#### CITY OF ALBANY PLANNING AND ZONING AGENDA STAFF REPORT

Agenda date: 1/27/09 Prepared by: AC Reviewed by: JB

ITEM/

4b

SUBJECT:

Planning Application 08-075. Design Review. Request for Design Review approval to allow a 96 square foot, second-story addition to the rear of an

existing single-family home.

SITE:

839 Madison

APPLICANT/

OWNER:

Carl Sherrod for Alex Guiton

ZONING:

R-2 (Medium Density Residential)

#### **STAFF RECOMMENDATION**

Approve the request for design review approval, subject to the draft findings and conditions.

#### **BACKGROUND/PROJECT DESCRIPTION**

The subject property is a 3,900 square foot lot with a two-story single-family home. The applicant is requesting Design Review approval to allow construction of a 96 square foot second-story addition to the rear of the home. The addition would be a horizontal extension of an existing wall, which would maintain the 11' southern side yard setback. The roof will be continued so as to maintain a maximum height of 23'. A new dormer is also proposed on the southern side of the home. All development requirements are met and only Design Review approval is requested.

#### **ENVIRONMENTAL ANALYSIS**

Staff has determined that the proposed project is categorically exempt from the requirements of CEQA per Section 15301, "Existing Facilities" of the CEQA Guidelines, which exempts small additions.

#### **DISCUSSION OF KEY ISSUES**

The proposed addition is small in size and will add an additional bathroom where there is currently only one bathroom in a three-bedroom house. There is one double-hung window proposed on the southern elevation. The addition will continue at the existing height of the home and have one additional window, which means it should have modest impact on adjacent neighbors. The new dormer proposed on the northern side of the home will also add some

architectural interest on the north façade. The additional area will be finished in building materials that match the existing. Staff recommends approval of the project, subject to the attached findings and conditions.

Given that the addition is less than 240 square foot, off-street parking is not a consideration in processing this application.

#### **Attachments:**

- 1. Analysis of zoning requirements
- 2. Findings
- 3. Conditions of approval
- 4. Application, Plans, Photos

# ATTACHMENT 1 - ANALYSIS OF COMPLIANCE WITH ZONING REQUIREMENTS

#### 20.12 Zoning Districts And Permitted Uses

General Plan:

Low Density Residential

Zoning:

R-1 - Single Family Residential

#### 20.16 Land Use Classifications

Single-family residential

Surrounding

North - SFR

East - SFR

Property Use

South - SFR

West - SFR

### 20.20.080 Secondary Residential Units.

Not applicable.

#### 20.24.020 Table Of Site Regulations By District.

	Proposed (approx.)	Requirement
Setbacks		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Front (west)	4'	15′
Side (north)	12'	3′ 9″
Side (south)	7'	3′ 9″
Rear (east)	31′ 3″	15′
Area		
Lot Size	3,900	3,750
Lot Coverage	%	50%
Maximum Height	27′ 6″	28' max.

<u>20.24.030</u> Overlay District Regulations. Not applicable.

<u>20.24.040</u> Hillside Residential Regulations. Not applicable.

#### 20.24.050 Floor-Area-Ratio.

	Proposed	Requirement
Lot Size	3,750	
Floor Area		·
Garage	440	440
First Fl	608	608
Second Floor	509	598
Total	1,557	1,646
Total Counted * **	1,320	1,426
Floor Area Ratio	35%	38%

<sup>\* 220</sup>sq. ft. exempted from "total counted" as permitted by MC 20.24.050 for enclosed parking spaces.

<u>20.24.060</u> Setback Areas, Encroachments. Not applicable.

<u>20.24.100</u> Distances Between Structures. Not applicable.

<u>20.24.110</u> Fences, Landscaping, Screening. Not applicable.

<u>20.24.130 Accessory Buildings.</u> Not applicable.

<u>20.28 Off-Street Parking Requirement.</u> Not applicable.

20.40 Housing Provisions Not applicable.

<u>20.44 Non-conforming Uses, Structures and Lot Not applicable.</u>

20.48 Removal of Trees Not applicable.

<u>20.52</u> Flood Damage Prevention Regulations Not applicable.

20.100.030 Use Permits. Not applicable.

20.100.040 Variances. Not applicable.

# 20.100.010 Common Permit Procedures.

Public notice of this application was provided on January 16, 2009 in the form of mailed notice to property owners and occupants within a 100-foot radius, and posted in three locations.

20.100.050 Design Review. See Summary of Key Issues

<u>Green Building Requirements</u> Not applicable.

# ATTACHMENT 2 - FINDINGS

# Findings for Design Review approval (Per section 20.100.050.E of the AMC)

Require	ed Finding	Explanation		
1.	The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter.	The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.		
2.	Approval of project design is consistent with the purpose and intent of this section, which states "designs of projectswill result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and vehicular parking are sufficient."	The proposal is in scale and harmony with existing development in the vicinity of the site. The architectural style, design and building materials are consistent with the City's Residential Design Guidelines. The proposed project will provide safe and convenient access to the property for both vehicles and pedestrians. The project will not remove any significant vegetation and will not require significant grading. The project will not create a visual detriment at the site or the neighborhood.  The proposed addition is small in size and will add an additional bathroom where there is currently only one bathroom in a three-bedroom house. The addition will continue at the existing height of the home and have one additional window, which means it should have little to no impact on adjacent neighbors. It will be finished in materials that match the existing home.		
3.	Approval of the project is in the interest of public health, safety and general welfare.	The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area. The project meets all development requirements and is completely within the existing building envelope. The proposed addition is small in size and will continue at the existing height of the home and have one additional window, which means it should have little to no impact on adjacent neighbors.		
4.	The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.	The project as designed is in substantial compliance with the standards as stated, including access, architecture, natural features, coordination of design details, and privacy.		

#### ATTACHMENT 3 - CONDITIONS OF APPROVAL

#### COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS OF APPROVAL

#### **GENERAL PROJECT CONDITIONS**

- Gen-1
- Project Approval. This Design Review approval is for Alex Guiton at 839 Madison, as substantially shown and described on the project plans, except as may be modified by conditions herein. Plans include preliminary master site plan prepared by Carl Sherrod date received December 8, 2008, architectural plans (site plan presented to the Planning and Zoning Commission on January 27, 2009). For any condition herein that requires preparation of a Final Plan where the project developer has submitted a conceptual plan, the project developer shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City.
- Gen-2
- Project Approval Expiration. This Design Review approval will expire on February 10, 2010 (one year from the date on which this approval becomes effective) or at an alternate time specified as a condition of approval, unless [a building permit has been issued and construction diligently pursued; a certificate of occupancy has been issued; the use is established; the use permit, variance or design review approval is renewed]. The approval may be renewed by the Community Development Director for a period up to an additional two (2) years, provided that, at least ten (10) days prior to expiration of one (1) year from the date when the approval becomes effective, an application for renewal of the approval is filed with the Community Development Department. The Community Development Director may grant a renewal of an approval where there is no change in the original application, or there is no request to change any condition of approval.
- Gen-3
- Fees. The applicant shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured, and shall be paid prior to issuance of said permit or prior to any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project developer shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and developer.
- Gen-4
- Appeals. The Albany Municipal Code provides that any action of the Planning staff may be appealed to the Planning and Zoning Commission, and any action of the Planning and Zoning Commission may be appealed to the City Council as per the procedures described in Section 20.100.080. The City Clerk will then schedule the matter for the next available City Council meeting.

- GEN-5

  Requirement for Building Permit. Approval granted by the Planning and Zoning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure. An appropriate permit issued by the Community Development Department must be obtained prior to constructing, enlarging, moving, converting, or demolishing any building or structure within the City.
- GEN-6 Fire Department Approval. As part of a building permit application, the applicant shall submit written documentation that all requirements of the Albany Fire Department have, or will be, met to the satisfaction of the AFD.
- GEN-7 **Engineering Approval**. As part of a building permit application, the applicant shall submit written documentation that all requirements of the Public Works Department have, or will be, met to the satisfaction of the City Engineer.
- GEN-8 Construction Hours. Construction activity shall be restricted to the hours of 8:00 a.m. to 6:00 p.m. Mondays through Saturdays, and 10:00 a.m. to 6:00 p.m., Sundays and legal holidays, unless otherwise approved in writing by the City Engineer for general construction activity. Failure to comply with construction hours may result in stop work orders or other administrative actions.
- GEN-9 Modifications to Approved Plans. The project shall be constructed as approved. Planning staff may approve minor modifications in the project design, but not the permitted land use (per MC 20.12). A change in an item requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning and Zoning Commission approval through the Design Review process.
- GEN-10 **Public Improvements Standards**. Public improvements shall be designed and constructed in accordance with the City's Standard Specifications and Standard Details, unless specifically waived in writing by the City Engineer.
- GEN-11 Energy Conservation Standards. All buildings shall be designed in accordance with the State of California energy conservation standards for non-residential buildings. The necessary plans and documentation shall be submitted at time of building permit application.

#### **ARCHITECTURE CONDITION**

- ARCH-1 **Final Architectural Drawings**. The applicant shall submit final architectural elevations, details and revisions for the review and approval of the Community Development Department as part of building permit application.
- ARCH-2 **Window Recess**. All new windows shall be recessed two inches from face of building to provide adequate shade and shadow and to promote visual relief. Final window details shall be submitted for review and approval at the time of building permit application.

ARCH-3 Non-Reflective Glazing. Any glazing material shall be non-reflective.

#### **LIGHTING CONDITIONS**

- Exterior Lighting. All exterior lighting shall be installed in such a manner that glare is directed away from surrounding properties and rights-of-way. If required, exterior light fixtures shall be equipped with "cut off" lenses to minimize light and glare spill over onto adjacent properties.
- LGHT-2 Shielding of Lighting. Prior to the certificate of occupancy all accent lighting shall be directed downward and, if necessary, fixed with cut-off lenses to ensure that no glare spills onto neighboring properties.

#### **LANDSCAPING CONDITIONS**

LNDSC-1 **Tree Preservation**. All existing trees on the site shall be preserved to the fullest extent practicable. Removal will be allowed only upon prior written approval from the Community Development Department.

#### **PUBLIC WORKS DEPARTMENT CONDITIONS**

#### **GENERAL ENGINEERING CONDITIONS**

ENGR-1 **Backflow Device**. Any required water service for fire protection purposes shall be equipped with a City approved backflow device. Services for irrigation purposes also require a separate City approved backflow prevention device.

#### **GRADING CONDITIONS**

- GRAD-1 Water on Site. The site shall be graded so as to prevent rainfall runoff originating from improved areas on the project site from crossing onto adjoining private property. Building floor elevations shall be above the FEMA-mapped 100-year flood plain as established by a licensed civil engineer. Provide the elevation and compaction certificates during and upon the completion of grading required by the Uniform Building Code and in conformance with the recommendations of the geotechnical engineer's report. Shore and dewater all excavations in accordance with the requirements of the geotechnical engineer's report.
- GRAD-2 Flooding Damages. The project developer shall execute an assumption of risk, indemnification and hold harmless agreement as required by the City. The agreement, in substance, shall state that the project developer, and any successor in interest, shall assume all risk for damages to the project and to project improvements, flooding caused by surface water intrusion, stormwater runoff, or water under the ground surface pressing on or flowing or seeping through foundations, walls, floors, or paved surfaces, basements, whether paved or not,

or windows, doors or other openings, and shall indemnify and hold the City harmless from any claims of such damages, including third-party claims, of such damage or of such damages or of damages arising from rainfall runoff which is not prevented from leaving the project site in violation of Condition GRAD-3.

GRAD-3 **Dust Control Program**. A dust control program shall be prepared by the project developer and approved by the Community Development Department and City Engineer prior to issuance of a grading permit. The dust control plan shall address such items as covering stockpiled material, frequent watering of graded areas, revegetating graded areas, speed limits for grading equipment and similar items.

#### **INFRASTRUCTURE CONDITIONS**

- INFR-1 Sewer System Requirements. The sewer system for the subject building shall comply with Chapter 15 of the Albany Municipal Code and to the satisfaction of the City Engineer before Final Inspection approval of the construction permit.
- INFR-2 **Two-Way Cleanout.** Installation of a two-way curbside cleanout shall be required per Chapter 15 of the Albany City Code. This applies to all properties, including properties with a valid upper sewer lateral certificate of compliance. All 2-way curbside clean outs shall be fitted with a loose cap in accordance with the City's standard detail SS6.
- INFR-3 **Property Run-off Requirements**. All runoff from impervious surfaces shall be intercepted at the project boundary and shall be collected and conducted via an approved drainage system through the project site to an approved storm drain facility, as determined by the City Engineer. Development that contributes additional water to the existing drainage system shall be required to complete a hydraulic study and make improvements to the system as required to accommodate the expected ultimate peak water flow and to stabilize erosive banks that could be impacted by additional storm water flow.
- Roof Drainage. Roof drainage from the structure shall be collected via a closed pipe and conveyed to an approved storm drain system off the street curb. No concentrated drainage of surface flow across sidewalks shall be permitted. Alternative natural treatment measures are subject review and approval by the City Engineer.

#### **PUBLIC IMPROVEMENTS CONDITIONS**

PUBIM-1 Encroachment Permit. The applicant shall obtain an encroachment permit from the Engineering Division prior to commencing any construction activities within any public right-of-way or easement.

- PUBIM-2 **Debris Removal.** All mud, dirt or construction debris carried off the construction site onto adjacent streets shall be removed each day. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.
- PUBIM-3 **Damage to Street Improvements**. Any damage to street improvements now existing or done during construction on or adjacent to the subject property shall be repaired to the satisfaction of the City Engineer at the full expense of the applicant. This shall include sidewalk repair, slurry seal, street reconstruction or others, as may be required by the City Engineer.
- PUBIM-4 Right-of-Way Construction Standards. All improvements within the public right-of-way, including curb, gutter, sidewalks, driveways, paving and utilities, shall be reconstructed in accordance with approved standards and/or plans and shall comply with the standard plans and specification of the Community Development Department and Chapter 14 of the City Code.

#### **FIRE DEPARTMENT CONDITIONS**

- FIRE-1 Fire Alarms. Fire alarms must be installed, subject to Fire Department review and designation of alarm locations.
- FIRE-2 **Fire Rated Construction**. Any portion of a building five (5) feet or less from the property line shall comply with fire-rating requirements of the CBC.

#### **STRUCTURAL CONTROL MEASURES**

- STRUC-1 **Illegal Dumping to Storm Drain Inlets and Waterways**. On-site storm drain inlets shall be clearly marked with the words "No Dumping! Flows to Bay," or equivalent, using methods approved by the City of Albany.
- Pesticide/Fertilizer Application Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. If a landscaping plan is required as part of a development project application, the plan shall meet the following conditions related to reduction of pesticide use on the project site:
  - a) Where feasible, landscaping shall be designed and operated to treat stormwater runoff by incorporating elements that collect, detain, and infiltrate runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.
  - b) Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.

- c) Existing native trees, shrubs, and ground cover shall be retained and incorporated into the landscape plan to the maximum extent practicable.
- d) Proper maintenance of landscaping, with minimal pesticide use, shall be the responsibility of the property owner.

#### **OPERATIONAL BEST MANAGEMENT PRACTICES (BMPS)**

- BMP-GEN1 Responsibility of Contractors. The applicant is responsible for ensuring that all contractors and subcontractors are aware of and implement all stormwater quality control measures. Failure to comply with the approved construction BMPs shall result in the issuance of correction notices, citations and/or a project stop order.
- Paved Sidewalks and Parking Lots. Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. Debris resulting from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wash water containing any soap, cleaning agent or degreaser shall be collected and discharged to the sanitary sewer and shall not be discharged to a storm drain. The applicant shall contact the City Engineer for specific connection and discharge requirements.

#### GENERAL CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs)

- BMP-CNST1 Construction Access Routes. Construction access routes shall be limited to those approved by the City Engineer and shall be shown on the approved grading plan.
- BMP-CNST2 Collection of Construction Debris. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.
- BMP-CNST3 **Removal of Waste**. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.
- BMP-CNST4 **Sweeping of Public Right-of-Way**. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping.
- BMP-CNST5 **Filter Materials at Storm Drain Inlet**. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site before:
  - a) Start of the rainy season (October 1);
  - b) Site dewatering activities;
  - c) Street washing activities;
  - d) Saw cutting asphalt or concrete; and

e) Order to retain any debris or dirt flowing into the City storm drain system.

Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash.

BMP-CNST6

Containment of Materials. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides, or any other materials used on the project site that have the potential for being discharged to the storm drain system by wind or in the event of a material spill.

BMP-CNST7

Cleaning of Equipment. Never clean machinery, tools, brushes, etc. or rinse containers into a street, gutter, storm drain or stream. See the *Building Maintenance/Remodeling* flyer for more information.

<u>Appeals</u>: The Albany Municipal Code provides that any action of the Planning and Zoning Commission may be appealed to the City Council, if such appeal is filed within 14 days of the date of the action. Appeals may be filed in the Community Development Department by completing the required form and paying the required fee. The City Clerk will then schedule the matter for the next available City Council meeting.

Date Received: 12 8 08

Fee Paid: \$560.00

Receipt #: 54370



# City of Albany



# PLANNING APPLICATION FORM FOR DESIGN REVIEW AND CONDITIONAL USE PERMITS FOR SINGLE FAMILY RESIDENTIAL ADDITIONS

Fo	PLANNING & ZONING COMMISSION action:
$\geq$	Design Review - residential additions or exterior modifications. \$560*) Admin. \$400*
0	Parking Exceptions/Reductions - see separate handout \$620*
ū	Conditional Use Permit - Non-Conforming Wall(s) \$1110

The City of Albany Municipal Code has certain requirements for approving Design Review of additions to Single Family Residences. Please complete the following application to initiate the process. Please be aware that staff may have additional questions for you based on your responses. You should anticipate that planning staff and/or Planning and Zoning Commissioners will visit your site prior to your Planning and Zoning Commission meeting.

Job Site Address: WADIGON		Zone: (R1 R2 R3 R4 Other overlays:		
Property Owner(s) Name: ACCY GO (TOP)	Phone: 798-3685 Fax: 655-6809	Email:		
Mailing Address: 1640 Egirvia	CityBerkeday	State/Zip:		
Applicant(s) Name (contact person):  CARCES HERROD	Phone 510/872-5007 Fax: (707)61/7-0105	Email: SHEROD CUSTOMISUIDES Q MHOO. COM		
Mailing Address: P.O. BOX USZ	CITYIPODETO	State/Zip: (1572		

GENERAL INFORMATION (Please fill out this Chart - existing & proposed; )

Tien (City)		company and		bseeden !!
How big is your lot? Express in square feet.		g 41 - 4		
What is the floor area of: your existing residence (see additional handout on how to measure this)		aff.	stoo '	196
any detached buildings—garage, sheds, etc.	ar en algebraide		NO	46
How many square feet is your addition?			N/A	96
What is the Floor Area Ratio (FAR) (see additional handout on how to measure this)	4.80 m	dowed		
What is your lot coverage? 2				
What is the amount of impervious surface on the lot?			28	231
What is the maximum height of your residence?		Svice 1 - Earl		
How many dwelling units are on your site?			V V	
How many parking spaces do you have in a garage? 3				
What are the interior dimensions of your garage?			12X72	
What is the narrowest width of your driveway?			121	(·

<sup>\*</sup> When obtaining more than one planning approval, the full amount for the highest fee will apply and ‡ fee will be charged for any other ones.

# PROJECT ADDRESS:

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- i Floor Area Ratio (FAA) applies to single family residential development in all zones. It is defined as the ratio between the grass floor area of a building(s) on a lot compared to gross square feet of lot (see FAA) Handald.
- 2 Lot Concrege is defined as the land area covared by all structures except uncovered decks; perchast, landings balconies or stairways that are less than 6 feet above grade as well as eaves, trellises and similar structures that do not have salid roofs.
- The Albany Municipal Code requires that every residential unit must have 2 off-street parking spaces. Some exceptions may apply in your situation. See the parking section of the Zoning Ordinance for a complete list of possible exceptions.

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Í.	Will the construction If yes, please descri	of the addition require the removal of any mature trees? <u>40</u>
2.	and the second	naterials and colors of the proposed addition consistent with the existing disalling?
		be how: SHUPCO FINISH TO MATCH SYNTHE
4	Is the propositioned If yes, please descr	tion sensitive to the size or mass of the surrounding properties?  be how: 5 Mail ADDITION TO EXST See 3 SEE Y
4.	If you have no garag	; where do you park vehicles?
8)	ory Rates - Par new	asidential construction and exterior alterations that increase the height, an applicant is

suited limits, inclinating the height, of the proposed structural alterations. These poles shall be enlicted at least to (10) deposed for to the design review meeting, and shall be maintained in place through the date of the maintains.

The significate of the profesty awarer is required for all projects. By executing this form you are affirming that valuace the property obtain.

Signature of Property Owner Date

Signature of Applicant (1 different)

Date

Continuity Development, Deportment staff is available Monday, 8:30 AM to 7:00 fill. Exembly Historic Thursday 8:30 AM to 5:00 PM, and Friday 8:30 AM to 12:30 PM at 1000 day highir security Albany, Ca 94706 (510) 528-8360.