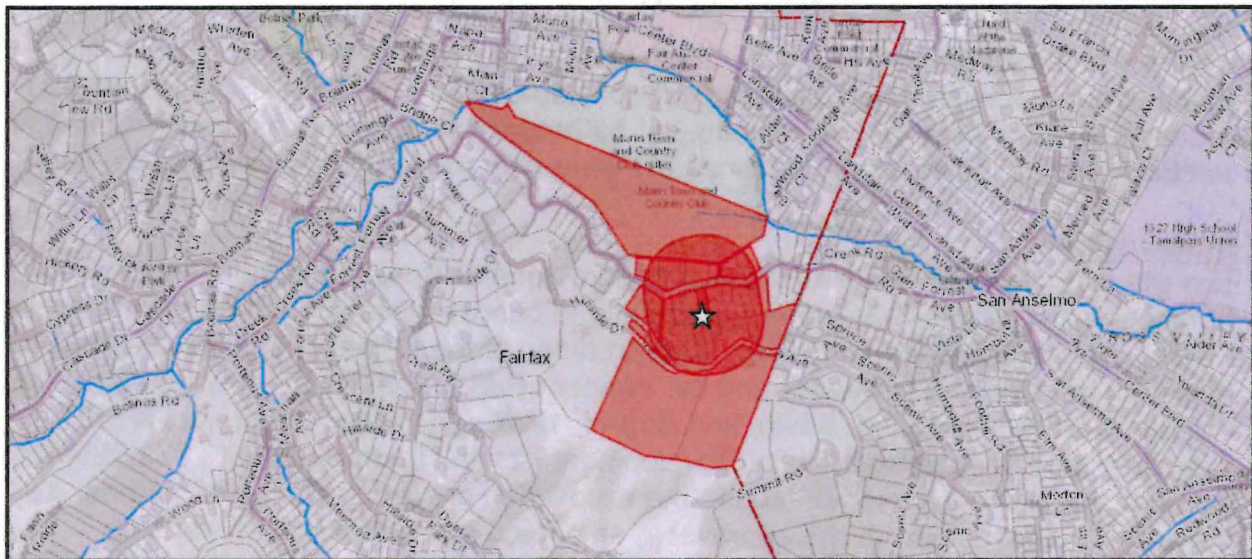


**TOWN OF FAIRFAX  
STAFF REPORT**  
Department of Planning and Building Services

**TO:** Fairfax Planning Commission  
**DATE:** March 16, 2023  
**FROM:** Linda Neal, Principal Planner  
**LOCATION:** 139 Forrest Ave.; APN # 002-192-51  
**PROJECT:** Remodel single family residence and add carport  
**ACTION:** Conditional Use Permit, Front-yard and Combined Side-yard Setback Variances, Revocable Encroachment Permit and Tree Removal Permit; Application # 23-04  
**APPLICANT:** Kent Matheson  
**OWNER:** Same  
**CEQA STATUS:** Categorically exempt, § 15301(e) and 15303(e)



**139 FORREST AVENUE**

**DESCRIPTION**

Proposal to remove the 210 square-foot, front deck, and front, exterior, access stairway to the main living level and front entry door on the second floor of the residence and replace it with a smaller 201 square-foot deck and window. The unimproved first level of the house will be modified to provide 388 square feet of improved space that will include a front entry and closet, interior stairway to the second floor, workroom, storage room and mechanical room. The resulting house square footage will increase from 1,326 to approximately 1,619 square-feet. The number of bedrooms and bathrooms is not being increased. The project includes construction of a 400 square-foot, two-car carport at the street level that will require the excavation of 70 cubic yards of material.

A small 32 square-foot deck is also proposed on the west side of the building accessed from bedroom two on the second floor.

## **BACKGROUND**

The 9,412 square-foot site slopes up from Forrest Avenue at an average rate of 39% and is developed with a residence that was constructed in 1930. There is one parking space used by the residents located partially within the public right-of-way at the street frontage along the driveway to the neighboring residence at 145 Forrest Avenue. The parking space has not been formalized with an easement and does not comply with the Town minimum 9-foot by 22-foot, parking space requirements for spaces parallel to a structure or retaining wall [Town Code § 17.052.040(B)(2)]. The existing residential structure has two habitable upper floors developed as living space, over a basement/crawlspace level that is unimproved and is used for storage and as a mechanical room.

On May 20, 2021, the Planning Commission approved a Conditional Use Permit for the remodel of the upper two living levels of the house to correct dangerous electrical/plumbing resulting from deferred structure maintenance and to relocate the first-floor bathroom to construct a laundry/storage area with no increase in any living space square footage. The project did not constitute a 50% remodel effecting only 93 square-feet of the floor area to relocate the bathroom and construct a laundry room (the electrical and plumbing upgrades for safety were deemed required maintenance).

## **DISCUSSION**

The site is not located within a landslide hazard zone as depicted in the General Plan Safety Element Figure S-3; Areas Susceptible to Landslide Hazards or on the California Division of Mines and Geology Map, "Interpretation of the Relative Stability of Upland Slopes in the Upper Ross Valley and the Western Part of San Rafael Area, Marin County, California" by Rice, Smith, and Strand, 1976. Therefore, the project is not subject to the Hill Area Residential Development Permit (Town Code § 17.072.020(A)). Construction of the garage will require the excavation of 60 cubic yards of material, so the project is not subject to the approval of an excavation permit by the Planning Commission because the excavation amount is below 100 cubic yards (Town Code § 12.20.080). The project is not a 50% remodel and will not result in the addition of a bedroom so the parking on the site does not have to be brought into compliance with the parking requirements but the owner is voluntarily proposing the provision of a carport to provide two additional off street parking spaces, one full sized 9-foot by 19-foot space, and one compact 8-foot by 16-foot space.

### **Conditional Use Permit CUP [Town Code §17.080.050(C)]**

Town Code § 17.080.050 requires that a Conditional Use Permit be obtained prior to any use, occupancy, or physical improvement of or on a building site failing to meet the minimum size and width requirements based on the site slope. The project site has a slope of 39% and would have to be 31,000 square feet in size and 137 feet wide to comply with the code. The site is only 9,292 square-feet in size and 47 feet wide so the

project requires the approval of a CUP by the Planning Commission before a building permit can be obtained.

The purpose of the Conditional Use Permit Chapter of the Zoning Ordinance, Town Code Chapter 17.032, is to allow the proper integration into the Fairfax of uses which may only be suitable in certain locations in town or in a zone or only if the uses are designed or laid out on the site in a particular manner. In consideration of a conditional use permit the commission shall give due regard to the nature and condition of all adjacent structures, to the physical environment, and to public health, safety, and welfare.

To approve a CUP, the Planning Commission must be able to make the following required findings (Town Code § 17.032.060).

- A. 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.
- B. The development and use of the 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.
- C. 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; and
- D. Approval of the use permit will result in equal or better development of the premises than would otherwise be the case, and that the approval is in the public interest and for the protection or enhancement of the community.

The only exterior changes the proposed project will make to the structure is removal of the exterior access stairway, replacement of the front deck off the living room with a smaller deck, the addition of a 32 square-foot deck on the west side of the house accessed from the second bedroom and the construction of a two-car carport immediately adjacent to Forrest Avenue. The nearest residential structures are 145 Forrest Avenue to the west located 26 feet away from the new front entry door and second floor deck and 135 Forrest Avenue to the east which has views only of the east side of the project residence at 139 Forrest Avenue. The neighboring residences will be located approximately 37-feet (145 Forrest Avenue) and 24-feet (135 Forrest Avenue) from the proposed carport.

The structure complies with the Zoning Regulations set forth in the RS-6 Single-family Residential Zone as follows:



	Front Setback	Rear Setback	Combined Front/rear Setback	Side Setbacks	Combined Side Setbacks	FAR	Coverage	Height
Required/ Permitted	6 ft.	12 ft.	35 ft.	5 ft. & 5 ft.	20 ft.	.40	.35	28.5 ft., 3 stories
Existing	42 ft.	58 ft.	100 ft.	3 ft. & 15 ft.	18 ft.	.14	.13	24.5 ft., 3 stories
Proposed	0 feet (garage)	same	58 ft.	3 ft. & 12 ft.	15 ft.	.18	.18	same

The project will have a minimal impact on the site with the only site disturbance the excavation of approximately 70 cubic yards of material to construct the carport and slighting realigned front access stairway and removal of a small portion of the driveway retaining wall along the driveway to 145 Forrest Avenue. The installation of the interior stairway will provide access to all stories of the house. The carport will provide two onsite parking spaces which will benefit the residents and the neighborhood since they will be out of the right-of-way and on the private property decreasing the number of cars vying for the limited parallel parking spaces available within the public right-of-way.

The only changes to the exterior of the residence due to the expansion of the living space to provide a new front entryway will be the removal of the existing door to the lower level and replacement with two doors, one providing entry to the house and interior stairway and the second providing entry into the storage room.

Proposed lighting will be minimal with new lights providing safety illumination outside the access door to the new residence entryway on the ground floor, two lights, one on either side of the door leading from the replaced second floor deck into the living room, and one light at the front of the proposed carport. Staff has included in the resolution recommending approval of the project the following standard condition:

All the exterior fixtures must be Dark Sky compliant (fully shielded and emitting no light above the horizontal plane with no sag or drop lenses, side light panels or upright panels) as well as compliance with color temperature to minimize blue rich lighting. The lighting shall not emit direct offsite illumination and shall be the minimum necessary for safety.

The living space expansion will not result in the house being out of scale with the site and will result in an FAR similar to that found on other upsloping sites with a similar size, slope, and width to that of the project site (see table below).

APN #	ADDRESS	LOT SIZE	HOUSE SIZE	# BEDROOMS	# BATHS	GARAGE/ CARPORT	FAR
002-192-05	171 Forrest Ave.	8,262	1,504	3	2	0	.18
002-192-06	165 Forrest Ave.	8,100	1,384	2	1.5	420	.17
002-192-10	153 Forrest Ave.	8,450	1,309	1	1	0	.15
002-192-20	115 Forrest Ave.	8,000	2,112	3	2	672	.26
002-192-21	111 Forrest Ave.	10,640	1,733	3	2	180	.16
<b>PROJECT SITE</b>							
002-192-51	139 Forrest Ave.	9,412 sf.	1,619	3	2	400 proposed	.17

Many of the properties on the upslope side of Forrest Avenue have garages located at or near the front property line with some located within the required side yard setback(s) (91, 96, 102, 105, 111, 171, 185, 335, 339, 354, 361 Forrest Avenue) so the proposed location of the carport is similar to that found on other similar sites in neighborhood. The provision of an additional two parking spaces will bring the property into compliance with the parking regulations found in Town Code § 17.052.030(A)(1)(d) which will benefit the neighborhood by providing two private, on-site parking spaces where on-street public parking is limited. Construction of the carport is in an area that is not currently used as public parking.

**Front Setback and Combined Side-yard Setback Variances (Town Code Chapter 17.028, Variances)**

The project requires the approval of a Front-Setback Variance and a Combined Side-yard Setback Variance because the garage will maintain 0-foot front-yard setback and the proposed 32 square-foot, second floor, deck on the west side of the house will maintain a 12-foot side-yard setback for a combined side-yard setback of 15-feet rather than the required 20-foot combined side-yard setback [Town Code § 17.080.060(B)(2)].

Note that the existing residence already maintains legal non-conforming side setbacks with a minimum east side-setback of approximately 3-feet and western side-yard setback of 15-feet for a combined side yard setback of 18-feet.

**Required Variance Findings [Town Code § 17.028.070(A)]**

The required findings to grant a Variance are as follows:

1. Because of special circumstances applicable to the property, including size, shape, topography, location of surroundings, the strict application of this title will deprive the applicant of privileges enjoyed by other property owners in the vicinity and under identical zone classification.
2. 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.

3. The strict application of this title would result in excessive or unreasonable hardship.
4. 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.

The purpose of the Variance section of the Town Code is to allow variation from the strict application of the Zoning Ordinance setback requirements where, by reason of exceptional narrowness, shallowness or unusual shape of a specific property, or by reason of exceptional topographic conditions, the literal enforcement of the setback requirements of the Zoning Ordinance would involve practical difficulties or cause undue hardship unnecessary to carry out the spirit and purpose of the Zoning Regulations.

Due to the steep slope and narrow width of the site, and the location of the entry to the driveway to 145 Forrest Avenue, the proposed location of the parking structure is the only place to construct off street parking on the site.

Relocating the carport ten feet back from the front property line would significantly increase the project excavation amount and would disturb a much larger portion of this hillside site. The site steep slope provides limited usable outdoor living space and the proposed new deck on the west side off the second bedroom will provide additional usable outdoor space on this sloped property without negatively impacting neighboring properties or increasing the project excavation amount.

Vehicles entering and exiting from the carport will not disrupt traffic flows along Forrest Avenue any more than necessary and not any more than any other head-in residential parking configurations found along the length of Forrest Avenue.

#### **Encroachment Permit [Town Code § 12.32.010(A)]**

The Town Code gives authority to the Planning Commission to issue revocable encroachment permits to private property owners to temporarily use the public rights-of-way that are not being used by the public for the construction of carports or other structures. If granted, a condition of approval is that a "License Agreement To Permit Revocable Encroachment on Town Property" be recorded at the Marin County Recorder's Office prior to issuance of the project building permit. This ensures that should the Town ever need to use the area where the approved structures encroach into the right-of-way, there is documentation that the encroachment was revocable if the right-of-way is ever needed for the safety of the general public.

The construction of the carport will require the eastern wall to encroach approximately 2-feet into the Forrest Avenue right-of-way. This encroachment requires the Planning Commission to issue a revocable encroachment permit for the project.

The section of right-of-way the carport wall will project into is not being use by the public

and the remaining portion of the public road which will be widened by the applicant to create the 20-foot fire lane will be posted "No Parking, Fire Lane" for the benefit of the public in compliance with Ross Valley Fire Code Standard 204 (included as a specific condition from the Ross Valley Fire Department in attached Resolution No. 2023-04). Ross Valley Fire Inspector Rob Bastianon has reviewed project plan page 1/1 with staff and has approved the fire truck staging area location.

Also included in Resolution No. 2023-04 is the condition that the Revocable Encroachment Permit be recorded at the County of Marin Recorder's Office with a recorded copy provided to the Building Department prior to issuance of the project building permit.

### **Tree Removal Permit**

One 20-inch oak tree will need to be removed to allow construction of the carport. The Fairfax Tree Committee recommended that the Planning Commission approval the requested Tree Removal Permit to remove the tree at their February 27, 2023 meeting (Attachment C).

Removal of the tree complies with the tree ordinance consideration number (4), that the tree removal is necessary to allow the owner to reasonably develop and use the subject property and that there are no other reasonable revisions to the proposed project that would allow the owner to develop parking on the site [Town Code § 8.36.060(B)(4)].

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

#### **Ross Valley Fire Department (RVFD)**

The original submittal had the access stairs and a portion of the carport roof projecting slightly into the public right-of-way. The Fire Department indicated that these improvements would have to be removed for the required 20-foot wide by 40-foot-long fire truck staging space to be kept available. The applicant revised the plans and submitted them on December 9, 2022. The Ross Valley Fire Department's only specific condition for this project is that the truck staging space in the public right-of-way be marked on the road and posted with no parking sign(s) prior to the project final inspection.

The rest of the standard RVFD conditions of project approval can be viewed in their entirety in attached Resolution No. 2023-04 (Attachment A).

#### **Ross Valley Sanitary District (RVSD)**

The Town was advised by RVSD that the sewer lateral for the property was replaced with permits when the property was purchased by the current owners in early 2020 and the RVSD had no conditions to place upon the project.

**Town of Fairfax Police, Public Works and Building Departments and Marin Municipal Water District**

No comments were received from the Marin Municipal Water District, the Fairfax Police Department, Public Works Department or from the Fairfax Building Department.

**RECOMMENDATION**

1. Conduct the public hearing.
2. Move to approve the project by adopting Resolution No. 2023-04 setting forth the findings and conditions for the project approval.

**ATTACHMENTS**

Attachment A – Resolution No. 2023-04

Attachment B – 2/27/23 Tree Removal Recommendation

Attachment C – Applicant supplemental information including photographs of the property documenting its dilapidated state at the time of purchase.

Attachment D – Letters of support from the neighbor at 145 Forrest Ave and others



## RESOLUTION NO. 2023-04

### **A Resolution of the Fairfax Planning Commission Approving Application No. 23-04 for a Conditional Use Permit, Revocable Encroachment Permit, Tree Removal Permit and a Front-yard and Combined Side-yard Setback Variances for a Minor Remodel and Construction of a Two Car Carport at 139 Forrest Avenue**

**WHEREAS**, the Town of Fairfax has received an application from Kent Matheson to remodel/expand the living space square footage of the existing 3-story, 1,326 square foot, 3-bedroom, 2-bathroom single-family residence and build a carport on September 8, 2022; and

**WHEREAS**, the Planning Commission held a duly noticed Public Hearing on March 16, 2023 at which time the Planning Commission determined that the project complies with the Town Code and that findings can be made to grant the requested Conditional Use Permit, Tree Removal Permit, the Revocable Encroachment permit and the Minimum Front-yard and Combined Side-yard Setback Variances and has made the following findings:

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

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.

#### **Conditional Use Permit Findings [Town Code Sections 17.032.060(A) through (D)]**

- A. The approval of the Conditional Use Permit to allow the reconstruction of the front deck, installation of a new deck on the west side of the house and minor remodel of the existing single-family residence to install an internal stairway connecting the first floor with the second and third floors and creating a workroom, new entryway and storage room on the ground floor while also building a carport to provide private parking for two vehicles will not be a grant of special privilege and shall not contravene the doctrines of equity and equal treatment
- B. The proposed exterior changes to the structure are minimal and the carport will be located at a much lower elevation and approximately 37-feet away from the nearest house to the west at 145 Forrest Avenue and 28-feet away from the nearest house to the east at 135 Forrest Avenue. Therefore, the development of the property as approved under the Conditional Use Permit shall not create a public nuisance or cause excessive of unreasonable detriment or physical or economic effects to adjoining properties beyond that which might occur without approval of the Conditional Use Permit.
- C. Approval of the Conditional Use Permit is not contrary to the Zoning Ordinance regulations or standards.

- D. Approval of the Conditional Use Permit to allow the proposed project with the only exterior changes to the residence consisting of the replacement of the front deck, removal of the access stairway to that deck, construction of a new deck on the west side of the structure and the construction of a two-car carport will result in better development of the property that would otherwise be the case and is in the best interest of the public and for the protection and enhancement of the community.

**Minimum Front-yard Setback and Combined Side-yard Setback Variances [Town Code sections 17.028.070(A)(1) through (4)]**

1. Due to the steep 39% slope, narrow 50-foot width and location of the entry driveway to the house at 145 Forrest Avenue, the strict application of the 10-foot setback for accessory structures and the combined 20-foot side-yard setback would deprive the applicants of the ability to construct parking for the residence and add new usable outdoor living space through the addition of a new side deck without disturbing new areas of the site or increasing the project excavation amount.
2. The construction of the carport on the front property line is similar to the setbacks maintained by other private off-street parking spaces on uphill lots along Forrest Avenue and the new deck will maintain well over the required minimum 5-foot side setback from the closest residence at 145 Forrest Avenue. Therefore, the granting of the Minimum Front-yard Setback Variance and the Combined Side-yard Setback Variance will not be a grant of special privilege.
3. The strict application of the required 10-foot minimum front-yard setback regulation and the 20-foot Combined Side Yard Setback would prohibit the owners from being able to bring the property more into compliance with the parking requirements and require the owners to continue to try and use the limited available on-street parking spaces in the area which would be a hardship. The strict application of the combined side-yard setback would prohibit the construction of the western, second floor deck forcing the owners to try to create more outdoor living space by creating level areas on the sloped site, increasing the disturbance of the natural slope and increasing the project excavation amount which would be a hardship
4. The granting of the Minimum Front-yard Setback Variance will be a benefit to the neighborhood because it will allow the construction of two private parking spaces for the owners of 139 Forrest Avenue in an area that is not currently used for public parking decreasing the number of vehicles using the limited number of on-street public parking spaces. The granting of the Combined Side-yard Setback Variance will benefit the owners by creating usable level outdoor living space without increasing the site disturbance.

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

1. The project is approved per the plans prepared by Kent Matheson, dated received by the Town of Fairfax on February 16, 2023.
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 the Public Works Director).
  - c. Submit 3 copies of the record of survey with the building permit plans.
  - d. Prior to the removal of any trees not approved by the Planning Commission with this application the applicant shall secure a tree cutting permit, if required, from the Fairfax Tree Committee in compliance with Town Code Chapter 8.36.
3. During the construction process the following shall be required:
  - a. 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.
  - b. 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.
  - c. All exterior lighting must be Dark Sky compliant (fully shielded and emitting no light above the horizontal plane with no sag or drop lenses, side light panels or upright panels) as well as compliance with color temperature to minimize blue rich lighting. The lighting shall not emit direct offsite illumination and shall be the minimum necessary for safety.

- d. Tree permits must be kept on the site during the tree removal process and the owner is responsible for making sure the contractor removing the tree has a Fairfax business license.
4. Excavation, if any occurs to replace sewer or water lines, shall not occur between October 1st and April 1<sup>st</sup> of any year. The Town Engineer has the authority to waive this condition depending upon the weather.
5. The roadways shall be kept free of dust, gravel, and other construction materials by sweeping them daily, if necessary.
6. Any changes, modifications, additions, or alterations made to the approved set of plans will require a modification of Application # 23-04. Modifications that do not significantly change the project, the project design or the approved discretionary permits **may** be approved by the Planning Director or the Planning Commission. Any construction based on job plans that have been altered without the benefit of an approved modification of Application 23-04 will result in the job being immediately stopped and red tagged.
7. Any damages to the public portions of Forrest Avenue or other public roadway used to access the site resulting from construction-related activities shall be the responsibility of the property owner.
8. 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, 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.



9. 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.
10. Conditions placed upon the project by outside agencies may be eliminated or amended with that agency's written notification to the Planning Department prior to issuance of the building permit.
11. 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.

**Ross Valley Fire Department (RVFD)**

12. The 20-foot by 40-foot fire lane to be created along the carport and property frontage shall be designed in compliance with Ross Valley Fire Standard 204. the truck staging space in the public right-of-way shall be marked on the road and posted with no parking sign(s) prior to the project final inspection.
13. Project has been deemed a "substantial remodel" by the Ross Valley Fire Department 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 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. The applicant has already obtained approval of the fire sprinkler plans by RVFD and the project must be completed in compliance with those approved plans prior to the project final inspection and issuance of the certificate of occupancy.
14. 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. The applicant has already obtained approval of the vegetative management plan by RVFD and the vegetative management plan must be implemented before the Town will final the construction project and/or issue a certificate of occupancy.
15. 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.
16. 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

17. area in the immediate vicinity of the bedrooms and on every level of the dwelling, including basements.
18. 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 a location that is visible from the street. The numbers must be internally illuminated or illuminated by an adjacent light controlled by a photocell that can be switched off only by a breaker so it will remain illuminated all night.
19. Alternative materials or methods may be proposed for any of the above conditions in accordance with Section 104.9 of the Fire Code.
20. All approved alternatives requests, and their supporting documentation, shall be included in the plan sets submitted for final approval by the Fire Department.
21. All vegetation and construction materials are to be maintained away from the residence during construction.

**Miscellaneous Conditions**

22. The light at the front of the carport must be located so as not to physically project into the required 20-foot by 40-foot fire truck emergency staging area so as to interfere with a fire truck using the staging area.
23. The Revocable Encroachment Permit shall be recorded at the County of Marin Recorder's Office with a recorded copy provided to the Building Department prior to issuance of the project building permit. Engineered plans detailing the transitions between the carport, new entry stairway and the neighbor's driveway wall shall be submitted with the building permit application.
24. The front side property lines must be marked in the field prior to the start of excavation work on the carport and the surveyor must submit a signed stamped letter statement indicating the he/she has accurately marked the side property line locations prior to the start of excavation.

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

The approval of the Conditional Use Permit, the Tree Removal Permit, the Revocable Encroachment Permit and the Minimum Front-yard Setback Variance and Combined Side-yard Setback Variance are in compliance with the Fairfax Town Code and the Fairfax Zoning Ordinance, Town Code Title 17 and the Encroachment Permit is being issued in compliance with the Fairfax Municipal Code Chapter 12.32, Temporary Carports and Other Structures in Public Rights-of-Way; 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 16<sup>th</sup> day of March 2023 by the following vote:

AYES:  
NOES:  
RECUSED:  
ABSENT:

\_\_\_\_\_  
Chair Cindy Swift

Attest:

\_\_\_\_\_  
Linda Neal, Principal Planner



# TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930  
(415) 453-1584 / FAX (415) 453-1618

Date: March 2, 2023

Permit #23-T-11

## NOTICE OF TREE COMMITTEE ACTION

*This action may be appealed to the Fairfax Town Council within 10 days of the Tree Committee decision. This permit is not in effect until the 10 day appeal period is over.*

Request for a tree permit to remove: (1) Oak

Address of Tree(s) to be removed: 139 Forrest Ave

Applicant's Phone: Kent Matheson (415) 516-8125

On February 27, 2023, the Fairfax Tree Committee took the following action on the above referenced tree permit application:

       X        APPROVED - ' For Recommendation to Planning Commission Only'

Motion to approve by Romaidis with requirement to plant one 15 gallon native oak somewhere on the property as replacement tree, Second by Benson

Vote : Ayc - unanimous

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**REMINDER: PLEASE KEEP PERMIT NOTICE UP DURING THE 10 DAY WAITING PERIOD**

       CONTINUED

       DENIED

### CONDITIONS OF APPROVAL:

**THIS APPROVED APPLICATION IS YOUR PERMIT-KEEP IT ON THE JOB SITE. FAILURE TO HAVE THE PERMIT ON THE SITE WHILE THE TREE WORK IS IN PROGRESS MAY RESULT IN THE WORK BEING HALTED UNTIL YOU SHOW PROOF OF APPROVAL.**

Please verify that the tree company performing the work has a current Fairfax Business license and worker's compensation coverage.

**THIS TREE PERMIT EXPIRES IN SIX MONTHS.** If necessary, you may apply for an extension in writing prior to the expiration date.

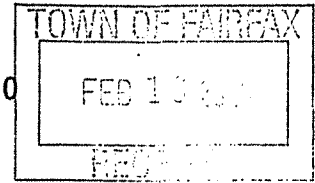
**ATTACHMENT B**



FOR RECOMMENDATION TO PLANNING COMMISSION ONLY



**TOWN OF FAIRFAX**  
 142 BOLINAS ROAD, FAIRFAX, CA 94930  
 (415) 453-1584 / FAX (415) 453-1618



**APPLICATION FOR TREE REMOVAL OR ALTERATION**

A permit is required to remove or alter one or more trees on any parcel in the Town of Fairfax. All trees for which a permit is requested shall be tagged with an orange ribbon, a minimum of 10 days prior to the Tree Advisory Committee meeting date. Applicants must also post a notice of intent to alter or remove the marked Tree(s) in a prominent location visible along the frontage of the affected property.

**APPLICANT INFORMATION**

OWNER (APPLICATIONS MUST BE FILED BY PROPERTY OWNER): <b>KENT MATHESON</b>	DATE OF APPLICATION: <b>Feb 14 2023</b>
JOB ADDRESS/ASSESSOR'S PARCEL NO. IF SITE IS VACANT <b>139 FORREST AVE</b>	PHONE NUMBER: <b>415 516 8125</b>
EMAIL ADDRESS: <b>kbmatlaw@gmail.com</b>	FAX NUMBER:
PROPERTY OWNER'S ADDRESS IF DIFFERENT FROM ABOVE	ALTERNATE PHONE NUMBER:

**TREE INFORMATION**

SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE: <b>OAK 20"</b>	CIRCUMFERENCE BREAST HEIGHT: <b>20"</b>
	REASON FOR REMOVAL/ALTERATION <b>TO BUILD A GARAGE</b>
SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE:	CIRCUMFERENCE BREAST HEIGHT:
	REASON FOR REMOVAL/ALTERATION
SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE:	CIRCUMFERENCE BREAST HEIGHT:
	REASON FOR REMOVAL/ALTERATION
SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE:	CIRCUMFERENCE BREAST HEIGHT:
	REASON FOR REMOVAL/ALTERATION

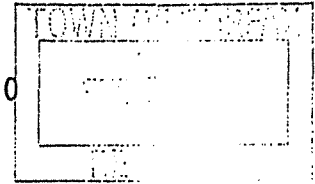
Please attached a site plan to this application showing the location and species of all trees with a diameter of 4 inches (circumference of 12 inches or more), measured 4.5 feet above grade at tree base, property boundaries and easements, location of structures, foundation lines of neighboring structures and paved areas including driveways, .

AGENDA ITEM # **4** ~~AGENDA ITEM #~~

FOR RECOMMENDATION TO  
PLANNING COMMISSION ONLY



**TOWN OF FAIRFAX**  
142 BOLINAS ROAD, FAIRFAX, CA 94930  
(415) 453-1584 / FAX (415) 453-1618



### APPLICATION FOR TREE REMOVAL OR ALTERATION

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#### APPLICANT INFORMATION

OWNER (APPLICATIONS MUST BE FILED BY PROPERTY OWNER): <b>KENT MATHESON</b>	DATE OF APPLICATION: <b>Feb 14 2023</b>
JOB ADDRESS/ASSESSOR'S PARCEL NO. IF SITE IS VACANT <b>139 FORREST AVE</b>	PHONE NUMBER: <b>415 516 8125</b>
EMAIL ADDRESS: <b>kbmatlaw@gmail.com</b>	FAX NUMBER:
PROPERTY OWNER'S ADDRESS IF DIFFERENT FROM ABOVE	ALTERNATE PHONE NUMBER:

#### TREE INFORMATION

SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE: <b>OAK 20"</b>	CIRCUMFERENCE BREAST HEIGHT: <b>20"</b>
	REASON FOR <del>REMOVAL</del> ALTERATION: <b>TO BUILD A GARAGE</b>
SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE:	CIRCUMFERENCE BREAST HEIGHT:
	REASON FOR REMOVAL/ALTERATION:
SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE:	CIRCUMFERENCE BREAST HEIGHT:
	REASON FOR REMOVAL/ALTERATION:
SPECIES AND DESIGNATION OF HERITAGE/SPECIMEN/UNDESIRABLE TREE:	CIRCUMFERENCE BREAST HEIGHT:
	REASON FOR REMOVAL/ALTERATION:

Please attached a site plan to this application showing the location and species of all trees with a diameter of 4 inches (circumference of 12 inches or more), measured 4.5 feet above grade at tree base, property boundaries and easements, location of structures, foundation lines of neighboring structures and paved areas including driveways, .

AGENDA ITEM # **4** ~~AGENDA ITEM #~~

Any tree company used for the removal or alteration must have a current and valid Fairfax Business license. Please include the name, address, and phone number of the person or company doing the above listed work:

NAME: <u>TBD</u>	PHONE NUMBER:
ADDRESS:	CONTRACTOR BUSINESS LICENSE NUMBER

*Please note the Tree Advisory Committee may require applicants to submit their application to a Qualified Arborist for a report or recommendation at the expense of the applicant. A Qualified Arborist is defined as a Certified Arborist, A Certified Urban Forester, a Registered Consulting Arborist, or a Registered Professional Forester.*

**OWNER'S STATEMENT**

I understand that in order to properly process and evaluate this application, it may be necessary for Town personnel to inspect the property, which is the subject of the application. I also understand that due to time constraints it may not always be possible for Town personnel to provide advanced notice of such inspections. Therefore, this application will be deemed to constitute my authorization to enter upon the property for the purpose of inspecting the same, provided that Town personnel shall not enter any building on the property except in my presence or the presence of any other rightful occupant of such building. I understand that my refusal to permit reasonable inspection of any portion of the property by town personnel may result in a denial of this application due to the lack of adequate information regarding the property.



Signature of Property Owner

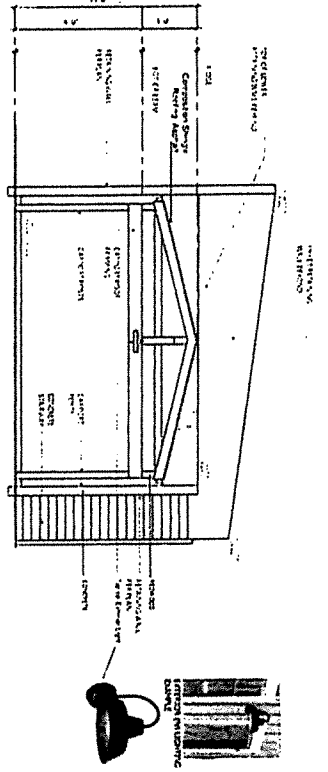
Feb 14, 23

Date

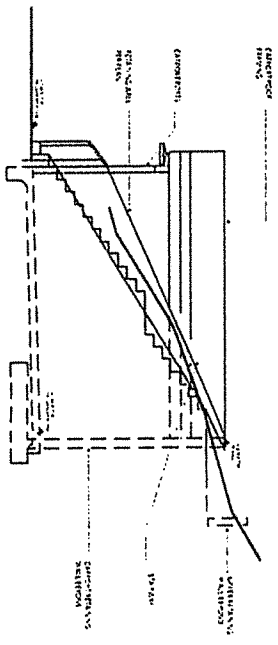
[AREA BELOW FOR STAFF USE ONLY]

Permit Number: <u>23-T-11</u>	
Date Received: <u>2-16-23</u>	Received by: <u>S. [Signature]</u>
Conditions of Approval:	
Tree Committee Action:	Date:

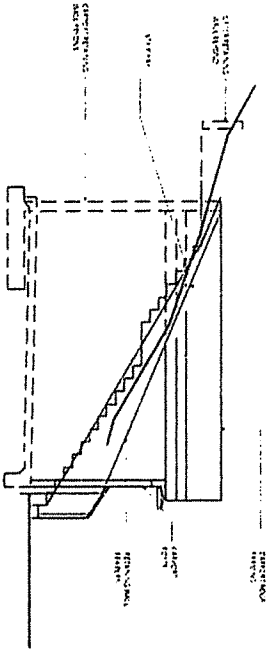
Tree Committee Actions can be appealed to the Town Council within 10 days of the Tree Committee Action. Contact Town Hall for more information.



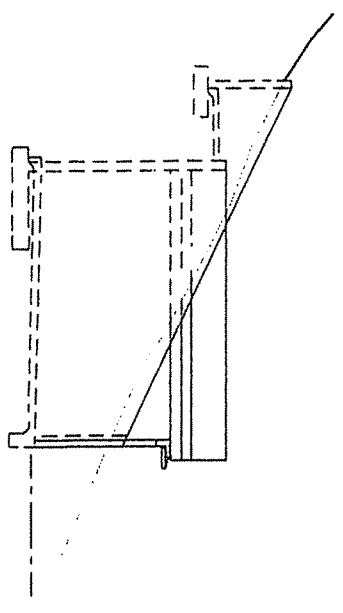
2 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



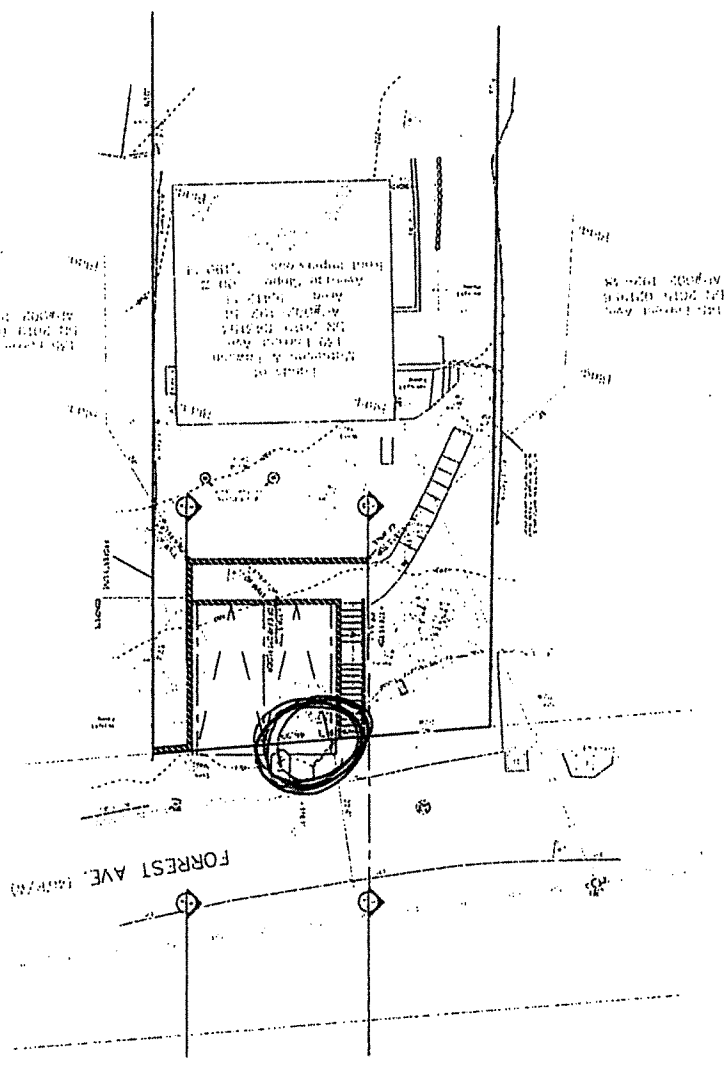
3 WEST ELEVATION / SECTION  
SCALE: 1/8" = 1'-0"



5 EAST SITE / SECTION  
SCALE: 1/8" = 1'-0"

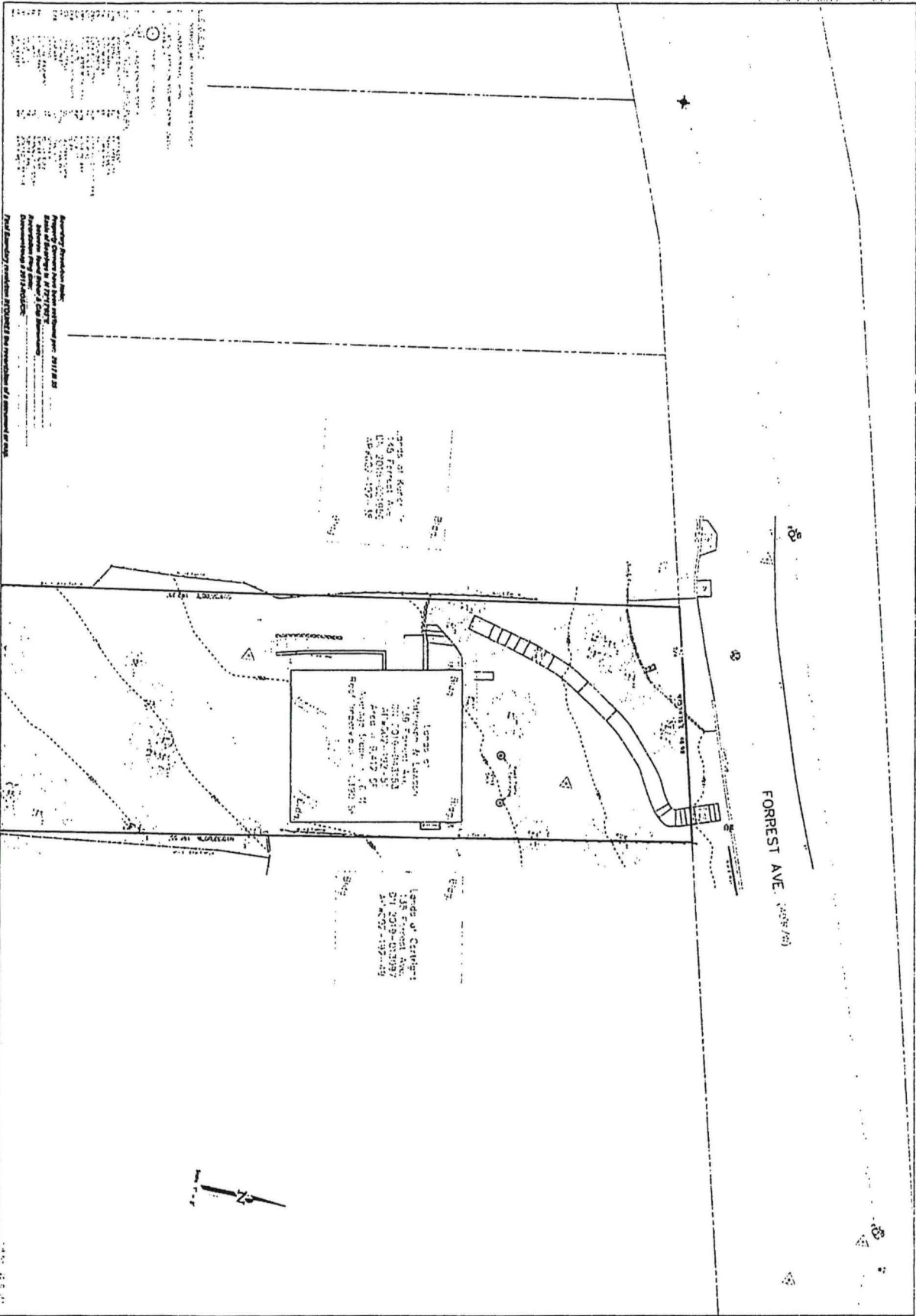


4 EAST SITE / SECTION  
SCALE: 1/8" = 1'-0"





PRELIMINARY



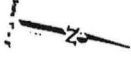
PROPERTY RECORDS  
 RECORDS OF DEEDS IN THE PUBLIC RECORDS  
 DEPARTMENT OF REVENUE  
 DIVISION OF RECORDS  
 TALLAHASSEE, FLORIDA

Property Records Section  
 Bureau of Land Management  
 Department of the Interior  
 Washington, D.C. 20250

LANDS OF KURTZ  
 145 FOREST AVE.  
 TALLAHASSEE, FLORIDA  
 32309-0000

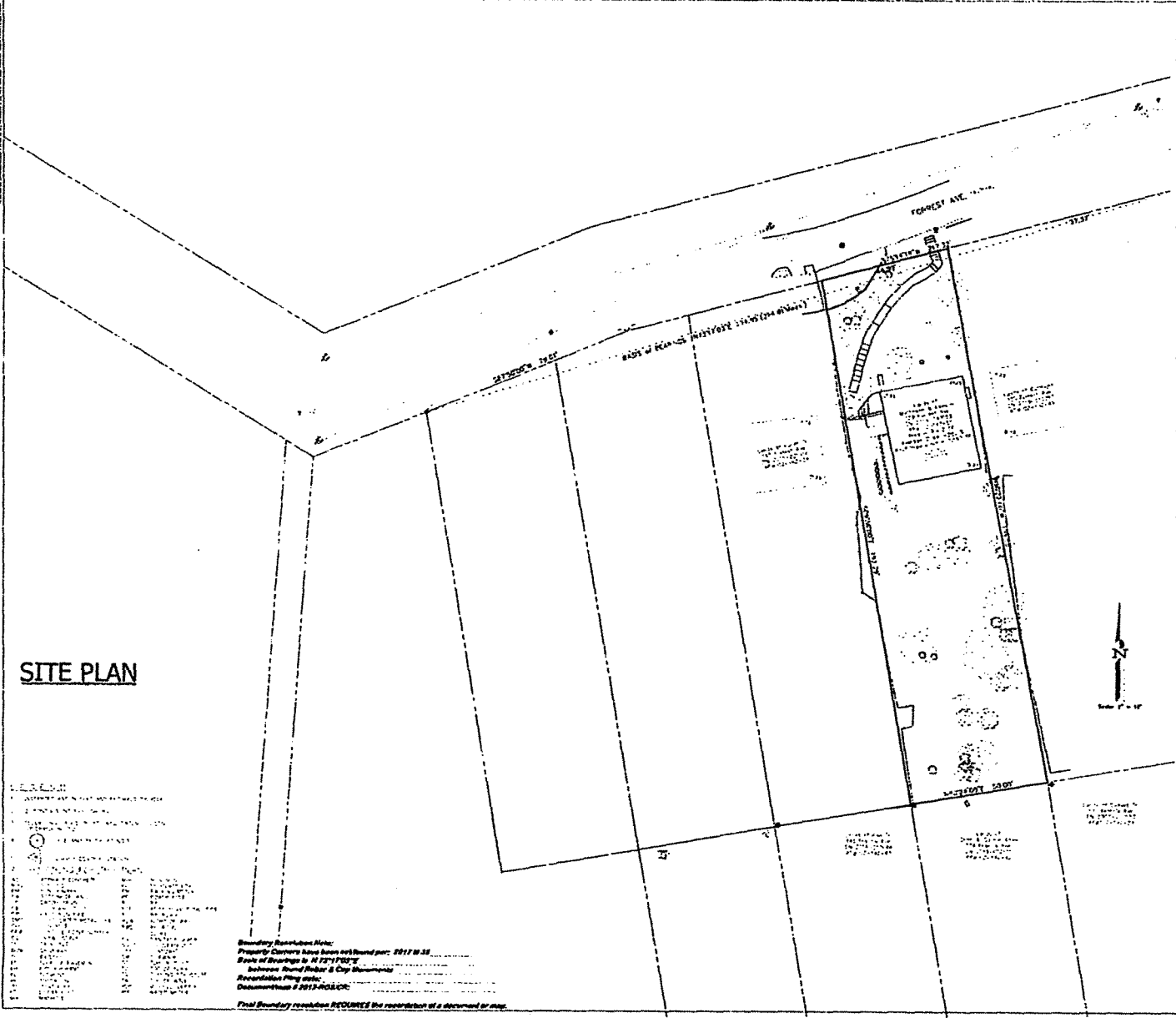
LANDS OF CENTRE  
 135 FOREST AVE.  
 TALLAHASSEE, FLORIDA  
 32309-0000

LANDS OF CENTRE  
 135 FOREST AVE.  
 TALLAHASSEE, FLORIDA  
 32309-0000



<p>DATE: 11/15/05          SHEET NO. 1 OF 1</p>	<p>TOPOGRAPHIC SURVEY          VAN HILSON &amp; LAWSON ENGINEERING 139 FURNACE AVE.          (PH. NO. 904-232-1925) FORT PIERCE, FLORIDA 34946</p>	<p>PROJECT NO. 05-001          SHEET NO. 1 OF 1          DATE: 11/15/05</p>	<p>PROPERTY OWNER:          LANDS OF CENTRE          135 FOREST AVE.          TALLAHASSEE, FLORIDA 32309-0000</p>	<p>SCALE: 1" = 40'</p>
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PRELIMINARY



### SITE PLAN

LEGEND

EXISTING LOT BOUNDARIES

PROPOSED LOT BOUNDARIES

EXISTING BUILDING FOOTPRINT

PROPOSED BUILDING FOOTPRINT

EXISTING DRIVEWAYS

PROPOSED DRIVEWAYS

EXISTING SIDEWALKS

PROPOSED SIDEWALKS

EXISTING UTILITY LINES

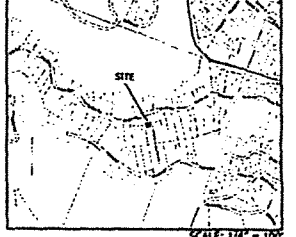
PROPOSED UTILITY LINES

Boundary Description Note:  
Property corners have been re-found per: 2017 M 24  
Rate of Burial is 41.7217002°  
between Round Robin & Coy Stumpwood  
Reproduction File note:  
Documentation 2 2017-05-10  
Final Boundary resolution RECUMBES the reproduction of a document or map.

### SITE INFORMATION

APN:	002-192-51
ZONING:	RS-6
LOT AREA:	9,412 sqft
EXISTING FLOOR AREAS:	1,326 sqft
(E) LOWER:	0 sqft
(E) MAIN:	862 sqft
(E) UPPER:	464 sqft
(E) TOTAL LIVING AREA:	1,326 sqft
DECK AND STEPS GREATER THAN 3' ABOVE GRADE:	200 sqft
NEW FLOOR AREAS:	
(N) LOWER:	388 sqft
(N) MAIN:	767 sqft
(N) UPPER:	464 sqft
TOTAL LIVING AREA:	1,619 sqft
DECK AND STEPS GREATER THAN 3' ABOVE GRADE:	240 sqft
LOT COVERAGE:	
(E) BUILDING FOOTPRINT:	1,035 sqft
(E) WALKWAYS:	316 sqft
TOTAL:	1,351 sqft
PROPOSED LOT COVERAGE:	
(E) BUILDING FOOTPRINT:	1,035 sqft
(E) WALKWAYS:	316 sqft
CARPORY:	400 sqft
TOTAL:	1,715 sqft
FLOOR AREA RATIO:	
(E) FLOOR AREA RATIO:	14.35%
(N) FLOOR AREA RATIO:	18.22%

### VICINITY PLAN

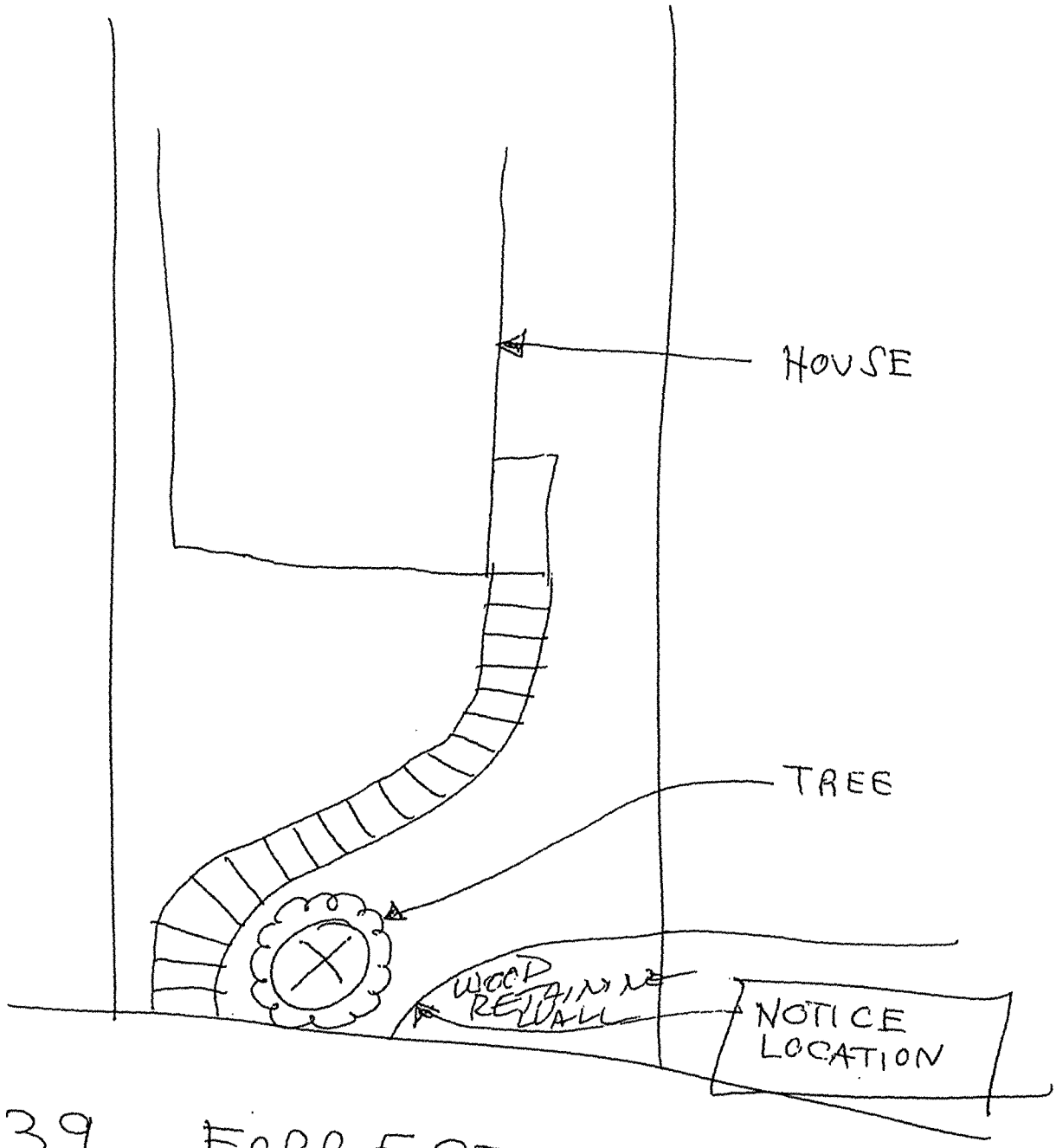


TOPOGRAPHIC SURVEY

LA DUNSON R. & ANSON RESIDENCE - 149 FOREST AVE.

DATE: 05/10/2017

SCALE: 1/4\"/>



139 FORREST AVE



139 Forrest Avenue  
Fairfax, CA  
94930

Kent Matheson

415.516-8125  
empiredeluxe@gmail.com

#### USE PERMIT FINDINGS

**Approval Shall Not constitute a grant of special privilege.**

The existing property is 9,412 sf and is currently developed with a 1,326 sf home. The proposed development will not change the square footage of the home and is under the requirements for floor ratio and lot coverage.

**Development and use of the property shall not create a public nuisance.**

The proposed development will add parking spaces and will bring the property closer to town building code requirements.

**Approval of the use Permit is not contrary to those objectives, goals or standards set forth in any plan or policy adopted by the town.**

The proposed development is consistent with town zoning regulations and land use policies. The parcel is zoned for residential use.



139 Forrest Avenue  
Fairfax, CA  
94930

Kent Matheson  
415.516-8125  
empiredeluxe@gmail.com

## **PROJECT GOALS & SCOPE**

We are continuing to restore and repair what was an abandoned & dangerous property into a home for our family. This is our second design review application for this property, the first having allowed us to begin the process of restoring the home and making it safe for us and for the neighborhood. This second application is intended to build forward on the initial efforts and to bring the property closer to town parking standards and add an enhancement that will both make the home a safer & more functional living space for our family.

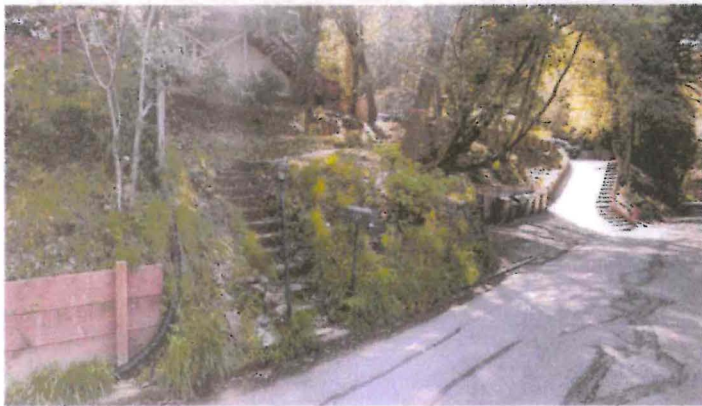
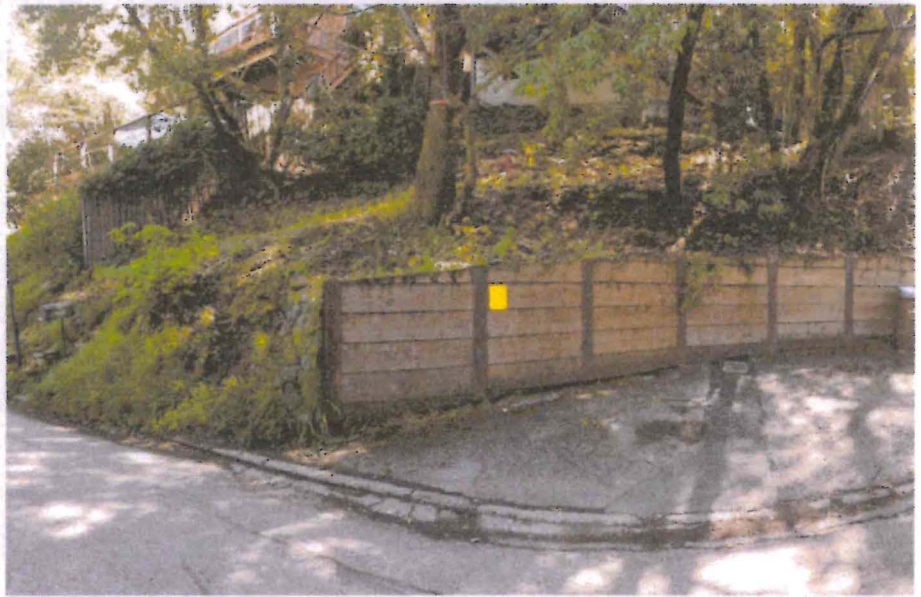
## **NOTES**

The home currently has one non-conforming parking space on a driveway shared with our neighbor. We propose to add two off street parking spaces in addition to the existing space by digging into the lower area of our property to create a covered carport & storage area. We've been discussing the project with our neighbors and have received positive feedback and encouragement and we offer with this application a letter of support from every nearby neighbor we've discussed with about this. Aesthetically, the goal is to simply match the style of other carports along the street nearby. The variance is necessary because of the incline of the hill leading down to the street.

Regarding carport construction, I've included a soil study showing the hill and area to be very stable with rock close near the surface. The front half of our house foundation is very solid with 7 piers set into bedrock. The projected soil removal is about 75 cubic yards and because of the existing off street parking space we expect no disruption to street traffic flow. Soil removed from the site will be handled properly and some attempt will be made to redistribute the removed soil within the site. Stormwater runoff will be controlled by Straw Baffles secured above the dig area during construction and a Cement Catch will be constructed.

The other change we propose is to relocate the main entrance of the home from the middle of the upper level, accessed off a precarious external staircase, to a lower level entrance & landing area with a safer internal staircase up to the main floor. The intention is to continue our efforts to make the upper living area both safer and more functional and to create a nicer & more useable internal living space. A dedicated lower landing & entranceway will allow a proper closet & coat area which we currently don't have with the main entrance opening into the middle of the living room, and will allow the upstairs living area and deck to not be split and disrupted by an awkward entrance. Regarding the issue of safety, the current external stairway rises a full story above the incline of the hill below and during the dark and rainy winter months I'd prefer my family & friends to not access the home through a precarious staircase intended more for a hunting cabin than a living home. Though we will be losing a bit of living space to the stair area we believe the benefits mentioned far outweigh the loss.

Thank you for your consideration, I look forward to discussing this with the review committee in person.



Renovation  
**MATHESON RESIDENCE**  
139 Forrest Ave. Fairfax, CA  
APN: 002-192-51

03/08/2021  
Rv01

PHOTOGRAPHS  
OF THE PROPERTY



**Kent Matheson**  
139 Forrest Avenue  
Fairfax, CA, 94930  
415.516-8125  
empiredeluxe@gmail.com





139 Forrest Avenue  
Fairfax, CA  
94930

Kent Matheson  
415.516-8125  
empiredeluxe@gmail.com

March 14, 2021

## **PROJECT GOALS & SCOPE**

The initial goal of this project is to renovate an aged and unsafe home that has sat empty and decaying for almost a decade into a secure and safe condition for a single family. The footprint of the house is not being expanded and no additional bedrooms are being added.

Internally, we will bring the home to modern building code standards so that the property is a safe and secure home and a good neighbor to the surrounding properties. Some alterations have been made to interior rooms to create a more useable and comfortable living space.

Externally, our goal is to create a home that's harmonious with the surrounding neighborhood and sits comfortably with and within the wooded environment surrounding the home of Forrest Avenue and is fire safe. We do not intend to expand the footprint of the home.

## **OWNER'S STATEMENT ON PROCESS**

We are working to restore a property that has been left derelict for almost 10 years for use as a home for our family.

We knew that the home was in need of a deep effort and began by pulling permits for what we felt would be the proper effort required. However as we began to work we found dangerous & unsafe conditions in the gas & electrical systems that were clearly unsafe for modern living, and heavy vermin infestations. In order to make the home safe and healthy we felt there was no choice but to go beyond the scope of the original permits and are now working through a major renovation of the interior of the home.

We've been open with the town during this process and will continue to do so as we work toward bringing the property into compliance with town rules and modern standards.

Beyond the initial restoration of the home we intend and look forward to making it earthquake safe and more energy-wise, and currently have a permit in place and plans approved for a sprinkler system.

Beyond this we're excited to expand the parking of the property to town standards - a much needed thing on Forrest Avenue. We've had a soil study made and have had done a full survey of the property. We're currently working with a local architect and engineer on the plans and as we've worked through it we've reached out to our local community and are pleased to have the full support of every neighbor we're in touch with.



Examples of the conditions found with the home.

Vermin had infested the property in multiple locations. Insect nests were found in several places in the walls and rats had invaded and made themselves quite comfortable throughout.

The top right image shows rot from a water leak under the main door, the lower right image shows the condition exposed under the sink in the kitchen.

Renovation  
**MATHESON RESIDENCE**  
139 Forrest Ave. Fairfax, CA  
APN: 002-192-51

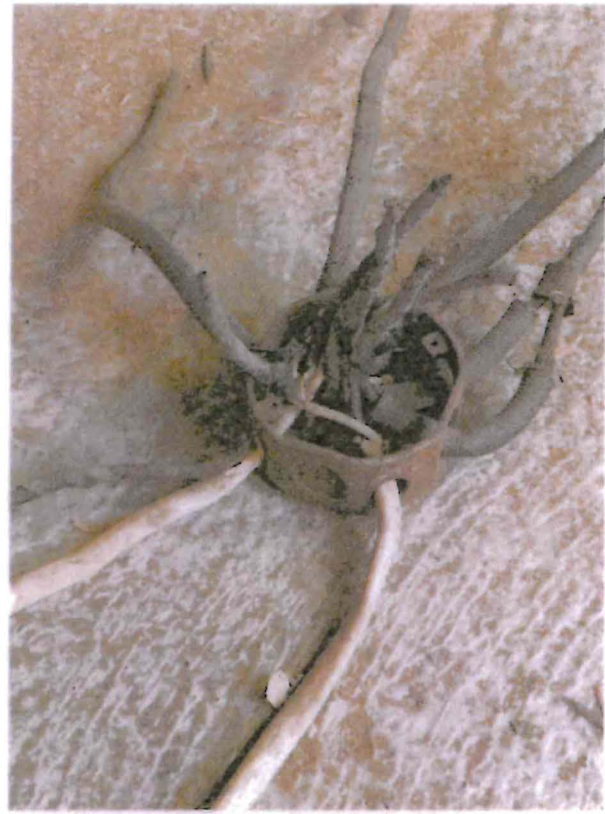
03/08/2021  
Rv01

PHOTOGRAPHS  
OF THE PROPERTY,  
EXAMPLES OF DECAY  
AND UNSAFE CONDITIONS 2



**Kent Matheson**  
139 Forrest Avenue  
Fairfax, CA, 94930  
415.516-8125  
empiredeluxe@gmail.com





Examples of the conditions found within the home.

The top images show the type of open wiring found within the walls in the kitchen and several spots of the back rooms of the home as we began the initial permitted renovation work. This more than anything prompted our decision to open the walls in other parts of the home, as in addition to being unsafe would clearly not support the loads of modern appliances and systems. At this point we figured the walls had to be opened up.



The lower left shows the state of the Main electrical panel, and the lower right image is of the gas line leading into the fire place. This turned out to be rotted through inside the brick. These discoveries and others indicated that without a full rewiring and updated gas line system the home was a fire hazard to the neighborhood.



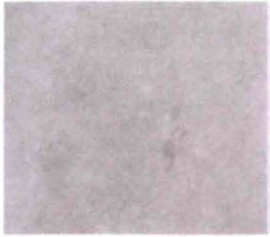
Renovation  
MATHESON RESIDENCE  
139 Forrest Ave. Fairfax, CA  
APN: 002-192-51

03/08/2021  
Rv01

PHOTOGRAPHS  
OF THE PROPERTY,  
EXAMPLES OF DECAY  
AND UNSAFE CONDITIONS 1



**Kent Matheson**  
139 Forrest Avenue  
Fairfax, CA, 94930  
415.516-8125  
empiredeluxe@gmail.com



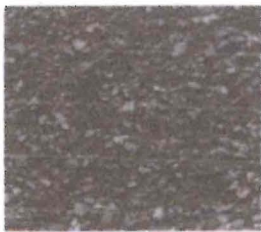
**RETAINING WALL:**  
Natural Concrete



**TRIM:**  
Clarke & Kensington  
Black Truffle  
N-C24



**POSTS & FRAMING:**  
Redwood



**ROOF:**  
Black Asphalt

Remodel  
**MATHESON RESIDENCE**  
139 Forrest Ave. Fairfax, CA  
APN: 002-192-51

10/16/22  
Rv01

**COLOR  
CHART**



**Kent Matheson**  
139 Forrest Avenue  
Fairfax, CA, 94930  
415.516-8125  
empiredeluxe@gmail.com



**Linda Neal**

---

**From:** Vakil Kuner <vakil01@gmail.com>  
**Sent:** Tuesday, February 7, 2023 9:37 AM  
**To:** Linda Neal  
**Subject:** 139 Forrest Avenue; Application #23-05

I live next door to 139 Forrest and have been apprised of the plans for the remodel. I support these plans and have no objections.

Thank you,

Vakil Kuner  
145 Forrest Ave

**ATTACHMENT D**


March 4, 2021

TO: Fairfax Planning Commission  
RE: 139 Forrest Ave.

I live next door to 139 Forrest. I have lived with six years of this property being vacant, several break ins, two occupancies by homeless individuals, and no mitigation of fire risks.

You can appreciate that I am very happy to support the Mathesons' plans for renovation of their house and construction of a new garage. I am also willing to waive the neighbor review period.

Cordially,



Vakil Kuner  
145 Forrest Ave  
415-725-5489

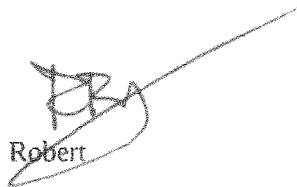
Fairfax 02/28/2021

Re: 139 Forrest Ave

Dear Council Members and Staff:

Our neighbors at 139 Forrest Ave are planning to build a carport; we are very happy to see that. As is well known parking on Forrest Ave is a challenge with essentially no guest parking available. Since the original house did not have adequate parking this is a great improvement. And not just for themselves but for the street at large. Therefore we strongly support this project and recommend approval, thank you for your consideration,

Regards;



Robert

Karen & Robert Jansen  
124 Forrest Ave, Fairfax CA 94930  
cell: 415-623-4164

March 5, 2021

To Whom It May Concern:

Re: 139 Forrest Ave., Fairfax, CA 94930

This letter is in support of Kent Matheson's renovation plans for 139 Forrest Ave. I've reviewed the plans and support what he is doing, both in terms of parking and the renovations to the house. It's fine with me to waive the neighbor review process.

Sincerely,

A handwritten signature in black ink, appearing to read "Brant Cortright". The signature is written in a cursive style with some stylized flourishes.

Brant Cortright  
135 Forrest Ave.  
Fairfax, CA 94930

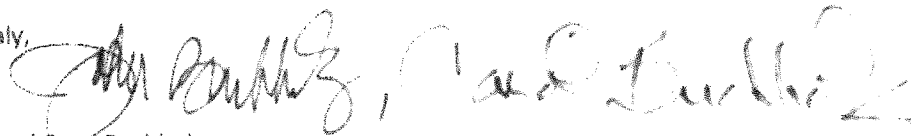
March 9, 2021

Attention: Town of Fairfax

Re: 139 Forrest Avenue

We live a couple doors down from Kent Matheson and his family at 139 Forrest. Carol and I have reviewed the plans and we both support the new parking carport. We see this as benefit to all the neighbors by adding the desired parking structure.

Warmly,

Handwritten signatures of John and Carol Buchholz in black ink.

John and Carol Buchholz

128 Forrest Ave

Fairfax, California 94930

March 10, 2021


ATTN: Marin County

Re: 139 Forrest Ave., Fairfax 94930

To whom it may concern:

I am an across-the-street neighbor of Kent Matheson and Bonnie Lawson. They have shared their family's plans to add a carport and make certain other changes to the front yard of their property. I support these updates without reservation and think they will be beneficial to the Matheson-Lawson residence as well as enhance the neighborhood generally.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Shevell', written in a cursive style.

Adam Shevell

150 Forrest Ave.  
Fairfax 94930



Mary Anne Rasmussen & Jim Klein

110 Forrest Avenue  
Fairfax, CA 94930  
415-430-4790  
maryannerasmussen@gmail.com

March 10, 2021

To: County of Marin

Re: Matheson Family Project at 139 Forrest Ave, Fairfax

We are the across-the-street neighbors of 139 Forrest Ave, Fairfax, owned by Kent and Bonnie Matheson.

We are fully supportive of their renovation proposals for the house and new carport at 139 Forrest Ave, Fairfax. We have no concerns or issues. We are fully supportive of their living in the property while the work is done. Their presence and these projects will enhance the entire neighborhood. We are comfortable with the elimination of the 30 day neighborhood comment period. There is no need to delay this project from proceeding.

Please feel free to contact us if you require any additional information.



Mary Anne Rasmussen



Jim Klein

Dear Kent,

This is Vincent Pizzuto and Fernando Esponda from 171 Forrest Avenue writing to register our full support for your renovation project on Forrest 139. It seems to me that the upgrades required by the town will ultimately benefit all of us and the temporary inconvenience of traffic delays are an acceptable inconvenience for the long term benefits of your renovation. I am sorry this has been so difficult for you — beginning any renovation project always feels like opening a pandora's box. But an improvement to any of our homes is a benefit to all of our homes for many reasons. We are happy for you to use this email as a public record of our support for you renovations. We wish you all the best in the completion of your project.

Sincerely,

Vincent Pizzuto  
Fernando Esponda

171 Forrest Avenue, Fairfax

Cell: 415-533-8529

To Fairfax Planning Dept,

I'm writing to you as a neighbor of Kent Matheson to endorse his renovation of his home at 139 Forrest Ave in Fairfax. He shared his intentions, and they seem to me very reasonable. He is preserving a tiny piece of Fairfax history in this old house who's wood may likely have come from our own California backyard. I look forward to the day his build is complete and to admire the hard work put into it.

Kind regards,

Danielle Salone-Chen & Michael Chen

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