January 14, 2014

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

SUBJECT: Werner Appeal of the Planning Commission’s Approval of the Werner Coastal Permit 13-11, Variance 13-3, and Design Review 13-46
174 Seadrift Road, Stinson Beach
Assessor’s Parcel 195-031-12

RECOMMENDATION
On October 14, 2013, the Planning Commission approved (4-3) the Werner Coastal Permit, Variance, and Design Review to demolish the existing 1,340-square foot residence and construct a new 3,575-square foot residence in the Seadrift Subdivision. On behalf of the Planning Commission, staff recommends the Board deny the appeal filed by the applicant and sustain the Planning Commission’s action by adopting the attached resolution to approve the project.

SUMMARY:
The overall design of the proposed residence is compatible with newer construction in the Seadrift Subdivision where the building design is constrained by the maximum height limits imposed by the Coastal zoning requirements and FEMA’s base flood elevation requirements for the finished floor. In order to minimize the overall height, bulk, and mass of the residence, the applicant proposes a design that separates the home into two detached components where only the habitable space (referred to as the “Living Spaces Building”) would need to be raised to meet the FEMA base flood elevations. The Planning Commission approved the project generally as proposed, but with the following two substantive design changes: (1) lower the maximum height of the Living Spaces Building by two feet, from 22.45 feet above grade (37.15 feet NAVD) to 20.45 feet above grade (35.15 feet NAVD), and (2) remove the rear elevated barbecue deck. The property owners are appealing these conditions, asserting they are unreasonable, unprecedented, and would deprive them of privileges enjoyed by other property owners in the vicinity.

The Planning Commission determined that the height of the Living Spaces Building would be incompatible with the prevailing community character because it is significantly taller than either of the immediately adjacent residences to the west and east of the project site and incorporates a visually bulky design as viewed from the beach and adjacent areas, particularly the residence at 176 Seadrift Road. The Commission further determined that given the proposed 12.3-foot ceiling height and a 10-inch tall roof curb, there is an opportunity to reduce the building height by an incremental amount while maintaining the functionality of the interior space and
overall attractive appearance of the building’s exterior. While the applicant offered to reduce the height of the Living Spaces Building by 8 inches, (from 22.45 feet above grade to 21.75 feet), the Commission felt this was not adequate.

Furthermore, the Planning Commission determined that the impacts relating to the loss of light, sun, and privacy on the adjoining residence at 176 Seadrift Road warrant removal of the proposed elevated rear deck. The deck would be located nine feet from the westerly side property line and would have a floor height of 8.5 feet and a total height of 13.5 feet, as measured to the top of the proposed solid privacy wall along the western side of the deck. The appellants assert that both the proposed landscaping and privacy wall across the neighbor’s side of the deck would be adequate and that removal of the proposed elevated deck would restrict the property owners’ full use and enjoyment of their property.

REVIEWED BY:  
(These boxes must be checked)

[ ] Department of Finance  
[X] N/A

[X] County Counsel  
[ ] N/A

[ ] Human Resources  
[X] N/A

SIGNATURE:  

Lorene Jackson  
Planner

Brian C. Crawford  
Director

ATTACHMENTS

1. Recommended Resolution Denying the Werner Appeal and Conditionally Approving the Werner Coastal Permit, Variance, and Design Review
2. Erin and Kenneth Werner Petition for Appeal, October 17, 2013

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 online 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 PC13-104 from the Planning Commission Hearing on October 14
4. Staff Report (with attachments) for the Planning Commission Hearing on October 14, 2013
5. Supplemental Planning Commission Memo, October 14, 2013