



**MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY**

ALEX HINDS, DIRECTOR

**STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR
PAMELA WHITEHEAD COASTAL PERMIT**

Item No:		Application No:	CP 06-3
Applicant:	Pamela Whitehead	Owner:	Pamela Whitehead
Property Address:	465 Locust Drive, Bolinas	Assessor's Parcels:	190-041-32
Hearing Date:	July 13, 2006	Planner:	Eric Engelbart

RECOMMENDATION:	Approve With Conditions
APPEAL PERIOD:	5 Working Days to the Planning Commission
LAST DATE FOR ACTION:	August 1, 2006

PROJECT DESCRIPTION:

The project is for the construction of a new approximately 2,059 square-foot single-family-residence to be located at 465 Locust Drive in Bolinas. The subject property is 26,000 square feet in size and the proposed residence that would be constructed on this lot would have a maximum height of 19 feet and would contain one story. Exterior surfaces of the residence would be finished with horizontal beveled wood siding that is stained brown. A new on-site private septic system would serve the proposed residence. The Bolinas Community Public Utilities District would supply water for the residence. The structure would be located approximately 37 feet from the northwestern (front) property line (that fronts along Poplar Road), 16 feet from the northeastern (side) property line (that fronts along Locust Drive), 71 feet from the southeastern (rear) property line, and 110 feet from the southwestern (side) property line. A new 12-foot wide gravel driveway connecting to Locust Drive would provide access to the site.

Unless a public emergency services provider recommends otherwise or unique circumstances necessitate a change, the street address for the proposed residence shall be **465 Locust Drive**, Bolinas, CA.

GENERAL INFORMATION:

CWP Land Use Designation:	Coastal Single Family (C-SF5)
Zoning:	Coastal, Residential Agricultural, B-2 Building District, 1-acre 10,000 square foot minimum lot size (C-R-A:B-2)
Lot size:	26,000 square feet
Adjacent Land Uses:	Single-family residential
Vegetation:	scattered brush and grasses
Topography and Slope:	flat
Environmental Hazards:	Proximity (~1,400 ft.) to the edge of the Bolinas Mesa

ENVIRONMENTAL REVIEW:

The Environmental Coordinator has determined that this project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3(a) of

the CEQA Guidelines because it entails the construction of a new single-family residence on a residentially developed parcel with no potentially significant impacts on the environment.

PUBLIC NOTICE:

The Community Development Agency has provided public notice identifying the applicant, describing the project and its location, and giving the public hearing date in accord with California Government Code requirements. This notice has been mailed to all property owners within 300 feet of the subject property. At the time of the drafting of this staff report, three comment letters were received from nearby property owners (contained in Attachment 8). The concerns outlined in these letters primarily relate to the size of the proposed home as well as the amount of impervious surface, (i.e. two paved driveways) that were originally a part of the proposed project. However, it should be noted that in response to these comments from the neighborhood, County Planning staff, as well as the Bolinas Community Public Utilities District (BCPUD), the applicant has reduced the size of the proposed house from the originally submitted 3,250 square feet to the currently proposed 2,059 square feet. In addition, the applicant completely removed the driveway that connects to Poplar Road from her proposal (although it is still shown on Exhibit A as this change was made after plan sets had been submitted). As a result of these changes, the immediately adjacent neighbor at 455 Locust Drive has since stated that she is satisfied with the project and no longer maintains the concerns that were expressed in her letter.

PLAN CONSISTENCY:

The proposed project is consistent with the goals and policies of the Marin Countywide Plan, the Bolinas Community Plan, and the Local Coastal Program, Unit I, because it entails the construction of a new single-family residence on a residentially developed property which would not block public views of the coast or result in adverse environmental impacts such as grading or significant tree removal, and because adequate water supply and wastewater disposal could be provided for the project. Please refer to the recommended resolution for detailed findings.

BACKGROUND:

The project site is located at the intersection of Poplar Road and Locust Drive and within the boundaries of the Bolinas Gridded Mesa Plan. The subject property is comprised of 13 historic lots that were merged by the County into one building site by three separate merger actions occurring in October 1986 and September 1997.

PROJECT ANALYSIS:

The applicant proposes construction of a new, approximately 2,059 square foot, three bedroom, two bath single-family residence to be located on a vacant 26,000 square foot parcel in Bolinas. The property is considered a corner lot, as it has frontage on both Poplar Road as well as Locust Drive. The residence would be 19 feet tall, would contain one story, and would be finished with horizontal beveled wood siding that would be stained brown in color with light beige trim. Dark-grey shingles would be used as the roofing material. The property is located within zone A of the Bolinas Gridded Mesa Planning area, which is the most geologically stable area of Bolinas. Water rights were purchased from another property owner within Bolinas, and the applicant has secured an expanded water use permit and associated water rights from the Bolinas Community Public Utilities District (BCPUD). Wastewater disposal would be provided by a private on-site septic system that has been reviewed and deemed acceptable by the Environmental Health Services Division (EHS) of the Community Development Agency.

Since the time of initial project submittal, the applicant has substantially reduced the scale of the proposed project. More specifically, the applicant initially proposed construction of a 3,250 square foot single-family residence that was 21 feet in height. However, after receiving substantial feedback from County staff, BCPUD, and surrounding neighbors, the applicant scaled back the project to the currently proposed 2,059 square foot size and 19 foot height. The applicant also eliminated a previously proposed second driveway that would connect to Poplar Road and redesigned the currently proposed driveway to be constructed of pervious material.

Some additional clarification should be provided relating to the proposed driveways. At the time of initial project submittal, the applicant had been misinformed that the property had to take access from Poplar Road. However, due to the fact that Poplar Road is more heavily traveled than Locust Drive, which in turn creates a substantial amount of dust and other associated impacts, the applicant ultimately wishes to solely take access to the property from Locust Drive. Accordingly, the applicant has stated that she now wishes to remove the driveway connecting to Poplar Drive entirely from the proposed plans. However, the applicant would need to expand the parking area associated with this sole driveway in order to accommodate four parking spaces. Additionally, because access would be from Locust, staff has assigned the property a new address, specifically, 465 Locust Drive. As a result of the above, staff has added a condition of approval requiring that the plan sets submitted for building permits be revised to remove any reference to a driveway connecting to Poplar Road. In addition, the plans must be revised to show the new 465 Locust Drive address as well as the four required parking spaces.

The area in the vicinity of the proposed building site does not contain any significant vegetation, as there are no trees or other sensitive vegetation in the proposed location of the new residence. However, portions of the site are covered in scrub brush and grasses, some of which would have to be removed in order to construct the proposed driveway and drainage infrastructure.

At 2,059 square feet, the proposed residence would be one of the larger homes in the immediate area. However, the home would still be smaller than several other new homes that have been permitted in the Bolinas area in recent years. Additionally, the proposed residence has been designed in a manner that is consistent with its coastal setting. The house would be one-story in size, contains three bedrooms and two baths, will be finished with stained cedar wood siding, with dark grey shingle roofing, and has been situated on the site such that it would substantially exceed the standard setbacks for its zone district. Finally, the project has been designed to avoid all tree removal, and to result in minimal grading, thus reducing impacts to the natural environment. For these reasons, staff finds that the project would be compatible with the existing neighborhood character despite its somewhat larger size.

However, it should be noted that the proposed residence would be rather tall for a single-story home. More specifically, the proposed residence would have a plate height of 10 feet and its finished floor elevation would be three feet above grade. Furthermore, much of the home would contain vaulted ceilings. As a result of the above, the Deputy Zoning Administrator might want to consider imposing a condition of approval requiring the applicant to reduce the plate height to 9 feet in order to further minimize the visual impacts associated with this residence.

Additionally, it should be noted that Marin County Code Section 22.56.130(K) restricts development within a certain distance of the bluff of Bolinas Mesa. Specifically, the zoning code does not allow development nearer to the bluff than would be safe, based on an assumed retreat rate and the 40 year life of an average residence. A geotechnical investigation is required to determine the setback in areas where the development is located within 150 feet of a bluff top or where the site is in a slope stability zone of 3 or 4. The subject parcel is located approximately 1,400 feet away from the nearest bluff face, and is not located within slope stability zones 3 or 4. Therefore, no geotechnical report is required and bluff setbacks are not a concern.

Conclusion

Staff finds the required findings for a Coastal Permit can be made for the project because it would be compatible with the neighborhood and could be constructed without creating adverse effects to coastal resources.

RECOMMENDATION:

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached resolution conditionally approving the Whitehead Coastal Permit.

Attachments:

1. Proposed Resolution recommending approval with conditions of the Whitehead Coastal Permit.
2. CEQA Exemption
3. Location Map
4. Department of Public Works, Land Use and Water Resources memo, 5/25/06
5. Environmental Health Services, Water & Sewage memorandum, 5/23/06
6. Bolinas Fire Protection District letter, 8/19/05
7. Bolinas Community Public Utility District letter, 5/24/06
8. Public Comment letters, 8/15/05/, 8/15/05, 8/17/05
9. Project Plans

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MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. _____

A RESOLUTION APPROVING
THE PAMELA WHITEHEAD COASTAL PERMIT (CP 06-3)

ASSESSOR'S PARCELS 190-041-32

465 LOCUST DRIVE, BOLINAS

SECTION 1: FINDINGS

- I. WHEREAS Pamela Whitehead submitted a Coastal Permit application proposing construction of a new approximately 2,059 square-foot single-family-residence to be located at 465 Locust Drive in Bolinas. The subject property is 26,000 square feet in size and the proposed residence that would be constructed on this lot would have a maximum height of 19 feet and would contain one story. Exterior surfaces of the residence would be finished with horizontal beveled wood siding that is stained brown. A new on-site private septic system would serve the proposed residence. The Bolinas Community Public Utilities District would supply water for the residence. The structure would be located approximately 37 feet from the northwestern (front) property line (that fronts along Poplar Road), 16 feet from the northeastern (side) property line (that fronts along Locust Drive), 71 feet from the southeastern (rear) property line, and 110 feet from the southwestern (side) property line. A new 12-foot wide driveway connecting to Locust Drive would provide access to the site. The subject property is identified as Assessor's Parcel 190-041-32. Unless a public emergency services provider recommends otherwise or unique circumstances necessitate a change, the street address for the proposed residence shall be **465 Locust Drive**, Bolinas, CA

- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on July 13, 2006, to consider the merits of the project, and hear testimony in favor of and in opposition to the project.

- III. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act, per Section 15303, Class 3(a) because it entails the construction of a new a new single-family residence on a residentially zoned parcel with no potentially significant impacts on the environment.

- IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Marin Countywide Plan because:
 - a. The proposed project would comply with Marin County standards for flood control, geotechnical engineering, and seismic safety, and include improvements to protect lives and property from hazard.

 - b. The proposed project would result in the construction of a new single-family residence, a principally permitted use within the governing C-RA:B2 zone district and C-SF5 Land Use Designation.

- c. The proposed project would result in development that conforms to the governing zoning standards related to building height, size and location.
 - d. The proposed project would comply with governing development standards related to roadway construction, parking, grading, drainage, flood control and utility improvements as verified by the Department of Public Works.
 - e. The proposed project would not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services.
 - f. The proposed project would minimize soils disturbance and impacts to natural vegetation.
- V. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Bolinas Community Plan because:
- a. The proposed project would not adversely impact the surrounding built environment relative to views from adjacent properties, privacy for the subject and surrounding properties, access from Locust Drive, and building design, mass and bulk.
 - b. The subject property maintains adequate off-street parking to accommodate the proposed project as verified by the Marin County Department of Public Works.
 - c. The subject property would have adequate water supply and sewage disposal, as confirmed by the Bolinas Community Public Utilities District and the Environmental Health Services Division.
 - d. The proposed project would not adversely impact the surrounding natural environment relative to vegetation, species habitats or on-site drainage.
 - e. The proposed development would not occur within the Bluff Erosion Zone identified in the Bolinas Gridded Mesa Plan.
- VI. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings to approve a Coastal Permit (Section 22.56.130 of the Marin County Code) for the reasons specified below:
- A. Water Supply:**
- The Bolinas Community Public Utilities District (BCPUD) would provide water for the proposed residence, and has presented staff with documentation verifying the availability of this water.
- B. Septic System Standards:**
- The Marin County Environmental Health Services Division has reviewed and conditionally approved a septic permit (permit # 03-85A) for the proposed project.
- C. Grading and Excavation:**

The subject property is level and minimal grading is proposed. Excavation would occur for construction of the foundations of the proposed residence and drainage improvements. All grading and excavation work will be subject to the review and approval of the Department of Public Works, Land Use and Water Resources Division, to ensure consistency with Marin County requirements.

D. Archaeological Resources:

Review of the Marin County Archaeological Sites Inventory indicates that the subject property is located in an area of archaeological sensitivity. However, minimal grading is proposed and the project is not likely to disturb cultural resources. Conditions of project approval would require that in the event cultural resources are discovered during site preparation or construction of this project, all work shall immediately be stopped and the services of a qualified consulting archaeologist shall be engaged to assess the value of the resource and to develop appropriate mitigation measures to meet Local Coastal Program requirements.

E. Coastal Access:

The project site is not located adjacent to the shoreline and will therefore have no impact upon coastal access.

F. Housing:

The proposed project includes construction of a new single-family residence in a residential zone and would not result in the demolition or conversion of housing affordable to households of lower or moderate income.

G. Stream Conservation Protection:

This project site is not situated in an area subject to the streamside conservation policies as identified on the National Resources Map for Unit I of the Local Coastal Program.

H. Dune Protection:

The project site is not located in a dune protection area as identified by the Natural Resources Map for Unit I of the Local Coastal Program.

I. Wildlife Habitat:

The project site is not located in an area identified as containing sensitive wildlife habitat.

J. Protection of Native Plant Communities:

The Natural Resources Map for Unit I of the Local Coastal Program indicates that the subject property is not located in an area containing rare plants. Additionally, a review of the NDDDB, prepared by the California Department of Fish and Game, indicates that the subject property is not located in the habitat area for rare plant species. Therefore, no significant or adverse impacts to native plant communities would result from the project.

K. Shoreline Protection:

Marin County Code Section 22.56.130(K) restricts development within a certain distance of the bluff of Bolinas Mesa. The zoning code does not allow development nearer to the bluff than would be safe, based on an assumed retreat rate and the 40 year life of an average residence. A geotechnical investigation is required to determine the setback in areas where the development is located within 150 feet of a bluff top or where the site is in a slope stability zone of 3 or 4. However, the subject property does not meet either of these criteria. The subject property is located over 1,400-feet inland from the nearest bluff face, and the proposed development would not occur within Bluff Erosion Zones 3 or 4 as identified by the Gridded Mesa Plan.

L. Geologic Hazards:

The project site is located well over one mile from the Alquist-Priolo Special Study Zone and would be subjected to strong ground shaking during a proximate seismic event. The Marin County Community Development Agency - Building Inspection Division will determine seismic compliance with the Uniform Building Code. In addition, as a condition of project approval, the applicant shall execute and record a waiver of liability holding the County, other governmental agencies and the public, harmless of any matter resulting from the existence of geologic hazards or activities on the subject property.

M. Public Works Projects:

This proposed project does not entail expansion of public roads, flood control projects, or utility service and will not affect any public works projects.

N. Land Division Standards:

No land division is proposed as part of this project.

O. Visual Resources:

The height, scale, and design of the proposed residence will comply with the standards of the governing zoning and will be compatible with the established character of the surrounding community.

P. Recreation/Visitor Facilities:

The proposed project will not provide or impact commercial or recreational facilities, and the project site is not governed by VCR (Village Commercial Residential) zoning regulations that require a mixture of residential and commercial uses.

Q. Historic Resource Preservation:

The subject parcel is currently vacant and is not located within the designated historic preservation boundaries for Bolinas as identified in the Marin County Historic Study for the Local Coastal Program.

SECTION 2: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Whitehead Coastal Permit subject to the following conditions:

Marin County Community Development Agency, Planning Division

1. The Whitehead Coastal Permit (CP 06-3) is approved for the construction of a new approximately 2,059 square-foot single-family-residence to be located at 465 Locust Drive in Bolinas. The subject property is 26,000 square feet in size and the proposed residence that would be constructed on this lot would have a maximum height of 19 feet and would contain one story. Exterior surfaces of the residence would be finished with horizontal beveled wood siding that is stained brown. A new on-site private septic system would serve the proposed residence. The Bolinas Community Public Utilities District would supply water for the residence. The structure would be located approximately 37 feet from the northwestern (front) property line (that fronts along Poplar Road), 16 feet from the northeastern (side) property line (that fronts along Locust Drive), 71 feet from the southeastern (rear) property line, and 110 feet from the southwestern (side) property line. A new 12-foot wide driveway connecting to Locust Drive would provide access to the site. The subject property is identified as Assessor's Parcel 190-041-32. Unless a public emergency services provider recommends otherwise or unique circumstances necessitate a change, the street address for the proposed residence shall be **465 Locust Drive, Bolinas, CA**
2. Except as modified herein, plans submitted for Building Permits shall substantially conform to plans on file in the Marin County Community Development Agency, Planning Division identified as Exhibit A, "Whitehead Residence, 271 Poplar Road, Bolinas, CA" prepared by Lawrence Doyle and Kayvan Nikfar, consisting of 7 sheets, and stamped "Received January 12, 2006".
3. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall submit one complete set of revised plans to the Director for review and approval, and incorporated as Exhibit A-1, that indicate the following modifications:
 - a. Revised plans showing that all references to the driveway connecting to Poplar Road have been removed and such that four parking spaces (two of which are independently accessible) are provided on site. Additionally, the project address on the plan sets shall be revised to state 465 Locust Drive.
4. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the Site Plan or other first sheet of the office and job site copies of the Building Permit plans to list these Coastal Permit Conditions of Approval as notes.
5. Exterior lighting shall be permitted for safety purposes only, must consist of energy efficient, low lumen output, and low wattage fixtures, and must be directed downward and hooded to prevent glare for neighboring properties.
6. All construction activities shall comply with the following standards:

- a. Construction activity is only permitted between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. and 5:00 p.m. on Saturday. No construction shall be permitted on Sundays and the following holidays (New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day). Loud noise-generating construction-related equipment (e.g., backhoes, generators, jackhammers) can be maintained, operated, or serviced at the construction site from 8:00 a.m. to 5:00 p.m. Monday through Friday only. Minor jobs (e.g., painting, hand sanding, sweeping) with minimal or no noise impacts on the surrounding properties are exempted from the limitations on construction activity. At the applicant's request, the Community Development Agency staff may administratively authorize minor modifications to these hours of construction.
 - b. It shall be the responsibility of the applicant to ensure that all construction materials and equipment are stored on-site (or secured at an approved off-site location) and that all contractor vehicles are parked in such a manner as to permit safe passage for vehicular, pedestrian, and bicycle traffic at all times.
7. During construction, the applicant shall take all appropriate measures, including watering of disturbed areas and covering the beds of trucks hauling fill to or spoils from the site, to prevent dust from grading and fill activity from depositing on surrounding properties.
 8. All soils disturbed by development of the project shall be reseeded with native grasses or wildflowers to control erosion.
 9. The applicant shall be responsible for ensuring that the number of construction vehicles shall be limited to the minimum number necessary to complete the project.
 10. All utility connections and extensions serving the project shall be installed underground. Modifications to this condition may be considered by the Community Development Director at the written request of the applicant.
 11. All roofing, siding, flashing, metal work and trim shall be an appropriately subdued, nonreflective color.
 12. No trees, except those shown on the site plan as proposed for removal, shall be removed except to comply with local and State fire safety regulations, to prevent the spread of disease as required by the State Food and Agriculture Department, and to prevent safety hazards to people and property.
 13. If archaeological resources are discovered during grading, trenching, or other construction activities all work at the site shall stop immediately, and the project sponsor shall inform the Marin County Environmental Coordinator of the discovery. A registered archaeologist, chosen by the County and paid for by the project sponsor, shall assess the site and shall submit a written report to the Marin County Community Development Agency Director advancing appropriate mitigations to protect the resources discovered. No work at the site may recommence without approval of the Director. All future development of the site must be consistent with findings and recommendations of the archaeological report as approved by the Director.
 14. Any changes or additions to the project shall be submitted to the Community Development Agency, Planning Division for review and approval before the contemplated modifications may be initiated.

15. The applicant/owner hereby agrees to defend, indemnify, and hold harmless the County of Marin and its agents, officers, attorneys, or employees from any claim, action, or proceeding, against the County or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul an approval of the Whitehead Coastal Permit, for which action is brought within the applicable statute of limitations.

Marin County Department of Public Works, Land Use and Water Resources Division

16. All improvements shall conform to Title 24 of the Marin County Code or as approved by DPW and the Fire Department.
17. A recorded Notice and Acknowledgment will be required for all structures within the right-of-way. Specifically, the fence along Poplar Road noted in the site plan.
18. The applicant shall obtain all necessary permits from other agencies.
19. The turf block parking area shall be banded with concrete or other method to prevent degradation of the edge of surface.
20. It is recommended that the applicant refer to the Bay Area Stormwater Management Agencies Association "Start at the Source, Design Guidance Manual for Stormwater Quality Protection" and incorporate design elements into the development where feasible.
21. Erosion control measures shall be installed prior to site disturbing activities, and shall be maintained or modified to remain effective for the duration of work.

Marin County Environmental Health Services

22. Applicant shall install septic system in accord with conditions of permit. Permit # 03-85A, issued 10/14/03, and expires 10/14/06.

Bolinas Community Public Utilities District

23. Maximum quarterly water usage may not exceed 3,750 cubic feet.

Bolinas Fire Protection District

Address Sign:

24. Street address to be posted where readily visible from Poplar Road. Sign to be of three-inch minimum letters with 3/8" stroke and with background of contrasting color.

Fire Sprinklers:

25. Fire Sprinklers: Design approval and site inspection completed by building department

Smoke Detectors:

26. Provide smoke detectors per UBC/UFC.

Roof:

27. Class A roof per Marin County requirements.

Electrical Service:

28. Provide main electrical disconnect accessible to Fire Department.

Defensible Space:

29. Schedule site meeting prior to construction and complete required fuel modification prior to commencement of framing. Provide defensible space around all structures per P.R.C. 4290 and 4291. All defensible space must be maintained.

Structures:

30. Construction and inspections per UBC and Marin County codes.

SECTION 3: VESTING AND APPEAL RIGHTS

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest the Whitehead Coastal Permit approval with the issuance of Building Permits and substantial completion of all the approved work before July 13, 2008 or all rights granted in this approval shall lapse unless the applicant applies for an extension limited to a maximum of four years, at least 30 days before the expiration date above and the Director approves it.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Planning Commission. A Petition for Appeal and a \$545.00 filing fee must be submitted in the Community Development Agency - Planning Division, Room 308, Civic Center, San Rafael, no later than **4:00 p.m. on July 20, 2006.**

SECTION 4: ADOPTION

ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 13th day of July, 2006:

Attest:

TOM LAI
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Joyce Evans
Recording Secretary