. The project is consistent with CWP aesthetic policies and programs (DES-4.1 and DES-4.e) because it would protect scenic quality and views of ridgelines and the natural environment from adverse impacts related to development.

I. The project is consistent with CWP residential design policies and programs (DES-3.b and DES-4c) because it would fit within the context of the neighborhood, minimize the perception of mass and bulk, and comply with the Single-family Residential Design Guidelines.

COMMUNITY PLAN CONSISTENCY

Tamalpais Area Community Plan

The Marin County Planning Division finds that the proposed project is consistent with the Tamalpais Area Community Plan for the following reasons:
A. The project is consistent with the policies related to preserving community character, including Policies LU 1.1, LU 1.3, LU 1.4, and LU 1.5, because it would preserve and enhance the existing natural and built characteristics of the surrounding environment, while being compatible in scale (bulk, mass and height) and appearance (colors, materials, and design) of the surrounding neighborhood. The project would not exceed the floor area limits or maximum height guidelines established in Programs LU1.4a, 1.4b, 1.4c, and 1.4d. Further, the project is carefully sited to protect the sunlight, views and privacy enjoyed by adjacent homes, and to preserve open space.

B. The project is consistent with the policies related to protecting habitats, wetlands, streams, and native vegetation, including Policies LU2.1, LU2.2, LU10.2, LU10.3, LU11.1, LU11.2, LU12.1, and 17.1, because it would respect the environmental constraints of the site. There are no known habitats for special-status species in the area, and the development would not be located in buffer areas surrounding wetlands, streams or other drainage areas. Removal of native vegetation would be minimized, and native trees would be protected or replaced.

C. The project is consistent with the access and parking policies, including Policy T2.4, T4.1, T8.2, T.11, because it would not take access from a new roadway or driveway connected directly to Shoreline Highway, would not reduce the existing levels of service on surrounding intersections, and would provide the required parking and adequate access as determined by the Department of Public Works.

DEVELOPMENT CODE CONSISTENCY

Mandatory Findings for Design Review (Marin County Code Section 22.42.060)

A. The proposed development complies with either the Single-family or Multi-family Residential Design Guidelines, as applicable, the characteristics listed in Chapter 22.16 (Discretionary Development Standards) and 22.32.168 (Tidelands), as well as any applicable standards of the special purpose combining districts provided in Chapter 22.14 of this Development Code.

There are no standards provided in Chapter 22.14 that apply to the project and the development would not occur within a tidelands area. The proposed project is consistent with the Design Guidelines and Discretionary Development Standards because it is designed to avoid adversely affecting natural resources or the character of the local community. The project’s consistency with the standards and guidelines most pertinent to the subject property is discussed below.

SITE PREPARATION: Development Standards J.1 through J.6; Design Guidelines A-1.2 through A-1.4

The proposed new single-family dwelling does not entail removal of any protected or heritage trees.

BUILDING LOCATION: Development Standards D.1 through D.4; Design Guidelines D-1.6

The project proposes to locate the residence on a portion of the lot where it would be most accessible from the road right-of-way and create the least amount of site disturbance. The development is not proposed on a property within the Ridge and Upland Greenbelt area.
(RUG). The residence would not obstruct views from public rights-of-way, waterways, or other public open spaces.

PROJECT DESIGN: Development Standard I.1 and I.2; Design Guideline D-1.7

The proposed residence would not exceed the maximum allowable height of 30 feet. The proposed floor area is within the allowable FAR per the Tamalpais Area Community Plan standards. The proposed materials and colors of the structure would harmonize with the surrounding natural environment and the residences in the surrounding neighborhood. The building materials would consist of bronze anodized aluminum windows, weathering steel rust colored panels, dark painted steel railings, slate grey membrane roof, and natural wooden IPE decking, and exposed aggregate concrete that would be rendered in a grey color.

MASS AND BULK: Design Guidelines D-1.1 through D-1.5

The front elevation of the residence would range in height from 9 feet, 8 inches to 12 feet, 8 inches. The proposed carport located at the front of the residence contributes to the articulation of the building and reduction of visual bulk. Similarly, on the downhill elevation in the rear, the addition of the proposed balconies, the wall articulation, and the use of weathering steel panels on the upper floors of the residence and grey concrete on the lower portion of the residence would all contribute to effectively breaking up the overall sense of visual bulk. The use of mixed building materials will also apply on the sides of the structure as well. While a flat, linear roofline is proposed, it would not exceed 50 feet in horizontal length. Additionally, the proposed building would be cut into the hillside to further reduce the visual bulk of the residence.

EXTERIOR LIGHTING: Development Standard G; Design Guideline C-1.11

The exterior lighting depicted on the plans would be shielded and downward facing. However, a standard condition of approval will be imposed into this determination to ensure that all the exterior lighting incorporated into the Building Permit are unobtrusive and downward facing.

LANDSCAPING AND VEGETATION REMOVAL: Development Standard F; Design Guideline A-1.1

No significant vegetation removal and no tree removal is proposed. New plantings will consist of drought tolerant, native plants.

ACCESS: Development standard C; Design Guidelines A-1.5

The residence is proposed to be accessed via a new driveway apron and carport extending to Mountain View Lane.

NEIGHBORHOOD COMPATIBILITY: Design Guidelines B-1.1, C-1.1 through C-1.3, C-1.7

The proposed project is consistent with the key design principles of the Single-Family Residential Design Guidelines in that the project maintains adequate space, light, and a sense of openness from surrounding residences in the neighborhood. As mentioned above, the proposed floor area is within the allowable floor area ratio per the Tamalpais Area Community Plan and it is comparable in size to the surrounding residences in the neighborhood. The structures in the immediate vicinity are earth toned and primarily consist of wooden shingles.
and/or wooden siding. The proposed residence would harmonize with the surrounding structures in the neighborhood as the materials would also be earth toned. The proposed exterior materials of concrete, weathering steel, and membrane roof as opposed to wooden materials would contribute to increased fire safety.

B. The proposed development provides architectural design, massing, materials, and scale that are compatible with the site surroundings and the community.

The project would be proportional to the mass and bulk of the properties within the surrounding neighborhood. The residences in the immediate vicinity mostly consist of earth toned materials.

C. The proposed development results in site layout and design that will not eliminate significant sun and light exposure or result in light pollution and glare; will not eliminate primary views and vistas; and will not eliminate privacy enjoyed on adjacent properties.

The proposed development will not obstruct light or intrude upon the privacy of the adjacent neighbors. The glass doors, windows, decks, and balconies have been thoughtfully incorporated into the design. No windows, doors, decks, or balconies are proposed to be located on the side of the property facing the closest residence in the vicinity that is located on the adjacent property to the southwest. Additionally, no windows are proposed on side facing the adjacent property to the northeast. The proposed windows and doors on the front northwest elevation of the property are minimal as are those on the rear southeast elevation of the residence.

D. The proposed development will not adversely affect and will enhance where appropriate those rights-of-way, streetscapes, and pathways for circulation passing through, fronting on, or leading to the property.

The project site is located on private property. Therefore, the project would not encroach onto adjoining private properties, public lands, public easements, trails, and rights-of-way.

E. The proposed development will provide appropriate separation between buildings, retain healthy native vegetation and other natural features, and be adequately landscaped consistent with fire safety requirements.

The project would maintain adequate separation between buildings for the purposes of fire protection. As mentioned above, the proposed exterior materials of concrete, weathering steel, and a membrane roof as opposed to wooden materials would contribute to increased fire safety.

ACTION

The project described in condition of approval 1 below is authorized by the Marin County Planning Division and is subject to the conditions of project approval.

This planning permit is an entitlement to apply for construction permits, not a guarantee that they can be obtained, and it does not establish any vested rights. This decision certifies the proposed project’s conformance with the requirements of the Marin County Development Code and in no way affects the requirements of any other County, State, Federal, or local agency that regulates
development. In addition to a Building Permit, additional permits and/or approvals may be required from the Department of Public Works, the appropriate Fire Protection Agency, the Environmental Health Services Division, water and sewer providers, Federal and State agencies.

CONDITIONS OF PROJECT APPROVAL

CDA-Planning Division

1. This Design Review approval authorizes the construction of a new 2,130 square foot single-family dwelling on a vacant lot in Mill Valley. 1,637 square feet of the proposed development would be considered floor area and shall result in a floor area ratio of 25 percent on the 6,480 square foot lot. The approved building shall reach a maximum height of 26 feet, 8 inches above surrounding grade and the exterior walls shall have the following setbacks: 5 feet from the northwestern front property line; 7 feet, 4 inches from the northeastern side property line; 8 feet, 7 inches from the southwestern side property line; 51 feet from the southeastern rear property line.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled “Barton Residence,” consisting of 4 sheets prepared by Adam Barton, received in final form on June 27, 2022, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.

3. Unless a public emergency services provider recommends otherwise or unique circumstances necessitate a change, the street address for the new single-family dwelling shall be 50 Mountain View Lane, Mill Valley.

   The addresses for the primary residence and accessory dwelling unit shall be posted in conformance with the latest adopted version of the California Fire Code.

4. The project shall conform to the Planning Division’s “Uniformly Applied Conditions 2022” with respect to all of the standard conditions of approval and the following special conditions: 3 and 12.

VESTING

Unless conditions of approval establish a different time limit or an extension to vest has been granted, any permit or entitlement not vested within three years of the date of the approval shall expire and become void. The permit shall not be deemed vested until the permit holder has actually obtained any required Building Permit or other construction permit and has substantially completed improvements in accordance with the approved permits, or has actually commenced the allowed use on the subject property, in compliance with the conditions of approval.

RIGHT TO APPEAL

This decision is final unless appealed to the Planning Commission. A Petition for Appeal and the required fee must be submitted in the Community Development Agency, Planning Division, Room 308, Civic Center, San Rafael, no later than eight business days from the date of this decision.

cc: {Via email to County departments and Design Review boards}
   CDA – Assistant Director
   CDA – Planning Manager
   DPW – Land Development
CDA – Environmental Health Services
Marin Water District
County Fire (CSA 31)
Tam Valley Design Review Board

Attachments:

1. Marin County Uniformly Applied Conditions 2022
2. Letters from the public
MARIN COUNTY UNIFORMLY APPLIED CONDITIONS
FOR PROJECTS SUBJECT TO DISCRETIONARY PLANNING PERMITS

2022

STANDARD CONDITIONS

1. The applicant/owner shall pay any deferred Planning Division fees as well as any fees required for mitigation monitoring or condition compliance review before vesting or final inspection of the approved project, as determined by the Director.

2. The applicant/owner shall 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 an approval of this application, for which action is brought within the applicable statute of limitations. The County of Marin shall promptly notify the applicant/owner of any claim, action, or proceeding that is served upon the County of Marin, and shall cooperate fully in the defense.

3. Exterior lighting for the approved development shall be located and shielded to avoid casting glare into the night sky or onto nearby properties, unless such lighting is necessary for safety purposes.

4. Building Permit applications shall substantially conform to the project that was approved by the planning permit. All Building Permit submittals shall be accompanied by an itemized list of any changes from the project approved by the planning permit. The list shall detail the changes and indicate where the changes are shown in the plan set. Construction involving modifications that do not substantially conform to the approved project, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications is obtained by the applicant.

SPECIAL CONDITIONS

1. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit a signed Statement of Conformance prepared by a certified or licensed landscape design professional indicating that the landscape plan complies with the State of California’s Model Water Efficient Landscape Ordinance and that a copy of the Landscape Documentation Package has been filed with the Community Development Agency.

2. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall mark or call out the approved building setbacks on the Building Permit plans indicating the minimum distance of the building from the nearest property line or access easement at the closest point and any of the following features applicable to the project site: required tree protection zones, Wetland Conservation Areas, or Stream Conservation Areas.
3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the plans to depict the location and type of all exterior lighting for review and approval of the Community Development Agency staff. Exterior lighting visible from off-site shall consist of low-wattage fixtures, and shall be directed downward and shielded to prevent adverse lighting impacts to the night sky or on nearby properties. Exceptions to this standard may be allowed by the Community Development Agency staff if the exterior lighting would not create nighttime illumination levels that are incompatible with the surrounding community character and would not shine on nearby properties.

4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall record a Waiver of Public Liability holding the County of Marin, other governmental agencies, and the public harmless related to losses experienced due to geologic and hydrologic conditions and other natural hazards.

5. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit written confirmation that the property owner has recorded the “Disclosure Statement Concerning Agricultural Activities,” as required by Section 23.03.050 of the Marin County Code.

6. BEFORE ISSUANCE OF A BUILDING PERMIT for any of the work identified in the project approval, the applicant shall install 3-foot high temporary construction fencing demarcating established tree protection zones for all protected trees that are not being removed in the vicinity of any area of grading, construction, materials storage, soil stockpiling, or other construction activity. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. Acceptable limits of the tree protection zones shall be the dripline of the branches or a radius surrounding the tree of one foot for each one inch diameter at breast height (4.5 feet above grade) of the tree trunk. The fencing is intended to protect existing vegetation during construction and shall remain until all construction activity is complete. If encroachment into the tree protection zone is necessary for development purposes, additional tree protection measures shall be identified by a licensed arborist, forester, or botanist, and the tree specialist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a tree protection zone occurs.

7. BEFORE FINAL INSPECTION, if encroachments into a tree protection zone have been approved, then the tree specialist shall submit a letter to the Planning Division verifying that the additional tree protection measures were properly implemented during construction activities.

8. BEFORE ISSUANCE OF A BUILDING PERMIT, temporary construction fencing shall be installed on the subject property at edge of the Wetland Conservation Area and/or Stream Conservation Area, as applicable to the site. The applicant shall submit a copy of the temporary fencing plan and site photographs confirming installation of the fencing to the Community Development Agency. The construction fencing shall remain until all construction activity is complete. No parking of vehicles, grading, materials/equipment storage, soil stockpiling, or other construction activity is allowed within the protected area. If encroachment into the protected area is necessary for development purposes, additional protection measures shall be identified by a qualified biologist and the biologist shall periodically monitor the construction activities to evaluate whether the measures are being properly followed. A
report with the additional measures shall be submitted for review and approval by the Planning Division before any encroachment into a protected area occurs.

9. BEFORE FINAL INSPECTION, if encroachments into a protected area have been approved, then the biologist shall submit a letter to the Planning Division verifying that the additional protection measures were properly implemented during construction activities.

10. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant must provide written evidence that all appropriate permits and authorizations have been secured for this project from the Bay Conservation and Development Commission, the California Department of Fish and Game, the Regional Water Quality Control Board, the California Coastal Commission, the California State Lands Commission, the Bay Area Air Quality Management District, and/or the United States Army Corps of Engineers.

11. BEFORE CLOSE-IN INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification prepare and submit written (stamped) Floor Elevation Certification to the Planning Division confirming that the building’s finished floor elevation conforms to the floor elevation that is shown on the approved Building Permit plans, based on a benchmark that is noted on the plans.

12. BEFORE FINAL INSPECTION, the project shall substantially conform to the requirements for exterior materials and colors, as approved herein. Approved materials and colors shall substantially conform to the materials and colors samples shown in “Exhibit A” unless modified by the conditions of approval. The exterior materials or colors shall conform to any modifications required by the conditions of approval. All flashing, metalwork, and trim shall be treated or painted an appropriately subdued, non-reflective color.

13. BEFORE FINAL INSPECTION, the applicant shall install all approved landscaping that is required for the following purposes: (1) screening the project from the surrounding area; (2) replacing trees or other vegetation removed for the project; (3) implementing best management practices for drainage control; and, (4) enhancing the natural landscape or mitigating environmental impacts. If irrigation is necessary for landscaping, then an automatic drip irrigation system shall be installed. The species and size of those trees and plants installed for the project shall be clearly labeled in the field for inspection.

14. BEFORE FINAL INSPECTION, the applicant shall submit a Certificate of Completion prepared by a certified or licensed landscape design professional confirming that the installed landscaping complies with the State of California’s Model Water Efficient Landscape Ordinance and the Landscape Documentation Package on file with the Community Development Agency.

15. BEFORE FINAL INSPECTION, the applicant shall submit written verification from a landscape design professional that all the approved and required landscaping has been completed and that any necessary irrigation has been installed.

16. BEFORE FINAL INSPECTION, utilities to serve the approved development shall be placed underground except where the Director determines that the cost of undergrounding would be so prohibitive as to deny utility service to the development.

17. BEFORE FINAL INSPECTION, the applicant shall call for a Community Development Agency staff inspection of approved landscaping, building materials and colors, lighting and
compliance with conditions of project approval at least five business days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent reinspections.

**CODE ENFORCEMENT CONDITIONS**

1. Within 30 days of this decision, the applicant must submit a Building Permit application to legalize the development. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant’s control.

2. Within 60 days of this decision, a Building Permit for all approved work must be obtained. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant’s control.

3. Within 120 days of this decision, the applicant must complete the approved construction and receive approval of a final inspection by the Building and Safety Division. Requests for an extension to this timeline must be submitted in writing to the Community Development Agency staff and may be granted for good cause, such as delays beyond the applicant’s control.
Hello Erin:

Thanks for getting back to me and not problem on the delay, of course. We all deserve time off 😊.

Thank you for forwarding the notice. And yes, I did see the sign at the site, that prompted me to contact you since I didn’t get the postcard that was mailed to me. Will this item stay on the agenda for 4/6 even through the project is currently “incomplete”?

As far as this site and project goes, this has been 20+ years saga - I am sure you are aware of the past designs and “issues”. Should there ever be anything build on this lot, it will be incredibly cramped in the area and certainly will take away from the privacy feel of the neighborhood. As it is, the road and area are very congested with no parking. More occupants on the street will make it less safe for the neighborhood and will increase the fire danger of the area.

With that said, from what I understand it IS possible and allowed to build out this lot. I fully recognize the right of the owner of the property to build on their lot if all of the building and environmental conditions are met. AND the overall safety of the neighborhood is not negatively impacted.

As far as the construction goes, my main concern are the septic system and the setbacks. Mr. Barton showed me the preliminary plans and he suggested that the setbacks on my side of the property line are complaint with your requirement. He acknowledged the recorded easement from my roof overhanging the property line and promised the setback is being measured from the edge of the easement. My BIGGEST point of concern is the septic system. Mr. Barton indirectly suggested that he will try to reuse the septic design that was approved over 20 years ago and salvage some of the components (or the ruins of) that were installed in the early 2000s. This system was never functional and is completely deteriorated. There was a huge soil slide on this lot couple of years ago and it destroyed the sand filter and leach lines. In fact, the whole landscape slid several feet downhill. This was due to a collapse of a poorly built retaining wall that was ruing across the bottom of the property. I am hopeful that you will insist on a completely new environmental review of the site that will require new perk testing as well as completely new septic system design. This is incredibly important to me as the septic system will be literally a few feet away from our deck. The entire lot should be retained on the bottom as the hills is corroded and it will only continue to slide further (while also deteriorating the soil on my lot). I have lived on this property for almost 25 years and have very deep understanding of the way the hill moves (for the lack of better words). Plants and trees alone will not stop the erosion.

Besides this, I am also hoping together with the rest of the neighbors, that you will insist on a strict construction management plan that will prevent frequent road closures and require limited hour of operations and during weekdays only. Also, what is the Fire Department’s position about this possible new build out on this already very congested street?

On a side note, I have been fully transparent with my concerns and objections with Mr. Barton. It was concerning to me that he was promising to us the neighbors that he will treat this as a new project, yet at the same time, suggested that he may be “OK” with the old septic design and remains of it.
Thanks for your time and consideration! Please let me know should you have any questions from me.

Have a great day!

Daniel Erman
40 Mountain Lane
Mill Valley, CA94941

From: Yattaw, Erin <EYattaw@marincounty.org>
Sent: Monday, March 21, 2022 11:29 AM
To: Daniel Erman <danielerman@gmail.com>
Subject: RE: 56 Mt. Lane, Mill Valley Design Review

Hello Daniel,

I apologize for my delay in response. I was off of work Wed. – Fri. last week and I have just returned to the office today.

I deemed the project incomplete last week and requested additional information from the applicant that would be necessary for me to review the project. In the meantime, I have posted a physical notice at the site and a project page has been posted to the planning website at the following link: https://www.marincounty.org/depts/cd/divisions/planning/projects/tamalpais-valley/barton_dr_p3512_mv

You are welcome to subscribe to the webpage for updates. You are also welcome to email me any comments you may have regarding the project and I will include them in the project file. Please note your comments would be public, not private.

A the only postcard sent thus far was a notice announcing an upcoming Tamalpais Design Review Board hearing for this project that is scheduled on April 6th. I see that administrative staff did prepare a label with your name and address at 40 Mountain Lane so that postcard was mailed to you. In the event that the notice did not reach you for some reason, I have attached and image here for your convenience.

Best regards,

Erin Yattaw
ASSISTANT PLANNER
She/her

County of Marin
Community Development Agency
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903
415 473 3535 T
eyattaw@marincounty.org

COUNTY OF MARIN
Hello Erin:

I wanted to follow up on my voice mail from this AM.

I am the immediate neighbor to this site at 56 Mt. Lane (I am at 40). I have not received the notice of Design Review as of today.

Please give me a call when you can, I have a couple of questions.

Thanks!

Daniel Erman | 415.297.1951

Email Disclaimer: https://www.marincounty.org/main/disclaimers
Yattaw, Erin

From: Daniel Erman <danielerman@gmail.com>
Sent: Thursday, May 19, 2022 11:40 AM
To: Yattaw, Erin
Subject: Barton Project Design Review decision
Attachments: Property Line closeup.PNG

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Erin:

I hope this email finds you well.

The Tam Valley Design board disapproved the Barton Project as currently designed last night, I am sure they already transmitted their decision to you. They are suggesting revision with at least 5 ft. setback at the road portion of the property line (vs. the 8 inches currently designed on the plans). There were several other concerns, but this the most conclusive one.

I am assuming Adam Barton will decide to play with the design to see if he can get that accomplished and still end up with the house he wants before he resubmits the plans to you for approval.

Does this mean he will have to go through another set of “approvals” from Fire and DPW? As far as I know, he has not gotten approval from Environmental Health, last thing I heard was that they were going to insist on geological review and new septic system design. And subsequently, there will be another hearing with the Design Review board to go over the new design? Please let me know.

Also, I found discrepancy on his plans as it pertains to the setback on our mutual property line (56/40 Mountain Lane). See the attached screenshot. As it is, the setback is measured from the property line, NOT from the line of the recorded easement (there is 3 feet recorded easement at the corner of my house due to the roof overhang). So, this would make the setback only 6.3 inches vs. the 9.3 inches currently designed. As far as I am aware, the minimum setback at that junction is 7 ft?

I would want to make sure that any new design reflects the proper property line setback from the line of the easement (shown on the attached). Makes sense?

As always, thanks for your help!

Daniel

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From: Yattaw, Erin <EYattaw@marincounty.org>
Sent: Friday, May 6, 2022 10:51 AM
To: Daniel Erman <danielerman@gmail.com>
Subject: RE: Courtesy Copy: Marin County Planning Commission 5-9-22 Agenda and Staff Report

Hello Daniel,

Yes, I believe that the location relative to power lines may be in DPW’s purview. You are welcome to verify with them (Land Development, 415-473-3755).