1 2 3 4 5	ROGERS JOSEPH O'DONNELL AARON P. SILBERMAN (State Bar No. 1 asilberman@rjo.com RICHARD M. HARRIS (State Bar No. 268 rharris@rjo.com 311 California Street San Francisco, California 94104 Telephone: 415.956.2828 Facsimile: 415.956.6457	Entered Control Contro
6 7	Attorneys for Petitioner JACOB FRIEDMAN	
8	SUPERIOR COURT OF	F THE STATE OF CALIFORNIA
9	COUN	ITY OF MARIN
10	JACOB FRIEDMAN, an individual,	Case No. (V () () () 737
11	Petitioner,	VERIFIED PETITION FOR ALTERNATIVE WRIT AND STAY AND WRIT OF MANDAMUS (Civ. Proc. Code
12	VS.	§§ 1085-1087)
131415	CITY OF FAIRFAX, a general law city, THE OFFICE OF BUILDING INSPECTOR OF THE TOWN OF FAIRFAX, in its official capacity, and Does 1-10.	Date: August 30, 2023 Time: 9:00 a.m. Dept.:
16	Respondents.	Judge: Hon. ANDREW E. SWEET
17 18		AN ("Friedman") hereby petitions this Court for an
19	, ,	ndamus under sections 1085, 1086 and 1087 of the
20		ndent CITY OF FAIRFAX ("Fairfax" or "the City"),
21		CTOR OF THE TOWN OF FAIRFAX ("Building
22	Department" or "Inspector") (Collectively,	"Defendants"):
23		IE PARTIES
24	·	s a taxpayer and resident of Fairfax and the State of
25		the construction business in Fairfax and elsewhere in
26		licensed to perform this business in California.
27	1	s a general law city, subject to the Court's power to
28	compel compliance with a legal duty pursu	ant to sections 1085, 1086 and 1087 of the Code of
	Civil Procedure.	Page 1
	Verified Petition For Alternative Writ and Stay and	Peremptory Writ Of Mandamus, Case No.

565241.1

- 3. Respondent Building Department is an office within the government of the Town of Fairfax created by statute (Fairfax Town Code (FTC) § 2.20.010). Building Department is subject to the Court's power to compel compliance with a legal duty pursuant to sections 1085, 1086 and 1087 of the Code of Civil Procedure.
- 4. Friedman is ignorant of the true names and capacities of Respondents sued herein as DOES 1-10, inclusive, and therefore sues these Respondents by such fictitious names. Friedman will amend this Complaint and Petition to allege their true capacities when ascertained. Friedman is informed and believes and thereon alleges that each of the fictitiously named Respondents is responsible in some manner for the occurrences herein alleged.

STATEMENT OF FACTS

- 5. Friedman owns the real property located at 79 Wood Lane, Fairfax, CA 94930 ("the Worksite").
- 6. On July 6, 2021, Friedman submitted an application to the City of Fairfax for the construction of a house and an Accessory Dwelling Unit (ADU) at the Worksite ("the Application"). The Application included proposed plans for the proposed construction and structure.
- 7. For over six months, Fairfax staff and outside administrators objected to, delayed and otherwise interfered with Friedman's efforts to get the Application approved. Specifically, Fairfax Principal Planner Linda Neal threatened to recommend denial of the application and plans unless Friedman agreed to her demands that the house be lower in height and lower to the ground, even though the house was designed to be under the height limit of the Fairfax Planning Code. Friedman is informed and believes that these efforts were conducted in bad faith with the intention of delaying and/or preventing Friedman from proceeding with the project.
- 8. On January 20, 2022, the City Planning Commission unanimously approved Friedman's Application. A true and correct copy of the approved plans ("Approved Plans") is attached as Exhibit 1.
 - 9. Despite the Planning Commission approval, the City did not promptly

issue a building permit. Rather, Fairfax Building Official Mark Lockaby submitted Friedman's

- 10. After receipt of the Permit, Friedman hired a work crew and mobilized equipment to begin work on the Project.
- 11. After the permit was issued, Friedman informed the City that he intended to submit an application pursuant to Government Code § 65852, et seq. ("SB 9"), which states that projects containing up to two single family homes on property meeting certain requirements "shall be considered ministerially, without discretionary review or a hearing," if certain requirements are met. Neal responded by email that the City would conduct several layers of review contrary to SB 9.
- 12. On August 9, 2022, Friedman submitted his application for changes to his plans that meets all of SB 9's requirements for ministerial, non-discretionary review.
- Official Lockaby, issued and posted at the Worksite an Order to Stop Work ("OSW") prohibiting any further work on the Project. The only information the OSW states regarding the "cause" of its issuance was "construction, excavation beyond scope of permit issued." Friedman is informed and believes that this action was in bad faith with the intention of delaying and/or preventing Friedman from proceeding with the project and intimidating him out of submitting plan changes.
- 14. On August 25, 2022, Friedman was forced to file a petition for alternative writ and stay and mandamus in the above entitled court. After filing the petition and serving it on the City, the parties were able to resolve the dispute short of court intervention. That petition was dismissed by Friedman without prejudice.

- 15. Work continued on the Project fully in compliance with the laws and regulations of the City, and always under safe conditions. As is typical on projects like these, Friedman made various changes to the structure. Lockaby requested documentation detailing these changes from Friedman, and Friedman provided these documents. The documents Friedman provided to Lockaby are attached as Exhibit 3. Relevant to this dispute, Friedman showed three changes to the plans:
 - a. A portion of the basement was shown to be an accessory dwelling unit;
 - A portion of the top floor has been prepared to be a junior accessory dwelling unit, including enclosing an upper deck, and the addition of an exterior stairway; and
 - c. The front low pitched roof is shown as being eliminated, and instead a roof deck above a portion of the lower floor even with the top floor is shown.
- 16. After receiving the documents, Lockaby agreed that Friedman could continue with the work. Lockaby requested that Friedman obtain approval of the changes shown in paragraph 15(b) and 15(c) from the Fairfax Planning Commission, and that Friedman not complete any further work on these items until Planning approved the changes.
- 17. Friedman disputed Lockaby's finding. Section 107.4 of the Building Code contemplates changes will occur during construction, stating "any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents." Thus, Friedman asserted his right to continue construction and submit the minor changes to the plan at the conclusion of the Project.
- June 8, 2023, Lockaby issued a notice to stop work on the Project. The "cause" described on the red tag was "CONSTRUCTION NOT APPROVED." Friedman understood this red tag to allege that Friedman was allegedly constructing the Project in violation of the planning code of the City (Title 17). A true and correct photograph of the red tag issued on June 8, 2023 is attached as Exhibit 4.

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- 19. On June 9, 2023, Friedman signed and submitted an appeal to the decision of Lockaby under Title 17. On June 12, 2023, Friedman paid the required fee for an appeal to the City. Freidman has not received a copy of the signed document back from the City. A true and correct copy of that appeal (unsigned), and the receipt for Friedman's payment, is attached as Exhibit 5.
- 20. Pursuant to the Fairfax Municipal Code section 17.036.030, an appeal of an administrative official's enforcement of title 17 stays any enforcement of that action pending a ruling by the City Council on the appeal. FTC § 17.036.030. To date, the City Council has not ruled on the appeal contained in Exhibit 5.
- 21. Once the Appeal stayed the OSW, Friedman went back to work on the Project. For some weeks, Lockaby continued to respond to requests for inspection. Work continued in a legal and safe manner. To resolve the appeal short of a ruling, Friedman's counsel wrote to Town Counsel Janet Coleson, offering that Friedman would cease work on items described in paragraphs 15(b) and 15(c) above, and request a modification from the planning commission and submit plans within 60 days from June 23, 2023. The City's counsel never responded to this offer to resolve the dispute.
- 22. On July 20, 2023, Lockaby was called to complete, and did complete, an electrical inspection of the Project. During this inspection, the electrical systems appeared to Lockaby to be in working order and up to code and was approved. However, Lockaby refused to approve the electrical system for connection to PG&E (also referred to as issuing a "green tag"), notwithstanding it met all of the requirements of the code. Lockaby told Friedman that he cannot release the Project's electrical service for connection to PG&E unless and until Linda Neil signs off on it.
- 23. On July 21, 2023, counsel for Friedman contacted counsel for the City to discuss why the electrical was not being approved for connection to PG&E, given that the electrical system was in working order and approved. During this phone call, counsel for the City read to counsel for Friedman an email to her from Lockaby, which stated, in substance, that the City was withholding the approval of the electrical system in order to force Friedman to

submit new plans to Planning and secure approval. Counsel for the City then explained that the City would often withhold a "green tag" not because there was a problem with the electrical work, but in order to extract other concessions from permit holders.

- 24. Despite the City's refusal to issue the green tag, Friedman continued working on the Project. Over the next few weeks he was able to complete some work on the Project, although much less efficiently.
- 25. Based on this lack of efficiency, Friedman was accruing damages caused by the City's actions. On Friday, July 28, 2023, counsel for Friedman sent an email (a true and correct copy is Exhibit 6) to counsel for the City, requesting that the City issue the green tag that Friedman was entitled to by law.
- 26. Counsel for the City did not respond substantively until August 8, 2023, stating in part "I don't believe the electrical tag will be withheld for issues unrelated to the electrical." This was wholly contrary to the representations of counsel for the City made by telephone on July 21, 2023. A true and correct copy of the City's response is attached as Exhibit 7.
- 27. From July 20, 2023, until Friday, August 11, 2023, Friedman's work on the site was inefficient due to the lack of a green tag. During this time, Friedman would call Lockaby for various inspections, but Lockaby would not respond. When Friedman called from an anonymous number, Lockaby answered the phone, came to the site, and inspected Friedman's work. Friedman is informed and believes that ignoring his phone calls was in bad faith with the intention of delaying and/or preventing Friedman from proceeding with the Project, and/or convincing Friedman to capitulate to the City's understanding of the Planning Code and submit plan revisions.
- 28. On August 11, 2023, Lockaby sent an email to Friedman with an attached letter. In the email, Lockaby states that he observed that the rear stairs were being constructed. He then falsely claims that Friedman had agreed to obtain approval from the planning commission before continuing to construct the back staircase. Lockaby then states: "I have no choice but to suspend your permit until approvals [from Planning] are obtained." A true and

correct copy of this letter is attached as Exhibit 8.

- 29. The letter stated that Lockaby was suspending the permit under California Building Code [A] 105.6 because "the work being done is based on incorrect, inaccurate, and incomplete information." He then lists the same items contained in paragraph 15 above "have not been approved by the planning commission, or building department" and that "In order to commence construction, planning commission approvals must be obtained, and construction drawings checked, and approved by the building department."
- 30. On August 14, 2023, a similar letter was posted at the jobsite, together with a stop work order, stating that the "cause" of OSW is "suspension of building permit." A true and correct photograph of the OSW and letter posted is attached as Exhibit 9.
- 31. That same day, counsel for Friedman contacted counsel for the City, explaining that this order to stop work is contrary to law. Counsel for the City responded August 15, 2023, stating that "it's past time for your client to stop doing whatever he wants and follow the direction provided." A true and correct copy of that email is attached as Exhibit 10.
- 32. Rather than discussing the matter, Mr. Lockaby sent a new letter by email to Friedman on August 17. This letter states that the permit is suspended because "your permit was issued on the basis of your submittal of incorrect, inaccurate, and incomplete information. The construction documents you submitted to obtain the permit did not reflect" the items in paragraph 15 above. This letter does not include information about how Friedman might have the permit reinstated. A true and correct copy of this letter is attached as Exhibit 11.
- 33. Counsel for Friedman wrote an email to Counsel for the City, demanding reinstatement of the permit because, among other reasons, Friedman had not been afforded notice or a hearing prior to the suspension. Counsel for the City responded by stating that Friedman could appeal the suspension of the building permit to the town council (true and correct copies of these emails are attached as exhibit 12, p. 5-7). Counsel for Friedman emailed a response, stating that the Counsel for the City has stated "there is no appeal to the Planning Commission or Town Council of a Building Official's stop work order issued under the authority of the CA Bldg Code." A true and correct copy of the email that includes this quote is

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Exhibit 13. In addition, the Fairfax Town Code does not provide for the necessary authority for an appeal.

- The Building Code is incorporated into the Fairfax Town Code as 34. article 15. Article 15 claims that it has a provision allowing for appeals: "Any aggrieved applicant or person may appeal the determination of the chief building official regarding the granting or denial of an exemption or compliance with any other provision of this chapter. An appeal of a determination of the chief building official shall be filed in writing and processed in accordance with the provisions of § 15.04.028 of this code." FTC §15.04.100(C)(4). There is no section 15.04.028 of the Fairfax town code.
- Counsel for Friedman wrote to Counsel for the City on August 22, 2023, 35. that a permit revocation done without notice or a hearing where Friedman could present evidence was is "inoperative and of no legal force," citing City of San Marino v. Roman Catholic Archbishop of Los Angeles, (1960) 180 Cal. App. 2d 657, 669. On that basis, Friedman would restart his construction on August 23, 2023.
- Friedman also met with Lockaby at the project site on August 25, 2023. 36. During that conversation, Lockaby admitted that the green tag was not being withheld for any reason related to the electrical system, but only because Town attorney Coleson told Lockaby not to issue the green tag until Friedman obtained approval for the plan changes from the Planning Commission. Lockaby also agreed that the changes under dispute were minor and would likely be approved. A true and correct copy of an email sent by Friedman recounting this conversion is attached as Exhibit 13. To date, Lockaby has not responded to this email.
- 37. That same day, Defendants caused a police officer to arrive at the Property. The officer informed Friedman's employees that if they did not stop working, they would be cited and arrested.
- As a result of the OSW, Friedman has no further work for his work crew. 38. Friedman is informed and believes based on current labor shortages in the construction industry, it will be difficult upon rescission of the OSW to get the work crew to return to the Project as they likely have taken other jobs, so Friedman has been and will be delayed as a result, and he

will very likely have to pay higher rates for a replacement work crew and/or a replacement subcontractor.

- 39. By requiring Friedman to stop all work at the site, the City has created a threat that the site will become unsafe. Specifically, if the green tag is not issued, Friedman cannot power up the sump pump system to keep the property from flooding should it rain.
- 40. Friedman is informed and believes that the purported reasons given by the City for its having issued, posting and refusing to rescind the OSW are contrary to law, pretextual, factually unsupported and/or were devised after-the-fact in an effort to justify not issuing the green tag. Friedman further is informed and believes that on or before the date the City issued the OSW its actual reasons for issuance were ill will towards Friedman as a result of Friedman asserting his property and statutory rights, including his right to a green tag, and in an effort to convince Freidman to capitulate and agree to apply for changes in the middle, as opposed to at the end, of the Project.
- 41. On August 21, 2023, counsel for Friedman emailed Counsel for the City stating Friedman's intention to file this action. Attached as Exhibit 12 is a true and correct copy of the email and responses to that email. Though counsel for the City responded to the email, it refused to lift the OSW, refused to issue the green tag, and failed to provide any support for the argument that the City has an appeals process under the Building Code.

(WRIT OF MANDAMUS – Civ. Proc. §§ 1085, 1086)

- 1. Friedman refers to and re-alleges all of the above paragraphs and by this reference incorporates those paragraphs as though fully set forth at length.
- 2. Fairfax has a legal duty to comply with applicable law and its own building permits, including the Permit issued by the City to Friedman.
- 3. Once Fairfax has exercised its discretion on whether a particular portion of the work was installed in good and proper order, it is required by law to ministerially sign off on that inspection (and issue a green tag allowing PG&E to connect the power to the house).
 - 4. Further, Fairfax may not lawfully prevent work, including issuance and

maintenance of an order to stop work when the permit holder has a vested property interest in the permit and Fairfax has not provided the permit holder with a noticed hearing where the permit holder has an opportunity to present evidence and be heard.

- 5. Fairfax violated these legal duties, either intentionally or negligently, when it
 - a. Failed to issue the green tag once Lockaby had determined that the electrical service and system were in good working order.
 - b. issued, posted and maintained the OSW from August 11, 2023, prohibiting Friedman from continuing work under the Permit, which work was being lawfully performed.
- 6. At all times relevant to this petition, Fairfax has been able to perform its duties detailed herein, but has failed and/or refused and continues to fail and/or refuse to do so.
- 7. Friedman has exhausted his administrative appeals because there is no administrative appeal procedure. Friedman requested that Fairfax rescind and remove the OSW and issue the green tag. The City has ignored previous appeals filed pursuant to its Code, and the City has stated there is no appeal procedure, inviting court intervention. Friedman is informed and believes that there are no further available administrative procedures to compel Fairfax to comply with applicable law and the Permit.
- 8. In the alternative, even if there were a sufficient appeal procedure, it would be futile for Friedman to pursue, given that the City ignores appeals that have been filed. In addition, irreparable harm will come to Friedman if he must wait an unknown time for an appeal to occur. Defendants' illegal actions have caused Friedman to stop work completely, even though he must continue to pay interest on his construction loan. In addition, rain may come at any time, and house may flood without a green tag, so Freidman can connect the electricity to run the pumps.
- 9. Friedman does not have a plain, speedy and adequate remedy at law, other than the writ sought by this petition.
- 10. If Fairfax is allowed to maintain the OSW and not issue the green tag,Friedman will suffer irreparable injury because (a) he will suffer pecuniary loss for which money

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damages are not available against Fairfax and so cannot adequately compensate for Friedman's crew and equipment costs caused by the OSW and the refusal to issue the green tag; (b) the longer the delay in rescinding the OSW and issuing the green tag, the higher the likelihood that Friedman will not be able to get his crew back or get a similarly qualified crew to complete the work; and (c) significant rainfall could occur at any time and, when it does, the incomplete work — which the OSW prohibits Friedman from completing — is likely to threaten public safety and Friedman's and adjacent properties, all of which could create liability for Friedman for which he would not have an adequate remedy at law against Fairfax, and (d) Without being able to complete the work, the cost of carrying the loan on the Property may become too great for Friedman to actually complete the work, and he may be forced to default on this loan.

11. For all of these reasons, Friedman has a beneficiary, pecuniary interest in the

11. For all of these reasons, Friedman has a beneficiary, pecuniary interest in the issuance of an alternative writ and peremptory writ of mandamus, apart from that of the public at large.

PRAYER FOR RELIEF

WHEREFORE, Friedman respectfully prays that the Court enter judgment against Respondents as follows:

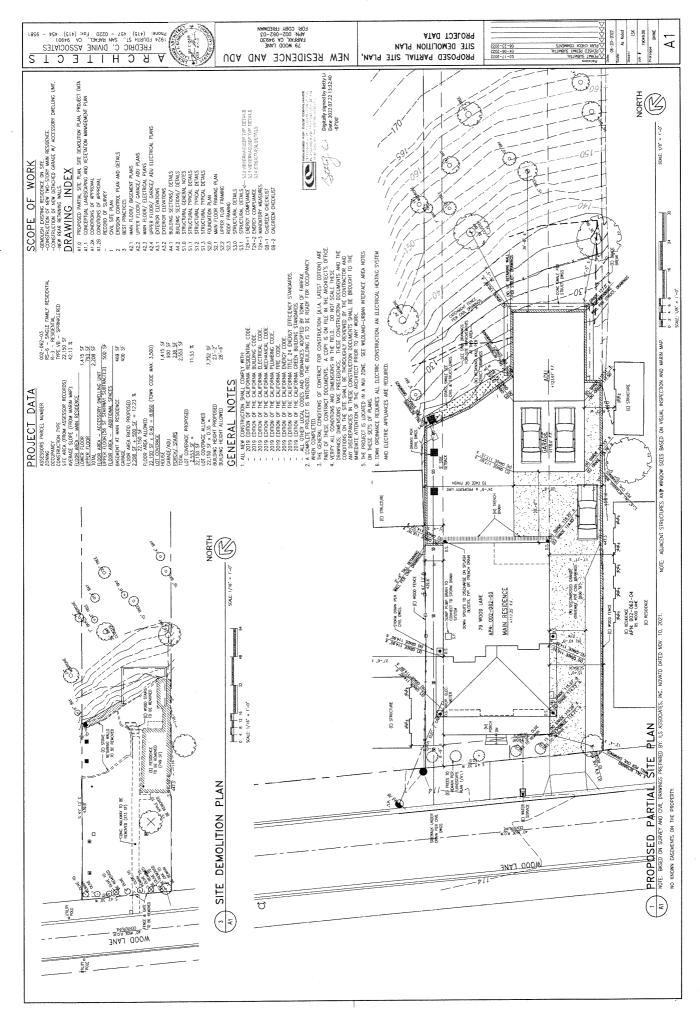
- 1. For an Alternative Writ and Stay Order requiring Respondents to rescind and stay enforcement of the OSW and to show cause why they should not be enjoined, as set forth in this Petition;
- 2. For an Alternative Writ and Stay Order requiring Respondents to issue the green tag for the electrical system on the Project, and to show cause why they should not be ordered to do so, as set forth in this Petition;
- 3. For an Alternative Writ and Stay Order requiring Respondents to establish an appeal procedure under the building code as required by section 1.8.8.1 *et seq.* and *Lippman* v. City of Oakland (2017) 19 Cal.App.5th 750.
- 4. For a Writ of Mandamus to be issued pursuant to Civ. Proc. §§ 1085, 1086 and 1087 ordering Respondents to immediately rescind and stay enforcement of the OSW, and to issue the green tag for the Property, or to show cause before this Court, at a time and place

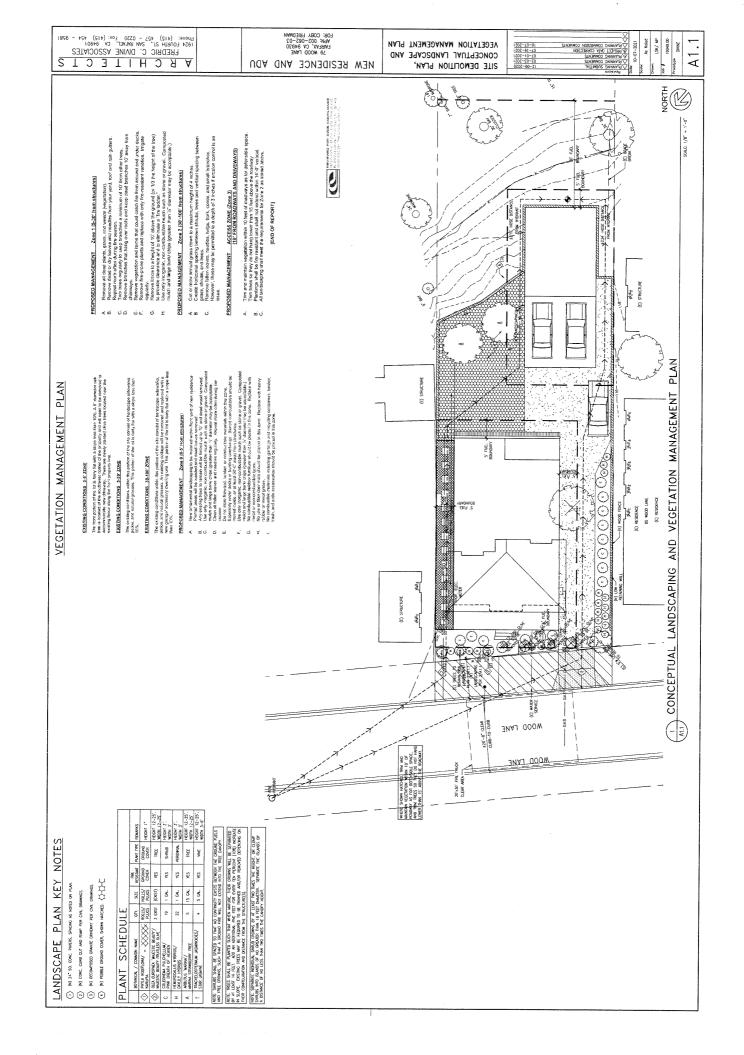
Page 11

then or thereafter specified by court order, why Respondents have not done so and why a peremptory writ should not issue; For Friedman's cost in this action; and 5. For such other relief as the Court considers just and proper. 6. ROGERS JOSEPH O'DONNELL Dated: August 28, 2023 Attorneys for Petitioner JACOB FRIEDMAN

VERIFICATION I, JACOB FRIEDMAN, declare that: I am the petitioner in this case, and I make this verification for that reason. I have read the foregoing VERIFIED PETITION FOR ALTERNATIVE WRIT AND STAY AND WRIT OF MANDAMUS. I have personal knowledge of all of the facts recited in the above-referenced document, and, therefore, verify them as true and correct. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Verification was executed at Fairfax, California. Dated: 8/28/2023 <u>(oby Friedman</u> JACØB FRIEDMAN JACOB FRIEDMAN

Exhibit 1





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1. Duting the construction pracess the following shall be required:

i) The goodenheat engines and the project advoict shall be on-set during being defined you are not bett state assert were not think on the state of the test of the state o

Prict to the concrete from inspection by the building official, the geolectricial as the contraction of specimens and first confine figure of the first of this considers and brinding the first test and models within eventualization to the Promi staff that the work to bill point has an invoke written and confinements with their exceminatations and this approved building plants.

The Building Official shall field check the concrete forms prior to the pose

All construction-related vehicles including equipment delivery, centent trucks construction melensis is considered by the sales public of pitch of the sales public right(s)-or melensis is condition may be vaived by the Building Official public right(s)-or very with prior radication from the project sporses.

Any proposed temporary piceuses of a public right of way shall require prior growing by the First Pales Department and on years any face control signage or public rodination and like the responsibility of the applicant as the signage or public rodination and like the responsibility of the applicant as the signage. Any violation or this promotive will result in a stop work order being placed on the property and sustained of delictor.

chnical engineer shalf field check the completed project and submit Prior to lessuance of an occupency permit the following shall be completed:

A Resolution of The Fairfax Planning Commission Conditionally Approving Approving Application No. 211 of 1811 Associated Brain Load Scientif, Deal Creview Permit, Escavation Formit, and Tree Retenoised Prompt and Relation Complexed & Minimum Combined Side-yeart Serbseck and Resulting Wall Height Variance for a Resist

WHEREAS, the Town of Fairfax received an application from COby Friedman and the Jacob Friedman Trials to build a two Suffy, 25th Sequencefoot, two-story structure flource and accessory obtaining unit) with a perintify below-ground passement and a 450 equanci-locit, one car detached grangle on July 6, 2021; and

WHERERS, after helding a second hereing on a revised register for 2.20 years both revisitions of the second hereing on a revised second register. The related State of the second second register is the related State of the second second register. The related State of the second second register is the residence of the State Residence is the little residence is the second register of the State Residence is the second register of the State Residence of the State State Residence of the State Residence of the State Residence of the State Residence of the State Residence and the State Residence of the State Residence and Residence WHEREAS, after holding a sisty noticed public heading on August 19, 2021, on the project plans and design which included a main structure first leadenized 26 lest in hit the Commission conditivad the braising and genee the applicant direction to disorder highly of the structure and to make other design changes to the project plans; and

WHEREAS, the Commission has made the following findings:

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

Policy LU-12.3: New and renewed development shalt be designed and located to minimize the visual mass. The Town will require exterior malerials and obtains that bland the exterior malerials and obtains that bland the exterior experience of enrutures with the surrounding sutural landscapes, allowing for excludibility develop.

Policy (13.7.1.5; New and renewed residential development shall preserve and exhance the existing character of the Town's neightonfoods in oliversity, architectural character size, and make. Policy L.U.4.1.4: Now and ronower development shall be designed to minimize run-a menner that does not cause undua hardehlip on neighboring properties.

Volicy 1.U.7.2.2; to the extent lessible netural features including the existing grade, mature itees and vegetation shall be preserved for now and ronewed development.

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All rataining walls that are viaitis from the steest and are constructed of concrete shall be beauty from the colorized in a manner approved by the plearning staff plot to issuance of the besideling permat. This condition is intended to mitigate the visual impact of the proposed walls.

The Planting Department and Town Enginees shall field exact the completed problets where the first and required requirements or the problem and required requirements the bins complet including stratibition of the requirements the bins completed including stratibition of the planting that the consecut of the condition of the planting that the content of the complete of the complete or the complete or the complete or the complete or the content of the content or cont

Excavation shall not occur between October 1st and April 1th of any year. The Town Engineer has the authority to warve the condition depending upon the weather.

4. The manyways shall be test free of dust, gravel, and other construction matry awaeping them, dash, if necessary.

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6. Any damagasa to the public portions of Pacticos Avenue, Beihas Road, Fortaos Avenue or Vilood Lare or other public roadway used to access the elde resulting from construction activities shall be the reaponsibility of the prepenty owner.

17 The applicate the lives in vocaments and another shall at its role cord and common defect with corns reducence and stopping shall at its role cord and common defect, with corns and they appear to Thom of Edition 19 to the contrast and they appear to the contrast and the cont

The visual and sound enjoyment of the area by others will not be advasted by the project more than is necessary.

Natural landscaping will not removed by the project more than is necessar

Town Code § 17.072.080(C)(4) prohibite initial grading during the rehining beason from Code of the front during which condecting the line of year during which condecting the line of year during which condecting the line in cuscassy which condecting will their pleas its such that work will not exactly in cuscasses estation from atom runnel not probenged expressure of unstable accessibled aboves.

 It's also planning preserves klerifiked natural features as much as possible white also complying with other agency and department regulations. The proposed development is consistent with the Ganeral Plan (see above) and consistent with the pulpose and intent of the Zocing Ordinance, Title 17, of the Fairtax Town Code.

Hit Area Residential Development (Town Code § 17,072,110)

Based on the soils report findings, the site can be developed without geologic hydrologic or seismic hazards.

The proposed development harmonizes with the surrounding residential development, resels the design review criteria and closs not result in the detectoration of significant view contions.

Design Review (Town Code § 17.020.040)

Vehicular access and parking are adequate.

The nature of Section within the set of section with the closed in section at the first of the property and the section CSS seepe of the sect of sea she updates that if it may contribute the CSS seepe of the section of sea she updates that if it may be contributed to CSS seepe of the section of the sectio Minimum and Combined Side-Yard Setback Variance (Town Code § 17,028,070)

There are other properties in the vicinity with residences and parking and discustines broadlers the requestion from time as of channed side, what subsect was and if the pipposed grappy and house includitudily meet the both the manufacture and properties the case of superposed sections. Therefore, the granding of this variance out not be a garet of special privilegue.

The california inclinection, with the second story disposal back from the shoref faculto for the tips of the disposal part of the prior stakes for the received from the control and an extension of the case that action and under the control and active (modifying its action that were taken of the control and active (modifying the windows in the second and active the control of the

The trivic application of the combined sidely and setback would result in unreasonable tendship for the applicant.

The greating of the variance will not be detrimental to the public walfane or injurious to other property in the victority in which the property is altuated.

The treas proposed for removal (one sighle two and one dive tree) are in complianc the file considerablors seed on Town Code 8,38 (96X)(8)(1 strough 7) of the Tree Ordinates, Town Code Claspice 8,36. The heritage Live Cak tree at the northwest corner of the side is to be retained.

The hoalth, westare and sasely of the public will not be solversely affected by the project Adjacent properties are adsquetely protected by project innestigation and design from geologic hazands as a result of the work.

The exercisein porms of south in the exercision of 150 cubic youth of measuring of 415 cubic section of measuring cubic and exercise of the 450 will see the exercise of the 450 will see the excellence of the 150 will see the exercise of the 150 will see the excellence of the 150 will see that the 150 will see the 150 will see that the 150 will see that the 150 will see that the 150 wil

Excavation Permit (Town Code § 12.20.080(B)(1 through 7)

Adjacent properties are adequately protected by project design from drainage and eroston problems as a result of the work.

The amount of excavation or fill proposed is not more than is required to allow the property owner substantial use of his or har property.

 The architectural plans by Laura Kehrlein, Frederic C. Owline Associates clated 197721, the record of survey dated 9/2018, the site plan dated 11/10/21 and the The project is approved based on the following plans and exports:

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

feet or copy trained from lateral and assembled to the state that particularly as approach or effet, violating the specifical, their genities and the intermediates arrived out of the connection of the particular and the pa

(E. The supporture last borney, when a pagicative level, county, were and forestar and forgulative level. I asked to provide the page of the page o

19. Conditions placed upon the project by outside agondes. Town department or by the Town Experiment may be inferred so with that agency's, department as of the Town Experies, smithen noticeation to the Planning Department to the Planning Department of the series of the beliating permit.

20. The building permit plans shall be roviewed and approved by the Town Engines; afthe superiors of the spicous, in part between of the building pount. The project is talk the inspected by the Town Engineer provides that the speced by the Town Engineer provides that the spicous of the complement puring the size of the complement puring for the readential structure for complement with the engineering plans.

Ross Valley Fire Department

All vegotation and construction materials are to be maintained away from the residence during construction.

The project requires installation of a fire spithider system that complies with into through far professional specification. The project is the specification of system and require spormit for the fire Department and the submitted of the specification for a system submitted by an individual or firm isometal to design and/2 redeply-double systems.

The property is located within the Wildland Urban Interface Area for Fairfex and the new construction must comply with Chapter 7A of the California Building Cote or equivelent.

receiver or reduction and makes 1 (1700) (2). According, i.e., Covil Equivalently and Land strongers, the probabilistic for the Villey Microbiology (Microbiology) (1700)

Prior to issuance of any of the building parmits for the project the applicant or his assigns shell;

Constitution delivery routes approved by the Department of Public Works standards are about claimles works that a feet a feet and a feet and a feet and a feet a fe

Busines and was been been of course for the me as more than a more than one cover the course for a cover the course for a cover the course for the course fo

The foundation and relatining elements shall be designed by a structural eighner certified as et such in the trace of Geldmore, please and considerions of the Coundation and relatining elements shall be stempoid and signed by the attuctural origineer and submitted to the establishmon of the Town Structural Engineer.

The grading, foundation, estaining, and drainage elements shall also be stamped and signed by the project geolechinest engineer as conforming to the recommendations made by the project (Cholechinist Engineer.



4.4% amote orthotors in the residence stell be provided with AC power and be histoconnected for stratificacion and the Deletions shall be broated to take leaping room, outside or lead is departed from it is nonfrai leozation in this consider and jown the central of silentwage with a misling not of 1 debedier on each stary for the cocupied policies of the professions.

20 Address numbers at least 4 inches tall must be in place adjacent to the front coor. In rind feeling values from the transit additions inmusters must be placed in coulor that is shown than the subsect. The fundates must be risknamly infinitelized or flurmanchy and adjacent place or subsect to the subsect of the placed by and adjacent light controlled by a photocoll hea can be writtened of finitely as a breaker as will inmuse all ingin.

Alternative materials or methods may be proposed for any of the abnur conditions in accordance with Section 104,9 of the Fire Code.

22.A4 approved alternatives requests, and their supporting occurrentation, shall included in the plan sets submitted for first approvel by the Fise Department.

04-08-3055 03-11-3055

Marin Municipal Water District (MMWD)

32. Any landscaping plans must be reviewed and approved by the District

Al! the District's rules and regulations if effect at the time service is reguested must be compiled with.

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 1924 FOURTH ST.
 SAN RAFAEL
 CA 94901
 454 −
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Subanit an amended construction plan to the Public Works Department for their approval. The amended plan shalf include but is not lighted to the following:

The applicant shall prepare, and file with the Public Works Director, a virieo of the mathewy conditions on the public construction delivery routes (routes to be pre-approved by Public Works Director).

O CONTRACTOR

Prior to submidtal of the building permit plans, the applicant shall secure writt approval from the Rose Valey Fire Authority, Namin Municipal Water District the Rose Valey Sontiary Cistrict noding the development conformance with I recommendations.

Submit 3 copies of the recorded record of survey with the building permit plan



5. Carbon monoxide atoms shall be provided in extiling dwellings when a permit is the developed to all the provided and the permit excepts 51,000.00. Carbon monoxide allams shall be located outdoor developed and the carbon monoxide allams shall be located outdoor developed and and allams to be ornegation with a first bedrooms and on every level of the owelling, including basements.

29. A copy of the building permit must be progoed to the district along with the required applications and fees. 30. The foundation must be completed within 120 days of the date of applian Mali indoor and outsoor requirements or District Code Title 15, Water Conservation must be complied with.

33. Backflow prevention requirensents must be met

34. Ordinance 420., requiring hesalistion of grey water recycling system when practicable, must be incoporated into the project building permit plans or an exemption letter from the District must be provided to the Town.

Ross Valley Sanitary District (RVSD)

Drown. LSX Job # 19049.00
Prototype DMNE

04-06-2022

A1.2A

48. A four foot wide aidowalk shall be installed along the entire property frontage as part of the project and shall be inspected and apyroved by the Bullding Official/Pubic Works Director prior to the project final inspection. demage in an amount equaling 100% of the estimated construction costs and pay for the Town Engineer's/Plan Checker's time to review and confirm the contractor's estimate. 96. A sewer connection permit and a side sewer connection permit are nequired for all work outside the new building footprint. 37. Fees will include sewer capacity charges as well as permit fees.

39 Include a sower channoul and backwatter protection device within 2-fact of the fourtheir plantation, the first is villeged 25 failing 55 faction Moses state is shown and fourth in 50 specific II of Section 3 of the Debign and Coestuction, Standard in proceduration set into II is approach metal in the control of the several improvements set four II is approach materials set in

38.Test the server lateral(s) from the outer face of the building to the connection at the existing server main, in accordance with RVSD Ordinance 100 and Shandards

41.A Certificate of Compliance for the Intersi must be obtained from the RVSD prior to the project final inspection by the Fairfax Building Department. 40.A hold will be pisced on the property when the building permit is fissied and will not be released for occupancy until the District permit and sewer requirements have been fulfilled.

51. All the culturar fudures must be date sky compliant (huy shielded end enn) no ilight move the forbidation given that one age of the cells, skiel injust practice un upplify panels for the compliant or with cold remographia. The minimus bine of fighting, in self-ing that all the sustainties due to be the cells of spicialization and the significant part and present the cells of the project funding part. The fall man Department prote to be success of and shall be the influsion members to the cells of the cells of the cells of and shall be the influsion mossess, for sight on the cells of the influsion mossess.

Fairlax Public Works Department

42. All large frucks with more than 2 a des accessing the site for construction will be limited daily to the hours between 9 AM td 3 PM. 43. All driveway ingrovements shall be completed and be eigned off by the Building Official and Public Works Manager before construction begins on the house.

44. Complete road closures will be limited to concrete pours and steet placement and will be coordinated with the Fairfax Police Department and Ross Valley Fire Department,

43. A obtained experienchen managemein plan must be aufmritted with the building man springering med met includes accountation delayery clause, construction standard includes accountation to the springering med and accountation of practical includes worker hours; etc.), recompliation to east residents, the springering med and practical accountation of the springering communication and be appropriately the degreement of Public Works. The applicant shall prepare, and file with the Public Works Director, a video of the roadway/conditions on the conjunction delivery routes.

47. A bord will be submitted prior to is juance of the building permit in an amount that will cover the cost of grading. I veatherization and repair of possible neadway

50. The Town Engineer shall review the final, attempted and algmed protect Chill und Structure plants and the project (vill Engineer that provide a letter certifying that the ties grading and distinges improvements have been resided par the sits "Unimper "plant bedgerer by ILS Associates, how deep 11/10/21 prior to the project into affaction."

49. Town Engineer

66. The building permit plans shall include details to knoprorate the required infrastructure for the solar power and bardery back-up systems the applicant included will be part of the project at the January 20, 222. Planning Commis meeting in skilling to the visited better and strangs havelone.

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

gradient of the first of the control of the control

NOW, THEREFORE BE IT RESOLVED, the Planning Commission of the Town of Fairfax hereby fads and determines as follows: The approval of the 184 Acea Residential Development, Design Review Pornta, Residentia and The Remonal permits and the fefforth purches on make to spare the requested infimular and contributed side selbook unknoors to methins no contributed side selbook unknoors to methins no contributed side selbook unknoors to be located which the required votes the size year selbook. Therefore, the project is in order of the contributed with the required votes the size year selbook. Therefore, the project is in order of the Contributed with the Coldinates, Thorn Code III at 17 and 18 a

AVES: Green, Jansen, Kelty, Newton, Swift, Chair Fragoso VOES: Vone

30. A celeage per form melatement personent instruction as system incerdisor plan and recovered melatements pursoned and the suprement instruction of the personed melatements pursoned and the suprement personed confirmed committee and melatement and probled the instruction of system confirmes and instruction and elegated. A copy shall be provided to the Town pict to Instruction applied to the provided to the Town pict to Instruction at the provided to the Town pict to Instruction of the building person.

52. The surveyor shall mark the location of all the property lines in the field prior to the start of construction.

An abovice togeth that includes tee protection during construction measures. At that the restrainted with the building primer application is responsely by the forming the factor and the measures are conditioned or approved for this project. and must be the broaded and approved to the project of the factor in the property of the project of the project of willing to its Town, this to be stant of construction.

If the existing eastern and weatern side property line tences are clamaged or need to be removed change constructive, the somer state (pagices the femces at the own cost prior to the project femal inspection. The side fences or combratiol femcetwral structures shall be no more than six feet above the kness finished.

| Denoise (12) | 457 - 0320 | 62" (412) 454 - 6381 | 154 | 600 | 611 | 21" | 274 | 64501 | 62" (412) 454 - 6381 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 64501 | 6450

The foregoing resolution was adopted at a regular meeting of the Planning Committed in said Town, or the 20th day of January, 2022 by the following vote:

Constant Tenter

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CENTER RICE FAIRFAX VICINITY MAP

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STATES BLOCKER N. Berson

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RECORD OF SURVEY of the lands of Stephanic Evens & Patrick Riggins DA. 2012-006114
Town of Patrica.
County of Marin California
The ASSOCIATES, INC.
DA. OFFICIATION OF CARES INC.

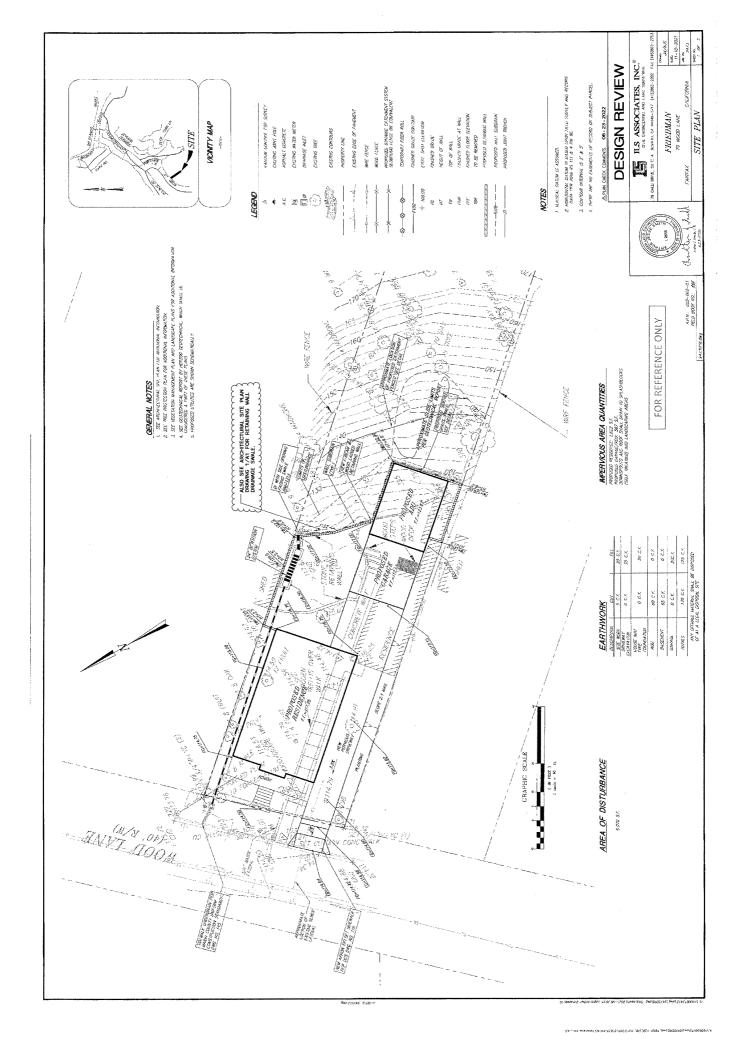
78 GAUJ 0894; SE. A. NOYATO, CA 84948—5777 (419)883—9205 seminetes A.P.M. 602—062—05 JOB NO. B8G6 SEPTEMBER 2010 SHITTY

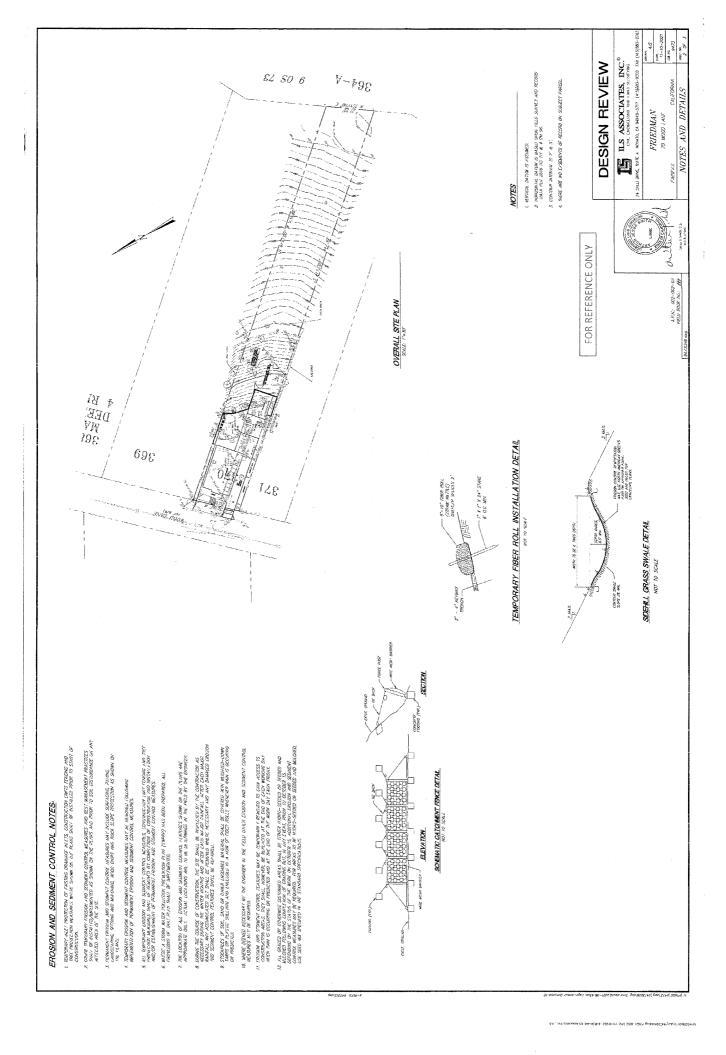
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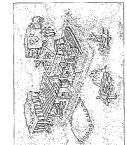
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REFERENCES





- It's Part of the Plan Make sure your crews and subs do the job right! Pollution Prevention



Runoff from streets and other paved areas is a major source of pollution in creoks and the Bay. Construction activities can directly affect the health of the Bay unless contractors and crews plan ahead to keep dirt, debris, and other construction waste away from storm drains and local creeks. Following these guidelines will ensure your compliance with pertinant ordinance requirements.

Materials storage & spill cleanup

Non-hazardous materials management

- Sone, dirty, and similar materials must be stored at tunst 10 feet from outsh basins, and covered with a tarp ouring well weather or when rain is forcess...
- on site, clean with vater oc.y in a bernned area that will not allow rineawater to non into guillers, streets, storm drains, or croeks. If you must doon vehicles or equipment Vise (but don't overusc) reclaimed water for dust control as needed.
- Do not cloon vehicles or ecuipment on-site using seass, solvents, degreasers, steam cleaning equipment, etc. $\sqrt{5}$ weap streets and other paved greas dolly. Do not wash down streets or work areas with water. V. Rocycle all asphalt, concrete, and aggregate base material from demolition activities.

Earthwork & contaminated soils

Check dumpaters regularly for leaks and to make sure they don't exemitors. Repair or replace teaking compaters property.

Hazardous materials management

Keep excavated soil on the site where it is least likely to called in the street. Transfer to dump trucks should take place on the site, not in the street. Use hoy boles, silt fences, or other control measures to minimize the flow of silt, off the site. Lobel all hazarcaus materials and nazardous waster (auch or positicides, points, thanes, solvents, law, oil, and antitropre) in accordance with City, state, and taked regulations,



 \sqrt{r} Pollow manufactures's application instructions for hazardous mallerials one become in other uses more than necessary. But not apply otherwised authores when rain is forecast which 24 hours,

Be sure to arrange for appropriate disposal of all hazardous wastes.

 ${\bf v}$ Store hazardous materials one wastes in secondary containment and cover them during wet seather.

- ✓ Mature vegetation is the bast form of erosion contro. Minimize disturbance to existing vegetation whenever possible.
- prevent erosion by securing the coil with erosion control toxic, as seed with fost-growing grasses as soon as possible. Place rey bales down-slope cutil soll is secure. If you disturb a stope during construction

 When spills on leads occur, contain them immediately and he carticularly core-int to prevent leads and spills have mobiling the optifier street, or storm drin, there was lapticed material into a guitar, strent, storm drin, or anext. Report any hozordous material spills to the appropriate agency(s) immediately:

 ${\bf v}$ Keep u stockpile of spill clearup materials (rags, absorbents, etc.) evaliable at the construction site at all times.

Spill prevention and control

- \mathbf{v} if you suspect contamination (from site hierary ulscorardion, oder, texture, observationed underground tanks or pipes, or buried debris), cell the Local Agency for help in determining what testing should be denie.
- Yonaya disposal of conteminated soll eccording to Local Ayenay instructions.

Dewatering operations

maintenance & cleaning

Vehicle and equipment

frequently. Use drip pans to catch leaks until repair leaks promotly.

/ Inspect vehicles and equipment for leaks

Fuel and maintain vehicles on site only in a parmed are or over a drip pan that is big anaugh to prevent ruroff.

- or another on-site purpase to the greatest extent passible. Reuse water for dust control, irrigation,
- Stormwater Monoger before dischorging weter to a screet, gutter, or storm droin. Falcation or diversion through a bosin, tank, or sedment trop may Ze sure to cell the Local Agencie's
- n areas of known contourhoddon, testing is required prior to "ease or discharge of groundwaler. Onseith with the bood Agency to determine what testing to do and to integret results. Controlling groundwater must be treated or hauded of-site for proper Capasal.

Wash out controlle equipment/troubs off-sile or in designated on-sile are for washing enere woth visit be confounded with impremedate possible are for washing enere with out in the writer seep into the soil. Begans of fundamed concrete with from whom it is disked and hardened begans of fundamed concrete with from whom it is disked and hardened.

Be sure to stare concrete, grout, and marker under cover and away from drainage areas. These materials must never roach s

Concrete, grout, and mortar storage & waste disposal



- Almoys completely cover or barricade storm drain intels when saw cutting, than filter fobric, hat bales, sorid bags, or line grovel doms to keep stury out of the storm drain system.
- Shovel, assorb, or vacuum scw-cut slurry and sick up all worke as soon us you are finished in one location or at the end of each work day (whichever is sooned).

dirt area is not available, filter the wash water through hay actes before discharging to a storm atain.

to a dirt area where it will not run into a gutter, street,

or storm drain. If a suitable

water and remove it for appropriate disposa off site.

✓ II c suitable dirt crea is not

available, collect the west-

🖊 II suw cut sturry enters a catch basin, clean it up immediately

Paving/asphalt work



- Always cover sterm drain inless and man-ticles when puving or applying seal coat, tack coat, sturny seal, or fag soat.
- Place drip pans or absorber; material under paving equipment when not in use.
- Do not use water to wash down fresh aspiral condrate pawernent.

materias in a guiller or street. paint before rinsing brushes, rollers, or containers in a sink, if you can't use a sink, direct wesn water to a dirt areu and / Point out excess water-based

✓ Never rinse point brushes or Painting

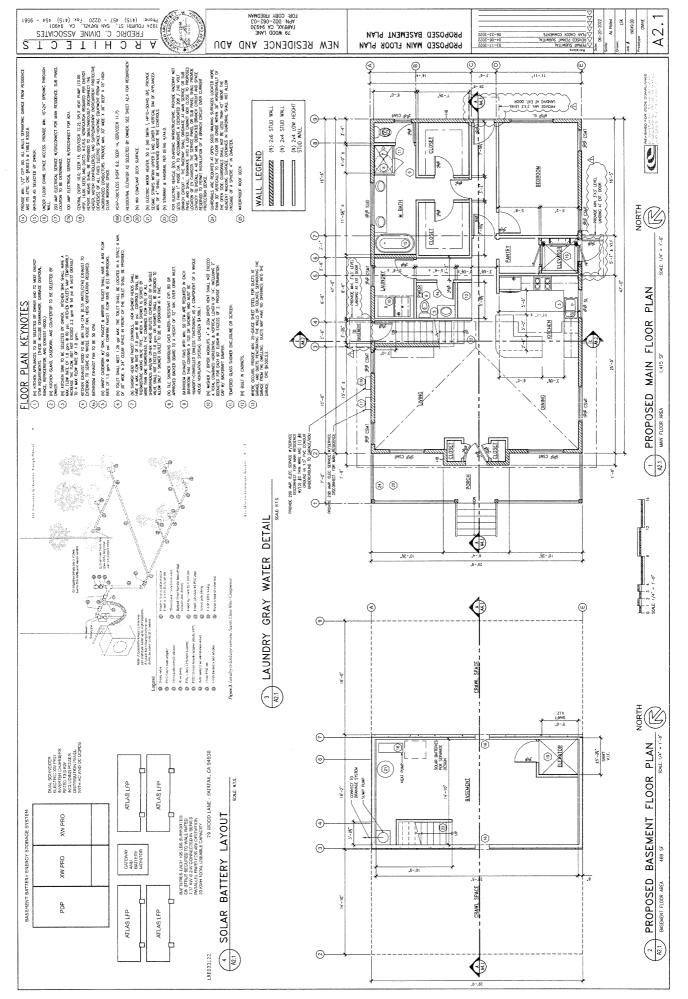
- Point out excess dil-based point before clearing brushes in thinner.
- imes Filter paint thinners and solvants for reuse whenever possible. Dispose of oil-based paint sludge and unusable thinner as

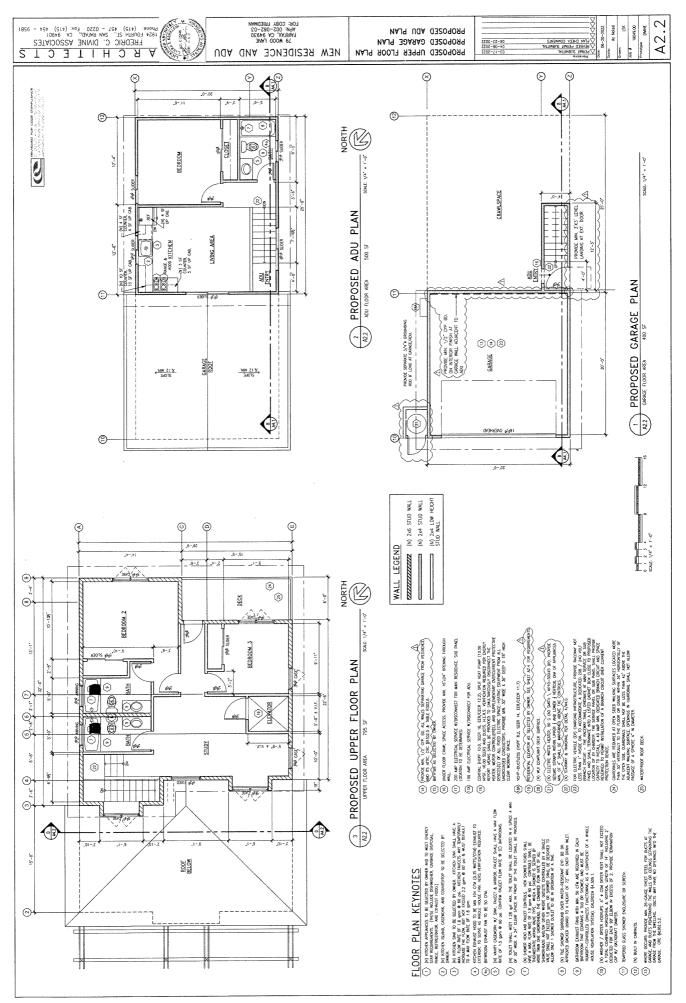
Storm drain polluters may be liable for fines!

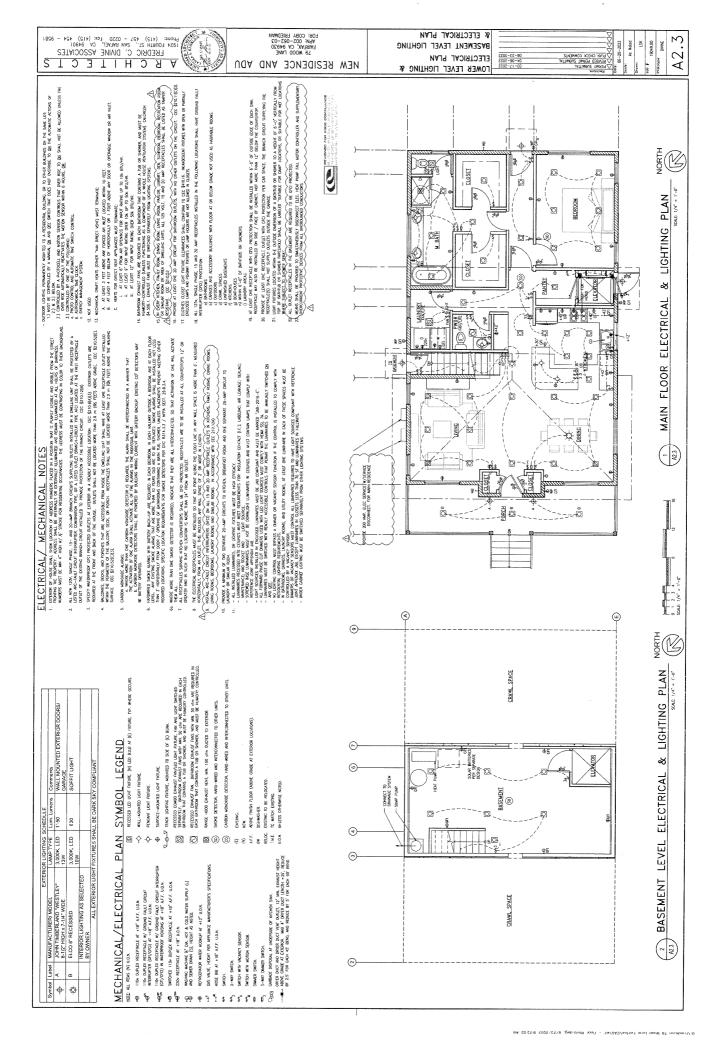
or more detailed information, contact the Stormwater Manager of the appropriate local agency

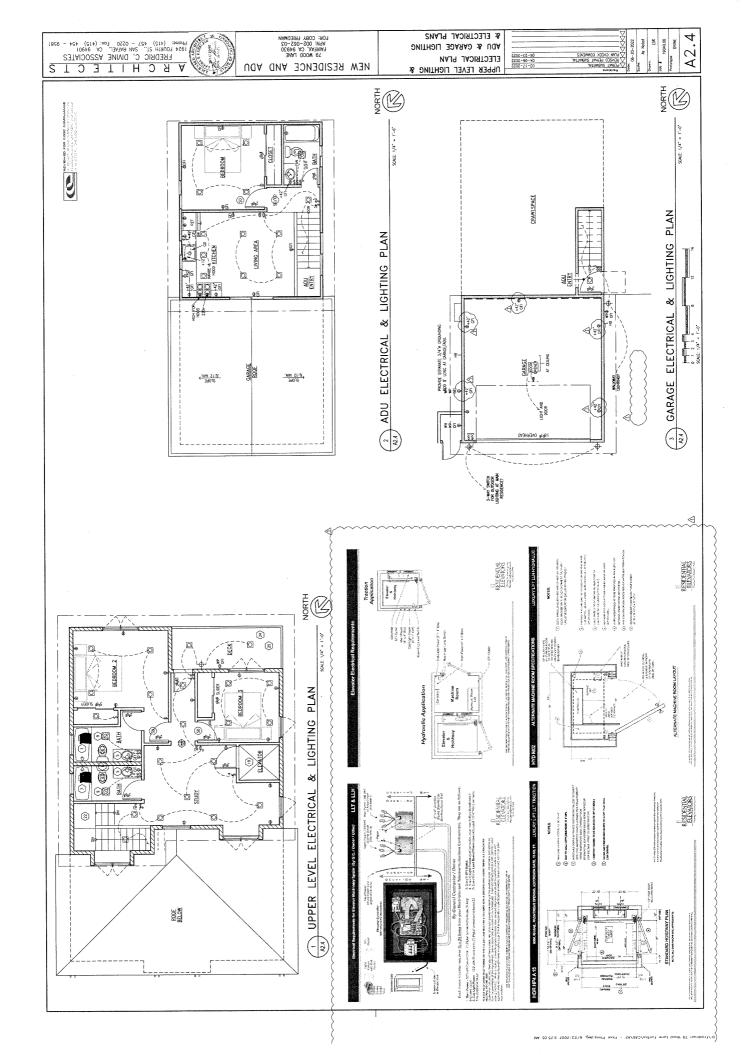
ILS ASSOCIATES, INC.® PRACTICES NOVATC, 28 94249-5717 FRIEDMAN MANAGEMENT

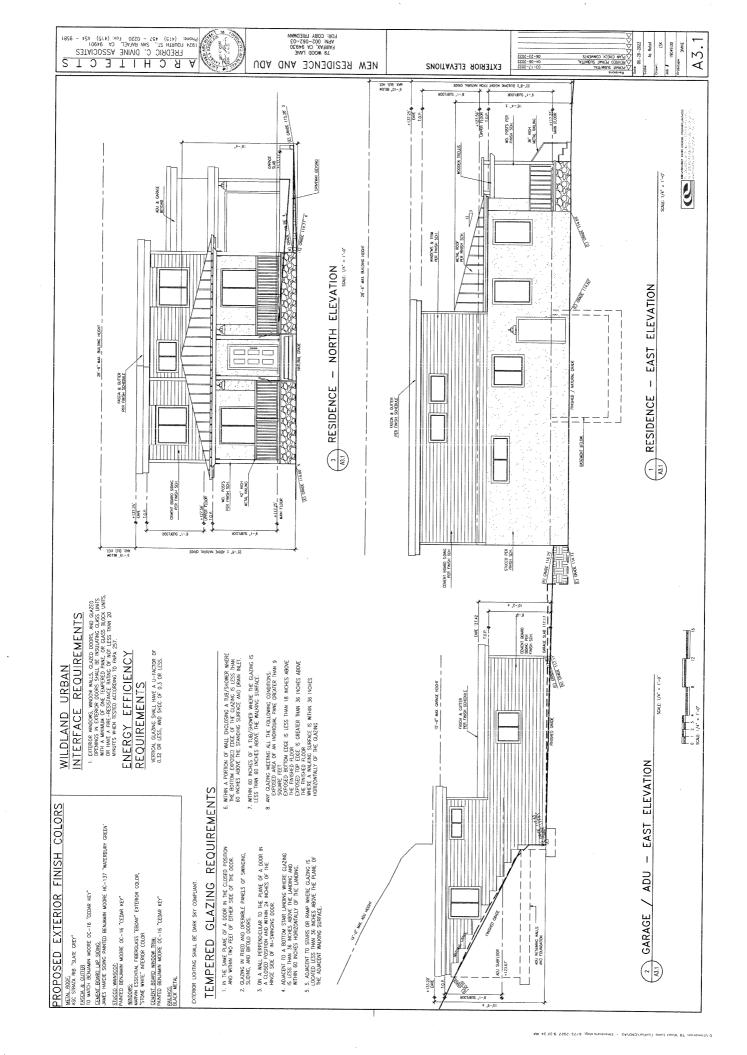
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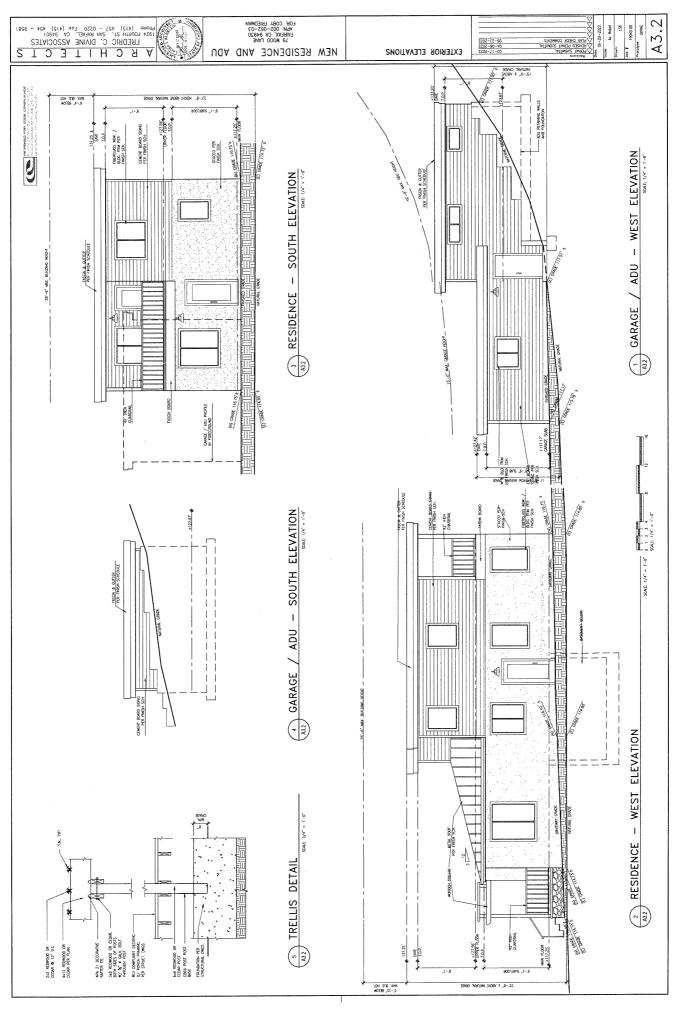


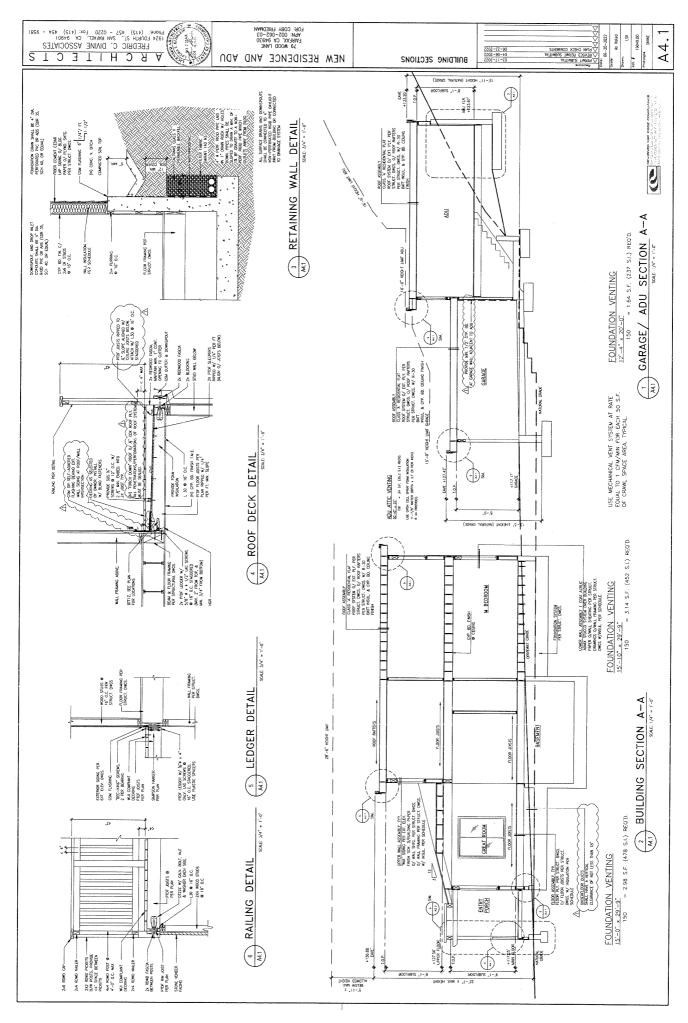


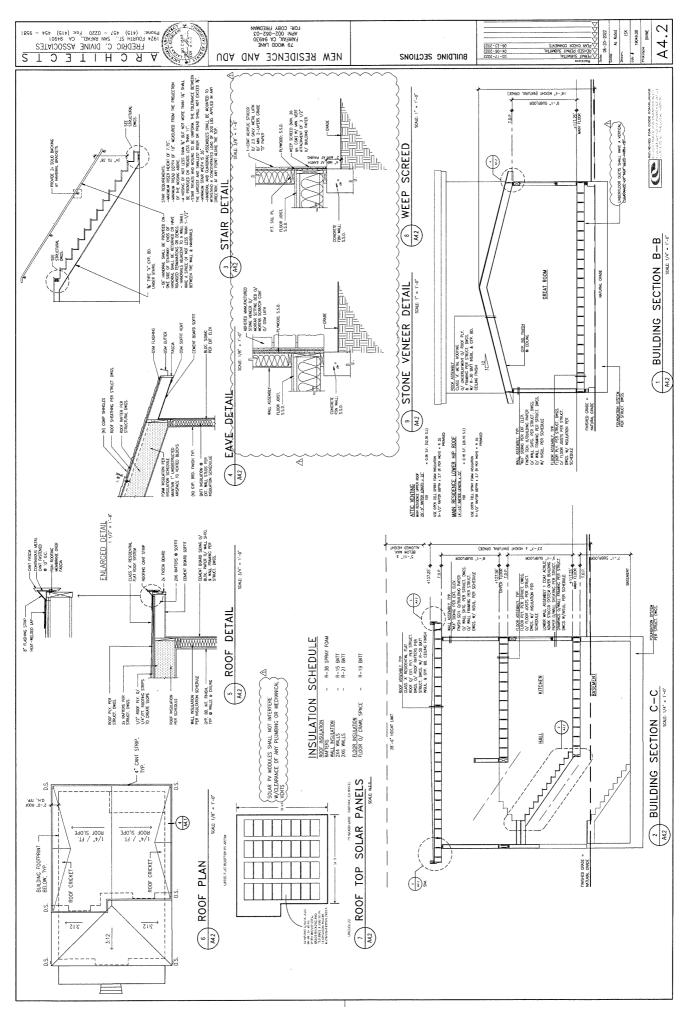




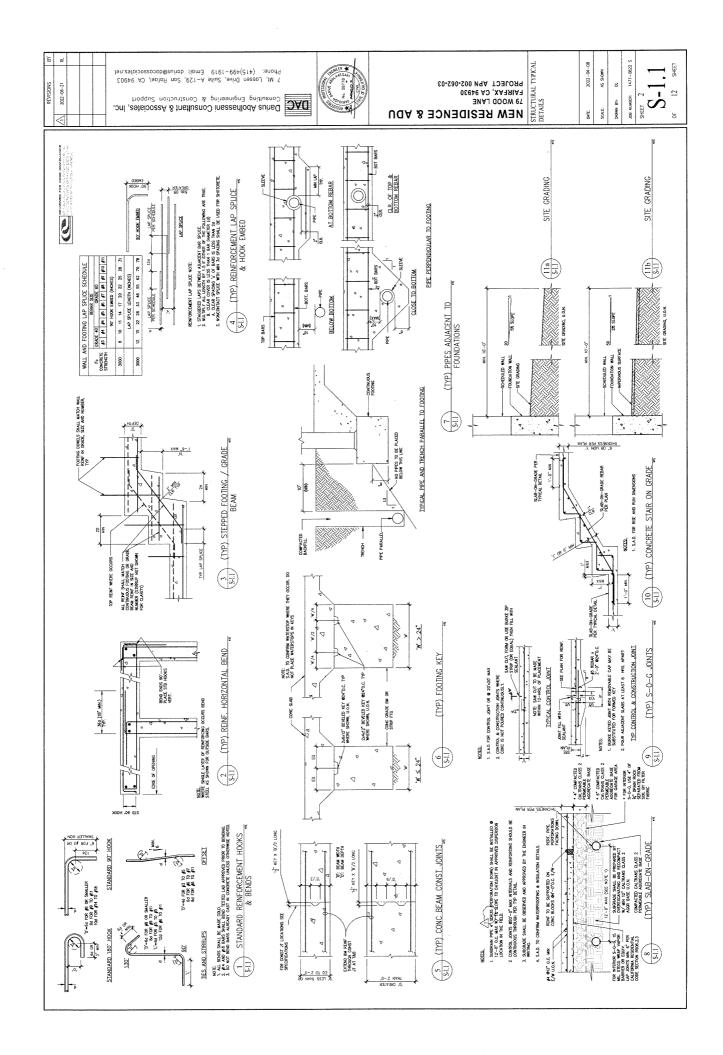


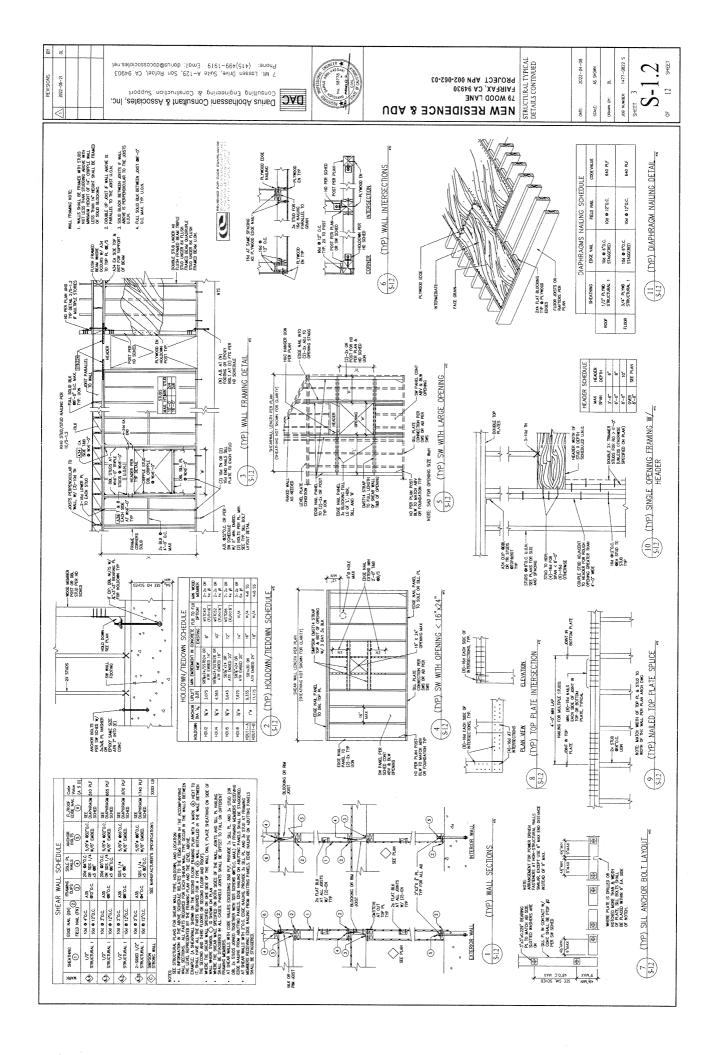


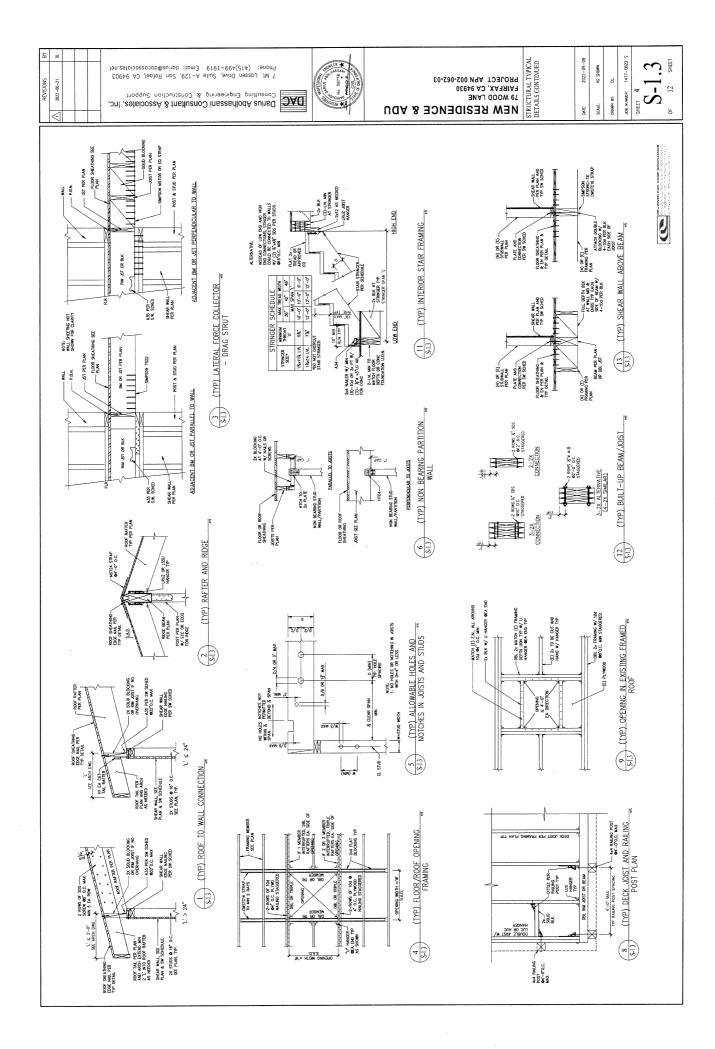


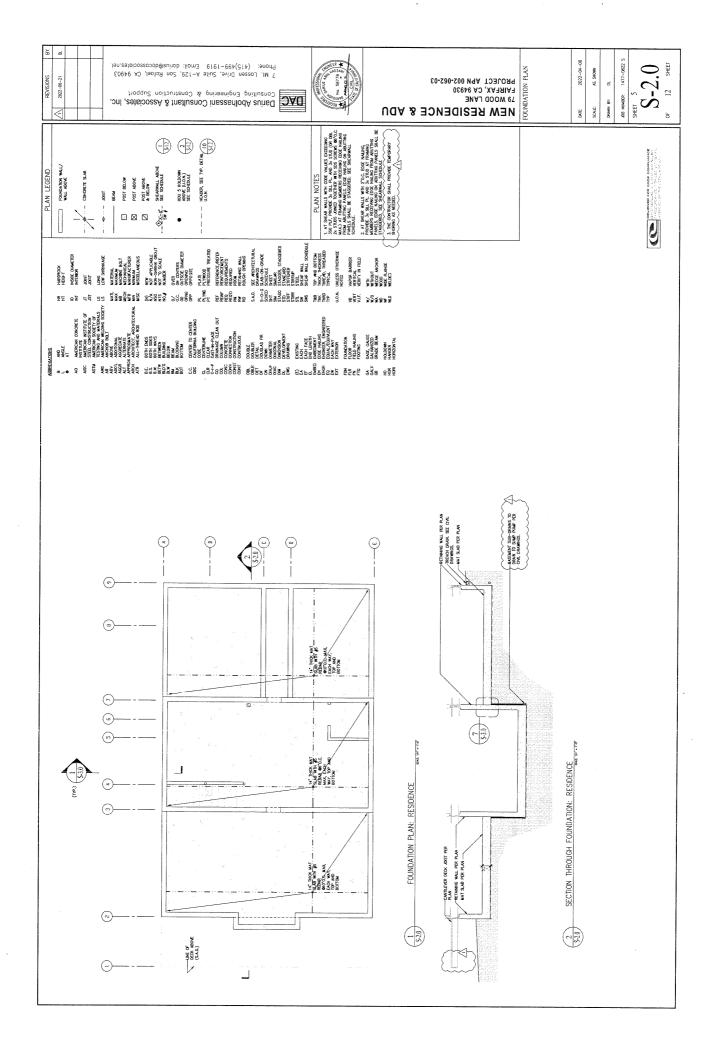


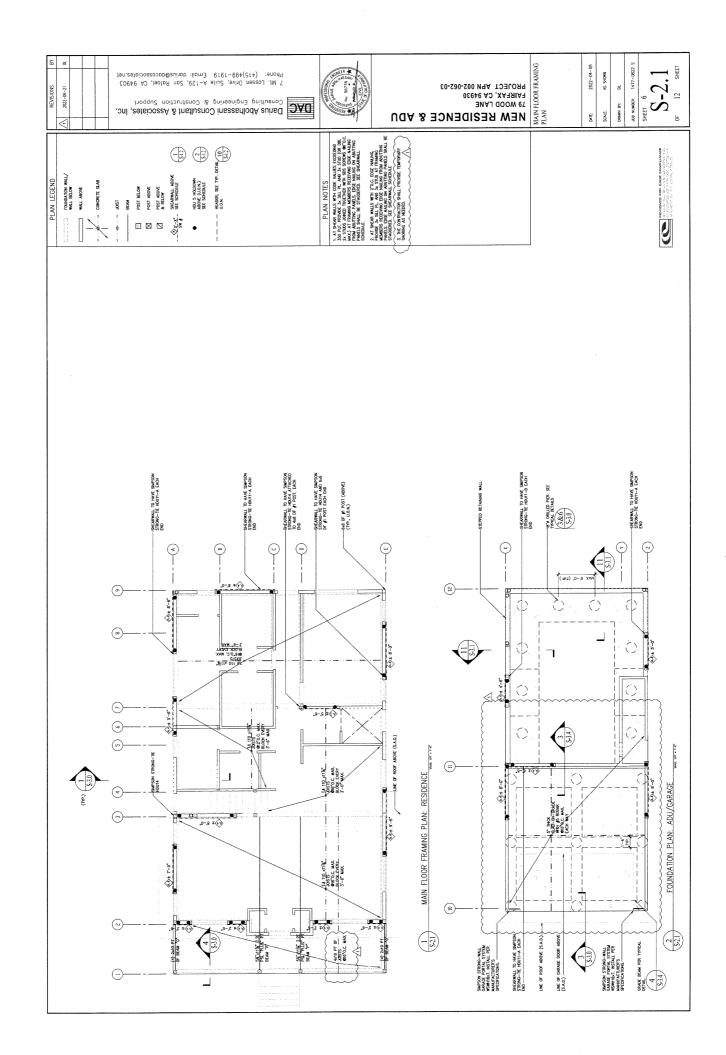
REVISIONS BY	2022-06-21 01.		lnc.	Sociates, Support pel, CA 94	ezA & t noitou otea noé	n sultan tened :	OD ines B gnines	Engine en Drive	solting t. Lasse	Dai Con	DVC	=	# 84.001 pt	#		JQA	8 З		4630	D LANE	ИЕМ 9 WOO В В В В В В В В В В В В В В В В В В В	TURAL	NOTES		OATE: 2022-04-08	SCALE: AS SHOWN Obsum BY: 01.	" .	Sherr -	or 12 sheer
PROJECT DESCRIPTION	NEW RESIDENCE, NEW GARAGE, AND NEW ADU.	PROJECT DIRECTORY	OWNER: COBY FRIEDMAN 79 WOOD LANE FAREAX, CA 94930 COBY GOOD TRACTING COM	ARCHTECT: FREDRIC DIVE ARCHTECTS 1924 4TH STREET SAM RAFAEL, CA 94901		STRUCTURAL/GIVIL DAC ASSOCIATES, INC. ENGINEER: 7 MOUNT LASSEN DRIVE. SUITE A-129 SAN RAFAEL. CA 94903	DARIUS@DACASSOCIATES.NET 415-499-1919			11 . 1		S-2.0 MAIN FLOOR FRAMING PLAN S-2.1 WAIN FLOOR FRAMING PLAN S-2.2 UPPER FLOOR FRAMING PLAN S-2.3 DODGE ERAMING ON AN		l l				or of the second	Algebra (C		PARCEL MAP	61-4						EDNOTHINGS BOOD BOY CONTINUES	
5. NOH-SHRINK GROUT: 7500 PSI COMPRESSAYE STRENGTH, NON METALLIC CONFORMING TO ASTM 1107.	MASTERIOR 928 DE GALLA. MASTERIOR RECOMBLE DE RECORDE SAUL RE SARP PRAMED ON EQUAL DICETE SARFACES TO RECOVER MELLES, SARFA STEINS FILLUT PRESIDENTE COMPORTE DICESSARY REPROGRAM, ALL STEIN, OF STEIN, FASTERISE		A. P. MEDONE DO PROPRED THE LEGISLE STORY OF THE ASSOCIATIONS SHALL BE FRETONED BY CHIRTID MALDRS, BITT MEDS AND TO BE COMPLETE PRETONED BY CHIRTID MALDRS, BITT MEDS SOME MER MANUAL MEDICAL PROSS SOME WELL MANUAL MEDICAL PROSS SOME DISCUSSION OF MEDICAL PROSS SOME DISCUSSION OF MEDICAL PROSPECTION OF THE PROPERTY OF	ANT IS CHARL TOWN HOLD BELL WAS DELY HOW TO SHAPE HE GREATED EACH GROWN HE CONTRIBUTE OF THE CHARLES OF SHAPE HE GREATED FOR SHAPE HE CONTRIBUTE OF SHAPE HE CONTRIBUTE OF SHAPE HE CHARLES SHAPE SHAPE HE		9. SHOW AND BECTHING HOWINGS CONFORMING WITH ALSO SPECE, AND DIS FRONCED BY THE STEEL FABRICATURE, AND REVENUED. APPROVED BY THE DISONERS. 10. STEEL SHEERER CONNECTION TO WOOD FRAUNCH SHALL HAVE WOOD NALLEY WITH	WEDGO ALL ARCHOTO THE STEEL MEMBER, UNLESS OTHERWISE NOTION THAT I AND ADMITMANT THAT IS NOT THE STEEL MEMBER, UNLESS OTHERWISE NOTION THAT IS NOT THA		A THE FOLLOWAY, AMESINE ANCHOR SYSTEMS ARE ACCEPTABLE FOR USE IN SMIPSAY STROKETTE, OILLE, SET—AP (SSR—2508) HILL, INC.; HILL IN HY-200.	3. ADHESNE CRANECTIONS SWALL HAVE SPECIAL INSPECTION PER CBC SECTION 1704 UNLESS OFFICIALS. NOTED.																			
3. FASTRA AL SLL PLATES AT NON-STRUCTURAL WALLS TO NON-PRESTRESSED CONCRETE SLABS WITH 0,177 DAMETER PORREY DRAVEN FASTENERS AT 16" ON	ACTURY, MILE TA MANUAL OWNOLLE BURGHISH, UNISSO DITEMBRE MODED ON THE DOARMACK, FASTER ALL SULF ALTES AT MAN-SPRICTINGLA, MALLS TO THE POWER DIRECTINGLY, DOCUMENTS AS MITH ALL MANUETER POWER DIRECTINGLY DEVENOR FASTERING AT 16" ON CENTES, MITH AY, MINIMAN AND I MAXIMUM DONOGET DIRECTION, UNISSO OTHERS MICH AY, MINIMAN AND I MAXIMUM DONOGET DIRECTION, UNISSO OTHERS MICH AY, MINIMAN AND I MAXIMUM DONOGET DIRECTION, UNISSO OTHERS OTHER OF THE PROPERTY.				-WAYAN GALAMALLI MALS, BOLIS, AND HARIMARE WHERE EPONSED TO AND FOR WHEN IN COMPACT WITH PRESSURE TREATED WOOD. 15175 WITH GROWN UP. ADD ONE ADDITIONAL JOIST UNDER ALL PARALLEL ES.			RETREATE PRODUCTS SHOUL MATCH THE SECRED FOR UNTERIND LIMBER OF WOOD PRODUCTS (LE PRESSING-TREATE) HILESS OFFERENCE FOR PRESSING-TREATED DOUGLAS-FR), UNLESS OFFERENCE IN THE DRAWNICS.		MICRO-LAM (LIK.), PARALAM (PS.) ARE MADE BY WEIGHBAUSER, THE TUREN'S CUDELLINES AND RECOMMENDATIONS SHALL BE FOLLOWED IN AND INSTALLATION OF ALL PRODUCTS.	15. TIMBER RIVETS. SYALL BE INSTALLED WITH LOWG EDGE PARALLEL TO GRAM. TIMBER RIVETS OF THE GNOUP SYALL BE GNYEN FRIST. SLUCKSSM, TIMBER RIVETS SHALL BE DONDEN IN A SPRALL PATTERN FROM THE CUTSOK, TO THE CARREN OF THE GNOUP.	IS SMASON STRONG WALL SEEAR WALL MIST BE INSTALLED IN ACCORDANCE WITH THE AMANIFACTURES INSTALCTIONS MANUFACTURES OLDELINES AND RECOMMENTANS SHALL EF FOLLOWED AT ALL TIMES DARNE THANDLING AND INSTALLTING OF ALL PRODUCTS.	EBANING LUMBER 1. ALL FRANKE LUMBER SHAL BE DOUGLS PR GRADD PER WOLE GRADING RUES	NO. 16 LONGEN MAT BE SURFACE OREN'T EXCEPT AS NOTED RELOW. 2. ALL POSTS, BEAMS, HEADERS SMALL BE #1 OR BETTER. 3. ALL ROSE ADSTS SMALL BE #1 OR PETTER.	4. ALL FLORE JOSTS SHALL BE AN BETTER, SLIFFACE DRY. 5. ALL STUDS SHALL BE STUD GRADE OR BETTER.	6. ALL PLATES AND MISCILLANTONS LUMBER SHALL RE STANDARD GRADE OR BETTER. 7. ALL WOOD AND WOOD PRODUCTS IN CONTACT WITH CHAGRETE OR MASSARPY OR PROSPER TO MATCHER SHALL REPRESSARE SAME GRADE FOR PRESSARE TREATED SPECIAL WATCH THAT SPECIFIED FOR UNIFFACITIES.	SMLPALLIMERS OR WOOD RODOLCTS (LA PRESSING-TREATED HEN-TR MAY NOT ROSE SUBSTITUTED FOR PRESSING-TREATED DOUGLAS-FR), UNLESS OFFERWEY WORLD ON THE DRAWNICS.	BLYNKOOD. 1. EACH PLYNKOOD SHEET OR WOOD STRUCTURAL PAREL SHALL BE IDBURFED WITH THE PROPROMENT, ON THE MANCHON PLYNKOOD ASSOCIATION AND SHALL MEET THE BEOUBSMARKS OF THE LATEST EDITION OF THE		THE	R,YMOOD SHETS ON WILLS SHALL RE LAID WITH LONG DIADDISON VERITOR. ALL PARES IN SHARE REVAL OR GREATER THAN 16" IN BOTH DIRECTIONS, BLOXX AND NAL, ALL EDGES, GLUE ADHESINE SHALL NOT BE APPLIED BETWENS STUGS AND WALL PLYMOOD.	4. ROOF RYMOOD SHALL BE MINIMAL X; XX, EDYSARE 1, RRONDE PLYQUPS BETWEN RAYTERS WHERE DIGGS. ARE NOT BLOCKED. ULAN. 6. ROOR PLYMOOD SHALL BE MINIMAL X; XX, EDROREF 1 ILIN.	6. WALL PLYNOOD STALL BE MINIMUM \$7. 9%, EXPOSARE 1, U.G.N. STRACHERAL STREL AND MISCILANEOUS RICH.	1. ALL WARS SHALE FERFORGED IN ACCORDANCE WITH THE LINEST EDITION OF ASSESS SPECIFICATION FOR STREAMAGE STEEL BILLDINGS AND REDUCES TO PRODUCE PERDINATIONS. AND BRIDGES (AS REVISED BY THE PRODUCE PERDINATIONS).	STEEL SHARES AND MUSICLIMPOOLS STEEL SHALL CONFORM TO THE FOLLOWING. A. WICE FLANDES (M) — ASTNOWN (HSS) B. HOLLOW STRUCTURALL SCYTOMS (HSS)	"SOUNCE OR RECUMBLIAN — ASTIN ASDO OR B (Ty = 46 kg) "ROUND — ASTIN ASDO OR B (Ty = 42 kg) C. PLATES AND BACS — AS. "EXCEPT FOR MADERIT FROM CONFINETION (E. COMMINSTY, DOUBLER, GRAFF) FRY MAIN THAIL DE ARTH, ASTY OR AS	D. PRE TASK MASS OF A STATE OF ASSET AND A STATE AND A	SATING STEPANDLAR REQUESTED WITH SATING STREAM TO SATING STREAM TO SATING STREAM THE TRANSPORTED SALL BE ATTENDED BY THEN-GF-HE-NAT OR OTHER METHOD APPROVED BY HE STRUCTURAL BROAKER.	ANCHOR ROLL. ASTUR F1564. OR 25. W/ASTU ASSU HEAVY HCY NUTS: WEDNEEL, ASTUR F1564. OR 35. ST W/ASTUR ASSU HEAVY HEX NUTS: HON STRENGTH, ASTUR F1564. OR 115. W/ASTUR ASSU OR DEH HEAVY HEX NUTS:
NOTE: STRUCTURAL DESIGN OF CONTINUOUS FOOTING AND SARE-ON-GRODE STRUCTURE OF CONTINUOUS FOOTING AND SARE-ON-GRODE STRUCTURE OF CONTINUOUS FOOTING AND SARE-ON-CROWN THE SPECIFIED STRUCTURE OF CONTINUOUS FOOTING AND SARE-ON-CROWN THE SPECIFIED STRUCTURE OF CONTINUOUS FOOTING AND SARE-ON-CROWN THE SPECIFIED STRUCTURE OF CONTINUOUS FOOTING AND SARE-ON-CROWN THE SARE-ON-CROW	CONCRETE SPECIAL INSPECTION FOR CONTINUOUS FOOTHER AND CONTINUOUS FOOTHER AND SAGE-OF-GROUPE IN A CONTINUOUS FOOTHER AND SAGE-OFF-CONTINUOUS FOOTHER AND SAGE-OFF-CONTINUOUS CHECKTICAN BETWEEN SECRETERANTAL AND PROFUNDING POPULATION CONTINUOUS CHECKTICAN BETWEEN	PREMEMBONNELL AND PREMEMBROOKS CONSTRUCTION JOHN'S CONCRETE SHALL BE CONTINUOUSLY CURED FOR 7 DAYS AFTER PLACEURAT IN AITY APPROVED MANNER, FOOTINGS ARE EXCEPTED FROM THIS RECURED, RAINES.	7. CONFIGURE OR ALL SHEET TO THE DEMOGRAPHE FOR RESERVING PROPAUL AND STATEMENT OF THE WORKEN SHEET OWNERS OF THE CHARLES AND STATEMENT OF THE SHEET OF ALL BY SHEET OF SHEET SHEET OF			CHAMFER ALL CORNERS X', EXCEPT TOP EDGES OF SLAGS AND BEAMS, UNLESS OFFERMER VOTED. ALL CONCRETE SHALL BE PLACED ON COMPETENT SUBGRADE, AS DETERMINED BY THE DIGHERS AT THE THE, OF CONSTRUCTION.	CONCRETE FLOOR SLAB—ON-ORADE SHALL HAVE A MINIMUM T-HOONESS OF 4* UNILESS OTHERWER NOTED. ALL SLAB—ON-CRADE SHALL HAVE CONTROL JOHTS (MEADED PLANE JOHT) FER	THOUSE, DE MA. TO OPENTE APPROXIMATELY 20-FOOT SCUARES, UNLESS OTHERWISE NOTED ON PLANS. WEGGENESSTEEL.	ALL REMINISTRICTURE BANS SAULT CONFORTE REPRESENTATIONS FOR DEFORMED BLIEF-STEEL CONFORTE REMPORCEMENT, ASTA AGIS GANGE 60 KSI EXCEPT FOR GRADE, 40 KSI FOR 1,5 STRIBALP/TIE, UNLESS OTHERMS. NOTED. LIP SLICE ALL BANS A MINIMAL OF SR RAR 114 NUM (BUT FOR INTERMENT.)	NOTED) LAP HORZ REBAR IT CORNERS AND INTERSECTIONS IN FOOTINGS AND WALLS WITH CORNER BARS OR DIHER METHODS SPECIFICALLY APPROVED BY THE STRUCTURAL ENGNEER.	WIFE MESH SYALL CONFRIM WITH ASTIM A185—54. UNICESS OTHERWISE NOTED, MAINTAIN CONFERICE TO FACE OF PEINFORCING BARS AS FOLLOWS:	COCATION WINNIAM CEAR COKEN EXPOSED TO EARTH OR WEATHER: EXPOSED TO EARTH OR WEATHER: EXTENDER SURFACES FOR REAMS & COLLAIN 15, (1)\$ FOR \$6 \$8 \$4 \$8 \$4 \$1 \$1 \$1 \$1 \$1 \$1 \$1 \$1 \$1 \$1 \$1 \$1 \$1	SUBDATIONS AND RETAINING WALLS. THE FOUNDATION ON RECOMMENDATIONS OF R	PONTE: PREDATE DE HESTOR GORGANICAL CONSULTAGE ROMERS, DATED IN-15-2021. A COPY OF THE REPORT SALLE E GRANACE FROM THE SOL BIOMERS OFFICE. THE CROSSINGCTION DOCUMENTS, AND THE COMPANDATION ARE TO BE FOLLOWED DURING CONSTRUCTION.	DESIGN GRITERA, a. ASSUMED DEPTH TO COMPETENT SUBGROUP. — 44.5 FRET A. MAUMARE BEANN PRESSINE (R.H.L.) — 1000 PSF FOR MAT 3.AB c. COSTINGENT OF PRESSING. 8.0.3.	4. ALLOWADER FLASSOR PRESSER, FOR MAIT SLAB = 150 POT 6. ALLOWADER FLASSOR PRESSER FOR RETAMENG WILLS = 60 POT FOR LINEL BADGRILL MIT BLOCK-DRAWING PRESSER FOR RETAMENG WILLS = 60 POT FOR LINEL BADGRILL MIT BLOCK-DRAWING PRESSER FOR VEROLING SERCHARGE)	VLP SCHWIN, AND RETAINING WALL WORK SHALL COMPLY WITH 2019 CBC CHAPTER 18.	WATERPROOF MEMBRANE SHALL BE TONIL UNTITHCK: 2" UNI OVERLAP & SECURED W/TAPE AT ALL EDGES PER MANUFACTURES RECOMMENDATION. CONTRACTOR SHALL USE APPROVED DEVICES AND/OR SERVICES TO SCAM FOR		EXTENSE FOUNDES. TO BE A MINNIUM OF 16" BEIOW FINISED GRADE (UNLESS OFFICEWARE NOTED) BEACHES ON MATINE LHOSTINGBED COMPETERS SOL, ON ADDRESSED COMPETERS SOL, ON ADDRESSED COMPETERS FOUNDES. ADDRESSED WITHOUTH BEST RELATINE COMPACTION (ASTM 01557), ADDRESSARIE IN MATING.		IPHENT, DRE AND DUCK SUPPORT. THE CONTRACTOR IS RESPONSIBLE FOR THE VERTICAL AND LATERAL SUPPORT OF	HAVE AND CHER GURPHAT, SUP DRANKS SALLIE ES IBBITTED FOR THE SUPPORT OF ALL HAVE EQUIPMENT ONEN 40P POWDGS, STAMED, AND SOURCE BY A CALIFORNIAL LICENSED ON. OR STRUCTURAL, ENGARGE, EQUIPMENT AND MACHANEL SALLIE EDSIGNED TO RESIDE LITENAL STEAMS CONTROLLED CONTROLLED. STAME DESIGN FORDS ON ALL LITENAL STAME DESIGN FORDS.	EQUIPMENT SHALL BE INCREASED BY A FACTOR OF 1,50. CORDUTS, PIPES AND DUCTS SHALL BE BRACED TO RESIST SETSUC HAZARD B PER THE CURRENT EDITION OF "SAKON SEISME RESTRANT MARKINE GALGELINES		UNIESS OTHERWISE SHOWN ON THE DRAWNOS, HALLING SHALL CANFORM TO THE 2019 CBC, TABLE 2304.8.1 UNIESS OTHERWISE NOTED ON THESE DRAWINGS, ALL NAILS SHALL BE COMMON NAILS (AS OPPOSED TO BOX, SINGER OR COCCES NAILS).	SULS ON CONDETTE SHALL BE PRESSURE TREATED COUGLAS FIR. SULS SHALL BE FASTEDD TO THE CONDETTE WHICH A MINIMUM OF TIME ATSTERRER PRESENCE OF THE THAN A TEST AND A FASTEDBER LOCALTED NOT MORE THAN 4 TEST AND NOT TEST MAY IS NOWED STORY THAN 12 INVESTED ON STEAD MAY IS NOW IN TEST MAY IS NOWED STORY THAN 5 THOUSES FROM FALCH FOR DEPOYING THE MINIMUM OF SHALL SHOW AND THE STORY AND STORY THE MINIMUM OF SHALL SHOW AND THE STORY AND SHOW AND THE STORY AND SHALL SHOW AND THE STORY AND		
STRUCTURAL MOTES	E NOTES APPLY TO JUL DRAWNICS AND GOVERN UNLESS OTHERWISE NOTED PROTOED ALL MORE SOUL BE IN CONFORMANCE WITH ALL APPLICABLE DODGES ALL APPLICABLE DODGES AND OPENIANCES.		CAUTIERA, AUGURE COSE (CPC) CAUTIERA, RECENTAL COSE (CAC) CAUTIERA, GESTI RALINE STANDARDS COSE CAUTIERA, GESTI RALINE STANDARDS COSE CAUTIERA, RESENT COSE (SAC)	2. MEP VL DESTRO-COUNTING AND PROCESSOR DIAMENS AT THE SELECT E. STITL. COMPRES STREAMED, DRAWINGS WITH AGRESTICINGLA, BECAMEROL, MAY ELECTROLAD LOAWING STREAMED WARK, AND TEXTRECT OF ANY DESCRIPTION, PROSECUE COMMENTOR WARK, MATER AGRESTICE OF ANY DISCREMENTS HERE OF LO COMMENSIONS ANY WINSE, DO NOT POSSEED WITH A MER RESOUND, DO NOT SOLIC DRAWINGS.	UNESS OTHERWES SHOWN OR NOTED ALL TYPIOLA DETAILS SHALL BE USED WHERE APPLICABLE ALL OSTAILS SHALL BE CONSIDERED TPRICAL AT SMILAR CONGINENS.	4. THE COMPLICITION AND SECTION, INSECTIONS OF INTERPRETATION OF THESE SHORMER FED-MINISTER, AND DESIGNERS OF INTERPRETATION OF THESE SECTIONAL MODISMINISTER. 5. SMETH MEASURES, AT ALL INJECT THE CONTRACTOR SHALL WORK IN COMPLIANCE.	COMPLETE TO STATE THE CONTINUES AND SALE ES STATE TO STATE THE CONTINUES AND SALE ES STATE TO THE CONTINUES OF THE LOSS THE MICHIGAN STATE AND FOR ALL NECESSARY INCEPTIONS OF THE CONTINUES OF T	MANURAN TO THE RECESSOR TO ACCUMENT SPRING THE WINDOWS SHALL BE RESTAUR AND ACCUMENT SPRING THE WANNARD SHALL BE NEVER RECESSOR TO ACCUMENT SPRING THE WANNARD SHALL BE NEVER THE MENTAND LOUGH. THE PROPERTY OF THE MITORYTO LOUGH. THE ENGREES OF SITE AT THE MITORYTO THE MENTAND SHALL BE NEVERTED SHOWN THE SERVICE OF THE THEMPORAN SHARM MATCH THE MITORYTO THE MENTAND SHALL BE NEVERTED SHOWN THE MENTAND SHALL BE NEVERTED SHALL BE NEVER SH	THE OFFICE OF THE STATE OF THE		SECOND MASS CONTRACTION, COSSINGUIDAS (1) 1. TISTA MASS SCOLL WESTCHOOL SYLLL RE PROVIDED FOR REQUIREDENTS OF THE 4 2019 CALFORN BUILDING COLE CHAPTER 1).	2. THE FOLLOWING ITBMS SHALL BE INSPECTED AND/OR TESTED BY DAG ASSOCIATES INC. OR A TESTED LEW IN ADDISONANCE WITH CARREST PER VEHICLE 2019 CALFORNIA BALLONG COOC. THE CONTINCTOR SHALL NOTIFY THE ORDER TORS AND ADDISONANCE SHALL	SAMPLING & TESTING FOR STRENGTH SAMPLING & TESTING FOR STRENGTH (EXCEPT FOR CONTINUOUS FOOTBACH 3. THE PRILOMNO TESTS SAMIL BE MSPECTED BY THE ENGWERS OF RECORD FOLCE 1. THE PRILOMNO TESTS SAMIL BE MSPECTED BY THE ENGWERS OF RECORD FOLCE 1. THE PRILOMNO TESTS SAMIL BE MSPECTED BY THE ENGWERS OF RECORD FOLCE 1. THE PRILOMNO TESTS SAMIL BE MSPECTED BY THE ENGWERS OF RECORD FOLCE 1. THE PRILOMNO TESTS SAMIL BY THE PRINCE SAMIL BY THE PRILOMNO TESTS SAMIL BY THE PRINCE SAMIL BY THE PRINCE SAMIL BY THE	ASSOCIES, MP.). THE COMPACTOR SMALL NOTIFY THE ENGNER AT LEAST 72 HOURS PROBE TO THE OF HERPETING. a. FORMALTINAL PARKERTS, AND EACH CARGE SERBEADES. b. FOLCEMENT OF REMEMBERS AND LOST-IM-PAUCK ANCHORAGES. c. PAUCEMENT OF REMEMBERS.	C. FILLOWAN DAYONG BOLTS d. STEEL WELDING e. SHEAWALLS, DAMPRACIAS, ROUGH FRAMING AND FRAMING MARDWARE 1. SOL. CHORESTE TO GRESSYE. AND APPROVE IN WRITING PLACEMENT OF GROTEFANDLA DAWANGE.	9.50. Engleich 10 06520/K and APPROVE IN WRITING BACKTLL DEBLATIONS 4. FOUNDATING BLOCKNITHING MAIN SOLB—OHOUSE CREATING DESERVED AND APPROVED IN WRITING IPT THE SOLL ENINEERS (HESTOR GEOTECHNICAL THE CANTIBLETING SALL ANTIPLY THE SOLL ENINEERS (HESTOR GEOTECHNICAL THE CANTIBLETING SALL ANTIPLY THE SOLL ENINEERS AT LICKY TO LANGE SECOND	ECONATION/OPELLING IS SCHEDALED TO RECIN. 5. THE CONTINUENTOR IS REPONSIBLE FOR CONCINNATION IS PRESENTED BY A USE SCHOOL OF THE INSPECTION IS PRESENTED BY A USE SCHOOL OF THE INSPECTION IS PRESENTED BY A USE SCHOOL OF THE INSPECTION IS PRESENTED BY A USE TO THE PECULIAR IN SPECIAL IN STREET IN THE PECULIAR IN SPECIAL IN SPECIAL IN THE PECULIAR	STISSACTION OF THE INSPECTOR. CESTAL BASIS AND CRITERIA.	HE 2019 CBC AND AL DL (PSF) 23	1. DESIGNATIONS 20 40 C. DECARRACIONT 15 60 d. GARAGE/PAGRANG 63 40 (OR 3000 LB CDACENTRATED) 3. DESIGN LATERAL LOAD	e. WHU: 110 WPH BASIC WIND SPEED, DEPOSING C 1. SEGANC, RISK CATEGORY II, SEGANG CATEGORY 0, 5a = 145 q = 165 kg, Segand CATEGORY 0, Segand SPEES, Hell C, ea. Seg./(R)1, BASIC SPERV, v = CSW.	JPON ARCHITECTURAL X, CA* PREPARED BY			2. MRIPATCHENI KATON SMLL, MOT OKCED 044, AD SQUARE OF OHORDE-TREE DAMPINGS: NO PLASTICIZES TOR WOON-BUILT MAY BE USED IF APPROVED BY OWNERS THE RECOGNING WE HAVE THE THE TO SECURATE STATES AND SMLL BY INTEREST THE CONTROL OF THE VIEW OF THE THE TO DESCRIPTION AND THE		4. CONTRETE SHALL BE AS FOLLOWS (UNLESS OTHERWISE NOTED); LOCATION 28 DAYS STRENGTH SLUMP AGGREDATE (ASTAL CL3)	Sub of GRADE 3000 PS 4" HR-LS, I"MAX FORMAS, 3000 PS 4" HR, I"MAX GRADE BEAM,	CHARLES PERS 3000 PS 6" HR. X' MAX

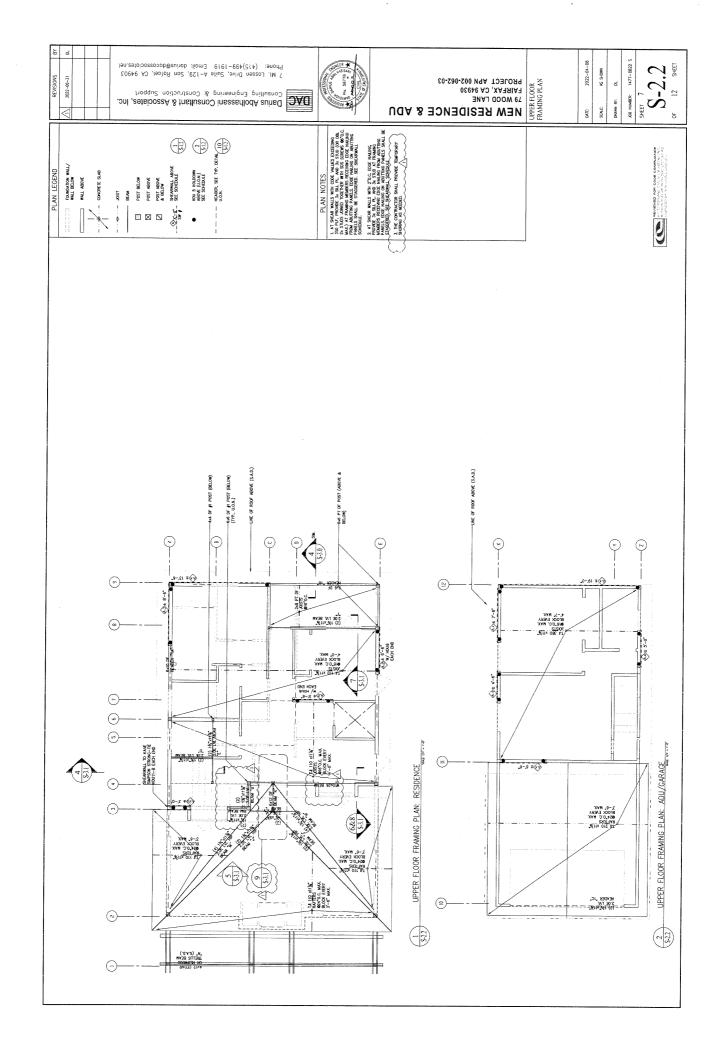


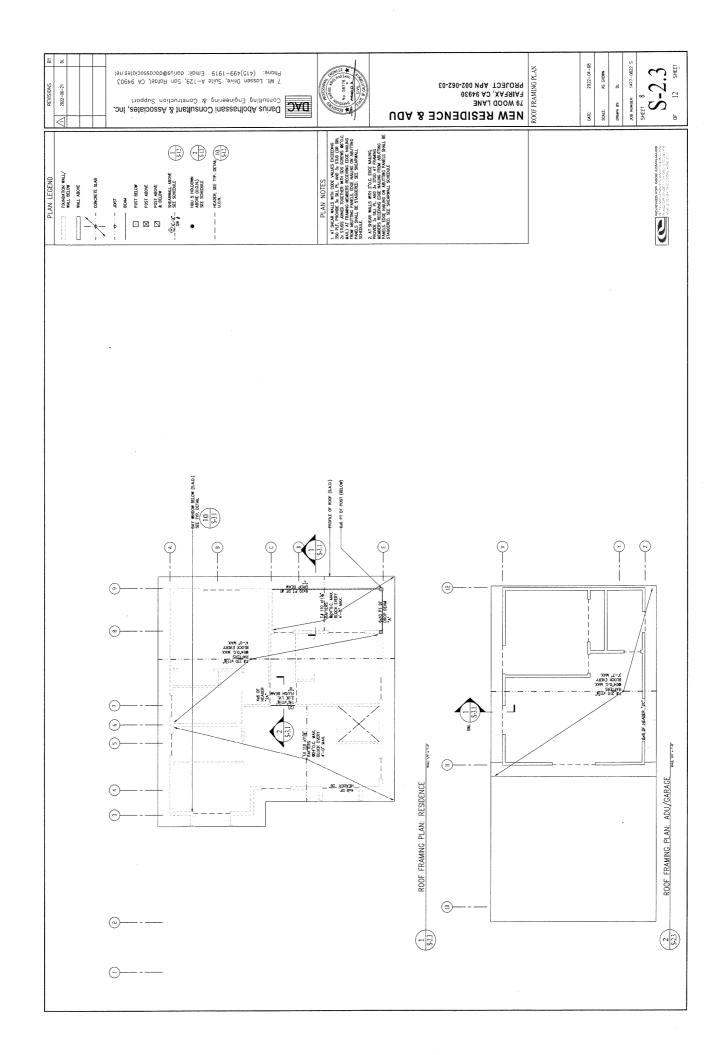


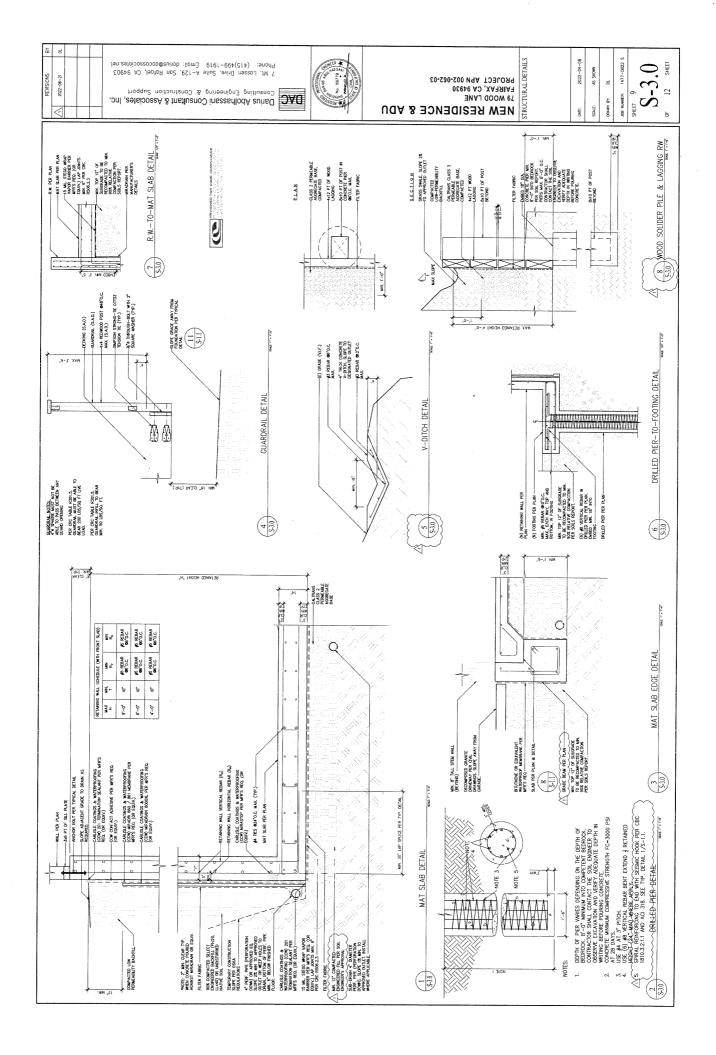


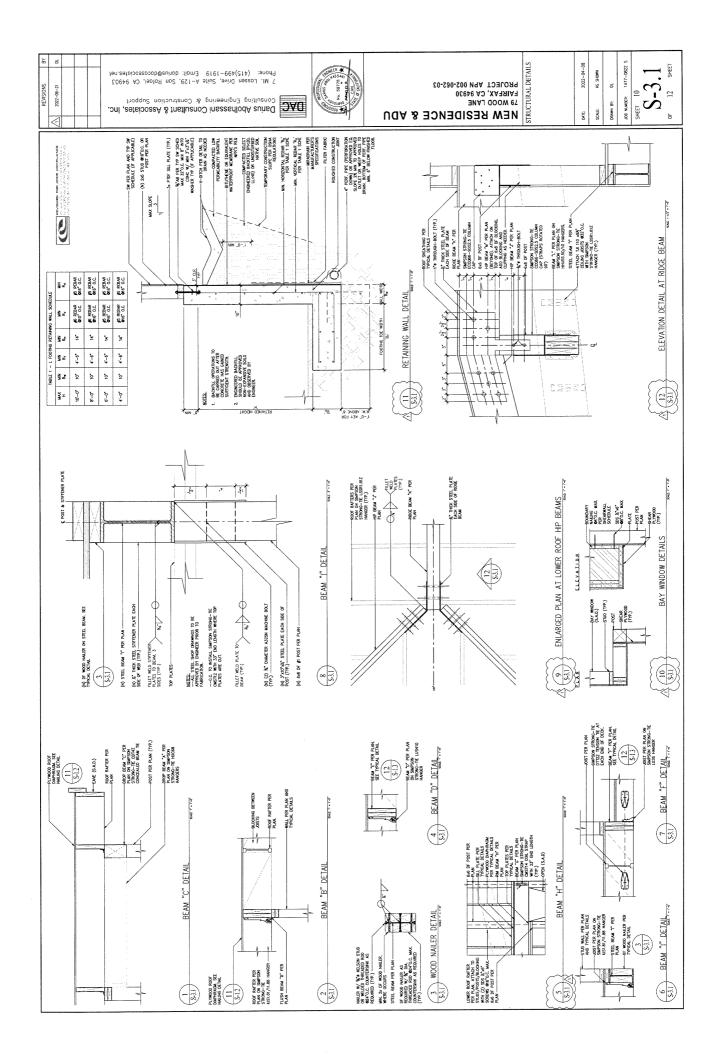


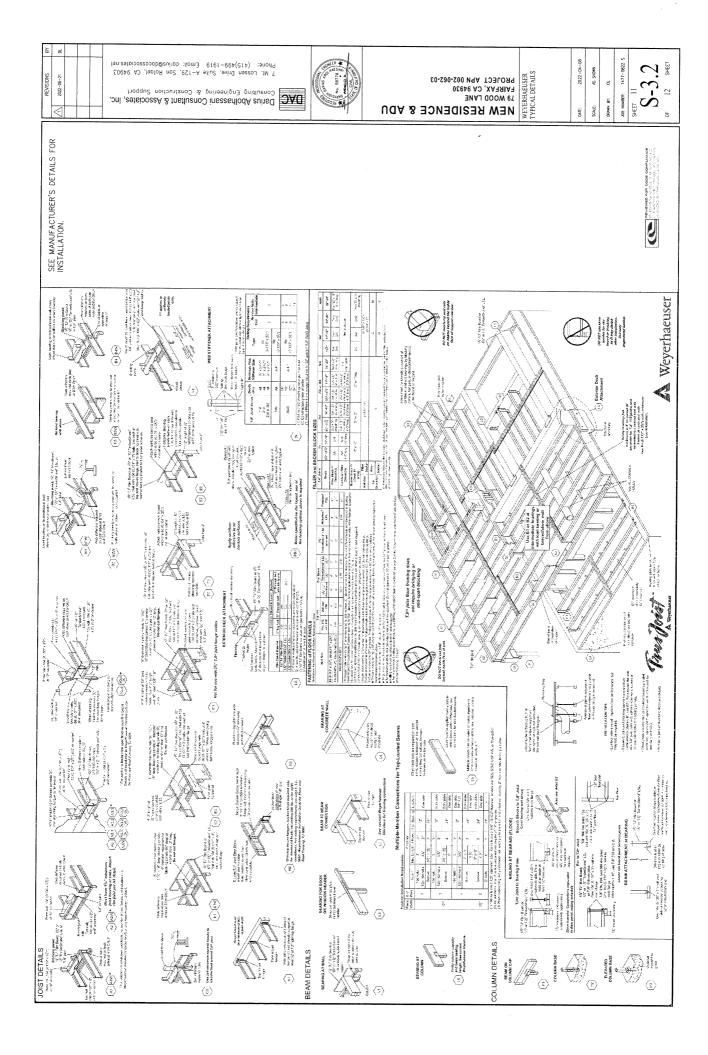


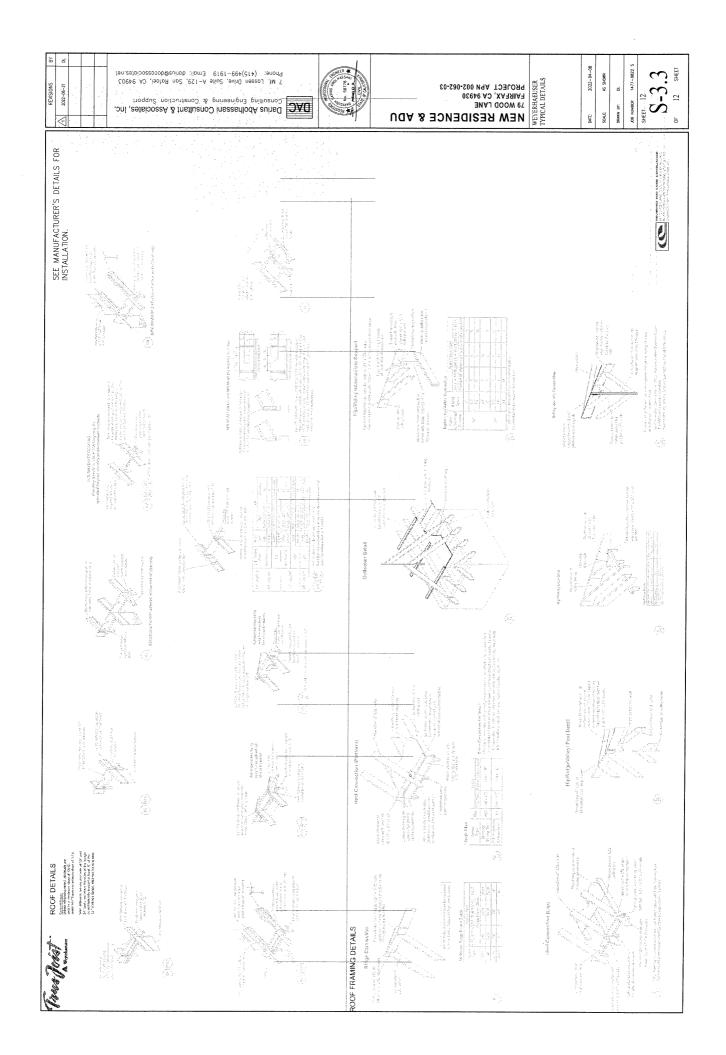


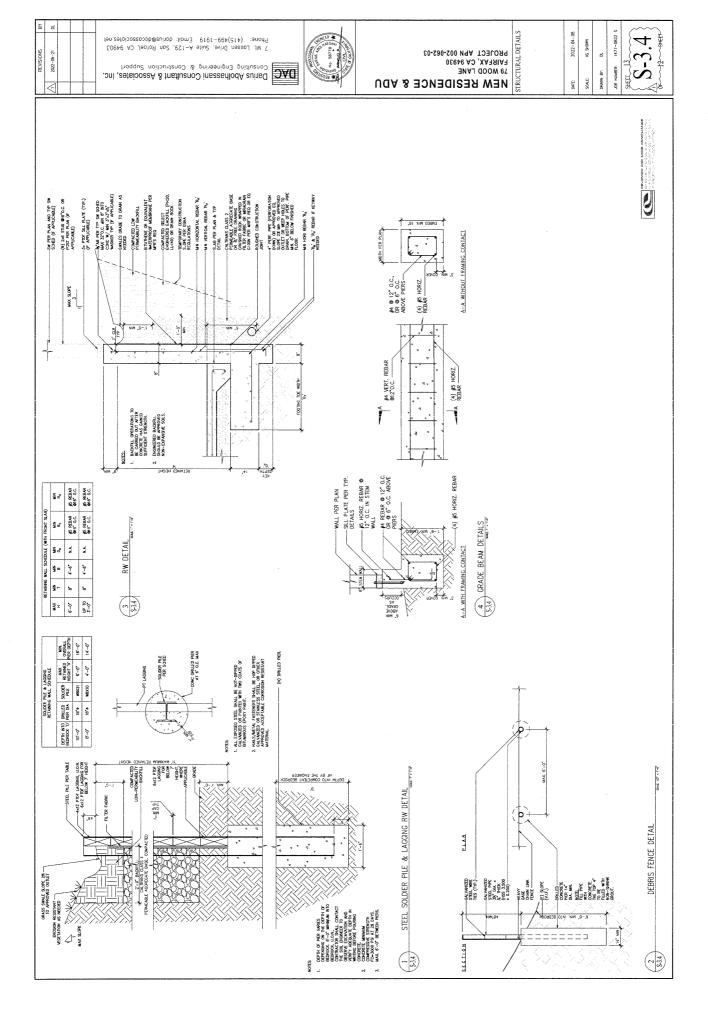












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TITLE 24 COMPLIANCE

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- STE GRADING OR ORAINAGE SYSTEM WILL MANAGE ALL SURFACE WATER FLOWS TO KEEP WARE FROM ENTERING BUILDINGS (SWALES, WATER COLLECTION, FRENCH DRAINS, ETC.). CWG 28-1108.3.
- BUILDING MEETS OR EXCEEDS THE REQUIREMENTS OF THE CA BUILDING ENERGY EFFICIENCY STANDARDS. SEE SHEETS T24-1 AND T24-2 FOR DOCUMENTS.
- NOOSE WATER USE VERBY WATER CONSTRANG DIVIDES ARE USED (WATER CLOSETS SPALL USE NO WORE THAN 1.25 MET INCIDENT SWAY ON COREST IN A gam @ 60) poir LUMORRES WAY TOO EXCEED 1.5 gam @ 60) poir LUMORRES WAY TOO EXCEED 1.5 gam @ 80 poir. AND NO LESS THAN USE gam @ 70 poir. SMANGHES WAY MOT EXCEED 1.8 gam @ 80 poir. OPC §403, §438. COC
- PLUMBING FIXTURES AND FITTINGS REQUIRED IN CCC §4.303.1 SHALL BE INSTALLED IN ACCORDANCE WITH THE CA. PLUMBING CODE, AND SHALL MEET THE APPLICABLE REFERENCED STANDARDS.
- ANNUJAS SPACES AROUND PPES, ELECTRICAL CABLES, CONQUITS, OR OTHER OFENINCES IN OLDS ALS SELECTED MEANS THE PROSECTED ACANOST THE PASSAGE OF FOODENTS BY CLOSING SUCH OPENINCES WITH CEMENT MORTHAR, CONCRETE MASONRY OR SMILLAR METHOD ACCEPTUBLE, TO THE ENFORCING ACENCY.
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 - ADHESIVES, SEALANTS AND CAULKS SHALL BE COMPLIANT WITH VOC AND OTHER TOXIC COMPOUND LIMITS. õ
- 12. AEROSOL PAINTS AND OTHER COATINGS SHALL BE COMPLIANT WITH PRODUCT WEIGHTED MIR LIMITS FOR ROC AND OTHER TOXIC COMPOUNDS. PAINTS, STAINS AND COATINGS, SHALL BE COMPLIANT WITH VOC LIMITS.
- DOCUMENTATION SHALL BE PROVIDED TO VERIFY THAT COMPLIANT VOC LIMIT FINISH MATERIALS. HAVE BEEN USED.
 - 14. CARPET AND CARPET SYSTEMS SHALL BE COMPLIANT WITH VOC LIMITS.
- BOX OF FLOOR AREA RECENANG RESULENT FLOORING SHALL COAPLY WITH THE VOC EMISSION INCOSTRUCTURES TO STRAIGHEN FOR COS 45-50-44. COAPLY WITH VCC EMISSION LANTS TER 2: 100X OF RESULENT FLOORING FLOOR AREA SHALL COAPLY WITH VCC EMISSION LANTS TER 2: 100X OF RESULENT FLOORING FLOOR AREA SHALL COAPLY WITH VCC EMISSION LANTS
 - 16. PARTICLEBOARD, MEDIUM DENSITY FIBERBOARD (MDF) AND HARDWOOD PLYWCOD USED IN INTERIOR FINISH SYSTEMS SHALL COMPLY WITH LOW FORMALDEHYDE. BAISSION STANDARDS.
- 17. CONCRETE SUB ON GRADE FOUNDATIONS SHALL BE PROVIDED WITH A NAVOR RETARDANT AND CAPILLARY RESERVED COST, A MOSTING-CONCRITY OF WOOD SHALL MICE DECEDING THE BEDGE IT IS PROJCISED IN CONSTRUCTION. HE AUGSTING-CONTROT MEETS TO BE CERTIFIED BY 1. O. 3. METHODS SCHOOL IN CONSTRUCTION. HE AUGSTING-CONTROL METHOD, SHALL MICE STATE AND STATE WITH A METHOD SHALL S
 - 18. MOISTURE CONTENT OF BUILDING MATERIALS USED IN WALL AND FLOOR FRAMING IS CHECKED BEFORE ENCLOSURE.
- 19. ECUCI DESCRIPTOR ANALYSIA CHRONIC MEN (WITH MUD OF SOURCE) WANT TO BE WELLENDER TO BE WELL TO THE GUIDELY OF THE WANT TO CHRONIC DESCRIPTOR AND THE WANT TO THE CONTROL OF THE WANT TO THE CONTROL OF THE WANT OF THE WANT
- 2. REPORT OF THE UNEXCENDED CONTRACTOR, ARCHITECT OR DIGNESS IN A REPORTED CONTRACTOR WAS THROUGH ON THE VERY BELLE OF DIGNESS THROUGH ON THE OFFICE PRODUCES THROUGH ON THE OFFICE RELIGIOUS PRODUCES OF THE SELF BELLINGS OF THE CONTRACTOR THROUGH ON THE OFFICE RELIGIOUS PRODUCES OF THE SELF BELLINGS OF THE OFFICE OFFICE OFFICE OFFICE RELIGIOR PLAY OF OR \$10.2. 32. COMPLY WITH LOCAL WRITES FIFTIGHT LANGESCHE ORDINANCE. HYAC SYSTEM INSTALLERS ARE TRAINED AND CERTIFIED IN THE PROPER INSTALLATION OF HYAC SYSTEMS.
 - INSTALL ENERGY STAR APPLIANCES. 23. (

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 22. MATERIAL PROJECTION—PROTECT BULDING, MATERIAL, SERVECTO TO THE CONSTRICTION—TRATES OF THE WOODLING.
- 28. MATERIAL PROTECTION PROTECT BUILDING MATERIALS DELIVERED TO THE CONSTRUCTION SITE FROM RAIN AND OTHER SOURCES OF MOISTURE.
- THERMAL INSULATION— INSTALLED THERMAL INSULATION SHALL COMPLY WITH VOC. LIMITS. 29.

MARIN COUNTY 2019 CALGREEN CHECKLIST Tier 1 Standards for <u>Residential New Constructio</u>n

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Firs more information on CALStrean and complete measure language, see Chapters 4 and Appendix 4 here: https://codes.iccselfo.orv/compent/CACBSC/2/19/abis-of-coments PROJECT DETAILS

79 Wood Lane, Fairfee CA Protect Arbbess

PROJECT VERIFICATION

Laura Kerrtein, Architect Applicant Name (Please Print)

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Laura Kahrlain Name (Please Print) LEED AP 10754075 Grean Building Certification[®] and License Namber

· CALGrean Special Inspector, LEED AP, or Grean Point Rater are accept Last Updated: Felwary 12, 2021

MARIN COUNTY 2019 CALGREEN CHECKLIST Tier 1 Standards for Residential New Construction

MARIN COUNTY 2019 CALGREEN CHECKLIST Tier 1 Standards for <u>Residential New Construction</u>

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Phin social reference (if applicable); Sections/Rejection about 1941, 1943, 1943, DIVISION 4.3 WATER EFFICIENCY AND CONSERVATION OVN

scope (Select Completed or Not Applicable (N/A)) of TWO elective measures

4.105.2 Deconstruction and Reuse of Existing Makenisis (ELECTIVE)- Rouse of materials...

A4.105.1 Deconstruction and Rouse of Existing Materials (ELECTIVE). Guneral [1]

AA.104 Site Preservation (ELECTIVE): Supervision and education [] 103.2 Site Selection (ELECTIVE). Community connectivity ...!

44.106.7 Site Development (ELECTIVE): Reduction of heat island offest for norcoof areas L1

A4.106.6 Site Development (ELECTIVE): Vegeseted redi

Plan sheet reference (if applicable); Svc Hockiss separas KS, xo, m onnes kt. s. xo o 4.2021 (MANDATORY) Plumbing fratures (varies tabels and utimis) and filtings (fauresis and 1.2021) translation to resolvential busings, shall comply with the prescriptive requirements of Socilons 4.302.1, stronglating, 4.205.1, 4.4. Completed # N/A |

sholf not deliver more than 5.2 gallons 4,4012 (IANDATORY) Promotogi futures institutions societated in Stateston 4,5013, strain the institution in procedurates with the California Physicians Codes and Mail Politic through applicable referenced statesdarts. Committee IE NAL II. Plan afters reference of laupscaules). California Budding-Notes (4). 4.303.1.4.3 (NANDATORY) Metering faucets in residential buildings : Per cycle Plan sneet reference (if applicable): Completed C N/A 🖨

4.304.1 (MANDATORY) Residential developments shall compay with local water efficient landscope obtained or the cannel California Department of Vitties Resources Model (Valer Efficient Landscape Obtained (MYSLC), whicheve is note stripped. nce (# applicable): Graen Building hote #23. Completed # N/A ...

4.105.1 (MANDATORY) Newly constructed residential the elapaments, where disinfacted british neryther where it available to history payable where it available then a branching accurate to a construction take they be required in history to payable to history topy where the scapilla several strategies they always the use of recycles water to restembly interesting this payable acquired several to restembly interesting this payable. Completed 7 N/A E

A4.303.2 Indoor Water Use (ELECTIVE) - Alternate water sources for nonpotable applications.

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MAZOL 1.1 (MANDATORY) This Energy Design Renor (Tola EDH) and Energy Elicitory, Design Planty
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s not in project scope (Selast Completed or Not Applicable (IVA))

DIVISION 4.2 ENERGY EFFICIENCY

44.106.10 Site Devalopment (ELECTIVE). Light pollution reduction 新 Plan sheet netwerce (3 spoilcable): Dest Sky compleant lighting, and material

A4.106.9 Site Development (ELECTIVE)- Bicycle parking [3] Plan sheef reference (if applicable):

ak.303.3 Indoor Water Use (ELECTIVE) - Aypliance # Pas aboet adurance (# applicable) - See Exor Plan kayrote frand Green Guiding Note #24 44.303.4 Indoor Water Use (ELECTIVE)- Nonwater : Раде 4

MARIN COUNTY 2019 CALGREEN CHECKLIST Tier 1 Standards for Residential New Construction

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DIVISION 4.1 PLANNING AND DESIGN

4, 166.2 (BRANDATORY) A pain is developed and implemented to manage stormwater runoff from the construction activities through compliance with the County of Marin's stormwater management onderange. Han sheet reterence (if approache); Chill Ste Plan Drawing 1

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Plan sheet reference (if applicable). Civil Notes and Details Drawing 2 4.166.3 (MANDATORY) Construction plans shall indicate how site gusting or a drainage system will mensige all undiscussing flows to keep wider from entituring buildings. A4.166.3.3 \$MANDATORY) Displaced topscril shall be stockpiled for reuse in a designated aree and covered or an obesignated aree and cacker. Civi Site Plan Drawing 1

Completed # N/A ::

And 166 (INANDATORY) Recing materials small have a minimum aged solar vibedance; and information and immunitation of a minimum distribution of a minimum distribution of solar Plan sheet reference (if applicable): Aon São Plan (M.), Ovit São Pan Drawing 1 AA4.166.4 (WANDATORY) Permanble paving is utilized for not less than 20 percent of the total panking, waking, or pails surfaces. Completed # NEA (1)

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Plan sheet reference (if applicately): See Flooi Plan keynole #23 on check A2.2 A4.108.8.2 (MANDATORY) For multi-lently overlings end new hote-shinoles, jarwide capability for future electrics vehicle changing as specified in the Main Openy Building Code, Chapter 19.36, Subchaeler 2. A4.103.1 Site Selection (ELECTIVE) - Suscion ∺ Pan siest reforence (# applicable): Intill site durekopment Completed II. N/A 🐺 Completed MA

Last Updated: February 12, 2021

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MARIN COUNTY 2019 CALGREEN CHECKLIST Tier 1 Standards for <u>Residential New Construction</u>

44.303.5 Incoor Weter Use (ELECTIVE) - Hot water retirculation

A4.304.2 Outdoor Water Use (ELECTIVE) - Possible writer differention (3) 44.394.3 Outdoor Water Use (ELECTIVE) - Landwage water maters ... A4.304.1 Outdoor Water Use (ELECTIVE) - Rainwaier

A4.305.(Wider Reuse Systems (ELECTIVE) - Crayvater iii Plan skeer ri ferenn (d'a_{spi}ikante); Lawidry groywiter system datali 3.A2. (44.305.2 Water Reuse Systoms (ELECTIVE) - Recycled water piging ... 44.385.3 Water Reuse Systems (ELECTIVE) - Recycles) water for landscape intgation [A4.386.1 Innovative Corcepts and Local Environmental Conditions (ELECTIVE) 3

not in project scope (Select Completed or Not Applicable (NAS) DIVISION 4.4 MATERIAL CONSERVATION & RESOURCE EFFICIENCY A minimum of TMO elective measures must be com-

AA.405.3 (BANDATORY) Postocnsume or precime recycler content value (RCI/) materials are on the project, not less than a 15 periodn recycled content value.

Conyaland IR NA 🗆 Phra sheet reference (8 ayalladas). Crean Building Note #26. SERVINE STATE TRESPONDE (If applicable), Green Building hole IES. A4.403.2 (MANDATORY) Cement use in f Ordinance 3717. Completed in N/A.C.

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RESIDENTIAL GREEN BUILDING STANDARDS

- STORM WITE DRAINAGE/REIDHTON DURING CONSTRUCTION: PROJECTS WHICH DISTURB ILESS THAN OF ARRE OF STORM WITE DROWNED DOWNED DOWNED CONSTRUCTION HTO DAY OF THE "DLLOWNED," CAN WHITE DROWNED TOWNED TO A VARIENT STORM WITE STORM WITE STORM WITE STORM WITE STORM WITE STORM WITE STORM WHITE, OF OTHER PURPORTS SYSTEM, WHITE, OF OTHER PURPORTS SYSTEM, COS. \$4.106.2.
 - SHE GRADING OR DRAWAGE SYSTEM WILL MANAGE ALL SURFACE WATER FLOWS TO KEEP WATER FROM ENTERING BULLUNGS (SWALES, WATER COLLECTION, FRENCH DRAWS, ETC.); CWAFE, SH. 106.3.
- BUILDING METS OR EXCEEDS THE REQUIREMENTS OF THE CA BUILDING ENERGY EFFICIENCY STANDARDS. SEE SHEETS T24-1 AND T24-2 FOR DOCUMENTS.
- INDOOR WATER USE VERMY WATER CONSERVING FIXTURES ARE USED (WATER CLOSETS SEALUES FOR VORSEED 18 agm = 640 psi; LWARDRESS MAY NOT EXCEED 18 agm = 640 psi; LWARDRESS MAY NOT EXEED 13 agm = 640 psi; LWARDRESS MAY NOT EXCEED 13 agm = 640 psi; AND NO LESS THRU 18 agm = 670 psi; LWARDRESS MAY NOT EXCEED 13 agm = 640 psi; CPC \$403, \$408. CPC \$433,1.
- PLUMBING FIXTURES AND FITTINGS REQUIRED IN CCC §4.303.1 SWALL BE INSTALLED IN ACCORDANCE WITH THE CA PLUMBING CODE, AND SWALL WEET THE APPLICABLE REFERENCED STANDARDS.
- ANNUJAR SPACES AROUND PPES, ELECTRICAL CARLES, CONDUITS, OR OTHER OPENNICS IN PLATER A EXTENDER MILLS SHALL BE PROJECTED ACAMIST THE PASSAGE OF RODENTS BY CLOSING SICH OFFENNICS WITH CEMENT MORTHAR, CONCRETE MISONEY OR SMILLAR METHOD ACCEPTABLE TO THE ENFORMS AGENCY.
- RECICION, RECOCIA AND, OR SUIVAGE FOR A RODER A MANAMA OF SEX OF PRANAGRAGIONO CONSTRUCTION HAN DEPOLITION WIGTE IN ACCIDENTAL WITH THE FERDENING STANDERS OF STANDERS OF ZERO MISTER WARM ANY WIGTE RECOCLEGATES THAN ARE SENT TO STANDERS OF RECICION FROUTH STANDERS AND MISTORY OF STANDERS OF ACIDITION THAN PARTY VERHED TO FACILITY AREPORE DIVERSION WITH. CALL OFFIN SMA-1081.
 - OPERATION AND MANTENANCE MANUAL: THE BUILDER IS TO PROVIDE AN OPERATION MANUAL (CONTINNING METORATION APPROACH). FOR THE OWNER AT THE TIME OF FIDMAL INSPECTION, CPC \$4.410.1.
 - DUCT OPENINGS AND OTHER RELATED AIR DISTRIBUTION COMPONENT OPENINGS SHALL BE COVERED DURING CONSTRUCTION.
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 - ADHESIVES, SEALANTS AND CAULKS SHALL BE COMPLIANT WITH VOC AND OTHER TOXIC COMPOUND LIMITS.
- 11. PAINTS, STAINS AND COATINGS, SHALL BE COMPLIANT WITH VOC LIMITS.
- AEROSOL PAINTS AND OTHER COATINGS SHALL BE COMPLIANT WITH PRODUCT WEIGHTED MIR LIMITS FOR ROC AND OTHER TOXIC COMPOUNDS. 2
- DOCUMENTATION SHALL BE PROVIDED 10 VERIFY THAT COMPLIANT VOC LIMIT FINISH MATERIALS. HAVE BEEN USED. 2
- 14. CARPET AND CARPET SYSTEMS SHALL BE COMPLIANT WITH VOC LIMITS.
- BOX OF FLOOR JABBA RECEIVING RESULENT FLOORING SHALL COMPLY WITH THE VOC BAISSION WILL'S STANDARD IN COC \$4.50 pt. 1. THE RESEARCH SHALL COMPLY WITH VOC DAKESON LIMITS THE 2. 100% OF RESULENT FLOORING FLOOR AREA, SHALL COMPLY WITH VOC DAKESON LIMITS THE 2. 100% OF RESULENT FLOORING FLOOR AREA, SHALL COMPLY WITH VOC DAKESON LIMITS
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- - MOISTURE CONTENT OF BUILDING MATERIALS USED IN WALL AND FLOOR FRAMING IS CHECKED BEFORE ENCLOSURE.
- ELCH FREROY SIAR BATHROOM FARS (WITH 10B OR SHOWER) MUST BE WICHAMPLILY VERTILATED WITH A HUMBIT CONTROLLED FROM STAR COMPUTATION TO THE OUTSIGE, UNLESS ORNERWISE A COMPUTATION WAS REPORTED RECOVER. TO THE OUTSIGE, UNLESS ORNERWISE A COMPUTATION OF A ROLLE HOUSE STRUCKING SYSTEM, HUMBIT FOR FINITIAL AND A ROLLS SHELL FOR A ROLLS SHELL AND A HUMBIT OF $\leq 50\%$ TO A MOZIMUM OF 90%. 6
- 20, DOCT SYSTEMS, ARE SZED AND DESIGNED AND EQUIPMENT IS SELECTED USING THE FOLLOWING METHODS.

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 C. SZEECH HEXING, AND COOLUME EQUIPMENT ACCORDING TO ANSI/ACCA 3. MANUAL S.-2014 OR EQUINALENT.
 - 21, HVAC SYSTEM INSTALLERS ARE TRAINED AND CERTIFIED IN THE PROPER INSTALLATION OF HVAC SYSTEMS.
- 22. PROR 10 FINAL INSPECTION, THE LICENSED CONTROCTOR, ARCHITECT OR BROWERS IN RESPONSIBLE CHARGE OF THE OFFICIAL CONTROCTION WAST PROVIDE BULDING DEPARTMENT OFFICIAL WITHER VERIFCATION THAT ALL APPLICABLE PROVISIONS FROM THE CREEN BULDING STANDARDS CODE HAVE BEEN IMPLEMENTED AS PART OF CONSISTORY RES COS §10.72. 23. COMPLY WITH LOCAL WATER EFFICIENT LANDSCAPE ORDINANCE.
- 24. INSTALL ENERGY STAR APPLIANCES.
- 23 REDUCTION IN CEMENT USE— CEMENT USED IN FOUNDAINCE DESCIN SHALL BE REDUCED TO NOT LESS THAN 20X FOR THE TO COMMENT USED TO NOT LESS THAN 20X FOR THE X COMMENT USED TO REPULEE CEMENT IN COMMENT USED TO REPULEE CEMENT IN COMMENT USED TO REPULEE CEMENT IN COMMENT USED TO RESIDING THE MOST HILL ASS.
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MARIN COUNTY 2019 CALGREEN CHECKLIST Tier 1 Standards for Residential New Construction

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THERMAL INSULATION - INSTALLED THERMAL INSULATION SHALL COMPLY WITH VOC LIMITS.

29.]

27. MATERIAL PROTECTION— PROTECT BUILDING MATERIALS DELIVERED TO THE CONSTRUCTION SITE FROM FAIN AND OTHER SOURCES OF MOISTURE. 28. MATERIAL PROTECTION - PROTECT BUILDING MATERIALS DELIVERED TO THE CONSTRUCTION SITE FROM RAIN AND OTHER SOURCES OF MOISTURE.

4.416.1 (MANDATORY) An operation and maintenance manual shall be provided to the building occupants exercise. Plan sheet reference (# applicable): Green Building Note #7. Completed B MA. Completed M. NiA ...

4.410.2 (MANDATORY) Where 8 or more multiparties dwolling units are constructed on a building sale.
The promotes experience and the production of the production of the object of the production.
The provides and challenges of more instruction enletted for teaching, including it in minimally latest constantial production constantial for teaching, including it in minimally latest constantial and mostale or needs it landually effected scall recordering definitions. Plan sheet reference (if applicable); Green Bunding Note 88.

44.493.1 Foundation Systems (ELECTIVE) - Frost protocted foundation systems \square

A4.404.2 Efficient Framing Techniques (ELECTIVE) - Dimensions and layouts 44,404.1 Efficient Framing Techniques (ELECTIVE) - Lumber size

minimum of ONE elective measure must be

A4.404.4 Efficient Framing Techniques (ELECTIVE) - Pre-cul materials and details 🔾 A4.404.3 Efficient Framing Techniques (ELECTIVE) - Building

A4.405.1 Material Sources (ELECTIVE) - Profinished building materials 🗇 A4.405.2 Material Sources [ELECTIVE] - Contrete floors [7] sal Updated February 12, 2021

MARIN COUNTY 2019 CALGREEN CHECKLIST Tier 1 Standards for Residential New Construction

LSO4.2.1 [MANDATORY] Adhesives, sealants and pauks strat be compliant with VCC and other looks connocers limits Plan sheet reference (if espaloacity). Green Building Nobe #16.

.1.564.2.2 [NANDATORY] Pains. stains and other contings shall be compliant with VOC lonies. Complied i≡ NA □ Plan sheef retrievess (if applicable): Orem Building Note #11. I.504.2.3 (MANIDATORY) Aerosol psents and coatings shall be complaint with product weigh or ROC and other basic compounds. Plan aheat naturonce (if applicable): Green Bushing Note #12. ortasion shall be provided to v 4.504.2.4 (MANDATORY) Doc Completed ■ N/A □

Plan sheet reference (if applicable); Green Building Note #13 net and carpet systems shelf be compliant with VOC limits. Plan sheat retrience (if applicatio): Green Building Note #14, percent of floor area rec 4.504.3 (MANDATORY) Carpet 4.564.4 (MANDATORY) 80 Completed B N/A ... ompletes

NA □

Plan sheet reference (if applicable); Strem Building Note #15 Plan sheet reference (if applicable): Green Bullding Note #16 Completed # N/A () Cramplesed # N/A ...

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disture content of building nateritifs used in wall and floor framing is checked or retander and capillary break is installed at said on grade four Pan abeel reference (# applicable): Green Building Nose #17, Ompleted # N/A []

Plan sheet reference (if applicable); Green Buikling Note #18,

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AA.407.1 Water Resistance and Molstone Management (ELECTIVE) - Dian share reference of answarks). See delite 3.46.1

MARIN COUNTY 2019 CALGREEN CHECKLIST Tier 1 Standards for Residential New Construction AAAAS.4 Material Sources (ELECTIVE) - Use of building maintinds from rap-dly renewable sources []. Pan sheet reference (if appreciation): AA.407.4 Water Resistance and Molsture Management (ELECTIVE) - Material protection: Strain sheet reference of applicables: Green Building Mara ii 27. A4.407.3 Water Resistance and Moisture Management (ELECTIVE) - Fleehing details 🗆 44.407.7 Water Resistance and Moisture Management (ELECTIVE) - Rucf eventuings 🖫 A4.497.2 Water Resistance and Moisture Management (ELECTIVE) -Roof drainage R. Plan shart networks # acciteates; Céril Sile Plan Brawing 4 A4.407.6 Water Resistance and Moisture Management (ELECTIVE) - Don protector

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Completed E. NIA #

Page 7

Jast Updated: February 12, 2021

Page 6

PPN: COBY FRIEDWAN PPN: 002-062-03 FOR: COBY FRIEDWAN FOR: COBY FRIEDWAN

MARIN COUNTY 2019 CALGREEN CHECKLIST Tier 1 Standards for <u>Residential New Construction</u>

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1. ENERGY STAP fine should be termined subtlet the building, frame and secured to a fine subtlement of the secure of secure of secured to the terminal secure of the secu Plan short reference (2 application) - Green Building Note #19. 1.507.2 (MANDATORY) Duct systems are sixed, designed, and equantitios; Completed . NA

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 Sweet Desking and compare according to ANSBACCA A Manual S 2016 or equivalent.
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3018 CHECKFIZE

55.509.1 Innovative Concepts and Local Environmental Conditions (ELECTIVE) 3 45.596.3 Indoor Air Quality and Exhaust (ELECTIVE) - Directiver's appliances ()

15.508.2 Indoor Air Quality and Exhaust (ELECTIVE) - Construction filter i.i.

04-06-2022

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GB2

Job # 19049.00 Prototype DAVIK

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Exhibit 2



TOWN OF FAIRFAX

PERMIT # BLD22 at (@

142 Bolinas Road, Fairfax, California 94930 (415) 453-1584 / Fax (415) 453-1618

CONSTRUCTION PERMIT APPLICATION

#1 IDENTIFY YOUR BUILDING PROJECT

JOB ADDRESS: 79 WROW LANE
This permit is to be issued in the name of the Dicensed Contractor or the Property Owner as the permit holder of record who will be responsible and liable for the construction.
Property Owner Information: Name: Colon Fried Man Tel No: 4160-310-51442 Mailing Address: 96 FORREST AVE. City FAIRFAX State CA Zip 94-930
Description of work to be performed: LONGTRUCTION OF NEW 2-7208 ST 2 STORY RESIDENCE- WITH 400 SF DETACHED GARAGE AND 500 SF ADU
NEW REAR, RETAINING WALL
Additional Square Footage:
Valuation: 500, 000
#2 IDENTIFY WHO WILL PERFORM THE WORK (Complete either 2a or 2b)
2a - CALIFORNIA LICENSED CONTRACTOR'S DECLARATION I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. Contractor Name
Contractor's Signature:

2b - OWNER-BUILDER'S DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the reason(s) indicated below by the checkmark(s) I have placed next to the applicable item(s) (Section 7031.5, Business and Professions Code: Any city or county that requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt from licensure and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).)

I, as owner of the property, or my employees with wages as their sole compensation, will do () all of or () portions of the work, and the structure is not intended or offered for sale (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who, through employees' or personal effort, builds or improves the property, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the Owner-Builder will have the burden of proving that it was not built or improved for the purpose of sale.)

with licensed Contractors to construct the project (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who builds or improves thereon, and who contracts for the projects with a licensed Contractor pursuant to the Contractors' State License Law.)

License Law for the following reason:

By my signature below I acknowledge that, except for my personal residence in which I must have resided for at least one year prior to completion of the improvements covered by this permit, I cannot legally sell a structure that I have built as an owner-builder if it has not been constructed in its entirety by licensed contractors. I understand that a copy of the applicable law, Section 7044 of the Business and Professions Code, is available upon request when this application is submitted or at the following Web site: http://www.leginfo.ca.gov/calaw.html.

Property Owner	or Authorized Agent Sign	ature:	
Al.	MI	, .	3/2-3/23
W/V	/ Clar	Date_	763/25
Agen	Manuer.		(

#3 IDENTIFY WORKERS' COMPENSATION COVERAGE AND LENDING AGENCY

WARNING: FAILURE TO SECURE WORKERS'
COMPENSATION COVERAGE IS UNLAWFUL, AND
SHALL SUBJECT AN EMPLOYER TO CRIMINAL
PENALTIES AND CIVIL FINES UP TO ONE HUNDRED
THOUSAND DOLLARS (\$100,000), IN ADDITION TO
THE COST OF COMPENSATION, DAMAGES AS
PROVIDED FOR IN SECTION 3706 OF THE LABOR
CODE, INTEREST, AND ATTORNEY'S FEES.

<u>WORKERS' COMPENSATION DECLARATION</u>
I hereby affirm under penalty of perjury one of the following declarations:

declarations:
() I have and will maintain a certificate of consent to self-insure for workers' compensation, issued by the Director of Industrial Relations as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued permit is issued. Policy No.
I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are: Carrier Policy No (040) Exp. 4/11/ Tel No
(") I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.
DECLARATION REGARDING CONSTRUCTION LENDING AGENCY I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Section 3097, Civil Code). Lender's Name and Address:
79 WOOD LAND

#4 DECLARATION BY CONSTRUCTION PERMIT APPLICANT

By my signature below, I certify to each of the following:

I am (a California licensed contractor or () the property owner* or () authorized to act on the property owner's behalf**.

I have read this construction permit application and the information I have provided is correct.

I agree to comply with all applicable city and county ordinances and state laws relating to building construction.

I authorize representatives of this city or county to enter the above-identified property for inspection purposes.

California Licensed Contractor, Property Owner (Requires separate verification form), or Authorized Agent (Requires separate authorization Form).

Signature Date 8/4/2022

For Official Use Only | 1

BUILDING	********	6020,00
ELECTRICAL		
MECHANICAL	14-4204454	
PLUMBING	*******	
PENALTY FEE	Armeisca	
PERMIT RENEWAL FEE	*******	
10892149 SUBTOTAL PLAN CHECK 2,500,00	# 2000	2000.
PLAN CHECK 2,500,00	# 2035	8392,49
PLANNING FEE	# 2030	
STATE SEISMIC FEE	# 2015	65,00
PLAN RETENTION FEE	# 2020	
ENGINEERING	# 2050	
BUSINESS LICENSE	# 1300	550.00
GENERAL PLAN MAINTENANCE 5% of Building Permitfee over \$10,000	# 2002	301,00
TECHNOLOGY IMPROVEMENT 5% of Building Permit fee	# 2003	301.00
INFRASTRUCTURE FEE 5% of Building Permit fee	# 2004	301.00
ROAD IMPACT FEE 1% of total project valuation for projects in excess of \$5,000	# 2027	5,000.00
STATE GREEN FEE	#2028	20,00

TOTAL FEES DUE \$20,950,49

This permit SHALL EXPIRE 180 days from the date of issuance. You may extend your permit by written request to the Building Official for an additional 180 days prior to your permit expiration; no permit shall be extended more than once. (Authority: CBC Sec. 165.5))

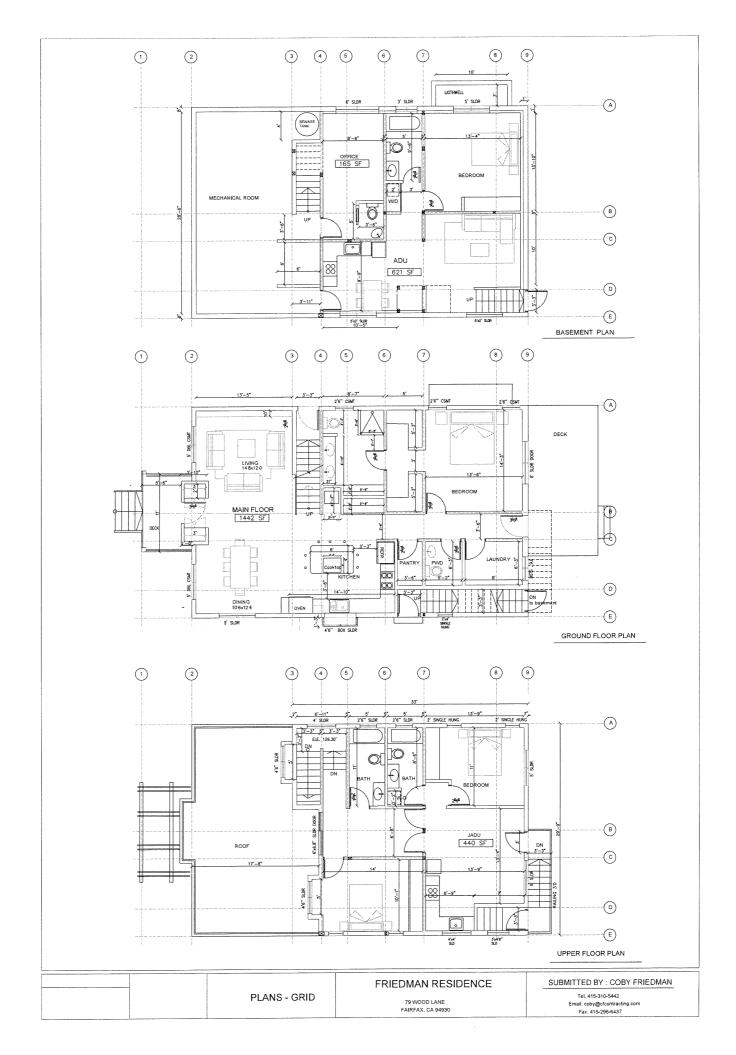
Planning:	Date:
Building:	Date: 8-4-22

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TOWN OF FAIRFAX
              TOWN HALL
142 BOLINAS ROAD
             FAIRFAX, CA 94930
(415) 453-1584
    *+******************
   (COMMENT)
  FEE AMOUNT: $ 5,020.00
2035\FLAN CHECK-BUILDING (805)
79 WODD LANE
(COMMENT)
  FEE AMOUNT: $ 8,392,49
   79 HOOD LANE
  (COMMENT)
                    FEE AMOUNT: $ 65.00
  1300\BUSINESS LICENSE (301)
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  (COMMENT)
  FEE AMOUNT: $ 550.00
79 WOOD LANE
(COMMENT)
  (COMMENT)
 FEE AMOUNT: $ 301.00 79 WCOD LANE (COMMENT)
 2004\INFRASTRUCTURE IMPROV FEE(321)
 79 WOOD LANE
 (COMMENT)
                  FEE AMOUNT: $ 301,00
 2027\ROAD IMPACT FEES (320)
 79 WOOD LANE
 (COMMENT)
FEE AMOUNT: $ 5,000.00
2028\STATE GREEN FEE
79 MODD LANE
(COMMENT)
 (COMMENT)
                 FEE AMOUNT: $ 20.00
$ 20,950.49
RECEIPT TOTAL
 Payment Data:
  Payer: OF CONTRACTING, INC.
  METHOD: CK
              $ 20,950,49
    Ref#: 206
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TOTAL TENDERED $ 20,950.49
RECEIPT TOTAL $ 20,950.49
                         $ 0.00
HAVE A NICE DAY!
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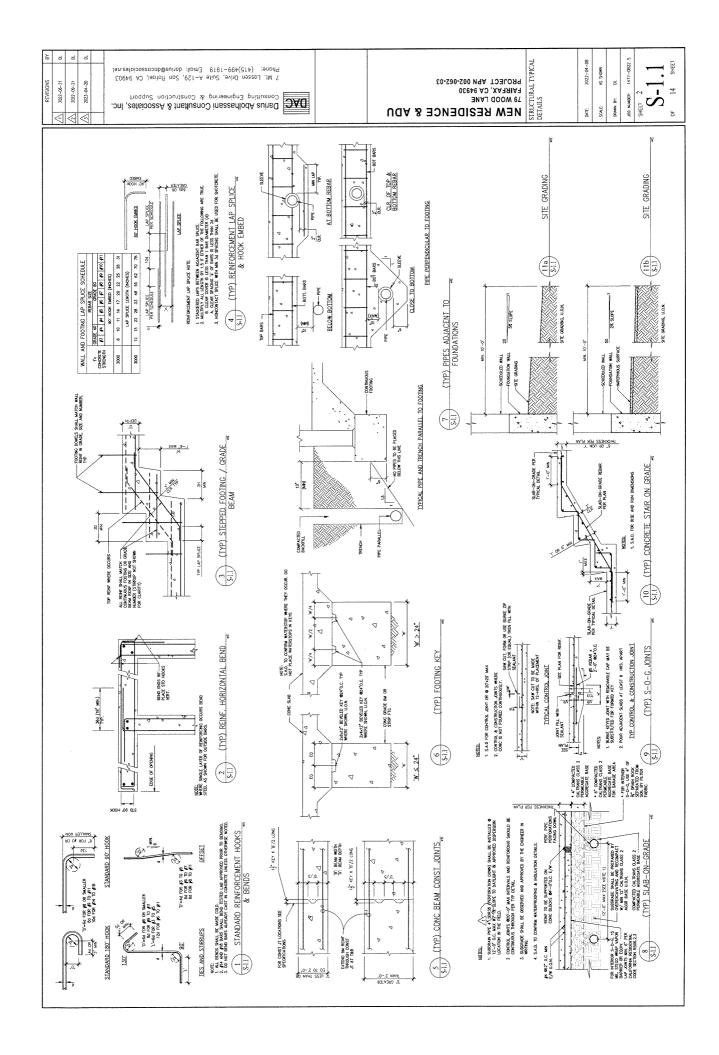


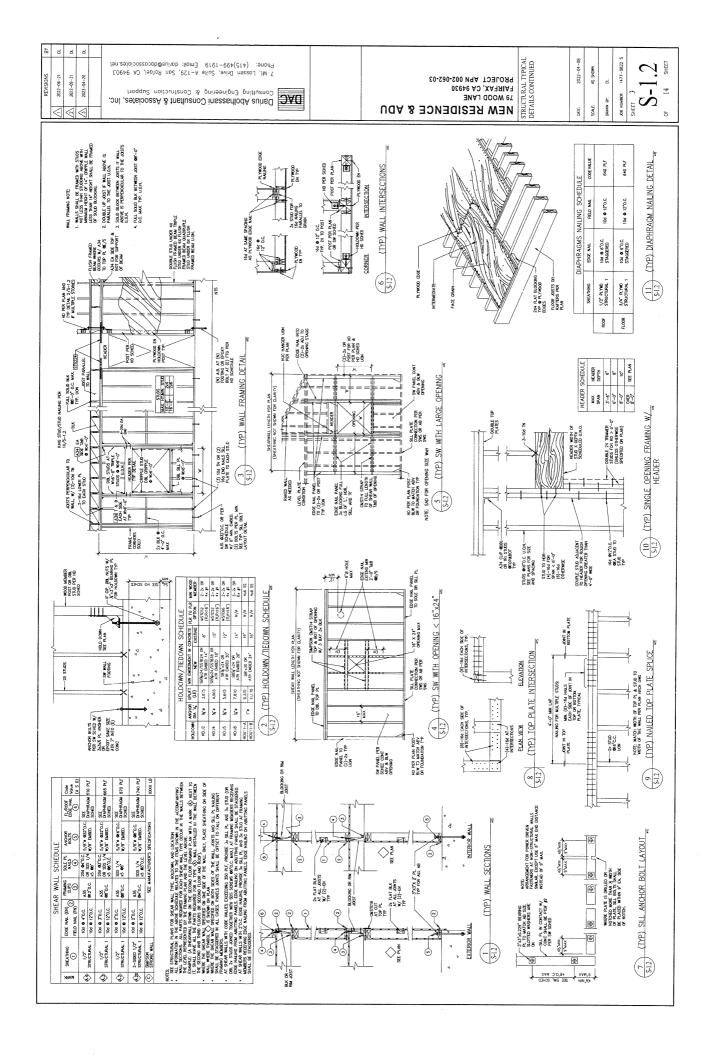
Exhibit 3

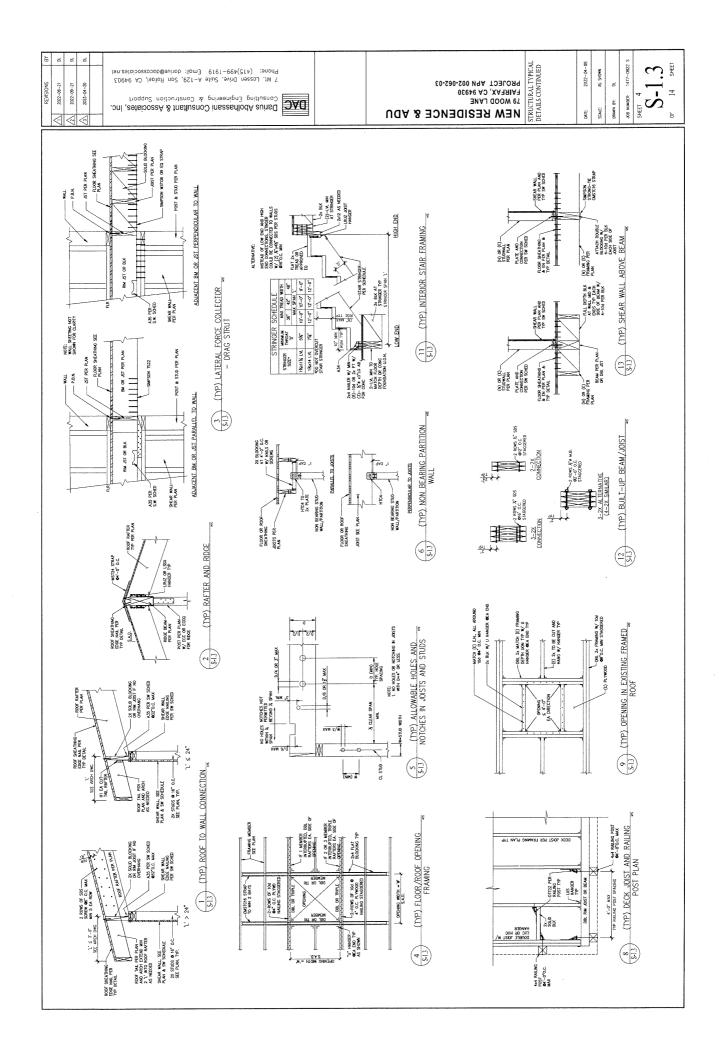
Tel, 415-310-5442 Email: coby@cfcontracting.com Fax: 415-296-6437 79 WOOD LANE FAIRFAX, CA 94930 GROUND FLOOR **EKIEDWAN RESIDENCE** SUBMITTED BY: COBY FRIEDMAN DECK GROUND FLOOR PLAN 88 S. SLDR CAR # 2

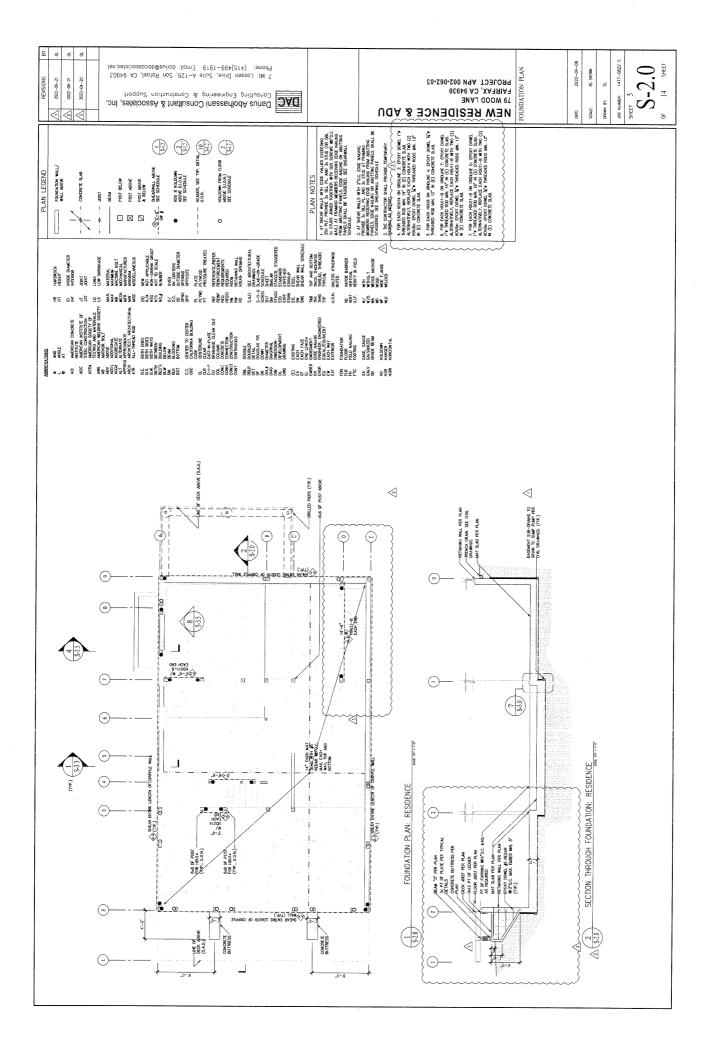


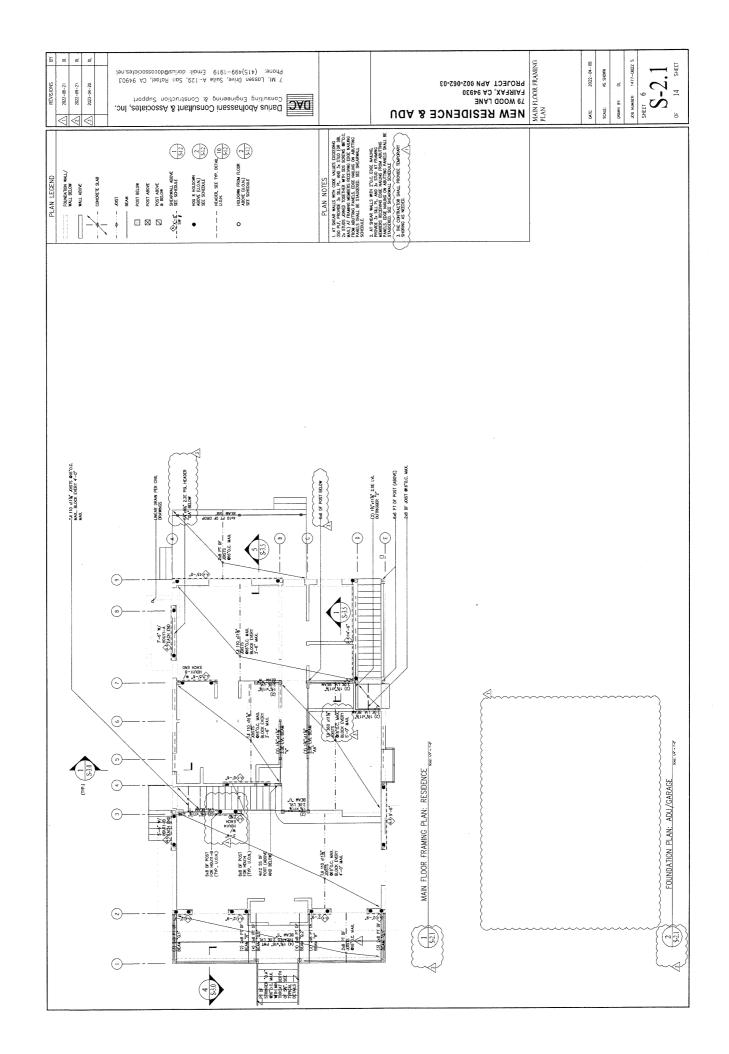
Darlus Abolhassani Consultant & Associates, Inc. Consulting Engineering & Construction Support Mt. Lossen Drive, Suite A-179, Son Rolles, CA 94903 Phone: (415)499-1919 Emoil: dorlus@doccescieles.net	STRUCTURAL GENERAL. NOTES SOLE SO
PROJECT DESCRIPTION NEW RESIDENCE, NEW GARAGE, AND NEW ADU. PROJECT DIRECTORY OWNER. PROJECT DIRECTORY OWNER. PROJECT DIRECTORY OWNER. PROJECT DIRECTORY OWNER. PROJECT	SID PARCEL MAP
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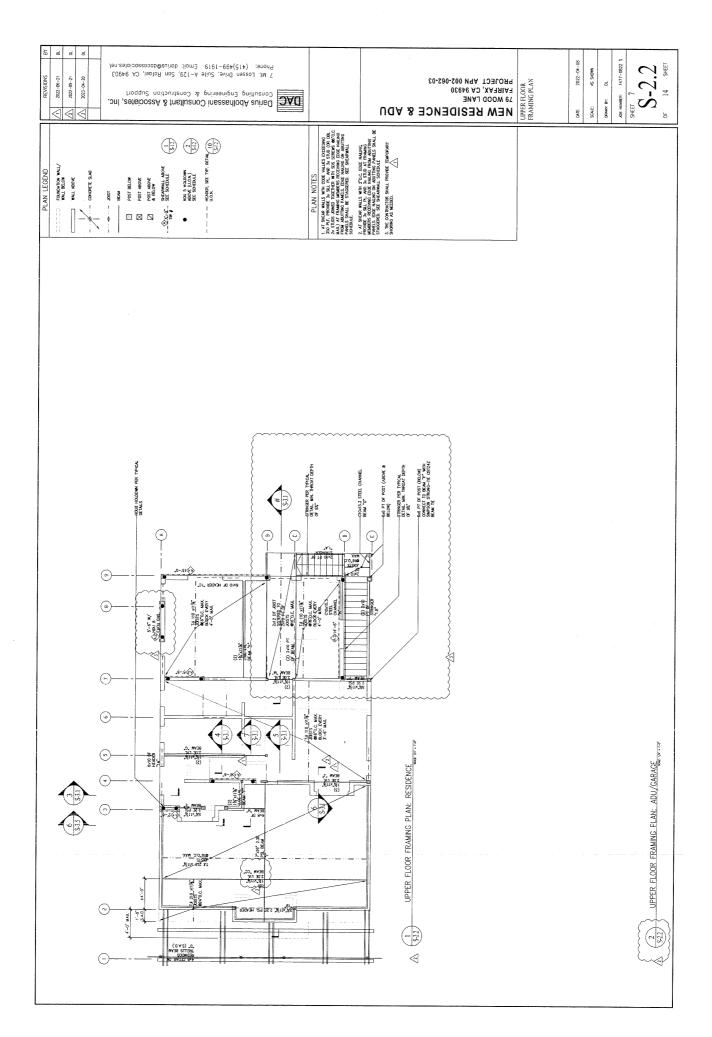


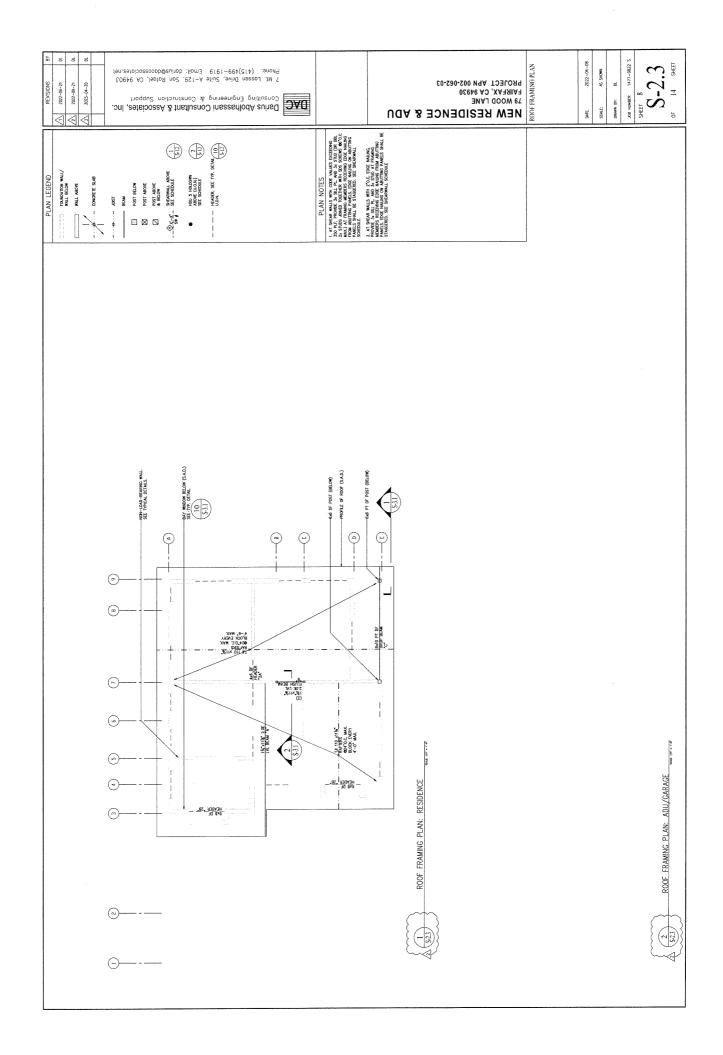


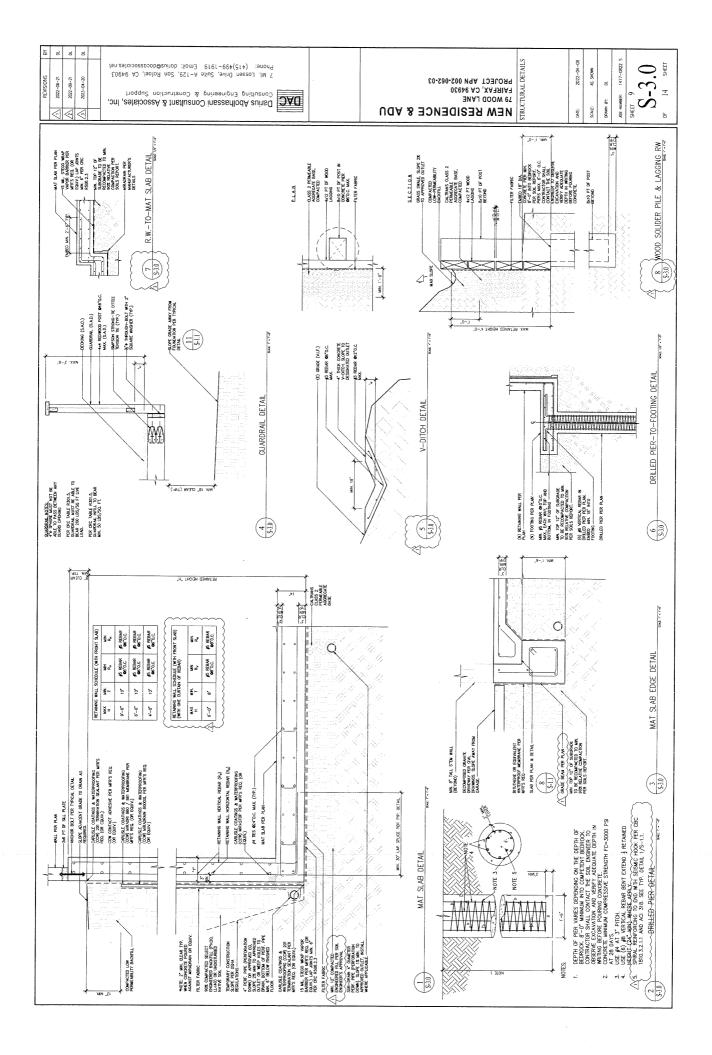


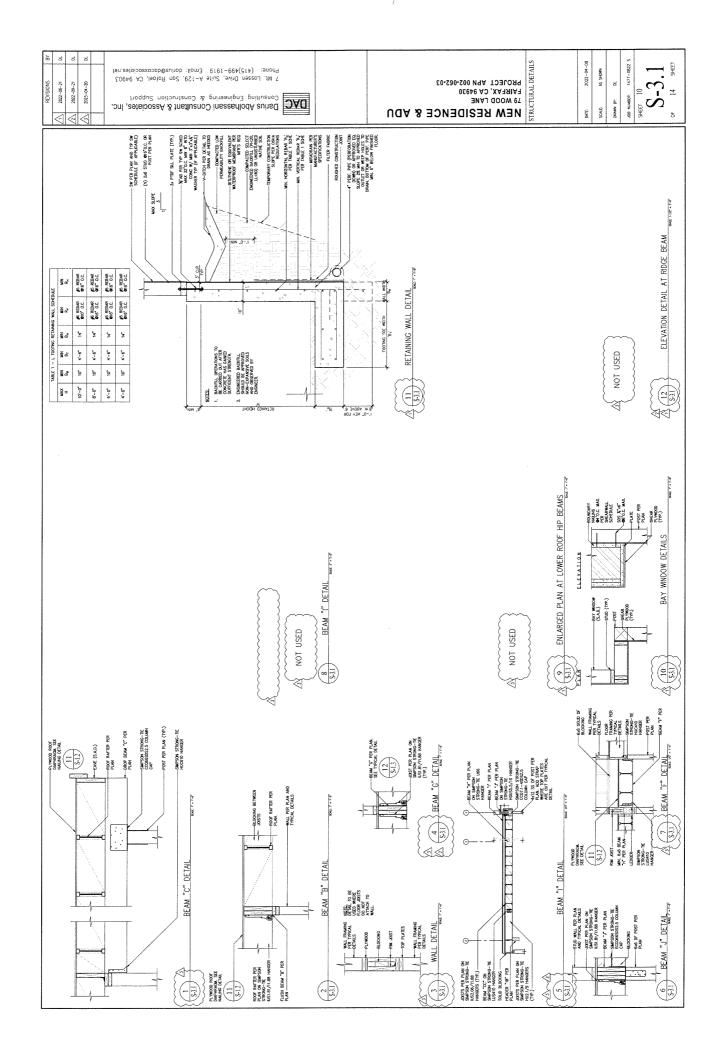


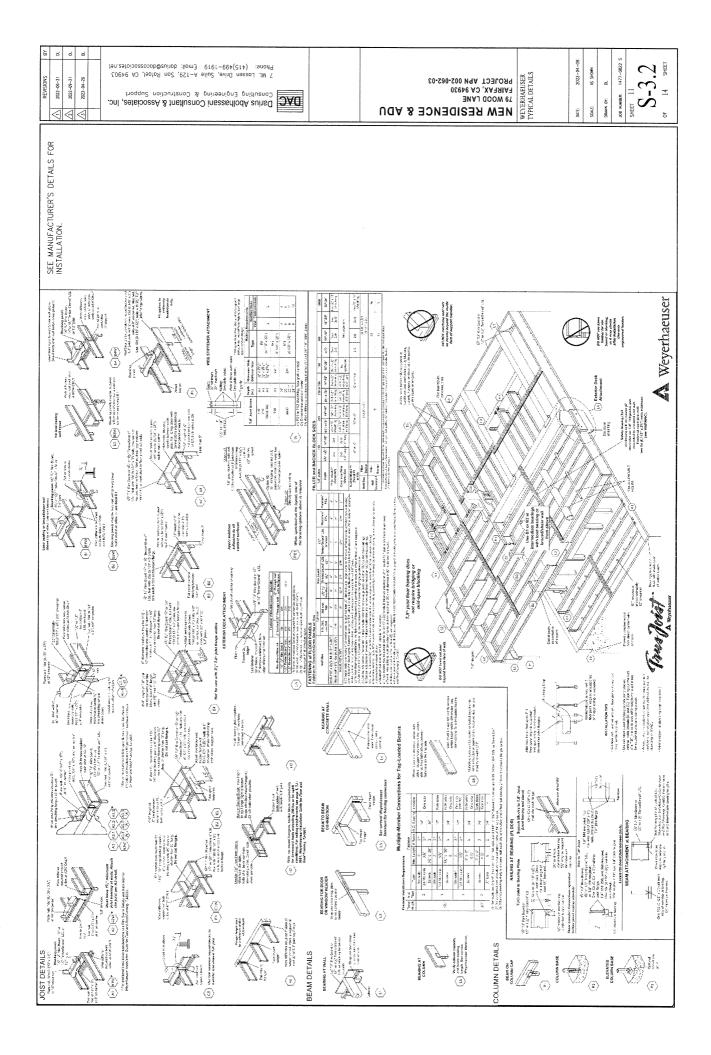


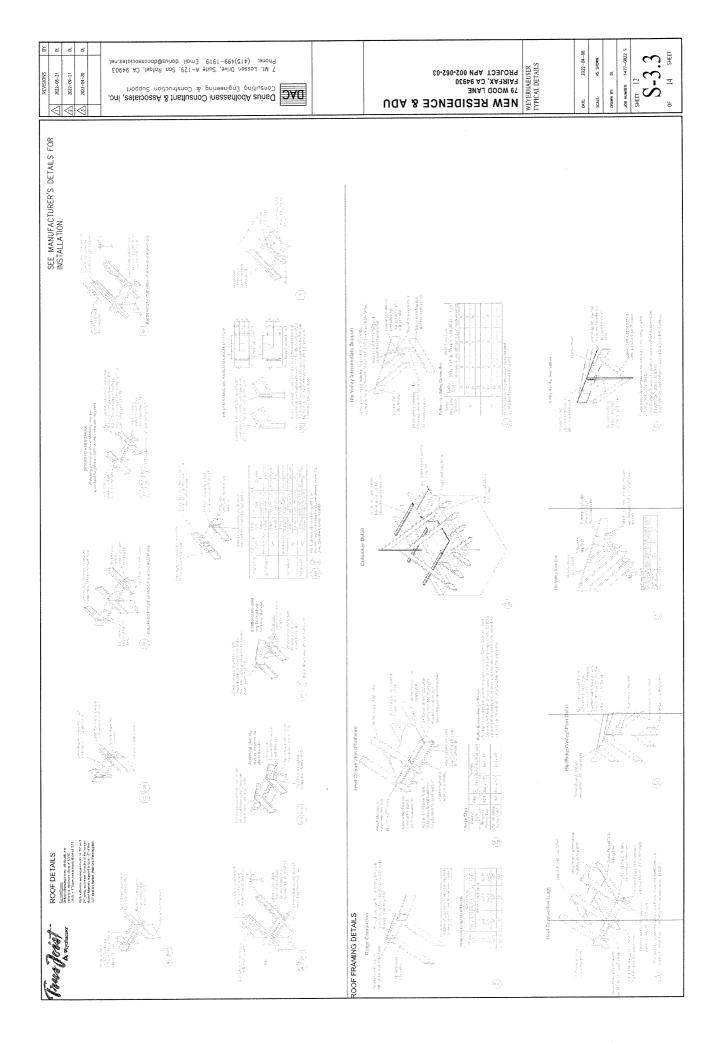


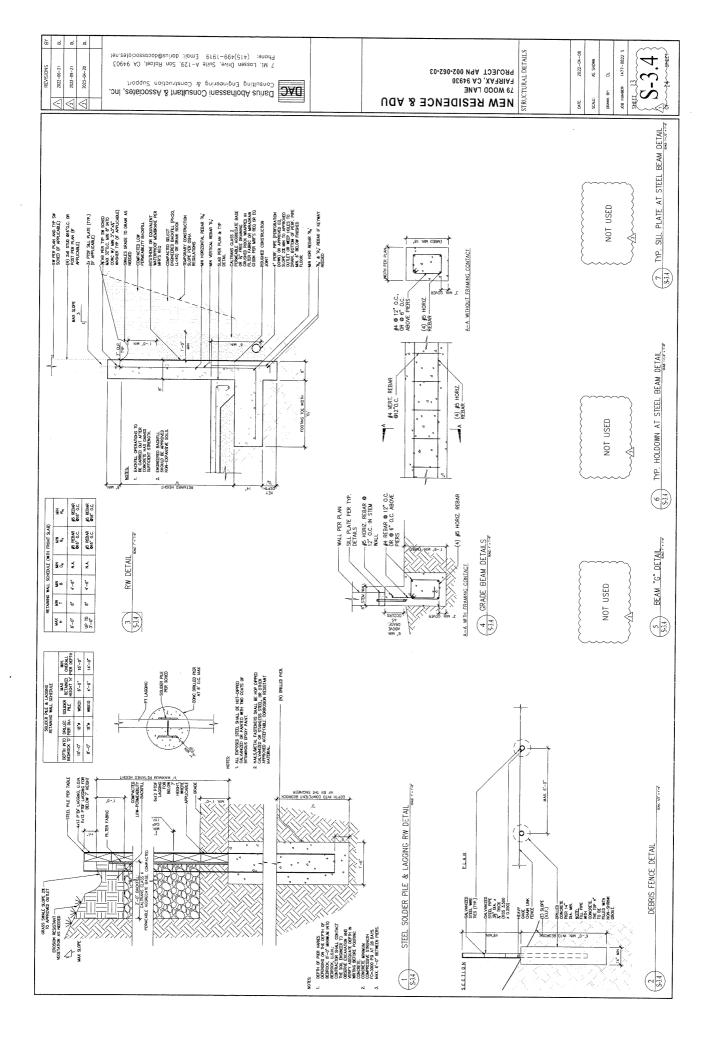


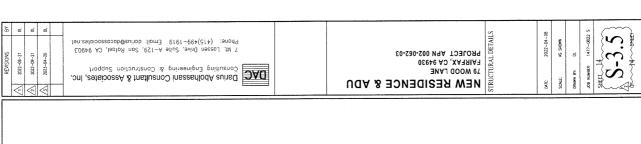


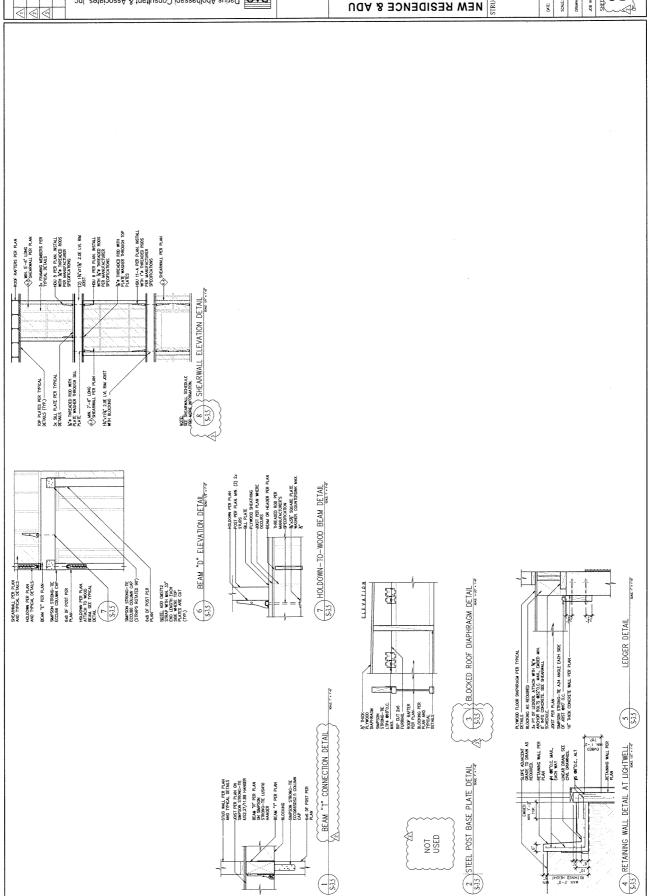












ORDER TO STOP WORK CORRECTIONS MUST BE MADE BEFORE ANY FURTHER WORK IS DONE. VIOLATORS ARE SUBJECT TO CITATION AND/OR FINES.

CAUSE CONSTRUCT ON ANOTHER WORK IS
A PORD V EV Town of Fairbax
Building Department
142 Building Department
142 Building Apply
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APPEAL OF ADMINISTRATIVE OFFICIAL ORDER

Town Code (TC) § 17.036.010, et seq.

TO THE TOWN CLERK:

I, Jacob (Coby) Friedman, make the following verified application to the Town Council appealing an erroneous order, decision and determination by a Town official under TC § 17.036.010, et seq. I have personal knowledge of the following facts and, if called upon as a witness, I could and would testify as set forth below.

- 1. I own the real property located at 79 Wood Lane, Fairfax, California 94930, and the improvements and current construction project at that location ("the Project").
- 2. Mark Lockaby is the Building Official for the Town of Fairfax and an administrative official under TC § 17.036.010.
- 3. On June 8, 2023 (less than ten days prior to this application and appeal), Mr. Lockaby issued an "Order to Stop Work" ("the Order") directing that all work on the Project cease immediately. The Order is an order made by an administrative official in the administration and enforcement of TC Title 17 (Zoning). This order was made in error.
- 4. I understand that the Order is based on Mr. Lockaby's decision and determination that (a) the work being performed on the Project is subject to Planning Commission (PC) approval which I have not yet received; (b) the work is not related to Accessory Dwelling Unit (ADU) or Junior ADU (JADU) work and so is subject to PC approval, rather than administrative approval only by the Planning Department; and (c) the work may properly be shut down under a stop work order even in the absence of any finding that the work violates any building code requirements. This is a decision and determination by an administrative official in the administration and enforcement of TC Title 17 (Zoning). This decision and determination was made in error.
- 5. Prior to making the Order, I had reached agreement with Mr. Lockaby regarding most of the work on the Project, i.e., for which portions I could proceed without further PC approval and for which I agreed not to do further work without PC approval. The only potential exception was exterior stairs that were added solely to provide access to a JADU ("the JADU Stairs"). Since that portion of the work was directly related to JADU work, it is not subject to PC review and approval. After I asked for

clarification and explanation of the Town's position regarding the JADU Stairs, Mr. Lockaby posted the Order at the site stopping all work. Despite repeated requests, I have not received any clarification or explanation of the Town's position. I have since inquired whether the Town would lift the Order if I agreed not to do any further work on the JADU Stairs until and unless we resolve the issue. The Town has not responded.

- 6. Per TC § 17.036.030, this appeal stays the Order and all actions by the Town in furtherance of the Order until this appeal is decided by the Town Council. Accordingly, I am entitled to resume work on the Project upon submission of this appeal and intend to do so.
- 7. I am a person aggrieved by the Order. The Order is causing me substantial financial harm. Allowing the work to continue will cause the Town no harm because, if the work is subject to additional approvals (by Mr. Lockaby or the PC), the Town will still have the opportunity to review the work and decide whether to approve it before I will be able to complete the Project. In other words, allowing me to continue the work will be solely at my own risk, not the Town's.
- 8. This application is timely under TC § 17.036.020.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Declaration was executed on this 9th day of June, 2023, in Fairfax, California.

Jacob (Coby) F	riedman	



TOWN OF FAIRFAX 142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930 (415) 453-1584 Fax (415) 453-1618

RECEIPT

Date: 6-14-23
From: COBY FRIEDMAN, CF Contracting Fre
Amount: \$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
For: Appeal of Administrative Official Code
By: S. lingham
CF Contracting, Inc. 96 Forest Ave 4 fairfax, CA 94930 90-3504/1211
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From: Richard M. Harris
To: Janet Coleson
Cc: Aaron P. Silberman
Subject: 79 Wood lane

Date: Friday, July 28, 2023 3:49:00 PM

Ms. Coleson:

As you know, we represent Coby Friedman in his effort to complete his permitted construction project at 79 Wood Lane, in Fairfax (Project). Mr. Friedman requests that the City of Fairfax (City) provides him a green tag so he can hook up power to the new construction. As the City inspector has already found, the Project has met all of the requirements to receive this green tag.

As we discussed on the phone on July 21, Mr. Friedman contacted the City inspector to inspect his electrical system and issue a green tag. And though the City inspector determined that the electrical system is proper, he still withheld the green tag based on an unrelated dispute. The City and Mr. Friedman disagree about when plan changes need to be submitted to the planning commission for approval, and the withholding of the green tag is being used as leverage to force Mr. Friedman to capitulate to the City's position. As I explained Mr. Friedman's position to you, you told me that it is "common practice" for the City to withhold the green tag to extract other things the City needs from a homeowner unrelated to the propriety of the electrical system.

After a City has exercised its discretion and determined that a party is entitled to an approval, withhold that approval for other reasons causes the City to be liable for damages. *Thompson v. City of Lake Elsinore* (1993) 18 Cal.App.4th 49, 58 (failure to provide a certificate of occupancy to extract unrelated concessions from homeowner entitled property owner to damages). That is exactly the situation here. The City has determined that the electrical system is proper, but is withholding the green tag in an effort to extract concessions on an unrelated dispute. As this dispute continues, Mr. Friedman's damages only grow, including his temporary power costs, the loss of use of his home, and the inability to complete the Project.

Please confirm that the City will issue the green tag within 7 days. If the green tag is not issued, Mr. Friedman will be forced to take further action. He expressly reserves all of his rights.

Hook forward to your response.

Richard M. Harris | Associate

ROGERS JOSEPH O'DONNELL | a Professional Law Corporation
311 California Street, 10th fl | San Francisco, CA 94104
415.956.2828 main | 415.956.6457 fax

rharris@rjo.com | www.rjo.com

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From:

<u>Janet Coleson</u> <u>Richard M. Harris</u>

To: Cc:

Aaron P. Silberman RE: 79 Wood lane

Subject: Date:

Tuesday, August 8, 2023 4:18:42 PM

Richard,

Respectfully, it's not my responsibility to resolve your client's issues. You and I both know he needs to submit (with appropriate fee) his application to back to the Commission to ask for approval of his currently unpermitted construction. I don't believe the electrical tag will be withheld for issues unrelated to the electrical.

Please contact me to discuss why a State licensed contractor is performing construction not in conformance with approved plans.

Thank you,

Janet



Janet Coleson

Partner
janet.coleson@bbklaw.com
T: (925) 977-3319
bbklaw.com

From: Richard M. Harris <RHarris@rjo.com> Sent: Monday, August 7, 2023 9:13 PM

To: Janet Coleson < Janet.Coleson@bbklaw.com>
 Cc: Aaron P. Silberman < ASilberman@rjo.com>

Subject: RE: 79 Wood lane

CAUTION - EXTERNAL SENDER.

Janet -

We are well past the deadline set forth in my letter. CFC's damages are accruing, including (but not limited to) inefficiencies for his construction, PG&E temporary power fees, and construction loan costs. I urge you to take this opportunity to work to resolve this issue before litigation becomes inevitable.

I look forward to your response.

Richard M. Harris | Associate

ROGERS JOSEPH O'DONNELL | a Professional Law Corporation

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From: Richard M. Harris

Sent: Wednesday, August 2, 2023 10:33 PM **To:** Janet Coleson < Janet.Coleson@bbklaw.com> **Cc:** Aaron P. Silberman < asilberman@rjo.com>

Subject: RE: 79 Wood lane

Janet -

Just checking in. Thanks.

Richard M. Harris | Associate

ROGERS JOSEPH O'DONNELL | a Professional Law Corporation
311 California Street, 10th fl | San Francisco, CA 94104
415.956.2828 main | 415.956.6457 fax

rharris@rjo.com | www.rjo.com

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From: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>>

Sent: Friday, July 28, 2023 4:04 PM

To: Richard M. Harris < RHarris@rjo.com > **Cc:** Aaron P. Silberman < ASilberman@rjo.com >

Subject: RE: 79 Wood lane

Richard,

Mark Lockaby, the Building Official, is out until August 1. I won't be able to discuss with him whether the electrical system is in order, or extends to unpermitted construction, until that time. I will be back in touch with you shortly after August 1.

Thank you,

Janet

Janet Coleson

Partner

janet.coleson@bbklaw.com

T: (925) 977-3319

<u>bbklaw.com</u>	_ ا			
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From: Richard M. Harris < RHarris@rjo.com>

Sent: Friday, July 28, 2023 3:50 PM

To: Janet Coleson < <u>Janet, Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>ASilberman@rjo.com</u>>

Subject: 79 Wood lane

CAUTION - EXTERNAL SENDER.

Ms. Coleson:

As you know, we represent Coby Friedman in his effort to complete his permitted construction project at 79 Wood Lane, in Fairfax (Project). Mr. Friedman requests that the City of Fairfax (City) provides him a green tag so he can hook up power to the new construction. As the City inspector has already found, the Project has met all of the requirements to receive this green tag.

As we discussed on the phone on July 21, Mr. Friedman contacted the City inspector to inspect his electrical system and issue a green tag. And though the City inspector determined that the electrical system is proper, he still withheld the green tag based on an unrelated dispute. The City and Mr. Friedman disagree about when plan changes need to be submitted to the planning commission for approval, and the withholding of the green tag is being used as leverage to force Mr. Friedman to capitulate to the City's position. As I explained Mr. Friedman's position to you, you told me that it is "common practice" for the City to withhold the green tag to extract other things the City needs from a homeowner unrelated to the propriety of the electrical system.

After a City has exercised its discretion and determined that a party is entitled to an approval, withhold that approval for other reasons causes the City to be liable for damages. *Thompson v. City of Lake Elsinore* (1993) 18 Cal.App.4th 49, 58 (failure to provide a certificate of occupancy to extract unrelated concessions from homeowner entitled property owner to damages). That is exactly the situation here. The City has determined that the electrical system is proper, but is withholding the green tag in an effort to extract concessions on an unrelated dispute. As this dispute continues, Mr. Friedman's damages only grow, including his temporary power costs, the loss of use of his home, and the inability to complete the Project.

Please confirm that the City will issue the green tag within 7 days. If the green tag is not issued, Mr. Friedman will be forced to take further action. He expressly reserves all of his rights.

I look forward to your response.

Richard M. Harris | Associate

ROGERS JOSEPH O'DONNELL | a Professional Law Corporation 311 California Street, 10th fl | San Francisco, CA 94104 415.956.2828 main | 415.956.6457 fax rharris@rjo.com | www.rjo.com

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TOWN OF FAIRFAX

142 Bolinas Road, Fairfax, California 94930 (4 1 5) 4 5 3 - 1 5 8 4 / Fax (4 1 5) 4 5 3 - 1 6 1 8

8-10-2023

Coby Friedman 96 Forrest Avenue Fairfax, CA 94930

Re; 79 Wood Lane Suspension of Permit

Dear Mr. Friedman,

Under the authority of the California Building Code [A] 105.6 adopted by the Town of Fairfax I hereby suspend your <u>building</u> permit for <u>construction at 79 Wood Ave. for</u> the following reasons: the work being done is based on incorrect, inaccurate, and incomplete information.

The construction to date was not approved by the planning commission, or by the building department for construction. In order to commence construction, planning commission approvals must be obtained, and construction drawings checked, and approved by the building department.

Commented [JC1]: And the building permit modified?

Following are the items that have not been approved by the planning commission, or building department:

- A portion of the top floor has been prepared to be a junior accessory dwelling unit, including enclosing an upper deck, and adding an exterior stairway.
- 2. The front low roof has been eliminated, and a deck above a portion of the lower floor even with the top floor has been constructed.
- 3. The basement has been converted into living space for an accessory dwelling unit.

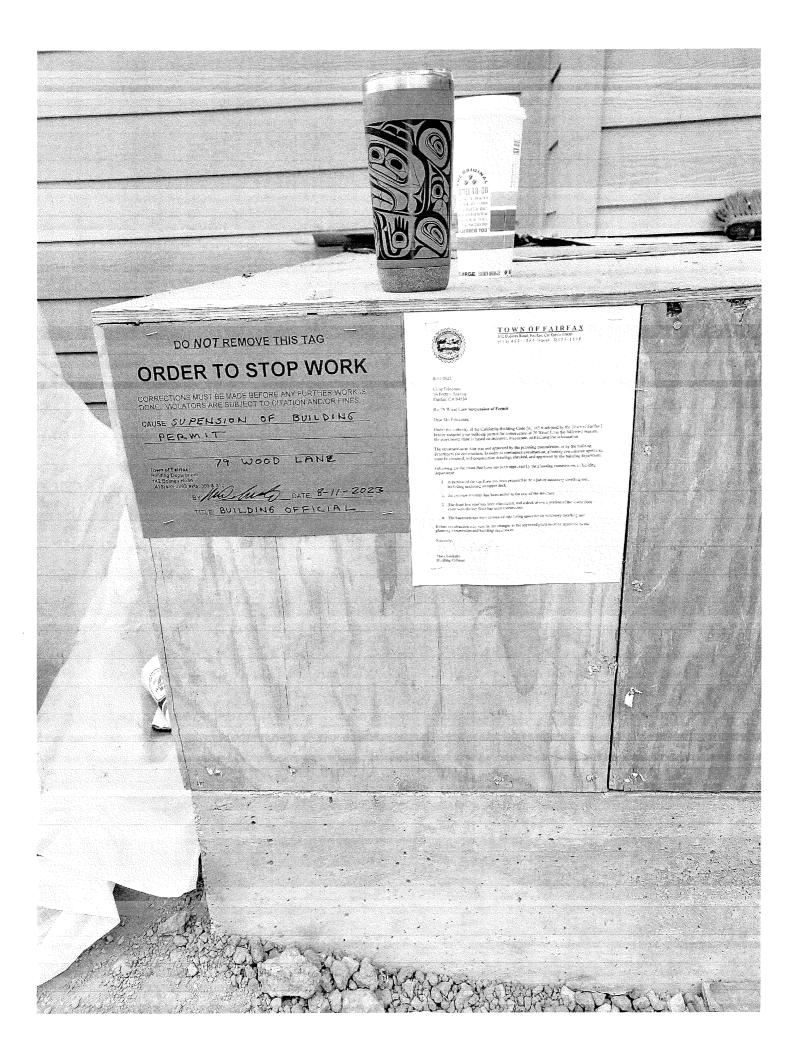
Before construction <u>mayean</u> resume, the changes to the approved plans must be approved by the planning commission and building department.

Sincerely,

Mark Lockaby Building Official

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From: To: <u>Janet Coleson</u> <u>Richard M. Harris</u> <u>Aaron P. Silberman</u>

RE: 79 Wood lane

Cc: Subject: Date:

Tuesday, August 15, 2023 12:08:15 PM

Richard,

I haven't seen the notice. I'll check in with Mark.

I do believe, however, that it's past time for your client to stop doing whatever he wants and follow the direction provided. I am also hopeful that he starts demonstrating he can keep to verbal agreements and it doesn't take judicial intervention to resolve the matter. Hopeful, but given the history with your client, unfortunately, not all that optimistic.

Janet



From: Richard M. Harris <RHarris@rjo.com> Sent: Tuesday, August 15, 2023 10:24 AM

To: Janet Coleson < Janet.Coleson@bbklaw.com>
 Cc: Aaron P. Silberman < ASilberman@rjo.com>

Subject: RE: 79 Wood lane

CAUTION - EXTERNAL SENDER.

Janet -

Please let me know when we can expect a response. We would very much like to come to a solution short of further litigious action.

Thanks,

Richard M. Harris | Associate ROGERS JOSEPH O'DONNELL | a Professional Law Corporation 311 California Street, 10th fl | San Francisco, CA 94104 415.956.2828 main | 415.956.6457 fax rharris@rjo.com | www.rjo.com

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you receive this email in error, please notify us immediately. Do not print, copy, or disseminate it. Please delete the email from your system. Thank you.

From: Richard M. Harris

Sent: Monday, August 14, 2023 10:33 AM

To: Janet Coleson < Janet.Coleson@bbklaw.com>
 Cc: Aaron P. Silberman < asilberman@rjo.com>

Subject: RE: 79 Wood lane

Janet -

We are in receipt of the Town's draft suspending the permit at 79 Wood lane. Three of the four items listed are related to the ADU/JADU changes Mr. Friedman has done and must be ministerially approved. As for the front deck, and rather than discussing the letter point-by-point (and reserving all of Mr. Friedman's rights), we suggest that Mr. Friedman submit his plans showing the changes to the front deck to the planning department. Upon submission (*not* approval), the City will reinstate the permit and allow Mr. Friedman to continue work (including supplying a green tag should the project meet all electrical requirements) until and unless the Planning commission rejects Mr. Friedman's plans.

Let us know if you agree so we can get the plans ready for submission.

Thanks,

Richard M. Harris | Associate

ROGERS JOSEPH O'DONNELL | a Professional Law Corporation
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415.956.2828 main | 415.956.6457 fax
rharris@rjo.com | www.rjo.com

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From: Richard M. Harris

Sent: Friday, August 11, 2023 3:05 PM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>asilberman@rjo.com</u>>

Subject: RE: 79 Wood lane

Janet-

I find your response a bit confusing. On our phone call, you read to me an email you had received from Mark, which said in substance that green tags were being withheld in order to extract concessions from homeowners (such as forcing Coby to submit plans to the planning department according to your schedule). This whole week, Mark has not been responding to Coby's requests for a reinspection of the green tag — *still* there is no reason that the green tag was not provided when

first inspected.

Please advise.

Richard M. Harris | Associate

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From: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>>

Sent: Tuesday, August 8, 2023 4:18 PM **To:** Richard M. Harris < RHarris@rjo.com > **Cc:** Aaron P. Silberman < ASilberman@rjo.com >

Subject: RE: 79 Wood lane

Richard,

Respectfully, it's not my responsibility to resolve your client's issues. You and I both know he needs to submit (with appropriate fee) his application to back to the Commission to ask for approval of his currently unpermitted construction. I don't believe the electrical tag will be withheld for issues unrelated to the electrical.

Please contact me to discuss why a State licensed contractor is performing construction not in conformance with approved plans.

Thank you,

Janet

Janet Coleson

Partner janet.coleson@bbklaw.com T: (925) 977-3319

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From: Richard M. Harris < <u>RHarris@rjo.com</u>> **Sent:** Monday, August 7, 2023 9:13 PM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < ASilberman@rjo.com>

Subject: RE: 79 Wood lane

Janet -

We are well past the deadline set forth in my letter. CFC's damages are accruing, including (but not limited to) inefficiencies for his construction, PG&E temporary power fees, and construction loan costs. I urge you to take this opportunity to work to resolve this issue before litigation becomes inevitable.

Hook forward to your response.

Richard M. Harris | Associate

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From: Richard M. Harris

Sent: Wednesday, August 2, 2023 10:33 PM **To:** Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>asilberman@rjo.com</u>>

Subject: RE: 79 Wood lane

Janet -

Just checking in. Thanks.

Richard M. Harris | Associate

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From: Janet Coleson < Janet. Coleson@bbklaw.com>

Sent: Friday, July 28, 2023 4:04 PM **To:** Richard M. Harris < RHarris@rjo.com > **Cc:** Aaron P. Silberman < ASilberman@rjo.com >

Subject: RE: 79 Wood lane

Richard,

Mark Lockaby, the Building Official, is out until August 1. I won't be able to discuss with him whether the electrical system is in order, or extends to unpermitted construction, until that time. I will be back in touch with you shortly after August 1.

Thank you,

Janet

Janet Coleson

Partner
janet.coleson@bbklaw.com
T: (925) 977-3319
bbklaw.com | _______

From: Richard M. Harris < RHarris@rio.com >

Sent: Friday, July 28, 2023 3:50 PM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>ASilberman@rjo.com</u>>

Subject: 79 Wood lane

CAUTION - EXTERNAL SENDER.

Ms. Coleson:

As you know, we represent Coby Friedman in his effort to complete his permitted construction project at 79 Wood Lane, in Fairfax (Project). Mr. Friedman requests that the City of Fairfax (City) provides him a green tag so he can hook up power to the new construction. As the City inspector has already found, the Project has met all of the requirements to receive this green tag.

As we discussed on the phone on July 21, Mr. Friedman contacted the City inspector to inspect his electrical system and issue a green tag. And though the City inspector determined that the electrical system is proper, he still withheld the green tag based on an unrelated dispute. The City and Mr. Friedman disagree about when plan changes need to be submitted to the planning commission for approval, and the withholding of the green tag is being used as leverage to force Mr. Friedman to capitulate to the City's position. As I explained Mr. Friedman's position to you, you told me that it is "common practice" for the City to withhold the green tag to extract other things the City needs from a homeowner unrelated to the propriety of the electrical system.

After a City has exercised its discretion and determined that a party is entitled to an approval, withhold that approval for other reasons causes the City to be liable for damages. *Thompson v. City of Lake Elsinore* (1993) 18 Cal.App.4th 49, 58 (failure to provide a certificate of occupancy to extract

unrelated concessions from homeowner entitled property owner to damages). That is exactly the situation here. The City has determined that the electrical system is proper, but is withholding the green tag in an effort to extract concessions on an unrelated dispute. As this dispute continues, Mr. Friedman's damages only grow, including his temporary power costs, the loss of use of his home, and the inability to complete the Project.

Please confirm that the City will issue the green tag within 7 days. If the green tag is not issued, Mr. Friedman will be forced to take further action. He expressly reserves all of his rights.

I look forward to your response.

Richard M. Harris | Associate

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Exhibit 11

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TOWN OF FAIRFAX

142 Bolinas Road, Fairfax, California 94930 (4 1 5) 4 5 3 - 1 5 8 4 / Fax (4 1 5) 4 5 3 - 1 6 1 8

8-16-2023

Coby Friedman 96 Forrest Avenue Fairfax, CA 94930

Re; 79 Wood Lane Suspension of Permit

Dear Mr. Friedman,

Thank you for bringing to my attention a clerical error in my correspondence dated August 10, 2023.

Your building permit is suspended pursuant to California Building Code [A] 105.6 as adopted by the Town of Fairfax. Your permit was issued on the basis of your submittal of incorrect, inaccurate, and incomplete information. The construction documents you submitted to obtain the permit did not reflect the following:

- 1. A portion of the top floor has been prepared to be a junior accessory dwelling unit, including enclosing an upper deck, and adding an exterior stairway.
- 2. The front low roof has been eliminated, and a deck above a portion of the lower floor even with the top floor has been constructed.
- 3. The basement has been converted into living space for an accessory dwelling unit.

Sincerely,

Mark Lockaby Building Official

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Exhibit 12

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From: To: Richard M. Harris Janet Coleson

Cc: Subject: Aaron P. Silberman RE: 79 Wood lane

Date:

Wednesday, August 23, 2023 5:56:00 PM

Janet -

Apologies that you are not on vacation.

On an appeal of the alleged suspension of the building permit: Previously, you stated "there is no appeal to the Planning Commission or Town Council of a Building Official's stop work order issued under the authority of the CA Bldg Code." This is consistent with what I found in the Building code. Section 15.04.100 (c)(4) says that appeals of decisions by the building official will be "processed in accordance with the provisions of § 15.04.028 of this code." But there is no section 15.04.028 of the Fairfax Code. What change in the law has there been between June 2023 and now?

In addition, regardless this alleged suspension, can you at least confirm that because the electrical system has been inspected and approved, a green tag will issue? You have concurred that the City will not withhold a green tag for reasons unrelated to the electrical, and there are no other reasons not to approve the electrical system.

Please advise.

Thanks,

Richard M. Harris | Associate

ROGERS JOSEPH O'DONNELL | a Professional Law Corporation
311 California Street, 10th fl | San Francisco, CA 94104
415.956.2828 main | 415.956.6457 fax

rharris@rjo.com | www.rjo.com

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From: Janet Coleson < Janet. Coleson@bbklaw.com>

Sent: Wednesday, August 23, 2023 10:43 AM
To: Richard M. Harris <RHarris@rjo.com>
Cc: Aaron P. Silberman <ASilberman@rjo.com>

Subject: RE: 79 Wood lane

Richard,

First of all, I said I was out of state for a few days (back later tomorrow), not on vacation.

Second, although I don't have the time to go into the details now, we find your cited authority to be outdated and lacking merit. We can argue the case law when I return. In the meantime, there are

several ways in which we may proceed.

- An appeal of a suspension of a building permit is heard by the Town Council in lieu of a Building Board of Appeals (Fairfax is a small jurisdiction and does not have a Building Board of Appeals). If that is what you desire, you may request such a hearing and one will be scheduled.
- 2. We could schedule a hearing before the Planning Commission for revocation of his previously granted approvals because he has not built in accordance with those approvals.
- 3. Your client could file an application for a hearing before the Commission to gain approval of the changes he unilaterally made to his approved plans.

While it appears number 3 above is the fastest route to resolving this issue, just ignoring the Building Official's suspension of his permit is not a wise choice. Mark is preparing to have any worker on site cited. In our experience, Coby's workers are not willing to risk citation for Coby.

There is one area where Mark has already informed Coby that he does need to do work, and that is with the excavation of the garage. Once again, perhaps before you were involved with this client or project, Coby has excavated dangerously close to the adjacent property and the risk of subsidence or cave in is high. In order to not have a public safety hazard existing on the property, endangering not only his property but also that of his neighbor, Mark has told Coby he needs to shore up that excavation. That is the only work permitted on this site pending resolution of the construction not in compliance with approved plans issue.

Thank you,

Janet



From: Richard M. Harris < RHarris@rjo.com> **Sent:** Tuesday, August 22, 2023 4:29 PM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>ASilberman@rjo.com</u>>

Subject: Re: 79 Wood lane

CAUTION - EXTERNAL SENDER.

Janet -

I do not mean to bother you on vacation, but you have not provided me with any other contact

information for an attorney for the City. Please let the City know that, based on the case law below, the suspension of the permit is "inoperative and of no legal force." *City of San Marino v. Roman Catholic Archbishop of Los Angeles,* (1960) 180 Cal.App.2d 657, 669. In addition, any issues related to whether the City can properly stop work due to alleged planning code violations is currently subject to an appeal which the City has not yet moved forward on. On these reasonable bases, given that the red tag is unenforceable, Mr. Friedman will continue working on his property.

Please expedite the issuance of the green tag.

Thanks,

Richard M. Harris | Associate

ROGERS JOSEPH O'DONNELL | a Professional Law Corporation
311 California Street, 10th fl | San Francisco, CA 94104
415.956.2828 main | 415.956.6457 fax

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From: Richard M. Harris < RHarris@rjo.com > Sent: Monday, August 21, 2023 6:08 PM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>ASilberman@rjo.com</u>>

Subject: Re: 79 Wood lane

lanet -

Please send me the contact information of the attorney while you are out of town. Because of this transition, We can wait until noon tomorrow before we will be moving forward.

Get <u>Outlook for Android</u>

From: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>>

Sent: Monday, August 21, 2023 5:17:41 PM **To:** Richard M. Harris < RHarris@rjo.com > **Cc:** Aaron P. Silberman < ASilberman@rjo.com >

Subject: RE: 79 Wood lane

Richard,

I'm out of the State until Thursday and able to check emails only in the evening. I will send this email onto another attorney in the firm for a response.

Thank you,

Janet

Janet Coleson

Partner

ianet.coleson@bbklaw.com

T: <u>(925)</u> <u>977-3319</u>

bbklaw.com | ____

From: Richard M. Harris < RHarris@rjo.com > Sent: Monday, August 21, 2023 12:12 PM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>ASilberman@rjo.com</u>>

Subject: RE: 79 Wood lane

CAUTION - EXTERNAL SENDER.

Janet:

I have begun preparing the writ, which we intend to file this week. However, I wanted to give one last chance to avoid litigation.

As I discussed below, the building official does not have the power to summarily suspend a permit just because the construction changes. But Mr. Friedman also has a vested property interest in the construction project, which cannot be taken away by the City summarily. At a minimum, he is entitled to notice and a hearing prior to taking away his right to construct the home. "In revoking a permit lawfully granted, due process requires that it act only upon notice to the permittee, upon a hearing, and upon evidence substantially supporting a finding of revocation." *Trans-Oceanic Oil Corp. v. City of Santa Barbara* (1948) 85 Cal.App.2d 776, 795. This is because "'Where a permit to [build] a building has been acted upon, and where the owner has, as in this instance, proceeded to incur obligations and to in good faith proceed to erect the building, such rights are then vested property rights, protected by the federal and state Constitutions." Id. at 796.

Courts continue to require that permit suspensions are afforded a notice and a hearing. In *City of San Marino v. Roman Catholic Archbishop of Los Angeles*, the court stated, "As in the Trans-Oceanic case, it is conceded in this case that the rectory permit was 'revoked' without prior notice and without a hearing. Therefore, since the permit was validly issued, the attempted revocation was a violation of due process and 'was inoperative and of no legal force.' Furthermore, the attempted revocation of the permit by the building inspector by means of a letter to the defendants informing them that their permit would 'stand revoked, in a suspense file' was a complete nullity." (1960) 180 Cal.App.2d 657, 669. Note as well that *San Marino* shows that the notice-and-hearing requirement applies, whether it is "revoked" or "in a suspense file."

Finally, because the Town exercised its discretion in finding the electrical system sufficient, providing the green tag is a ministerial task. *Thompson v. City of Lake Elsinore* (1993) 18 Cal.App.4th 49, 58.

If the City can reinstate the permit by the end of the day, and schedule a time to come and issue the green tag this week, we can avoid this costly litigation.

I look forward to your timely response.

Richard M. Harris | Associate

ROGERS JOSEPH O'DONNELL | a Professional Law Corporation
311 California Street, 10th fl | San Francisco, CA 94104
415.956.2828 main | 415.956.6457 fax

rharris@rjo.com | www.rjo.com

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From: Richard M. Harris

Sent: Tuesday, August 15, 2023 3:33 PM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>asilberman@rjo.com</u>>

Subject: RE: 79 Wood lane

Janet:

I have reviewed the stop work order (and attached the copy I received for your reference). It purports to be an action under section 105.6 of the building code, which states in its entirety:

"The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code." (emphasis added)

Here, Mr. Lockaby has *not* found that the permit was issued based on "incorrect, inaccurate, or incomplete information," but instead that "the work being done is based on incorrect, inaccurate, and incomplete information." This is not a basis for suspension of a permit under the building code.

In fact, the building code contemplates that construction will be done that is inconsistent with the plans. Section 107.4 states that "any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents." When the construction does not meet the plans, the correct remedy is an amended set of construction documents, and the Town is not empowered to force the closure of the project simply because the amended plans have not yet been submitted.

Mr. Lockaby's decision is not an exercise of discretion, but an action contrary to law – as I discussed in our previous demand letter, this will make the City liable for damages.

To avoid further litigious action, please have Mr. Lockaby reinstate the permit as soon as possible. I would like to find a solution short of further litigation.

Richard M. Harris | Associate

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From: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>>

Sent: Tuesday, August 15, 2023 12:08 PM **To:** Richard M. Harris < RHarris@rjo.com > **Cc:** Aaron P. Silberman < ASilberman@rjo.com >

Subject: RE: 79 Wood lane

Richard,

I haven't seen the notice. I'll check in with Mark.

I do believe, however, that it's past time for your client to stop doing whatever he wants and follow the direction provided. I am also hopeful that he starts demonstrating he can keep to verbal agreements and it doesn't take judicial intervention to resolve the matter. Hopeful, but given the history with your client, unfortunately, not all that optimistic.

Janet

Janet Coleson

Partner

ianet.coleson@bbklaw.com

T: (925) 977-3319

- <u>bbklaw.com</u> | __ _

From: Richard M. Harris < RHarris@rjo.com > **Sent:** Tuesday, August 15, 2023 10:24 AM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>ASilberman@rjo.com</u>>

Subject: RE: 79 Wood lane

CAUTION - EXTERNAL SENDER.

Janet -

Please let me know when we can expect a response. We would very much like to come to a solution short of further litigious action.

Thanks,

Richard M. Harris | Associate

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From: Richard M. Harris

Sent: Monday, August 14, 2023 10:33 AM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>asilberman@rjo.com</u>>

Subject: RE: 79 Wood lane

Janet -

We are in receipt of the Town's draft suspending the permit at 79 Wood lane. Three of the four items listed are related to the ADU/JADU changes Mr. Friedman has done and must be ministerially approved. As for the front deck, and rather than discussing the letter point-by-point (and reserving all of Mr. Friedman's rights), we suggest that Mr. Friedman submit his plans showing the changes to the front deck to the planning department. Upon submission (*not* approval), the City will reinstate the permit and allow Mr. Friedman to continue work (including supplying a green tag should the project meet all electrical requirements) until and unless the Planning commission rejects Mr. Friedman's plans.

Let us know if you agree so we can get the plans ready for submission.

Thanks,

Richard M. Harris | Associate

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rharris@rjo.com | www.rjo.com

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from your system. Thank you.

From: Richard M. Harris

Sent: Friday, August 11, 2023 3:05 PM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>asilberman@rjo.com</u>>

Subject: RE: 79 Wood lane

Janet-

I find your response a bit confusing. On our phone call, you read to me an email you had received from Mark, which said in substance that green tags were being withheld in order to extract concessions from homeowners (such as forcing Coby to submit plans to the planning department according to your schedule). This whole week, Mark has not been responding to Coby's requests for a reinspection of the green tag — *still* there is no reason that the green tag was not provided when first inspected.

Please advise.

Richard M. Harris | Associate

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From: Janet Coleson < Janet. Coleson @bbklaw.com>

Sent: Tuesday, August 8, 2023 4:18 PMTo: Richard M. Harris < RHarris@rjo.com >Cc: Aaron P. Silberman < ASilberman@rjo.com >

Subject: RE: 79 Wood lane

Richard,

Respectfully, it's not my responsibility to resolve your client's issues. You and I both know he needs to submit (with appropriate fee) his application to back to the Commission to ask for approval of his currently unpermitted construction. I don't believe the electrical tag will be withheld for issues unrelated to the electrical.

Please contact me to discuss why a State licensed contractor is performing construction not in conformance with approved plans.

Thank you,

Janet Coleson

Partner

ianet.coleson@bbklaw.com

T: <u>(925) 977-3319</u>

bbklaw.com | ____

From: Richard M. Harris < RHarris@rjo.com>
Sent: Monday, August 7, 2023 9:13 PM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>ASilberman@rjo.com</u>>

Subject: RE: 79 Wood lane

CAUTION - EXTERNAL SENDER.

Janet -

We are well past the deadline set forth in my letter. CFC's damages are accruing, including (but not limited to) inefficiencies for his construction, PG&E temporary power fees, and construction loan costs. I urge you to take this opportunity to work to resolve this issue before litigation becomes inevitable.

I look forward to your response.

Richard M. Harris | Associate

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rharris@rjo.com | www.rjo.com

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From: Richard M. Harris

Sent: Wednesday, August 2, 2023 10:33 PM **To:** Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>asilberman@rjo.com</u>>

Subject: RE: 79 Wood lane

Janet -

Just checking in. Thanks.

Richard M. Harris | Associate

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rharris@rjo.com | www.rjo.com

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From: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>>

Sent: Friday, July 28, 2023 4:04 PM

To: Richard M. Harris < RHarris@rjo.com >

Cc: Aaron P. Silberman < <u>ASilberman@rjo.com</u>>

Subject: RE: 79 Wood lane

Richard,

Mark Lockaby, the Building Official, is out until August 1. I won't be able to discuss with him whether the electrical system is in order, or extends to unpermitted construction, until that time. I will be back in touch with you shortly after August 1.

Thank you,

Janet

Janet Coleson

Partner

janet.coleson@bbklaw.com

T: <u>(925) 977-3319</u> <u>bbklaw.com</u> | __ _ _ _

From: Richard M. Harris < RHarris@rjo.com>

Sent: Friday, July 28, 2023 3:50 PM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>> **Cc:** Aaron P. Silberman < <u>ASilberman@rjo.com</u>>

Subject: 79 Wood lane

CAUTION - EXTERNAL SENDER.

Ms. Coleson:

As you know, we represent Coby Friedman in his effort to complete his permitted construction project at 79 Wood Lane, in Fairfax (Project). Mr. Friedman requests that the City of Fairfax (City) provides him a green tag so he can hook up power to the new construction. As the City inspector

has already found, the Project has met all of the requirements to receive this green tag.

As we discussed on the phone on July 21, Mr. Friedman contacted the City inspector to inspect his electrical system and issue a green tag. And though the City inspector determined that the electrical system is proper, he still withheld the green tag based on an unrelated dispute. The City and Mr. Friedman disagree about when plan changes need to be submitted to the planning commission for approval, and the withholding of the green tag is being used as leverage to force Mr. Friedman to capitulate to the City's position. As I explained Mr. Friedman's position to you, you told me that it is "common practice" for the City to withhold the green tag to extract other things the City needs from a homeowner unrelated to the propriety of the electrical system.

After a City has exercised its discretion and determined that a party is entitled to an approval, withhold that approval for other reasons causes the City to be liable for damages. *Thompson v. City of Lake Elsinore* (1993) 18 Cal.App.4th 49, 58 (failure to provide a certificate of occupancy to extract unrelated concessions from homeowner entitled property owner to damages). That is exactly the situation here. The City has determined that the electrical system is proper, but is withholding the green tag in an effort to extract concessions on an unrelated dispute. As this dispute continues, Mr. Friedman's damages only grow, including his temporary power costs, the loss of use of his home, and the inability to complete the Project.

Please confirm that the City will issue the green tag within 7 days. If the green tag is not issued, Mr. Friedman will be forced to take further action. He expressly reserves all of his rights.

I look forward to your response.

Richard M. Harris | Associate

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rharris@rjo.com | www.rjo.com

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Exhibit 13

From: To: Janet Coleson Richard M. Harris Aaron P. Silberman

Cc: Subject:

RE: 79 Wood Lane

Date:

Wednesday, June 14, 2023 10:04:57 PM

Hello Richard,

Not exactly. Coby is constructing items that are not in accordance with approved plans. The Building Official has authority under the CA Bldg Code (adopted by the Town in Title 15) to issue a stop work order if construction is taking place that is not in conformance with approved plans and permits. The Building Official has the authority to issue or authorize the issuance of citations for violation of a stop work order. The Fairfax Building Official uses the Fairfax PD to issue infraction citations for violation of a stop work order. My understanding is that the citations are issued to anyone/everyone doing construction on the site.

The last time a stop work order was issued to your client (for this same construction site), I believe your firm filed a writ. I'm not trying to tell you how you should proceed, but there is no appeal to the Planning Commission or Town Council of a Building Official's stop work order issued under the authority of the CA Bldg Code. Coby's misplaced appeal and check will be returned to the address on the document. Submitting an application to the Planning Commission is the appropriate route to take to request a change to the plans (for items other than ADUs/JADUs which are ministerially approved by the Building Official per the new State laws governing ADUs /JADUs).

I have calls until 2:30pm tomorrow. Please let me know if you'd like to talk after that time.

Thank you,

Janet



Janet Coleson

Partner janet.coleson@bbklaw.com

bbklaw.com |

T: (925) 977-3319

From: Richard M. Harris <RHarris@rjo.com>
Sent: Wednesday, June 14, 2023 11:15 AM
To: Janet Coleson <Janet.Coleson@bbklaw.com>
Cc: Aaron P. Silberman <ASilberman@rjo.com>

Subject: RE: 79 Wood Lane

CAUTION - EXTERNAL SENDER.

I am Aaron's colleague working on this matter. I understand that Coby has submitted, and the Town has accepted, his verified appeal and the \$625 fee. The stop work order was issued because the Town contends some construction needed to be submitted to the planning commission, and was not. The rules of the planning commission are contained under title 17. Under title 17, the Town cannot enforce its stop work order until the appeal is resolved.

I am around all day today to discuss the issue if we can work out some kind of resolution which all the parties can live with. Please feel free to call me – my direct line is (415) 365 5306.

Thanks,

Richard M. Harris | Associate

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311 California Street, 10th fl | San Francisco, CA 94104
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From: Aaron P. Silberman < ASilberman@rjo.com>

Sent: Tuesday, June 13, 2023 4:42 PM **To:** Richard M. Harris <RHarris@rjo.com>

Subject: FW: 79 Wood Lane

From: Aaron P. Silberman

Sent: Friday, June 9, 2023 5:01 PM

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>>

Subject: RE: 79 Wood Lane

Janet:

Let's find a time to talk on Monday.

In the meantime, in order to preserve his rights, Coby submitted an application to the Town Clerk today appealing the Order to Stop Work. A courtesy copy is attached.

Hopefully, when we talk, we can find some common ground here. It still appeared to me, from Mark and Coby's recent emails, that they were close to agreement.

Aaron

Aaron P. Silberman | Shareholder

ROGERS JOSEPH O'DONNELL | a Professional Law Corporation 311 California Street, 10th fl | San Francisco, CA 94104 415.956.2828 main | 415.365.5339 dd | 415.956.6457 fax asilberman@rjo.com | www.rjo.com

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From: Janet Coleson < Janet. Coleson @bbklaw.com>

Sent: Friday, June 9, 2023 10:53 AM

To: Aaron P. Silberman < <u>ASilberman@rjo.com</u>>

Subject: Re: 79 Wood Lane

Aaron, I'm not able to discuss today as we have a high school graduation and accompanying events happening today. Coby has already gone beyond what is allowed/permitted and he is well aware of this. He has not agreed to stop, quite the opposite. He needs to stop work until this can be resolved. If you have time on Monday, I think you and I should bring Mark into our conversation.

Janet Coleson

Partner
janet.coleson@bbklaw.com
T: (925) 977-3319
bbklaw.com | ______

On Jun 9, 2023, at 8:56 AM, Aaron P. Silberman < ASilberman@rjo.com > wrote:

CAUTION - EXTERNAL SENDER.
Janet:

When I sent you my last email yesterday, I did not know that Mark had red-tagged the site. As a result of the Town's action, it is urgent that you please respond to my questions below. Regardless of the basis for its position, would the Town be agreeable to lifting the red-tag if Coby agreed not to do any further work on the rear stairs (at least until we can resolve the issues there)?

Aaron

From: Aaron P. Silberman

Sent: Thursday, June 8, 2023 4:41 PM

To: Janet Coleson < Janet. Coleson @bbklaw.com>

Subject: RE: 79 Wood Lane

Janet:

I agree that a call might be useful, but I need to talk to Coby first. Before I do that, I'd like to understand the City's position. Is there anything you can tell me in response to my questions below?

Aaron

Aaron P. Silberman | Shareholder
ROGERS JOSEPH O'DONNELL | a Professional Law Corporation
311 California Street, 10th fl | San Francisco, CA 94104
415.956.2828 main | 415.365.5339 dd | 415.956.6457 fax
asilberman@rjo.com | www.rjo.com

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From: Janet Coleson < Janet. Coleson @bbklaw.com>

Sent: Thursday, June 8, 2023 10:56 AM

To: Aaron P. Silberman < ASilberman@rjo.com >

Subject: Re: 79 Wood Lane

Aaron we should talk because Mark is telling me that Coby has constructed things that are not on the approved plans and not connected with ADU/JADU that Mark has authority over. Mark says there are many workers onsite attempting to finish as much as possible as quickly as possible. I believe Coby needs to stop until this gets straightened out. He cannot just submit plans to the Assessor after it's all built as he says he's going to.

Janet Coleson

Partner janet.coleson@bbklaw.com T: (925) 977-3319 bbklaw.com | ___ __ _

On Jun 8, 2023, at 10:49 AM, Aaron P. Silberman <<u>ASilberman@rjo.com</u>> wrote:

CAUTION - EXTERNAL SENDER.

Hi, Janet.

It looks like the numbering is off in the forwarded email. Are you referring to the second item (starting with "A portion of the top floor ...")? Any others?

Re the second item, I'm a bit confused, and it looks like Coby is too, particularly about the following sentence from Mark: "We believe the JADU can proceed however the enclosure of the deck, and exterior stairway must go to the planning commission for approval." Since Coby responds that the deck enclosure is done, the only remaining work issue I see is the exterior stairway. Is that the City's view too? Re the exterior stairway, is the City's position that (a) the exterior stairway is not related to the JADU and so must be submitted and approved by the PC (as opposed to administrative review by Mark); (b) it is related to the JADU but nevertheless must be submitted and approved by the PC; or (c) something else?

Thanks in advance for any help you can provide me to understand where the City stands on this.

Aaron

Aaron P. Silberman | Shareholder

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From: Janet Coleson < Janet. Coleson @bbklaw.com>

Sent: Thursday, June 8, 2023 8:09 AM

To: Aaron P. Silberman <<u>ASilberman@rjo.com</u>>

Subject: Fwd: 79 Wood Lane

Mr. Silberman,

This is your client's response. He must stop any work that needs to be approved by the Commission. He needs to submit an application for PC. The Town has been more than accommodating.

Thank you, Janet

Begin forwarded message:

Janet Coleson

Partner
janet.coleson@bbklaw.com
T: (925) 977-3319
bbklaw.com | ______

From: Mark Lockaby < mlockaby@townoffairfax.org>

Date: June 8, 2023 at 6:32:46 AM PDT

To: Janet Coleson < <u>Janet.Coleson@bbklaw.com</u>>

Subject: FW: 79 Wood Lane

CAUTION - EXTERNAL SENDER.

FYI

Thanks,

Mark Lockaby Building Official Town of Fairfax 142 Bolinas Road Fairfax, CA 94930 415-458-2370

From: Coby Friedman < coby@cfcontracting.com>

Sent: Wednesday, June 7, 2023 9:40 PM

To: Mark Lockaby < mlockaby@townoffairfax.org>

Subject: RE: 79 Wood Lane

Hi Mark,

My answers and comments are in red below.

Thanks,

Coby Friedman CF Contracting, Inc. Tel. 415-310-5442

Fax. 415-296-6437

From: Mark Lockaby < mlockaby@townoffairfax.org >

Sent: Wednesday, June 7, 2023 9:21 AM

To: Coby Friedman < coby@cfcontracting.com>

Subject: FW: 79 Wood Lane

Coby,

During a requested framing inspection I noticed that there were several changes to your approved plans. You submitted new plans for the current design. The changes are either shown on the plans, or have been started as follows:

1. A portion of the basement is shown to be an accessory dwelling unit, with an addition to meet egress requirements for the bedroom. We believe this can proceed.

Thank you

A portion of the top floor has been prepared to be a junior accessory dwelling unit, including enclosing an upper deck, and the addition of an exterior stairway. We believe the JADU can proceed however the enclosure of the deck, and exterior stairway must go to the planning commission for approval. No work can proceed on the rear stairs or enclosed area until planning commission approvals are obtained. Additionally there will be a deed restriction required stating that the home is to be owner occupied (State Law).

The ~50 SF rear deck has already been enclosed, the rough plumbing, electrical and HVAC work has been done. The only remaining work to do there is drywall and paint. Since you said that you believe the JADU can proceed and the remaining work (i.e. drywall, paint and the access stairs in the back) is all being done for the JADU, I'll proceed with that work.

 A portion of the of the basement is shown as additional living space (office) for the main residence.
 You have agreed to remove this from the plans, or seek approval from the planning commission.

I agree to remove the "Office" and designate it as

storage space.

1. A rear deck is shown at the rear of the structure at ground level. You have agreed to remove the deck from the plans, or seek approval from the planning commission.

Lagree

 The front low roof is shown as being eliminated, and a deck above a portion of the lower floor even with the top floor is shown. This must go to the planning commission for approval. No work can continue further with the deck until planning commission approval is obtained.

The roof deck has already been constructed and water proofed with epoxy coating. The only work remaining to do there is the railings which you've okayed me to install safety railing.

 The new plans show a garage without out the ADU that was shown on the previously approved plans. The limit for the parcel is the main house, 1 ADU, and 1 JADU. In the future the garage cannot be converted to an ADU, or have an ADU added to it (unless state laws change).

Lagree

1. You agreed to be cordial during any interactions with town staff, and the planning commission.

I'll try my best

At this point only foundation inspections, and under slab plumbing inspections have been completed. At some point very soon framing, plumbing, mechanical, and electrical inspections will need to be scheduled and passed before any work can continue.

Please update your new plans to reflect the agreed upon deletions, and work with the planning department for the changes that need planning commission approvals.

I let you know that if any work is continued in the areas that need planning commission approvals a "Stop Work" order will be issued.

I intend to submit plans showing the changes when the project is done and for the County Assessor's purposes only, so the property can be assessed for tax purposes. If you'd like to show the plans to the Planning Commission then be my guest. However, I don't agree that the Planning

Commission should have anything to do with any work or changes relating to the ADU or JADU or with any other changes so long as the house complies with all the zoning standards.

Please let me know if you have any questions regarding this matter.

Regards,

Mark Lockaby Building Official Town of Fairfax 142 Bolinas Road Fairfax, CA 94930 415-458-2370

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Exhibit 14

*			
,			

From: To: Coby Friedman Mark Lockaby

Subject:

RE: 79 Wood Ln. Green tag

Date:

Friday, August 25, 2023 11:42:30 AM

Mark:

Thank you for meeting with me today. While we talked, you told me that the City attorney, Janet Coleson, had instructed you not to release the green tag for the meter. I told you that because the electrical system is acceptable, there is no legal basis for withholding the green tag. I told you that Janet had told my attorney the same thing. You also told me that the new Planning Director instructed you to contact the CSLB, and that you forwarded my email from this morning to him and to Janet. As I requested in my previous email, if you do contact the CSLB the contact information for my attorney so he can explain why I'm not doing anything wrong.

You also told me that the changes you put in your permit suspension letter are so minor that they'll most likely get approved. I told you that I want to submit all of my changes when I'm done making them because I don't want you to stop me again for minor changes.

I am still hopeful that the City will issue the green tag, as there is no legal basis for withholding it.

Thanks.

Coby Friedman CF Contracting, Inc. Tel. 415-310-5442 Fax. 415-2966437

From: Coby Friedman < coby@cfcontracting.com>

Sent: Friday, August 25, 2023 8:02 AM

To: Mark Lockaby < mlockaby@townoffairfax.org >

Subject: RE: 79 Wood Ln. Green tag

Mark:

I was entitled to the green tag when you did the inspection and cleared the house. You cannot withhold it now just because you have tried to suspend the permit based on wholly unrelated issues. And as my lawyer explained, you cannot suspend my permit without notice and a hearing where I get to provide evidence. Since there is no notice and hearing, then your "suspension" of the permit has "no legal force."

Please have your contact at the CSLB contact my attorney, Richard Harris at rharris@rjo.com. He can explain these issues and make clear that I am an owner-builder of my own house, so there's no "consumer" for the CSLB to protect except me.

Thanks,

Coby Friedman CF Contracting, Inc. Tel. 415-310-5442 Fax. 415-296-6437

From: Mark Lockaby < mlockaby@townoffairfax.org >

Sent: Friday, August 25, 2023 6:35 AM

To: Coby Friedman < coby@cfcontracting.com>

Subject: RE: 79 Wood Ln. Green tag

Coby,

I will not be releasing the meter until the building permit is reinstated. We have requested assistance from the Contractors State License Board. They responded immediately and conveyed that they consider contractors ignoring Stop Work Orders as a high priority.

Regards,

Mark Lockaby Building Official Town of Fairfax 142 Bolinas Road Fairfax, CA 94930 415-458-2370

From: Coby Friedman < coby@cfcontracting.com>
Sent: Wednesday, August 23, 2023 4:36 PM
To: Mark Lockaby < mlockaby@townoffairfax.org>

Subject: 79 Wood Ln. Green tag

Mark,

Please let me know if Janet has cleared you to post the green tag for the electrical service.

Thanks,

Coby Friedman CF Contracting, Inc. Tel. 415-310-5442 Fax. 415-296-6437