



COMMUNITY DEVELOPMENT AGENCY

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October 13, 2020

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

SUBJECT: Farzin Faili et al Appeal of the Paradise Mar Development LP Design Review and Tree Removal Permit, located on a vacant lot in Tiburon (historically referred to as 2495 Mar East Street), further identified as Assessor's Parcel 059-203-27.

Dear Supervisors,

RECOMMENDATION:

On August 24, 2020, the Planning Commission voted 7-0 to deny the Farzin Faili et al appeal and approved the Paradise Mar Development LP Design Review and Tree Removal Permit to construct a new 2,437 square foot residence and 540 square foot attached garage. Additionally, the Commission authorized the removal of four protected trees (three Coast live oaks and one California buckeye). On behalf of the Planning Commission, staff recommends the Board deny the appeal, filed by Farzin Faili et al and sustain the Planning Commission's approval of the project

SUMMARY:

The applicant, Peter Brockman, submitted a Design Review application on March 13, 2019 for the construction of a single-family residence in Tiburon. The 2,437 square feet of proposed development would result in a floor area ratio of 29.9 percent on the 8,126 square foot lot. To accommodate the development four trees are proposed for removal. On March 2, 2020, the Community Development Agency approved the project.

An appeal of the Community Development Agency's approval was filed by Farzin Faili et al, neighbors of the vacant property, based on issues related to overall site strategy, privacy impacts, public safety, tree removals, and neighborhood character.

On August 24, 2020, the Planning Commission conducted a hearing and approved the project. Farzin Faili et al appealed the Planning Commission's approval to your Board, raising the following concerns: (1) overall site strategy –house is too large for the site, extensive earthwork/site disturbance; (2) impacts to the Paradise Drive right-of-way and associated safety concerns; (3) privacy impacts; (4) tree removals; (5) height, bulk, mass, and overall design of the project. Responses to these points are set out in the attached Board of Supervisor's resolution (Attachment 1).

In conclusion, the appellant has not presented any substantial evidence or new information that would invalidate or change the Planning Commission's decision to approve the project.

FISCAL/STAFFING IMPACT:
None

REVIEWED BY:

- | | |
|--|---|
| <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:

Kathleen Kilgariff

Kathleen Kilgariff

Attachments:

1. Recommended Resolution Denying the Farzin Faili et al Appeal and Approving the Paradise Mar Development LP Design Review
2. Farzin Faili et al Petition for Appeal, September 2, 2020
3. Public Comments
4. Staff Report, with attachments, to the Planning Commission, hearing date January 13, 2020.
5. Memorandum to the Planning Commission, dated August 17, 2020
6. Memorandum to the Planning Commission, dated August 20, 2020
7. Planning Commission Resolution PC20-010, August 24, 2020
8. CEQA Categorical Exemption
9. Project Plans