



MARIN COUNTY PLANNING DIVISION ADMINISTRATIVE DECISION Ptak Louis Family Trust Lot Line Adjustment			
Decision:		Approved with Conditions	
Date:		April 22, 2022	
Project ID No:	P3423	Applicant(s):	Louis Ptak
		Owner(s):	Louis Ptak Family Trust
		Assessor's Parcel No(s):	112-131-10 and 112-162-01
		Property Address:	231 Keith Way, Inverness
		Project Planner:	Megan Alton malton@marincounty.org (415) 473-6235
		Signature:	<i>Megan Alton</i>
Countywide Plan Designation:		C-SF3 (Coastal Single Family, 1 unit/1-5 acres)	
Community Plan Area:		n/a	
Zoning District:		C-RSP-0.33 (1 unit per 3 acres)	
Environmental Determination:		CEQA Guidelines section 15305, Class 5	

PROJECT SUMMARY

The applicant requests Lot Line Adjustment approval to adjust the property lines between Assessor's Parcel Number (APN) 112-131-10 and 112-162-01. The requested Lot Line Adjustment is described below:

Assessor's Parcel Number	Street Address	Existing Area	Proposed Area
112-162-01	Vacant lot on Keith Way, Inverness	0.96 acres	0.89 acres
112-131-10	231 Keith Way, Inverness	1.99 acres	2.06 acres

Lot Line Adjustment approval is required because the project involves adjusting lot lines between two adjacent lots where land is taken from one lot and added to an adjacent lot without creating more lots than originally existed.

Per Categorical Exclusion Order E-81-2, a Coastal Exclusion would allow for a Lot Line Adjustment that does not result in a change in density or the creation of a new parcel.

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 Lot Line Adjustment (Marin County Code Section 22.90.040)

A. The proposed lot line adjustment is limited to four or fewer existing adjoining lots.

The proposed Lot Line Adjustment is limited to two adjoining lots. Therefore, the project is consistent with this finding.

B. Each of the affected lots is a separate legal lot of record because it was created in compliance with the applicable subdivision regulations in effect at the time of its creation.

APN 112-131-10 is developed with a residence per the County of Marin's records and therefore exists as a legal lot of record.

APN 112-162-01 is a vacant parcel with no records of Building Permits. APN 112-162-01 appears in its current shape and configuration as it did in the Record Map of the Subdivision No 2 Inverness of 1910. Per Marin County Code Implementation Plan, APN 112-162-01 may be part of an antiquated subdivision. To be considered a legal lot, it has to have been reconveyed subsequently with references made to the original subdivision Final Map or Parcel Map. There is not enough information to make this determination; therefore, a condition of approval has been added that requires the applicant to apply for a Certificate of Compliance prior to submitting for recordation to the Department of Public Works. If it is found that APN 112-162-01 is not a legal lot of record, the applicant shall take the corrective action called for in the Certificate of Compliance prior to recordation. As conditioned, the project is consistent with this finding.

C. The proposed lot line adjustment would not result in the creation of additional parcels or additional potential building sites.

The Lot Line Adjustment is between two existing lots and does not create additional lots or a greater number of buildable lots than existed before the adjustment based on the maximum allowable density under the governing zoning. Nor does the Lot Line Adjustment create any additional potential building sites. Any potential building area would be merely transferred from one lot to another and subject to all zoning and Implementation Plan standards.

D. The proposed lot line adjustment would comply with policies of the Countywide Plan, and any applicable community plan, and the Local Coastal Program (if applicable).

The proposed Lot Line Adjustment would comply with all land use regulations under the Countywide Plan and Implementation Plan because no new lots are being created under this lot line adjustment.

E. The proposed lot line adjustment would comply with zoning, development, and relevant subdivision provisions of Titles 18, 20, 22 and 24 of the Marin County Code, including those which address minimum lot size, lot design and configuration, street frontage and building setbacks from all property lines.

Both properties are zoned C-RSP-0.33 (1 unit per 3 acres). The C-RSP-0.33 zoning designation does not limit the lot size. The development on APN 112-131-10 before and after the proposed Lot Line Adjustment will comply with the C-RSP-0.33 zoning designation. Additionally, the development proposed as part the Coastal Permit under a different application would be consistent with C-RSP-0.33 zoning designation after the Lot Line Adjustment. The Lot Line Adjustment would not result the change of street frontage.

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 Lot Line Adjustment is approved to transfer land from one property to another as shown in the table below:

Assessor's Parcel Number	Street Address	Existing Area	Proposed Area
112-162-01	Vacant lot on Keith Way, Inverness	0.96 acres	0.89 acres
112-131-10	231 Keith Way, Inverness	1.99 acres	2.06 acres

2. Deed(s) to be recorded with the County Recorder to vest this Lot line Adjustment must be in substantial conformance with the approved plans on file with the Marin County Community Development Agency, Planning Division, identified as Exhibit A, entitled "Ptak Residence," consisting of 3 sheets prepared by Laura Hamlin and Pacific Land Surveys, date stamped February 9, 2022, except as modified by the conditions listed herein.

BEFORE RECORDING DEEDS TO VEST, the applicant shall:

- a. Submit for a Certificate of Compliance for APN 112-162-01.
 - b. If the Certificate of Compliance finds that APN 112-162-01 is not a legal lot of record, the application shall take the corrective action called for in the Certificate of Compliance.
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. Any changes or additions to the project shall be submitted to the Community Development Agency in writing for review and approval before the contemplated modifications may be initiated.

Department of Public Works

5. Appropriate deeds and exhibits perfecting the approved Lot Line Adjustment shall be recorded at the Marin County Recorder's office.
6. BEFORE RECORDATION, the following exhibits shall be submitted to the Department of Public Works for review and approval:

A. Lot Line Adjustment map. The Lot Line Adjustment map should be drawn in black ink on sheets with maximum dimensions of 8 1/2" X 11" or 18" X 26". The map must be clear and readable. The following minimum information must be provided on the map (additional information may be required):

- 1) Map scale, north arrow, line type legend, vicinity map, index map for large parcels.
- 2) The location of the project site in relation to the existing streets, adjoining lots, alleys, water bodies and distance from the nearest cross street.
- 3) Right-of-way widths and street names.
- 4) The existing and proposed lot layout labeling each boundary line. Sufficient dimensions and record boundaries so as to define and establish the boundary of the subject property. Use heavy solid line to depict proposed boundaries, light solid line for existing lot lines to remain, light dashed lines for existing lot lines to be removed and smaller dashed lines for easements. The adjusted parcels and transfer parcels shall be lettered or numbered consecutively in a manner that there will be no confusion with the original lots or parcel numbers (show in a darker, bolder text, i.e. PARCEL A, PARCEL T-1).
- 5) Existing lot numbers, reference to the recorded documents that established the existing lots of the project site, adjoining lots and existing easements.
- 6) Gross area before and after adjustment to the nearest one tenth of an acre. Show the net area when there are easements identified that restrict the surface use of the property, such as vehicular access easements (Net area is gross area minus easement area).
- 7) Signature, seal of the surveyor and the date that plan was prepared.
- 8) APN-Assessor's Parcel Number for each lot.
- 9) Project Number and File number (the LL number assigned by County), sheet number and County title block with owner and engineer block filled out.

B. The following statement shall be added if applicable (i.e. if property corners are to be set):

"Monuments will be set within 90 days along the adjusted lot corners, and a Record of Survey or Corner Record will be filled if required by Section 8762 of Business and professional Code. Gov't Code § 66412(d); Ops. Cal. Atty. Gen. 231(1994). If the Lot Line Adjustment affects any public utility easements, the applicant shall provide verification signed by each of the affected public utilities that they allow the Lot Line Adjustment."

- C. Submit a completed “Application for Lot Line Adjustment Approval”.
- D. Legal descriptions and closure calculations shall be submitted along with the current Title Report for the effected properties for: (a) the final, adjusted lots; (b) the existing lots; and (c) the portions of those lots that are to be transferred. The legal descriptions and closures shall be prepared and signed/stamped by a Licensed Land Surveyor or a qualified Registered Civil Engineer.
- E. All required materials shall be submitted simultaneously along with the required fee to the Department of Public Works for review and approval.

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 recorded the Lot Line Adjustment documents in accordance with the requirements of the Department of Public Works.

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 10 business days from the date of this decision (May 6, 2022).

cc: *{Via email to County departments}*
CDA – Assistant Director
CDA – Planning Manager
DPW – Land Development
CDA – Environmental Health Services
DPW – Survey
Assessor-Recorder’s Office – Mapping Division
Inverness Public Utilities District

Attachments:

1. Response from the California Coastal Commission, December 15, 2021
2. Response from the Inverness Public Utility District, December 20, 2021
3. Response from the Department of Public Works, December 20, 2021
4. Response from Environmental Health Services, December 22, 2021
5. Response from the California Coastal Commission, February 23, 2022
6. Stephen Kimball, September 2, 2021
7. Sue and John Van Der Wal, March 13, 2022

From: Benham, Peter@Coastal
To: Alton, Megan
Cc: KoppmanNorton, Julia@Coastal
Subject: Re: Transmittal - Ptak Louis Family Trust Coastal Permit and Lot Line Adjustment
Date: Wednesday, December 15, 2021 1:49:21 PM
Attachments: [image001.png](#)

Hi Megan,

Thank you for the opportunity to review the plans for the lot line adjustment and development of a new irrigation water well, associated water delivery infrastructure, and plastic/poly water storage tank to serve a single family residence at 231 Keith Way Inverness, CA. I have a couple of comments to be answered at your convenience.

1. Policy C-PFS-14 "Adequacy of Water Supply Within Water System Service Areas." in the Marin County LUP states, in part: *"...Additionally, wells or water sources shall be at least 100 feet from property lines, or a finding shall be made that no development constraints are placed on neighboring properties."* Please confirm that the proposed well is set back at least 100 feet from all existing property lines, and have the Applicant add the setback distances on the project plans.
2. Policy C-PFS-16 "Standards for Water Supply Wells and Other Water Sources." states, in part: *"...4. Within the Inverness Planning Area, allow no individual wells on parcels less than 2.8 acres in size, unless a specific exception is granted based on findings required by the coastal permitting chapter of the Development Code and on a demonstration to the satisfaction of the Health Officer that a well can be developed on the substandard size parcel in a completely safe and sanitary manner. 5. Within the Inverness Public Utility District (IPUD), permit no individual wells for domestic use in the same watershed, at an elevation higher than the IPUD surface water sources existing as of June 14, 1983."* With the lot line adjustment, the proposed parcel size would be 2.06 acres, less than the allowed 2.8 acres parcel size where individual wells are allowed. Has the applicant been granted a specific exemption based on the findings required by the coastal permitting chapter, and to the satisfaction of the Health Officer that a well can be developed in a completely safe and sanitary manner? If so, please provide any associated documentation to that end. In addition, as it appears the proposed development is within the Inverness Public Utility District, the applicant should provide proof that the proposed well is not in the same watershed, and not at an elevation higher than any existing IPUD surface water sources.

Thank you!

Peter Benham
North Central Coastal Planner
California Coastal Commission



From: Alton, Megan <MAAlton@marincounty.org>
Sent: Monday, December 6, 2021 11:10 AM
To: KoppmanNorton, Julia@Coastal <julia.koppmannorton@coastal.ca.gov>
Subject: Transmittal - Ptak Louis Family Trust Coastal Permit and Lot Line Adjustment

Hello Julia,

Please find the attached transmittal for Ptak Louis Family Trust Coastal Permit and Lot Line Adjustment (P3423 and P3424) at 231 Keith Way, Inverness..

The application materials will be made available on the project webpage which will be located within the "Inverness" geographical location at this link:

<https://www.marincounty.org/depts/cd/divisions/planning/projects>

Please note that I have requested comments regarding incompleteness by **December 20, 2021**.

Thank you,

Megan Alton

PLANNER

County of Marin
Community Development Agency
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903
415 473 6235 T
415 473 7880 F
malton@marincounty.org

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>



INVERNESS PUBLIC UTILITY DISTRICT

FIRE DEPARTMENT & WATER SYSTEM

POST OFFICE BOX 469

INVERNESS, CA 94937-0469

50 INVERNESS WAY No. ☎ (415) 669-1414 ☎ FAX (415) 669-1010 ☎ ADMIN@INVERNESSPUD.ORG

RESPONSE TO COMMUNITY DEVELOPMENT AGENCY TRANSMITTAL

December 20, 2021

To: Megan Alton, Planner, Planner (MAlton@marincounty.org)

Re: **Ptak Louis Family Trust Coastal Permit and Lot Line Adjustment**
231 Keith Way, Inverness
A.P. No. 112-131-10 and 112-162-01

Date of Transmittal: December 16, 2021

Inverness Water System

1. The application is complete for Water System purposes.
2. The application contains sufficient information, and the project is feasible as proposed.

Shelley L Redding
Administrator

cc: louis@louisptak.com

BOARD OF DIRECTORS: KENNETH J. EMANUELS, PRESIDENT • DAKOTA WHITNEY, VICE PRESIDENT
KATHRYN DONOHUE, TREASURER • BRENT JOHNSON • DAVID PRESS



SHELLEY L REDDING, ADMINISTRATOR
JAMES K. FOX, CHIEF OF OPERATIONS (FIRE CHIEF, WATER SYSTEM SUPERINTENDENT)

PLANNING APPLICATION REVIEW

DEPARTMENT OF PUBLIC WORKS

Inter-office Memorandum - First Transmittal

DATE: 12/20/21DUE: 12/20/21TO: Megan AltonFROM: Alicia StampsAPPROVED: RE: Ptak Louis Family TrustP3423 and P3424APN: 112-131-10 and 112-162-01ADDRESS: 231 Keith WayInverness, CA**TYPE OF DOCUMENT** DESIGN REVIEW COASTAL PERMIT LAND DIVISION VARIANCE USE PERMIT ADU PERMIT ENVIRONMENTAL REV. OTHER: LLA**Department of Public Works Land Use Division
has reviewed this application for content and:** Find it **COMPLETE** Find it **INCOMPLETE**, please submit items listed below Find it **NEEDS SUBSTANTIAL MODIFICATIONS TO CONFORM****Comments Included (Inc.) or
Attached (Att.) from other DPW
Divisions:** Traffic Flood Control Other: _____

Land Development has no comments on the proposed scope.

-END-

**INTERDEPARTMENTAL TRANSMITTAL
MARIN COUNTY ENVIRONMENTAL HEALTH SERVICES
ROOM 236, 473-6907**

DATE: December 22, 2021

TO: Megan Alton

FROM: Celina Montgomery

RE: Ptak Louis Family Trust Coastal Permit and Lot Line Adjustment

AP#: 112-162-01 & 112-131-10

ADDRESS: 231 Keith Way, Inverness

TYPE OF DOCUMENT
DESIGN REVIEW
LAND DIVISION
USE PERMIT
VARIANCE
MASTER PLAN
<input checked="" type="checkbox"/> COASTAL PERMIT
<input checked="" type="checkbox"/> LOT LINE ADJ.
OTHER

THIS APPLICATION HAS BEEN REVIEWED FOR THE FOLLOWING ITEMS:			
<input checked="" type="checkbox"/>	WATER	SEWAGE	SOLID WASTE
	POOLS	HOUSING	FOOD ESTABLISHMENT

THIS APPLICATION IS FOUND TO BE:
<input checked="" type="checkbox"/> FIND IT COMPLETE.
FIND IT INCOMPLETE UNTIL THE ITEMS LISTED BELOW HAVE BEEN SUBMITTED.
FIND IT ACCEPTABLE AS PRESENTED, WITH THE FOLLOWING CONDITIONS.
RECOMMEND DENIAL FOR THE REASONS LISTED BELOW.
<ol style="list-style-type: none"> 1. Indicate whether the application materials contain enough information for you to determine whether the applicant can readily comply with your agency's standards. The application contains sufficient information. 2. If the application does not contain enough information for you to determine whether the project can readily comply with your agency's standards, please list the information that you will need to make this determination. No additional information needed. 3. If the application contains sufficient information for your review, please indicate whether the project is feasible as proposed or needs substantial modifications to comply with your agency's standards.

The project is feasible as proposed. An adjusted site plan should be submitted to this department if the lot line adjustment is approved.

4. If the project needs to be substantially modified to comply with your agency's standards, please describe the scope of those modifications.
No modifications needed.

From: [Montano, Honora@Coastal](mailto:Montano.Honora@Coastal)
To: [Alton, Megan](mailto:Alton.Megan)
Cc: [KoppmanNorton, Julia@Coastal](mailto:KoppmanNorton.Julia@Coastal)
Subject: Comments: 2nd Transmittal for P3423-Ptak Louis Family Trust Coastal Permit and Lot Line Adjustment
Date: Wednesday, February 23, 2022 1:37:02 PM
Attachments: [Outlook-ra2r32pd.png](#)

Dear Megan,

Thank you for the opportunity to review the 2nd transmittal of plans for the lot line adjustment and development of a new irrigation water well, associated water delivery infrastructure, and plastic/poly water storage tank, to serve a single family residence at 231 Keith Way, Inverness, CA.

First, the plans show the new well as just under 8' from the northwest property line, and 30' to the new property line to the southwest - significantly less than the required 100 feet per LUP Policy PFS-14. Please clarify how these proposed setbacks can be found LCP consistent, and if so, whether the County will be making the finding that no development constraints are placed on neighboring properties.

Second, we had previously requested the following information to determine consistency with LUP Policy C-PFS-16, which in part allows no individual wells on parcels less than 2.8 acres in size:

- Has the applicant been granted a specific exemption based on the findings required by the coastal permitting chapter, and to the satisfaction of the Health Officer, that a well can be developed in a completely safe and sanitary manner, despite being smaller in size than the required 2.8 acres? If so, please provide any associated documentation to that end.
- In addition, as it appears the proposed development is within the Inverness Public Utility District, the applicant should provide proof that the proposed well is not in the same watershed, and not at an elevation higher than any existing IPUD surface water sources.

We were not able to find this information in the resubmittal. If it has been submitted, please direct us to such information. Otherwise, we continue to request the following information to evaluate for LCP consistency.

Thank you,
Honora

Honora Montano
Coastal Planner, North Central Coast District
California Coastal Commission

STEPHEN C. KIMBALL
30 ACORN WAY
KENTFIELD, CA 94904

September 27, 2021

County of Marin

I understand that Louis Ptak has applied for permit to drill a well on a parcel of land adjacent to (across Keith Way) my property in Inverness.

I plan to develop my property (APN 112-161-02&02 + APN 112-111-02&02) which consists of over 8 acres.

I acknowledge and accept that a well will be installed on the Ptak parcel and I will not be allowed to install nor operate an on-site sewage disposal system that is located within a one hundred (100) foot radius of his approved well located on APN 116-162-01&02.

Sincerely,



Stephen C. Kimball

(415) 518-1988

From: [J-S Van Der Wal](#)
To: [Alton, Megan](#)
Subject: Project P3423
Date: Sunday, March 13, 2022 10:00:32 AM

Hi Megan. Regarding the Notice you sent us, we just want you to know that we are fine with the Ptak application to install an irrigation well on subject property.

Best regards,

Sue and John Van Der Wal.

POB 264

315 Vision Road

Inverness 94937