

**MARIN COUNTY PLANNING DIVISION  
ADMINISTRATIVE DECISION  
Blechen Design Review**

**Decision: Approve**  
**Date: November 1, 2018**

Project ID No: P2130      Applicant(s): Pacific Design Group  
Owner(s): Damon and Mo Blechen  
Assessor's Parcel No(s): 177-081-23  
Property Address: 1 Fawn Ct, San Anselmo  
Project Planner: Leslie Lacko  
415-473-4333  
llacko@marincounty.org

Signature:

Countywide Plan Designation: SF4 Single Family, 1-2 units/acre  
Community Plan Area: None  
Zoning District: R1-BD Residential, Single-Family District  
Environmental Determination: Exempt per CEQA Guidelines section 15303, Class 3

**PROJECT SUMMARY**

The applicant requests Design Review approval to replace the existing one-story single-family residence with a new two-story 4,740-square-foot single-family residence, with an attached 822-square-foot garage, and a detached 912-square-foot pool house in unincorporated San Anselmo. Reviewed with this application, but to be approved under a separate ministerial permit, is a detached 922-square-foot accessory dwelling unit. The 5,684 square feet of development would result in a floor area ratio of 7 percent on the 81,619-square-foot (1.87-acre) lot. The single-family residence would reach a maximum height of 27 feet 3 inches above existing grade and the accessory dwelling unit would reach a maximum height of 18 feet 3 inches above existing grade. The exterior walls of the single-family residence would have the following setbacks: 37 feet from the northern property line; 95 feet 7 inches from the southern side property line; 25 feet 7 inches from the western property line, and 11 feet 8 inches from the eastern property line. The exterior walls of the accessory dwelling unit would have the following setbacks: 60 feet from the northern property line; 81 feet 10 inches from the southern property line; 39 feet from the western property line; and 194 feet 7 inches from the eastern property line. The exterior walls of the pool house would be setback 7 feet from the northern property line.

Design Review approval is required pursuant to Marin County Code Section 22.42.020.A because the property is located within a Planned Zoning District.

## 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.

## 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 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. 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

Drainage- A channel runs through the undeveloped northeast corner of the property that drains to Sleepy Hollow Creek. No development or paved, impervious surfaces are proposed in this location, although some grading will occur between the pool and the drainage channel. The applicant completed and submitted a "Storm Water Control Plan for Small Projects," and a drainage and grading plan that was reviewed by the Department of Public Works for compliance with storm water and erosion control standards. These would again be reviewed and verified during the Building Permit process to ensure compliance with the standards.

Streams: The property is not located near an anadromous fish corridor or within a stream conservation area.

Grading: The project involves minimal grading, most of which will occur on the south (front) side of the property to replace the existing driveway. The grading will not change the existing natural terrain on the project site.

The development is sited to avoid the removal of trees and the applicant provided a plan to protect heritage and protected trees on the site during construction.

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

The property is not located within a Ridge and Upland Greenbelt (RUG) area and is not located on a visually prominent ridgeline. The accessory structure is clustered near the existing residence and pool. Therefore, the project is consistent with this finding.

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

The project is designed to have a maximum height of 27 feet—three feet below the 30-foot height limit—and the pool house structure is designed below the 15-foot height limit for an accessory structure. The lot is fairly flat such that the lowest floor of the residence will not exceed 10 feet above the natural grade at the lowest corner. The height, massing, and scale of the residence is comparable to the neighboring residences. Additionally, the project is designed with board and baton siding and earth-toned metal roofing that will blend into the natural environment and complement the neighborhood. The project is not visible from the street.

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

The project site is relatively flat and surrounded by trees that shelter it from the street and surrounding properties. The building is designed to run east to west along the longest width of the property. The length and mass of the east to west ridgeline is broken with three south-facing ridges and gables, two on each end and one near the center entryway. The accessory

pool house structure and the accessory dwelling unit that is subject to a separate approval are clustered near the main residence and pool.

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

The selected wall-mounted light fixtures complement the architectural design of the residence and are shielded and pointed downward so that light is not cast upward. Lighting is located at low elevations or under overhangs.

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

The landscape plan (Sheet Number L1.00) shows that a variety of small shrubs, mixed with small trees and ground cover, will be planted around the main residence, the driveway, and the entry walkway. The building site is already screened from the street and surrounding neighbors. The new plants will soften the distance between the larger screening trees and the new main residence and driveway.

**ACCESS:** Development standard C; Design Guidelines A-1.5

Access to the property is from a private driveway that will connect to Fawn Court. The driveway and proposed parking will meet Marin County standards regarding driveway slope and minimum parking dimensions.

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

The project will be consistent with the key design principles of the Single-family Residential Design Guidelines. The main residence will maintain adequate setbacks from surrounding properties to preserve adequate space, light, and a sense of openness between properties. The project is designed so that the bulk, massing, and siting is consistent with the neighborhood.

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

Based on the topography and location of the subject property as well as the varied architecture and scale of the neighborhood, the residence is designed to be in keeping with and compatible with the surrounding neighborhood. Additionally, the design incorporates articulation, windows, doors, and colors that help minimize the appearance of mass and bulk. The preservation of heritage and protected trees on the property relative to the landscaping and hardscape design of the project would minimize visual impacts on neighboring properties and the community by maintaining existing screening and softening driveway edges and providing relief between the main residence and the screening.

**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 residence and accessory structure would maintain adequate setbacks to adjoining residences consistent with the R1:BD zoning district pursuant to Section 22.30.050 of the

Marin County Development Code. Therefore, the project would not result in development that infringes upon the views, air, light, and privacy currently enjoyed by the surrounding neighbors. Additionally, all exterior lighting would be located and/or shielded so as not to cast glare on nearby properties.

**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 has been reviewed by the Department of Public Works (DPW) for compliance with standards for parking, retaining walls, and drainage, and these would be verified during the Building Permit process, thus ensuring the project would not affect rights-of-way or pathways for circulation.

**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 residence and accessory structure would provide appropriate separation between buildings and development on adjacent properties by maintaining adequate setbacks. The project is designed with a comprehensive landscape plan that maintains existing trees and includes additional trees, shrubs, and groundcover located to soften the distance between the existing screen and the main house and driveway. The project is designed with adequate defensible space and would be reviewed during the Building Permit stage to ensure the structure meets all current fire and building code requirements.

## **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 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 replacement of an existing one-story single-family residence with a new two-story 4,740-square-foot single-family residence, with an attached 822-square-foot garage, and a detached 912-square-foot pool house in unincorporated San Anselmo. Reviewed with this application, but to be approved under a separate ministerial permit, is a detached 922-square-foot accessory dwelling unit. The 5,684 square feet of development approved herein results in a floor area ratio of 7 percent on the 81,619-square-foot (1.87-square-foot) lot. The single-family residence will reach a maximum height of 27 feet 3 inches above existing grade and the accessory dwelling unit will reach a maximum height of 18 feet 3 inches above existing grade. The exterior walls of the main residence will have

the following setbacks: 37 feet from the northern property line; 95 feet 7 inches from the southern side property line; 25 feet 7 inches from the western property line, and 11 feet 8 inches from the eastern property line. The exterior walls of the accessory dwelling unit will have the following setbacks: 60 feet from the northern property line; 81 feet 10 inches from the southern property line; 39 feet from the western property line; and 194 feet 7 inches from the eastern property line. The exterior walls of the pool house will be setback 7 feet from the northern property line.

2. Plans submitted for a Building Permit shall substantially conform to plans identified as Exhibit A, entitled "Blechen Residence," consisting of 22 sheets prepared by Pacific Design Group, Inc., received in final form on August 15, 2018, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
3. The project shall conform to the Planning Division's "Uniformly Applied Conditions 2018" with respect to all standard conditions of approval and the following special conditions: 6, 7, 9, 15, 16, 18, and 19.

## **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.

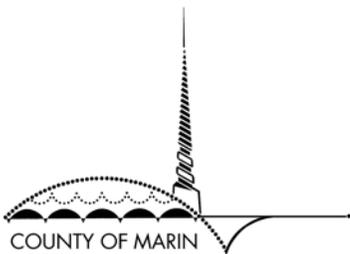
## **RIGHT TO APPEAL**

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 (November 13, 2018).

cc: *{Via email to County departments and Design Review boards}*  
CDA – Assistant Director  
CDA – Planning Manager  
DPW – Land Development  
Marin Municipal Water District  
Sanitary District No. 1  
Sleepy Hollow Fire Protection District

Attachments:

1. Marin County Uniformly Applied Conditions 2018



**MARIN COUNTY UNIFORMLY APPLIED CONDITIONS  
FOR PROJECTS SUBJECT TO DISCRETIONARY PLANNING PERMITS**

**2018**

**STANDARD CONDITIONS**

1. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the site plan or other first sheet of the Building Permit plan sets to list as notes all standard and project specific conditions of approval, including the applicable special conditions listed herein and those conditions listed in the project approval, as well as any requirements indicated by other regulating agencies during the planning process.
2. 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.
3. 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.
4. 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.
5. 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 night-time 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 FOUNDATION INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification verify that the foundations of the project comply with the approved setback distances from adjacent property lines, access easements, or rights of way as shown on the approved building permit plans and submit a written (stamped) Building Setback Certification to the Planning Division. Verification is only required for setback distances when the structure is located up to or within one foot of the minimum required setback for conventionally zoned properties and when the structure is located within five feet of a property line, access easement, or right of way for planned district zoned properties. The building setback verification can also be satisfied by having a licensed land surveyor or civil engineer with proper certification conduct a survey of the appropriate boundaries and install survey hubs with connecting colored line in locations that can be readily used by the Building and Safety Inspection staff to verify building setbacks in the field prior to approval of the foundation inspection. If new survey hubs are installed, the project land surveyor or civil engineer must submit a written (stamped) Building Setback Certification to the Planning Division confirming that the staking of boundary lines has been properly completed.
12. 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 finish 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.
13. BEFORE CLOSE-IN INSPECTION, the applicant shall have a licensed land surveyor or civil engineer with proper surveying certification submit a written (stamped) building Roof Elevation Certification confirming that the building conforms to the roof ridge elevations that are shown on the approved Building Permit plans, based on a benchmark that is noted on the plans. The Roof Elevation Certification shall include the roof materials in the calculation.
14. BEFORE CLOSE-IN INSPECTION, the applicant shall submit a written (stamped) building Floor Area Certification from the project surveyor or engineer confirming that the floor area of the building conforms to the floor area that is shown on the approved Building Permit

plans. The Floor Area Certification shall include the exterior siding finish for buildings in the calculation.

15. 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.
16. 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.
17. 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.
18. BEFORE FINAL INSPECTION, the applicant shall submit written verification from a landscape design professional that all of the approved and required landscaping has been completed and that any necessary irrigation has been installed.
19. 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.
20. 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.

#### 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.