



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222
(650) 286-3200
FAX (650) 574-3483

October 18, 2006

Paul Strong
Sea Colony HOA Manager
Strong Property Management
2033 Ralston Ave. #100
Belmont, CA 94002

Subject: Prototype Approvals for Spas in Sea Colony (File # UP-76-012E)

Dear Mr. Strong:

The Sea Colony Homeowners Association received an approval for a prototypical design for spas on March 5, 1997. City and state regulations for these types of improvements have changed since that time:

- The City's zoning regulations were changed a few years ago to eliminate the Architectural Review requirement for pools and spas. Pools and spas still require a building permit.

We have conducted a review of existing prototype approvals and note that your planned development has a prototype design approved for spas. By copy of this letter, we are informing you that the City will no longer require City Architectural Review of this type of improvement. The homeowners association may continue to regulate this type of improvement pursuant to their CC&Rs.

Please contact me at lcarmichael@fostercity.org or 650 286-3236 if you need any additional information.

Sincerely,


Leslie J. Carmichael
Planning Manager

Attachment

Prototype approval for Spas in Sea Colony



City of Foster City

FILE

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2299
(415) 286-3200
FAX: (415) 574-3483

CITY OF FOSTER CITY COMMUNITY DEVELOPMENT DIRECTOR ACTION NOTICE OF DECISION

ACTION DATE: March 5, 1997

CASE NO. : UP-76-012E

APPLICANT: Sea Colony Homeowners' Association

APPLICANT ADDRESS: c/o Stephen Masters, Graham Masters Company
PO Box 628, San Carlos, CA 94070

APPLICATION FOR: Spa Prototype Design

LOCATION: Sea Colony Planned Development

ZONING: R-1/PD

ACTION TAKEN: Approved with Conditions

On the date listed above, the Community Development Director of the City of Foster City, took the action described above on the subject Architectural Review application based on the following findings:

1. That the proposal is consistent with the Foster City General Plan and Title 17, Zoning, and Chapter 2.28, Planning, of the Foster City Municipal Code because the location and size of any proposed spas will be consistent with the requirements of the Foster City Municipal Code and will be consistent with the residential use of the subject property and the neighborhood.
2. That the design of the proposal is appropriate to the City, the neighborhood and the lot in which it is proposed because the location and design of any proposed spas will be in keeping with similar improvements in residential areas and will be compatible with the existing house and other houses in the vicinity.
3. That the design of the proposal is compatible with its environment with respect to use, forms, materials, colors, setbacks, location, height, design, or similar qualities as specified in Section 17.58.010, Intent and Purpose, of Chapter 17.58, Architectural Control and Supervision, and Chapter 17.66, Swimming Pools, of the Foster City Municipal Code because the location, size and height of any proposed spas will be appropriate for the yard in which it is located and will be consistent with the criteria for location, size, height, setbacks and installation in the City's adopted Architectural and Solar Guidelines.

4. That the proposal will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the City because the location, size and height of any proposed spas will be such that they each will be set back sufficiently from the rear and side property lines, will meet the requirements of Chapter 17.66, Swimming Pools, of the Foster City Municipal Code, and will avoid detrimental noise, privacy, and view impacts to adjacent properties.

This action is subject to any conditions contained in Exhibit A, attached.

Expiration

Any Architectural Review approval shall, without further action, become null and void if not used within two (2) years from the date of approval thereof, or within any shorter or longer period of time if so approved by the Community Development Director.

Appeal

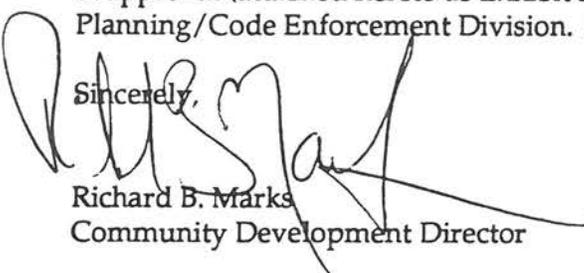
Pursuant to Section 17.06.150 of the Foster City Municipal Code, an action of the Community Development Director on an application may be appealed within ten (10) calendar days after the date of the Community Development Director's decision, in writing, to the Planning Commission. Appeals may be filed using the appeal form available in the Community Development Department or by letter. There is a fee for filing an appeal. All appeals must be filed in accordance with Section 17.06.150.

Acknowledgment by Applicant

Pursuant to Section 17.58.040.E of the Foster City Municipal Code, any Architectural Review decision shall not be effective until the permittee acknowledges acceptance of any conditions of approval and any appeal period has lapsed, or if there is an appeal, until a final decision has been made on the appeal.

In order to demonstrate that you are aware of and understand the Architectural Review conditions of approval (attached hereto as Exhibit A), please sign the original of this letter and return it to the Planning/Code Enforcement Division. Please keep the duplicate for your records.

Sincerely,


Richard B. Marks
Community Development Director

for Sea Colony H.O.A.
(Applicant) (Please Print)

by Stephen W. Mastey
(Contact Person)

Planners Initials: VEJ

EXHIBIT A

SEA COLONY HOMEOWNERS' ASSOCIATION Prototypical Design Guidelines for Spas

The following guidelines shall govern spa installations in the Sea Colony Planned Development

CONDITIONS OF APPROVAL

1. All construction shall be designed, constructed, installed, and maintained in a professional manner and appearance.
2. All materials and colors shall be as approved. Once constructed or installed, all improvements shall be maintained in accordance with the approved plans. Any changes which affect the exterior character of the work shall be resubmitted for approval.
3. All spas shall maintain a minimum 5-foot setback from side and rear yard lot lines.
4. All portions of the spa (including cover) shall be lower than the height of any adjacent property line fence provided that all fencing meets the requirements of the Foster City Municipal Code and any applicable guidelines set forth by the Sea Colony Homeowners' Association.
5. The spa and its installation shall conform to all applicable requirements of the Uniform Building Code and the Foster City Municipal Code, including but not limited to barriers, fencing, locking cover, clearances from doorways, etc.
6. All mechanical equipment shall be located a minimum of 5 feet from any property line and soundproofed to the satisfaction of the City.
7. Prior to installation, a building permit shall be obtained from the Building Division. Four (4) sets of final drawings shall be submitted with the building permit application.
8. Prior to any final building inspection approval, any imposed conditions and all improvements shall be completed to the satisfaction of the City.

APPROVAL PROCESS

1. The homeowner or applicant shall submit a Building Permit application, including four copies of drawings indicating the following:
- the spa's location on the property
 - appropriate setback dimensions from rear and side lot lines
 - the proposed spa's size and height
 - the material and color of the proposed spa
 - the location of all mechanical equipment and proposed screening

Stephen N. Masters

Stephen Masters, Managing Agent
Sea Colony Homeowners' Association

3/14/97

Date

Richard B. Marks

Richard B. Marks, Community Development Director
City of Foster City

3/17/97

Date