



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

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November 21, 2006

Dan James
Whalers Island Homeowners Association
Mulqueeney & Associates
P.O. Box 4726
Foster City, CA 94404

Subject: Prototype Approvals for Air Conditioners, Decks, **Hot Tubs** and Tubular Skylights in Whaler's Island (File # UP-75-018, UP-85-018M, UP-75-018N)

Dear Mr. James:

As part of the original Use Permit, the Whaler's Island Homeowners Association received an approval for a prototypical design for hot tubs. City and state regulations for these types of improvements have changed since that time:

- On January 21, 1999, the Planning Commission revised their policy on prototype designs for property improvements in planned developments to state that the following types of improvements would not require prototypical designs or Architectural Review permits:
 - Decks (non-waterfront, lower than 18", at least 5' from the property line, and in R-1/PD district). These are also exempt from building permit.
 - Air conditioning condenser units (ground-mounted units on non-waterfront properties in R-1/PD district). A building permit is required.
- 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.
- The City's zoning regulations were changed a few years ago to eliminate the Architectural Review requirement for tubular skylights. These are also exempt from building permit.

We have conducted a review of existing prototype approvals and note that your planned development has a prototype design approved for one or more of these types of improvements. By copy of this letter, we are informing you that the City will no longer require City Architectural Review of these types of improvements:

- Air conditioners on non-waterfront properties
- Decks on non-waterfront properties that are lower than 18" and at least 5' from the property line
- Hot tubs
- Tubular skylights

The homeowners association may continue to regulate these types of improvements pursuant to their CC&Rs.

James
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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 approvals for decks, air conditioners, hot tubs and sun tunnels
Planning Commission Policy No. P-1-94 (Revised January 21, 1999)
Chapter 17.58 of Foster City Municipal Code