

**TOWN OF FAIRFAX  
STAFF REPORT**  
Department of Planning and Building Services

**TO:** Fairfax Planning Commission  
**DATE:** July 19, 2012  
**FROM:** Jim Moore, Director of Planning and Building Services  
Linda Neal, Senior Planner  
**LOCATION:** 78 Toyon Road; Assessor's Parcel No. 003-081-36  
**PROJECT:** Expansion of a single-family residence  
**ACTION:** Use Permit and Setback Variance; Application # 12-15  
**APPLICANT:** Robert and Lauren Sandusky  
**OWNER:** Same  
**CEQA STATUS:** Categorically exempt section(s) 15301(e) and 15305(a)



**78 Toyon Road**

## BACKGROUND

The 6,190 square foot site slopes down from Toyon Road to Woodland Court and has an average slope of 50%. The 1,827 square foot, two bedroom, two ½ bath, residence was constructed in 2001 with an attached, three car, uncovered parking deck [Town Code § 17.052.020(D) exempts down-sloping properties with over a 50% slope from having covered parking].

## DISCUSSION

The applicants are proposing a 255 square foot bathroom/closet/deck addition to a 1,827 square foot single-family residence increasing the square footage to 2,082 square feet.

**Property Zoning:** Residential Single-family RS 6 Zone

	Front Setback	Rear Setback	Combined Front/rear Setback	Side Setbacks	Combined Side Setbacks	FAR	Lot Coverage	Height
<b>Required/ Permitted</b>	6ft	12ft	35ft	5ft & 5ft	20ft	.40	.35	28.5ft, 2 stories
<b>Existing</b>	0 ft	58 ft	58 ft	7ft & 8 ft	15 ft	.29	.33	32 ft, 3 stories
<b>Proposed</b>	0 ft	58 ft	58 ft	7 ft & 8 ft	15 ft	.33	.34	32 ft, 3 stories

The project requires the following discretionary permits:

### A Use Permit

Town Code § 17.080.050 requires that a Use Permit be obtained prior to any improvements on a property failing to comply with the minimum size and width requirements based on their slope. The site has a 50% slope and would have to be 42,000 square feet in size and 170 feet wide in order to meet the minimum size and width requirements [Town Code § 17.080.050(C)]. The site is only 6,190 square feet in size and 50 feet wide and therefore, the project requires a Use Permit.

The expanded floor area will be created by excavating back into the hillside underneath the existing upper living level of the residence.

The increased square footage will result in the residence being one of the larger in the neighborhood it is still well below the maximum permitted FAR of .40.

The project does not constitute a 50% remodel and does not require design review approval.

#### A Combined Side Setback Variance

Town Code §17.080.070(B)(2) requires that structures on sloped properties maintain a combined side yard setback of 20 feet. Town Code § 17.044.070(A)(2) allows decks to encroach 2 feet into a required setback. Therefore, the combined setback for a house and side yard deck on this property is 18 feet. The applicants are proposing a small deck to serve as an emergency exit off of the expanded bathroom on the east side of the residence that will result in the house maintaining a combined side setback of 17 feet instead of the required 18 feet. The proposed existing deck will not encroach any further into the required combined setback than the existing deck above it and will maintain over a 50 foot setback from the neighboring structure at 88 Toyon Road which meets the intent of the setback requirement.

#### **OTHER AGENCY/DEPARTMENT CONDITIONS**

##### Ross Valley Fire Department Conditions

1. The structure must be provided with a fire suppression system that is approved and inspection by the Ross Valley Fire Department.
2. Vegetative management on the site must comply with Ross Valley Fire Department Fire Protection Standard 220.
3. Address numbers that are at least 4 inches in height must be in place adjacent to the front door and if not clearly visible from the street additional numbers are required where they are clearly visible from the street. The numerals must be illuminated so they are visible at night.
4. All smoke detectors shall be provided with AC power and be interconnected for simultaneous alarm and be located as required by the Building Code.
5. Carbon monoxide detectors must be installed in compliance with the Building Code.

##### Marin Municipal Water District Conditions

1. All landscaping and irrigation plans must be designed in accordance with the District's indoor and outdoor requirements set forth in District Code Title 13, Water Conservation.
2. Backflow protection shall be provided as a condition of water service if required.

##### Ross Valley Sanitary District Conditions

1. If not already installed the side sewer be equipped with a backwater prevention device.

3. After the project is approved, the owner or contractor should contact the District to arrange for a District Inspector to approve the existing installation and to make a record of the backwater prevention device for the District's files.

## **RECOMMENDATION**

Move to approve application # 12-15 based on the following findings and subject to the following conditions:

### **Recommended Findings**

1. The project complies with the FAR, height and lot coverage limitations. Therefore, the approval of the use permit shall not constitute a grant of special privilege and shall not contravene the doctrines of equity and equal treatment.
2. The project will not change the single-family residential character of the structure. Therefore, the development and use of property as approved under the use permit shall not cause excessive or unreasonable detriment to adjoining properties or premises, or cause adverse physical or economic effects thereto, or create undue or excessive burdens in the use and enjoyment thereof, or any or all of which effects are substantially beyond that which might occur without approval or issuance of the use permit.
3. The project does not constitute a 50% remodel, does not increase the number of bedroom, and the site already complies with the parking requirements. Therefore, approval of the use permit is not contrary to those objectives, goals or standards pertinent to the particular case and contained or set forth in any Master Plan, or other plan or policy, officially adopted by the City.
4. The project will allow the owners to make minor improvements to the property without impacting neighboring properties or the neighborhood in general. Therefore, approval of the use permit will result in equal or better development of the premises than would otherwise be the case, and that said approval is in the public interest and for the protection or enhancement of the general health, safety or welfare of the community.
5. The site is very narrow, only 50 feet wide. This narrow width is the special circumstance applicable to the property that results in the proposed second exit deck encroaching one foot into the required combined 18 foot setback. It would be difficult to comply with both the Building Code width requirements for a deck and the setback requirements and still provide a second exit on a lot with this steep a slope. Therefore, the strict application of the Zoning Ordinance regulations would deprive the applicant of privileges enjoyed by other property owners in the vicinity and under identical zone classification.
6. Many of the subdivisions in the hillside areas of Town created parcels that are only 50 feet wide and on those properties there any many structures that encroach not only into

the combined side setbacks but even the minimum 5 foot side setbacks. Therefore, granting this variance to allow a 1 foot encroachment into only the combined side setback will not constitute a grant of special privilege, is consistent with the limitations upon other properties in the vicinity and under identical zone classification, and is consistent with the objectives of this title.

7. The strict application of this title would result in excessive or unreasonable hardship because the applicants would be unable to provide a level emergency exiting area if the variance were denied.
8. The granting of the variance of adjustment will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated because the deck will maintain over a 48 foot setback from the nearest neighboring property at 88 Woodland Road which meets the intent of the setback requirement.

#### Recommended Conditions

1. This approval is limited to the development illustrated on the plans prepared by Robert Sandusky, Architect, pages C0.0.1, A3.0.1, A6.1.0, A7.0.1 and A7.0.2 dated received May 10, 2012, and the survey dated 10/9/91 by Alberto Masso.
2. Prior to issuance of a building permit the applicant or his assigns shall:
  - a. Submit a construction plan to the Public Works Department which may include but is not limited to the following:
    - Construction delivery routes approved by the Department of Public Works.
    - Construction schedule (deliveries, worker hours, etc.)
    - Notification to area residents
    - Emergency access routes
  - b. The applicant shall prepare, and file with the Public Works Director, a video of the roadway conditions on the construction delivery routes (routes must be approved by Public Works Director/ the Public Works Director can waive this requirement).
  - c. Submit a bond or letter of credit to the Town in an amount that will cover the cost of grading, weatherization and repair of possible roadway damage. The applicant shall submit contractor's estimates for any grading, site weatherization and improvement plans for approval by the Building Official/Public Works Director. Upon approval of the contract costs, the applicant shall submit bond or letter of credit equaling 100% of the estimated construction costs.
  - d. The foundation and retaining elements shall be designed by a structural engineer certified as such in the state of California. Plans and calculations of the foundation and retaining elements shall be stamped and signed by the structural engineer and submitted to the satisfaction of the Plan Check Engineer.

e. Prior to submittal of the building permit plans the applicant shall secure written approval from the Ross Valley Fire Authority noting the development's conformance with their recommendations and shall include a copy with the building permit submittal.

3. During the construction process the following shall be required:

a. The structural engineer shall be on-site during the grading process (if there is any grading to be done) and shall submit written certification to the Town staff that the grading has been completed as recommended prior to installation of foundation and retaining forms and piers.

b. The structural engineer shall field check the forms of the foundations and retaining elements and provide written certification to the Town staff that the work to this point has been completed in conformance with their recommendations and the approved building plans prior to the concrete form inspection by the building official. The building official shall field check the concrete forms prior to the pour.

c. All construction related vehicles including equipment delivery, cement trucks and construction materials shall be situated off the travel lane of the adjacent public right(s)-of-way at all times. This condition may be waived by the building official on a case by case basis with prior notification from the project sponsor.

d. Any proposed temporary closure of a public right-of-way shall require prior approval by the Fairfax Police Department and any necessary traffic control, signage or public notification shall be the responsibility of the applicant or his/her assigns. Any violation of this provision will result in a stop work order being placed on the property and issuance of a citation.

4. Prior to issuance of an occupancy permit the following shall be completed:

a. The structural engineer shall field check the completed project and submit written certification to the Town Staff that the foundation, retaining, grading and drainage elements have been installed in conformance with the approved building plans and the recommendations of the soils report.

b. The Planning Department shall field check the completed project to verify that all Planning Commission conditions have been complied with.

5. Excavation shall not occur between October 1st and April 15th. The Town Engineer has the authority to waive this condition depending upon the weather.

6. The roadways shall be kept clean and the site free of dust by watering down the site or sweeping the roadway daily, if necessary.

7. During construction the developer and all employees, contractors and subcontractors must comply with all requirements set forth in Ordinance # 637 (Chapter 8.32 of the Town Code), "Urban Runoff Pollution Prevention".

8. Notwithstanding section #17.072.050 of the Fairfax Zoning Ordinance, any changes, modifications, additions or alterations made to the approved set of plans will require a modification of Application # 12-18. Any construction based on job plans that have been altered without the benefit of an approved modification of Application # 12-18 will result in the job being immediately stopped and red tagged.

9. Any damages to the roadways accessing the site resulting from construction activities shall be the responsibility of the property owner.

10. The applicant shall comply with any and all requirements of the Ross Valley Fire Department, the Ross Valley Sanitary District, the Marin Municipal Water District and the Fairfax Building Official.

11. The applicant or owner shall defend, indemnify, and hold harmless the Town of Fairfax or its agents, officers, and employees from any claim, action, or proceeding against the Town of Fairfax or its agents, officers, or employees to attach, set aside, void, or annul an approval of the Planning Commission, Town Council, Planning Director, Design Review Board or any other department or agency of the Town concerning a development, variance, permit or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or owner's duty to so defend, indemnify, and hold harmless shall be subject to the Town's promptly notifying the applicant or owner of any said claim, action, or proceeding and the Town's full cooperation in the applicant's or owner's defense of said claims, actions, or proceedings.

12. All conditions of agencies with jurisdiction over the project must be complied with unless that agency waives one or more of them in writing to the Town.

#### Ross Valley Fire Department Conditions

1. A fire sprinkler system shall be installed throughout the entire building which complies with the requirements of the National Fire Protection Association (NFPA) 13-D and local standards.
2. Address numbers at least 4" tall must be in place adjacent to the front door. If not clearly visible from the street, additional numbers are required. Residential numbers must be internally illuminated (backlit), placed to a light or be reflective numbers. If your project is a new house or substantial remodel, they may only be internally illuminated or illuminated an adjacent light controlled by a photocell and switched only by a breaker so it will remain illuminated all night. If not currently as described, they must be installed as part of this project.

3. All smoke detectors shall be provided with AC power and be interconnected for simultaneous alarm and be located as required by the Building Code.
4. Carbon monoxide detectors must be installed in compliance with the Building Code.
5. The site shall comply with Ross Valley Fire protection Standard 220 Vegetative and Fuels Management Plan.

#### Marin Municipal Water District Conditions

1. All landscaping and irrigation plans must be designed in accordance with the District's Ordinance #385 for water conservation and landscaping.
2. Backflow prevention shall be installed and inspected by the Water District as a condition of water service if required.

#### Ross Valley Sanitary District Conditions

1. If not already installed the side sewer be equipped with a backwater prevention device.
2. After the project is approved, the owner or contractor should contact the District to arrange for a District Inspector to approve the existing installation and to make a record of the backwater prevention device for the District's files.

#### **ATTACHMENTS**

Exhibit A – applicant's supplemental information

Exhibit B – Other agency/department conditions

PROJECT DESCRIPTION: ADDITION OF AN EMERGENCY EXIT DOOR TO FIRST FLOOR LIVING AREA, RECONFIGURE MASTER BATHROOM INCLUDING REPLACEMENT OF LEAKY SHOWER. ADD A CLOTHES CLOSET TO MASTER BEDROOM

GENERAL INFORMATION (if applicable):

Item	Existing	Proposed
Lot size	6190 SQ FT.	NO CHANGE
Size of structure(s) or commercial space (square feet)	1827 SQ FT	NO CHANGE
Height and No. of stories	35 FT. - TWO STORIES	NO CHANGE
Lot coverage	1727 SQ FT	NO CHANGE
No. of dwellings units	SINGLE FAMILY - R.6	NO CHANGE
Parking <sup>1</sup> No. of spaces	3	NO CHANGE
Size of spaces	19' x 29'	NO CHANGE

Amount of proposed excavation and fill	Excavation = < 1 c.y.	Fill = 0
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Estimated cost of construction \$ 50,000<sup>00</sup>

Lot Coverage is defined as the land area covered by all buildings and improvements with a finished height above grade and all impervious surfaces except driveways.

<sup>1</sup>Minimum parking dimensions are 9' wide by 19' long by 7' high. Do not count parking spaces that do not meet the minimum standards.

Restrictions: Are there any deed restrictions, easements, etc. that affect the property, and, if so, what are they? NONE

[Signature]  
Signature of Property Owner

[Signature]  
Signature of Applicant

5.10.2012  
Date

5.10.2012  
Date

Planning Department staff is available by appointment between 8:30 a.m. and 12:00 noon and 1:00 p.m. and 5:00 p.m. Monday through Thursday at 142 Bolinas Road, Fairfax, CA. (415) 453-1584

## FLOOR AREA RATIO (FAR) AND LOT COVERAGE STATISTICS

The following information will be used to verify application FAR and lot coverage amounts.  
Applications will not be considered complete until the following table is complete.

	Existing	Proposed
Footprint square footage for all structures		
Living space square footage		
First floor	681 SQ.FT.	255 + 681 = 936 SQ.FT.
Second floor	1146 SQ.FT.	1146 SQ.FT.
Third floor		
<b>Total</b>	1827 SQ.FT.	2082 SQ.FT.
Accessory structure square footages		
Sheds	N/A	N/A
Pool houses	↓	↓
Studios/offices		
Second units		
Miscellaneous (specify use)	↓	↓
<b>Total</b>	/	/
Square footage of impervious surfaces		
Walkways		
Patios		
Impervious decks	635 SQ.FT. (PARKING)	635 SQ.FT.
Miscellaneous (specify use)	298 SQ.FT. (BALCONIES)	298 + 76 = 374 SQ.FT.
<b>Total</b>		
Garage/carport square footages (specify type)		

\* All square footage measurements must be the sum of all interior floor area measured from the exterior faces of the exterior walls for structures (Town Code § 17.008.020).

**FLOOR AREA:** Fairfax Town Code § 17.008.020, Definitions, defines "floor area" as the sum of all interior floor area measured from the exterior faces of the exterior walls. The "floor area" of any accessory structures on the same lot shall be included. The "floor area" of any garage in excess of 500sf in size for single-family residences and 800sf in size for duplexes shall also be included.

**LOT COVERAGE:** Fairfax Town Code § 17.008.020, Definitions, defines "lot coverage" as the percentage of the lot area that is occupied by the ground area of a building, any accessory building(s), as well as any impervious surface areas such as patios (other than driveways) adjacent to the building or accessory structure.

SUPPLEMENTAL QUESTIONNAIRE

VARIANCE

VARIANCE (S) REQUESTED:

\_\_\_\_\_ foot front yard variance to construct a \_\_\_\_\_ within \_\_\_\_\_ feet of the front property line.

\_\_\_\_\_ foot rear yard variance to construct a \_\_\_\_\_ within \_\_\_\_\_ feet of the rear property line.

13' foot side yard variance to construct a 4' - 10" DECK within \_\_\_\_\_ feet of the side property line.

\_\_\_\_\_ foot creek setback variance to construct a \_\_\_\_\_ within \_\_\_\_\_ feet of the top of the creek bank.

Other (fence height, building height, parking number or size, etc.) \_\_\_\_\_

FINDINGS:

- 1. List below special circumstances applicable to the property, including size, shape, topography, location, or surroundings, to show why the variance should be granted; and why the granting of the variance will not be a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zone (you may attach a statement).

THE NEW DECK IS DIRECTLY BELOW THE EXISTING DECK AND PROTRUDES INTO THE SETBACK THE SAME DISTANCE. THE DECK IS NECESSARY TO ACCOMMODATE AN ESSENTIAL SAFE EXIT THROUGH A NEW DOOR, WHICH WILL PROVIDE AN ESCAPE ROUTE TO GROUND LEVEL. THIS WILL ALLEVIATE THE NEED FOR INFANTS TO BE RESCUED THROUGH A WINDOW WITH LADDER.

- 2. List below your reasons why the variance will not materially adversely affect the health or safety of persons residing or working in the neighborhood or be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood (you may attach a statement).

THIS EXITWAY HAS NO EFFECT ON HEALTH, SAFETY, PROPERTY OR IMPROVEMENTS OF THE PUBLIC OR RESIDENTS IN THE NEIGHBORHOOD; CANNOT BE SEEN FROM ANY PUBLIC WAY, AND IS EFFECTIVELY SCREENED FROM THE PROPERTY TO THE EAST BY EXISTING STRUCTURES, FENCES AND PLANTING.

- 3. Explain why complying with the Town Ordinance requirements will be a hardship for the owner.

NO SAFE EXIT BY FOOT FROM FIRST FLOOR IS POSSIBLE WITHOUT CONSTRUCTING A DECK AND/OR STAIRS TO GRADE WITHIN THE SETBACK ZONE.

## Variance - Additional information required.

- Include a cross section through the proposed project depicting the project and the relationship of the proposal to existing features and improvements on adjacent properties.
- Lot coverage calculation including all structures and raised wooden decks.

$$\frac{\text{STRUCTURE } 1803 \text{ SQ. FT.}}{6190 \text{ LOT SQ. FT.}} \rightarrow 29\% \text{ LOT COVERAGE}$$

In order to approve your project, the Planning Commission must make findings of fact which state that 1) there is a special feature of the site (such as size, shape or slope) which justifies an exception; 2) that the variance is consistent with the treatment of other property in the neighborhood; 3) that strict enforcement of the ordinance would cause a hardship; and 4) that the project is in the general public interest.

In the space below, please provide any information which you feel is relevant to these issues and which further explains your project.

THE SITE IS A STEEP DOWNHILL SLOPE. THE BEDROOMS OF THE FIRST FLOOR LEVEL ARE ABOVE GRADE, WITH ONLY LADDER EXITING POSSIBLE, WHICH IS AN UNLAFE CONDITION FOR CHILDREN. THE MOST EFFICIENT WAY TO CREATE AN EXIT IS THROUGH THE MASTER BATH. THE ADJACENT PROPERTY TO THE WEST HAS AN EXISTING CANTILEVERED ENCLOSED SPACE THAT PROTRUDES 5'-4" INTO THE SIDE-YARD SETBACK BETWEEN HOUSES. HARDSHIPS EXIST UNDER CURRENT CONDITIONS BY RESTRICTING SAFE EXIT FROM THE LOWER FLOOR IN CASE OF FIRE OR EARTHQUAKE. HEALTH AND SAFETY OF RESIDENCE OCCUPANTS IS IN THE GENERAL PUBLIC INTEREST BECAUSE IT ENHANCES THE SAFEGUARDS TO THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE, AND FOR FIREFIGHTERS AND EMERGENCY RESPONDERS IN ACCORDANCE WITH THE PURPOSE OF 2010 CRC CH1, DIV 1, SECTION 1.1.2.



Ross Valley Fire Department

777 San Anselmo Ave  
San Anselmo, Ca 94960  
Ph. 415-258-4686

### FIRE DEPARTMENT PLAN REVIEW

PROJECT: Residence  
ADDRESS: 78 Toyon  
Fairfax CA, 94930

Page: 1 of 2  
Date: 05/30/2012  
Reviewed by: Rob Bastianon  
(415) 258-4673

TYPE OF REVIEW: Planning  
Bldg. Dept. 05/15/12 Fire Dept. # 12-0125  
E-mail: [Rbastianon@rossvalleyfire.org](mailto:Rbastianon@rossvalleyfire.org)  
Review No. 1  
Fire Department Standards can be found at: [www.rossvalleyfire.org](http://www.rossvalleyfire.org)

Applicant\*: Planning  
Address:

**\*Applicant is responsible for distributing these Plan Review comments to the Design Team.**

Occupancy Class: <b>R-3</b>	Fire Flow Req: <b>500 GPM</b>	Sprinklers Required: <b>YES</b>
Type of Construction: <b>V-B</b>	On-site Hyd. Req: <b>NO</b>	Fire Alarm Required: <b>NO</b>
Bldg Area: sqft:	Turn-Around Req: <b>NO</b>	Permits Required: <b>Sprinkler</b>
Stories: <b>2+</b>	Fire Flow Test Required: <b>NO</b>	
Height: +ft.	Wildland Urban Interface: <b>YES</b>	

The project listed above has been reviewed and determined to be:

- APPROVED** (no modifications required)
- APPROVED AS NOTED** (minor modifications required - review attached comments)
- NOT APPROVED** (revise per attached comments and resubmit)
- INCOMPLETE** (provide additional information per attached comments and resubmit)

**NOTE:** Please review the comments and make corrections and/or add notes as required. Changes and/or additions shall be clouded and referenced by date on a legend. Approval of this plan does not approve any omission or deviation from the applicable regulations. Final approval is subject to field inspection. Approved plans shall be on site and available for review at all times.

**ROSS VALLEY FIRE DEPT.  
REVIEWED**

DATE: 5/30/12

**Inspections required:**

- Access/Water Supply prior to delivery of combustibles
- Defensible Space/Vegetation Management Plan
- Sprinkler Hydro/Final
- Final

**EXHIBIT # B**



Ross Valley Fire Department  
 777 San Anselmo Ave  
 San Anselmo, Ca 94960  
 Ph. 415-258-4686

### FIRE DEPARTMENT PLAN REVIEW

PROJECT: Residence  
 ADDRESS: 78 Toyon  
 Fairfax CA, 94930

Page: 2 of 2  
 Date: 05/30/2012  
 Reviewed by: Rob Bastianon  
 (415) 258-4673

TYPE OF REVIEW: Planning E-mail: [Rbastianon@rossvalleyfire.org](mailto:Rbastianon@rossvalleyfire.org)  
 Bldg. Dept. 05/15/12 Fire Dept. # 12-0125 Review No. 1  
 Fire Department Standards can be found at: [www.rossvalleyfire.org](http://www.rossvalleyfire.org)

ITEM #	SHEET	COMMENTS	Corr. Made
1		A fire sprinkler system shall be installed throughout the entire building which complies with the requirements of the National Fire Protection Association (NFPA) 13-D and local standards. A separate deferred permit shall be required for this system. Plans and specifications for the system shall be submitted by an individual or firm licensed to design and /or design-build sprinkler systems.	
		Submitter's Response: Correction has been completed. See Sheet _____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
2		All smoke detectors in the residence shall be provided with AC power and be interconnected for simultaneous alarm. Detectors shall be located in each sleeping room, outside of sleeping rooms centrally located in the corridor and over the center of all stairways with a minimum of one detector per story of the occupied portion of the residence.	
		Submitter's Response: Correction has been completed. See Sheet _____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
3		Maintain around the structure an effective firebreak by removing and clearing all flammable vegetation and/or other combustible growth. Ross Valley Fire Department Fire Protection Standard 220 Vegetation/Fuels Management Plan is available online @ <a href="http://Rossvalleyfire.org">Rossvalleyfire.org</a> to assist the applicant in meeting the minimum defensible space requirements.	
		Submitter's Response: Correction has been completed. See Sheet _____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
4		Carbon monoxide alarms shall be provided in existing dwellings when a permit is required for alterations, repairs, or addition exceeds one thousand dollars. CO alarms shall be located outside of each dwelling unit sleeping are in the immediate vicinity of the bedroom(s) and on every level of a dwelling unit including basements.	
		Submitter's Response: Correction has been completed. See Sheet _____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
5		Address numbers at least 4" tall must be in place adjacent to the front door. If not clearly visible from the street, additional numbers are required. Residential numbers must be internally illuminated (backlit), placed to a light or be reflective numbers. If your project is a new house or substantial remodel, they may only be internally illuminated or illuminated an adjacent light controlled by a photocell and switched only by a breaker so it will remain illuminated all night. If not currently as described, they must be installed as part of this project.	



# MARIN MUNICIPAL WATER DISTRICT

220 Nellen Avenue Corte Madera CA 94925-1169  
www.marinwater.org

Linda Neal  
Town of Fairfax Planning Dept  
142 Bolinas Rd  
Fairfax CA 94930

May 22, 2012  
Service No. 43037

**RECEIVED**  
MAY 22 2012  
TOWN OF FAIRFAX

**RE: WATER AVAILABILITY - Single Family Dwelling**  
Assessor's Parcel No.: 003-081-36  
Location: 78 Toyon Rd., Fairfax

Dear Ms. Neal:

The above referenced parcel is currently being served. The purpose and intent of this service are to provide water to a single family dwelling. The proposed 331 square feet of additions to the existing structure including a closet, bathroom and decking will not impair the District's ability to continue service to this property.

Compliance with all indoor and outdoor requirements of District Code Title 13 – Water Conservation is a condition of water service. Indoor plumbing fixtures must meet specific efficiency requirements. Landscape plans shall be submitted, and reviewed to confirm compliance. The Code requires a landscape plan, an irrigation plan, and a grading plan. Any questions regarding District Code Title 13 – Water Conservation should be directed to the Water Conservation Department at (415) 945-1497. You can also find information about the District's water conservation requirements online at [www.marinwater.org](http://www.marinwater.org).

Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1559.

If you have any questions regarding this matter, please contact me at (415) 945-1531.

Very truly yours,

Joseph Eischens  
Engineering Technician

JE:mp

cc: Town of Fairfax Building Dept

Attn: Stuart

**TOWN OF FAIRFAX  
DEPARTMENT OF PLANNING AND BUILDING SERVICES**

142 Bolinas Road, Fairfax, California 94930  
Phone (415) 453-1584 FAX (415) 453-1618

**LETTER OF TRANSMITTAL**

**From: Fairfax Planning and Building Services Department**

**Date: May 15, 2012**

To:  Town Engineer       Fairfax Police Dept.       Marin County Open Space Dist.  
 Town Attorney       Sanitary Dist. 1       Other – Building Official  
 MMWD       Public Works Dept.  
 Ross Valley Fire       Marin County Health Dept.

Address and Parcel No: 78 Toyon Road; Assessor's Parcel No. 003-081-36

Project Description: 255 square foot closet/bathroom addition, minor remodel of existing bedroom to remove closets and relocate bathroom door and construction of a 76 square foot deck.

These plans are being transmitted for review either: a) prior to public hearings on discretionary permits before the Fairfax Design Review Board and Planning Commission; or, for review prior to issuance of a building permit. Please provide your comments on the completeness and adequacy of the submittal for your agencies reviewing purposes within 10 days.

1	Received 5/10/12	Preliminary development plans by Robert Sandusky

**REMARKS** NO CONCERNS. SB

Please respond by May 30, 2012. Thanks

If you have any questions please contact: Linda Neal, Senior Planner