

TOWN OF FAIRFAX

STAFF REPORT

April 3, 2019

TO: Mayor and Town Council

FROM: Linda Neal, Principal Planner GT

SUBJECT: Consider a resolution granting a driveway width variance per Town Code §12.12.090, to construct a 33-foot-wide driveway that exceeds the permitted 20-foot-wide driveway limit, to allow construction of a single-family residence at 251 Scenic Avenue (Assessor's Parcel No. 002-121-50); CEQA categorically exempt 15303(a)

RECOMMENDATION

Adopt a Resolution Granting a Variance for an Over-Width Driveway at 251 Scenic Road to allow a 33-foot-wide driveway that exceeds the permitted 20-foot driveway width by 13 feet.

DISCUSSION

On March 21, 2019, the Planning Commission granted a Hill Area Residential Development Permit, Encroachment Permit, Combined Side-yard Setback Variance, and a Design Review Permit for a 2,172 square-foot, 3 bedroom, 2½ bathroom single-family residence on the vacant property at 251 Scenic Road (Assessor's Parcel No. 001-121-50). (See Attachment B.) Due to the steep slope of the site and the Town Code requirement that a single-family residence be provided with 3 parking spaces, the spaces had to be designed parallel to each other and close to the front property line resulting in a driveway in excess of the permitted 20 feet.

Pursuant to Town Code §12.12.090, only the Town Council can grant variances to allow a residential property to have a driveway that exceeds the permitted 20 feet if certain findings can be made. While the Planning Commission has the authority to grant other variances and encroachment permits in the public right-of-way, the Planning Commission cannot grant variances for driveway widths. By approving all the other project permits, the Planning Commission is, in essence, recommending the Council grant the variance. This is another example of inconsistencies in the Town Code that needs to be addressed in the near future.

All the other agencies with jurisdiction over the property have reviewed the project and none of them, including Ross Valley Fire Department and the Fairfax Police Department, has expressed any concerns about the 33-foot wide driveway or conditions to place upon the driveway project.

FISCAL IMPACT

None.

ATTACHMENTS

- A. Resolution Granting a Variance for an Over-Width Driveway at 251 Scenic Road, Assessor's Parcel No. 001-121-01
- B. Planning Commission Resolution 2019-06, with conditions of approval and letter of action
- C. Site plan and cross section

RESOLUTION 19-_____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
GRANTING A VARIANCE FOR AN OVER-WIDTH DRIVEWAY AT
251 SCENIC ROAD, ASSESSORS PARCEL NO. 001-121-01**

WHEREAS, on March 21, 2019, at a duly noticed public hearing, the Planning Commission approved a Hill Area Residential Development Permit, Encroachment Permit, Combined Side-yard Setback Variance and a Design Review permit for a new single-family residence at 251 Scenic Road; and

WHEREAS, Fairfax Town Code Section 12.12.030 provides that residential driveways shall not be of greater width than 20 feet, measured over the sidewalk area; and

WHEREAS, Fairfax Town Code Section 12.12.090 grants the Town Council power and authority to grant variances to the provisions of Town Code Chapter 12.12 upon making certain findings; and

WHEREAS, on April 3, 2019, the Town Council conducted a duly noticed public hearing to consider the request to access the approved residence from a 33-foot-wide driveway and to receive public comment on the matter; and

WHEREAS, at the April 3, 2019, public hearing, the Town Council made the following findings:

1. The site slope and narrow width are exceptional circumstances that necessitate the need for a 33-foot-wide driveway. The site slopes down from Scenic Road at a rate of 60% and is 50 feet wide. In order to provide the 3 parking spaces required for a single-family residence while also keeping the house below the permitted 35-foot height limit, the parking spaces must be located parallel to each other, perpendicular and immediately adjacent to the front property line, and therefore accessed via a 33-foot-wide driveway.
2. The extra driveway width provides the third parking space required for the site; and
3. The 33-foot-wide driveway will not negatively impact neighboring properties or traffic traveling along Scenic Road.

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Town Council of the Town of Fairfax grants the variance to allow a 33-foot-wide driveway at 251 Scenic Road.

The foregoing resolution was duly passed and adopted at a regular meeting of the Town Council of the Town of Fairfax held in said Town on the 3rd day of April, 2019, by the following vote, to wit:

AYES:

NOES:

ABSENT:

BARBARA COLER, Mayor

Attest: _____
Michele Gardner, Town Clerk

ATTACHMENT A

RESOLUTION NO. 2019-06

A Resolution of The Fairfax Planning Commission Approving Application No. 19-06 for a Hill Area Residential Development Permit, Encroachment Permit, Parking and Combined Side Setback Variance, and Design Review Permit for a Residence at 251 Scenic Road

WHEREAS, the Town of Fairfax has received an application from David Boesel to build 3-story, 2,128 square-foot, 3 bedroom, 2 ½ bathroom single-family residence and attached 365 square-foot carport on January 22, 2018; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on March 21, 2019 at which time the Planning Commission determined that the project complies with the Hill Area Residential Development Overlay Ordinance; 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 Hill Area Residential Development, Encroachment, Parking and Combined Side-yard Setback Variance, and Design Review Permits; and

WHEREAS, the Commission has made the following findings:

The project is consistent with the 2010-2030 Fairfax General Plan as follows:

Policy LU-1.2.3: New and renewed development shall be designed and located so as to minimize the visual mass. The Town will require exterior materials and colors that blend the exterior appearance of structures with the surrounding natural landscape, allowing for architectural diversity.

Policy LU-7.1.5: New and renewed residential development shall preserve and enhance the existing character of the Town's neighborhoods in diversity, architectural character, size and mass.

Policy LU-7.2.2: to the extent feasible natural features including the existing grade, mature trees and vegetation shall be preserved for new and renewed development.

Policy LU-4.1.4: New and renewed development shall be designed to minimize run-off in a manner that does not cause undue hardship on neighboring properties.

Policy LU-7.2.2: To the extent feasible natural features including the existing grade, mature trees, and vegetation shall be preserved for new and renewed development.

ATTACHMENT B

Hill Area Residential Development

The proposed development is consistent with the General Plan and the Residential Single-family RS 6 Zone regulations.

1. The site planning preserves identified natural features as much as possible while also complying with other agency and department regulations.
2. Vehicular access and parking are adequate.
3. The proposed development harmonizes with surrounding residential development and meets the design review criteria contained in Town Code § 17.020.040.
4. The approval of the Hill Area Residential Development permit for 1 single-family residence on this 6,306 square foot parcel shall not constitute a grant of special privilege and shall not contravene the doctrines of equity and equal treatment.
5. The development and use of property as approved under the Hill Area Residential Development Permit 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 use permit as long as the conditions of approval contained within Resolution No. 2019-06 are complied with.
6. Approval of the proposed Hill Area Residential Development permit is not contrary to those objectives, goals or standards pertinent to the particular case and contained or set forth in any Master Plan, or other plan or policy, officially adopted by the City.
7. Approval of the Hill Area Residential Development permit will result in equal or better development of the premises than would otherwise be the case because the construction should make the site more stable than it has been in the past.

Excavation Permit

8. The Town Engineers have reviewed the following plans and reports and have determined the project can be constructed, with certain conditions of approval, without creating any hazards:

Architectural plans by Murdock Architecture, pages A0.1 through A0.3 (dated 7/10/18), A1.0 (dated 10/25/18) , A4.0 and A4.1, A6.1 and A6.2, A7.0 through A7.2 (all dated 7/10/18) , Vegetative Management Plan page VMP-1 (7/10/18), topography map by DVC Group page 1 (April 2017) and grading and drainage plans by DVC Group pages C1 through C4 (dated 1/9/19).

9. Based on the Town Engineer's review and recommendation that the project can be safely constructed, the Planning Commission finds that:
- a. The health safety and welfare of the public will not be adversely affected;
 - b. Adjacent properties are adequately protected by project investigation and design from geologic hazards as a result of the work;
 - c. Adjacent properties are adequately protected by project design from drainage and erosion problems as a result of the work;
 - d. The amount of the excavation or fill proposed is not more than that required to allow the property owner substantial use of his or her property;
 - e. The visual and scenic enjoyment of the area by others will not be adversely affected by the project more than is necessary;
 - f. Natural landscaping will not be removed by the project more than is necessary; and
 - g. Town code § 17.072.090(c)(4) prohibits grading of hillside properties from October 1st through April 1st of each year. Therefore, the time of year during which construction will take place is such that work will not result in excessive siltation from storm runoff nor prolonged exposure of unstable excavated slopes.

Parking and Combined Side-yard Setback Variances

10. The site has a 60% slope, the road easement is 40 feet wide placing the front property line 7 to 8 feet from the edge of the road pavement and the site is only 53 feet wide. These are the special circumstances applicable to the property, including size, shape, topography, location of surroundings that would result in the strict application of the standard 9 ft. x 19 ft. parking space size regulations and the combined 20 ft. side-yard setback regulation depriving the applicant of privileges enjoyed by other property owners in the vicinity and under identical zone classification.
11. The variance or adjustment will not constitute a grant of special privilege, is consistent with the limitations upon other properties in the vicinity and under identical zone classification, and is consistent with the objectives of this title. Both the residences at 255 and 257 Scenic Road were granted variances of the combined 20 foot side-yard setback requirement to construct new single family residences in 1990 and 2003.
12. The strict application of this title would result in excessive or unreasonable hardship.

13. The granting of the variance of adjustment will not be detrimental to the public welfare or injurious to other property in the vicinity in which the property is situated.

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

1. The project is approved based on the following plans:

Architectural plans by Murdock Architecture, pages., pages A0. through A0.3 (dated 7/10/18), A1.0 (revised 1/8/19) , A4.0 and A4.1, A6.1 and A6.2, A7.0 through A7.2 (all dated 7/10/18) , Vegetative Management Plan page VMP-1 (7/10/18), topography map by DVC Group page 1 (April 2017) and grading and drainage plans by DVC Group pages C1 through C4 (dated 1/9/19). Tree removal is approved as shown on page A1.0 which was updated 1/8/19.

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:

- I. Construction delivery routes approved by the Department of Public Works.
- II. Construction schedule (deliveries, worker hours, etc.)
- III. Notification to area residents
- IV. 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 Town Engineer. 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.

3. 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 Town Structural Engineer.

4. The grading, foundation, retaining, and drainage elements shall also be stamped and signed by the project geotechnical engineer as conforming to the recommendations made by the project Geotechnical Engineer.
5. 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.
6. Submit 3 copies of the record of survey with the building permit plans.
7. All retaining walls that are visible from the street and are constructed of concrete shall be heavily textured or colorized in a manner approved by the planning staff prior to issuance of the building permit. This condition is intended to mitigate the visual impact of the proposed walls.
8. Prior to the removal of any trees not approved by the Planning Commission through this action, the applicant shall secure a tree cutting permit, if required, from the Fairfax Tree Committee 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 the project arborist to prune and treat trees having roots 2 inches or more in diameter that are disturbed during the construction, excavation or trenching operations. 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.
9. During the construction process the following shall be required:
 - a. The geotechnical engineer and the project arborist shall be on-site during the grading process and both shall submit written certification to the Town Staff that the grading and tree protection measures have been completed as recommended prior to installation of foundation and/or retaining forms and drainage improvements, piers and supply lines.
 - b. 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.
 - c. The Building Official shall field check the concrete forms prior to the pour.

- d. 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.
 - e. 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.
10. Prior to issuance of an occupancy permit the following shall be completed:
- a. The geotechnical 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 and Town Engineer shall field check the completed project to verify that all and planning commission conditions and required engineering improvements have been complied including installation of landscaping and irrigation prior to issuance of the certificate of occupancy.
11. Excavation shall not occur between October 1st and April 1st of any year. The Town Engineer has the authority to waive this condition depending upon the weather.
12. The roadways shall be kept free of dust, gravel and other construction materials by sweeping them, daily, if necessary.
13. Any changes, modifications, additions or alterations made to the approved set of plans will require a modification of Application # 19-06. Modifications that do not significantly change the project, the project design or the approved discretionary permits *may* be approved by the Planning Director. Any construction based on job plans that have been altered without the benefit of an approved modification of Application 19-06 will result in the job being immediately stopped and red tagged.
14. Any damages to the public portions of Scenic Rd. Azalea Ave., Tamalpais Rd., or Sequoia Rd. or other public roadway used to access the site resulting from construction activities shall be the responsibility of the property owner.

15. 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.
16. 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 Best Management Practices for Stormwater Pollution Prevention.
17. Conditions placed upon the project by outside agencies, Town department or by the Town Engineer may be eliminated or amended with that agency's, department's or the Town Engineer's written notification to the Planning Department prior to issuance of the building permit.
18. Conditions placed upon the project by the project arborist may be amended or eliminated by the approval of the Planning Director after receiving a request for the elimination/amendment in writing from the project arborist. May require a review by the Town Arborist and/or the Town Engineer at the owner's expense prior to Planning Director determination.
19. The building permit plans shall be reviewed and approved by the Town Engineer, at the expense of the applicant, prior to issuance of the building permit. The project shall be inspected by the Town Engineer prior to issuance

of the occupancy permit for the residential structure for compliance with the engineering plans.

Ross Valley Fire Department

20. All vegetation and construction materials are to be maintained away from the residence during construction,
21. Hydrant flow and location are to be identified prior to the start of construction.
22. The project requires installation of a fire sprinkler system that complies with the National Fire Protection Association regulation 13-D and local standards. The system will require a permit from the Fire Department and the submittal of plans and specifications for a system submitted by an individual or firm licensed to design and/or design-build sprinkler systems.
23. 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.
24. 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.
25. 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.
26. 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.
27. Alternative materials or methods may be proposed for any of the above conditions in accordance with Section 104.9 of the Fire Code.
28. 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 (MMWD)

- 29. A copy of the building permit must be provided to the district along with the required applications and fees.
- 30. The foundation must be completed within 120 days of the date of application.
- 31. All indoor and outdoor requirements or District Code Title 13, Water Conservation must be complied with.
- 32. Any landscaping plans must be reviewed and approved by the District.
- 33. Backflow prevention requirements must be met.
- 34. Ordinance 420., requiring installation of grey water recycling system when practicable, must be incorporated into the project building permit plans or an exemption letter from the District must be provided to the Town.
- 35. All of the District's rules and regulations if effect at the time service is requested must be complied with.

Ross Valley Sanitary District (RVSD)

- 36. A sewer connection permit and a side sewer connection permit are required for new buildings.
- 37. Fees must be paid to the District and will depend on the number of fixture units in the new structure.
- 38. A hold will be placed on the property when the building permit is issued and will not be released for occupancy until the District permit and sewer requirements have been fulfilled.

Fairfax Public Works Department

- 39. Complete road closures will be limited to concrete pours and steel placement.
- 40. Temporary road closures will require coordination with the Fairfax Police Department and Ross Valley Fire Department.
- 41. A detailed construction management plan must be submitted with the building permit application that includes construction delivery routes, construction schedule (deliveries, worker hours, etc.), notification to area residents, emergency access and egress routes and proposed employee parking

locations during construction and be approved by the Department of Public Works.

42. The applicant shall prepare, and file with the Public Works Director, a video of the roadway conditions on the construction delivery routes.
43. A bond will be submitted prior to issuance of the building permit in an amount that will cover the cost of grading, weatherization and repair of possible roadway damage in an amount equaling 100% of the estimated construction costs and pay for the Town Engineer's/Plan Checker's time to review and confirm the contractor's estimate.

Miscellaneous

44. The Revocable Encroachment Document memorializing the approved encroachments must be signed, notarized and recorded at the Marin County Recorder's Office prior to issuance of the Building permit.
45. A tree protection plan and inspection schedule must be prepared by the project arborist and must be submitted with the building permit. The protection measures and recommended arborist inspection schedule will be conditions of the building permit approval. Letters verifying that the protection measures have been installed and that the inspections were made by the project arborist will be required prior to the project final inspection.
46. A slope stability analyses as described in the Town Engineer's second review letter of 9/28/18, pages 3 and 4, shall be submitted with the building permit application, for review and subject to approval, in conjunction with the drainage and stability improvement plans, by the Town Engineers (Miller Pacific Engineering) prior to issuance of the building permit. The analysis shall either provide documentation of the correlation between the standard penetration test (SPT) blow counts and the friction angle, strength and cohesion values used in the analysis; or an updated analysis shall be provided which utilizes soils parameters developed on the basis of laboratory testing of on-site samples, or via back-calculation of previous land sliding on the site. The model shall also be revised to accurately reflect site conditions and encompass the entire parcel and include the existing roadway and bin wall, the proposed grading/structural improvements, the location of the upslope and downslope property lines and the location of the existing slide scarp in the lower portion of the property and shall extend beyond the property line onto the downslope property at 120 Tamalpais Road as needed to evaluate offsite impacts of the new development. The cost for the Town Engineer's review of the slope stability analysis prepared by the applicant's consultant shall be borne by the applicant.
47. The exterior lighting fixtures must meet "dark sky" criteria and will be shielded

from direct offsite illumination.

48. The surveyor shall mark the location of all the property lines in the field and the northwest and southeast side property lines shall be fenced to keep persons accessing the project site from trespassing on the properties at 245 Scenic and 255 Scenic Road.
49. Prior to issuance of the building permit the property owner shall prepare an easement granting the Town access for maintenance of the crib wall to a strip of land, width to be determined jointly by the Town Engineer and the Building Official.
50. A drainage system maintenance agreement including a system location plan and required maintenance schedule shall be approved by the Town Engineer and then be recorded at the Marin County Recorder's Office setting forth the required maintenance schedule to ensure the drainage system continues to function as designed. A copy shall be provided to the Town prior to issuance of the building permit.
51. Sign(s) shall be posted on the site advising delivery, construction and the employee carpool vehicle that this portion of Scenic Road is one way and directing them south on Scenic Road. The number and location of the signs shall be subject to review and approval by the Building Official prior to issuance of the building permit.

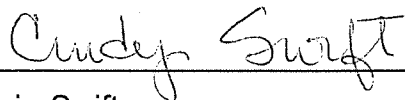
NOW, THEREFORE BE IT RESOLVED, the Planning Commission of the Town of Fairfax hereby finds and determines as follows:

The approval of the Hill Area Residential Development Permit, Encroachment Permit, Parking and Combined Side-yard Setback Variances and Design Review Permit are in conformance with the 2010 – 2030 Fairfax General Plan, the Fairfax Town Code 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 21 day of March, 2019 by the following vote:

AYES: Fragoso, Gonzalez-Parber, Kehrlein, Chair Swift
NOES: Newton, Rodriquez

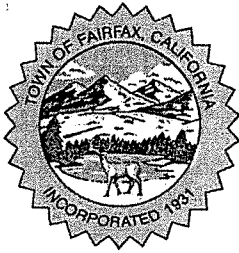


Chair, Swift

Attest:



Ben Berto, Director of Planning and Building Services



TOWN OF FAIRFAX

142 Bolinas Road, Fairfax, California 94930

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

April 25, 2019

Bryan Murdock
480 Gate 5 Road, Ste. 230
Sausalito, CA. 94965

NOTICE OF PLANNING COMMISSION ACTION

RE251 Scenic Road; Application # 19-06

Request for a Hill Area Residential Development, Design Review, Encroachment and Combined Side-yard Setback Variance to construct a 2,172 square-foot, 3 bedroom, 2 ½ bathroom, single-family residence with an attached 2-car carport; Assessor's Parcel No. 001-121-50; Residential Single-family RS-6 Zone; Bryan Murdock, Murdock Architecture, applicant; David Boesel, owner; CEQA categorically exempt, § 15303(a).

Dear Mr. Murdock,

At its meeting on March 21, 2019, the Fairfax Planning Commission approved Application No 19-06 for the project described above by adopting enclosed red-lined Resolution No. 2019-06 setting forth the findings and conditions for approval. Please pay careful attention to the conditions that require the approval of Planning Staff and Town Engineer prior to issuance of the building permit. ***Failure to submit the required information/easement and drainage maintenance agreements/proposed directional signs, etc. referenced in the resolution with your building permit application and construction plans will most likely lead to delays in the processing of the building permit.***

The driveway width variance has been scheduled for the April 3, 2019 Town Council meeting. The owner or his representative should attend this meeting. Should the project be appealed, the driveway width variance will be continued from the April 3, 2019 meeting until after the appeal is heard by the Town Council.

RIGHT TO APPEAL

You and/or any interested citizen have the right-of-appeal to the Town Council any decision of the Planning Commission within ten days of the action. Contact the Planning Department staff at the Fairfax Town Hall for further information on how to appeal a Planning Commission decision and/or condition of approval.

If plans or other supplemental information were submitted for the Planning Commission hearing and the applicant would like to have them back, they must be picked up after the 10 day appeal period but before 15 days from the date of the meeting.

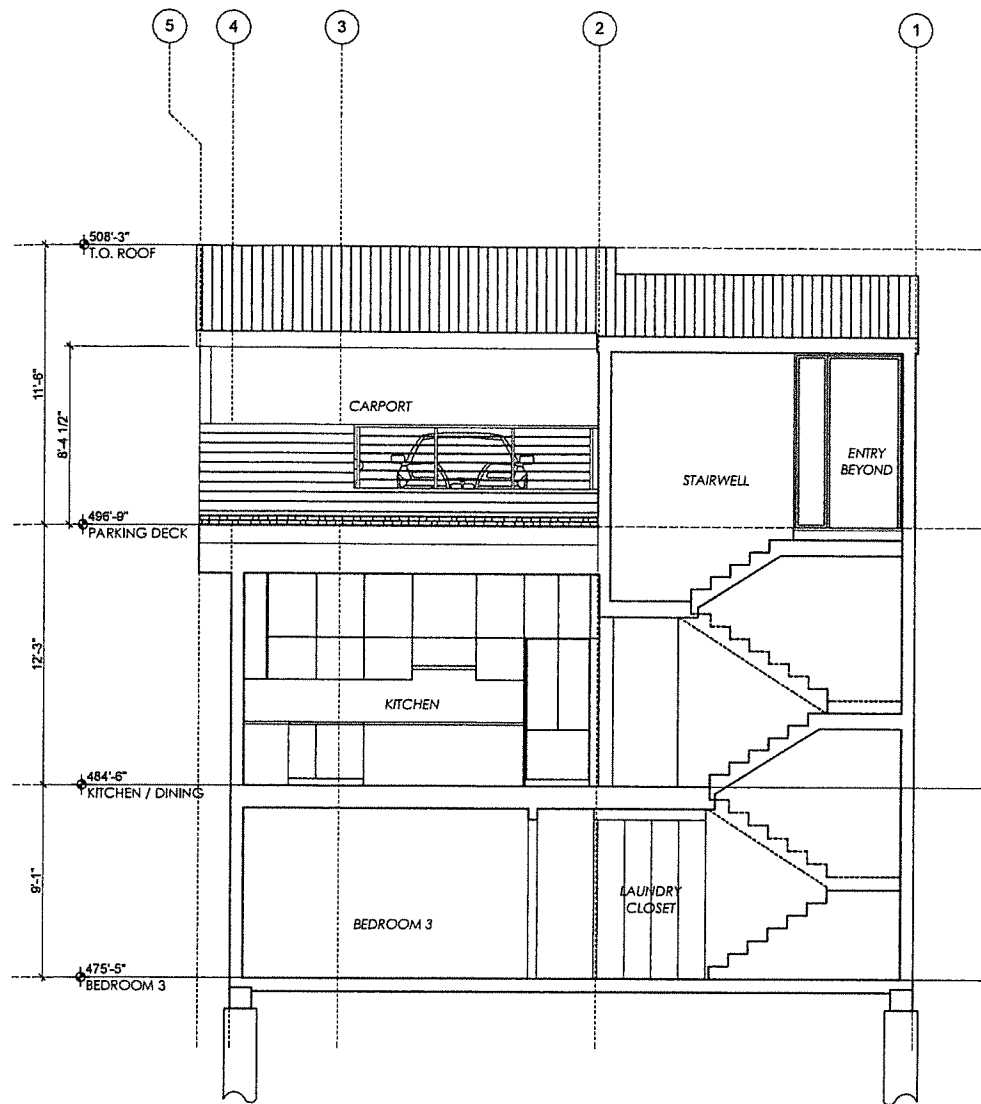
If you have any questions regarding the Planning Commission action please feel free to contact the Fairfax Planning Department.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Neal".

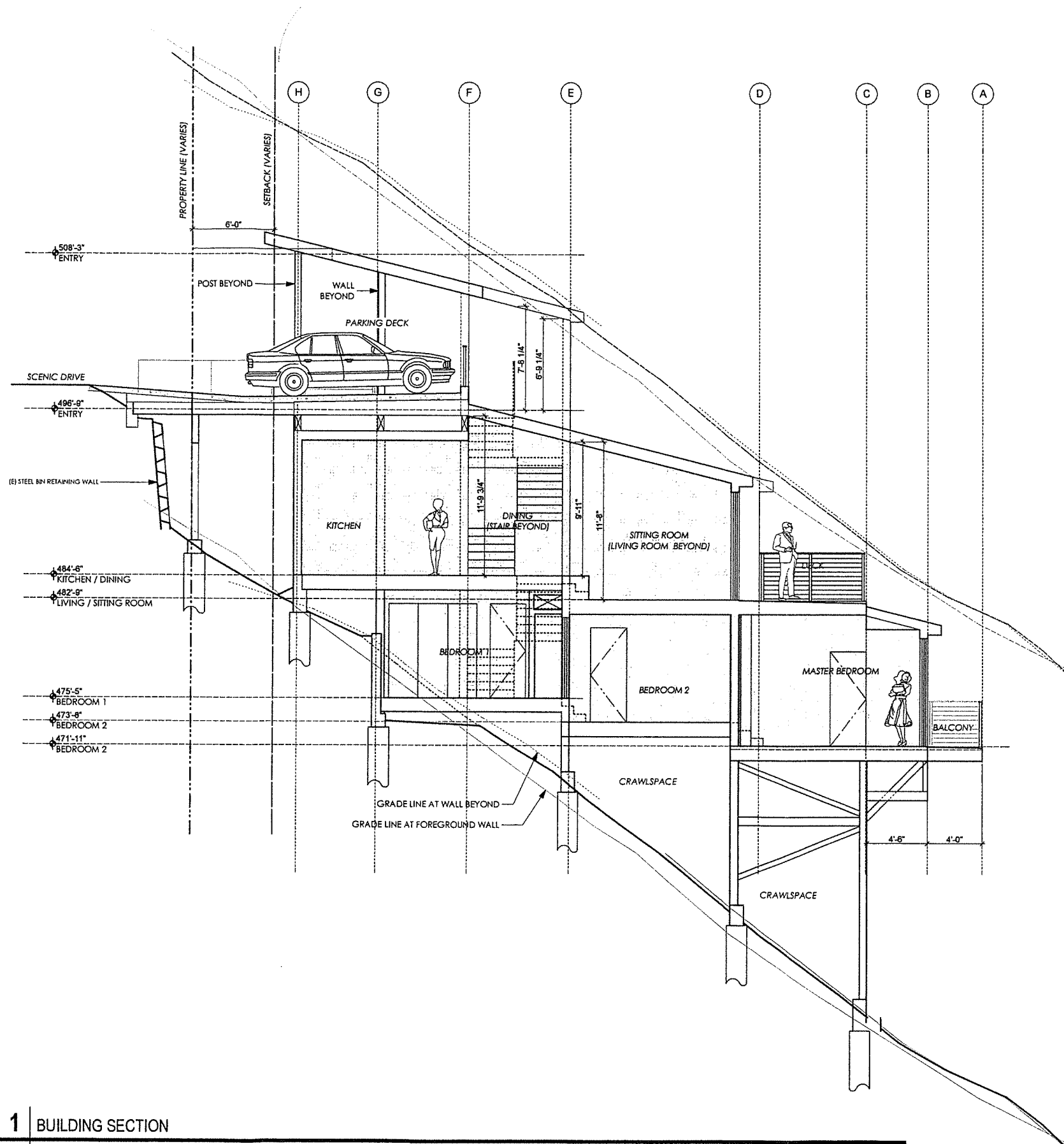
Linda Neal
Principal Planner

Enclosure: Redlined Resolution No. 2019-06



2 BUILDING SECTION

SCALE: 1/4"=1'-0"



1 BUILDING SECTION

SCALE: 1/4"=1'-0"