

COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

April 8, 2014

Brian C. Crawford
DIRECTOR

Thomas Lai
ASSISTANT DIRECTOR

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

Marin County Civic Center
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903
415 473 6269 T
415 473 7880 F
415 473 2255 TTY
www.marincounty.org/plan

SUBJECT: Wedman, Et Al. Appeal of the Planning Commission's Approval of the Don Angelo Design Review 13-82
110 Rosario Road/195 Resaca Avenue, Forest Knolls
Assessor's Parcel 169-243-16

RECOMMENDATION:

On February 10, 2014, the Planning Commission upheld by a 7-0 vote, the administrative decision which conditionally approved the Don Angelo Design Review application to construct a new 1,932 square foot residence with parking pad on a 10,206 square foot lot. On behalf of the Planning Commission, staff recommends the Board deny the appeal filed by Brady Wedman, et. al. and sustain the Planning Commission's action by adopting the attached resolution to approve the project.

SUMMARY:

The property is a hillside lot with an average slope of 37.8% and dual street frontage (Rosario Road and Resaca Avenue) running along the uphill and downhill sides of the property. Resaca Avenue is a County maintained road from which the majority of the homes in the neighborhood take access. Rosario Road is a paper street, which is partially paved and serves only a couple homes. The applicant's proposed design locates the residence on the upper portion of the lot, with access off of Rosario Road. The project was approved by staff administratively with conditions of approval that required modifications to lower the exterior walls of the dining room and front entry down to grade in order to eliminate their cantilevering elements, and to plant additional landscaping to enhance privacy and to better screen the residence.

The project was appealed by Brady Wedman, et al. to the Planning Commission challenging whether the findings for a Design Review could be made to approve the project, asserting that a Variance should also be required due to the lot not being consistent with the minimum size required by the lot-slope ordinance, disputing the approved location of the residence on the lot, claiming the address does not conform to the address/access assigned to the lot, questioning fire safety, and disputing consistency with both the Countywide and San Geronimo Valley Community Plans. These issues were addressed by the Planning Commission in its decision to deny the appeal and approve the project. See attachment 3.

The appellants filed a subsequent appeal of the Planning Commission's decision, which focused on the adequacy of the site to accommodate an onsite septic disposal

system. County Environmental Health Services has re-evaluated the proposed design and confirmed its previous decision. The design and onsite percolation tests have satisfied Environmental Health Service standards and the appellants' arguments about the soil profile and the required septic system are without merit. The proposed septic system has been found to be acceptable for the proposed residence.


REVIEWED BY: (These boxes must be checked)

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|--|---|
| <input type="checkbox"/> Department of Finance | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> N/A |

SIGNATURE:


 Scott Greeley
 Planner

REVIEWED BY:


 Brian C. Crawford
 Director

ATTACHMENTS

1. Recommended Resolution Denying the Wedman, Et Al. Appeal and Conditionally Approving the Don Angelo Design Review 13-82
2. Wedman Petition for Appeal and attachment, February 21, 2014

Note: In order to conserve resources, the following documents have been provided only to the Board of Supervisors. These documents are available for public review on line at <http://www.marincounty.org/depts/cd/divisions/planning/projects> and at the Community Development Agency, Planning Division during regular business hours: Monday through Thursday, 8:00 am to 4:00 pm.

3. Minutes and approved Resolution PC14-003 from the Planning Commission Hearing on February 10, 2014
4. Supplemental Planning Commission Memo, February 6, 2014
5. PC Staff Report from the Planning Commission Hearing on February 10, 2014