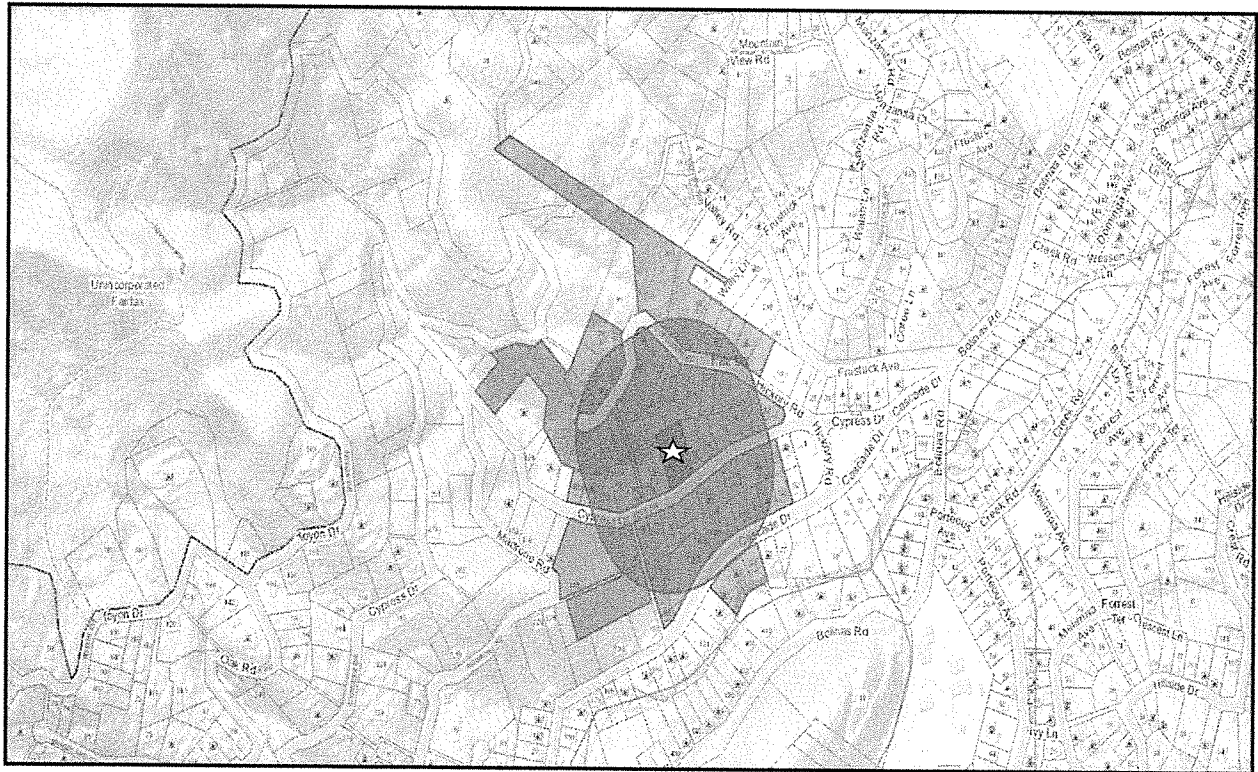


**TOWN OF FAIRFAX  
STAFF REPORT  
Department of Planning and Building Services**

**TO:** Fairfax Planning Commission  
**DATE:** November 17, 2016  
**FROM:** Jim Moore, Director of Planning and Building Services  
Linda Neal, Principal Planner  
**LOCATION:** 68 Cypress Drive; Assessor's Parcel No. 003-201-25  
**ZONING:** Residential Single-family RS 6 Zone  
**PROJECT:** Substantial Remodel (50%) of an existing single-family residence  
**ACTION:** Use Permit; Application # 16-38  
**APPLICANT:** Morgan Hall, Architect  
**OWNER:** Herbert Van Den Bergh and Andrea Speraw  
**CEQA STATUS:** Categorically exempt, § 15401(e)(2)



**68 CYPRESS DRIVE**

## BACKGROUND

The site is 16,400-square-feet in size and has an 8-percent slope. The 2,160-square-foot, 1-bedroom, 2.5-bathroom, single-family residence was originally constructed in 1921.

The Fairfax Planning Commission approved a Side-yard Setback Variance to allow the reconstruction of the western side-wall and remodel of the residence which is located within the required 5-foot, side-yard, setback, on September 30, 1965.

A building permit was issued to construct the swimming pool on the property on April 26, 1961, and a permit for the barn, which was approved for use as a workshop-storage structure, was issued on January 9, 1976.

There is no record of issuance of building permits for the following structural additions to the workshop/storage structure located at the northeast corner of the property: the lean-to structure constructed onto the west side, the deck and stairs constructed on the south side or the storage lockers constructed on the east side. There also is no record of Variances being granted to locate the small storage shed at the northwest corner of the property within the required side-yard and rear-yard setbacks or to locate the pool house within the required combined-side-yard setback. Both these structures appear to have been on the property for a long time and it is likely they predate the current setback regulations adopted in 1973.

## DISCUSSION

The structures on the property comply with the regulations set forth in the Residential Single-family RS 6 Zone where it is located as follows:

	Front Setback	Rear Setback	Combined Front/rear Setback	Side Setbacks	Combined Side Setbacks	FAR	Lot Coverage	Height
<b>Required/ Permitted</b>	6 ft.	6 ft.	25 ft.	5 ft. & 5 ft.	15 ft.	.40	.35	28.5 ft., 2 stories
<b>Existing</b>	31 ft.	3 ft.	33 ft.	3 ft. & 4 ft.	7 ft.	.17	.22	19 ft., 1 story
<b>Proposed</b>	30 ft.	8 ft.	38 ft.	6 ft. & 7 ft.	13 ft.	.19	same	22 ft., 1 story

The project does not incorporate the reconstruction of any of the structures on the site that are legal non-conforming with respect to the required combined 15 foot side yard setback (the workshop-storage structure and the pool house). Therefore, retaining these legal non-conforming structures that encroach into the required combined side-

yard setback and maintain a combined side-yard setback of 13 feet does not require a setback variance per Town Code § 17.016.040(A).

The proposed project encompasses the following work:

- Demolition of the 270-square-foot covered patio and 333-square feet of the rear of the house. A portion of the front of the structure would be converted into a one car garage, with two additional parking spaces provided in the driveway, bringing the property into compliance with the current parking requirements for a single-family residence [Town Code §§ 17.016.040(B) and (C)(2)(a)].
- Construction of a 1,127-square-foot addition that would result in a 2,377-square foot, 3-bedroom, 2-bathroom, residence.
- A 50% reduction in the size of the swimming pool from 544 square feet to 289 square feet.
- Removal of the 48-square-foot, storage locker on the east side, the 155-square-foot deck and stairs on the south-side, and the 230-square-foot, shed roof on the western side of the workshop-storage structure.
- Removal of the 65-square-foot shed at the rear northwest corner of the property.
- Construction of a 151-square-foot raised patio at the front of the residence.
- Construction of a 65-square-foot landing-stairway off the master bedroom and a 60-square-foot landing-stairway off the laundry-room off the rear of the residence.
- Restoration/replacement of landscaping and hardscape where the site is disturbed during construction.

## **Design Review**

The project constitutes a 50% remodel. Town Code § 17.020.030 requires that a Design Review Permit be obtained for any residential projects constituting a 50% remodel.

In order to grant design review approval for a project, the Planning Commission must determine whether or not the project complies with the Design Review Criteria set forth in Town Code Sections 17.020.040(A) through (N).

The existing house is stucco with a Mediterranean style including terra-cotta roofing tile. The design of the addition complements the architecture of the existing house, matching the stucco siding and utilizing a terra cotta style roofing material. There are several homes throughout the Cypress Drive neighborhood that feature Mediterranean

architecture. Therefore, the proposed addition-remodel would 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 stucco siding would be painted an off-white (Benjamin Moore, OC 121), the front door and garage door would be redwood with a clear oil finish, the trellises proposed over the garage door and over a portion of the front patio would be redwood with a natural finish and Anderson Brand windows with a sand colored trim would be installed throughout the addition.

The project includes the removal of a portion of the house and several accessory structures that do not comply with the required minimum and/or combined, side-yard, setback regulations. A one-car garage is proposed that would bring the property into compliance with the current parking regulations and provide three, on-site, 9-foot by 19-foot parking spaces with one of the spaces covered in the garage [Town Code § 17.052.010(D), 17.052.010(D)(2), 17.052.030(A)(1) and (2) and 17.052.040(B)]. The project would increase the setbacks and provide the required parking and would result in a project of a quality and character that is appropriate to, and serves to protect, the value of private and public investments in the immediate area.

Disturbed areas of the site would be re-landscaped with plants or hardscape in compliance the Wildland Urban Interface and Marin Municipal Water District regulations to make the site fire safe and minimize water use. Most of the existing landscaping would be retained, but plants close to the house that are not listed as fire safe would be removed along with the large Cypress tree that is pyrophytic. Therefore, the proposed development conforms to all local agency regulations. Note: The Ross Valley Fire Department has already approved the Vegetative Management Plan for the site.

The project incorporates the use of an expanded, elevated front deck, windows of varying sizes and shapes, roof dormers and varying roof pitches to increase the exterior articulation of the structures. The result is that there would be sufficient variety in the design of the structures and grounds to avoid monotony in the external appearance of the residence.

The proposed exterior lighting is not "night sky" lighting and does not direct light downwards, minimizing the impact on neighboring properties. The proposed lighting fixtures complement the Mediterranean architecture of the structure but many of the fixtures would be set at an elevation of 7.5 feet to 11.5 feet above grade and will be visible over the surrounding 6 foot tall fences and from the neighboring properties. Staff has included a condition in the recommended resolution for approval of the project that these exterior fixtures be changed to "night sky" lighting.

Residences in the neighborhood on similar sized properties range in size from a 1,541-square-foot, 3-bedroom, 2-bathroom, single-family residence on a 34,465 square foot parcel (61 Hickory Road) to a 3,131-square-foot, 4-bedroom, 4-bathroom, single-family residence on an 11,640-square-foot parcel (59 Cypress Drive). Therefore, the

proposed 2,377-square foot, 3-bedroom, 2-bathroom, residence will be in proportion to the 16,400-square-foot site.

### **Other Agency/Department Conditions/Comments**

#### **Ross Valley Fire Department**

The Fire Department has indicated that the following conditions must be met for this project:

1. Portions of the new addition and the barn/shed structure extend beyond the 150 foot fire apparatus access area. The applicants will either have to provide an on-site hydrant, or they may propose an alternative method or materials in accordance with Section 104.9 of the California Fire Code.
2. The project has been deemed a substantial remodel and as such requires installation of a fire sprinkler system that complies with the National Fire Protection Association regulation 13-D and local standards. The system would require a permit from the Fire Department and the submittal of plans and specifications for system submitted by an individual or firm licensed to design and/or design-build sprinkler systems.
3. The property is located within the Wildland Urban Interface Area for Fairfax and the new construction must comply with Chapter 7A of the California Building Code or equivalent.
4. 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 each sleeping room in a central location in the corridor and over the center of all stairways with a minimum of 1 detector on each story of the occupied portion of the residence.
5. Carbon monoxide alarms shall be provided in existing dwellings when a permit is required for alterations, repairs, or addition and the cost of the permit exceeds \$1,000.00. Carbon monoxide alarms shall be located outside of each sleeping area in the immediate vicinity of the bedrooms and on every level of the dwelling, including basements.
6. Address numbers at least 4 inches tall must be in place adjacent to the front door. If not clearly visible from the street, additional numbers must be placed in location that is visible from the street. The numbers must be internally illuminated or illuminated by and adjacent light controlled by a photocell that can be switched off only by a breaker so it will remain illuminated all night.
7. Alternative materials or methods may be proposed for any of the above conditions in accordance with Section 104.9 of the Fire Code.

8. All approved alternatives requests, and their supporting documentation, shall be included in the plan sets submitted for final approval by the Fire Department.

### **Marin Municipal Water District**

1. The plans must comply with all the indoor and outdoor requirements of District Code Title 13, Water Conservation. Plans must be submitted to the District and be approved.
2. The District's backflow prevention requirements must be met and if installation of a backflow device is required, the device shall be tested/inspected and be approved by a District Inspector prior to the project final inspection and issuance of the occupancy permit.
3. The applicants have demonstrated to Marin Municipal Water District that it will not be feasible to install a graywater system as part of this project (Attachment D).

### **Ross Valley Sanitary District**

This project involves substantial remodel and/or addition(s) requiring a private sewer lateral permit from the District. The lateral requirements will depend on the fixture count calculated during the permitting process. If the existing lateral is adequately sized, the applicant has the option of installing a new lateral or testing the existing lateral in the presence of a District Inspector who determines if the lateral complies with all current District requirements. The District inspection and approval must occur prior to issuance of the occupancy permit for the structure.

### **Fairfax Police Department, Public Works Department and Building Department**

The Fairfax Police, Public Works and Building Department had no comments on or conditions for the project.

### **RECOMMENDATION**

1. Open the public hearing and take testimony.
2. Close the public hearing.
3. Move to approve Application # 16-38 by adopting Resolution No. 16-29 setting forth the findings and conditions for the project approval.

### **ATTACHMENTS**

Attachment A – Resolution No. 16-29

Attachment B - Applicant's supplemental information

Attachment C – Ross Valley Fire review memorandum  
Attachment D – Marin Municipal Water District greywater system exception document  
Attachment E – 10/12/16 e-mail from applicant clarifying accessory structure status

**RESOLUTION NO. 16-29**

**A Resolution of The Fairfax Planning Commission Approving Application No. 16-38 for a Design Review Permit for a 50% Remodel of an Existing Residence at 68 Cypress Drive**

**WHEREAS**, the Town of Fairfax has received an application from Andrea Speraw and Herbert Van Den Bergh to expand an existing single family residence from 858-square foot, 2-bedroom, 2.5-bathroom, structure to a 2,377-square foot, 3-bedroom, 2-bathroom, residence; and

**WHEREAS**, the Planning Commission held a duly noticed Public Hearing on October 20 2016, at which time the Planning Commission determined that the proposed 50% remodel complies with the Parking Ordinance, Town Code Chapter 17.052, the Residential Single-family RS 6 Zone District Ordinance, Town Code Chapter 17.080 and the Design Review Ordinance, Town Code Chapter 17.020; and

**WHEREAS**, based on the plans and other documentary evidence in the record the Planning Commission has determined that the applicant has met the burden of proof required to support the findings necessary to approve the Design Review Permit; and

**WHEREAS**, the Commission has made the following findings:

**Hill Area Residential Development**

1. The proposed development is consistent with the General Plan and the Residential Single-family RS 6 Zone regulations.
2. The site planning preserves identified natural features as much as possible while also complying with other agencies' regulations.
3. Vehicular access and parking are adequate.
4. The proposed development harmonizes with surrounding residential development and meets the design review criteria contained in Town Code § 17.020.040.
5. The approval of the Design Review Permit to allow the 50% remodel and expansion of the structure shall not constitute a grant of special privilege and shall not contravene the doctrines of equity and equal treatment.
6. The development and use of property as approved will 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 Design Review Permit.

7. Approval of the proposed Design Review 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 Town.
8. Approval of the Design Review Permit to allow the 50% remodel will result in equal or better development of the premises than would otherwise be the case.

**WHEREAS**, the Commission has approved the project subject to the applicant's compliance with the following conditions:

1. This approval is limited to the development illustrated on the plans prepared by Morgan Hall, Architect, dated 8/18/16, pages A1 through A7 and page A1.1.
2. Prior to issuance of any of the building permits for the project 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 tape of the roadway conditions on the public construction delivery routes (routes must be approved by Public Works Director).
  - c. Submit a cash deposit, bond or letter of credit to the Town in an amount that will cover the cost of grading, weatherization and repair of possible damage to public roadways. The applicant shall submit contractor's estimates for any grading, site weatherization and improvement plans for approval by the Building Official. Upon approval of the contract costs, the applicant shall submit a cash deposit, 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 elements shall be stamped and signed by the structural engineer and submitted to the satisfaction of the Building Official or Building Plan Checker.
  - e. Prior to submittal of the building permit plans, the applicant shall secure written

approval from the Ross Valley Fire Authority, Marin Municipal Water District and the Ross Valley Sanitary District noting the development conformance with their recommendations.

f. The applicant shall secure a tree cutting permit, if required, from the Town prior to removal of any on-site trees subject to a permit under Town Code Chapter 9.36. To further minimize impacts on trees and significant vegetation, the applicant shall submit plans for any utility installation (including sewer, water and drainage) which incorporates the services of an International Society of Arborists (ISA) certified arborist to prune and treat trees having roots 2 inches or more in diameter that are disturbed during the construction, excavation or trenching operations. In particular, cross country utility extensions shall minimize impacts on existing trees. Tree root protection measures may include meandering the line, check dams, rip rap, hand trenching, soil evaluation and diversion dams. Any pruning shall take place during the winter when trees are dormant for deciduous species and during July to August for evergreen species.

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

a. Prior to the concrete form inspection by the building official, the geotechnical and structural engineers 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. The Building Official shall field check the concrete forms prior to the pour.

b. 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.

c. Any proposed temporary closures 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 Building Official shall field check the completed project to verify that the foundation elements have been installed in conformance with the approved building plans.

b. The Planning Department shall field check the completed project to verify that all planning commission conditions have been complied including installation of landscaping and irrigation prior to issuance of the certificate of occupancy.

5. The roadways shall be kept free of dust, gravel and other construction materials by sweeping them, daily, if necessary.

7. Any changes, modifications, additions or alterations made to the approved set of plans will require a modification of Application # 16-38. Any construction based on job plans that have been altered without the benefit of an approved modification of Application #16-38 will result in the job being immediately stopped and red tagged.

8. Any damages to Cypress Drive or other public roadway used to access the site resulting from construction activities shall be the responsibility of the property owner.

9. The applicant and its heirs, successors, and assigns shall, at its sole cost and expense, defend with counsel selected by the Town, indemnify, protect, release, and hold harmless the Town of Fairfax and any agency or instrumentality thereof, including its agents, officers, commissions, and employees (the "Indemnitees") from any and all claims, actions, or proceedings arising out of or in any way relating to the processing and/or approval of the project as described herein, the purpose of which is to attack, set aside, void, or annul the approval of the project, and/or any environmental determination that accompanies it, by the Planning Commission, Town Council, Planning Director, Design Review Board or any other department or agency of the Town. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and the Indemnitees, arising out of or in connection with the approval of this project, whether or not there is concurrent, passive, or active negligence on the part of the Indemnitees. Nothing herein shall prohibit the Town from participating in the defense of any claim, action, or proceeding. The parties shall use best efforts, acting in good faith, to select mutually agreeable defense counsel. If the parties cannot reach agreement, the Town may select its own legal counsel and the applicant agrees to pay directly, or timely reimburse on a monthly basis, the Town for all such court costs, attorney fees, and time referenced herein, provided, however, that the applicant's duty in this regard shall be subject to the Town's promptly notifying the applicant of any said claim, action, or proceeding.

10. The applicant shall comply with all applicable local, county, state and federal laws and regulations. Local ordinances which must be complied with include, but are not limited to: the Noise Ordinance, Chapter 8.20, Polystyrene Foam, Degradable and Recyclable Food Packaging, Chapter 8.16, Garbage and Rubbish Disposal, Chapter 8.08, Urban Runoff Pollution Prevention, Chapter 8.32 and the Americans with Disabilities Act; and

**NOW, THEREFORE BE IT RESOLVED**, the Planning Commission of the Town of Fairfax hereby finds and determines as follows:

The approval of the Design Review Permit for 68 Cypress Drive is in conformance with the 2010 – 2030 Fairfax General Plan and the Fairfax Zoning Ordinance, Town Code Title 17; and

Construction of the project can occur without causing significant impacts on neighboring residences and the environment.

The foregoing resolution was adopted at a regular meeting of the Planning Commission held in said Town, on the 20<sup>th</sup> day of October, 2016 by the following vote:

AYES:  
NOES:  
ABSTAIN:

---

Chair Kehrlein

Attest:

---

Jim Moore, Director of Planning and Building Services

## DESIGN REVIEW STATEMENT

68 Cypress Drive was originally built as a stucco Craftsman bungalow sited sideways to the street so as to face the garden. This was possible because of the lot's generous 100-foot width. At some point the bungalow's roof acquired terra cotta tiles. This change generated what might be called a hybrid architectural style: "Spanish Craftsman". Compatibility between these styles exists, but is limited to similar low horizontal massing and shallow-sloped gable rooflines. Both Craftsman and Spanish tend to have few windows and dark interiors. The owners, however, wanted a lot of light. They also desired simplicity, free of Spanish decorative elements.

Out of this came a design that references both the Craftsman (natural materials like the heavy timber trellises) and the Spanish (keeping the roof tiles). The design concept is a rustic minimalism: hand-tooled stucco, heavy rough redwood timber, stone or tile floors. Decorative moldings are absent. In their place, so as to avoid being bland and boring, there will be splashes of interest: The Living Room will have a vaulted ceiling with heavy timbers; indirect up-lighting; backlit translucent tiles at each end. The Kitchen has a high, trussed pyramidal ceiling. Outside, white stucco planters with bougainvillea climbing heavy trellises will provide the foreground for the soon-to-be resurrected spectacular garden!

In the beginning stages of the design, there were concerns that the project may be too big for the neighborhood. A great deal of care and attention has gone into the design to avoid this.

Some factors taken into account were:

68 Cypress' lot is large, 16,865 square feet. The average lot size in the neighborhood (including the larger lots) is about 8,100 square feet (less than ½ the size).

The proposed work increases the house's height from 19 feet to 21 feet. This is well below the allowable 28'-6" height. The house remains one story.

New floor area is 2700 square feet, a net addition of 519 SF of habitable floor area. This was accomplished by the careful re-use of, and removal of, parts of the existing house and out buildings. The lot coverage has gone from 17.3% to 19.2% where 35% is allowed. The F.A.R. has increased to .16 from .13 where .4 is permitted.

The average house size in the neighborhood is 1700 SF (F.A.R.= .21). The largest house is 3,131 SF. It is on a 11,640 SF lot (F.A.R.= .27).

### Comparative Figures

	<u>68 Cypress</u>	<u>Neighborhood</u>
Lot Size	16,865 SF	8,100 SF
House Size	2,700 SF	1,700 SF
F.A.R.	.16	.21
Largest House F.A.		3,131 SF
Largest House F.A.R.		.27

Lastly, 68 Cypress' lot depth is a large 165 feet. The existing house sets 38 feet away from the street. The proposed addition is 75 feet away from the street and is barely visible through the trees and plantings.

Given the design concept's scale, use of materials and colors, along with area statistics, it is apparent that the proposed work on 68 Cypress Drive is modest, reasonable and in keeping with the character of the neighborhood. Therefore the Fairfax Planning Commission should grant

Design Review approval.

Respectfully submitted,

*Morgan Hall*

Morgan Hall

Architect

## 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: STUCCO
2. Proposed exterior wall color(s): OFF-WHITE BENJ. MOORE OC-121
3. Proposed exterior trim color: NO EXT TRIM - STUCCO rounds over into Jambs
4. Proposed exterior window color: ANDERSEN "SANDTONE"
5. Proposed roof material and color: TERRA COTTA TILE COLOR: TerraCotta
6. Special features: HEAVY TIMBER REDWOOD TRELLISES, STUCCO PLANTERS, REDWOOD FRONT DOOR
7. Lot Coverage: 19.2%
8. Number of existing parking spaces and their sizes: 2 UNCOVERED  
AT 9' x 19'
9. Number of proposed parking spaces and their sizes: 3, 2 UNCOVERED  
AND 1 COVERED AT 9' x 19'

### 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: Addition/Remodel  
ADDRESS: 68 Cypress  
Fairfax, CA

TYPE OF REVIEW: Planning  
Building Dept. 08/24/16

Fire Dept. # 16-0279

Fire Department Standards can be found at: [www.rossvalleyfire.org](http://www.rossvalleyfire.org)

Page: 1 of 3  
Date: 09/25/2016  
Reviewed by: Rob Bastianon  
(415) 258-4686 Ext 12  
E-mail: [rbastianon@rossvalleyfire.org](mailto:rbastianon@rossvalleyfire.org)  
Review No. 1

Applicant\*: Fairfax Planning  
Address:

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

Occupancy Class: R-3	Fire Flow Req: 500 GPM	Sprinklers Required: YES
Type of Construction: V-B	On-site Hydrant Required: YES	Fire Alarm Required: YES
Bldg Area: 2365sf	Fire Lane Required: YES	Permits Required: Sprinkler
Stories: +2	Fire Flow Test Required: NO	VMP
Height: ft	Wildland Urban Interface: YES	

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 additions as required. Changes and/or additions shall be clouded and referenced by date on a legend. Approval of this plan 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: 9-26-16

Inspections required:

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



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

### FIRE DEPARTMENT PLAN REVIEW

PROJECT: Addition/Remodel  
ADDRESS: 68 Cypress  
Fairfax, CA

Page: 2 of 3  
Date: 09/25/2016

Reviewed by: Rob Bastianon  
(415) 258-4686 Ext 12

TYPE OF REVIEW: Planning  
Building Dept. 08/24/16

E-mail: [rbastianon@rossvalleyfire.org](mailto:rbastianon@rossvalleyfire.org)  
Fire Dept. # 16-0279  
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ITEM #	SHEET	COMMENTS	Corr. Made
1		Fire apparatus access shall be extended to within 150 feet of all portions of the 1 <sup>st</sup> floor exterior walls, as measured along the path of travel. The new addition to the structure extends the travel distance beyond 150 feet. Please either revise drawing to be within 150 feet or request an alternate method that will meet the intent of the Fire Code.	
		Submitter's Response: Correction has been completed. See Sheet ___ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
2		Scope of work for 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.	
3		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.	
		<b>Please note as deferred submittal</b>	
		Submitter's Response: Correction has been completed. See Sheet ___ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
4		A Vegetation Management Plan (VMP) designed in accordance with Ross Valley Fire Standard #220 is required for this project. A separate deferred permit shall be required for this plan. Please submit directly to the Fire Department for review.	
		<b>Town of Fairfax requires that an approved VMP be submitted as part of the planning packet for review.</b>	
		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: Addition/Remodel  
 ADDRESS: 68 Cypress  
 Fairfax, CA

Page: 3 of 3  
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TYPE OF REVIEW: Planning  
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Fire Dept. # 16-0279

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)

ITEM #	SHEET	COMMENTS	Corr. Made
5		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.	
6		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.	
7		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.	
8		<b>Applicant may propose alternate materials or method in accordance with Section 103.3. All approved alternates requests and supporting documentation shall be included in the plans set submitted for final approval.</b>	
		Submitter's Response: Correction has been completed. See Sheet ___ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	

*If re-submittal is required, 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.*



Ross Valley Fire Department  
777 San Anselmo Avenue, San Anselmo, CA 94960

Mark Mills  
FIRE CHIEF

October 5, 2016

Address: 68 Cypress, Fairfax  
Applicant: Morgan Hall  
Application #: 16-0313

The Vegetation Management Plan submitted for review by the Ross Valley Fire Department is approved with the following conditions:

Please do not remove any tree that requires a permit without first securing such permit.

Please note that all vegetation within the 30 foot zone shall be irrigated. Seasonal grasses within the 30 foot zone are not permitted unless regularly irrigated. If not kept as green grass the area shall be covered in a weed barrier which should be covered in a layer of mulch.

Every effort shall be taken to ensure erosion control efforts are in compliance with standards established by Town regulations.

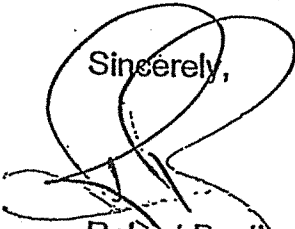
The approved plan is to last the life of the property. Any changes to the plan now or in the future will require Fire Department review. It is recommended that if the applicant has plans to landscape in the future that those plans be intermingled into this plan.

Vegetation shall be maintained to ensure address numbers are visible from both angles of approach.

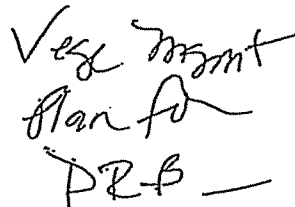
Minimum standards shall be in place prior to final fire clearance.

If you have any questions about any of the items listed above please call me. I am available to meet with you on site to help you develop a plan. Please contact me to schedule (415) 258-4686 Ext 21 if you desire my assistance.

Sincerely,



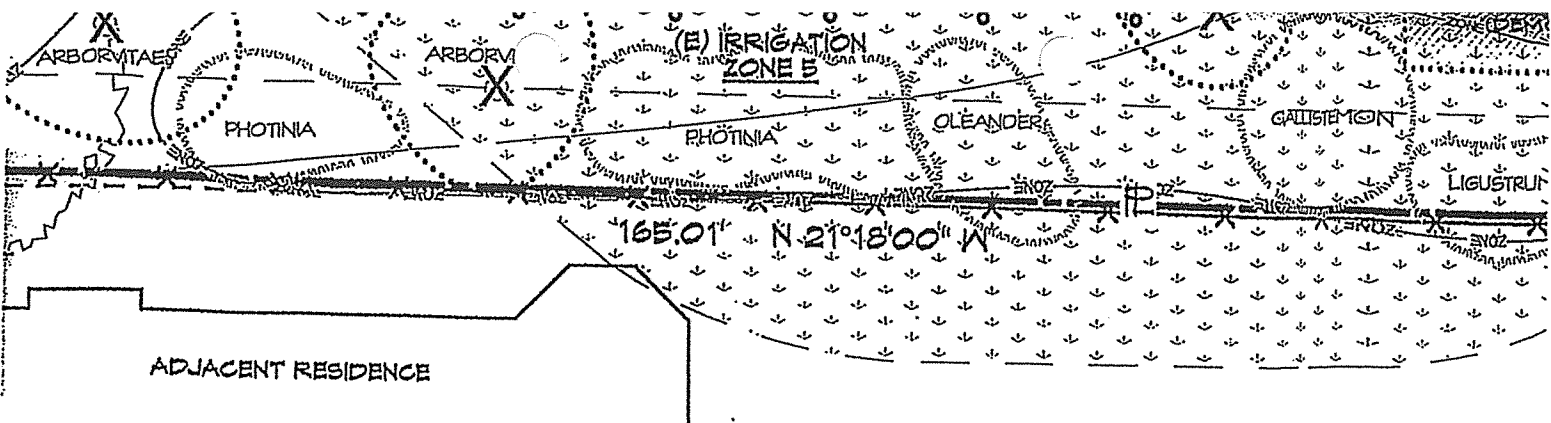
Robert Bastianon  
Fire Inspector



Veg Mgmt  
Plan for  
PRB

Committed to the protection of life, property, and environment.  
SAN ANSELMO • FAIRFAX • ROSS • SLEEPY HOLLOW

HEADQUARTERS: 777 San Anselmo Avenue, San Anselmo, CA 94960 TEL: (415) 258-4686 FAX: (415) 258-4689 www.rossvalleyfire.org



**LANDSCAPE SCHEDULE:**

NOTE: VEGETATION IS EXISTING TO REMAIN U.O.N.

EXISTING TREES:

COMMON NAME:	#	BOTANICAL NAME	REMARKS
BOTTLE BRUSH	2	CALLISTEMON	1 TO BE REMOVED
CEDAR CYPRESS	1	CEDRUS-DEODARA CUPRESSUS	1 TO BE REMOVED
JAPANESE MAPLE	2	ACER	1 TO BE REMOVED
WALNUT	2	JUGLANDANCE CALIFORNICA	
SWEET GUM	1	LIQUIDAMER STYRACIFLUA	
CHERRY	1	ROSACEA	1 TO BE MODIFIED
ARBORVITAE	3	THUJA	3 TO BE REMOVED
PLUM	1	PRUNUS	
MONTEREY PINE	1	PINUS RADIATA	
ORNAMENTAL PEAR	1	ROSACEAE	
LEMON	1	RUTACEAE	
PRIVET	2	LIGUSTRUM	2 TO BE REMOVED
HOLLY	1	ILEX	MODIFIED

NEW TREES:

COMMON NAME:	#	BOTANICAL NAME	REMARKS
FRUIT TREES	4	-	IN REAR YARD W/ IRRIGATION (ZONE)

EXISTING SHRUBS (PERENNIAL):

NAME	#	REMARKS
AZELEA	2	1 REMOVED
CAMELLIA	9	2 REMOVED
VIBURNUM	1	
PHOTINIA	5	3 REMOVED
HYDRANGEA	3	2 REMOVED
PRIVET	15	
OLEANDER	2	
BAY BERRY	3	1 REMOVED
ROSE	2	
JUNIPER	1	1 REMOVED
OREGON GRAPE	1	
SHRUB (NOT IDD)	3	2 REMOVED
WISTERIA	3	

ROSS VALLEY FIRE DEPT  
 Approved  
 Approved with Condi  
 Not Approved - need  
 Incomplete  
 Date: 10-5-16

7	8	Points
		1
	31+	2
Conifer	Conifer w/brush under story	1
		1

Points 5  
 feet BOXBOXBO FEET

NEW SHRUBS :

COMMON NAME:	#	REMARKS
--------------	---	---------



MARIN MUNICIPAL WATER DISTRICT

220 Nellen Avenue, Corte Madera, CA 94925
Engineering Department, 415-945-1530

TOWN OF FAIRFAX

OCT 05 2016

RECEIVED

SERVICE NO. 05499

GRAYWATER SIGN-OFF FORM

Your project may require the installation of a graywater system IF:

- You need a new water meter installed.
You need to enlarge an existing water meter.

Please complete this form and submit it along with your water service application package.

Property Information table with fields: Address (68 CYPRESS DR., FAIRFAX), APN (003-201-25), Property Use (SINGLE FAMILY DWELLING)

Type of Project

- New Construction - Development of a property not currently served by MMWD or an addition requiring the installation/enlargement of water service.
Demo & Rebuild - Demolition of existing structures and construction of a new residential or commercial building requiring the installation/enlargement of water service.
Redevelopment - Construction associated with changing the existing use of a property and requiring the installation/enlargement of water service.
[X] Significant Remodel - Changes to an existing structure requiring the installation/enlargement of water service (often due to additional water demands).

Property Owner Acknowledgement

I, MORGAN HALL, Architect, the owner or authorized owner's agent of the above-referenced property, understand that the installation of a graywater system may be required pursuant to MMWD District Code. The viability for installation of a graywater system for this property has been considered and determined that installation of a graywater system is:

- [ ] Feasible - A graywater system will be installed in compliance with Chapter 16 of the California Plumbing Code. Inspection, approval and completion of the sign-off section of this form by the local building department is required.

Type of Graywater System:

- [ ] Laundry to Landscape (L2L) - Utilizing clothes washer discharge water for landscape irrigation.
[ ] Simple System - A system with a discharge of 250 gallons per day or less. Installation of a district-approved backflow assembly is required.
[ ] Complex System - A system with a discharge greater than 250 gallons. Installation of a district-approved backflow assembly is required.
[X] Not-Feasible - A graywater system will not be installed. I have attached a statement of facts to substantiate our determination. Completion of the sign-off section of this form by the local building department is not required.

Signature: Morgan Hall Date: 9/30/16

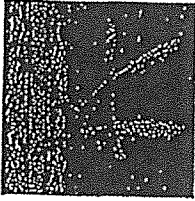
MMWD Section Only

MMWD Representative: Chris Borjian Phone: 415-945-1531
Signature: [Signature] Date: 10/3/16

Sign-Off

Table with 4 columns: Building Dept., Inspector, Inspector's Phone, E-mail, Signature, Date

Building/Planning Comments



MORGAN HALL  
ARCHITECT  
8A SCHOOL STREET  
FAIRFAX, CALIFORNIA 94930  
TEL. 415-455-8464  
morgan@morganhallarchitect.com

Sept. 30, 2016

MMWD

220 Nellen Ave.

Corte Madera, CA 94925

Re: Graywater System for 68 Cypress Drive, Fairfax

Ladies and Gentlemen,

I have submitted for Design Review for a significant remodel at 68 Cypress Drive, Fairfax. The Fairfax Planning Department plan checker comments include the following:

"This project may be subject to Marin Municipal Water District's graywater ordinance. Please verify in writing that the project is either exempt from the ordinance, or that no exterior changes are anticipated to the exterior of the building."

The scope of work for the remodel will require a sprinkler system and upgrade of the water service from 5/8". This would be deemed a "significant remodel" by MMWD.

After careful review of MMWD Ordinance No. 429, as well as Marin County Environmental Health requirements, I have reached the conclusion that installing a graywater system at 68 Cypress Drive, Fairfax is not feasible for the following reasons:

1. MMWD: **"Irrigation areas must be within 50 feet and cannot be uphill from the graywater source."**

Should a laundry graywater system be installed, it would only be able to extend to the landscaping in the rear yard. As you can see from the drawings, most of the plantings within 50 feet of the laundry room are uphill where the walnut and lemon trees are. Very little graywater would be used on that side of the house, which would leave a laundry graywater system impractical and useless. Reviewing the practicality of building a graywater system from either of the bathrooms, it should be noted that the area within 50 feet is primarily landscaped with hardscape and the swimming pool. Again, a system in these locations would be largely unfeasible and useless.

1. COUNTY: **"The property needs to have the appropriate landscape plantings for graywater to be used."**

County Health requires that "graywater not be used to water root crops or parts of food crops that touch the soil." In the rear yard, within 50 feet of the laundry there is a walnut tree and a lemon tree. Additionally, the new owners' intention from the beginning has been to plant several fruit trees and a vegetable garden within 50 feet of the laundry.

**"Soil conditions or slope of the site shall not create pooling or allow run-off of the site."**

The vegetation closest to the master bathroom is along the East side of the property. The East side of the of the property is at a higher grade than the neighboring property. A graywater system in this area may cause inappropriate run-off onto the neighboring property or pooling along the property line. This makes installation of a bathroom graywater system of very limited use.



Thank you for your consideration.

. Yours truly,

A handwritten signature in cursive script that reads "Morgan Hall". The signature is written in black ink and is positioned above the typed name.

Morgan Hall, Architect  
(for Andrea Speraw & Herbert van den Bergh)

Linda Neal

---

**From:** Andrea <asperaw@gmail.com>  
**Sent:** Wednesday, October 12, 2016 7:08 PM  
**To:** Linda Neal  
**Subject:** Re: Change to for 68 Cypress Dr.

Yes. That is correct.

Sent from my iPhone

On Oct 12, 2016, at 3:55 PM, Linda Neal <[lneal@townoffairfax.org](mailto:lneal@townoffairfax.org)> wrote:

Hi Andrea,

Morgan also mentioned that you no longer plan to keep the shed roof constructed onto the west side of the barn structure. Is that correct?

Linda Neal  
Principal Planner

**From:** Andrea Speraw [<mailto:asperaw@gmail.com>]  
**Sent:** Wednesday, October 12, 2016 3:29 PM  
**To:** Linda Neal <[lneal@townoffairfax.org](mailto:lneal@townoffairfax.org)>  
**Cc:** Herbert van den Bergh <[herbertvandenbergh@gmail.com](mailto:herbertvandenbergh@gmail.com)>  
**Subject:** Change to for 68 Cypress Dr.

Dear Ms Neal:

I understand that our architect, Morgan Hall, spoke to you today about our request to make a change to our design. Please pardon the last minute plea from us to retain the structure of what is currently called the "Pool House" on the plan.

Our plan would be to use it for its original purpose: as a greenhouse. At the moment we recognize that it is not very attractive, but we plan to paint and spruce it up. Ultimately, we believe it will be an attractive structure with a practical purpose: to grow vegetables in the winter.

Thank you for your consideration of this request.

Regards,

Andrea Speraw  
Herbert van den Bergh