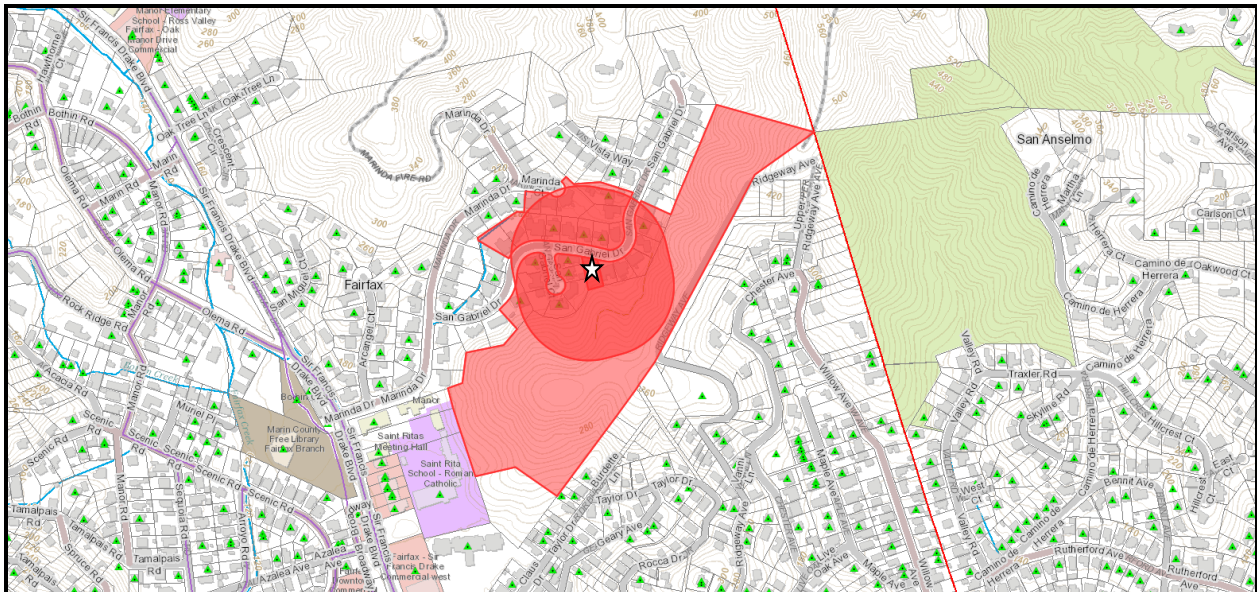


TOWN OF FAIRFAX STAFF REPORT

Department of Planning and Building Services

TO: Planning Commission
DATE: April 15, 2021
FROM: Linda Neal, Principal Planner
LOCATION: 46 San Gabriel Dr.; APN # 001-261-44
PROJECT: Addition/remodel of existing single-family residence
ACTION: Use Permit and Combined Side Setback Variance; application # 21-05
APPLICANT: Laura Kehrlein, Architect
OWNER: Kevin and Susan Daniels
CEQA STATUS: Categorically exempt, 15301(e)(1)



46 SAN GABRIEL DRIVE

PROJECT DESCRIPTION

The project encompasses raising the rear portion of the second-floor roof by reducing its pitch, of an existing 1,998 square foot, two story, three-bedroom, two-bathroom, single-family residence with an attached 533 square-foot garage, to expand the second floor living space by 181 square feet and remodel it to accommodate a third bathroom, an office, and to expand one of the upstairs bedrooms.

BACKGROUND

The 8,450 square-foot site has an average slope of 9% and is developed with a 1,998 square-foot, three-bedroom, 2-bathroom residence that was constructed in 1956.

DISCUSSION

The proposed project will not expand the structure beyond the existing footprint, will result in no on-site soil disturbance or tree removal, and will only alter the exterior appearance of the rear half of the structure. The project does not constitute a 50% remodel. The site is not located within ¼ mile of any known Northern Spotted Owl Nesting site.

The project complies with the Residential Single-family RS 7.5 Zone district regulations as follows:

	Front Setback	Rear Setback	Combined Front/rear Setback	Side Setbacks	Combined Side Setbacks	FAR	Coverage	Height
Required/ Permitted	10'	10'	30'	5' & 5'	20'	.40	.35	28.5' & 2 stories
Existing	22' 9"	18'-3"	31'	7'-4" & 8'-5"	15'-9"	.25	.24	21'-9"
Proposed	No change	No change	No change	No change	No change	No change	No change	No change

Use Permit

The 8,450 square-foot site complies with the minimum 7,500 square foot size requirement but the 62-foot width does not comply with the required 75-foot minimum width requirement of Town Code § 17.076.050(A). Therefore, Town Code § 17.076.050 requires that the project obtain a Conditional Use Permit from the Planning Commission for the proposed expansion.

The proposed project site provides three on-site parking spaces with a fourth guest parking space located along the property frontage within the public roadway. Therefore, the site exceeds the required parking for a single-family residence set forth in Town Code § 17.052.030(A)(1)(d) and (2).

The project does not increase the number of bedrooms in the house and will therefore not significantly increase the number of persons the house can accommodate.

The applicant has provided existing and proposed shade studies on pages A1.2 through A1.12 which demonstrate that the increased roof height at the rear of the structure will not significantly impact the amount of shade the structure casts into the windows or yards of the closest adjacent residences.

No new windows are proposed on the western side of the structure and one new window will be added to the east side of the structure which faces into the front yard of the house at 50 San Gabriel Drive. The south side of the structure, where the additional living space is being constructed, will have 4 new windows, but they face the project site back yard and the adjacent undeveloped large parcel to the south that slopes up steeply to the ridge above, between Ridgeway Avenue and San Gabriel Drive (part of the Wall/Timberstone LLC - Marshall Rothman property). The neighbors at 50 San Gabriel Drive, have provided a letter indicating their support for the project (Attachment B).

The project will not alter the façade of the structure as it is seen from the street and the new addition at the rear will be finished to match the existing siding, roofing and trim materials and colors.

The proposed addition will not increase the peak height of the building above the existing 21 ft. 9 in. and will not result in a structure that is out of scale with the 8,500 square foot site or that would be out of character with the surrounding neighborhood development. The project results in a Floor Area Ratio of .26 well below the .40 maximum FAR allowed by Town Code § 17.136.030(A) and similar to FAR's maintained by other properties in the immediate and nearby neighborhood (see the table below).

46 SAN GABRIEL DRIVE – SIMILAR PROPERTIES DEVELOPMENT							
APN #	ADDRESS	LOT SIZE	HOUSE SIZE	# BEDROOMS	# BATHS	GARAGE	FAR
001-261-10	51 San Gabriel	7521	1617	3	2	378	.21
001-261-25	101 San Gabriel	7600	2091	5	3.5	525	.28
001-261-26	205 San Gabriel	7140	2189	3	2	567	.32
001-261-27	111 San Gabriel	8160	1695	3	2	380	.21
001-261-32	108 San Gabriel	8775	1964	3	2	535	.23
001-261-33	104 San Gabriel	9100	1467	3	2	474	.16
001-261-34	100 San Gabriel	9490	1523	3	2	500	.16
001-261-35	96 San Gabriel	9815	1887	4	2	460	.19
001-261-36	90 San Gabriel	9948	1780	3	2	579	.19
001-261-37	84 San Gabriel	9945	1880	3	2	418	.19
001-261-38	78 San Gabriel	9792	1454	3	2	483	.15
001-261-44	46 San Gabriel	8450	1810	4	2	553	.22
001-261-92	8 San Gabriel	7877	2717	6	3	416	.34
DEVELOPMENT OF PROPERTIES IN THE IMMEDIATE NEIGHBORHOOD ON CASCADE DRIVE							
001-261-07	39 San Gabriel	7548	1595	2	2	506	.21
001-261-08	41 San Gabriel	7437	1478	3	2	480	.20
001-261-09	47 San Gabriel	7590	1955	3	2	480	.26
001-261-10	51 San Gabriel	7521	1617	3	2	378	.21
001-261-11	57 San Gabriel	6600	1618	3	2	0	.25
001-261-12	61 San Gabriel	11250	1725	3	2	504	.15
001-261-41	66 San Gabriel	9460	1610	2	2	420	.17
001-261-42	60 San Gabriel	7400	1858	3	2	441	.25
001-261-43	50 San Gabriel	6720	1761	3	2.6	380	.26
001-261-45	44 San Gabriel	6050	1485	3	2	483	.25
001-261-46	7 San Gabriel	6400	1922	4	2	500	.30
001-261-47	15 San Gabriel	9024	2637	5	2.5	1001	.35
001-261-48	16 San Gabriel	9024	1787	3	2	462	.20
Project Site							
001-261-44	46 San Gabriel	8450	2179	3	2	553	.26

Combined Side Yard Setback Variance

Town Code §17.076.070(A)(2) requires that new construction within the RS 7.5 Zone where 46 San Gabriel Drive is located maintain minimum side yard setbacks of 5 feet and a minimum combined side yard setback of 20 feet.

The raising of the roof will result in the construction of living space and new roof structure within the required 20-foot side yard setback, with the addition maintaining a combined side yard setback of 15 ft. 9 in. The addition will not project beyond the footprint or decrease the existing setback below what is currently maintained by the existing floor below the new addition. The addition setbacks will comply with the minimum 5-foot side yard setback requirements, maintaining side yard setbacks of 7 ft. 4 in. and 8 ft. 5 in. respectively.

Other Agency/Department Comments/Conditions

Ross Valley Fire Department (RVFD)

RVFD submitted written requirements which have been incorporated into conditions of approval in the attached resolution and are summarized as follows:

All vegetation and construction materials are to be maintained away from the residence during construction, smoke detectors shall be installed throughout the entire building and be provided with AC power and be interconnected for simultaneous alarm, carbon monoxide alarms shall be provided outside each sleeping area in the immediate vicinity of the bedrooms and address numbers at least 4 " tall visible from the street and internally illuminated or illuminated by and adjacent light controlled by a photocell and switched off only by a breaker so it will remain illuminated all night shall be installed.

Marin Municipal Water District (MMWD)

MMWD submitted written requirements which have been incorporated into conditions of approval in the attached resolution and are summarized as follows:

All indoor and outdoor requirements or District Code Title 13, Water Conservation must be complied with, backflow prevention requirements must be met and 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 MMWD must be provided to the Town, all MMWD's rules and regulations if effect at the time service is requested must be complied with.

Ross Valley Sanitary District (RVSD)

RVSD submitted written requirements which have been incorporated into conditions of approval in the attached resolution and are summarized as follows:

The project will require trigger the District testing and lateral certification requirements. All work on the sewer lateral must be done with a Ross Valley Sanitary District (RVSD) permit, after the payment of applicable fees, must be inspected by RVSD Inspectors prior to backfill and must comply with District Codes including Ordinance 100.

Police, Building and Public Works Departments

There were no comments received from the Police, Building or Public Works Departments.

RECOMMENDATION

Conduct the public hearing.

Move to adopt Resolution No. 2021-07 approving the proposed project and setting forth the required findings and conditions of the project approval.

ATTACHMENTS

Attachment A – Resolution No. 2021-07

Attachment B – Letters of support for the project from the owners of 44 and 50 San Gabriel Dr. and 7 and 15 San Gabriel Ct.