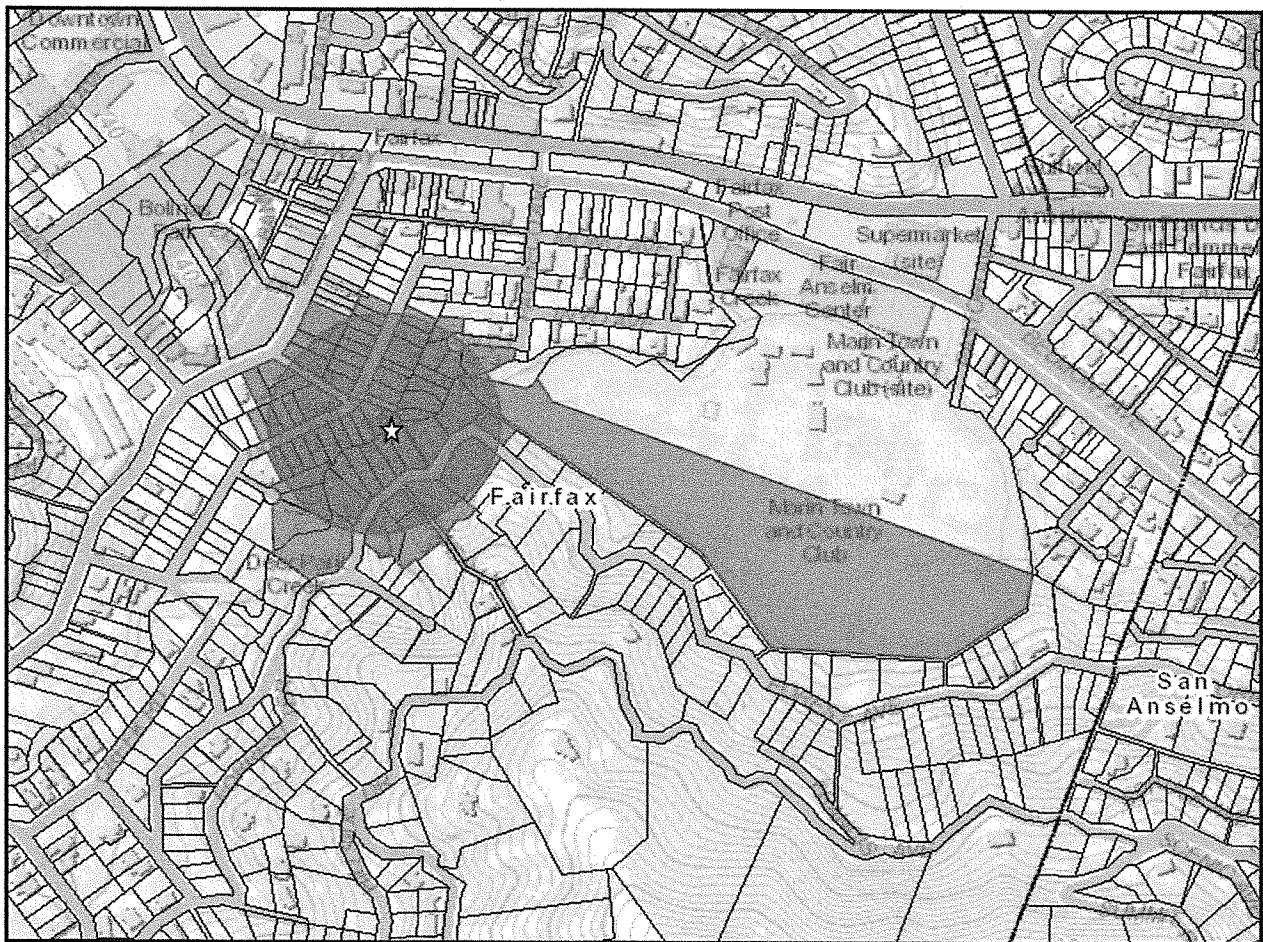


TO:	Fairfax Planning Commission
DATE:	June 19, 2014
FROM:	Jim Moore, Director of Planning and Building Services Linda Neal, Senior Planner
LOCATION:	6 Bridge Court; Assessor's Parcel No. 002-105-13
PROJECT:	50% remodel/addition to single-family residence
ACTION:	Use Permit, Setback Variance and Design Review; Application # 14-15
APPLICANT:	Rich Rushton, Rushton-Chartock Architects
OWNER:	Lee MacPherson and Rae Gordon
CEQA STATUS:	Categorically exempt, § 15305(a)



1

BACKGROUND

The 4,256 square foot site slopes down to the creek from the end of Bridge Court at an average slope of 15.22%. The 1,115 square foot residence was constructed in 1925. The garage was converted to living space with an additional bathroom in 1965. A permitted carport was constructed in 1989.

The Commission previously granted a creek setback variance to allow the rear deck to be expanded further into the creek setback on January 31, 1985.

The southern creek side of the site is located within both the required creek setback and Flood Zone AO as well as the new FEMA defined creek "Floodway". The rear 1st floor bedroom and deck project into the 20 foot creek setback and the deck projects into the AE flood zone

DISCUSSION

The project encompasses the removal of an existing 124 square foot bedroom and the addition and remodel of the first floor to include a new kitchen, laundry closet, living room and remodel of the full bath into a ½ bath increasing the square footage by 231 square feet. The second floor will also be remodeled and increased in size by 136 square feet adding a second full bath and converting the office to a master bedroom. The project increased the three bedroom, 2 bath home into a three bedroom, 3 bath home and increases the square footage from 1,386 square feet to 1,753 square feet (by 367 square feet). The project will include extending the length of the carport by 8 feet and creating a parking space within the northern side property line to accommodate parking for 3 vehicles. The project will also include raising the finished floor elevation of the existing structure above the flood elevation, increasing the height of the building from 29.5 feet to 33 feet, below the 35 foot limit allowed by the Town Code [Town Code § 17.084.060(A)(2)].

The property is located in the Residential RD 5.5-7 Zone District and the project will comply with the RD 5.5-7 Zone Regulations as follows:

	Front Setback	Rear Setback	Combined Front/rear Setback	Side Setbacks	Combined Side Setbacks	FAR	Lot Coverage	Height
Required/ Permitted	6 ft	12 ft	35 ft	5 ft & 5 ft	20 ft	.40	.35	35 ft, 3 stories
Existing	12 ft	34 ft	46 ft	2.25 ft & 32.5 ft	34.75 ft	.18	.16	29.5 ft, 2 stories
Proposed	12 ft	2.5 ft	14.5 ft	7.5 ft & 34 ft	41.5 ft	.23	.21	33 ft, 2 stories

The southeastern portion of the site is located in Flood Zone AE and portions are also located within the new FEMA designation of the Floodway. The project is a 50% remodel so FEMA has indicated that the finished floor elevation of the existing house must be raised above the 100 year floor elevations and the addition must be at the same elevation and must be constructed on concrete columns to allow water to flow underneath this portion of the structure.

The project requires the approval of the following discretionary permits:

Use Permit: Town Code 17.084.050 17.084.050(C) requires that a use permit be obtained prior to any improvement on a parcel failing to meet the minimum size requirements based on the sites average slope. The parcel has an average slope of 15.22% and would have to be 8,000 square feet in size to comply with the zoning ordinance. The site is 7,628 square feet and requires a use permit.

Parcels in the vicinity vary in size from 2,275 square feet to 6,955 square feet in size and the houses vary from 799 square feet to 1,984 square feet. Therefore, the 1,753 square foot residence on this 4,256 square foot site is not out of scale or character with the neighborhood, nor will it change the single-family character of the property.

50% Remodel

The aggregate amount of construction, alteration and enlargement on a non-conforming property or structure shall not affect more than 50% of the floor area of the building unless the parking is brought into compliance with the code or a parking variance is granted by the Commission. Projects that constitute 50% remodels also require design review approval by the Commission. The project includes the provision of three parking spaces and the applicants have applied for design review approval.

Setback Variances:

Town Code § 17.052.010(B) indicates that no off-street parking spaces, covered or uncovered, shall be located in a side yard setback. The project proposes locating one of the three required spaces in the northern side setback and extending the carport 4 feet in length towards the house so that the site will accommodate the required three parking spaces, one of them covered [Town Code §17.052.010(D) and 15.052.030(A)(1)(d) and (1)(2)].

The space located in the side yard setback will maintain a 14 foot setback from the nearest residence at 89 Dominga which will meet the intent of the 5 foot side yard setback and not significantly impact the neighbor.

Design Review

Town Code § 17.020.030(A) indicates that projects that are 50% remodels require design review approval by the Planning Commission. The project constitutes a 50% remodel and therefore, requires design review.

In order to grant design review approval for a project the Commission must be able to find that the project meets the Design Review Criteria set forth in Town Code § 17.020.040.

In order to comply with FEMA Federal Emergency Management Agency, the existing Bungalow style structure will be raised up so the finished floor elevation of the lowest floor is above the flood elevation for the site. This will increase the height of the building from 29.5 feet to 33 feet bringing the property into compliance with the Town Code Floodplain Ordinance, Town Code Chapter 17.068 and FEMA regulations. The height and change in structure massing has been minimized through the use of alternating types of siding with portions of the house having shingled siding, like the existing bungalow, and portions having vertical board and batten siding. The colors of the siding will be different as well with the shingles being the lighter brown of the existing house shingles.

The existing house and the proposed addition will have windows of various shapes and sizes and the rooflines are varied to increase the articulation of the exterior of the house. The face of the rear of the house, adjacent to the creek, is further broken by the existing rear deck.

The impact of the increased height of the western elevation, where the existing house is located just 2.25 feet from the western side property line and a total of 5.25 feet from the residence at 93 Dominga, has been minimized by the removal of three 3 ft x 4 ft windows and replacement with only two small 2 ft x 2 ft clerestory windows. There will be only one 2 ft x 2 ft clerestory window in the second floor addition facing the other close residentially developed property at 89 Dominga. The addition will result in the removal of the second floor deck which currently overlooks the 89 Dominga Avenue yard so the project will have a minimal impact on the house to the north.

Most of the site landscaping will be retained but the groundcover, made up of Creeping Wood Sorrel, Miner's Lettuce and Wild Onion will be extended as shown and the bunch bamboo will be removed. Other than that the owners just proposed maintain the trees and the landscaping by pruning dead branches of trees and shrubs and removing weeds and dead grasses, especially during fire season.

Other Agency/Department Requirements/Comments

Ross Valley Fire Department

1. A fire protection 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.
2. All smoke detectors in the residence shall be provided with AC power and be interconnected for simultaneous alarm. Detectors shall be located in each sleeping room, outside of sleeping rooms centrally located in the corridor and over the center of all stairways with a minimum of one detector per story of the occupied portion of the residence.
2. Carbon monoxide alarms shall be provided.
3. Address numbers must be 4 inches tall and if not clearly visible from the street, additional numbers are required. The project is a substantial remodel so the numbers must be internally illuminated or illuminated by an adjacent light controlled by a photocell and switch off only by a breaker so it will remain illuminated all night. The numbers must be internally illuminated, placed next to a light or be reflective numbers.

Marin Municipal Water District

1. The applicant must comply with the District Code Title 13, Water Conservation, as a condition of water service.
2. Should backflow protection be requirement it shall be installed prior to the project final inspection.

Sanitary District

1. If not already installed, the District requires that the sided sewer be equipped with an appropriate backwater prevention device.
2. If the project is approved the applicant shall contact the District to arrange for a District Inspector to approve the existing installation or to approve plans for the proposed installation.

Fairfax Building Department

The applicant must provide an Elevation Certificate showing that the finished floor elevation will be above the Base Flood Elevation and the plans must show that the addition is out of the flood way **(this condition has been complied with to the satisfaction of the Fairfax Building Official).**

Note: the Fairfax Police Department had no comment on the project.

RECOMMENDATION

1. Open the public hearing and take testimony.
2. Close the public hearing.
3. Move to approve application # 14-15 based on the following findings and subject to the following conditions:

Recommended Findings

Use Permit Findings

1. The proposed raising of the finished floor elevation and increase of the house height is required to bring the property into compliance with FEMA regulations, the new portions of the addition/remodel project will maintain the required setbacks and the parking will be brought into compliance with the Town Code as required for 50% remodels. Therefore, the approval of the use permit shall not constitute a grant of special privilege and shall not contravene the doctrines of equity and equal treatment.
2. The windows have been minimized on the north and west sides of the structure where it is located close to neighboring residences. The proposed parking space in the northern side yard will maintain a 12 foot setback from the house at 89 Dominga. Therefore, the development and use of property as approved under the use permit shall not cause excessive or unreasonable detriment to adjoining properties or premises, or cause adverse physical or economic effects thereto, or create undue or excessive burdens in the use and enjoyment thereof, or any or all of which effects are substantially beyond that which might occur without approval or issuance of the use permit.
3. The resulting 1,753 square foot residence is not out of scale with other homes in the neighborhood or with the 4,256 square foot site and the structure will be in compliance with lot coverage, floor area ration and height limitations. The new living space will meet the setback requirements. Therefore, approval of the use permit is not contrary to those objectives, goals or standards pertinent to the particular case and contained or set forth in any Master Plan, or other plan or policy, officially adopted by the City.
4. Approval of the use permit will result in equal or better development of the premises by bringing the existing structure into compliance with FEMA regulations for residences located on property within the FEMA designated

floodway and structures in the AO Flood Zone. Therefore, said approval will protect the owner's property rights while also being in the public interest and for the protection or enhancement of the general health, safety or welfare of the community.

Variance Findings

1. The location of the property within the creek corridor and its irregular shape are the special circumstances applicable to the property that justify allowing a parking space within the side yard setback. The strict application of the parking setback regulations will deprive the owners the ability to remodel and expand their home, a privileges enjoyed by other property owners in the vicinity and under identical zone classification.
2. Parking within the side yard setback is a parking configuration found repeatedly through the Town. Because the property slopes down to the creek the proposed parking location is the only one available on the site that will not result in construction closer to the creek channel, within the riparian corridor. Therefore, the variance to allow parking within the required side yard setback is not 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.
3. The strict application of this title would result in excessive or unreasonable hardship because the applicant's would be prohibited from bringing the property into compliance with FEMA regulations and the Town Floodplain Ordinance.
4. The granting of the variance of adjustment will be beneficial to the public and other property owners in the vicinity by providing more on-site parking and brining the property into compliance with the number of parking spaces required for a 3 bedroom house.

Design Review Findings

1. The proposed development, with the two different siding materials and colors, windows of varying sizes and shapes and differing roof slopes 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.
2. The proposed development, that increases the residence from 1,386 square feet to 1,753 square feet, is of a quality and character appropriate to, and serving to protect the value of, private and public investments in the immediate area.
3. The proposed development retains and improves the existing landscaping by

removing the bunch bamboo, dead wooding the existing trees and clearing other dry material from the site in compliance with the Ross Valley Fire Department vegetative management requirements.

4. Sufficient variety exists in the exterior design of the structures and grounds to avoid monotony in external appearance.
5. The structure is in proportion to its building site and has balance and unity among its external features so as to present a harmonious appearance.
6. The resulting house and carport are similar to the general character of other structures in vicinity.
7. The existing trees will be retained and the creek will be maintained in its existing condition.
8. The parking will be brought into compliance with the Town Code Parking Ordinance, Chapter 17.052.

Recommended Conditions

1. This approval is limited to the development illustrated on the plans prepared by Rich Rushton, Rushton Chartock Architects, pages A1.1, A2.3, A2.4, A2.5, A4.1, A7.1 and A7.2, resubmittal dated 5/19/14.
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
 - Parking plan to minimize the impacts of contractor/employee vehicles and construction equipment on neighborhood parking
 - b. The applicant shall prepare, and file with the Public Works Director, a video tape of the roadway conditions on the construction delivery routes (routes must be approved by Public Works Director).
 - 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 Town Engineer. Upon approval of the contract costs, the applicant shall submit a 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 Town Engineer.
- e. The grading, foundation, retaining, and drainage elements shall also be stamped and signed by the site geotechnical engineer as conforming to the recommendations made by the project engineer.
- f. Prior to submittal of the building permit plans the applicant shall secure written approval from the Ross Valley Fire Authority noting the developments conformance with their recommendations.

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

- a. The project 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. Prior to any concrete form inspection by the building official, the structural engineer shall field check the forms of the foundations 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. Additionally, 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:
 - The project engineer shall field check the completed project and submit written certification to the Town Staff that the foundation elements have been installed in conformance with the approved building plans.
 - The Planning Department shall field check the completed project to verify that the construction reflects the design approved by the Planning Commission and to verify that all design review and planning commission conditions have been complied with including , if applicable, installation of landscaping and irrigation.
5. The roadways shall be kept clean and the site free of dust by watering down the site if necessary. The roadways shall be kept free of dust, gravel and other construction materials by sweeping the roadway, daily, if necessary.
6. During construction developer and all employees, contractor's and subcontractor's must comply with all requirements set forth in Ordinance # 637 (Chapter 8.26 of the Town Code), "Storm Water Management and Discharge Control Program."
7. Notwithstanding section # 17.38.050(A) of the Fairfax Zoning Ordinance, **any** changes, modifications, additions or alterations made to the approved set of plans will require a modification of Application # 14-15. **Any** construction based on job plans that have been altered without the benefit of an approved modification Use Permit 14-15 will result in the job being immediately stopped and red tagged.
8. Any damages to Bridgeway Court resulting from construction activities shall be the responsibility of the property owner. The owner or contractor shall videotape or otherwise document as approved by the Public Works Director the existing condition of the roads in the vicinity of the site prior to starting construction of the residence. Road closures, if necessary, shall be coordinated with the Fairfax Police Department and the Ross Valley Fire Department.
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.

Ross Valley Fire Department Conditions:

1. A fire protection 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.
2. All smoke detectors in the residence shall be provided with AC power and be interconnected for simultaneous alarm. Detector 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.
3. Carbon monoxide alarms shall be provided.
4. Address numbers must be 4 inches tall and if not clearly visible from the street, additional numbers are required. The project is a substantial remodel so the numbers must be internally illuminated or illuminated by an adjacent light controlled by a photocell and switch off only by a breaker so it will remain illuminated all night. The numbers must be internally illuminated, placed next to a light or be reflective numbers.

Marin Municipal Water District

1. The applicant must comply with the District Code Title 13, Water Conservation, as a condition of water service.
2. Should backflow protection be requirement it shall be installed prior to the project final inspection.

Sanitary District

1. A new sewer connection will be required for the residence since it involves extensive demolition and rebuild. The size of the sewer lateral will depend on the fixture count calculated during the permitting process. If the existing lateral meets the size requirements 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. The cost will be based on the number of fixtures.
2. Occupancy will not be approved until District's permit and sewer requirements are fulfilled.

Miscellaneous Conditions

1. The applicant must comply with any all conditions listed above unless a specific agency waives their conditions in a written letter to the Department of Planning and Building Services.
2. Planning Conditions acted upon by the Planning Commission may only be waived by the Commission at a future public hearing.

ATTACHMENTS

Exhibit A – applicant's supplemental information
Exhibit B – Elevation Certificate

PROJECT DESCRIPTION: First Floor Kitchen addition and addition to
second floor.

GENERAL INFORMATION (if applicable):

Item	Existing	Proposed
Lot size	7628 sq. ft.	7628 sq. ft.
Size of structure(s) or commercial space (square feet)		
Height and No. of stories	27'-0" / 2 stories	27'-0" / 2 stories
Lot coverage	15.01 %	19.89 %
No. of dwellings units	1	1
Parking ¹ No. of spaces	2	3
Size of spaces	8'x16'	8'x16'

Amount of proposed excavation and fill	Excavation = N/A	Fill = N/A
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Estimated cost of construction \$ 200^k.

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.

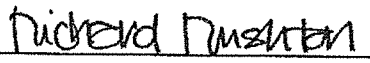
¹Minimum parking dimensions are 9' wide by 19' long by 7' high. Do not count parking spaces that do not meet the minimum standards.

Restrictions: Are there any deed restrictions, easements, etc. that affect the property, and, if so, what are they? N/A.


Signature of Property Owner

1-24-14

Date


Signature of Applicant

1/22/14

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	984 sq. ft.	1,318 sq. ft.	
Living space square footage	1,386 sq. ft.	1,753 sq. ft.	
First floor	676 sq. ft.	927 sq. ft.	231
Second floor	690 sq. ft.	826 sq. ft.	134
Third floor	N/A	N/A	
Total	1,386 sq. ft.	1,753 sq. ft.	367
Accessory structure square footages	N/A	N/A	
Sheds	N/A	N/A	
Pool houses	N/A	N/A	
Studios/offices	N/A	N/A	
Second units	N/A	N/A	
Miscellaneous (specify use)	N/A	N/A	
Total	N/A	N/A	
Square footage of impervious surfaces			
Walkways	250 sf	214 sf	
Patios	N/A	N/A	
Impervious decks	N/A	N/A	
Miscellaneous (specify use)	N/A	N/A	
Total			
Garage/carport square footages (specify type)	171 sq. ft.	171 sq. ft.	

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

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

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

SUPPLEMENTAL QUESTIONNAIRE & 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: wood board and batten
2. Proposed exterior wall color(s): dark brown
3. Proposed exterior trim color: dark brown and white
4. Proposed exterior window color: white
5. Proposed roof material and color: match existing
6. Special features: N/A
7. Lot Coverage: 19.89 %
8. Number of existing parking spaces and their sizes: (2) 8'x16'
9. Number of proposed parking spaces and their sizes: (3) 8'x16'

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

SUPPLEMENTAL QUESTIONNAIRE

VARIANCE

VARIANCE (S) REQUESTED:

_____ foot front yard variance to construct a _____ within

_____ feet of the front property line.

_____ foot rear yard variance to construct a _____ within

_____ feet of the rear property line.

4'-9" foot side yard variance to construct a parking space within

5'-0" feet of the side property line.

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

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

FINDINGS:

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

The site as currently configured has space for two cars in tandem. The most logical location for the third parking spot is adjacent to these between the carport and the fence. This area is already flat and would be hidden from the neighbors by the existing fence.

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

No additional sitework or grading would be needed to install the proposed parking place, only the extension of the asphalt paving.

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

There is no other reasonable space for the third parking space.

The final disposition of each use permit shall be in accordance with the facts of the particular case, and such facts must support the following determinations and findings before a use permit may be approved. Indicate how the findings below can be made:

- The approval of the use permit shall not constitute a grant of special privilege and shall not contravene the doctrines of equity and equal treatment.

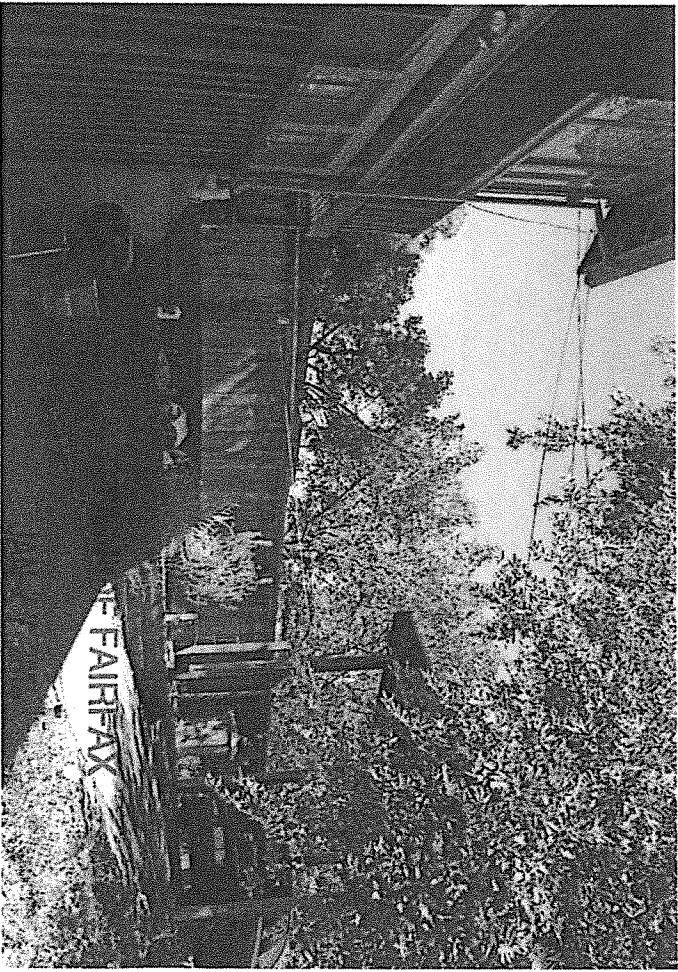
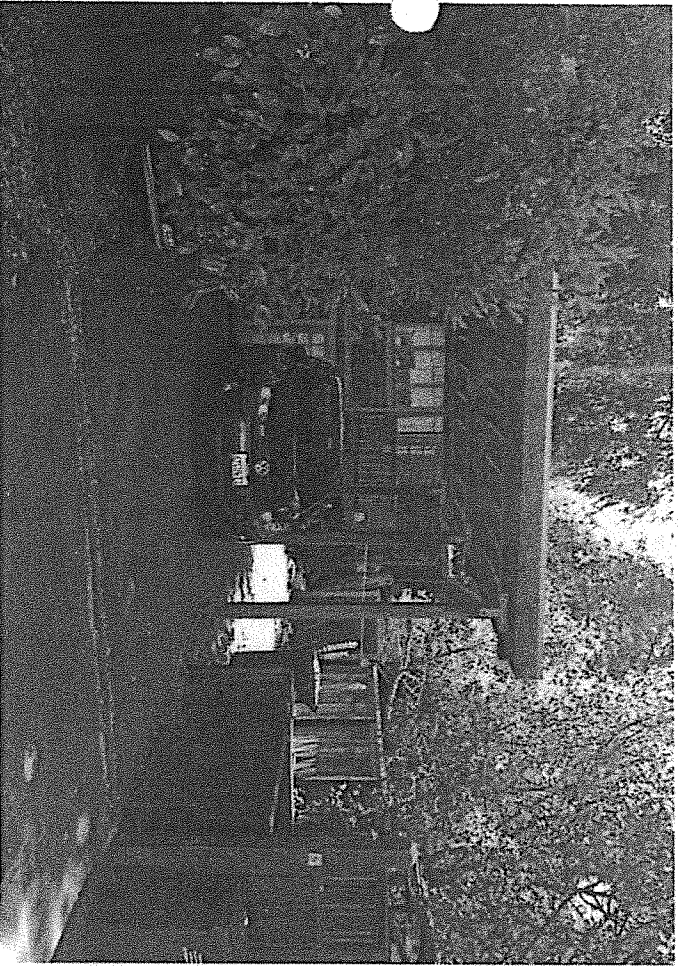
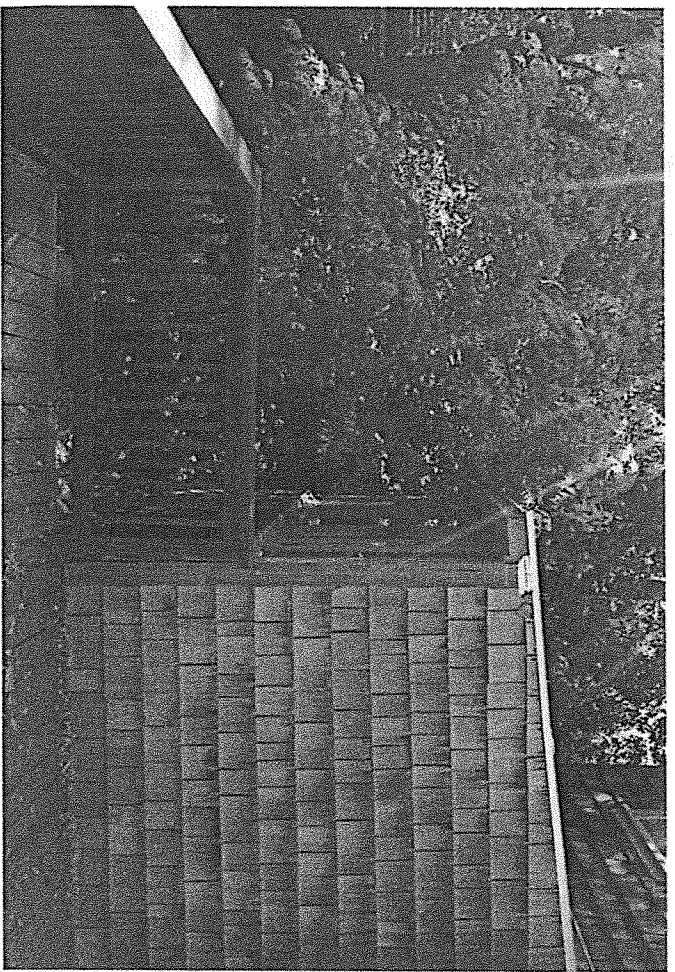
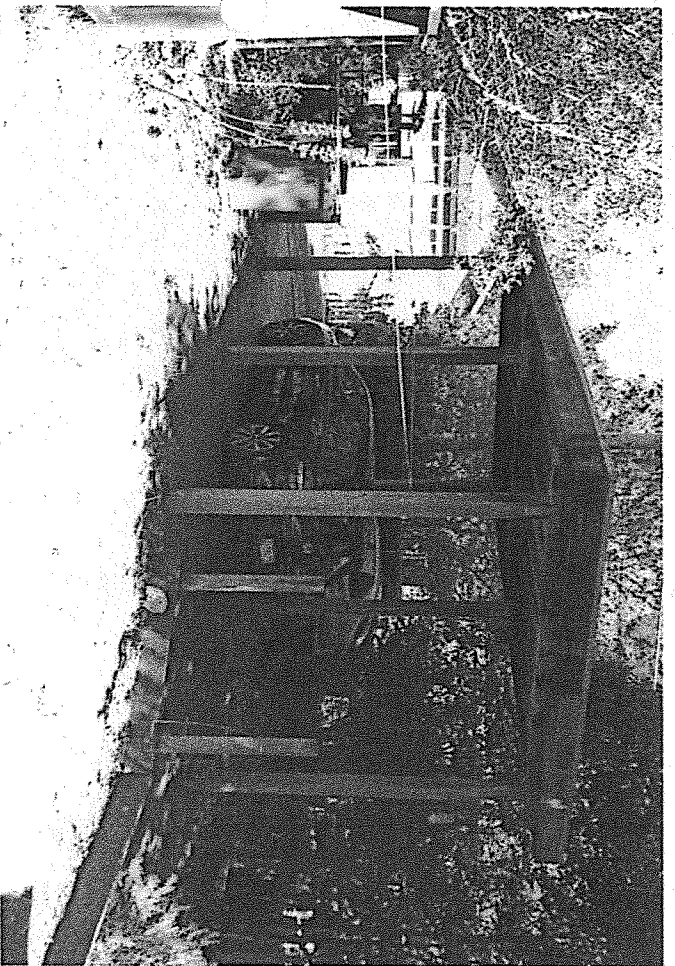
Residential use with parking is typical with parking is side or front yard setbacks common.

- The development and use of property, as approved under the use permit, shall not create a public nuisance, 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, any or all of which effects are substantially beyond that which might occur without approval or issuance of the use permit.

The proposed parking space would be installed in a location already used for garbage bins. It would reduce the parking burden on the street and would not require any revision to the sideyard fencing.

- Approval of the use permit is not contrary to those objectives, goals or standards pertinent to the particular case and contained or set forth in any master plan, development plan or other plan or policy, officially adopted by the town.

-
-
Additional parking would be added without changing the existing public aesthetics or use.



RECEIVED

ELEVATION CERTIFICATE

Important: Read the instructions on pages 1-9.

OMB No. 1660-0008
Expiration Date: July 31, 2015

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name Norman MacPherson

FOR INSURANCE COMPANY USE

Policy Number:

A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
6 Bridge Court

Company NAIC Number:

City Fairfax

State Ca

ZIP Code 94903

TOWN OF FAIRFAX

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)
Assessor's Parcel Number:002-105-13

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) Residential

APR 11 2014

A5. Latitude/Longitude: Lat. 37.9847N Long. 122.5887W Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number 8

RECEIVED

A8. For a building with a crawlspace or enclosure(s):

- a) Square footage of crawlspace or enclosure(s) 625 sq ft
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade 4
c) Total net area of flood openings in A8.b 260 sq in
d) Engineered flood openings? ☐ Yes ☒ No

A9. For a building with an attached garage:

- a) Square footage of attached garage NA sq ft
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade NA
c) Total net area of flood openings in A9.b NA sq in
d) Engineered flood openings? ☐ Yes ☒ No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number
Town of Fairfax 060175

B2. County Name
Marin

B3. State
Ca

B4. Map/Panel Number
060175/0452

B5. Suffix
D

B6. FIRM Index Date
May 4, 2009

B7. FIRM Panel
Effective/Revised Date
May 4, 2009

B8. Flood
Zone(s)
AE

B9. Base Flood Elevation(s) (Zone
AO, use base flood depth)
110.5

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9.

☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other/Source: _____

B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
Designation Date: _____
☐ CBRS ☐ OPA

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: A210

Vertical Datum: NAVD88

Indicate elevation datum used for the elevations in items a) through h) below. ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

- a) Top of bottom floor (including basement, crawlspace, or enclosure floor) 103.6 ☒ feet ☐ meters
b) Top of the next higher floor 106.9 ☒ feet ☐ meters
c) Bottom of the lowest horizontal structural member (V Zones only) NA ☐ feet ☐ meters
d) Attached garage (top of slab) NA ☐ feet ☐ meters
e) Lowest elevation of machinery or equipment servicing the building 111.0 ☒ feet ☐ meters
(Describe type of equipment and location in Comments)
f) Lowest adjacent (finished) grade next to building (LAG) 101.3 ☒ feet ☐ meters
g) Highest adjacent (finished) grade next to building (HAG) 110.7 ☒ feet ☐ meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support 105.2 ☒ feet ☐ meters

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available.

I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

☒ Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a
☐ Check here if attachments. licensed land surveyor? ☒ Yes ☐ No

Certifier's Name Steve Flatland

License Number P.L.S. 7744

Title Prof. Land Surveyor

Company Name Steve Flatland, Land Surveyor

Address P.O. Box 1837

City San Anselmo

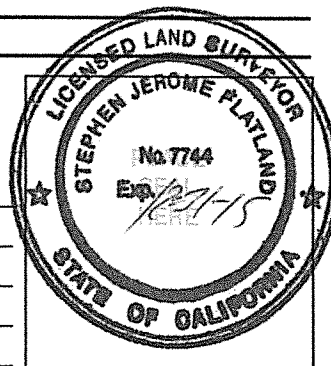
State Ca

ZIP Code 94979

Signature

Date 3-23-14

Telephone 415-457-5081



Building Photographs

See Instructions for Item A6.

IMPORTANT: In these spaces, copy the corresponding information from Section A.Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
6 Bridge Court

City Fairfax

State Ca

ZIP Code 94903

FOR INSURANCE COMPANY USE

Policy Number:

Company NAIC Number:

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.

Front View

