

John Owens & Diana Dullaghan  
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August 16, 2013

Via Email and US Postal Service

Linda Neal Senior Planner  
Town of Fairfax  
142 Bolinas Road  
Fairfax Ca 94930

Re : Inaccuracies in the Town of Fairfax Staff report for the August 15<sup>th</sup> Planning Commission meeting .

Dear Linda,

I was surprised not to receive any communication from you prior to the public notice for the upcoming meeting. It is now obvious from the Staff report prepared by you that the intention was to move quickly to recommend denial of our affordable housing second unit.

I have already written to the Planning Director to have our second unit application taken off the August 15<sup>th</sup> Planning Commission agenda. I will communicate with the Planning Director that I would prefer he take over our second unit application and move towards getting it back on the Planning Commission Agenda. I sincerely hope we can work the situation through to gain the support of the Town of Fairfax for our second unit given that the housing quota required by the Housing and Community Development Agency is 172 units for the two planning periods through to 2014.

This will be the third occasion that a Planning Director has taken over our application. After receiving your 3.20.08. letter deeming our Garage application incomplete the application was taken over by Anne Welsh Planning Director, and successfully brought before the Commission. In January of 2009 we butted heads over the resubmitted second unit application and it was taken over by Larry Kennings the Interim Planning Director and successfully brought before the Commission. I suggest at this point we politely say that we do not see eye to eye on everything, and I will deal with Jim Moore the Planning Director.

Yours sincerely,

John Owens

A handwritten signature in black ink, appearing to read 'John Owens', written over a horizontal line.



John Owens &lt;johnowensservices@gmail.com&gt;

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**Getting 177 Frustuck back on the agenda**

2 messages

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**John Owens** <johnowensservices@gmail.com>

Fri, Aug 16, 2013 at 6:59 AM

To: Linda Neal &lt;lneal@townoffairfax.org&gt;

Cc: Jim Moore &lt;jmoore@townoffairfax.org&gt;

**See attached letter****John**

John Owens Services, Inc.  
P.O. Box 1089  
Fairfax CA 94978  
(415) 456-2906  
Fax: (415) 456-9017  
johnowensservices.com

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**Jim Moore** <jmoore@townoffairfax.org>

Fri, Aug 16, 2013 at 9:13 AM

To: John Owens &lt;johnowensservices@gmail.com&gt;, Linda Neal &lt;lneal@townoffairfax.org&gt;

Cc: Garrett Toy &lt;gtoy@townoffairfax.org&gt;, Linda Neal &lt;lneal@townoffairfax.org&gt;

Hello Mr. Owens,

Linda Neal is the project planner on your application. She will continue in that role under my direction and I see no reason to change this assignment. We pulled your application from the Planning Commission Agenda last night at your request. Let us know when you would like to be on a future agenda.

When and if you do proceed, the staff report and its recommendations (which I review and approve) will remain the same unless you can give new information that alters our opinion. Keep in mind that staff only make recommendations to the Planning Commission and that it is up to the Planning Commission and/or the Town Council under an appeal to determine the merits of a project or not: like both parties did when you previously applied for a second unit and were denied approval.

About your letter to staff, that you sent earlier today and its reference to the General Plan / Housing Element (HE): it is true that the HE policy is to promote second units in Town. What you do not seem to understand is that staff is beholden to working toward that end within the confines of the Town Code – which will be subject to review in the near future.

Sincerely,

Jim

James M. Moore

Director of Planning & Building Services

Town of Fairfax

142 Bolinas Road

Fairfax, CA 94930

Phone: (415) 453-1584

Fax: (415) 453-1618

*"The Life of the Land is Perpetuated in Righteousness"*

*(Ua mau ke ea o ka aina i ka pono has been the motto of Hawaii for over 160 years)*

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**From:** John Owens [mailto:johnowensservices@gmail.com]

**Sent:** Friday, August 16, 2013 6:59 AM

**To:** Linda Neal

**Cc:** Jim Moore

**Subject:** Getting 177 Frustuck back on the agenda

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