



# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

March 13, 2007

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

**SUBJECT** Hughes Appeal from the Planning Commission's Conditional Approval of  
The Hansen Minor Design Review (DM 06-53) Application  
80 H Lane, Novato  
Assessor's Parcel 143-142-25

Dear Supervisors:

## RECOMMENDATION

On January 22, 2007, the Planning Commission conditionally approved the Hansen Minor Design Review application. Staff recommends that your Board sustain the Planning Commission's action by denying the appeal and conditionally approving the project.

## BACKGROUND SUMMARY

### *Project Description*

The Hansen project consists of the demolition of a previously approved "stable" and construction of a detached, two-level accessory structure in the same general location. The structure would attain a maximum height of 21.75 feet above grade, and would be comprised of a 247 square-foot single-car garage, a 67 square-foot bathroom, and an 86 square-foot storage area on the lower level, and a 400 square foot workshop on the upper level. Access to the upper level would be provided by an exterior stairway. The total proposed floor area (with 540 square feet of allowable exclusions for garage area) would be 2,292 square feet, representing a 13.4% floor area ratio (FAR) for the subject property.

### *Planning Commission Action*

On January 22, 2007, the Planning Commission held a public hearing to consider the merits of the project. The Commission voted (5-1) to deny the Hughes Appeal and uphold staff's Administrative Decision approving with conditions the Hansen Minor Design Review application.

### *Filing of the Appeal*

On February 2, 2007, the Hughes (appellants) filed a timely appeal of the Planning Commission's January 22, 2007 action conditionally approving the project, asserting that Chapter 22.16 (Planned District Development Standards) of the Marin County Development Code was not correctly and accurately applied in the processing of the application.

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## *Response to Appeal*

The project was reviewed for consistency with Planned District Development Standards pursuant to Section 22.42.060 (Design Review – Decision and Findings) of the Marin County Code, as summarized in Finding IX of the attached resolution.

## **CONCLUSION**

The Planning Commission acted appropriately in approving the application based on findings that the project is consistent with pertinent policies of the Marin Countywide Plan and with applicable regulations of the Marin County Development Code, including mandatory findings for approval of Design Review which requires compliance with Planned District Development Standards.

## **RECOMMENDATION**

Based on the summary analysis above and the detailed findings of fact and recommended conditions of approval contained in the proposed Resolution, staff recommends that your Board take the following actions:

1. Review the administrative record and conduct a public hearing; and
2. Move to adopt the attached Resolution Denying the Hughes Appeal and Sustaining the Planning Commission's Action by conditionally approving the Hansen Minor Design Review (06-53) application.

Respectfully submitted,

Reviewed by:

Anna M. Camaraota  
Planner

Alex Hinds  
Agency Director

## **ATTACHMENTS**

1. Proposed Resolution Denying the Hughes Appeal and Sustaining the Planning Commission's Action by Conditionally Approving the Hansen Minor Design Review (06-53) Application
2. Petition for Appeal (2/2/07)
3. Environmental Document
4. Location Map
5. Assessor's Parcel Map
6. Project Plans
7. Planning Commission Minutes: January 22, 2007
8. Hansen Letter (8/14/06)
9. Hughes Letter (3/3/07)
10. Marin County Code Chapter 22.16 – Planned District Development Standards, submitted by Hughes email (3/3/07)
11. Marin County Code Section 22.42.060 – Decision and Findings, submitted by Hughes email (3/3/07)
12. Staff Report to the Planning Commission (1/22/07)

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