

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

TO: Planning Commission
DATE: October 18, 2012
FROM: Jim Moore, Director of Planning and Building Services
Linda Neal, Senior Planner
PROJECT: An addition/remodel of an existing single-family residence
ACTION: Request for a modification of a Use Permit, a Side Yard Setback Variance, Parking Variance and Design Review; Application # 12-17
APPLICANT: Dennis Ludlow
OWNER: Sharilyn Scharf and Michael Goldstein
LOCATION: 18 Sequoia Road; Assessor's Parcel No. 001-144-09
ZONING: Residential Single-family RS 6 Zone
CEQA STATUS: Categorically exempt, sections 15301(e)(1) and 15305(a)



18 SEQUOIA ROAD

BACKGROUND

On August 2, 2012, the Commission approved a Use Permit, Side Setback Variances and a Parking Variance for 253 square foot addition and remodel of the existing 605 square foot single-family residence including raising the roofline 2 ½ feet to include a 277 square foot attic storage area. For a further discussion of the previously approved project please see the attached staff report dated July 19, 2012 and the August 2, 2012 minutes from that meeting (Exhibits A and B).

DISCUSSION

Town staff has attended meetings with the Federal Flood Management Agency (FEMA) over the past year or so about the soon to be released revised flood maps. The new flood maps will incorporate some previously excluded parcels into the flood zones where potentially expensive flood insurance will be required.

The project site is one of the properties that will be in a new flood zone. The applicants are in the process of doing substantial work on their house and would like to modify their previously approved project, increasing the finished first floor elevation to 3 feet 2 inches above grade and increasing the ultimate height of the house from 19 feet to 20 feet 8 inches. The front entry porch will also need to be redesigned because of the increased floor height but it will comply with required setbacks.

RECOMMENDATION

1. Open the public hearing and take testimony.
2. Close the public hearing.
3. Move to approve the proposed modifications to application # 12-17 based on the findings and subject to the conditions of approval contained in the July 19, 2012 meeting with the revised maximum height as follows:

Recommended Findings

1. The approval of the project will not constitute a grant of special privilege because: a) the site is zoned for single-family use; b) the addition maintains a height 20ft 8 inches which is 7 feet 10 inches less than the permitted maximum height; and c) the proposed addition does not extend any further into the required setbacks than the existing structure.
2. The project will not cause unreasonable detriment to adjoining properties because: a) the addition is one-story and has been designed at the rear of the structure to maintain the façade of the existing cottage and minimize the impact of the project of the streetscape; and, b) it will maintain the existing 11ft separation from the duplex at 14 Sequoia Road and a 28ft separation from the residence at 22 Sequoia Road.

3. Approval of the use permit will allow a modest 253sf addition to a structure that was constructed for use as a seasonal cottage and result in a more functional single-family residence.
4. The proposed site was legally created in its current 3,300sf size in 1911. Because of the small size and width of the site, the strict application of the 5ft minimum and 15ft combined side yard setbacks would deny the applicants the ability to construct any addition to their residence which is a privilege enjoyed by other property owners in the vicinity and under identical zone classifications.
5. The strict application of this title would result in excessive or unreasonable hardship because the owners would be prohibited from making any improvements or additions to their residence which is currently legal non-conforming.
6. The granting of the variance of adjustment will not be detrimental to the public welfare because the addition has been designed to maintain a substantial setback from the street to maintain the street façade as it exists now.

Recommended Conditions

1. This approval is limited to the development illustrated on the plans prepared by Dennis Ludlow dated 5/30/12, pages 1 and 3 and revised page 2 dated 10/4/12.
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 # 09-0124. Any construction based on job plans that have been altered without the benefit of an approved modification of Application # 09-0124 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. The project will not receive a final inspection or certificate of occupancy until the accessory storage shed has been removed from the site.
13. Prior to issuance of the building permit the applicants shall provide a report by a licensed arborist that includes a survey of the existing health of the trees and mitigation measures to be taken during and after construction to maintain the trees health. The arborist shall be on site during the grading and shall provide a letter to the Town indicating that their recommended mitigation measures were followed prior to the concrete pour inspection being performed by the Building Official.
14. This project requires a Tree Alteration or Removal Permit, as well as a Tree Protection Plan provided by a Certified Arborist and is subject to approval based on these conditions.
15. The applicant must obtain a permit from the Bay Area Air Quality Management District prior to any demolition work.

16. 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.

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.

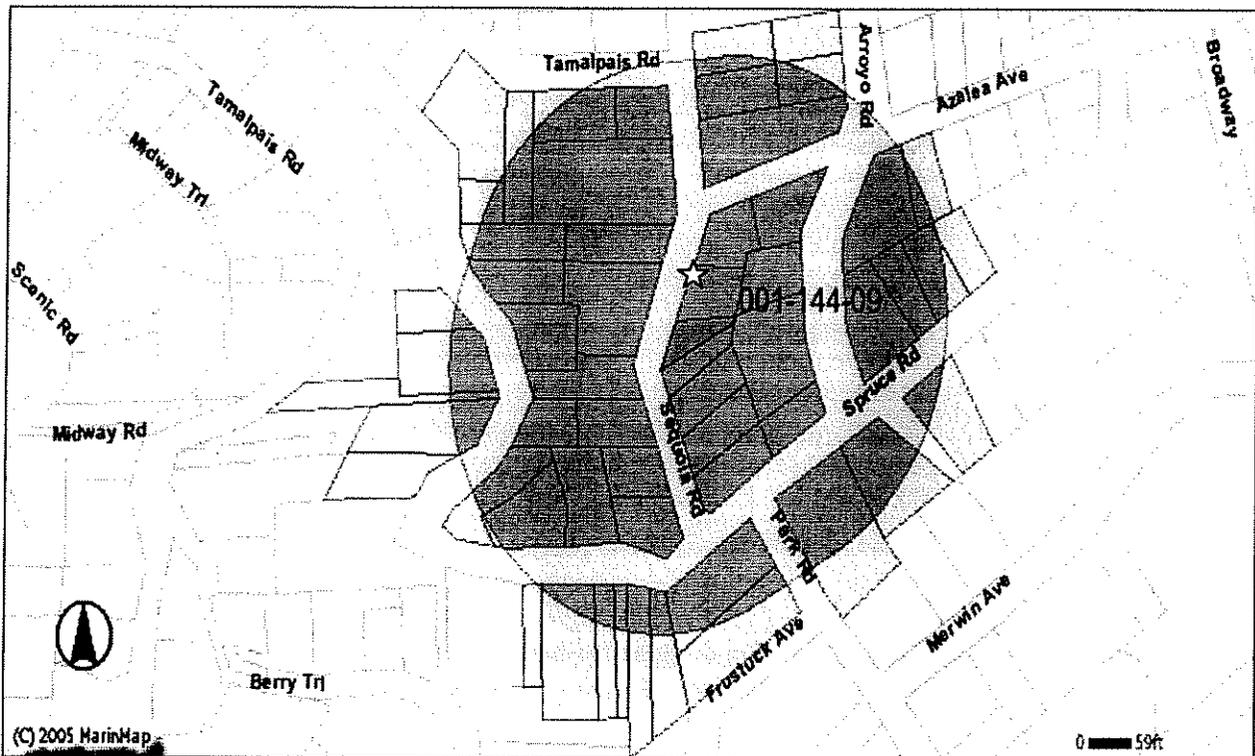
ATTACHMENTS

- Exhibit A – Applicants supplemental information
- Exhibit B - Other agency comments

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18 SEQUOIA ROAD

BACKGROUND

The original residence was constructed in 1924 and the parcel was originally a portion of the lot next door at 14 Sequoia Road which is currently developed with two (2) living units (main residence built in the 1940's, basement unit in 1957).

There are very few structures in the surrounding subdivision that comply with all of the current zoning regulations. The current RS 6 Zoning Regulations were adopted in 1973 rendering most of the properties in the surrounding, pre-1920 subdivisions, non-conforming.

Variations and a Use Permit were previously granted twice by the Commission to allow expansion of this residence. The Planning Commission approved a 602sf second story addition to the residence on June 16th, 2005. This approval expired in 2007 but was approved a second time by the Commission on March 20th, 2008. A scaled back version with an expansion and remodel of the first floor and an attic storage space above was approved by the Commission on August 20, 2009.

The project was never considered a 50% remodel before because in 2009 the cost of constructed was compared with the valuation of the structure to determine whether a project was a 50% remodel. In 2009 the project valuation was \$50,016 and the applicant submitted a private appraisal that valued the improvements at \$176,700. Therefore, the project was not determined to be a 50% remodel and did not require design review.

50% Remodel Discussion (pertaining to Town Code Section 17.016.040)

The intention of the 50% remodel ordinance is to try to eliminate non-conformities throughout the Town and/or to minimize them and not to exacerbate substandard situations such as with sites that do not meet minimum parking and/or setback regulations.

However, due to most of the properties in Town having some substandard features, the Code grants some relief with Town Code § 17.016.040(C) which allows 50% remodels to occur if projects are cosmetic, for earthquake preparedness purposes, to achieve energy efficiency, or when all of the following conditions exist:

1. The off street parking requirements are met or a parking variance is granted by the Planning Commission.
2. The work does not increase a non-conformity; and
3. When the property in question is not located within a Flood Zone or a Ridgeline Scenic Corridor.

DISCUSSION

The applicants are proposing to construct a 253 square foot addition and remodel the existing 605 square foot single family residence including raising the roofline 2 ½ feet to include a 277 square foot attic storage area. Two small shed will also be removed. The project constitutes a 50% remodel based on the new definition of 50% remodel contained in Town Code § 17.016.040(B)(2).

The residence is located in the Residential Single-family Zone and the property conforms with the regulations of the zone as follows:

	Front setback	Rear setback	Combined Front/rear setback	Side setbacks	Combined side setback	FAR	Lot coverage	Height
Permitted/required	6 ft	6 ft	25 ft	5 ft & 5 ft	15 ft	.40	.35	28.5 ft
Existing	6 ft	50 ft	56 ft	3 ft & 8 ft	11 ft	.18	.19	16.5ft
Proposed	6 ft	25 ft	31 ft	3 ft & 8 ft	11 ft	.25	.27	19ft

The project requires the approval of the following discretionary permits:

A Use Permit – Town Code § 17.080.050(A) requires that a Use Permit be obtained for any level property that is not a minimum of 6,000 square feet in size and 60 feet in width. The subject site is only 3,300 square feet in size and is triangular in shape with only 57 feet of width at the street.

The purpose of the Use Permit process is to allow the proper integration into Fairfax of uses which may be suitable only in certain locations in the town or in a zone, or only if such uses are designed or laid out on the site in a particular manner [Town Code Section 17.032.010 (A)]. The applicants have designed a modest, one story, 253 square foot addition to the existing cottage which will not result in the structure exceeding the permitted Floor Area Ratio of .40.

Homes on similar sized lots in the neighborhood vary in size from 802 square feet on a 2,088 square foot parcel (10 Spruce Road) to 1,919 square feet on at 3,200 square foot lot (9 Azalea Avenue). Therefore, the project, resulting in an 858 square foot residence (1,135 square feet including the attic) is not out of character with the surrounding neighborhood.

Setback Variances: Town Code § 17.080.070(A)(2) requires that properties in the RS 6 Zone maintain minimum side setbacks of 5 feet and a combined side setback of 15 feet. The site was created in its current configuration sometime prior to the Town’s incorporation in 1931 and it is substantially substandard in size, only 3,300 square feet. It also has an irregular triangular shape

that results in the existing structure maintaining a substandard 3 foot northern side yard setback and a substandard 11 foot combined side yard setback.

The purpose of the Variance process is to allow variation from the strict application of the zoning ordinance whereby for reasons of exceptional narrowness, shallowness or unusual shape of a specific piece of property or by reason for exceptional topographic conditions, the literal enforcement of the zoning regulations would cause undue hardship unnecessary to carry out the spirit and purpose of this title (Town Code § 17.028.010).

The small size and irregular shape of the property makes it very difficult to design any addition that would conform to all the development regulations of the RS 6 Zone District. This new design calls for a one-story addition with an attic storage space. The proposed addition does not extend any further into any of the setbacks than the existing structure.

Parking Variance: Town Code § 17.016.020(C)(2)(a) requires that parking either be brought into conformance with the currently regulations when a project is a 50% remodel, or that the Commission grant a parking variance. Town Code §17.052.030(A)(1) and (2) require that single-family residences have three parking spaces with at least one of the spaces being covered.

The existing residence has one small bedroom and a room called a bedroom that does not constitute a bedroom per the building code because it does not have a closet. The proposed project will convert the bedroom lacking a closet into an office resulting in a 1 bedroom house. Therefore, granting a parking variance to allow the non-conforming 1 parking space to remain as is will not significantly impact the neighborhood. Also, the small 3,300 square foot size of the site does not allow for the provision of additional parking.

Note that the deck proposed at the rear of the property maintains the required side setbacks with a northern side setback of 4 feet and a southern setback of 9 feet. Town Code § 17.044.070(A)(2) allows decks to encroach two feet into any required setback. Therefore the deck meets the minimum 3 foot setbacks and the combined 13 foot setback for this type of structure.

Design Review:

The project requires design review approval because it constitutes a 50% remodel per Town Code § 17.020.030(A). In order to grant design review approval for a project the Commission must find the proposal complies with the design review criteria contained in Town Code § 17.020.040 as follows (staff's recommended findings follow in italicized, bold, font):

1. The proposed development shall create a well composed design, harmoniously related to other facilities in the immediate area and to the total setting as seen from hills and other key vantage points in the community.

The porch at the front of the building will be retained, thereby maintaining the "cottage" appearance of the structure. The structure has also been stepped back on the site on the south side, following the property line, minimizing the impact of that side of the residence on the

duplex to the south and increasing the articulation.

2. Only elements of design which have significant relationship to exterior appearance of structures and facilities shall be considered; these elements may include height, arrangement on the site, texture, material, color, signs, landscaping and appurtenances.

The proposed one story residence will have much less of an impact on the site than a two story project. The peak of the roof will be increased 4 feet to a total of 19 feet to accommodate the attic space. The roof slopes down so that the eave edge will be at roughly the same height of 9.5 feet. The structure will still be well below the height of the adjacent duplex, which is two stories. The structure will be 3 feet taller than the residence to the north at 22 Sequoia Road but that house is set 8 feet away with the garage between the project site and the residential living space.

3. The proposed development shall be of a quality and character appropriate to, and serving to protect the value of, private and public investments in the immediate area.

The project has been designed to retain the horizontal siding and hung windows of the existing structure and will be of a quality and character appropriate to the neighborhood. Windows on the north side of the residence, where the structure is only 3 feet from the property line, have been minimized with only one clerestory window in the bath and another window to the office which is adjacent the neighbors garage. Therefore, the development is of a quality and character that will protect private investments in the immediate area.

4. The proposed development shall conform with all requirements for landscaping, screening, usable open space and the design of parking and off-street loading areas set forth in this title.

The addition will not increase the number of bedrooms in the structure beyond the one that exists now. Therefore, the one off street parking space is adequate.

5. Where the proposed development is located in an area where a neighborhood plan or precise plan has been adopted by the town, the design of the development shall conform in all significant respects with such plans.

Not applicable.

6. There shall exist sufficient variety in the design of the structures and grounds to avoid monotony in external appearance.

See criteria 1, 2 and 3 above.

7. The size and design of the structure shall be considered for the purpose of determining that the structure is in proportion to its building site and that it has a balance and unity among its external features so as to present a harmonious appearance.

Parcels on similar sized lots in the neighborhood vary in size from 802 square feet on a 2,088

square foot parcel (10 Spruce Road) to 1,919 square feet on at 3,200 square foot lot (9 Azalea Avenue). The project only increases the height of the structure to 19 feet which is well below the permitted 28.5 foot height allowed. Therefore, the project, resulting in an 858 square foot residence (1,135 square feet including the attic) and is in proportion to its building site.

The extent to which the structure conforms to the general character of other structures in vicinity insofar as the character can be ascertained and is found to be architecturally desirable.

The architecture in the neighborhood is varied with no one discernible type. There are two story structures, duplexes, structures that have been expanded multiple times with difference styles of architect. The proposed project will create a well composed design on this site and will not conflict with other architectural styles found throughout the neighborhood.

The extent to which ornamentation is to be used and the extent to which temporary and second-hand materials, or materials which are imitative of other materials, are to be used.

Not applicable.

The extent to which natural features, including trees, shrubs, creeks and rocks, and the natural grade of the site are to be retained.

There are two trees on the site, one sequoia and one Japanese maple. The applicants are proposing to construct a new deck off the rear of the residence. The plans for the deck and addition call for the removal of the sequoia. A Tree Alteration or Removal Permit is required for the removal of any tree, regardless of species or heritage status [Town Code section 8.36.040]. Moreover, a Tree Protection Plan is also required for all applications for a Use Permit and/or Variance Permit where proposed construction would be located near any tree for which a Tree Alteration or Removal Permit is necessary [Town Code section 8.36.080]. The applicants must obtain a Tree Removal Permit and solicit a Tree Protection Plan from a Qualified Arborist as a condition of project approval.

The accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets.

The project will not result in the relocation or changing of the parking that has existed on the site for many years and therefore, will have no impact on traffic on adjacent streets.

The reservation of landscaping areas for the purpose of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, separating or screening parking lots from the street and adjoining building sites, and separating building areas from paved areas to provide access from buildings to open space areas.

The Japanese maple on the site has been retained.

In the case of any commercial or industrial structure, the board shall consider its proximity to any residential district and shall consider the effect of the proposed structure upon the character and

value of the adjacent residential district area.

Not applicable.

The design review board may recommend design guidelines to the planning commission and town council for adoption in order to further the objectives of this section and to illustrate design criteria.

Not applicable.

OTHER AGENCY/DEPARTMENT REQUIREMENTS

Ross Valley Fire Department

- The structure must be provided with a fire suppression system that is approved and inspection by the Ross Valley Fire Department.
- Vegetative management on the site must comply with Ross Valley Fire Department Fire Protection Standard 220.
- 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.
- All smoke detectors shall be provided with AC power and be interconnected for simultaneous alarm and be located as required by the Building Code.
- Carbon monoxide detectors must be installed in compliance with the Building Code.

Marin Municipal Water District

Any landscaping must comply with District Code Title 13, Water Conservation.

Ross Valley Sanitary District

If not already installed, the side sewer must be equipped with a backwater prevention device and must be inspected and approved by a District inspector.

RECOMMENDATION

1. Open the public hearing and take testimony.
2. Close the public hearing.

3. Move to approve application # 12-17 based on the following findings and subject to the following conditions of approval:

Recommended Findings

1. The approval of the project will not constitute a grant of special privilege because: a) the site is zoned for single-family use; b) the addition maintains a height 19ft which is 9.5 ft less than the permitted maximum height; and c) the proposed addition does not extend any further into the required setbacks than the existing structure.
2. The project will not cause unreasonable detriment to adjoining properties because: a) the addition is one-story and has been designed at the rear of the structure to maintain the façade of the existing cottage and minimize the impact of the project of the streetscape; and, b) it will maintain the existing 11ft separation from the duplex at 14 Sequoia Road and a 28ft separation from the residence at 22 Sequoia Road.
3. Approval of the use permit will allow a modest 253sf addition to a structure that was constructed for use as a seasonal cottage and result in a more functional single-family residence.
4. The proposed site was legally created in its current 3,300sf size in 1911. Because of the small size and width of the site, the strict application of the 5ft minimum and 15ft combined side yard setbacks would deny the applicants the ability to construct any addition to their residence which is a privilege enjoyed by other property owners in the vicinity and under identical zone classifications.
5. The strict application of this title would result in excessive or unreasonable hardship because the owners would be prohibited from making any improvements or additions to their residence which is currently legal non-conforming.
6. The granting of the variance of adjustment will not be detrimental to the public welfare because the addition has been designed to maintain a substantial setback from the street to maintain the street façade as it exists now.

Recommended Conditions

1. This approval is limited to the development illustrated on the plans prepared by Dennis Ludlow dated 5/30/12, pages 1 through 3.
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 # 09-0124. Any construction based on job plans that have been altered without the benefit of an approved modification of Application # 09-0124 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. The project will not receive a final inspection or certificate of occupancy until the accessory storage shed has been removed from the site.

13. Prior to issuance of the building permit the applicants shall provide a report by a licensed arborist that includes a survey of the existing health of the trees and mitigation measures to be taken during and after construction to maintain the trees health. The arborist shall be on site during the grading and shall provide a letter to the Town indicating that their recommended mitigation measures were followed prior to the concrete pour inspection being performed by the Building Official.

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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.

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 – Applicants supplemental information

Exhibit B - Other agency comments

PROJECT DESCRIPTION: Addition of 253[#] to existing single family residence extending into the rear yard to provide new kitchen, dining area & enlarge master bedroom with attic storage above.

GENERAL INFORMATION (if applicable):

Item	Existing	Proposed
Lot size	3300 sq. ft.	no change
Size of structure(s) or commercial space (square feet)	605 sq. ft.	858 sq. ft.
Height and No. of stories	14.5 ft (one story)	19 ft. (one story)
Lot coverage	29%	33.6%
No. of dwellings units	one	no change
Parking ¹ No. of spaces	one	no change
Size of spaces	10x20	no change

Amount of proposed excavation and fill	Excavation = 0	Fill = 0
--	----------------	----------

Estimated cost of construction \$ \$ 150,000

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.

¹Minimum 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? NO.

Signature of Property Owner

Dennis Ludlow
Signature of Applicant

Date

5/31/12
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	605 #	858 #
Second floor	0	0
Third floor		
Total		858 #
Accessory structure square footages		
Sheds	SMALL	TO BE REMOVED
Pool houses	/	/
Studios/offices	/	/
Second units	/	/
Miscellaneous (specify use)	/	/
Total		
Square footage of impervious surfaces		
Walkways	48 #	NO CHANGE
Patios	/	/
Impervious decks	/	/
Miscellaneous (specify use)	/	/
Total	48 #	NO CHANGE
Garage/carport square footages (specify type)	NONE	NO CHANGE

* 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.

VARIANCE ATTACHMENT

Regarding: 18 Sequoia, Fairfax, A.P.# 001-144-09

VARIANCE REQUEST: Requesting an 8ft. side yard set back where 12ft. is required. (Please note: the proposed addition will not change the already existing 8ft. side set back.)

Subject: Variance Findings:

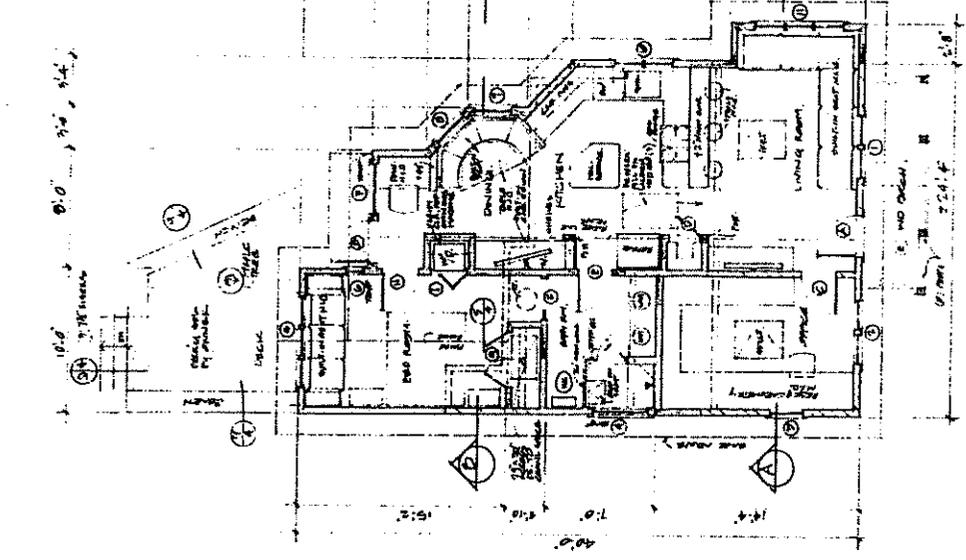
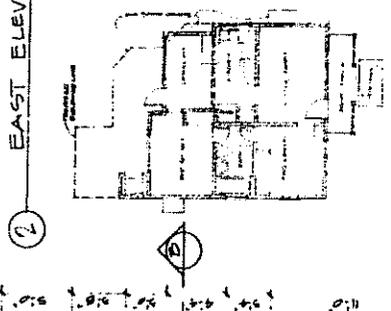
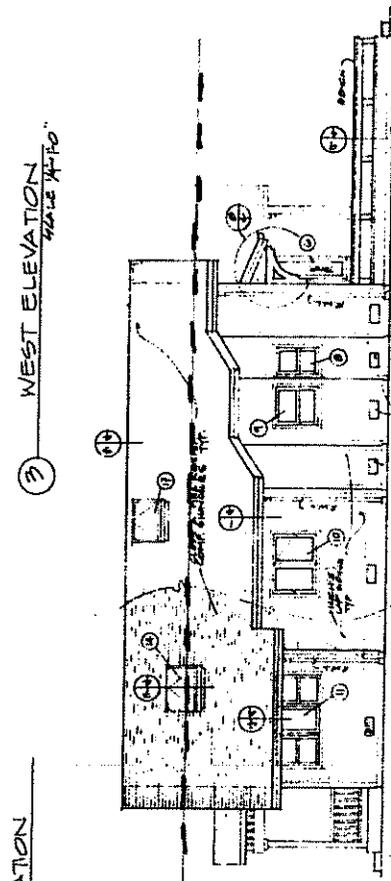
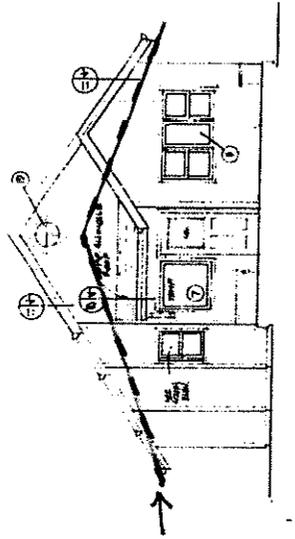
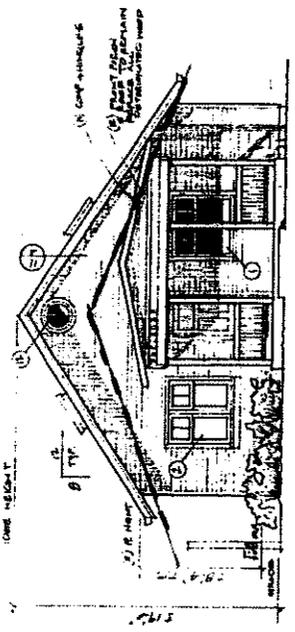
1. The following are special circumstances applicable to the subject property (sp).
 - a. The (sp) is substandard in that the area is 3360 sq. ft., thus requiring a Use Permit. Looking at the Assessor's Parcel map of the area, with the exception of the property to the South of (sp), there are no other parcels smaller within A.P. 1-141, 1-142, 1-143, 1-144 and 1-148; that is 2 parcels in 40 parcels.
 - b. The subject property has a unique shape. It is virtually a triangle, narrowing as it recedes from the front. This makes it difficult to provide living space to an already narrow residence.
 - c. As stated above, there will be no change from the existing set backs.
2. 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.
 - a. If anything the improvements to the (sp) will only improve public safety. This new addition will bring the house up to current seismic codes.
 - b. There will be no reducing of the existing side yard set back, therefore not adversely affecting what is already there.
 - c. There is nothing materially detrimental to the public welfare or injurious to property or improvements in the neighborhood in this proposed addition.
3. Why complying with the Town Ordinance requirements will be a hardship for the owner:
 - a. Complying with the town ordinance would require that most of the existing house be removed. Much of the existing foundation under the house is in good condition and would suffice for any single story improvements.

--- = existing house height



18 Sequoia, Fairfax, Calif., AP# 001 04-09
 Scharf/Goldstein Residence
 Addition to the:

TITLE	PROJECT #	DATE	DATE
18 SEQUOIA, FAIRFAX, CALIF. (NOT RECORDED)	94012	9/10/12	9/10/12
SCALE	DATE	SCALE	DATE
AS SHOWN	9/10/12	AS SHOWN	9/10/12
BY	DATE	BY	DATE
W.D.	9/10/12	W.D.	9/10/12
CHECKED	DATE	CHECKED	DATE
W.D.	9/10/12	W.D.	9/10/12
APPROVED	DATE	APPROVED	DATE
W.D.	9/10/12	W.D.	9/10/12
SHEET NO.	2		



EXIST. FLOOR FILL
APPROX. YEAR 8 SCALE 1/8" = 1'-0"

LEGEND

- INDICATES EXISTING CONSTRUCTION (WALLS)
- INDICATES NEW CONSTRUCTION (WALLS)
- INDICATES EXISTING WALLS TO BE DEMOLISHED
- INDICATES NEW WALLS TO BE DEMOLISHED
- INDICATES EXISTING WALLS TO BE REMOVED
- INDICATES NEW WALLS TO BE REMOVED
- INDICATES EXISTING WALLS TO BE RECONSTRUCTED
- INDICATES NEW WALLS TO BE RECONSTRUCTED
- INDICATES EXISTING WALLS TO BE RECONSTRUCTED AND FINISHED
- INDICATES NEW WALLS TO BE RECONSTRUCTED AND FINISHED
- INDICATES EXISTING WALLS TO BE RECONSTRUCTED AND FINISHED AND PAINTED
- INDICATES NEW WALLS TO BE RECONSTRUCTED AND FINISHED AND PAINTED



1 FLOOR PLAN
SCALE 1/8" = 1'-0"

SUPPLEMENTAL QUESTIONNAIRE & DRB APPLICABILITY

DESIGN REVIEW

For Commercial, Planned Developments, Hillside Residential and Multiple Family Design Review: (Include brand and number for all finish and/or paint colors.)

- 1. Exterior finish: HORIZONTAL lap siding
- 2. Proposed exterior wall color(s): _____
- 3. Proposed exterior trim color: _____
- 4. Proposed exterior window color: _____
- 5. Proposed roof material and color: _____
- 6. Special features: _____
- 7. Lot Coverage: 33.6%
- 8. Number of existing parking spaces and their sizes: ONE (10'x20')
- 9. Number of proposed parking spaces and their sizes: NO CHANGE

DESIGN REVIEW APPLICABILITY

1. Hillside Design Review (in a ridge line)

All new dwellings located on hillside properties and all additions on properties located in a ridgeline scenic corridor (which include deck and stairway structures) shall require design review.

Additions and accessory structures may be exempt from design review where the applicant demonstrates, through the use of story poles, plans and photo montages, that an accessory structure or addition will have no impact on significant view corridors due to the proposed location of the structure in relation to existing improvements. Project exemption shall be determined by the Fairfax Planning Director.

2. Multiple family Design Review

Multiple family residential units of three (3) or more and additions to structures located in the Multiple Family RM Zone.

3. 50% remodels of additions to residential properties



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

FIRE DEPARTMENT PLAN REVIEW

PROJECT: Residence
ADDRESS: 18 Sequoia Rd
Fairfax, CA 94930

Page: 1 of 3
Date: 06/18/2012
Reviewed by: Rob Bastianon
(415) 258-4673

TYPE OF REVIEW: Planning
Bldg. Dept. 06/05/12 Fire Dept. # 12-0143
E-mail: Rbastianon@rossvalleyfire.org
Review No. 1
Fire Department Standards can be found at: www.rossvalleyfire.org

Applicant*: Planning
Address: Fairfax CA

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

Occupancy Class: R-3	Fire Flow Req: 1000 GPM	Sprinklers Required: YES
Type of Construction: V-B	On-site Hyd. Req: NO	Fire Alarm Required: NO
Bldg Area: 858sf	Fire Lane Req: NO	Permits Required: Sprinkler
Stories: 1	Fire Flow Test Required: NO	
Height: +ft.	Wildland Urban Interface: NO	

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

- APPROVED** (no modifications required)
- APPROVED AS NOTED** (minor modifications required - review attached comments)
- NEEDS REVISION** (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: 6/18/12

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: 18 Sequoia Rd
Fairfax, CA 94930

Page: 2 of 3
Date: 06/18/2012
Reviewed by: Rob Bastianon
(415) 258-4673

TYPE OF REVIEW: Planning

E-mail: Rbastianon@rossvalleyfire.org

Bldg. Dept. 06/05/12

Fire Dept. # 12-0143

Review No. 1

Fire Department Standards can be found at: www.rossvalleyfire.org

ITEM #	SHEET	COMMENTS	Corr. Made
1		This project was found to fall within the definition of a substantial remodel. A Substantial Remodel is defined as follows: The renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty percent of the existing floor area of the structure. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.	
		Submitter's Response: Correction has been completed. See Sheet _____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
2		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. Shall be noted on construction drawings	
		Submitter's Response: Correction has been completed. See Sheet _____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
3		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.	
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.	



Ross Valley Fire
Department

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

FIRE DEPARTMENT PLAN REVIEW

PROJECT: Residence
ADDRESS: 18 Sequoia Rd
Fairfax, CA 94930

Page: 3 of 3
Date: 06/18/2012
Reviewed by: Rob Bastianon
(415) 258-4673

TYPE OF REVIEW: Planning
Bldg. Dept. 06/05/12

E-mail: Rbastianon@rossvalleyfire.org

Fire Dept. # 12-0143

Review No. 1

Fire Department Standards can be found at: www.rossvalleyfire.org

ITEM #	SHEET	COMMENTS	Corr. Made
5		Maintain around the structure an effective firebreak by removing and clearing all flammable vegetation and/or other combustible growth within the defensible space zone of 30-100 feet. Ross Valley Fire Department Fire Protection Standard 220 Vegetation/Fuels Management Plan is available online @ Rossvalleyfire.org 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.	
6		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.	
		Submitter's Response: Correction has been completed. See Sheet _____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	

All conditions listed above shall be included in revised drawings.

Fire and life safety systems may require a separate permit. Fire permits may be noted as deferred.



TOWN OF FAIRFAX

142 Bolinas Road, Fairfax, California 94930

(415) 453-1584 / Fax (415) 453-1618

Fairfax Building Department:

Comments 141 and 145 Bolinas Road

The proposed change in occupancy from a Business Group B to a Residential Group R-2(Live/work) or R-3(Single Family Residence) requires that the building comply with the code requirements by today's standards. These requirements will include the installation of a fire sprinkler system (CBC419.5) and egress windows. Following is an excerpt from the California Building Code Chapter 34 Existing Structures:

3408.1 Conformance. No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancies or in a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancies. Subject to the approval of the *building official*, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

ATTN: STUART BAKER, POLICE SERGEANT

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: June 6, 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: 18 Sequoia Road; Assessor's Parcel No. 001-144-09
Project: 253 square foot addition to a single-family residence and major remodel of the existing residence including a new roof to accommodate an expanded attic area, increasing the height of the structure to 19 feet and-increasing-the 605 square foot residence to 858 square feet with a 330 square foot attic area.

These plans are being transmitted for review prior to public hearings on discretionary permits before the Fairfax Planning Commission. Please provide your comments on the completeness and adequacy of the submittal for your agencies reviewing purposes within 10 days.

1	5/30/12	Preliminary development plans

REMARKS: No PD CONCERNS. SB

Please submit your comments by June 28, 2012.

If you have any questions please contact: Linda Neal, Senior Planner at (415) 453-1584



MARIN MUNICIPAL WATER DISTRICT

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

June 26, 2012
Service No. 13385

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

RECEIVED
JUN 27 2012
TOWN OF FAIRFAX

RE: **WATER AVAILABILITY** - Single Family Dwelling
Assessor's Parcel No.: 001-144-09
Location: 18 Sequoia Rd., Fairfax

Dear Ms. Neal:

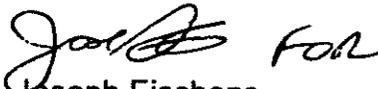
The above referenced parcel is currently being served. The purpose and intent of this service are to provide water to a single family dwelling. The proposed 253 square foot addition to the existing structure will not impair the District's ability to continue service to this property.

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.

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



ROSS VALLEY SANITARY DISTRICT
2960 Kerner Blvd
San Rafael, CA 94901
(415) 259-2949 ~ rvsd.org

June 15, 2012

Linda Neal, Senior Planner
Department of Planning and Building Services
Town of Fairfax
142 Bolinas Road
Fairfax, CA 94930

RECEIVED

JUN 20 2012

TOWN OF FAIRFAX

SUBJECT: 18 SEQUOIA ROAD, FAIRFAX, CA; APN 001-144-09

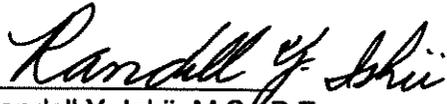
Dear Ms. Neal:

We are in receipt of your transmittal letter dated June 6, 2012 concerning the above-referenced project. Since this project involves an extensive demolition and rebuild, the project will require a connection permit from the District. The size of the sewer lateral will depend on the fixture count calculated during the permitting process. If the existing lateral meets the size requirement of the fixture count, the applicant has the option of installing a new lateral or, the old sewer lateral needs to be tested in the presence of a District Inspector and found to meet all current District requirements.

Sanitary District No. 1 will place a hold on said property once the building permit is issued. This hold prevents the new building from being released for occupancy until the District's permit and sewer requirements are fulfilled. It is the owner's responsibility to obtain a sewer connection permit from this office and meet all District requirements pertaining to the private side sewer/lateral.

If you have any questions, please contact this office.

Sincerely,


Randall Y. Ishii, M.S., P.E.
District Engineer

AYES: All

Chair Hamilton read the appeal rights.

5. **18 Sequoia Road; Application # 12-17:** Request for a Use Permit, Variances and Design Review to construct a 253 square foot addition and remodel of a 605 square foot single-family residence including a 277 square foot attic storage area. Project constitutes a 50% remodel; Assessor's Parcel No. 001-144-09; Residential Single-family RS 6 Zone District; Dennis Ludlow, applicant/designer; Sharilyn Sharth and Michael Goldstein, owners; CEQA categorically exempt, § 15301(e) and 15305(a).

Senior Planner Neal presented the staff report. Ms. Neal noted that the requested permits had previously been granted by the Planning Commission but that they had lapsed. She discussed the setback variances, which she said were necessary due to the irregular triangular shape and substandard size of the lot. Ms. Neal noted that the proposed addition did not extend further into the setbacks than what was already there.

Ms. Neal discussed the parking requirements that were necessary for projects that involved a 50% remodel, although she noted that only one parking space would be needed since the structure would consist of one bedroom.

Ms. Neal said that staff could still support the project with the conditions in the staff report. She noted that an amendment needed to be made to the Conditions of Approval regarding Marin Municipal Water District.

In response to Commissioner Lacques, Ms. Neal said that the plans had not changed.

In response to Chair Hamilton, Ms. Neal said that the plans had been routed to other agencies for the second time and that no additional comments had been received.

Dennis Ludlow, designer, said that he had nothing to add to Ms. Neal's description of the project.

In response to Commissioner Hall, Mr. Ludlow confirmed that a sequoia tree had already been removed.

Commissioner Lacques and Ms. Neal discussed the material colors.

Chair Hamilton opened the public comment period.

Peter Silver, Sequoia Drive, said that the project offered a creative solution for the problem of a small lot. He said that he supported the project.

Chair Hamilton closed the public comment period.

Chair Hamilton, Commissioners Lacques, Ketcham and LaMotte confirmed that they supported the project and liked the design.

In response to Commissioner Kehrlein, Ms. Neal noted that the driveway could not consist of gravel.

M/S, Ketcham/LaMotte, Motion to approve Application # 12-17, a request for a Use Permit, Variances and Design Review to construct a 253 square foot addition and remodel of a 605 square foot single-family residence including a 277 square foot attic storage area, at 18 Sequoia Road, with the added Condition of Approval that the driveway should consist of permeable materials subject to the approval of the Public Works Manager and that the Condition of Approval relating to the Marin Municipal Water District should be amended to read:

“Any landscaping must comply with Ordinance No. 421 of the Marin Municipal Water District’s Conservation Program”.

AYES: All

Chair Hamilton read the appeal rights.

Ketcham recused himself from the podium because he lives within 500 yards of the applicant’s property at 154 Scenic Road and Chair Hamilton announced a five minute break at 8.05 p.m.

6. **154 Scenic Road; Application # 12-18:** Request for a Use Permit, Variances and Design Review of a proposed 206 square foot addition to a 936 square foot single-family residence for a total of 1,142 square feet; Assessor’s Parcel No. 001-112-16; Residential Single Family RS 6 Zone District; Bruce and Katherine Dombrosky, applicants/owners; CEQA categorically exempt, § 15301(e) and 15305(a).

Senior Planner Neal presented the staff report. She noted that certain building permits had already been approved for reasons she discussed. Ms. Neal noted that a Use Permit would be necessary because the lot was substandard in size to accommodate the addition. She explained that parking complied with the code because parking existed for two cars, which was sufficient for a 2-bedroom property.

Ms. Neal discussed the design elements of the project when she noted that the design would be harmonious with the existing dwelling and that the increase in size would result in a dwelling that was similar to other dwellings on similar sized parcels in the neighborhood. For these reasons, and those laid out in the staff report, Ms. Neal said that staff could support the project.

Planning Director Moore noted that the FAR and lot coverage were below the maximum allowed.

Ms. Neal and Commissioner Hall discussed how the project constituted a 50% remodel. Ms. Neal noted that the room to which the addition would be attached counted towards the space included in the calculations.



ROSS VALLEY SANITARY DISTRICT
2960 Kerner Blvd
San Rafael, CA 94901
(415) 259-2949 ~ rvsd.org

October 5, 2012

Linda Neal, Senior Planner
Dept of Planning and Building Services
Town of Fairfax
142 Bolinas Road
Fairfax, CA 94930

RECEIVED
OCT 11 2012
TOWN OF FAIRFAX

SUBJECT: 18 SEQUOIA ROAD, FAIRFAX, CA; APN 001-144-09

Dear Ms. Neal:

We are in receipt of your message from October 5, 2012. The requirements in transmittal letter dated June 6, 2012 concerning the above- referenced project, still apply. Since this project involves an extensive demolition and rebuild, the project will require a connection permit from the District. The size of the sewer lateral will depend on the fixture count calculated during the permitting process. If the existing lateral meets the size requirement of the fixture count, the applicant has the option of installing a new lateral or, the old sewer lateral needs to be tested in the presence of a District Inspector and found to meet all current District requirements.

Sanitary District No. 1 will place a hold on said property once the building permit is issued. This hold prevents the new building from being released for occupancy until the District's permit and sewer requirements are fulfilled. It is the owner's responsibility to obtain a sewer connection permit from this office and meet all District requirements pertaining to the private side sewer/lateral.

If you have any questions, please contact this office.

Sincerely,

Randell Y. Ishii, M.S., P.E.
District Engineer

EXHIBIT #

C