



Agenda Item No. 11.

Staff Report

Date: November 6, 2014
To: Mayor Elizabeth Brekhus and Councilmembers
From: Elise Semonian, Senior Planner
Subject: Sheldon, Retaining Wall Design Review Application, 1 Skyview, File 1977

Recommendation

Council approve the project subject to the findings and conditions in the staff report.

Project Summary

Owner: Chris and Eileen Sheldon
Design Professional: Denler Hobart Gardens
Location: 1 Skyview
A.P. Number: 72-191-09
Zoning: R-1:B-A (Single Family Residence, 1-acre min. lot size)
General Plan: Very Low Density (.1-1 units per acre)
Flood Zone: Zone X (outside 1% annual chance of flooding area)

Request for design review and hillside lot permit for 235 linear feet of new landscape retaining walls up to 4 feet tall and 35 cubic yards of cut and 45 cubic yards of fill to develop a vegetable garden southwest of the residence and a synthetic turf area southeast of the residence.

Background and discussion

The applicants are proposing retaining walls and grading to develop landscape improvements at the site, including a level lawn play area and vegetable garden.

Design review is required for retaining walls totaling more than one hundred linear feet and for over 50 cubic yards of grading. The landscape retaining walls are low, minimal for their intended purpose, and the proposed finish will be compatible with the residence and other improvements at the site.

Staff supports the vegetable garden area as proposed. Staff does not object to the design of the synthetic turf area, but is concerned that any play equipment that may be located on the area may detract from views from the street, since this is a front yard area. Staff suggests that the applicant plant at least one, large, oak tree (or another evergreen tree compatible with the landscape) midway between the street and the play area so the tree canopy will provide a visual buffer between the street and play area.

Fiscal, resource and timeline impacts

If approved, the project may be subject to a building permit and one-time fees, and associated impact fees, which are based in part on the valuation of the work proposed.

Alternative actions

Alternative actions available to the Town Council include: 1.) continue the public hearing for any further information and review or modifications; or 2.) make findings to deny the application in whole or in part.

Environmental review (if applicable)

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Sections 15301 (existing facilities). No exception set forth in Section 15300.2 of the CEQA Guidelines (including but not limited to Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources, applies to the project.

Recommended Conditions of Approval

1. A building permit may be required. Contact the Ross Building Department for permit requirements.
2. At least one, large (48" box size or greater), evergreen oak tree of a species not susceptible to Sudden Oak Death, or other evergreen tree compatible with the landscape, between the street and the play area so the tree canopy can provide a visual buffer between the street and play area.
3. The project does not include any structures on the proposed turf area. The Town reserves the right to require additional landscape screening if any visible play structures are installed on the proposed turf area and are visible from the right of way, since such structures could conflict with design guidelines that encourage limiting the visibility of accessory structures from the street.
4. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with its boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or because of any claimed liability based upon or caused by the approval of the project. The Town shall promptly notify the applicants and/or owners of any such claim, action, or proceeding, tendering the defense to the

applicants and/or owners. The Town shall assist in the defense; however, nothing contained in this condition shall prohibit the Town from participating in the defense of any such claim, action, or proceeding so long as the Town agrees to bear its own attorney's fees and costs and participates in the defense in good faith.

Attachments

1. Council Minute history
2. Material submitted by applicant

Staff's suggested location of a new tree to provide a visual buffer between the street and turf area.



3. Prior to the issuance of a building permit, the design of the new garage door shall be submitted to the Town Planner for approval. Also, prior to issuance of a building permit, applicant shall submit a detailed construction and traffic management plan that will limit in all cases the use of no more than two parking spaces during the day in the cul de sac. All personal and construction vehicles are not to be parked in Winship Park.
4. In-ground protective fencing shall be provided along the east property line to prevent trespass onto the adjacent property and to protect the redwood tree on the adjacent parcel.
5. Prior to the issuance of a building permit, a tree protection plan from a certified arborist shall be submitted for Town Planner approval to ensure protect for the redwood tree on the parcel to the west.
6. The Town Council reserves the right to require additional landscape screening for up to one year from project final.
7. Exterior lighting shall not create glare, hazard or annoyance to adjacent property owners. Lighting shall be shielded and directed downward.
8. No changes from the approved plans shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town Planner prior to the issuance of any building permits.
9. The project owners and contractors shall be responsible for maintaining Town roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately.
10. Any portable chemical toilets shall be placed off the street and out of public view.
11. The applicants and/or owners shall defend, indemnify and hold the Town harmless along with its boards, commissions, agents, officers, employees and consultants from any claim, action or proceeding against the Town, its boards, commissions, agents, officers, employees and consultants attacking or seeking to set aside, declare void or annul the approval(s) of the project or because of any claimed liability based upon or caused by the approval of the project. The Town shall promptly notify the applicants and/or owners of any such claim, action or proceeding, tendering the defense to the applicants and/or owners. The Town shall assist in the defense, however, nothing contained in this condition shall prohibit the Town from participating in the defense of any such claim, action or proceeding so long as the Town agrees to bear its own attorney's fees and costs and participates in the defense in good faith.

This was seconded by Mayor Pro Tempore Hart who asked that these conditions be rigorously enforced by the Planning Department and the Department of Public Works.

Mayor Curtiss called for a vote and the motion passed unanimously.

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27. HILLSIDE LOT NO. 88, HAZARD ZONE USE PERMIT AND DESIGN REVIEW NO. 267.

1 Skyview

Warren and Linda Snodgrass; 1 Skyview, 72-191-09, R-1:B-A (Single Family Residence, One acre minimum). Hillside lot, hazard zone 3 and 4 use permit and design review applications to allow a 493 square foot master closet and exercise room addition over the existing garage. The total proposed floor area is 8,001 square feet.

Lot Area	3.6 acres
Present Lot Coverage	3.7%
Proposed Lot Coverage	3.7% (15% permitted)
Present Floor Area Ratio	4.8%
Proposed Floor Area Ratio	5.1% (15% permitted*)

(*The slope of this lot is 38%. The Ross Hillside Lot Ordinance design standards would recommend a maximum of 7,841 square feet of floor area.)

Councilmember Gray moved approval with the findings in the staff report and the following conditions:

1. This project shall comply with Ross Public Safety Department requirements.
2. The Town Council reserves the right to require landscape screening for up to two years from project final.
3. Any new exterior lighting shall not create glare, hazard or annoyance to adjacent property owners. Lighting shall be shielded and directed downward.
4. No changes from the approved plans shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town Planner prior to the issuance of any building permits.
5. Any portable chemical toilets shall be placed off the street and out of public view.
6. The applicants and/or owners shall defend, indemnify and hold the Town harmless along with its boards, commissions, agents, officers, employees and consultants from any claim, action or proceeding against the Town, its boards, commissions, agents, officers, employees and consultants attacking or seeking to set aside, declare void or annul the approval(s) of the project or because of any claimed liability based upon or caused by the approval of the project. The Town shall promptly notify the applicants and/or owners of any such claim, action or proceeding, tendering the defense to the applicants and/or owners. The Town shall assist in the defense, however, nothing contained in this condition shall prohibit the Town from participating in the defense of any such claim, action or proceeding so long as the Town agrees to bear its own attorney's fees and costs and participates in the defense in good faith.

Seconded by Councilwoman Delanty Brown and passed unanimously.

28. HILLSIDE LOT NO. 89, HAZARD ZONE USE PERMIT, DESIGN REVIEW NO. 268 AND VARIANCE NO. 1368.

Fred Kretzberg; 19 Spring Road, A.P. No. 73-252-23, R-1:B-5A (Single family residence, 5 acre minimum). Hillside lot application, hazard zone 3 and 4 use permit, design review and variance to allow a 976 square foot deck addition encroaching within the side yard setback (25 feet required, 14.5 feet proposed.) The total amount of proposed floor area is 8,545 square feet.

Lot Area	205,573 square feet
Present Lot Coverage	1.7%
Proposed Lot Coverage	2.2% (15% permitted)
Present Floor Area Ratio	3.7%
Proposed Floor Area Ratio	4.1% (15% permitted*)

(*The slope of this lot is 45%. The Ross Hillside Lot Ordinance design standards would recommend a maximum of 6,534 square feet of floor area.)

Mr. Broad said that the Council received a letter in opposition. Mr. Holmes of 15 Madrona wrote a letter in support. Further, Mr. Wilcox of Woodside way was present and said that he supported the plans, adding that it was a great idea. He said that it could not be seen from neighboring properties.

Councilmember Zorensky moved approval with the findings in the staff report and the following conditions.

1. This project shall comply with all Ross Public Safety Department requirements.

1-13-00

however, nothing contained in this condition shall prohibit the Town from participating in the defense of any such claim, action or proceeding so long as the Town agrees to bear its own attorney's fees and costs and participates in the defense in good faith.

This was seconded by Councilwoman Delanty Brown and passed with four affirmative votes.

MAYOR GOODMAN THEN RETURNED TO THE COUNCIL CHAMBERS.

1 Skyview

26. DESIGN REVIEW. #241

Warren and Linda Snodgrass, 1 Skyview, 72-191-09, R-1:B-A (Single Family Residence, One acre minimum). Design review to allow the addition of a detached 484 square foot artist studio with a 484 square foot lower level storage/utility space.

Lot Area	3.6 acres	
Present Lot Coverage		3.1%
Proposed Lot Coverage		3.5% (15% permitted)
Present Floor Area Ratio		4.0%
Proposed Floor Area Ratio		4.6% (15% permitted)

Mr. Broad said that the application was filed to allow the accessory artist studio. The application is exempt from the hillside lot review because the proposed addition is less than 1,000 square feet and less than 20% of the size of the existing residence. He felt that the proposed design would complement the existing residence. The visibility of the studio will be reduced by its location among the oak trees, the excavation into the hillside and its dark gray slate roof. Mayor Pro Tempore Curtiss noted that the very tip is to be a skylight at the highest point. Mr. Broad did not feel there was any problem with the light being visible to the neighbors. After consideration, Councilmember Gray moved approval with the findings in the staff report and the following conditions:

1. A 24-hour monitored alarm system is required subject to Ross Public Safety Department approval.
2. This structure may not be used as a second unit, guest house or servants quarters without Council approval of a use permit.
3. This project shall comply with the recommendations contained within the Moritz Arboricultural Consulting report dated December 17, 1999. A plan for tree protection shall be developed by the Town Arborist and implemented during project construction.
4. The Town Council reserves the right to require landscape screening for up to two years from project final.
5. Any new exterior lighting shall not create glare, hazard or annoyance to adjacent property owners. Lighting shall be shielded and directed downward.
6. No changes from the approved plans shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town Planner prior to the issuance of any building permits.
7. Any portable chemical toilets shall be placed off the street and out of public view.
8. The applicants and/or owners shall defend, indemnify and hold the Town harmless along with its boards, commissions, agents, officers, employees and consultants from any claim, action or proceeding against the Town, its boards, commissions, agents, officers, employees and consultants attacking or seeking to set aside, declare void or annul the approval(s) of the project or because of any claimed liability based upon or caused by the approval of the project. The Town shall promptly notify the applicants and/or owners of any such claim, action or proceeding, tendering the defense to the applicants and/or owners. The Town shall assist in the defense,

however, nothing contained in this condition shall prohibit the Town from participating in the defense of any such claim, action or proceeding so long as the Town agrees to bear its own attorney's fees and costs and participates in the defense in good faith.

This was seconded by Councilmember Hart and passed unanimously.

27. A VARIANCE AND DESIGN REVIEW.

George Stameroff, 63 Sir Francis Drake Boulevard, 73-101-19, R-1:B-20 (Single Family Residence, 20,000 sq. ft. min.)
Variance and design review to allow: 1.) trellis addition over the existing main level deck within the side yard setback (5 feet proposed, 20 feet required); 2.) relocated stairs from existing deck; 3.) new pedestrian and automobile wood gates with posts up to 8.5 feet in height (6 feet permitted) and a wood arbor at the pedestrian gate within the front yard setback (4 feet proposed, 25 feet required) and side yard setback (12 feet proposed, 20 feet required); 4.) garbage enclosure within a fence along the front property line; and 5.) pond with waterfall within the side yard (5 feet proposed) and rear yard (35 feet proposed) setbacks.

1-13-00

Lot Area	14,212 sq. ft.	
Present Lot Coverage	18.0%	
Proposed Lot Coverage	17.8%	(15% permitted)
Present Floor Area Ratio	34.6%	
Proposed Floor Area Ratio	34.6%	(15% permitted)

The existing residence and garage are nonconforming in side yard setbacks. The residence is nonconforming in height and number of stories.

Town Planner Broad explained the proposed modifications. He said that the Public Works Director recommended that the gate be set back at least 8 feet from the proposed location to allow a vehicle to completely pull off the Sir Francis Drake travel lane. Mr. Broad said that this fence is located in the right of way. Existing fences in the right of way on Sir Francis Drake have generally been allowed to remain. Since the fence and gates are solid, they could be replaced in the same location with new solid fencing and gates, without Council review.

The Council approved the original submittal on June 10, 1999. The minutes conditions required a deed restriction prior to project final for the rear storage room. This must still be accomplished.

The Architect said that although they sent copies of the plans to the neighbors, they did not get a response.

Mayor Goodman asked about the ceiling heights in the storage area.

The landscape architect said that the existing gates are blind. He said that there is a noise issue and the colors will be very quiet colors. The gate will be sliding and 10 feet from the fence and they hoped to install end posts to show the length of the fence. Mayor Goodman said that the gate on the left is set back 10 feet.

Councilmember Gray felt that this plan would be better.

Councilmember Curtiss felt it should be taken out of the right of way.

Councilmember Gray moved approval with the following conditions:

1. Applicant shall comply with all conditions of original approvals.
2. Lights on the fence shall not create glare, hazard or annoyance to adjacent property owners. Lighting shall be shielded and directed downward. Existing lighting shall be removed and all new replacement lighting shall comply with this requirement.

22. Request for Reconsideration of Variance No. 985, Granted March 14, 1991, for Fredric Newton, 32 Shady Lane, AP No. 73-191-01.

4-11-91
 Councilman Reid stated he had requested to put this issue on the agenda because he had received additional information from the Historical Society and from staff. Also, the Council had not voted on the use permit issue. After some discussion and after conferring with the applicant, the Council set a date for a special meeting on May 6, at 8 p.m. Council will hold a closed session on that date at 7 p. m. The contractor, Mr. Heally, requested permission to remove asbestos from the home. Public Works Director Elias stated the applicant could do alternations within the structure. Councilman Barry said the Council would have to rely on the integrity of Mr. Heally.

23. USE PERMITS FOR WELLS.

The following applications have been received for the drilling of a well:

- a. Kathy and Lad Wilsey, 98 Fernhill Avenue, AP No. 073-041-28, 20,000 sq. ft. zone.
 Councilman Brekhus moved approval with the condition that the water be used for irrigation, only, and that the applicant conform to all applicable Town, County and State ordinances and that the drilling and testing results be sent to the Town. This was seconded by Councilman Barry and passed unanimously.
- b. Jacqueline Jones and Stephen C. Smith, 10 Southwood Avenue, AP No. 73-151-23, 20,000 sq. ft. zone.
 The applicant withdrew the application.
- c. Joel and Barbara Renbaum, 72 Shady Lane, AP No. 73-101-37, 20,000 sq. ft. zone.
 Councilman Brekhus moved approval with the condition that the water be used for irrigation, only, and that the applicant conform to all applicable Town, County and State ordinances and that the drilling and testing results be sent to the Town. This was seconded by Councilman Barry and passed unanimously.
- d. Peter and Gretchen Pattengill, 11 Brookwood Lane, AP No. 073-311-10, 10,000 sq. ft. zone.
 Councilman Brekhus moved approval with the condition that the water be used for irrigation, only, and that the applicant conform to all applicable Town, County and State ordinances and that the drilling and testing results be sent to the Town. This was seconded by Councilman Barry and passed unanimously.

24. ENCROACHMENT PERMIT.

1 Skyview
 4-11-91
 Mr. & Mrs. Warren Snodgrass; Mr. & Mrs. Carl Arnold; Mrs. Marcia Mitchell. Location of Project: Beginning of Skyview Road, adjacent to One Skyview AP 72-191-09. Request is to allow installation of two stucco and stone cap columns (7.5 feet high) with stepped stone wing walls at the entrance to Skyview Road. A concrete and cobble stone band will run between the columns. Drought tolerant slope plantings and a boulder bank will be adjacent to the columns.

The architect displayed a sample of the material to be used for the columns. He stated that the columns had been changed to 6 feet and they proposed to do additional landscaping. There was some discussion as to whether the proposed structure would be on the Chriss' property and it was determined that it would be on the right-of-way. Town Planner Broad informed the Council that Mrs. James Chriss had requested that the structure be moved further up the road.

After some discussion, Councilman Brekhus moved approval of the modified plans with the condition that the access roadway have 12 feet clearance to provide adequate fire or rescue operations. This was seconded by Councilman Lill. Mrs. Charles Page of Shady Lane pointed out that there are many similar entrances in Ross but they are made of stone. Mr. Girvin did not feel stone would be appropriate for the contemporary home. Councilman Brekhus suggested they look at the entrance at Greenbrae on South Eliseo Drive. Mayor Goodman called for a vote and the motion passed unanimously.

25. VARIANCES.

a. Jan Booth and Mark Herrero, 12 Brookwood Road, AP No. 73-261-13, 10,000 sq. ft. zone. Request is to allow addition and alternation of existing single family residence and attached garage. Construction of 797 square feet of additional floor area, including an au pair/guest room above attached garage. The existing house has a nonconforming side yard setback of 9 feet (15 required) and a nonconforming height of approximately 32 feet (30 feet required).

The parcel is nonconforming in floor area ratio.

Lot Area	16,657 sq. ft.
Present Lot Coverage	15.2%
Proposed Lot Coverage	17.1%
Present Floor Area	23.7%
Proposed Floor Area	28.4%

(20% allowed)

Mr. Wisenbacker, architect, stated they proposed a two-car garage and the structure would be unchanged except for the garage area. Councilman Barry said he had no problem with the proposed plans in the rear of the home but was concerned about the front. Mayor Goodman was concerned about the bulk of the proposed additions and could not find the necessary finding to grant the variance. After some discussion, Councilman Barry moved that this item be continued so that the applicant could submit alternative plans. Councilman Brekhus seconded the motion stating that the tendency today is to build large homes with very little side area. He also expressed concern over the bulk. Mayor Goodman called for a vote and the motion passed unanimously.

b. VARIANCE NO. 986. Michael Solomon, One Winding Way, AP 72-111-08, Acre Zone. Request is to allow placement of an above ground 2,000 gallon well storage tank. 7.5 feet high x 8.5 feet wide, within the side yard setback (0 feet proposed, 25 feet required). Also, improvement of a children's play area with walls and structures within the side yard setback (7 feet proposed, 25 feet required).

Lot Area	47,045 sq. ft.
Present Lot Coverage	10.4%
Proposed Lot Coverage	10.4%
Present Floor Area Ratio	14.4%
Proposed Floor Area Ratio	14.4%

(15% allowed)

Architect George Girvin stated that the tank would be buried and the play area would be located behind the existing Redwoods and would not be visible from Laurel Grove.

October 11, 1990

Pam Riley representing the Ross Recreation Department said she had approximately 25 families in the program; just three or four of these did not live in Ross. Current State law requires that they have a fence around the play area for the preschool children. She said this was a safety issue. She presented a petition with 37 signatures from residents supporting the proposed plans. She said they had the support of the school board.

In response to a question by Councilman Reid, Ms. Riley stated she had explored other alternatives but this was the most feasible due to bathroom facilities, equipment, etc. She said that the State Law would not accept a hedge.

Mrs. Mary Brown of Glenwood Avenue was concerned over the maintenance of the fence. Ms. Riley responded that the Ross Rec Department would be responsible for maintenance.

Kathy Strauss of Willow Avenue addressed the Council and said she had drawn the plans, and the children would not be able to climb the fence. She showed samples of the proposed color of the fence which she said would be a pewter grey.

After considerable discussion, Councilman Goodman moved approval of the plans with the conditions that it be placed on top of the existing wall, two thirds back to retain the seating in front, it be in the grey color, that there be appropriate landscaping, and the Council has the right to request further landscaping. This was seconded by Councilman Reid.

Mayor Barry called for a vote and the motion passed with four affirmative votes. Councilman Brekhus voted against.

21. Use Permits for Drilling of Wells.

a. Donald J. Kelleher, 61 Bridge Road, AP #73-261-19 & 31, 10,000 sq. ft. zone.

Mr. Rick Blakley, representing Mr. Kelleher, presented the plans. In response to a question he stated he did not know how many wells were in the area.

After some discussion, Councilman Goodman moved approval of the well, seconded by Councilman Brekhus. Councilman Goodman pointed out that the newly adopted ordinance requires approval of the maintenance of the well.

Councilman Brekhus responded that the ordinance was never meant to cover existing wells and the word "maintenance" should be excluded.

Mayor Barry called for a vote and the motion passed with three affirmative votes. Mayor Barry and Councilman Reid voted against.

b. Hugh J. Jacks, Upper Road West, AP #073-062-10, 5 Acre Zone.

Mr. Jacks presented the plans and stated that this is a vacant lot.

After consideration, Councilman Brekhus moved approval with the condition that there be no visible tank. This was seconded by Councilman Goodman and passed with three affirmative votes. Mayor Barry and Councilman Reid voted against.

10-11-90

22. Hillside Lot Application.

Warren Snodgrass, One Skyview, AP #72-191-09, Acre Zone. Request is to allow construction of additions on a parcel having a slope greater than 30%. Total addition of 325 sq. ft. consisting of changing rooms, showers and bathroom. The roof of the proposed addition will be used as a deck for the existing swimming pool.

1 Skyview

#64

Lot Area	3.61 Acres
Present Lot Coverage	2.8%
Proposed Lot Coverage	3.1%
Present Floor Area Ratio	3.64%
Proposed Floor Area Ratio	3.9%
(15% allowed)	

October 11, 1990

This was the second hearing for this application. Councilman Lill moved approval with the conditions that the Council has the right to request adequate and suitable vegetative screening, a smoke detector be installed in the changing rooms and the applicant comply with any requirements of the Town Engineer and Public Works Director. This was seconded by Councilman Brekhus and passed unanimously.

23. VARIANCES.

- a. Ronald K. Martyn for St. John's Episcopal Church, 14 Lagunitas Road, AP #73-191-26, Acre Zone. Request is to allow installation of an identification sign in the front yard of St. John's Church. Proposed sign is 4 ft. long, 2 ft. high, 6 inches thick over a pedestal 5 ft. long, 4 inches high, 1 ft. 3 inches wide. The sign is precast concrete with white cement and the letters are cast bronze. Zoning Code allows for a name or identification sign not exceeding one square foot in area.

Also, request to install a 24" x 30" traditional Episcopal Church sign with black, light blue and bright red colors on Sir Francis Drake Boulevard. Proposed sign will replace existing standard green street sign (12 inches by 42 inches).

VARIANCE NO. 977. Mr. Martyn, Architect for St. Johns' Church, presented the plans. Reverend Bart Sergeant explained the needs for the new signs, saying that a great number of people have difficulty finding the Church. He said that many of the neighboring communities display the traditional Episcopal Church sign.

Councilman Goodman noted that the sign would not be in the front setback.

After discussion, Councilman Lill moved approval of the signs with the conditions that the Council has the right to request further landscaping for the sign at St. John's Church; approval of the sign on Sir Francis Drake Boulevard shall be with the condition that if after 180 days it presents a problem, the sign will be removed. This was seconded by Councilman Brekhus.

Mrs. Garril Page suggested that landscaping be placed along the edge of the sign on Lagunitas Road.

Mayor Barry called for a vote and the motion passed unanimously.

- b. John McGeough, 21 Loma Linda Avenue, AP #72-121-04, 10,000 sq. ft. zone. Request is to allow construction of 160 sq. ft. deck at the lower level of house, 9 ft. from the front property line (25 ft. required). Construction of 75 sq. ft. deck less than 18" from grade, 30 ft. from rear yard property line (40 ft. required). Nonconforming home in setbacks, Floor Area Ratio and Lot Coverage.

Lot Area	11,159 sq. ft.
Present Lot Coverage	21.8%
Proposed Lot Coverage	23.2%
Present Floor Area Ratio	23.2%
Proposed Floor Area Ratio	24.6%

(20% allowed)

Mr. McGeough said he had been before the Council in August and he had reviewed the previous variances granted to the prior owner. He said that he had received the approval of all adjoining neighbors.

Council Brekhus said it was his recollection that when they granted a variance to the past owner, it was with the understanding that the garage and deck had to be removed; however, the old garage had never been eliminated.

September 13, 1990

3. Site drainage shall be per plan of CSW/Stuber-Stroeh, Civic Engineers stamped September 10, 1990 and shown on Sheet 2 of 6 submittals by Jerry L. Smania, AIA, dated 6/1/90.
4. Landscaping and fencing plans shall be submitted with plans required by building permit and shall be subject to Town Council approval.
5. The Council reserves the right to require further approved landscaping prior to issuance of an occupancy permit.
6. The Council reserves the right to request adequate and suitable vegetative screening.
7. Applicant must comply with all recommendations of the Public Works Director.
8. Sprinklers are required, as per the Ross Public Safety Department.
9. A 24-hour monitored alarm system is required.
10. The Use Permit for the well is valid for potable and household use only until Marin Municipal Water district Water becomes available to the site.
11. This use permit is issued on a year-to-year basis. A bacterial and pertinent element sampling shall be furnished to the Town on an annual basis by the applicant.
12. Applicant submit to the Town, in writing, an agreement stating that the Town of Ross is not liable for any well water problems or lack of any water service to the house.
13. Applicant must maintain the drainage swale protective device and all drainage devices.
14. Colors be compatible with the requirements of the Hillside Lot Ordinance, as shown at this meeting.

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 Please see Minutes
 of 10-11-90, Item 3

Mayor Barry said he had discussed the landscaping with the landscape architect. Councilman Reid seconded the motion which passed with three affirmative votes. Mayor Barry voted against, stating he felt there was a potential problem with the well.

1 Skyview

- b. Warren Snodgrass, One Skyview, AP 72-191-09, Acre Zone. Request is to allow construction of additions on a parcel having a slope greater than 30%. Total addition of 500 sq. ft. consisting of changing rooms, showers, bathroom and storage. The roof of the proposed addition will be used as a deck for the existing swimming pool.

#64

Lot Area	3.61 Acres
Present Lot Coverage	2.8%
Proposed Lot Coverage	3.1%
Present Floor Area Ratio	3.64%
Proposed Floor Area Ratio	3.95%
(15% allowed)	

Mr. Snodgrass said he had scaled back the plans to 300 sq. ft. and his neighbor, Mrs. Van Meurs, was now in agreement with the proposed plans. Town Engineer Hoffman stated that the grading had not been shown on the plans. This item was continued to the next meeting for the second required hearing.

24. VARIANCES.

9-13-90

- a. James Revoir, 103 Bolinas Road, AP #73-041-12, 5000 sq. ft. zone. Request is to allow construction of a new one story home with attached one car garage totaling 1724 sq. ft. Proposed house is 5 ft. from both side yard property lines (15 ft. required) and 35 ft. from rear property line (40 ft. required). Fireplace and chimney are 5 ft. from east side property line. Existing house, garage and shed to be removed.

VARIANCE
 NO. 975

September 14, 1989

It was the consensus of the Council that further input on this issue would be helpful. Mayor requested that the Streets and Parks Committee seek the comments of the public and the Council and channel that information back to the Council.

32. Project Update and Approval of Schoolhouse Plans.
Mr. Elias announced that the location for the schoolhouse had been staked; all of the Councilmembers had viewed the area. Mayor Brekhus suggested an alternative location and the Council agreed to review it over the weekend.
- X 33. Request for Extension of Jewett Subdivision Improvement Agreement - Mr. Carl Arnold.
Town Attorney Roth advised the Council that the agreement was in order. Upon motion by Councilman Lill, seconded by Councilwoman Flemming, the agreement was extended from November 30, 1989 to November 30, 1990.
34. Undergrounding of Utilities - Winship Park.
This item was continued to the next meeting.
35. Request for Funds - Fairfax Open Space.
Mike Shea, President, "It's Time for A Park Inc." addressed the Council concerning the formation of an Upper Ross Valley Community Park at "Bird's Nest Glen," presently known as the Marin Town and Country Club in Fairfax. They proposed to convert the area into a community park and were seeking funds for surveys and feasibility studies. Fairfax allocated \$3000; they asked San Anselmo for \$1,500, and they requested \$500 from the Town of Ross. Councilwoman Flemming mentioned that the last ponding area of the Corte Madera Creek is located in that area and requested that any use in that area be carefully monitored. After some discussion, Councilman Barry moved that the Town of Ross endorse the plan but that any funds would be personal contributions from the Council and residents. This was seconded by Councilman Lill and passed unanimously.
36. Other Business.
Councilman Goodman reported that \$5000 had been expended in the Spina case. Mr. Elias was directed to write to the Ross Park and Recreation requesting reimbursement.
37. Adjournment.
There being no further business, the meeting was adjourned at 11:45 p.m.

Peter B. Brekhus, Mayor

A T T E S T:

Virginia Stott, Town Clerk

Laura Thomas, Town Secretary

June 7, 1989

22. Warren Snodgrass, One Skyview, AP #72-191-09, Acre Zone.
Request is to allow encroachment permit for the construction
of entrance walls 5 feet x 4 feet 6 inches on Skyview.
 This item was continued at the request of the applicant.

23. Hillside Lot Applications and Use Permits

a. Mitch Wiener, 27 Upper Road (AP #73-111-11) Acre Zone.
 Request is to allow construction of a home on a lot
 having a slope in excess of 30%.
Use Permit is for the construction of a home in Hazard
 Zone No. 3.

Lot Area	79,845 sq. ft.
Proposed Floor Area Ratio	8%
Proposed Lot Coverage	4%
(15% allowed)	

Mr. Wiener presented the plans and model stating that
 the proposed plan would minimize cuts and grading in
 the hillside. He said that his neighbor, Mr. Tom Hyde,
 felt that cars exiting the property and turning around
 in his driveway would impinge on his privacy. Mr.
 Wiener felt he had addressed this issue by widening the
 turn-around area.

He noted that the driveway placement was not
 demonstrated in the subdivision plans. He offered to
 plant 20 trees to screen the proposed driveway.

Mr. Thomas Hyde of Upper Road said that he objected to
 the driveway, which he felt would have an enormous
 impact on the hillside. He referred to a letter of
 opposition from Mr. Verrue, dated June 6, 1989, which
 Mr. Hyde distributed to the Council at the meeting.

Mr. Greenspan of Upper Road requested that a safety
 barrier be constructed on the roadway above his
 property. He suggested that Mr. Hyde install gates to
 assure his privacy.

In response to a question, Town Engineer Hoffman said,
 that he did not consider the lower side of the house a
 suitable place for the garage, adding that the
 applicant would be required to walk up three flights of
 stairs and the driveway would result in greater
 excavation to the hillside.

Mr. Wiener said that he would be willing to bring back
 the lower dirt road to its original condition.

Mrs. Jim Howey of Upper Road objected to the three
 homes being clustered together on a total of nine
 acres, approximately. She felt the proposed access
 would be very intrusive.

Councilman Goodman said the applicant had received
 approval of plans for a different site over a year ago
 and had started construction but had changed his mind
 on the position of the home.

Councilman Barry felt that the new location of the home
 would be visually intrusive on the hillside; he was
 concerned about the proximity of the house to the other
 homes on large acreages. He noted that the applicant
 had been previously granted a building site but had
 reapplied for a new location.

Mr. Wiener stated that the original site is situated in
 a "hole." Mrs. Wiener pointed out that they
 have the approval of the other two neighbors, Mr. &
 Mrs. Greenspan and Mr. & Mrs. Wais.

After much discussion, Councilman Lill moved approval
 subject to the following:

- The applicant plant 20 oak trees as proposed.
- The previous access be restored to its original
 condition
- The applicant comply with all conditions of the
 Town Engineer, Public Works Department and the
 Public Safety Department.

AT 9:45 P.M. MAYOR BREKHUS CALLED FOR A RECESS - THE COUNCIL RETURNED TO THE COUNCIL CHAMBERS AT 9:50 P.M. WITH EVERYONE IN ATTENDANCE.

7. Report From Public Safety Department.

Chief Miller reported that he had attended a meeting with representatives from the State Park and the Marin County Fire District at the request of the Marin Municipal Water District. The MMWD had asked that anyone having lands contiguous to the MMWD property adopt the following:

- 0 to 40 = moderate
- 41 to 50 = dangerous - closed to automobiles
- 51 and over = extremely dangerous - physically close down the park

Councilman Lill moved to adopt the Marin Municipal Water District's recommendation, seconded by Councilwoman Flemming and passed unanimously.

8. Introduction of Ordinance No. 468 - Amending Chapter 10.28 to add Section Prohibiting Use of Streets for Storage of Vehicles.

Councilwoman Flemming moved introduction and waiver of the reading for Ordinance No. 468, seconded by Councilman Barry and passed unanimously.

9. Flood Control - Status Report.

Mayor Brekhus reported that he had received the drafts from the Councilmembers as requested at the special meeting of August 24, 1988, and planned to compose a letter incorporating their suggestions and questions.

A meeting is scheduled with the U.S. Army Corps of Engineers for September 13, 1988, at 2:30 p.m. in the Board of Supervisors' Chambers; several of the Councilmembers plan to attend.

As discussed at the special meeting, Mayor Brekhus tried to schedule a meeting with the Ross Town Council and the Board of Supervisors. Supervisor Brown will coordinate this request with the other members of the Board.

10. Report from Public Works, Planning, and Building Departments.

1. Public Works Director Elias reported that two culverts on Fernhill Avenue have rusted and need to be replaced. Town Engineer Hoffman said they would be replaced with reinforced concrete pipes.

Councilwoman Flemming moved that the Council authorize Public Works Director Elias to get bids for this project, seconded by Councilman Barry and passed unanimously.

2. Mayor Brekhus asked that all use permits as identified on page two of Planner Brekke's memo be reported on at the October meetings.

3. 15 Wellington Avenue - Consideration of illegal/legal structure to be placed on the agenda in October. Councilwoman Flemming moved that all neighbors within 300 ft. are to be noticed and applicant may file for a variance application at the next meeting. This was seconded by Councilman Lill and passed unanimously.

4. Mr. Elias hopes to present a draft ordinance regarding compliance of construction with variance conditions at the next meeting.

10 a. Request for Extension of Driveway Improvements - Jewett Subdivision.

Public Works Director Elias explained that the construction on the Jewett Subdivision was not completed. Mr. Carl Arnold requested an extension to the driveway improvements



9-8-88

agreement. He said that the driveway should be completed after all construction is accomplished. On motion by Councilwoman Flemming second by Councilman Lill, the extension was granted for one year, to November 1989, with four affirmative votes. Councilman Barry abstained.

11. Finance Committee Report.

Councilman Lill reported that he was still in negotiations with the Public Safety Department and the Town is awaiting further information from PERS.

12. Resolution No. 1234 - A Resolution of the Town Council of the Town of Ross Establishing the Amount of tax for the 1988-1989 FISCAL YEAR; Inclusion of Hardship Exemption.

On motion by Councilman Barry, seconded by Councilwoman Flemming Resolution No. 1234 was unanimously adopted.

13. Report from Committee Heads.

There were no reports.

14. Open Time for Public Expression.

No comments.

15. Re-Application for a Hillside Lot Construction, a Use Permit and a Variance for Robert Ham, 6 Duff Lane, AP 73-211-33 and 73-221-08, Acre Zone. Request is to allow construction of house on lot having an average slope in excess of 30%. Use Permit is for construction of home in Hazard Zone No. 4. Variance request is for the following:

- a. 40 ft. frontage on Lagunitas Road (150 ft. required)
- b. Construction of a three story home, 32 ft. in height (two stories and an attic allowed but not to exceed 30 ft.).
- c. Construction of a house 24 ft. of the front property line (25 ft. required) and 21.5 ft. of the side property line (25 ft. required).

VARIANCE NO. 898

USE PERMIT NO. 110

HILLSIDE LOT APPLICATION NO. 56

Mr. Ham's architect explained that they had reduced the size of the house by 300 sq. ft., taken out a window and reduced the height by 18 inches; he had eliminated the fence. He said they had arrived at an agreement with the neighbors. There were no comments from the audience.

Councilman Goodman said he sympathized with Mr. Ham but was concerned about granting variances for new construction. After some discussion, Councilwoman Flemming moved approval subject to all conditions as outlined in the original approval of this project, dated July 14, 1988, with the added condition that the house does not exceed the allowable 30 ft. in height. The 120 ft. frontage on Duff Lane will meet the 25 ft. front yard setback requirement, but a variance will be granted for the side yard setback of 21.5 ft. from Hazel Avenue vehicular easement. This was seconded by Councilman Lill and passed with four affirmative votes. Councilman Goodman voted against.

16. Use Permit.

Vito and Sonia Badalamenti, Legal Owners, and Craig M. Stone, Potential Tenant, 27 Ross Common, (AP 73-273-09) C-L District. Request is to allow office space of 600 sq. ft. for Stone Capital Corporation, a corporate investment firm. Hours of operation 8 a.m. to 5 pm. weekdays; four employees with on site and street parking.

At the request of the applicant, this item was withdrawn.

X
11-12-87

22. Subdivision.
John J. Gray, One Upper Road (AP 73-122-06). Request is to allow re-subdivision of 3.01 Acres into two parcels.

Parcel 1 to contain 2.01 acres, existing house, cottage, studio, caretaker's house, garage, shed and pool, and pool shed.
Parcel 2 to contain one acre and stable.

Mr. Gray's architect explained that he does not intend to sell the one acre parcel and will remove the pool shed and stable now existing. If the parcel is sold in the future, the wooden bridge will probably be removed.
Mr. Poore moved approval of the subdivision with the conditions that the pool shed and stable be removed, and no trees to be cut without Council permission. Mr. Dirkes seconded the motion, which passed unanimously.

23. Hillside Lot Applications.

Hillside Lot
No. 50
Use Permit
No. 97

a. George L. Lindahl, Morrison Road & Makin Grade (AP 72-061-05) Acre Zone. Request is to allow construction of house on lot having an average slope in excess of 30%. Use Permit is for construction of house in Special Hazard Zone NO. 3.

Architect James McDonald presented modified plans and explained that by moving the upper floor forward by 4', no variance would be required for height. All setbacks are adhered to.
Expressing concern about drainage, slides, and size of the lot were Mr. & Mrs. Douglas Ballinger, Debbie Murray, Mrs. H. Davidson, Mr. H. Engle and Mr. Erwin Holter.
Mr. Brekhus said he worries about giving an advisory opinion since Mr. Lindahl intends to sell the lot and will not be building the house for which plans are being presented.
Mr. Dirkes moved that the requests to build the house on a lot having an average slope in excess of 30% and a use permit for construction of the house in Special Hazard Zone No. 3 be granted exclusively to Mr. Lindahl and that the hillside lot application and the use permit not go with the land.
Mr. Poore seconded the motion. Mr. Hoffman advised that the Council should approve this particular full-fledged application because it met all requirements and did not require any variances.
Mr. Roth said the ordinance appears to be designed for a specific application and that the Council could confine the granting of the application to construction of a residence by this applicant only.
Mr. Dirkes withdrew his motion and Mr. Poore his second.
Mr. Brekhus moved approval of the modified plans; that Mr. Lindahl be advised in writing that the granting of the hillside lot application and the use permit apply only to him and that a fire hydrant be installed to the satisfaction of the Public Safety Department, and the access roadway shall be 14 ft. wide. Mr. Dirkes seconded the motion, which passed by a four to one vote, Mayor Flemming dissenting.

11-12-87

1 Skyview
11-12-87

b. Warren Snodgrass, Skyland Way - Lot No. 2 of Jewett Subdivision (AP 72-191-09) Acre Zone. Requests are to allow construction of house on lot having an average slope in excess of 30%. Use Permit for construction of house in Special Hazard Zone No. 3 and removal of designated trees. Variance request is for modification of building envelope.

Mr. Snodgrass explained that only a small part of the building corner is able to be seen from the Town Hall. Drainage will be down Skyland Way and will be underground.
Mr. Hoffman suggested the following conditions:
1. Drainage to be subject to staff approval
2. Council to review landscaping after construction.
3. Soils engineer to approve all plans and submit a letter following completion of construction stating that everything has been done properly.

Mr. Poore moved approval of the hillside lot application, the use permit for construction of house in special hazard zone No. 3, removal of designated trees, variance for modification of building envelope and all conditions suggested by Mr. Hoffman, and a 24-hour monitored alarm system be installed. Mr. Dirkes seconded the motion, which was unanimously passed.

3. Trees on the Jewett Subdivision.

COUNCILMAN JULIEN ARRIVED AT THE MEETING.

Mr. Elias introduced Mr. Carl Arnold. He explained that when he bought the Jewett property, he cleared out some of the brush for building sites. His tree people had taken down some hazardous trees and he was not aware of any condition in the subdivision agreement, nor was his attorney; the Town of Ross does not have a tree ordinance so he went ahead with the work. As soon as the Public Works Department informed him of the subdivision condition, he immediately ceased the cutting of trees.

Mrs. Chriss said she was concerned about the trees that had been partially removed. Councilman Brekhus said he would look at the trees and talk to Mr. Arnold, and he reminded Mrs. Chriss that any trees that were to come down must be tagged.

4. Public Works Director Elias read a letter from Mr. E. Mack Miller of 161 Lagunitas Road in which he stated that he had posted street numbers and furnished landscaping plans. He intended to remove the old driveway in the spring of 1988. After some discussion, the Council agreed that the construction had been underway for quite some time and they felt it should be completed by the end of November. The Council asked Mr. Elias to send a letter stating this fact and if the work is not completed in time, Mr. Miller is to "show cause" at the December meeting.

5. In regard to the 21-day filing day deadline for variances and use permits, the staff is still looking into the matter. Town Attorney Roth said that if the filing date was merely custom, nothing would prevent the Council from changing the deadline.

7. Report from Administrative Consultant - Richard V. Brown.

Mr. Brown reported on the following:

1. On Friday, October 2, he and the Mayor met with Mr. Bill Moore, Administrator for Ross General, who explained the following:
- State and Federal laws require the hospital to treat prisoners; they have been doing this for years.
 - Each prisoner is accompanied by two guards. They are housed in available rooms, adjacent to regular patients. A new contract has been negotiated with the Department of Corrections, providing for a secure wing on the 4th Floor. The prisoners would not have access to the rest of the hospital.
 - In approximately three years, the entire Ross Hospital operation intends to move to San Rafael.

Councilman Brekhus asked Town Attorney Roth to write a letter to the hospital stating that the hospital is within the Town of Ross' Sphere of Influence and any prospective buyer should be made aware of this fact.

2. Mr. Brown has executed a contract that would provide for the use of a prisoner crew on selected work in the Town. These prisoners qualify for weekend leave and will be under control of prison guards. The Town will outline the work to be done and furnish the tools. Proposed areas for them to work are the Corte Madera Creek and the slide area in Natalie Coffin Green Park.
3. Senator Marks will meet with the Marin Managers and discuss their concerns.
4. Dispersement tax assessment - 85% is due in December.
5. Requested an application from the Marin County Managers JPA re self-insurance. The Town will need a regular delegate to meet with risk management authority.
6. Would like a follow-up to the workshop that was held on September 26. The Council tentatively set Tuesday, November 3, 1987, at 7 p.m. for a dinner meeting at Nine Ross Common.
8. Finance Committee Report - Richard Julien.
Councilman Julien reported that revenues are down until the taxes are received in December.

October 8, 1987

Natalie Coffin Greene Park. Mr. Joe Garbarino said that when the gates are locked, they cannot get through; Marin Sanitary Service picks up the garbage twice a week, April to November.

17. Mudd Subdivision - Discussion of Final Improvements.
This item was put over to the November meeting.

18. Hillside Lot Applications.

- a. Robert Ham, 6 Duff Lane (AP 73-211-30) Acre Zone. Requests are to allow construction on lot having an average slope in excess of 30%. Use Permit for construction of home in Hazard Zone No. 4. Variance for 40 ft. frontage on Lagunitas Road (150 ft. required); 33 ft. 6" height (30 ft. allowed); construction of a garage under the proposed two-story house, resulting in a 3 storey.

At the applicant's request this item has been put over to the November meeting.

- b. George L. Lindahl, Morrison Road & Makin Grade (AP 72-061-05) Acre Zone. Requests are to allow construction of house on lot having an average slope in excess of 30%. Use Permit is for construction of house in Special Hazard Zone No. 3.

Councilman Brekhus said the property had not been staked as requested at the last meeting so consequently this item should be put over to the next meeting.

Councilman Dirkes said he had trouble correlating the map to the property.

After discussion, the Council agreed to hear the presentation.

Engineer Strangaard addressed the Council. He said there were slides on the property that could be corrected with retaining walls.

Councilman Dirkes said he was concerned about a 20 ft. retaining wall.

Mr. Strangaard said all he was asking of the Council was to approve one solution to prove it is a buildable lot. Councilman Brekhus said along with the staking of the driveway and building site, he would like to see some storey poles. He also questioned Item 1 of Donald Herzog & Associate's letter of September 24, 1987. It was then pointed out that a retaining wall would be needed for the driveway down to Morrison Road. The Council heard from Town Engineer Hoffman who said that variances are going to be needed on the building site.

Councilman Julien was concerned about approving variances when there were no building plans available; he said it was not a buildable site if it needed a variance.

Councilman Brekhus said he would be inclined to deny this application on the grounds that our Town Engineer said this proposal would require a variance, but he was willing to look at the staked property and allow the applicant to return with another proposal demonstrating that the house could be built without requiring variances.

After considerable discussion, Councilman Brekhus moved that this application be continued for 30 days to allow the applicant to stake the building site, as requested, and address the variance situation and provide alternative plans that would not require a variance. This was seconded by Councilman Poore and passed unanimously.

- c. Warren Snodgrass, Skyland Way - Lot No. 2 of Jewett Subdivision. (AP 72-191-07) Acre Zone. Requests are to allow construction of house on lot having an average slope in excess of 30%. Use Permit for construction of house in Special Hazard Zone No. 3 and removal of designated trees. Variance for modification of building envelope.

Mr. Williams, Architect for Mr. Snodgrass, presented the plans. He said the drainage and easement problem mentioned in

Mr. Hoffman's letter of September 21, 1987, was being addressed, and he had the approval of the owner of Lot 4.

Councilman Brekhus pointed out that the storey poles on the site were visible from Town Hall. He felt that the house could be placed further back on the site.

1 Skyview *

10-8-87

The architect said that that portion of the proposed house is within the original building envelope, and is within the height limit requirements of the ordinance.

Mayor Flemming suggested planting 25 ft. trees for screening.

Councilman Brekhus moved that this application be continued for 30 days, and that the applicant address the issue of the visibility of the southwest corner of the house from Town Hall. This was seconded by Councilman Poore and passed with four affirmative votes. Mayor Flemming voted against.

Mrs. Charles Page of Shady Lane said this is one more large white house on a visible hill and asked that the Council consider color and material.

19. Subdivision.

John J. Gray, One Upper Road (AP 73-122-06) & 07). Request is to allow re-subdivision of 3.01 acres into two parcels:

Parcel 1 to contain 2.01 acres, existing house, cottage, studio, caretaker's house, garage, shed and pool, and pool shed

Parcel 2 to contain one acre and stable.

There was no one present in the audience. Councilman Brekhus moved that this item be continued for 30 days, seconded by Councilman Poore and passed unanimously.

20. Variances.

a. Fred and Barbara Krietzberg, 19 Spring Road (AP 73-252-20)

Acre Zone. Request is to allow replacement of existing wood stairs and rain cover with new entry pavilion 8 ft. from front property line (25 ft. required) and 13 ft. from side property line (25 ft. required); new stairs, elevated paths with trellis and rain covers. Also, concrete stairs and path one foot from front property line (25 ft. required); non-conforming house. Total addition of 312 sq. ft. VARIANCE NO. 853

10-8-87

Lot Area	45,302 sq. ft.
Present Lot Coverage	6.0%
Proposed Lot Coverage	6.7%
Present Floor Area Ratio	15.2%
Proposed Floor Area Ratio	15.9%
(15% allowed)	

CONTINUED FROM LAST MEETING

Mr. Krietzberg presented the plans. He said that at the last meeting Mr. Droshin's concerns were: (1) aesthetics and (2) that the structure was being built on Mr. Droshin's property. He said Mr. Droshin had since said he doesn't have any objection to the aesthetics and a land survey showed that the building was not on his property. Those issues had been resolved to the satisfaction of both parties.

Accordingly, Councilman Poore moved approval of the variance as submitted, seconded by Councilman Dirkes and passed unanimously

b. William C. and D. Janean Jones, 88 Glenwood Avenue (AP 73-041-31) 5,000 sq. ft. zone. Request is to allow handicap access through construction of sidewalk and ramp within 2 ft. of side yard (15 ft. required) and weather proof existing porch.

10-8-87

Lot Area	10,952 sq. ft.
Present Lot Coverage	17.1%
Proposed Lot Coverage	17.1%
Present Floor Area Ratio	17.1%
Proposed Floor Area Ratio	17.1%
(20% allowed)	

Mrs. Jones' son presented the plans. She explained she had handicapped friends who are unable to get into the house; the only other access involved multiple stairs.

Councilman Brekhus pointed out that a handicap entrance could have been acquired before they did this new work.

Public Works Director Elias said they had not submitted a site plan.

Councilman Poore pointed out that several letters of concern had been received from neighbors. The Council then heard from other concerned neighbors present in the audience re the loss of landscaping, change of character, and use of the house on lots that are very narrow

11. A sanitary sewer easement shall be recorded in favor of the adjacent lot to the northwest so as to provide for the sewer serving the adjacent lot to be carried by the proposed bridge and tie into the main line.

This was seconded by Councilman Dirkes.

Mr. Bruce McDermott, an affected neighbor, requested that he be included in the decisions re the trees and driveway.

Councilman Brekhuis explained that because of the landscaping proviso, Mr. McDermott has the right to come back.

Mrs. Chriss said she did not have any plans to build a fence at the present time.

Councilman Dirkes moved to amend Councilman's Poore motion to include that no fences be built without prior approval by the Ross Town Council. Councilman Poore accepted this amendment and the applications passed with four affirmative votes. Mr. Brekhuis voted against.

Councilman Brekhuis asked staff to get the opinion of the Town Attorney as to what action or remedy can be taken in connection with the violation of the Town's subdivision agreement with respect to removal of trees. He asked staff to notify Mr. Arnold that this is going to be placed on the agenda at the October 8, 1987, meeting. Applicant does not have to come back before the Council for fences, but fences must be approved by the committee.

- b. Robert Ham, 6 Duff Lane (AP 73-211-30) Acre Zone. Requests are to allow construction on lot having an average slope in excess of 30%. *

Mr. Ham's architect presented the plans.

Councilman Brekhuis moved to continue this item to the October meeting because the house number had not been posted. Councilman Julien seconded this motion which failed to pass.

Although this application had been heard at the June meeting, this was to be considered the first hearing. In response to a question by Councilman Brekhuis the architect said there were no conditions above the building envelope that would present a hazard to the property. Councilman Poore requested that the Public Works Director notify Mr. Sogge of Duff Lane about the drainage plans being carried to Lagunitas and see if he wants to be tied in to the drainage.

Town Engineer Hoffman said he needed details on drainage and ditches.

The architect said he had had a number of meetings with Mr. Wisenbaker, an adjoining neighbor. He said the 33 ft. height is essential to the roof line, and approximately 90 sq. ft. is within the three storey category.

Councilmembers Brekhuis and Julien were concerned about the height. This application will be before the Council at the next meeting.

- c. George L. Lindahl, Morrison Road and Makin Grade (AP 72-061-05) Acre Zone. Requests are to allow construction of house on lot having an average slope in excess of 30%. Use Permit for construction of house in Special Hazard Zone NO. 3. Continued from August meeting. This item was put over to the October meeting.

- d. Warren Snodgrass, Skyland Way - Lot No. 2 of Jewett Subdivision (AP 72-191-09) Acre Zone. Requests are to allow construction of house on lot having an average slope in excess of 30%. Use Permit for construction of house in Special Hazard Zone NO. 3. and removal of designated trees. Variance is for modification of building envelope.

Mr. Snodgrass' architect presented the plans and model. He said further borings need to be done. Town Engineer Hoffman suggested that this be done before the rains. The proposed house is one-story with two-story on both ends.

Councilman Brekhuis asked that storey poles with white flags be installed at the highest points. Mr. Snodgrass agreed to call Town Hall when this is done. Borings are to be done before the next meeting. Second hearing will be held at October meeting.

*Use Permit for construction of home in Hazard Zone No. 4. Variance for 40 ft. frontage on Lagunitas Road (150 ft. required); 33 ft. 6" height (30 ft. allowed); construction of a garage under the proposed two-story house resulting in a 3 storey.

23. Appeal of Public Works Department's Decision Not to Grant Encroachment Permit for Driveway on Winding Way.
 ✓ Councilman Brekhus moved denial of the appeal but approved entrance on Laurel Grove and waiver setback requirements of the Town's ordinance with the conditions that: (1) the applicant come before the council with a variance for setback requirements and (2) any house built will be subject to Council landscaping and architectural approvals. This was seconded by Councilman Dirkes and passed with three affirmative votes. Mayor Flemming was opposed.



24. Assignment of Jewett Subdivision Agreement from George F. Jewett, Jr., to Carl D. Arnold, III.

On motion by Councilman Poore and seconded by Councilman Brekhus the Council unanimously agreed to authorize Mayor Flemming to assign the Jewett Subdivision Agreement to Carl D. Arnold, III.

25. Insurance Claim - Mario and Jane Brenta, 23 Garden Road.
 Councilman Brekhus moved denial of the claim, seconded by Councilman Dirkes and passed unanimously.

26. Adjournment.
 There being no further business, the meeting was continued to Tuesday, June 9, 1987 at 8 p.m. in the Ross Town Hall for a Flood Control Study Session for the Ross Town Council.

 Anne F. Flemming, Mayor

A T T E S T:

 Virginia Stott, Town Clerk

Laura Thomas

 Laura Thomas, Secretary

VARIANCE NO. 818

- e. Richard and Carol Burnham, 26 Woodside Way (AP 73-251-05)
6,000 sq. ft. zone. Request is to allow addition of master bedroom, bath and deck on 2nd floor; total addition of 312 sq. ft. Non-conforming house in setbacks.

Lot Area	31,000
Present Lot Coverage	11.4%
Proposed Lot Coverage	12.7%
Present Floor Area Ratio	10.2%
Proposed Floor Area Ratio	11.2%
(20% allowed)	

Councilman Poore moved approval with the condition that the Council has the right to request further landscaping, if needed, and subject to the Public Safety Department's requirements, seconded by Councilman Poore and passed unanimously.

- f. Mr. & Mrs. Harold Sherley, 81 Sir Francis Drake Blvd.
(AP 73-052-13) 10,000 sq. ft. zone. Request is to allow rebuilding of existing deck; total addition of 17 sq. ft. Additional variance is required for compliance with Ross Municipal Code Chapter 15.36.050 - Flood Damage Prevention. Non-conforming house. VARIANCE NO. 819

Lot Area	7,500 sq. ft.
Present Lot Coverage	23%
Proposed Lot Coverage	23%
Present Floor Area Ratio	44.6%
Proposed Floor Area Ratio	44.8%
(20% allowed)	

Public Works Director Lunding explained to the Council that the Town must comply with the flood zone ordinance. When improvements are made on properties within the flood zone, the applicant and architect must certify to the Town that the improvements do not exceed 50% of the market value of the house.

Councilman Poore moved approval of the variance with the condition that the Town receive a certificate as detailed above. This was seconded by Councilman Dirkes and passed unanimously.

- 20. Assignment of Variance No. 815 to Peter H. Wilson, Legal Owner, 112 Winding Way (AP 72-101-01). (Granted to Walter L. Spicer, Potential Purchaser, March 12, 1987).

4-9-87

Mr. Lunding explained that Mr. Spicer would not be purchasing the property and Mr. Wilson requested that the variance be assigned to him, the legal owner. The variance will have to be used within 90 days or become void. Mr. Wilson will be coming before the Council with a lot line adjustment application. After a brief discussion, Mayor Flemming moved approval, seconded by Councilman Dirkes and passed unanimously.

*

- 21. Request to Remove Four Eucalyptus trees on Lot NO. 2 of the Jewett Subdivison.
 Mr. Lunding explained that because of the subdivision agreement, the applicant had to come before the Council in order to remove any trees. After review, Councilman Poore moved approval of the trees as indicated in red on the map prepared by Bala and Strandgaard, drawing 8529-EUC. This was seconded by Mayor Flemming and passed unanimously.

- 22. 101 Corridor Action Committee - Assessment of \$1,000.
 Mayor Flemming explained that \$525,000 approved from the Buck Fund for Phase II of the Corridor Study, is \$100,000 short of its cost. The subcommittee recommended a \$30,000 contingency fund of which Ross's share would be \$1,000. The Council agreed to budget \$1,000 for 1987-88.

* 14. Subdivisions.

- a. "Jewett" Subdivision: Authorize the Mayor to Sign the Subdivision Agreement.

After a brief discussion, Councilman Poore moved that the Council authorize the Mayor to sign the "Jewett" Subdivision Agreement. This was seconded by Councilman Brekhus and passed unanimously.

- b. "Damner" Subdivision: Authorize the Mayor to Sign Subdivision Agreement.

Councilman Brekhus requested that three mature trees be planted in front of the garage. Mr. Damner said that the structure did not encroach the setback. After a brief discussion, Councilman Brekhus moved that the Council authorize the Mayor to sign the "Damner" subdivision agreement with the condition that the landscaping be subject to the approval of the Streets and Parks Committee. This was seconded by Councilman Poore and passed unanimously.

- c. "Kittle" Subdivision:

- (1) Approval of CC&R's
Councilman Poore moved approval of the CC&R's, seconded by Councilman Dirkes and passed with three affirmative votes. Mayor Julien and Councilman Brekhus abstained.
- (2) Authorize the Mayor to sign the Subdivision Agreement.
Councilman Poore moved approval, seconded by Councilman Dirkes and passed unanimously.

15. Use Permits.

- a. Mr. James Kelly, Potential Purchaser, 32 Ross Common (AP 73-272-06) C-L District. Request is for construction of three shops below and six offices above. Legal owners: T. Rogers, N. Rogers and D. Mayer.

Mayor Julien informed the audience that two petitions had been received: one with 29 signatures and one with 11 signatures requesting that ingress and egress not be from Redwood Drive.

This application had been continued from June meeting and Mr. Kelly had been asked to return with some alternatives. The new plans showed two retail shops below, rather than the original three shops. Ingress would be on Poplar and Egress on Redwood Dr., with a right hand turn only. He noted that nail pads could be placed in the entrance on Redwood so that it would not be a policing matter. Councilman Dirkes was concerned about landscaping and placing of windows. Mayor Julien was concerned about the mass of the structure in relation to properties on both sides.

Chief Miller stated that Ross Common (Poplar) was a busy narrow street.

Mrs. Conrad Hoskins of Brookwood Lane said that Redwood Dr. was a residential area. Mr. Dick Bobo of Redwood Dr. felt the property was listed for too much money and forced the developers to build larger structures, and he was concerned about the lack of sidewalks.

Mr. Carter of 21 Redwood Dr. was concerned about children on the street, and said he would like to see some further alternatives.

Mr. Barr of Redwood Dr. asked if Redwood could have parking on both sides and still have two-way traffic. Mrs. Sorgen of Redwood Dr. was concerned about the size of the building and since Redwood Drive is a residential area, she asked that ingress and egress be from Ross Common. Mr. Kelly stated that Mr. Sommer had been before the Council with residential plans, and he was here with commercial plans. He felt that if this does not pass, the Council should condemn the property.

Councilman Poore felt that Mr. Kelly had met with all the Town's rules, and he added that the property is zoned commercial. Councilman Brekhus agreed with Mr. Poore.

Councilman Poore moved approval of the first application with the conditions regarding sidewalks, fencing, landscaping and windows. This was seconded by Mrs. Flemming.

19. Jewett Subdivision - Approval of CC&R's.

Mr. Lunding, Public Works Director, suggested the following changes be made to the Jewett CC&R's:

1. Page 3, Section 1.12 to read: "Non Access Strips"...
2. Page 5, Section 3.2 to read: Location of Structures. Construction and erection of the Buildings shall be confined to the Building Envelopes for Lots 2, 3 and 4, except as modified by the Council. Other structures may be placed in any location upon a Lot so long as they comply with governmental requirements and do not interfere with an Easement...
3. Page 10, Section 5.2. Soil. As part of the building permit application process for any Lot, a geotechnical investigation and report pertaining to the proposed construction shall be prepared by a licensed engineer specializing in soils investigation work.
4. Page 10, Section 5.4. Creek Crossing. (Last sentence) the spelling of word "vegetation" be corrected.

After hearing from Town Engineer Hoffman; Mr. Ballard, Engineer for the Jewett Subdivision; and Mr. Steven Wisenbaker of Duff Lane, (who was also the architect for a potential purchaser) on allowing neighbor veto to buildings outside the building envelope, Councilman Poore moved approval of CC&R's with the changes recommended by Mr. Lunding above. This was seconded by Councilman Dirkes and passed with four affirmative votes. Mayor Julien was opposed.

Town Engineer Hoffman reported that he had investigated the request for the guardrail on Skyland Way, and in his opinion he felt it was unnecessary. The sense of the Council was that the guardrail was not wanted.

20. Use Permits.

- a. Mr. Peter H. Behr., Jr., 7 Walters Road (AP 72-222-02) 1 Acre Zone. Request is to allow a residential-home office (financial consulting business) in the Single Family Residence District. There will be no additional traffic.

Mr. Behr reported that he did not intend to have any house clients, and he had received approval from all neighbors. The Public Works Director said Mr. Behr had complied with all ten conditions of the Home Occupation in the Ross Municipal Code.

After discussion, Councilman Poore moved approval of the use permit with the condition that it be reviewed in one year. This was seconded by Councilman Dirkes and passed unanimously.

- b. Mr. James Kelly, Potential Buyer, 32 Ross Common (AP 73-272-06) C-L District. Request is for construction of three shops below and six offices above. Legal Owners: T. Rogers, N. Rogers, D. Mayer.

Town Attorney Hadden Roth informed the Council that this use permit is exempt under the guidelines of the Calif. Environmental Quality Act from an environmental assessment, and he explained to the audience that an Ordinance had been passed by the Council requiring all future uses within the C-L District be approved by Use Permit Only. Mr. Roth read the Use Permit Requirements set forth in the Ordinance.

Mayor Dirkes called for a five-minute recess at 9:25 p.m. At 9:30 p.m. the meeting convened with everyone in attendance.

1 Skyland

- b. A Formal Subdivision and Use Permit, (A re-subdivision of five existing parcels), application for Vesting Tentative Map, A Use Permit for parcels in Hazard Zone No. 3, and a Variance request from George Frederick Jewett, Jr., 10 Skyland Way (AP 72-201-18 and 72-191-04, 05, 06, & 07) 1 acre zone. Re-subdivision of 16.3 acres into 4 parcels. Use Permit No. 78, and VARIANCE NO. 770.
- (1) Consideration of Proposed Negative Declaration
 - (2) Consideration of Applications

Mayor Dirkes informed the audience that Town Engineer Hoffman had been instructed to conduct an initial study which had been done and submitted to the Council. Mr. Hoffman stated that he had nothing to add to his report.

(1) Consideration of Proposed Negative Declaration.

Mr. S. M. Bala, Civil Engineer for the Jewett subdivision, spoke from the audience and said that he wished to question Item 7 of the "Recommended Conditions of Approval" issued by the Town staff regarding widening of Skyland Way to 18 feet.

Town Engineer Hoffman said this came about because of the traffic study, and he recommended the Council direct the staff to work out where this can be done prudently and intelligently.

Councilman Julien stated that he did not have a chance to look at the CC&R's which were delivered to Town Attorney Roth today. Council agreed that the CC&R's would be submitted to the Council and staff for approval before filing of Parcel Map.

Mr. Bala requested that the Council drop Item No. 8 from the staff recommendations regarding Lots 3 and 4 being sewerred with one common creek crossing utilizing the driveway to Lot 3. Mr. Fowler, Attorney for the Jewett estate, stated that this is a parcel map and they have put parcel envelopes in CC&R's, but he felt that items such as Item 8 should be left up to the owners and the staff. The Council agreed to modify Items Nos. 7 and 8.

Mrs. Dirk Van Meurs represented Mrs. Thomas Terry of 5 Skyland Way, and stated that Mrs. Terry was very concerned over a portion of Skyland Way which, in her opinion, needed a guardrail.

Mr. Fowler felt that Mr. Jewett should not be liable for this guardrail which would be on public property.

Mr. Jack Clumeck of 15 Skyland Way stated that there are no street lights on Upper Skyland and he also expressed concern about the sewer hookup for Lot 2 which he felt should not be tied into the Skyland sewer since this sewer occasionally backs up. Mr. Hoffman informed Mr. Clumeck that this is not a Town problem but the Marin Sanitary District problem.

Councilman Poore moved that the guardrail will be determined by the staff and added to the conditions recommended by the staff. This was seconded by Mr. Julien and passed with three affirmative votes.

Councilman Poore moved approval of the Negative Declaration. This was seconded by Councilwoman Flemming and passed with four affirmative votes. Mr. Brekhus abstained.

(2) Consideration of Applicatons.

Councilman Julien moved approval of the application subject to the final approval of the subdivision and approval of the use permit subject to the findings that the lots are buildable lots. This was seconded by Mrs. Flemming and passed with four affirmative votes. Mr. Brekhus voted against.

Councilman Poore moved approval of the subdivision with the conditions as set forth by our Town Engineer

and as modified by the Council, and that the findings show they are buildable lots, and with the conditions that the subdivision is consistent with our current General Plan. This was seconded by Mrs. Flemming and passed with four affirmative votes. Mr. Brekhus voted against. Following are the final conditions of approval for the Jewett subdivision:

JEWETT SUBDIVISION
CONDITIONS OF APPROVAL

1. The vesting tentative map is approved subject to the elimination of Lot 5 and its merger into Lot 1.
2. A one-foot wide non access strip shall extend along Laurel Grove Avenue from the northeasterly line of the Marin Art and Garden Center to the driveway proposed for Lot 3 and along the rear frontage of Lot 3 along Skyland Way and its driveway extension.
3. That portion of the extension of Skyland Way proposed for dedication to the Town shall be brought to Town standards both as to pavement structure and width.
4. No trees shall be removed without the approval of the Town Council.
5. Service to the required two new fire hydrants shall be from Skyland Way.
6. A fire truck turnaround shall be provided near the end of Skyland Way Extension satisfactory to the Safety Department.
7. Skyland Way Extension shall be widened where feasible in the opinion of staff.
8. If possible, in the opinion of staff, Lots 3 and 4 shall be sewerred with one common creek crossing.
9. Building envelopes and non access strips shall be shown on the Parcel Map.
10. Covenants, conditions and restrictions shall be provided for mutual maintenance of common and private driveways, utilities and storm drainage facilities where applicable. This agreement shall be subject to staff and Council approval and filed with the Parcel Map.
11. Utility service to all lots shall be underground.
12. All drainage from roofs, driveways and landscaped areas shall be collected in underground pipes and discharged to natural water-courses or hardened driveway surfaces.
13. A soils engineer shall approve all construction plans affirming that his recommendations have been incorporated therein, shall review all soil related construction, and upon completion shall submit written confirmation to the Town that all work under his jurisdiction is acceptable.
14. Any improvement on parcels will remain subject to the Hillside Ordinance, Special Hazard Zone Ordinance and other applicable Ordinances.
15. If staff deems it necessary, a guardrail shall be installed with specifications determined.

Councilman Poore moved that a transportation and circulation study be conducted in connection with the applications of both the Kittle and Jewett properties. This was seconded by Mr. Julien and passed unanimously.

Mayor Dirkes stated that the Council now had to decide who would do the traffic study, and he informed the audience that Town Engineer Hoffman had sent out letters to six engineering companies requesting proposals. Three proposals had been received:

- 1. Environmental Science Associates, San Francisco - \$3,950.00
- 2. TJKM Transportation Consultants, Pleasanton - 4,600.00
- 3. Barnard C. Johnson, San Francisco - 4,800.00

Dr. Grausz stated that he did not know anyone in the above companies either personally or professionally. Margaret Fawcett, Attorney for Dr. Grausz, stated that she had a friend in the environmental department of ESA.

After considerable discussion, Town Engineer Hoffman suggested to the Council that since Mr. Thacher and Dr. Grausz agreed on hiring ESA, and since it was the lowest bid, they might consider hiring ESA.

Councilwoman Flemming moved that the Council recommend to the Town Engineer that he authorize ESA to do the traffic study for the Jewett and Kittle properties, this was seconded by Councilman Julien and passed with three affirmative votes, Councilmen Brekhus and Poore dissented.

Dr. Grausz stated that he would pay for someone other than Mr. Hoffman to do the initial study, and stated that he would not pay for the traffic study.

The Council agreed to have the cost of the traffic study shared between the Jewett and Kittle properties.

11. Subdivision.

Formal Subdivision (a re-subdivision of five existing parcels) a Use Permit for parcels in Hazard Zone No. 3, and a Variance. Request from George Frederick Jewett, Jr., 10 Skyland Way, AP 72-201-18) and 72-191-04,05,06,07) 1 acre zone.

Re-subdivision of 16.3 Acres into 5 parcels:

2-20-86
1 Skyview

- Parcel 1 to contain 6.2 AC
- Parcel 2 to contain 3.6 AC
- Parcel 3 to contain 2.2 AC
- Parcel 4 to contain 2.1 AC
- Parcel 5 to contain 2.1 AC

Use Permit is to subdivide parcels in Hazard Zone No. 3.

Variance request is for Parcel 2 which does not front on a public street.

Mrs. Peter Bakker of 33 Laurel Grove stated she was not opposed to the subdivision but to the location of the driveway of Lot 5.

Mayor Dirkes informed the audience that letters had been received regarding the location of Lot 5.

Mr. Bala, Engineer, asked for some alternatives for the location of driveway on Lot 5, and Mrs. Bakker asked if Mr. Bala would meet with the concerned neighbors and come up some alternatives. Mr. Bala agreed to do this and a meeting will be held prior to the next Council meeting.

Mayor Dirkes advised Messrs. Bala and Jewett that the principal objection to the subdivision was Lot 5 and they should consider eliminating Lot 5 from the subdivision.

1 Sky View

- 10. Subdivision (a re-subdivision of five existing parcels) a Use Permit for parcels in Hazard Zone No. 3, and a Variance request from George Frederick Jewett, Jr., 10 Skyland Way, (AP 72-201-18 and 72-191-04, 05, 06, 07) 1 Acre Zone.

Re-subdivision of 16.3 AC Acres into 5 parcels:

- Parcel 1 to contain 6.2 AC
- Parcel 2 to contain 3.6 AC
- Parcel 3 to contain 2.2 AC
- Parcel 4 to contain 2.1 AC
- Parcel 5 to contain 2.1 AC

Use Permit is to subdivide parcels in Hazard Zone No. 3.

Variance request is for Parcel 2 which does not front on a public street.

Mr. Jewett addressed the Council and stated that he had with him three professionals: His civil engineer, soils engineer, and landscape architect.

Mr. Lunding, Public Works Director, informed the Council that this matter was being heard as a re-subdivision application requiring approval of a tentative map, but if at a future meeting the applicants choose, they could withdraw the present application and resubmit a request for a lot line adjustment. Attorney Hadden Roth urged the Council to encourage the applicants to proceed on the present application requesting approval of the re-subdivision; that a lot line adjustment request would require withdrawal of this application and the submission of a new lot line application.

Mr. Bala, Civil Engineer, presented the plans and said that the subdivision would not destroy Laurel Grove, there would be no grading, no new street, no new utilities, no adverse impact on adjoining neighbors, the green area shown on the map would remain, they would try to save all trees, houses would not be seen from the street and each building site had been checked by a soils engineer, and no new sewers would be built.

Mr. Bala further informed the Council that driveways will not be installed until houses are built and approved by the Council.

Councilman Brekhus said the Town would have its own soils person to advise the Council, and height markings should be installed. Mr. Bala said he would state restrictions in CC&R's; such as, driveways, maintenance of water line and hydrants, destruction of trees, refinement of setbacks, and the hillevator lot would be subject to Fire Department conditions.

The Public Safety Department was concerned about the hillevator lot, and Mr. Bala said they would have steps and design a path for fire fighters.

Mr. Miller, Soils Engineer of Harlan Miller Tait Association, said he had done a feasibility study and a geologist report has been done.

Mr. C. Becker, Landscape Architect of Schardt and Becker, presented his plans for the Council.

Town Engineer, Roy Hoffman, stated that the new water facilities should be located so as to be maintained by the Water District, and when the houses and driveways are built, any tree cutting should be approved by the Council.

Councilman Julien said he found it difficult to make a decision by just looking at the plans, and asked if it were possible to walk through the property with Mr. Bala. Mr. Bala offered to meet the Council and show them through the property. A special meeting was called for Saturday, January 10, at 10:00 a.m. at the end of Skyland Way for the purpose of the Council to study the Jewett property.

MINUTES OF THE REGULAR MEETING OF THE ROSS TOWN COUNCIL
HELD ON JULY 11, 1963.

1. Roll Call.

Mayor Scott opened the meeting with a call for the roll at 8:05 PM.

Present: Mayor Scott, Councilmen Allen and Jones, and Town Attorney Elliott.

Absent: Councilmen Bricca and Smith.

2. Minutes.

Minutes of the Regular Meeting of June 13, 1963 and of the Adjourned Meeting of June 17, 1963 were approved as mailed.

3. Demands.

Mayor Scott appointed Mr. Allen a temporary member of the Finance Committee for the meeting, in the absence of Mr. Smith. Mr. Jones announced that Demands PR 67-PR 80 and #1694-1727 had been examined and approved by the Finance Committee and the warrants signed.

4. Variances.

Variance #232. Dr. Charles D. King, Sylvan Lane. (73-161-08) Additions of a room at rear and a carport at front of non-conforming house. Additions will not aggravate non-conforming sideline setback. On a motion by Mr. Allen, seconded by Mr. Jones, the variance was unananimously granted.

Variance #233. Mr. Howard L. Van Orden, Shady Lane. (73-161-03) Addition of a family room to rear of non-conforming house. On a motion by Mr. Jones, seconded by Mr. Allen, the variance was unananimously granted.

5. Permit.

Mr. Lionel W. Stott, 2 Allen Ave. (73-241-08). Permission to keep one horse in corral 35' from his house, (50' required). No neighboring house is within 50' of the corral and Mr. Stott had written consent of neighbors living within 300' of his property. On a motion by Mr. Allen, seconded by Mr. Jones, the permission was unananimously granted.

*6. Subdivisions.

a. Mr. E. J. Mahoney Jr., Skyland Way. (72-191-02,03) and (72-201-11,15). Application for subdivision of the Mahoney property had been carried over from the June 13th meeting. In the absence of any represen-

tative of Mr. Mahoney, it was moved, by Mr. Allen, seconded by Mr. Jones, and unanimously passed, that the application be denied.

- b. Dr. Robert H. Conner, purchaser of property on Ames Ave. (730181-09). Mr. Howard Allen, representing Dr. Connor explained the proposed subdivision into three lots of about 3.4 acres. Informal consideration was given the application by the Councilmen who felt that the 120' width of Lot 3 presented the main problem. Formal application will be made by Dr. Connor at the August meeting.
7. Mr. John C. Oglesby.
Mr. Oglesby gave an estimate of \$4500. to repair part of the washout at the rear of Chief Regoni's house. No action was taken.
8. Preliminary Hearing on 1963-64 Budget.
In the absence of Mr. Smith, Mr. Jones reported on the proposed budget. Final action will be taken at the August Meeting. In reply to a question from Miss Federline, Mr. Scott stated that the three major flood control jobs (Allen Ave., Laurel Grove Ave., and Wallington Ave.) could be paid for only by a Bond issue or the formation of private assessment districts. Mr. Scott also pointed to other major expenses facing the town in the near future, and he indicated that a raise in the tax rate seemed inevitable. In answer to a question from Fire Chief Henrich, Mr. Jones said that a salary increase for employees is not contemplated at this time.
9. Tree Trimming Bids: Fernhill Ave.
It was moved by Mr. Allen, seconded by Mr. Jones, and unanimously passed that the Sohner Tree Service bid for \$650. to top two eucalyptus trees on Fernhill Ave. be accepted. In reply to a question from Mr. Jones, Mr. Elliott stated that tree trimming of trees lining town streets can be considered under the "Parks Fund" in the budget.
10. Mr. Felix Warburg representing Dr. James Dawson.
Mr. Warburg sought an opinion as to whether it was necessary to apply for a variance in order to add to the James Dawson house at 87 Chestnut Ave., due to the odd shape of the lot, the situation on the lot of the present and proposed improvements. Mr. Allen made a motion which died for lack of a second, that no variance need be sought. It was finally agreed by Mr. Scott and Mr. Jones that a special adjourned meeting be held on August 1, at which Mr. Warburg would apply for a variance.

6-13-63

* 5. Subdivisions.

- a. Mr. E. J. Mahoney Jr., Skyland Way. (72-191-02,03) and (72-201-11, 15) Mr. Calvin Jones, representing Mr. Mahoney, explained the tentative map. There was discussion concerning access to all the lots, particularly those on Laurel Grove Ave, the drainage problems on Laurel Grove Ave. which would be increased by construction on the steep hillside, the shape of Lot #7, the additional water line and hydrants asked for by Chief Henrich, the width of the road leading into Lot #10, and gutters, sidewalks, curbs and lighting which would be required on Laurel Grove Ave. Mr. Felix Warburg, who had reviewed the map with Mr. David Van Pelt of the County Planning Staff, then gave several recommendations including proper standards for the extension of Skyland Way, access to the Laurel Grove Ave. lots should be from above rather than from Laurel Grove Ave., sewer easements for Lots #8 and #9, and a redesigning of Lot #7. He also said that a tentative map should include all improvements. The question of offstreet parking for all those lots in excess of 30% was also discussed. Mr. Allen stated that if a subdivision map is approved by the Town Council it should not be a subject for future variance applications. Mrs. Robert Cole and Mr. Larry Roberts both expressed concern over the effect of the increased runoff on Laurel Grove Ave. Mr. Oglesby then gave his opinions: the subdivider should bring all facilities and access to the property line, the Skyland Way extension should be 18' of pavement with a 24" gutter, a sidewalk system should be worked out as part of the subdivision, pressurized water systems are not the best solution, no sewer pumps should be permitted, utilities should be underground, Laurel Grove Ave. should be culverted, setback variances should be shown on the map, street lights should be required on Skyland Way. Mayor Scott suggested that another tentative map be submitted by Mr. Mahoney following further consultation. The matter was then carried over to the July meeting.
- b. Dr. John W. Severinghaus, Allen Ave. (73-241-10). The subdivision request was made in two parts: 1) To return to Lot 119, now owned by Mrs. Breffeilh, a strip of land 7.5' wide, thereby establishing a new property line 10' behind Mrs. Breffeilh's garage, and 2) To approve subdivision of a triangular piece of land behind Mrs. Breffeilh's garage 32' x 34.6' x 49' to be transferred from the Breffeilh property (formerly Radke) to the Severinghaus property. On a motion by Mr. Smith, seconded



Town of Ross

Planning Department

Post Office Box 320, Ross, CA 94957

Phone (415) 453-1453, Ext. 121

Web www.townofross.org

Fax (415) 453-1950

Email esemonian@townofross.org

Received By:	_____
Date:	_____
Fees Paid:	_____
Date:	_____

VARIANCE/DESIGN REVIEW/DEMOLITION APPLICATION

Parcel Address and Assessor's Parcel No. 1 SKYVIEW, APN 072-191-09

Owner(s) of Parcel CHRIS + EILEEN SHELDON

Mailing Address (PO Box in Ross) PO BOX 85

City ROSS State CA ZIP 94957

Day Phone (415) 601-8074 Evening Phone -

Email EILEEN@SHELDONEMAIL.COM

DESIGNER Architect (Or applicant if not owner) DENLER HOBART GARDENS

Mailing Address PO BOX 1207

City ROSS State CA ZIP 94957

Phone (415) 518-1653

Email JAHELLE@DENLERHOBARTGARDENS.COM

Existing and Proposed Conditions (For definitions please refer to attached fact sheet.)

Gross Lot Size 157,252 sq. ft. Lot Area 157,252 sq. ft.

Existing Lot Coverage 5,475 sq. ft. Existing Floor Area 7,156 sq. ft.

Existing Lot Coverage 3.48% Existing Floor Area Ratio 4.55%

Coverage Removed NC sq. ft. Floor Area Removed NC sq. ft.

Coverage Added NC sq. ft. Floor Area Added NC sq. ft.

Net Change- Coverage NC sq. ft. Net Change- Floor Area NC sq. ft.

Proposed Lot Coverage NC sq. ft. Proposed Floor Area NC sq. ft.

Proposed Lot Coverage NC % Proposed Floor Area Ratio NC %

Existing Impervious Areas _____ sq. ft. Proposed Impervious Areas _____ sq. ft.

Existing Impervious Areas _____ % Proposed Impervious Areas _____ %

Proposed New Retaining Wall Construction 235 ft. (length) 4' ft. (max height)

Proposed Cut 35 cubic yards Proposed Fill 45 cubic yards

FROM
DENLER
HOBART
GARDENS
DEC. 20 1999

PROJECT
DECREASES
IMPERVIOUS
BY 442 sq ft

