



**Agenda Item No. 12a.**

**Staff Report**

**Date:** April 14, 2022  
**To:** Mayor Robbins and Council Members  
**From:** Matthew Weintraub, Planner  
**Subject:** Solle Residence, 30 Walnut Avenue

---

**Recommendation**

Town Council approval of Resolution No. 2244 (see **Attachment 1**) approving Design Review, Hillside Lot Permit and Variance for the subject project as described below.

**Property Address:** 30 Walnut Avenue  
**A.P.N.:** 073-171-54  
**Applicant:** Blasen Landscape Architecture  
**Property Owner:** Marney & Chris Solle  
**Zoning:** R-1:B-10 (10,000-square-foot minimum lot size); Hillside Lot  
**General Plan:** ML (Medium Low Density)  
**Flood Zone:** X (Minimal risk area)

**Project Summary:** The applicant is requesting approval of Design Review and Hillside Lot Permit to construct new landscape structures, deck improvements, and entry features at the existing single-family residential property. These structures, improvements, and features include a new pool and spa, equipment shed, decks, patios, trellises, steps, walkways, walls and entry gates. Variances are requested to allow for the construction of new projections and landscape structures with minor setback encroachments.

**Public Notice**

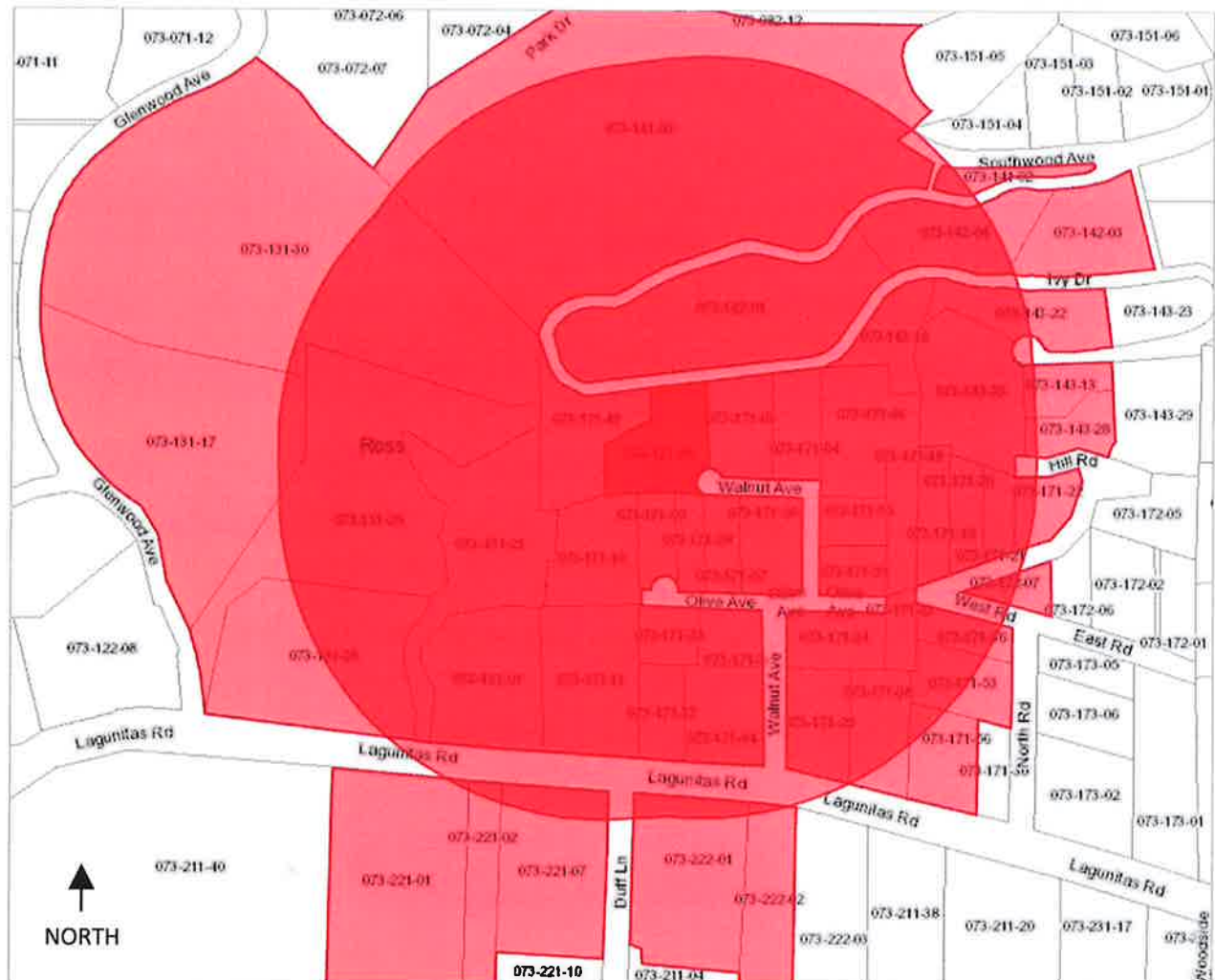
Public Notices were mailed to property owners within 500 feet of the project site at least 10 days prior to the meeting date.

**Project Data**

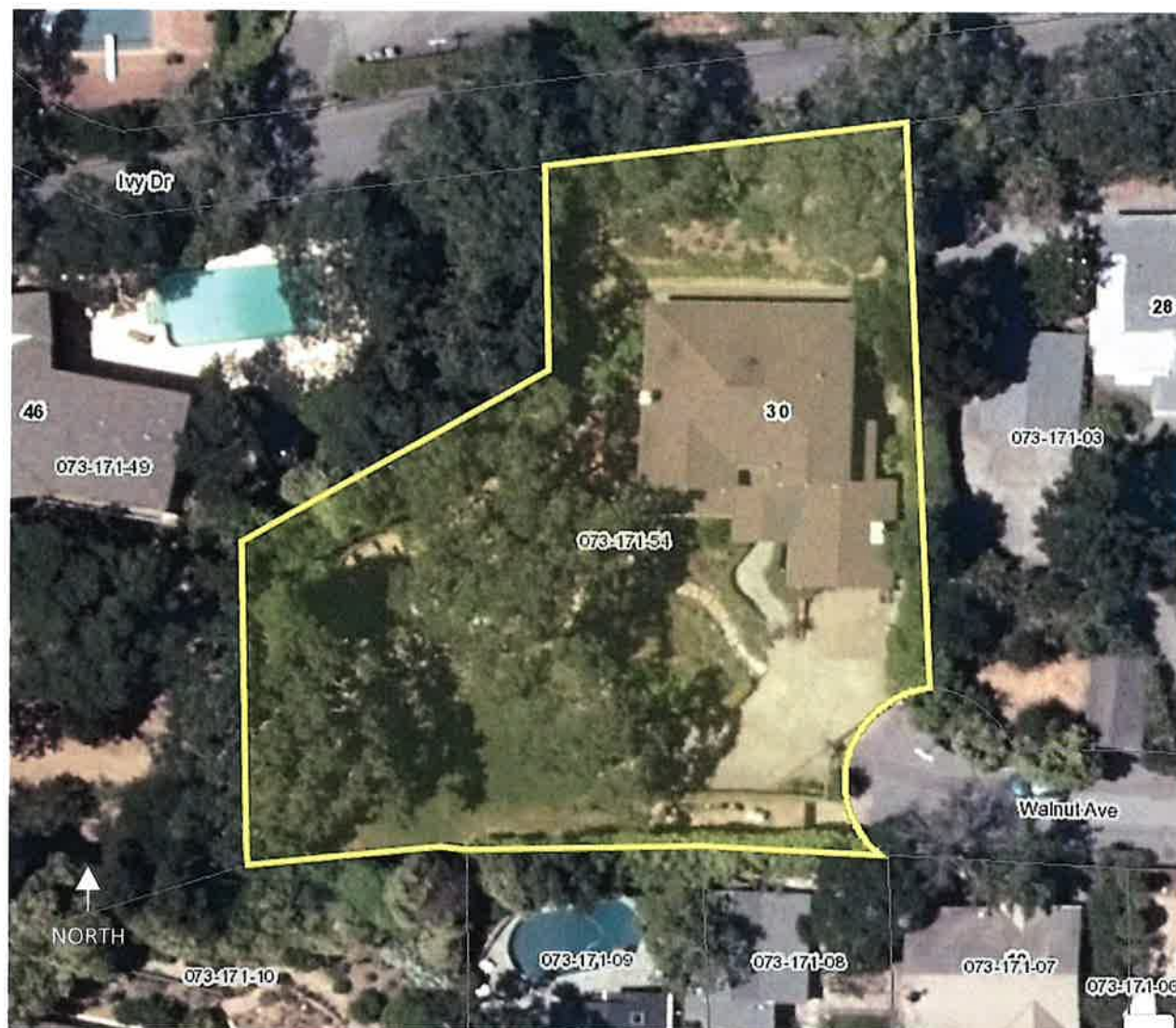
	<b>Code Standard</b>	<b>Existing</b>	<b>Proposed</b>
<b>Lot Area</b>	10,000 sq. ft. min.	20,440 sq. ft.	No change
<b>Floor Area (FAR) *</b> * The more restrictive of the regulations apply.	R-1:B-10: 20% max. Hillside Lot: <1,587 sq. ft.	No change/not applicable to project	No change/not applicable to project
<b>Building Coverage</b>	20% max.	3,189 sq. ft. (15.6%)	4,006 sq. ft. (19.6%)
<b>Front Setback</b>	25 ft min.	Conforming	New entry features: Approx. 20 ft (Non-conforming)
<b>Side Setbacks *</b> * The more restrictive of the regulations apply.	R-1:B-10: 15 ft min. Hillside Lot: 45 ft min.	House, east side: Nonconforming West side deck: 8.5 ft	East side: No change West side deck: No change Pool and spa: 48.5 ft Pool equipment: 37 ft (Non-conforming)
<b>Rear Setback *</b> * The more restrictive of the regulations apply.	R-1:B-10: 40 ft min. Hillside Lot: 70 ft min.	House: Nonconforming	No change
<b>Building Height</b>	2 stories; 30 ft max.	No change/not applicable to project	No change/not applicable to project
<b>Off-street Parking Spaces</b>	3 total (1 enclosed) min.	No change/not applicable to project	No change/not applicable to project
<b>Impervious Surface Coverage</b>	Minimize and/or mitigate *	5,837 sq. ft. (28.6%)	5,357 sq. ft. (26.2%)

\* Low Impact Development (LID) for Stormwater Management, Design Review criteria and standards, per Ross Municipal Code Section 18.41.100 (t).

**Notice Area (500 feet)**  
Source: MarinMap ([www.marinmap.org](http://www.marinmap.org)).



**Project Site**  
Source: MarinMap ([www.marinmap.org](http://www.marinmap.org)).



### **Project Description**

In the open area south of the existing residence, the project proposes to construct a new pool, 21 feet by 23 feet; a new spa, 8 feet by 8 feet; and associated new wood deck; all to be located at least 48.5 feet away from the nearest property line. New mechanical equipment would be enclosed and screened in a new wood shed enclosure with “green” roof, located at least 37 feet away from the nearest property line. The project would also construct new concrete entry steps, patios, walkways, walls, and wood entry trellises at the south side of the existing house and garage. At the front of the property, existing entry gates and columns would be replaced with new wood gates and concrete columns. At the west side of the residence, an existing outdoor fireplace would be replaced with a new, slightly smaller unit on an existing deck.

The project would excavate a total of 85 cubic yards of earth and off-haul a total of 38 cubic yards. The project would reduce the overall impervious coverage on the property from 28.6% to 26.2%, including replacement of the existing concrete driveway with new permeable pavers, which more than offsets the proposed amount of new coverage that would be added from other improvements including the new pool, spa, and associated structures.

Project application materials are included as follows: Project Plans as **Attachment 2**; Project Description as **Attachment 3**; Neighborhood Outreach Description as **Attachment 4**.

### **Background**

The project site is located on an irregularly shaped lot with minimal frontage at the southeast corner on Walnut Avenue, and bounded by Ivy Drive at the northern (rear) property line. The average lot slope is 30.5%. The property is designated as a Hillside Lot with an average slope that exceeds 30%; however, it is not located within Slope Stability Hazard Zones 3 or 4. The property contains an existing single-family residence and attached garage with nonconforming side and rear yard setbacks.

According to the Assessor’s Office, development occurred on the site in 1997 and 1998. The previously granted approvals from the Town include the following:

<b>Date</b>	<b>Permit</b>	<b>Description</b>
03/10/94	Variance, Design Review	Construct new additions and alterations to the existing single-family residence with nonconforming setbacks.
05/12/94	Demolition	Demolish existing residence in order to construct previously approved single-family residence.
12/14/95	Lot Line Adjustment	Transfer 5,080 square feet from the parcel at 46 Ivy Drive to the parcel at 30 Walnut Avenue.
03/14/96	Extension	Extension of time limits for construction.

Date	Permit	Description
07/11/96	Variance, Design Review	Construct new 3,606-square-foot single-family residence and 480-square-foot attached garage with nonconforming setbacks.
04/05/12	Basement Exception	Allow as-built basement improvement.

The Project History is included as **Attachment 5**.

#### **Advisory Design Review**

Pursuant to Resolution No. 1990, Advisory Design Review is required for all applicants seeking discretionary land use permits, such as Design Review, a Demolition Permit, a Nonconformity Permit, Exceptions to Attics, a Hillside Lot Permit, Variance, and/or ADU Permit Exception.

The Advisory Design Review (ADR) Group reviewed the project at a public hearing. The ADR Group received information from the applicant, received public comments, and provided recommendations regarding the merits of the project as it relates to the purpose of Design Review and the Design Review criteria and standards per Ross Municipal Code Section 18.41.100 and the Town of Ross Design Guidelines.

On March 15, 2022, the ADR Group unanimously recommended that the project is consistent with the purpose of Design Review and the Design Review criteria and standards per Section 18.41.100, and, therefore, recommended approval of Design Review. The ADR Group recommended, but did not require, that the proposed replacement outdoor fireplace should be lower in height than the existing unit; and that the overall project should not result in a net increase to impervious coverage. The March 15, 2022 ADR Group meeting minutes (draft) are included as **Attachment 6**. The meeting recording of the March 15, 2022 ADR Group is available online at the Town of Ross website at <https://www.townofross.org/meetings>.

After the ADR Group meeting, the applicant submitted a revised project design for Town Council consideration, which reduced the height of the proposed replacement outdoor fireplace from approximately ten feet to less than nine feet, which is lower than the existing fireplace; and which included replacement of the existing concrete driveway with new permeable pavers, which results in no net increase to impervious coverage as a result of the project. Staff recommends that the revised project design responds to comments provided by the ADR Group and substantially conforms to the project design reviewed and recommended for Design Review approval by the ADR Group.

#### **Discussion**

The proposed project is subject to the following permit approvals pursuant to the Ross Municipal Code:

### ***Design Review***

Design Review is intended to guide new development to preserve and enhance the special qualities of Ross and to sustain the beauty of the town's environment. Other specific purposes include: provide excellence of design for all new development which harmonizes style, intensity and type of construction with the natural environment and respects the unique needs and features of each site and area; preserve and enhance the historical "small town," low-density character and identity that is unique to the Town of Ross, and maintain the serene, quiet character of the town's neighborhoods; and preserve lands which are unique environmental resources including scenic resources (ridgelines, hillsides and trees), vegetation and wildlife habitat, creeks, threatened and endangered species habitat, open space and areas necessary to protect community health and safety.

The Town Council may approve, conditionally approve or deny an application for design review. The Town Council shall include conditions necessary to meet the purpose of Design Review pursuant to Chapter 18.41 and for substantial compliance with the criteria set forth in this chapter. The Town Council may adopt by resolution standard conditions for all projects to meet.

Pursuant to Section 18.41.20 (a), the proposed project requires a Design Review Permit for new fences, gates or walls, or a combination of these, greater than forty-eight inches in height in any yard adjacent to the street or right-of-way; for construction of a retaining wall greater than forty-eight inches in height as measured from bottom of footing to top of wall or any terraced retaining walls totaling more than forty-eight inches in height; for an activity or project resulting in more than fifty cubic yards of grading or filling; and for a project resulting in over 1,000 square feet of new impervious landscape surface.

If Council intends to approve Design Review, staff recommends that the required findings for approval be satisfied for the proposed project, as follows:

**18.41.070 (b) (1). The project is consistent with the purpose of Design Review as outlined in Section 18.41.010.**

Analysis: The project provides excellence of design consistent with the scale and quality of existing development; preserves and enhances the historical "small town," low-density character and identity that is unique to the Town of Ross; preserve lands which are unique environmental resources; enhances the area in which the project is located; and promotes and implements the design goals, policies and criteria of the Ross General Plan.

**18.41.070 (b) (2). The project is in substantial compliance with the design criteria of Section 18.41.100.**

Analysis: Lot coverage and building footprints are minimized, and development clustered, to minimize site disturbance area and preserve larger areas of undisturbed space. All new improvements constructed on sloping land are designed to relate to the natural land forms and step with the slope in order to minimize mass, bulk and height and to integrate structures with



the site. Natural materials such as wood are used, and concrete is used in moderation. Exterior lighting is shielded and directed downward to avoid creating glare, hazard or annoyance to adjacent property owners or passersby. Front yard fences and gates over four feet tall are compatible and consistent with the design, height and character of fences and landscaping in the neighborhood. The post-project stormwater runoff rates from the site would be no greater than pre-project rates; pre-existing impervious surfaces should be reduced.

**18.41.070 (b) (3). The project is consistent with the Ross General Plan and zoning ordinance.**

Analysis: The project is consistent with the allowed uses and general development standards associated with the Medium Low Density land use designation of the General Plan and the Single Family Residence and Special Building Site zoning regulations, therefore the project is found to be consistent with the Ross General Plan and Zoning Ordinance. Consistent with Chapter 18.48, findings are recommended to support the requested variances to allow for the proposed minor setback encroachments.

***Hillside Lot Permit***

Hillside areas are defined as parcels which have a slope of thirty percent or greater or are wholly or partially within Hazard Zones 3 or 4 as identified on the Town slope stability map. The purpose of Hillside designation includes: preserve significant features of the natural environment including watersheds, watercourses, canyons, knolls, ridgelines and rock outcroppings and minimize disturbance to the natural terrain; protect steep slopes, creeks, significant native vegetation, wildlife and other environmental resources; ensure that development will not create or increase fire, flood, slide or other hazards to public health and safety; protect the public health, safety and general welfare and the property of people in the vicinity of steep hillside building sites; and reduce the visual impacts of construction on hillsides and encourage building designs compatible with hillside areas.

Pursuant to Section 18.39.20 (b), the proposed project requires a Hillside Lot Permit for the construction of a retaining wall greater than forty-eight inches in height as measured from bottom of footing to top of wall or any terraced retaining walls totaling more than forty-eight inches in height; and for an activity or project resulting in more than fifty cubic yards of grading or filling.

If Council intends to approve a Hillside Lot Permit, staff recommends that the required findings for approval be satisfied for the proposed project, as follows:

**18.39.060 (b) (1). The project complies with the stated purposes of Chapter 18.39.**

Analysis: The proposed project protects and preserves public and private open space; significant features of the natural environment; and steep slopes, creeks, significant native vegetation, wildlife and other environmental resources. Development is limited to a level consistent with available public services and road access that can be reasonably provided to and within the parcel. Development will not create or increase fire, flood, slide or other hazards to public health



and safety.

**18.39.060 (b) (2). The project complies with the development regulations of Section 18.39.090, or that the Town Council has considered and approved a variance.**

Analysis: Graded slopes do not exceed 2:1; individual retaining walls do not exceed a height of six feet; and terraced retaining walls are at least three feet apart. The project would produce no net increase in peak runoff from the site compared to pre-project conditions. Consistent with Chapter 18.48, findings are recommended to support the requested variances to allow for the proposed minor setback encroachments.

**18.39.060 (b) (3). The project substantially conforms to the hillside development guidelines in Section 18.39.090.**

Analysis: Grading, cutting, filling and retaining walls are minimized for hillside development by using building techniques which reflect the natural topography of the site. Architectural design complements the form of the natural landscape. Decks enhance the appearance of the house and are compatible with the scale and style of the house, adjacent development, and the surroundings. Development avoids unstable areas such as slides, severe creep areas and debris flows.

### ***Variance***

Where practical difficulties, unnecessary hardships and results inconsistent with the general purpose of the zoning code may result from the strict application of certain provisions thereof, variances, exceptions and adjustments may be granted, by the Town Council in appropriate cases. Variances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

In granting any variance, exception or adjustment under the provisions of Chapter 18.39, the Town Council shall designate such conditions in connection therewith as will in its opinion, secure substantially the objectives of the regulation or provision to which the variance, exception or adjustment is granted, as to light, air, and the public health, safety, comfort, convenience and general welfare. In order to grant any variance, exception or adjustment, the findings of the Town Council shall be that the qualifications under Section 18.48.020 apply to the land, building, or use for which variance, exception or adjustment is sought, and that the variance shall be in harmony with the general purpose of this title.

Pursuant to Sections 18.32.050 and 18.32.060, which establish development standards in the R-1:B-10 district for minimum required setbacks, and Section 18.39.090 (b), which establishes minimum required setbacks for a Hillside Lot, the proposed project requires Variances to allow for new construction which is nonconforming with respect to the applicable Hillside Lot minimum required yard setbacks. Limited setback exceptions are requested to allow for the new mechanical equipment shed, proposed to be located 37 feet away from the south property line, to encroach approximately 8 feet into the 45-foot minimum side yard setback for a Hillside Lot (where the standard minimum required side yard setback for the zoning district is 15 feet); for portions of new entry trellises, steps, patios, and walls to encroach minimally within the 45-foot minimum side yard setbacks for a Hillside Lot; for a portion of the new garage trellis to encroach minimally within the 15-foot east side yard setback for the zoning district, to the same degree as the existing building; and for a replacement, slightly smaller outdoor fireplace to be located 8.5 feet from the east side yard property line in the same location at the existing unit.

If Council intends to approve the Variance, staff recommends that the required findings for approval be satisfied for the proposed project, as follows:

**18.48.020 (1). That there are special circumstances or conditions applicable to the land, building or use referred to in the application.**

Analysis: The special circumstances and conditions applicable to the land include the irregular, non-rectangular shape of the lot; the moderately steep slope of the property; and the existing nonconforming setbacks of the existing residence; which make it difficult to construct improvements that are entirely compliant with the minimum required yard setbacks on a Hillside Lot.

**18.48.020 (2). That the granting of the application is necessary for the preservation and enjoyment of substantial property rights.**

Analysis: Due to the special circumstances of the irregularly shaped, sloped lot and the location of the existing residence, the strict application of the zoning ordinance provisions requiring 45-foot minimum side yard setbacks on a Hillside Lot would deprive the subject property of the ability to construct new landscape improvements in the only existing available open area on the property. Granting of the variance request, in a neighborhood where existing nonconforming side yard setbacks are not uncommon, may be deemed necessary for the preservation and enjoyment of the owner's substantial property rights. Granting of the variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

**18.48.020 (3). That the granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.**

**Analysis:** The proposed project is compact in design, with setback encroachment minimized to the greatest extent feasible. The new pool and spa comply entirely with the minimum required 45-foot side yard setbacks for the Hillside Lot; the new equipment shed encroaches 8 feet into a minimum 45-foot yard side yard setback for a Hillside Lot; and only minor portions of the new deck, patio, and garage trellis encroach within minimum required setbacks. The replacement outdoor fireplace would be shorter than the existing unit and would maintain the existing nonconforming 8.5-foot side yard setback.

#### **Fiscal, Resource and Timeline Impacts**

If approved, the project would be subject to one-time fees for a building permit and associated impact fees, which are based on the reasonable expected cost of providing the associated services and facilities related to the development. The improved project site may be reassessed at a higher value by the Marin County Assessor, leading to an increase in the Town's property tax revenues. Lastly, there would be no net funding impacts associated with the project.

#### **Alternative actions**

1. Continue the item to gather further information, conduct further analysis, or revise the project; or
2. Make findings to deny the application.

#### **Environmental Review**

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities), because it consists of minor alteration of existing private structures, facilities, or topographical features, involving negligible or no expansion of existing or former use.

#### **Public Comment**

On March 14, 2022, the owner of the residential property at 26 Walnut Avenue submitted comments expressing concerns about construction related activities and impacts. Pursuant to Condition of Approval No. 9 of Resolution No. 2244 (**Attachment 1**), prior to building permit issuance, a final Construction Management Program will be required to be reviewed and approved by the Town, and complied with by the applicant, which will address and minimize any construction related impacts to the greatest degree possible, including parking, traffic, noise, dust control, and construction hours.

On March 15, 2022, the owner of the residential property at 46 Ivy Drive submitted comments expressing concerns about potential privacy impacts related to improvements to the existing west side deck which has a nonconforming setback and which is located approximately 8.5 feet away from the property line. On March 15, 2022, in response to the comments, the ADR Group recommended that the proposed project would not result in any new privacy related impacts, because the existing deck would not be expanded, lifted, or altered from its current form; because the new outdoor fireplace would replace an existing outdoor fireplace in the same location; and because the new, modern gas-fueled fireplace would be an improvement over the

existing wood-burning unit. Furthermore, as recommended by the ADR Group, the new unit would be shorter than the existing unit by more than a foot.

Written comments received prior to the finalization of this report are included as **Attachment 7**.

**Attachments**

1. Resolution No. 2244
2. Project Plans
3. Project Description
4. Neighborhood Outreach Description
5. Project History
6. ADR Group Meeting Minutes, March 15, 2022 (draft)
7. Public Comments

# ATTACHMENT 1

# **TOWN OF ROSS**

## **RESOLUTION NO. 2244**

### **A RESOLUTION OF THE TOWN OF ROSS APPROVING DESIGN REVIEW, HILLSIDE LOT PERMIT, AND VARIANCE TO CONSTRUCT NEW LANDSCAPE STRUCTURES, DECK IMPROVEMENTS, AND ENTRY FEATURES AT THE EXISTING RESIDENCE AT 30 WALNUT AVENUE, A.P.N. 073-171-54**

**WHEREAS**, applicant Blasen Landscape Architecture, on behalf of property owner Marney & Chris Solle, has submitted an application requesting approval of Design Review, Hillside Lot Permit, and Variance to construct new landscape structures, deck improvements, and entry features at the existing single-family residential property, including a new pool and spa, equipment shed, decks, patios, trellises, steps, walkways, walls and entry gates at the existing single-family residence at 30 Walnut Avenue, A.P.N. 073-171-54 (herein referred to as “the Project”).

**WHEREAS**, the Project was determined to be categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities), because it consists of minor alteration of existing private structures, facilities, or topographical features, involving negligible or no expansion of existing or former use; and

**WHEREAS**, on April 14, 2022, the Town Council held a duly noticed public hearing to consider the Project; and

**WHEREAS**, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

**NOW, THEREFORE, BE IT RESOLVED** the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit “A”, and approves Design Review, Hillside Lot Permit, and Variance to allow the Project, subject to the Conditions of Approval attached as Exhibit “B”.

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 14<sup>th</sup> day of April, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Elizabeth Robbins, Mayor

**ATTEST:**

---

Linda Lopez, Town Clerk



**EXHIBIT "A"**  
**FINDINGS**  
**30 WALNUT AVENUE**  
**A.P.N. 073-171-54**

- I. In accordance with Ross Municipal Code Section 18.41.070, Design Review is approved based on the following mandatory findings:

**18.41.070 (b) (1).** The project is consistent with the purpose of Design Review as outlined in Section 18.41.010.

The project provides excellence of design consistent with the scale and quality of existing development; preserves and enhances the historical "small town," low-density character and identity that is unique to the Town of Ross; preserve lands which are unique environmental resources; enhances the area in which the project is located; and promotes and implements the design goals, policies and criteria of the Ross General Plan.

**18.41.070 (b) (2).** The project is in substantial compliance with the design criteria of Section 18.41.100.

Lot coverage and building footprints are minimized, and development clustered, to minimize site disturbance area and preserve larger areas of undisturbed space. All new improvements constructed on sloping land are designed to relate to the natural land forms and step with the slope in order to minimize mass, bulk and height and to integrate structures with the site. Natural materials such as wood are used, and concrete is used in moderation. Exterior lighting is shielded and directed downward to avoid creating glare, hazard or annoyance to adjacent property owners or passersby. Front yard fences and gates over four feet tall are compatible and consistent with the design, height and character of fences and landscaping in the neighborhood. The post-project stormwater runoff rates from the site would be no greater than pre-project rates; pre-existing impervious surfaces should be reduced.

**18.41.070 (b) (3).** The project is consistent with the Ross General Plan and zoning ordinance.

The project is consistent with the allowed uses and general development standards associated with the Medium Low Density land use designation of the General Plan and the Single Family Residence and Special Building Site zoning regulations, therefore the project is found to be consistent with the Ross General Plan and Zoning Ordinance. Consistent with Chapter 18.48, findings are recommended to support the requested variances to allow for the proposed minor setback encroachments.

- II. In accordance with Ross Municipal Code Section 18.39.060, Hillside Lot Permit is approved based on the following mandatory findings:

**18.39.060 (b) (1).** The project complies with the stated purposes of Chapter 18.39.

The proposed project protects and preserves public and private open space; significant features of the natural environment; and steep slopes, creeks, significant native vegetation,

wildlife and other environmental resources. Development is limited to a level consistent with available public services and road access that can be reasonably provided to and within the parcel. Development will not create or increase fire, flood, slide or other hazards to public health and safety.

**18.39.060 (b) (2). The project complies with the development regulations of Section 18.39.090, or that the Town Council has considered and approved a variance.**

Graded slopes do not exceed 2:1; individual retaining walls do not exceed a height of six feet; and terraced retaining walls are at least three feet apart. The project would produce no net increase in peak runoff from the site compared to pre-project conditions. Consistent with Chapter 18.48, findings are recommended to support the requested variances to allow for the proposed minor setback encroachments.

**18.39.060 (b) (3). The project substantially conforms to the hillside development guidelines in Section 18.39.090.**

Grading, cutting, filling and retaining walls are minimized for hillside development by using building techniques which reflect the natural topography of the site. Architectural design complements the form of the natural landscape. Decks enhance the appearance of the house and are compatible with the scale and style of the house, adjacent development, and the surroundings. Development avoids unstable areas such as slides, severe creep areas and debris flows.

**III. In accordance with Ross Municipal Code Section 18.48.010, Variance is approved based on the following mandatory findings:**

**18.48.020 (1). That there are special circumstances or conditions applicable to the land, building or use referred to in the application.**

The special circumstances and conditions applicable to the land include the irregular, non-rectangular shape of the lot; the moderately steep slope of the property; and the existing nonconforming setbacks of the existing residence; which make it difficult to construct improvements that are entirely compliant with the minimum required yard setbacks on a Hillside Lot.

**18.48.020 (2). That the granting of the application is necessary for the preservation and enjoyment of substantial property rights.**

Due to the special circumstances of the irregularly shaped, sloped lot and the location of the existing residence, the strict application of the zoning ordinance provisions requiring 45-foot minimum side yard setbacks on a Hillside Lot would deprive the subject property of the ability to construct new landscape improvements in the only existing available open area on the property. Granting of the variance request, in a neighborhood where existing nonconforming side yard setbacks are not uncommon, may be deemed necessary for the preservation and enjoyment of the owner's substantial property rights. Granting of the variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

**18.48.020 (3). That the granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.**

The proposed project is compact in design, with setback encroachment minimized to the greatest extent feasible. The new pool and spa comply entirely with the minimum required 45-foot side yard setbacks for the Hillside Lot; the new equipment shed encroaches 8 feet into a minimum 45-foot yard side yard setback for a Hillside Lot; and only minor portions of the new deck, patio, and garage trellis encroach within minimum required setbacks. The replacement outdoor fireplace would be shorter than the existing unit and would maintain the existing nonconforming 8.5-foot side yard setback.

**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**30 WALNUT AVENUE**  
**A.P.N. 073-171-54**

1. This approval authorizes Design Review, Hillside Lot Permit, and Variance to construct new landscape structures, deck improvements, and entry features at the existing single-family residential property, including a new pool and spa, equipment shed, decks, patios, trellises, steps, walkways, walls and entry gates at the existing single-family residence at 30 Walnut Avenue, A.P.N. 073-171-54 (herein referred to as "the Project").
2. The building permit shall substantially conform to the plans prepared by Blasen Landscape Architecture, cover sheet entitled, "30 WALNUT, LANDSCAPE DRAWINGS, MARCH 28, 2022", and reviewed and approved by the Town Council on April 14, 2022.
3. Except as otherwise provided in these conditions, the Project shall comply with the plans submitted for Town Council approval. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.
4. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the Project and will not extend the permitted construction period.
5. The Project shall comply with the Fire Code and all requirement of the Ross Valley Fire Department (RVFD).
6. The Town staff reserves the right to require additional landscape screening for up to three (3) years from project final to ensure adequate screening for the properties that are directly contiguous to the project site. The Town staff will only require additional landscape screening if the contiguous neighbor can demonstrate through pre-project existing condition pictures that their privacy is being negatively impacted as a result of the Project.
7. BEFORE FINAL INSPECTION, the applicant shall call for a Planning staff inspection of approved landscaping, building materials and colors, lighting and compliance with conditions of project approval at least five business days before the anticipated completion of the Project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent re-inspections.
8. A Tree Permit shall not be issued until the project grading or building permit is issued.

9. The Project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:
- a. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within the Town, including names, addresses, e-mail, and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.
  - b. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.
  - c. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the Project. Any additional costs incurred by the Town, including costs to inspect or review the Project, shall be paid as incurred and prior to project final.
  - d. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The Plan shall include signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system (i.e., temporary seeding and mulching or straw matting).
  - e. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the Project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.
  - f. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director.
  - g. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
  - h. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the town planner and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout

areas. The plan shall demonstrate that on-street parking associated with construction workers and deliveries are prohibited and that all project deliveries shall occur during the allowable working hours as identified in the below condition 10n.

- i. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the Project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).
- j. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to issuance of the building permit to review conditions of approval for the Project and the construction management plan.
- k. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.
- l. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.
- m. Inspections shall not be provided unless the Town-approved building permit plans are available on site.
- n. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).
- o. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.

- p. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and rights-of-way free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- q. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.
- r. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.
- s. The Project shall comply with building permit submittal requirements as determined by the Building Department and identify such in the plans submitted for building permit.
- t. The applicant shall work with the Public Works Department to repair any road damage caused by construction. Applicant is advised that, absent a clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment shall be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.
- u. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.
- v. The Public Works Department may require submittal of a grading security in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
- w. BEFORE FINAL INSPECTION, the Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.
- i. The existing vegetation shall not be disturbed until landscaping is installed or erosion control measures, such as straw matting, hydroseeding, etc., are implemented.



- ii. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.
  - iii. The applicant shall provide a hard copy and a CD of an as-built set of drawings, and a certification from all the design professionals to the building department certifying that all construction was in accordance with the as-built plans and his/her recommendations.
10. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") 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 alleging any other liability or damages based upon, caused by, or related to the approval of the Project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorney fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

# ATTACHMENT 2

These drawings are the property of Blasen Landscape Architecture Inc. and the Client and have been prepared specifically for this project. These drawings are not to be used for any other project, by any other entity, or in another location. These drawings are not intended to be used for any third party without permission by client or architect.



LOCATION MAP - Not To Scale



### PROJECT DATA

Job Site Address: 30 Walnut Avenue, Ross, CA, 94957  
Assessor Parcel No.: 073-171-54  
Zone: R-1S-10: Hillside Lot (Building Size > 3,500 square feet Setbacks)  
Property Owner's Name: Marney & Chris Solle  
Phone Number: 415.454.8850  
Fax Number: 415.464.1370  
Email: marney.solle@mycomortgage.com; chris@sollewinvest.com  
Mailing Address: 30 Walnut Avenue  
City: Ross  
State/Zip: CA, 94957  
Applicant Name: Eric Blasen  
Phone: 415.485.3885

#### Project Description:

1. New pool, spa, poolside equipment and enclosure structure, inside the setback.
2. New wood deck at pool and spa, partially in the setback.
3. New integral colored concrete patio, partially in the setback.
4. New pool deck trellis, partially in the setback.
5. Replacement of existing spa from pool deck to front in the setback.
6. Replacement of existing BBQ and gas fireplace, partially in the setback.
7. Replacement of existing entry stair, in the setback.
8. Replacement of existing garage doors, partially in the setback.
9. Replacement of existing driveway paving material, partially in the setback.
10. Replacement of existing vehicular entry gate, outside the setback.
11. Replacement of existing entry side gate, outside the setback.
12. Refinish existing entry gate columns, outside the setback.

# 30 Walnut

## Landscape Drawings

### 30 Walnut Avenue, Ross, CA 94957

March 28, 2022: City Council Submittal of Approved on 3-15-22 ADR Drawings

### PROJECT TEAM

**Landscape Architect**  
Blasen Landscape Architecture  
555 Red 158 Ave  
San Anselmo, CA 94960  
Email: eric@blasengardens.com  
T: 415.485.3885

**Civil Engineer**  
Ternoff Engineering  
1442A Walnut Street, #428  
Berkeley, CA 94709  
Email: michael@ternoffengineering.com  
T: 415.279.5595

**Surveyor**  
Cinquini & Passarino Inc. Land Surveying  
1388 N Dutton Ave #150  
Santa Rosa, CA 95401  
Email: bcinquini@bci.com  
T: 707.542.6268

**Surveyor**  
Lot Line Adjustment - Record of Survey  
Lawrence P. Doyle Land Surveyor  
100 Helens Lane  
Mill Valley, CA 94941  
Email: doylelp@aol.com  
T: 415.353.5555

**Pool Contractor**  
Blue Revolution  
PO Box 750188  
Petaluma, CA 94975  
Email: pkr@bluerevolution.com  
T: 415.747.8071

**Interior Designer**  
Alison Pickart  
10 Bank Street  
San Anselmo, CA 94960  
Email: alison@alisonpickart.com  
T: 415.578.2881

**Landscape Contractor**  
S&S Landscaping  
Kurt and Karl Schottstaedt  
24 Azalea Dr  
Mill Valley, CA 94941  
Email: sslandscaping24@gmail.com  
T: 415.383.7112

### LIST OF DRAWINGS

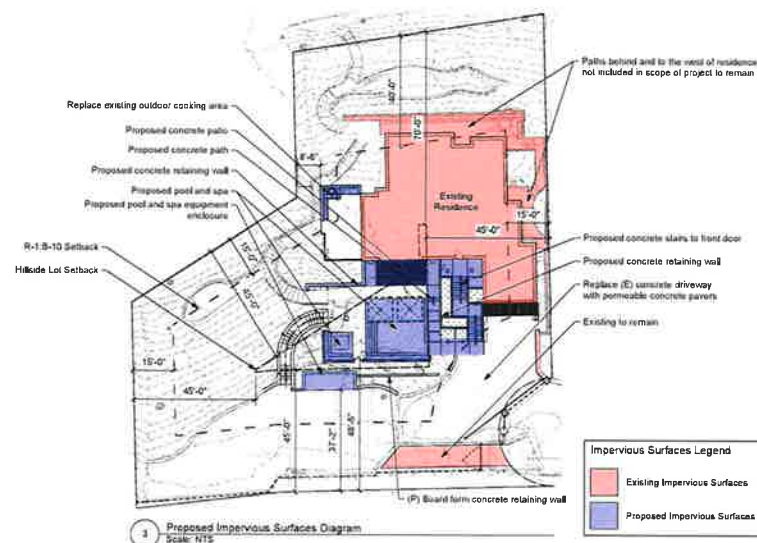
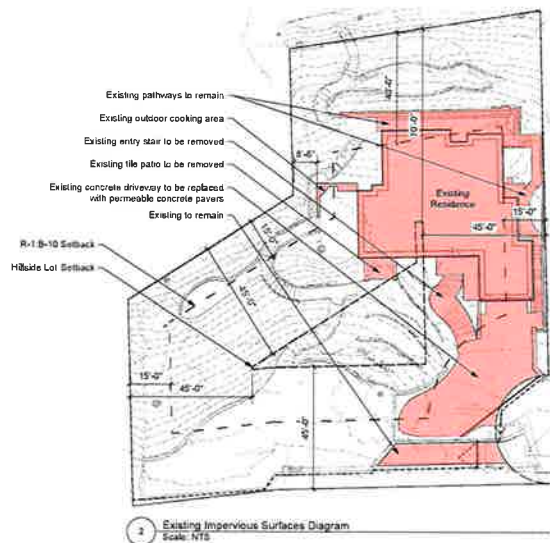
Sheet No	Title
T-1.0	Title Page
Landscape	
L-0.1	Building Coverage & Impervious Surfaces
L-0.2	Existing Conditions
L-0.3	Existing & Proposed Plan
L-0.4	Existing Site Images
L-1.0	Material & Color Board
L-2.0	Site Plan
L-2.1	Site Plan Enlargement
L-2.2	Board Form Concrete Plan
L-4.0	Lighting Plan
L-4.1	Lighting Cutsheets
L-5.0	Site Elevations/Sections
L-5.1	Site Elevations/Sections
L-5.2	Site Elevations/Sections
L-6.0	BBQ/Fireplace Details
L-6.1	Pool Trellis Details
L-6.2	Garage Trellis Details
L-6.3-1	Street View at Entry Gate Details
L-6.3-2	Entry Gate Details
L-6.4	Entry Gate & Guardrail Details
L-6.5	Pool Equipment & Retaining Walls
Survey	
SU-1	Record of Survey
Civil	
C-1	Title Sheet Notes & Legend
C-2	Preliminary Grading & Utility Plan

PROGRESS PRINT  
NOT FOR CONSTRUCTION

T-1.0  
PLANNING SUBMITTAL

These drawings are the property of Blasen Landscape Architecture. Any reuse of these drawings without the written permission of Blasen Landscape Architecture is prohibited. These drawings are not to be used for any other project. These drawings are not to be used for any other project. These drawings are not to be used for any other project.

Existing & Proposed Building Coverage	
Total Parcel Area	20,440 SF
Existing Building Coverage	3,189 SF
Existing % Building Coverage	15.6%
Coverage Removed	0 SF
Coverage Added	817 SF
Proposed Building Coverage	4,006 SF
Proposed % Building Coverage	19.6%
Net Change in Building Coverage	+ 4%
Impervious Surface Area Calculations	
Existing Impervious Area	5,837 SF
Existing % Impervious	28.6%
Removal of Existing Impervious Area	1,423 SF
Proposed Impervious Area	943 SF
Total Proposed Impervious Area	5,357 SF
Proposed % Impervious	26.2%
Net Change in Impervious Area	-2.4%



# BLASEN LANDSCAPE ARCHITECTURE

Blasen Landscape Architecture Inc.  
520 Rav 108 Ave. San Antonio, CA 94832  
L: 415.482.3885 F: 415.482.3877  
www.blasenlandscape.com U.S.A. 02/15/16

PROGRESS PRINT  
NOT FOR CONSTRUCTION

30 Walnut  
landscape

30 Walnut Avenue  
Rosa, CA 94967  
APN: 073-171-54

## Building Coverage & Impervious Surfaces

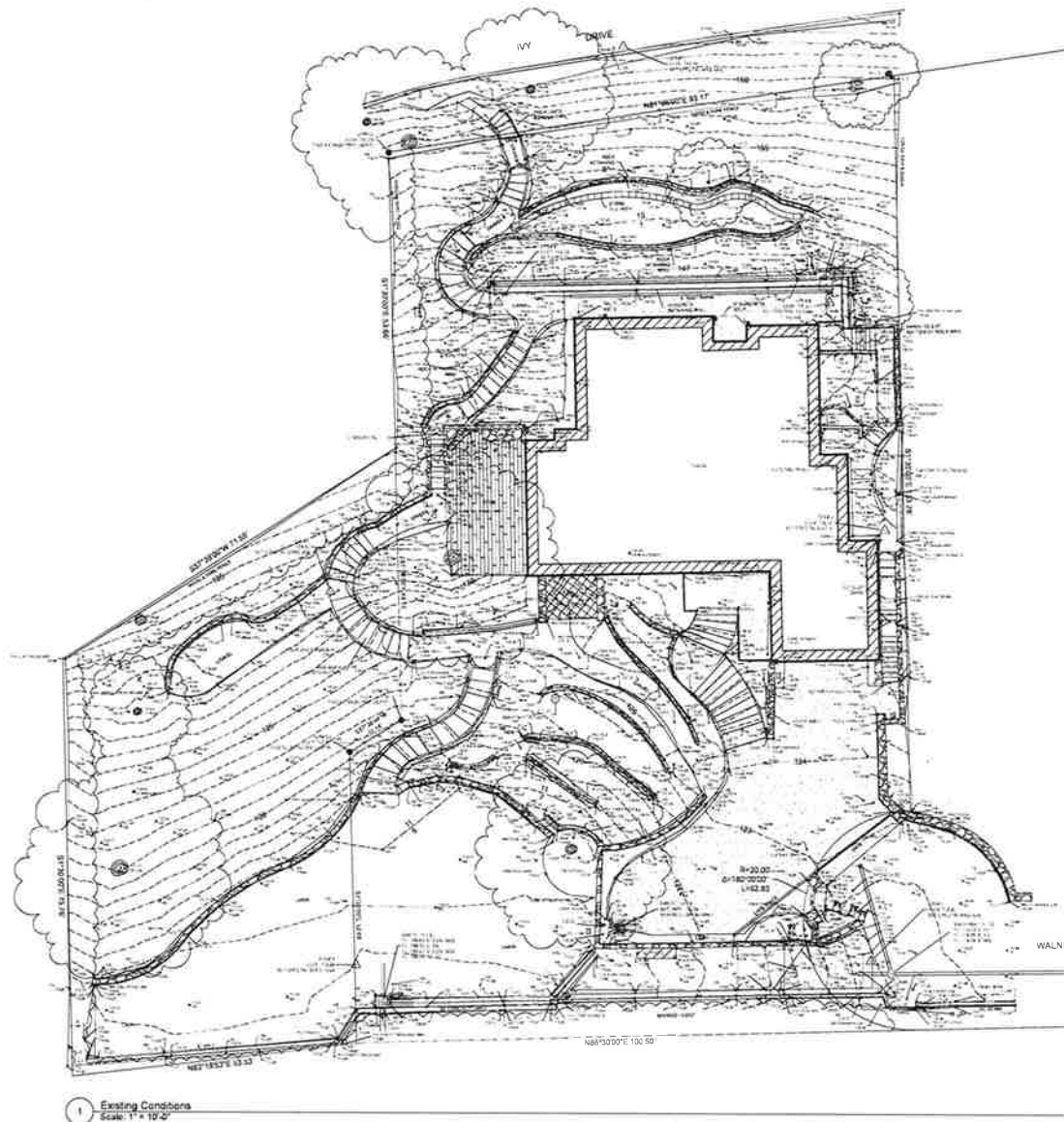
Revisions:  
3-15-22 Approved RCH Drawings

Drawn BLA	Checked EB
Issue Date 22Apr-22	Scale NTS
Sheet	



L-0.1

These drawings are the property of Blasen Landscape Architecture, Inc. and are loaned to you for your project. These drawings are not to be used for any other project, by any other entity, at any location. These drawings are not to be used for any other project, by any other entity, at any location. These drawings are not to be used for any other project, by any other entity, at any location.



Existing Conditions  
Scale: 1" = 10'-0"



# BLASEN LANDSCAPE ARCHITECTURE

Blasen Landscape Architecture Inc.  
522 Red Hill Ave., San Anselmo, CA 94950  
P: 415.485.2480 F: 415.485.2477  
WWW.BLASENARCH.COM

PROGRESS PRINT  
NOT FOR CONSTRUCTION

## 30 Walnut landscape

30 Walnut Avenue  
Santa Rosa, CA 95407  
APN: 073-171-54

### Existing Conditions

Revisions:  
3-15-22 Approved ADH Drawings

Drawn B.A.	Checked S.B.
Issue Date 29-Mar-22	Scale 1" = 10'-0"

Sheet:  
**L-0.2**  
PLANNING SUBMITTAL



[illegible]

**Blasen Landscape Architecture Inc.**  
520 Res NE Ave., San Anselmo, CA 94960  
E: 415.485.3865 F: 415.485.3877  
www.blasendesign.com BIA 63224

PROGRESS PRINT  
NOT FOR CONSTRUCTION

### 30 Walnut landscape

30 Walnut Avenue  
Rosa, CA 94957  
APN: 073-171-54

Existing &amp; Proposed Plan

3-15-22 Approved ADR Drawings

Drawn BLA	Checked EB
Issue Date 28-Mar-22	Scale 1" = 12'-0"
Sheet	

**L-0.3**

PLANNING SUBNETTAL

These drawings are the property of Blasen Landscape Architecture Inc. and the Client and have been loaned to you for your project. These drawings are not to be used for any other project. These drawings are not to be reproduced in any form without permission by email or otherwise.



1. View from Walnut Street



2. View from from existing deck



3. Existing Fireplace and BBQ



4. View from from existing driveway

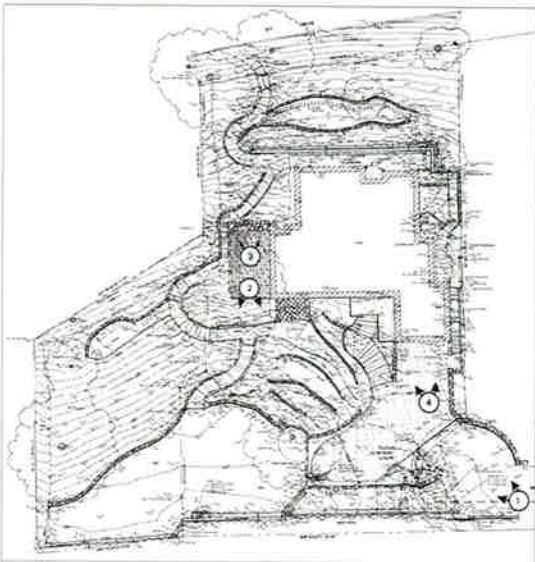


Photo Key Map

# BLASEN LANDSCAPE ARCHITECTURE

Blasen Landscape Architecture Inc.  
550 Red Hill Ave. Ste. 400  
Folsom, CA 95630  
415.485.2855 415.485.2877  
www.blasenlandscape.com 916.437.7174

PROGRESS PRINT  
NOT FOR CONSTRUCTION

## 30 Walnut landscape

30 Walnut Avenue  
Folsom, CA 95630  
APN: 073-171-04

## Existing Site Images

Revisions:  
3-15-22 Approved ADR Drawings

Drawn BLA	Checked EB
Issue Date 28-Mar-22	Scale NTS

Sheet:  
**L-0.4**  
PLANNING SUBMITTAL



These drawings are the property of Blasen Landscape Architecture, Inc. and the Client and shall remain the property of Blasen Landscape Architecture, Inc. These drawings are not to be used for any other project, by any other entity, or in any other location. These drawings are not to be used for any other project, by any other entity, or in any other location.

Green Roof



Cedar Wood with Cabot Seacoast Gray Stain



Sonoma Field Stone



Wood Ties and Crushed Stone



Ipe Decking



Board Form Concrete



Concrete Paving



Permeable Concrete Pavers



# **BLASEN** LANDSCAPE ARCHITECTURE

Blasen Landscape Architecture Inc.  
303 Walnut Ave., San Rafael, CA 94901  
415-482-1088 415-482-1077  
www.blasenlandscape.com BLA-02774

PROGRESS PRINT  
NOT FOR CONSTRUCTION

30 Walnut  
landscape

30 Walnut Avenue  
Ross, CA 94957  
APN: 073-171-54

## **Material & Color Board**

Revisions:  
3-19-22 Approved ACR Drawings

Drawn BLA	Checked SB
Issue Date 28-Mar-22	Scale N/A
Sheet	

**L-1.0**

PLANNING SUBMITTAL

30 Walnut Avenue  
Rose, CA 94857  
APN: 073-171-54

## Reviews

3-15-22 Approved FOR Drawings

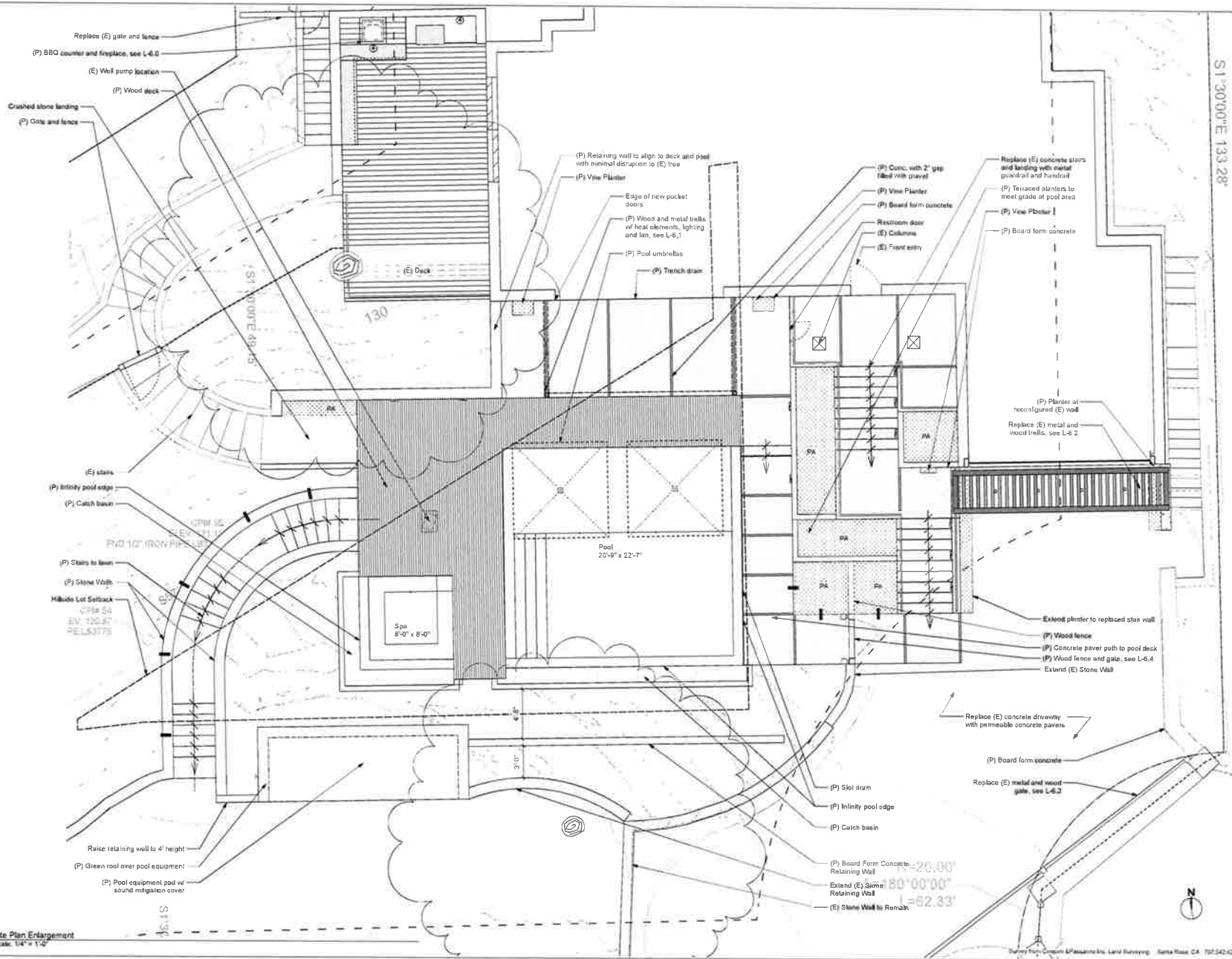
Drawn BLA	Checked EB
Issue Date 28-Mar-22	Scale AS NOTED

**L-2.0**  
PLANNING SUBMITTAL





1 Site Plan Enlargement  
Scale: 1/4" = 1'-0"



**BLASEN**  
LANDSCAPE  
ARCHITECTURE

Glassen Landscape Architecture Inc.  
528 Red Hill Ave., San Anselmo, CA 94962  
t: 415.485.3885 f: 415.485.3877  
www.glassenlandscape.com BIA #278

**PROGRESS PRINT  
NOT FOR CONSTRUCTION**

### 30 Walnut landscape

30 Walnut Avenue  
Ross, CA 94957  
APN 073-171-54

## Site Plan Enlargement

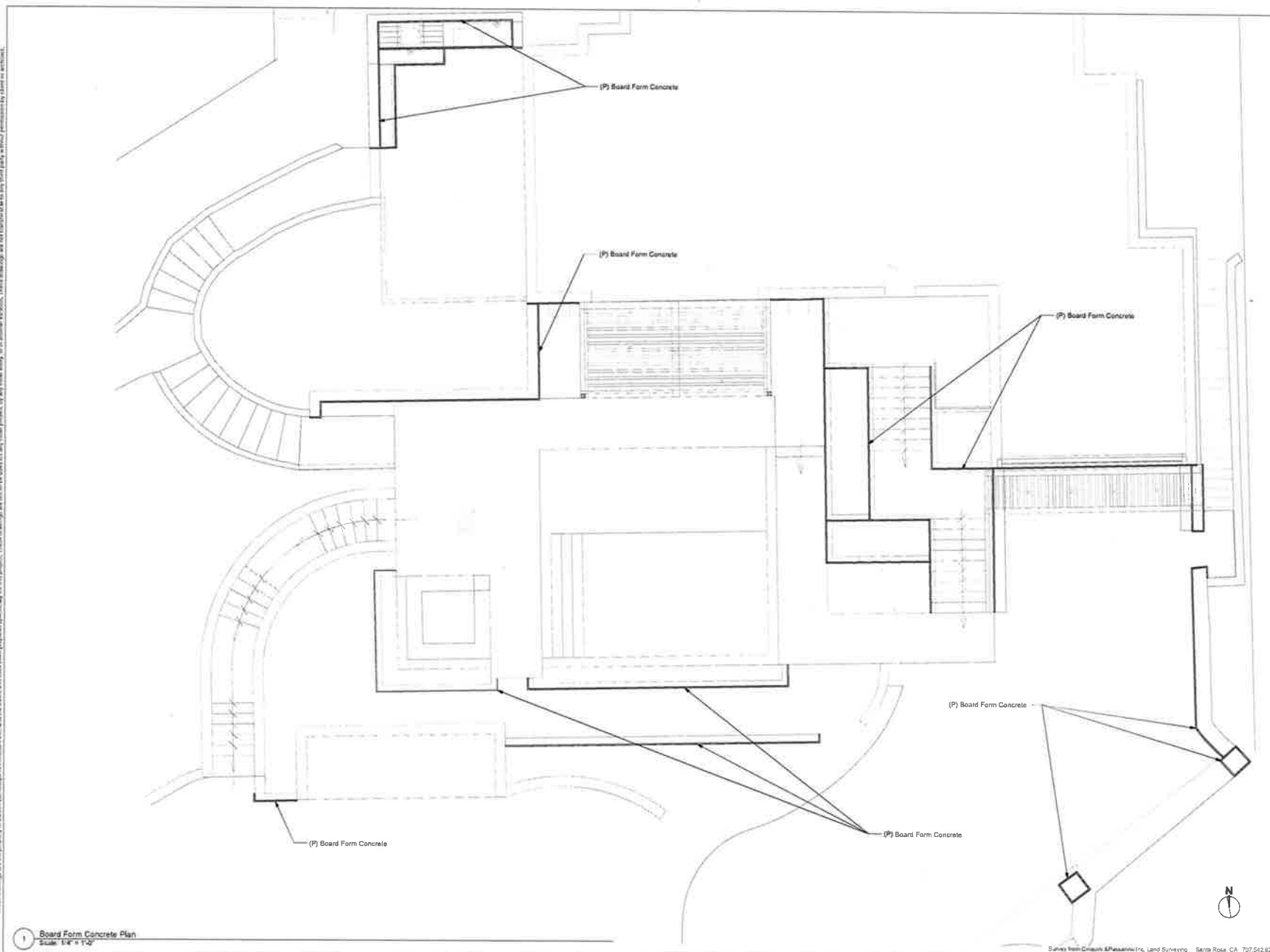
Revisions:  
3-15-22 Approved ADR Drawings

Drawn BLA	Checked EB
Issue Date 28-Mar-22	Scale 1/8" = 1'
Client	

## L-2.1

## PLANNING SUBMITTAL

These drawings are the property of Blasen Landscape Architecture Inc. and the Client and shall remain confidential and shall not be used for any other project, for any other entity, or in another location. These drawings are not to be used for any other party without permission by client or architect.



1 Board Form Concrete Plan  
Scale: 1/4" = 1'-0"

# BLASEN LANDSCAPE ARCHITECTURE

Blasen Landscape Architecture Inc.  
555 New Hill Ave. San Anselmo, CA 94962  
t 415.482.2865 f 415.482.2877  
www.blasenlandscape.com bl 8.9.2714

PROGRESS PRINT  
NOT FOR CONSTRUCTION

## 30 Walnut landscape

30 Walnut Avenue  
Ross, CA 94067  
APN: 073-171-54

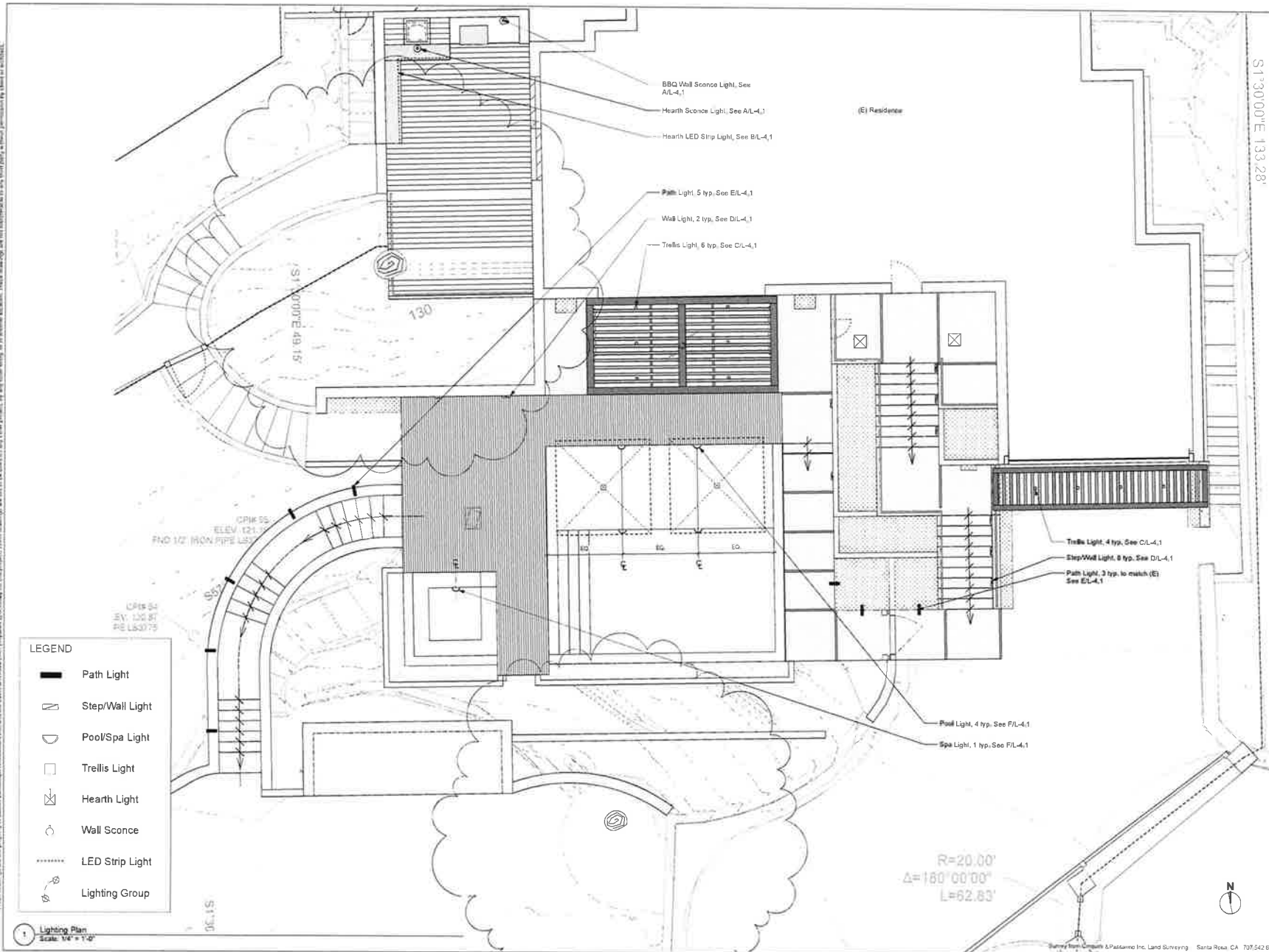
### Board Form Concrete Plan

Revisions:  
3-15-22 Approved ACR Drawings


Drawn BLA	Checked EB
Issue Date 28-Mar-22	Scale As Noted

Sheet:  
**L-2.2**  
PLANNING SUBMITTAL

These drawings are the property of Blasen Landscape Architecture, Inc. and shall remain the property of Blasen Landscape Architecture, Inc. These drawings are not to be used for any other project, for any other entity, or in any other location. These drawings are not to be used for any other project, for any other entity, or in any other location. These drawings are not to be used for any other project, for any other entity, or in any other location.



# LEGEND

- Path Light
- Step/Wall Light
- Pool/Spa Light
- Trellis Light
- Hearth Light
- Wall Sconce
- LED Strip Light
- Lighting Group

**BLASEN**  
LANDSCAPE  
ARCHITECTURE

Blasen Landscape Architecture Inc.  
520 Ave 108 Ave, San Antonio, CA 78202  
t: 415-482-1885 f: 415-482-1877  
www.blasenlandscape.com 01.0.01.01

PROGRESS PRINT  
NOT FOR CONSTRUCTION

**30 Walnut**  
landscape

30 Walnut Avenue  
Rosa, CA 94957  
APN: 073-171-54

**Lighting**  
**Plan**

Drawn by:  
3-15-22 Approved ADR Drawings

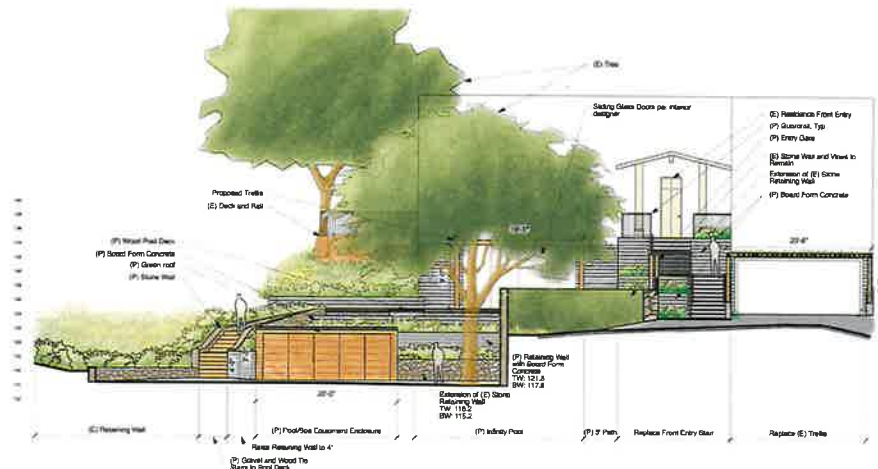
Drawn BLA	Checked EB
Issue Date 3-15-22	Scale 1/4" = 1'-0"

**L-4.0**

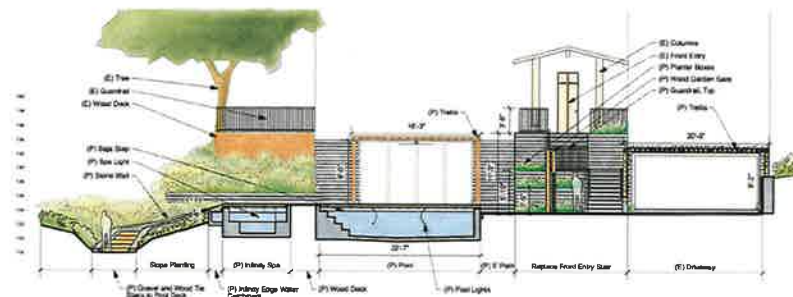
PLANNING SUBMITTAL

PLANNING SUBSETTAS

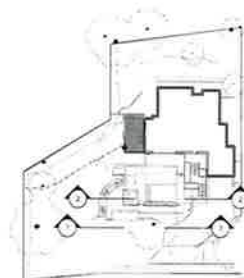
These drawings are the property of Blasen Landscape Architecture Inc. and are a client and have been prepared specifically for this project. These drawings are not to be used for any other project. No part of these drawings, in whole or in part, may be reproduced without the written permission of Blasen Landscape Architecture Inc.



1 Section 1  
Scale: 1/8" = 1'-0"



2 Section 2  
Scale: 1/8" = 1'-0"



Key Plan  
Scale: NTS

# BLASEN LANDSCAPE ARCHITECTURE

Blasen Landscape Architecture Inc.  
500 West 11th Ave. San Anselmo, CA 94960  
415.482.2855 415.481.2877  
www.blasenlandscape.com 51.8.9217

PROGRESS PRINT  
NOT FOR CONSTRUCTION

## 30 Walnut landscape

30 Walnut Avenue  
Ross, CA 94957  
APN: 073-171-54

## Site Elevations/ Sections

Revisions:  
3-15-22 Approved ACP Drawings

Drawn: RLA	Checked: EB
Issue Date: 28-Mar-22	Scale: As Noted
Sheet:	

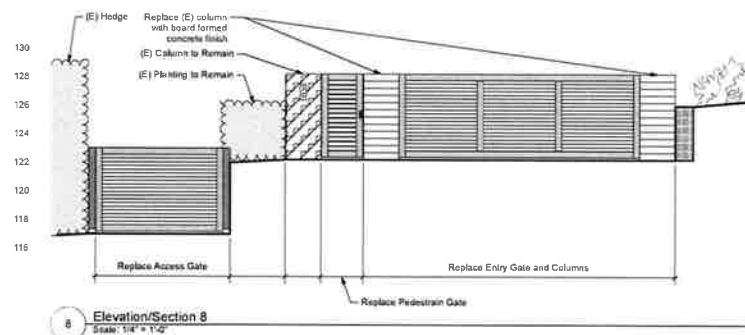
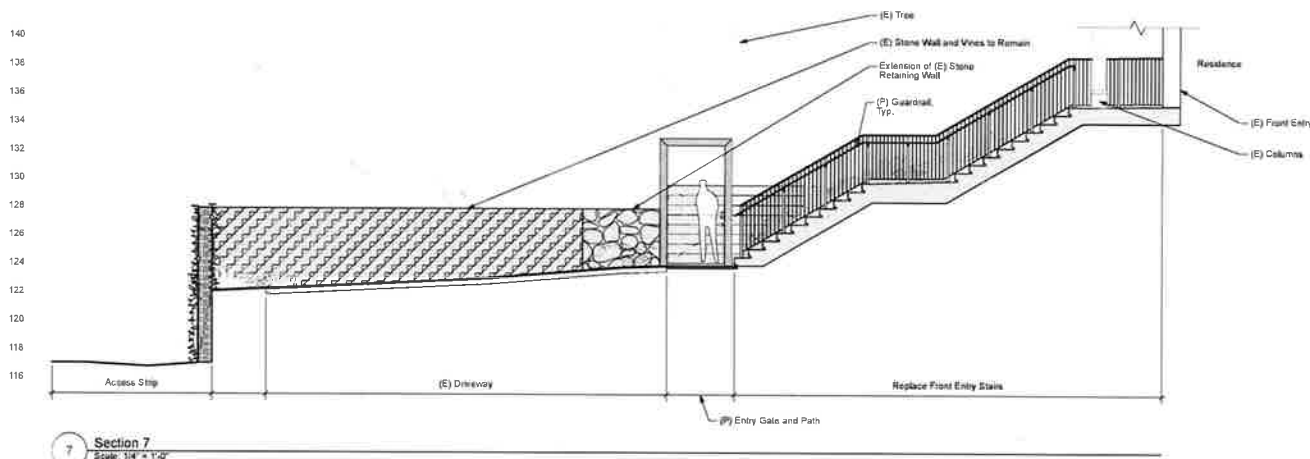
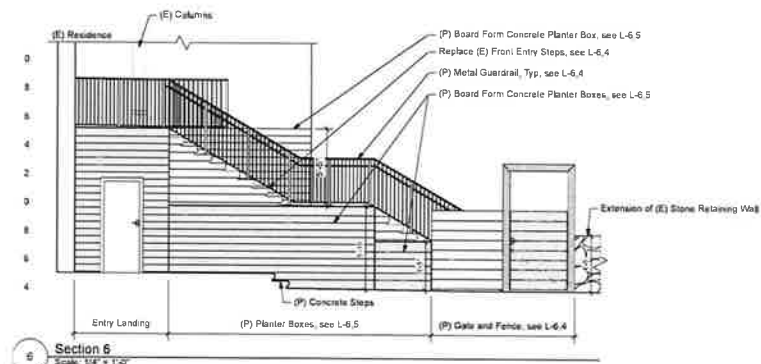
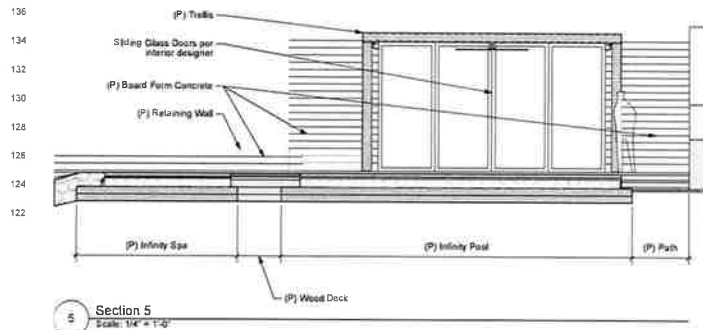
L-5.0

PLANNING SUBMITTAL





These drawings are the property of Blasen Landscape Architecture, Inc. and are to be used only for the project and site shown. These drawings are not to be used for any other project, for any other site, or for other locations. Visual elements are not to be used for any other project, for any other site, or for other locations. These drawings are not to be used for any other project, for any other site, or for other locations.



**BLASEN**  
LANDSCAPE  
ARCHITECTURE

Blasen Landscape Architecture Inc.  
308 West 118th Ave., San Antonio, CA 94582  
P: 415.495.3855 F: 415.495.3177  
www.blasenlandscape.com

PROGRESS PRINT  
NOT FOR CONSTRUCTION

**30 Walnut**  
landscape

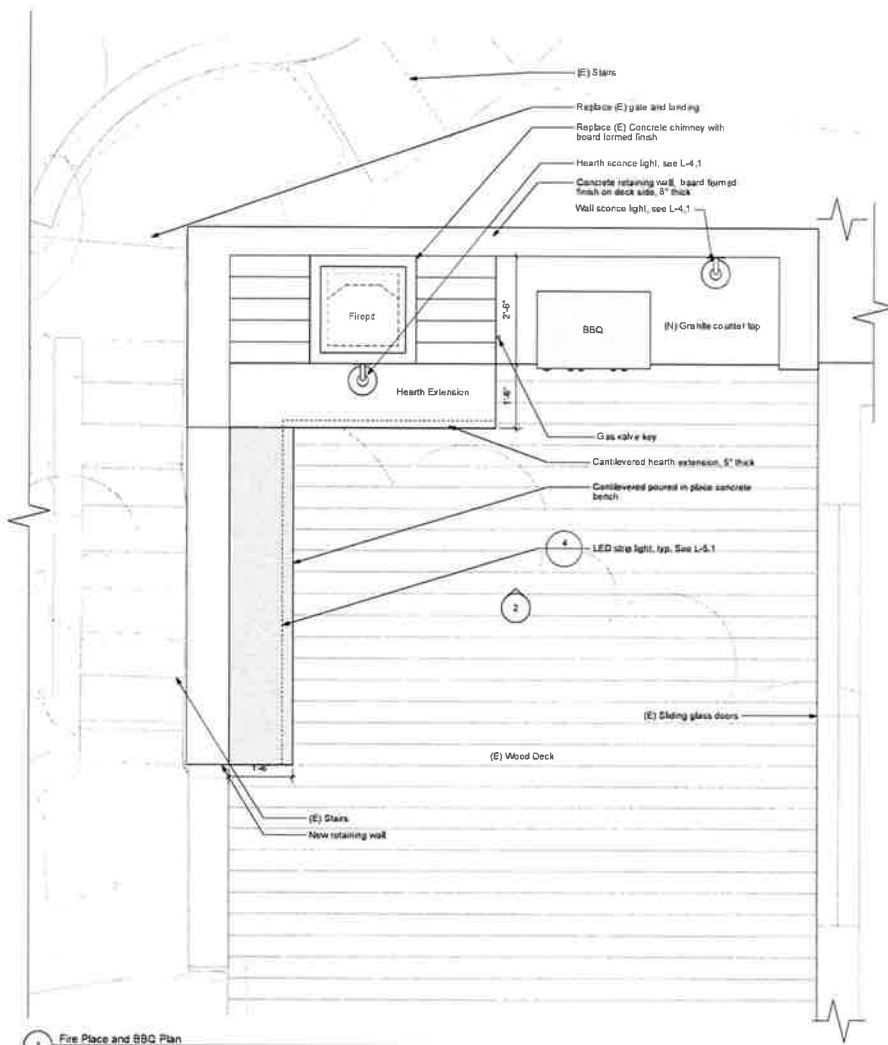
30 Walnut Avenue  
Rosa, CA 94957  
APN: 073-171-64

**Site Elevations/  
Sections**

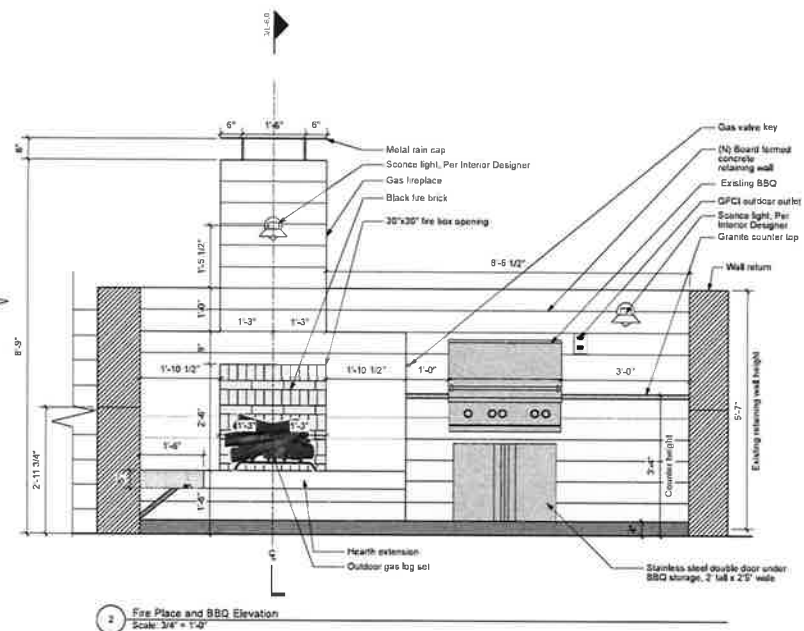
Revisions:
3-15-22 Approved RCR Drawings

Drawn BLA	Checked EB
Issue Date 28-Mar-22	Scale As Noted
Sheet	

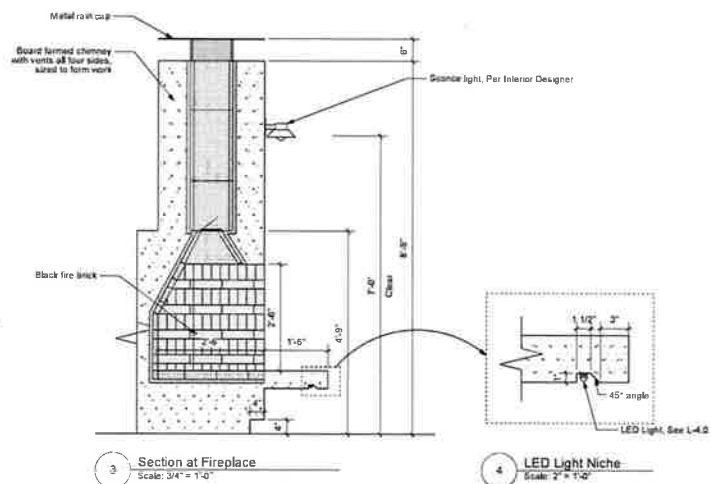
**L-5.2**  
PLANNING SUBMITTAL



1 Fire Place and BBQ Plan  
Scale: 3/4" = 1'-0"



2 Fire Place and BBQ Elevation  
Scale: 3/4" = 1'-0"



3 Section at Fireplace  
Scale: 3/4" = 1'-0"

4 LED Light Niche  
Scale: 2" = 1'-0"

**BLASEN**  
LANDSCAPE  
ARCHITECTURE

Blaasen Landscape Architecture Inc.  
520 Red Hill Ave., San Anselmo, CA 94962  
t: 415.485.3885 f: 415.485.3877  
www.blaasenlandscape.com BJA 412/24

PROGRESS PRINT  
NOT FOR CONSTRUCTION

**30 Walnut**  
landscape

30 Walnut Avenue  
Ross, CA 94957  
APN: 073-171-54

### BBQ/Fireplace Plan and Elevation

Revisions:  
3-15-22 Approved ADR Drawings

Drawn BLA	Checked EB
Issue Date 28-Mar-22	Scale As Noted

**L-6.0**

Sheet **L-6.1**  
PLAYING SUBTITLES

The image contains two architectural drawings of a trellis structure, labeled 1 and 2.

**1 Trellis Plan**  
Scale: 3/4" = 1'-0"

This plan view shows a rectangular trellis structure. Key features and dimensions include:

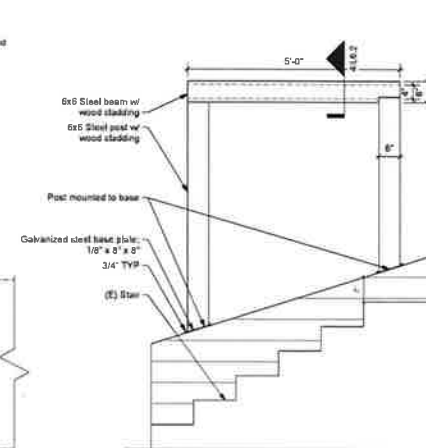
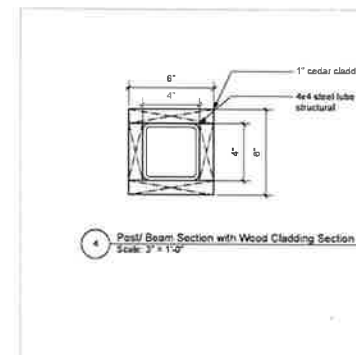
- Dimensions:** Overall width is 20'-4". The depth is 12'-9".
- Structural Elements:** The trellis is supported by 3"x3" purlins (WD Cedar) spaced 8'-0" O.C. The top rail is 6"x6" steel tubing (Post or wood cladding). The bottom rail is 6"x6" steel tubing (Post or wood cladding).
- Access:** A 17'-0" Garage door opening is located on the right side. A 3'-0" Stair cheek wall with Blue Ridge stone veneer is on the left. A 3'-0" Stair cheek wall with Blue Ridge stone veneer is on the right.
- Other Features:** A Trellis Light (See L-4.1) is mounted on the right side. A Planter is located near the bottom left corner. A 3'-0" Stair cheek wall with Blue Ridge stone veneer is on the left. A 3'-0" Stair cheek wall with Blue Ridge stone veneer is on the right.

**2 Trellis Section**  
Scale: 3/4" = 1'-0"

This section view shows the trellis structure from the side. Key features and dimensions include:

- Dimensions:** The overall height is 8'-2". The width is 20'-0 1/2".
- Structural Elements:** The trellis is supported by 3"x3" purlins (WD Cedar) spaced 8'-0" O.C. The top rail is 6"x6" steel tubing (Post or wood cladding). The bottom rail is 6"x6" steel tubing (Post or wood cladding).
- Access:** A 17'-0" Garage door opening is located on the right side. A 3'-0" Stair cheek wall with Blue Ridge stone veneer is on the left. A 3'-0" Stair cheek wall with Blue Ridge stone veneer is on the right.
- Other Features:** A Trellis Light (See L-4.1) is mounted on the right side. A Planter is located near the bottom left corner. A 3'-0" Stair cheek wall with Blue Ridge stone veneer is on the left. A 3'-0" Stair cheek wall with Blue Ridge stone veneer is on the right.

## L-6.2



2 Trellis Elevation  
Scale: 3/4" = 1'-0"

These drawings are the property of Blasen Landscape Architecture, Inc. and their Client and have been prepared specifically for this project. These drawings are not to be used for any other project. No part of these drawings may be reproduced or transmitted in any form or by any means without permission in writing from Blasen Landscape Architecture, Inc.



Existing Gate



Proposed Gate

- Replace Entry Gate and Columns
- Wood Clad Steel Frame
- 2 3/4" gap

Address Number

Replace Pedestrian Gate

Board Form  
Concrete  
Finish

# BLASEN LANDSCAPE ARCHITECTURE

Blasen Landscape Architecture Inc.  
300 N. Main Ave., San Anselmo, CA 94960  
t 415.482.1865 f 415.482.1877  
www.blasenlandscape.com

PROGRESS PRINT  
NOT FOR CONSTRUCTION

30 Walnut  
landscape

30 Walnut Avenue  
Rose, CA 94957  
APN 973-171-54

Street View at  
Entry Gate

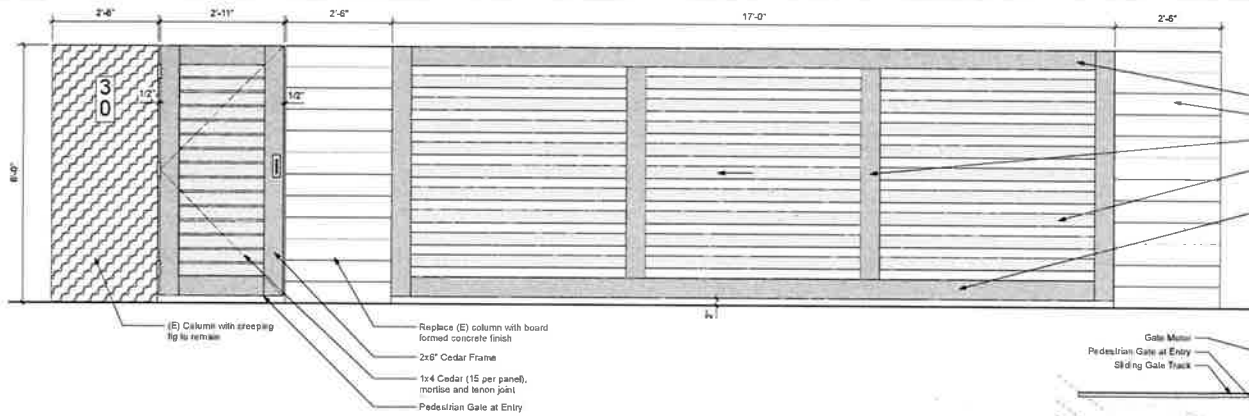
Revisions:  
3-13-22 Approved ADP Drawings

Drawn BLA	Checked EB
Issue Date 28-Mar-22	Scale As Noted

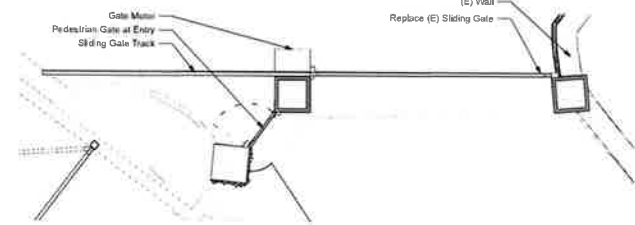
Sheet:  
**L-6.3 -1**  
PLANNING SUBMITTAL



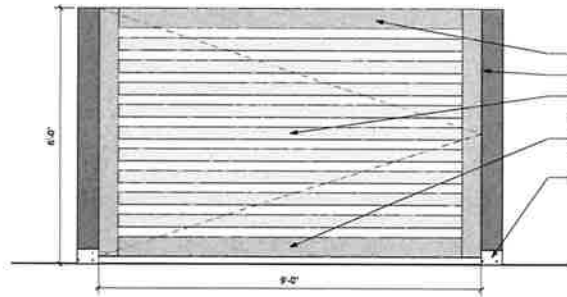
These drawings are the property of Blasen Landscape Architecture Inc. and the Client and they have been prepared under a license. These drawings are not to be used for any other project. If any other party, without permission by Blasen Landscape Architecture Inc., uses these drawings, they shall be liable for any damages. These drawings are not to be used for any other project. If any other party, without permission by Blasen Landscape Architecture Inc., uses these drawings, they shall be liable for any damages.



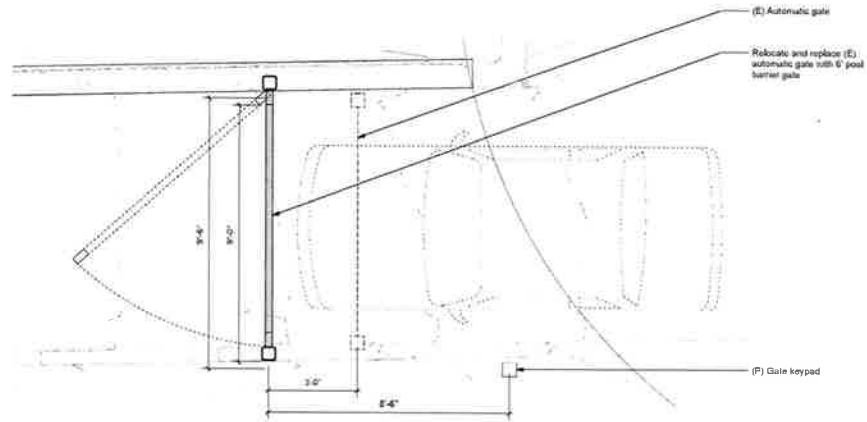
2 Entry Gate to Driveway Elevation  
Scale: 3/4" = 1'-0"



1 Entry Gate to Driveway Plan  
Scale: 1/4" = 1'-0"



4 Side Entry Gate Elevation  
Scale: 3/4" = 1'-0"



3 Side Entry Gate Plan  
Scale: 1/2" = 1'-0"

**BLASEN**  
LANDSCAPE  
ARCHITECTURE

Blasen Landscape Architecture Inc.  
523 San Hill Ave., San Anselmo, CA 94962  
C 415.483.3883 F 415.483.3877  
www.blasenlandscape.com BLA 02/17

PROGRESS PRINT  
NOT FOR CONSTRUCTION

30 Walnut  
landscape

30 Walnut Avenue  
Rosa, CA 94957  
APN 073-171-64

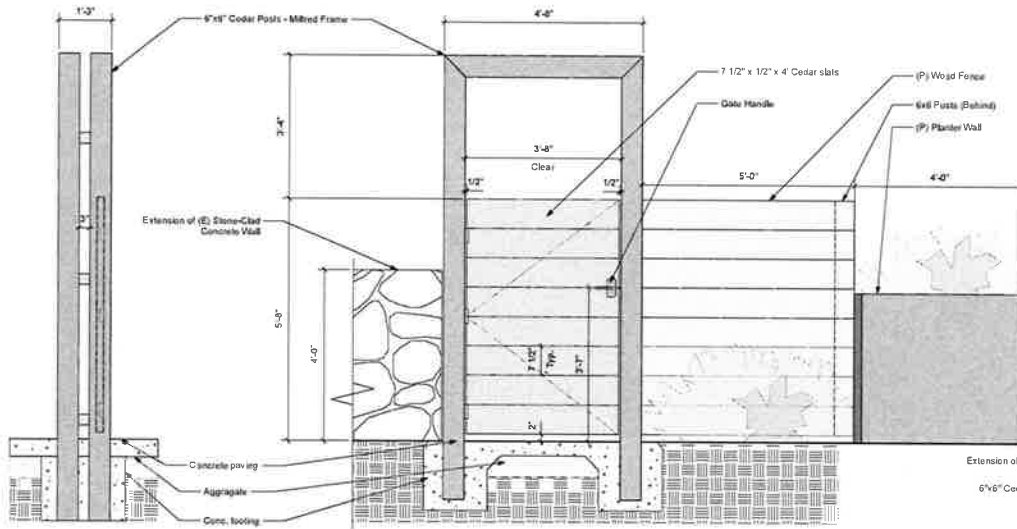
Entry Gate  
Details

Revisions:  
3-15-22 Approved ADR Drawings

Drawn BLA	Checked EB
Issue Date 29-Mar-22	Scale As Noted

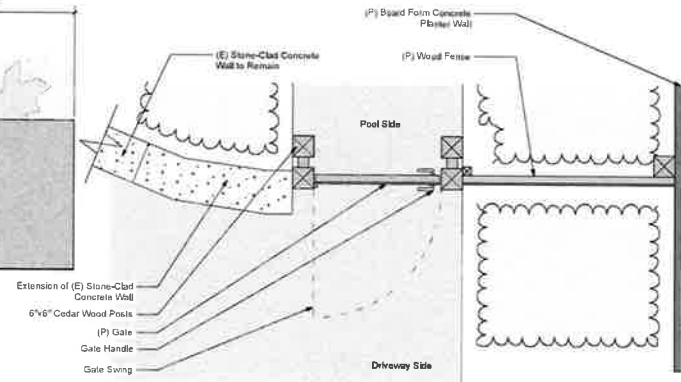
Sheet  
**L-6.3 -2**  
PLANNING SUBMITTAL

These drawings are the property of Blasen Landscape Architecture Inc. and are to be used for the project only. These drawings are not to be used for any other project. If any other entity, in a similar location, these drawings are not to be used without permission by Blasen Landscape Architecture Inc.

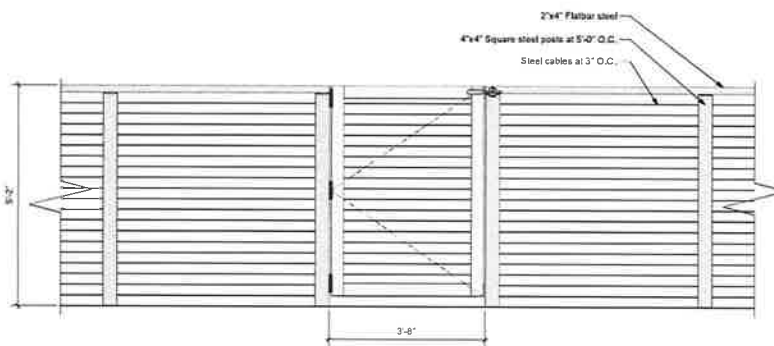


3 Entry Gate at Driveway Side View  
Scale: 3/4" = 1'-0"

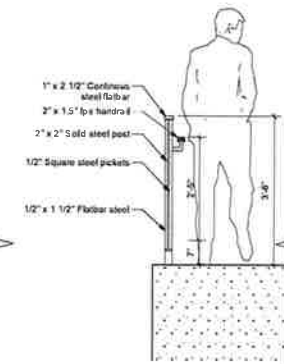
2 Entry Gate at Driveway Front View  
Scale: 3/4" = 1'-0"



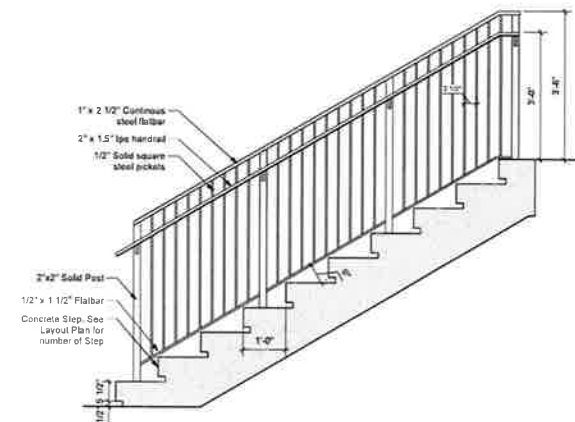
1 Entry Gate at Driveway Plan  
Scale: 3/4" = 1'-0"



5 Dog Gate and Fence Partial Elevation  
Scale: 3/4" = 1'-0"



1 Guardrail Section  
Scale: 3/4" = 1'-0"



4 Guardrail Stairs Section  
Scale: 3/4" = 1'-0"

**BLASEN**  
LANDSCAPE  
ARCHITECTURE

Blasen Landscape Architecture Inc.  
508 New Hill Ave., San Anselmo, CA 94957  
415.455.3355 415.455.3377  
www.blasenlandscape.com

PROGRESS PRINT  
NOT FOR CONSTRUCTION

**30 Walnut**  
landscape

30 Walnut Avenue  
Ross, CA 94957  
APN: 073-171-54

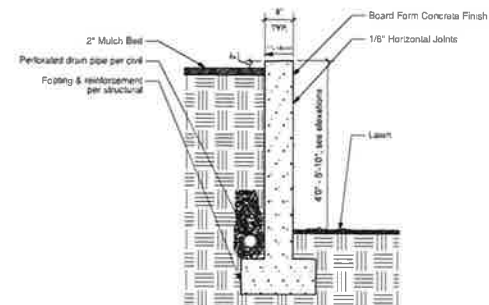
**Entry Gate &  
Guardrail Details**

Revisions:  
3-15-22 Approved ADR Drawings

Drawn B.L.A.	Checked B.L.A.
Issue Date 23-Mar-22	Scale 3/4" = 1'-0"
Sheet	

**L-6.4**  
PLANNING SUBMITTAL



[illegible]

2 Typ. Concrete Retaining Wall Section  
Scale: 3/4" = 1'-0"

**Blazen Landscape Architecture Inc.**  
500 Red Hill Ave., San Anselmo, CA 94960  
t: 415.485.3885 f: 415.485.3877  
www.blazenlandscape.com RLA #2774

**PROGRESS PRINT  
NOT FOR CONSTRUCTION**

30 Walnut Avenue  
Ross, CA 94957  
APN: 073-171-54

## Pool Equipment & Retaining Walls

Revisions:  
Progress print  
3-15-22 Approved ADR Drawings

Drawn: BLA	Checked: EB
Issue Date: 28-May-22	Scale: As noted
Sheet:	

## L-6.5

PLANNING SUBMITTAL

PROGRESS PRINT  
NOT FOR CONSTRUCTION

30 Walnut  
landscape

30 Walnut Avenue  
Rosa, CA 94457  
APN: 073-171-54

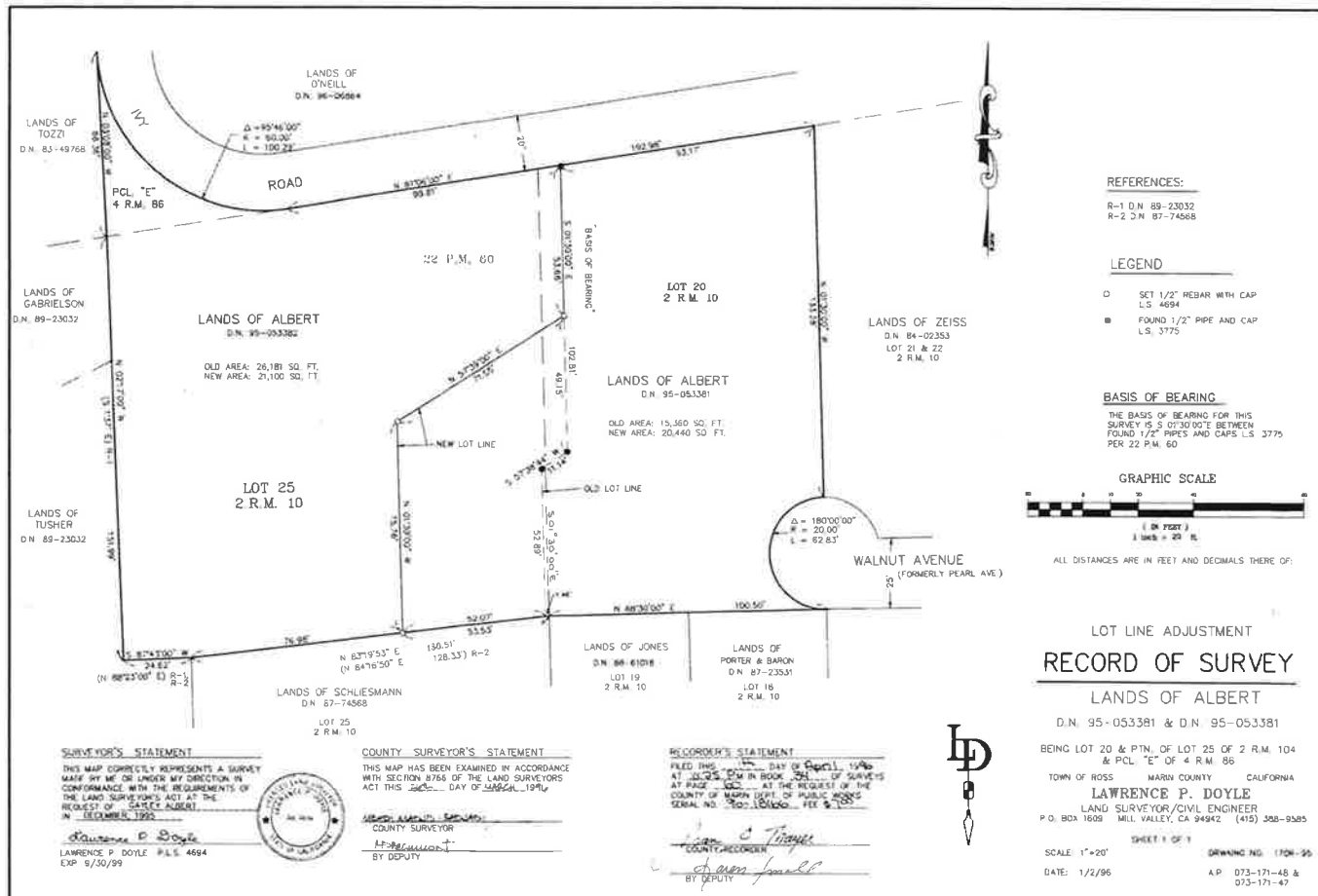
Record of Survey

Revisions:  
3-15-02 Approved ADR Drawings

Drawn	Checked
BLA	EB
Date	Date
28-Mar-02	11-20-02
Sheet	

**SU-1**

PLANNING SUBMITTAL



# DESIGN REVIEW PLANS

## FOR

### 30 WALNUT AVENUE

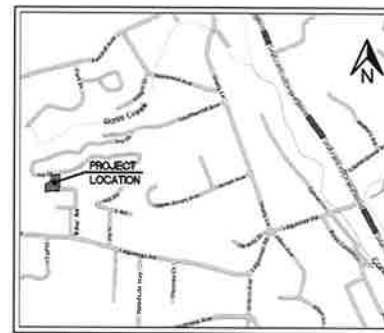
### ROSS, MARIN COUNTY, CALIFORNIA

#### ABBREVIATIONS

AB	AGGREGATE BASE	L	LENGTH
AC	ASPHALTIC CONCRETE	LT	LINEAL FEET
AD	AREA DRAIN	LTF	LOWER FINISHED FLOOR
APPROX	APPROXIMATE	LP	LIP OF GUTTER
BFP	BACK FLOW PREVENTOR	LP	LOW POINT
BC	BEGIN HORIZONTAL CURVE	LT	LEFT
B COR	BUILDING CORNER	MAX	MAXIMUM
BLOC	BUILDING	MIN	MINIMUM
BW	BENCH MARK	MISC	MISCELLANEOUS
BNBY	BOUNDARY	NG	NATURAL GROUND
BSM	BACK OF SLOPEWALK	NIC	NOT INCLUDED IN CONTRACT
BVC	BEGIN VERTICAL CURVE	NTS	NOT TO SCALE
BVCE	BEGIN VERTICAL CURVE ELEVATION	OV	OVERHEAD
BW	BOTTOM OF WALL	PAGE	PACIFIC GAS & ELECTRIC
CATV	CABLE TELEVISION	P/PL	PROPERTY LINE
CB	CATCH BASIN	PP	POWER POLE
CAG	CURB & GUTTER	PRO	PROPOSED
CL	CLASS	PWT	PAVEMENT
C/L	CENTERLINE	R	RADIUS
CMP	CORRUGATED METAL PIPE	REF	REFERENCE
CO	CLEANOUT	REIN	REINFORCED
CONC	CONCRETE	REQD	REQUIRED
CONST	CONSTRUCTION	RET WALL	RETAINING WALL
CONT	CONTIGUOUS	RT	RIGHT
CU FT, CF	CUBIC FEET	R/W, ROW	RIGHT OF WAY
CY	CUBIC YARDS	SCH	SCHEDULE
D	DROP INLET	SD	STORM DRAIN
DA	DAMETER	SDMH	STORM DRAIN MANHOLE
DS	DOWNSPOUT	SDCO	STORM DRAIN CLEANOUT
DWG	DRAWING	SS	SQUARE FEET
DWY, D/W	DRAINWAY	SS	SANITARY SEWER
EG	EXISTING GRADE	SSCO	SANITARY SEWER CLEAN OUT
EL ELEV	ELEVATION	SSMH	SANITARY SEWER MANHOLE
ELEC	ELECTRIC	STA	STATION
EP	EDGE OF PAVEMENT	STD	STANDARD
ESMT	EASEMENT	SW, S/W, SWK	SIDEWALK
ENC	END VERTICAL CURVE	TD OR TDB	TOP OF BANK
EVCE	END VERTICAL CURVE ELEVATION	TC	TOP OF CURB
EXIST, EX, (E)	EXISTING	TEL OR TEL	TELEPHONE
FE	FINISH GRADE	TEMP	TEMPORARY
FF	FINISH FLOOR	TOE	TOE OF BANK
FL, HYD	FIRE HYDRANT	TURNING STRUCTURE	TURNING STRUCTURE
FL, HW	FLOWLINE	TRANS	TRANSFORMER
FS	FINISHED SURFACE	TW OR TOW	TOP OF WALL
GB	GAS MAIN	TYP	TYPICAL
GR	GRADE BREAK	UTL	UTILITY
GR	GRADE FINISHED FLOOR	VAR	VARIABLES
H	HEIGHT	VC	VERTICAL CURVE
HP	HIGH POINT	VERT	VERTICAL
JP	JOINT POLE	W, WTR	WATER LINE
JT	JOINT TRENCH	WM	WATER METER

#### SYMBOLS LEGEND

PROPERTY LINE	---
LOT LINE	---
CENTERLINE	---
EASEMENT LINE	---
PERMETER OF BUILDING	---
CONTOUR & ELEVATION	---
CUT/FILL; DAYLIGHT LINE	---
DRAINAGE SWALE	---
SIDEWALK	---
PERVIOUS PAVEMENT	---
CONCRETE	---
GRAVEL PATH	---
RETAINING WALL	---
ROCK WALL	---
WALL HEIGHT	---
ELECTRIC LINE	---
GAS LINE	---
JOINT TRENCH	---
OVERHEAD LINE	---
WATER LINE	---
SANITARY SEWER LINE	---
STORM DRAIN LINE	---
STORM DRAIN SUBRAIN	---
STORM DRAIN DISSEMINATOR	---
CHAIN LINK FENCE	---
CATCH BASIN (CURB INLET)	---
DROP INLET	---
AREA DRAIN	---
DOWNSPOUT	---
STORM DRAIN MANHOLE	---
CLEANOUT	---
GUY	---
POWER POLE	---
JOINT UTILITY POLE	---
JOINT POLE W/STREET LIGHT	---
STREET LIGHT	---
FIRE HYDRANT	---
WATER METER	---
WATER	---
SPOT ELEVATION	---
DIRECTION OF FLOW	---
SURVEY CONTROL POINT	---
CENTERLINE MONUMENT	---
PEDESTRIAN RAMP	---
TREE SYMBOL & DROP LINE	---
DETAIL REFERENCES	---
SHEET NUMBER	---



VICINITY MAP  
SCALE: NO SCALE

#### GENERAL NOTES

- All work and materials shall conform to the City and County of Marin Uniform Construction Standards and Standard Specifications, and the State of California Standard Plans and Specifications, where applicable.
- The contractor shall notify the County Department of Public Works 48 hours prior to starting any work.
- The contractor shall obtain applicable permits from the issuing agencies prior to commencing any work.
- Tarnoff Engineering Corporation shall not be responsible for any unmentioned changes to, or uses of these plans. The contractor shall assume complete responsibility for any and all changes to these plans without the written authorization of Tarnoff Engineering Corporation.
- All changes to the plans must be in writing, and must be approved by Tarnoff Engineering Corporation.
- The topographic information shown on these plans is provided by others. Tarnoff Engineering Corporation makes no warranty, either expressed or implied, as to the accuracy of this data. The Contractor shall be responsible for verifying Tarnoff Engineering Corporation's data with any topographic information that may be required for the construction of any planned improvement.
- The location of existing utilities shown on these plans is approximate only. The type, size, depth, and location of all existing utilities shall be verified by the contractor prior to commencing any site work, including excavation. If the actual location of any utility is different from what is shown on the plans, and impacts the design or constructability of any planned improvement, the Contractor shall notify Tarnoff Engineering Corporation as soon as an alternate location can be ascertained.
- All work must be constructed in compliance with the project geotechnical report, including all letters and recommendations.

#### CONSTRUCTION NOTES

- The project engineer and geotechnical engineer shall be given minimum 48 hours' notice for any required inspection.
- No grading shall occur between October 1 and April 1 without written consent from the authorizing agency.
- All permanent improvements shall be constructed at slopes of 2:1 or flatter, or as directed by the project geotechnical engineer.
- All logs and logs of graded embankments shall be retained.
- All embankments and graded areas shall be treated with erosion control measures (per details in this plan set, or as directed by agency officials) by October 1, and maintained until April 1. Sediment control is required year-round to prevent off-site tracking or release of airborne particles.
- Drain control must be maintained at all times. Mowing or covering graded areas, weeping, and all other Best Management Practices must be maintained until the area is stabilized. No dirt, soil, mud, or debris may accumulate in the public right of way.
- All access materials must be stockpiled and covered properly, or placed on an approved fill site.
- The contractor is responsible for maintaining streets, surrounding landscapes, and other improvements with a smooth installation - be it for grading, paving, curbs, gutters, sidewalks, etc. Contractor shall avoid direct or indirect grading changes, cross slopes, the spots (except for where intended), or hazardous conditions.
- All trees to be saved shall be protected per landscape architect or arborist details.
- If any archeological, historical, or paleontological materials are uncovered, discovered, or otherwise detected or observed during project grading and construction operations, work shall cease immediately within the vicinity of the discovery until a qualified archeologist can be brought to the site for an assessment of the resources.
- Any additional information shown on these plans is for informational purposes only. Subsequent placement and construction shall adhere to the recommendations of, and directions from the project geotechnical engineer.
- All private sanitary sewer and storm drain pipe shall be PVC SDR-35 with water-tight gasketed joints, or approved equal. Private large diameter storm drain pipe shall be at least 12" HDPE pipe, or equal.
- Disturbing a generally existing roadway or driveway construction, unless otherwise shown or indicated.
- Curb return radii and data are to the face of curb.
- Length of utility pipes are horizontal distances from center to center of structure, rounded to the nearest tenth of a foot.
- Traffic control during construction shall comply with the California Manual on Uniform Traffic Control Devices (MUTCD).
- Signage and striping shall be in accordance with the applicable details from the MUTCD, latest edition.
- Manhole, grate, and rim elevations are approximate only. The contractor shall be responsible for adjusting rim and center to match finished grade.
- Best Management Practices must be applied at all times during construction.

#### SHEET INDEX

- |    |                                    |
|----|------------------------------------|
| C1 | TITLE SHEET, NOTES & LEGEND        |
| C2 | PRELIMINARY GRADING & UTILITY PLAN |



**TARNOFF**  
engineering corp.

1442 A Walnut St. #428  
Berkeley, CA 94709  
415.279.5996  
www.tarnoffengineering.com

Prepared under the Direction of

Michael L. Tarnoff  
P.E. 44596 Exp. 06/30/2022

30 WALNUT AVENUE - APN 073-171-54  
ROSS, MARIN COUNTY, CALIFORNIA  
DESIGN REVIEW  
TITLE SHEET, NOTES & LEGEND

Rev.	Change	Description
1	03/22/22	MINOR SHEET NO. REVISIONS

PROJECT NO.  
PROJECT DATE  
REVIEWED BY

SHEET

**C1**

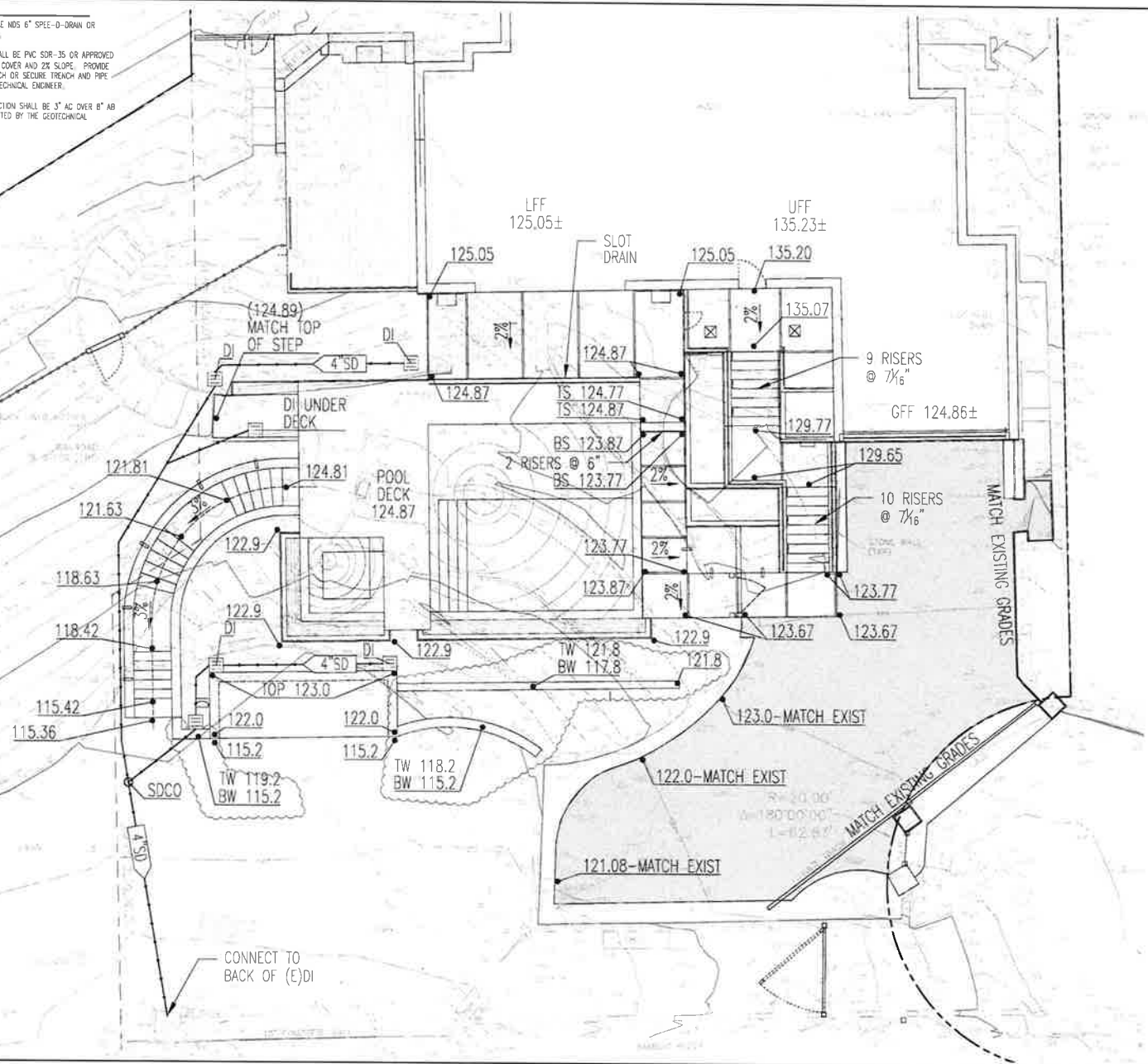
OF 2 SHEETS

# GRADING NOTES

1. EARTHWORK QUANTITIES  
BS C.Y. CUT  
47 C.Y. FILL  
38 C.Y. OFFHAUL
2. ALL RETAINING WALLS TO BE PER STRUCTURAL DRAWINGS. SEE STRUCTURAL DRAWINGS AND LANDSCAPE ARCHITECT DRAWINGS FOR TYPE OF WALL, FINISH, SUBDRAINS AND FOOTINGS. SUBDRAINS MAY DIRECTLY CONNECT TO SITE STORM DRAIN SYSTEM.

# UTILITY NOTES

- A. DRAIN INLETS SHALL BE NOS 6" SPEC-D-DRAIN OR APPROVED EQUIVALENT.
- B. SITE STORM DRAIN SHALL BE PVC SDR-35 OR APPROVED EQUAL. MINIMUM 18" COVER AND 2% SLOPE. PROVIDE CHECK DAMS IN TRENCH OR SECURE TRENCH AND PIPE AS DIRECTED BY GEOTECHNICAL ENGINEER.
- C. NEW AC PAVEMENT SECTION SHALL BE 3" AC OVER 8" AB MINIMUM, OR AS DIRECTED BY THE GEOTECHNICAL ENGINEER.



1442 A Walnut St. #428  
Berkeley, CA 94709  
415.279.5996  
www.tarnoffengineering.com

Prepared under the Direction of



Michael L. Tarnoff  
RCE 48898 Exp. 06/30/2022

30 WALNUT AVENUE - APN 073-171-54

ROSS, MARIN COUNTY, CALIFORNIA

## DESIGN REVIEW PRELIMINARY GRADING PLAN

### REVISION BLOCK

No.	Date	Description
1	05/05/2021	ISSUED FOR PERMIT
2		
3		
4		
5		
6		
7		
8		
9		
10		

PROJECT NO. 171-54  
PROJECT DATE 05/05/2021  
REVIEWED BY MLT

SHEET

**C2**

OF 2 SHEETS

# ATTACHMENT 3

## **PLANNING APPLICATION FORM ATTACHMENTS**

### **Project:**

30 Walnut Avenue  
Ross, CA 94957

### ***Written Project Description***

1. New pool, spa, pool/spa equipment and enclosure structure, inside the setback.
2. New wood deck at pool and spa, partially in the setback.
3. New integral colored concrete patio, partially in the setback.
4. New pool deck trellis, partially in the setback.
5. Replacement of existing stair from pool deck to lawn, in the setback.
6. Replacement of existing BBQ and gas fireplace, partially in the setback.
7. Replacement of existing entry stair, in the setback.
8. Replacement of existing garage trellis, partially in the setback.
9. Replacement of existing driveway paving material, partially in the setback.
10. Replacement of existing vehicular entry gate, outside the setback.
11. Replacement of existing entry side gate, outside the setback.
12. Refinish existing entry gate columns, outside the setback.

### ***Mandatory Findings for Variance Applications***

*In order for a variance to be granted, the following mandatory findings must be made:*

#### ***Special Circumstances***

*That because of special circumstances applicable to the property, including size, shape, topography, location, and surroundings, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. **Describe the special circumstances that prevent conformance to pertinent zoning regulations.***

30 Walnut Avenue is a narrow “L” shaped lot and existing structures are largely built into a hillside. The property falls under the Zoning District (R-1:B-10) and Hillside Lot Building Size (>3,500 square feet) Setbacks, leaving very little developable area that is not within a setback. The size of the lot is 20,441 square feet; the Zoning District (R-1:B-10) Setbacks allow for 44% of the property (9,071 square feet) as developable area, while the Hillside Lot Building (>3,500 square feet) Setbacks leaves just 13% (2,560 square feet). The proposed property enhancements are a replacement and/or reconfiguration of the existing hardscape elements in the same locations: entry gate, driveway, entry stair, outdoor cooking area and pathways are proposed to be improved and adjusted to work with the proposed new deck, pool and spa layout.

#### ***Substantial Property Rights***

*That the variance is necessary for the preservation and enjoyment of substantial property rights.*

***Describe why the project is needed to enjoy substantial property rights.***

Proposed landscape work within the Zoning District (R-1:B-10) and Hillside Lot Building (>3,500 square feet) Setbacks for 30 Walnut Avenue are upgrades to existing site disturbance (developments?) and this variance request does not seek to change

the overall character of the hillside or lot. The proposed new pool, spa and their equipment enclosure are within the developable area. The proposed concrete patio, wood trellis and wood pool deck are circulation pathways between the proposed pool/spa spaces and are partially located within the Hillside Lot Building Setback developable area. They are critical site design connections that are necessary for the preservation and enjoyment of substantial property rights. The overall project is functionally and aesthetically compatible with the existing built and natural elements of the surrounding area. The proposed exterior colors and materials selected are to match the existing residence and landscape.

***Public Welfare***

*That the granting of a variance will not be detrimental to the public welfare or injurious to other property in the neighborhood in which said property is situated. **Describe why the variance will not be harmful to or incompatible with other nearby properties.***

The proposed work requesting a variance will not not be visible to any neighboring properties or visible to the public, therefore will not be detrimental to the public welfare. All improvements will be well planted and screened from neighboring views. Every aspect of the proposed project will be constructed to all current building codes. Appropriate safety measures will be in place to protect, secure and maintain public safety through all phases of construction.



# ATTACHMENT 4



500 Red Hill Avenue  
San Anselmo, CA 94960  
415.485.3885  
415.485.3877  
[www.blasengardens.com](http://www.blasengardens.com)

March 11, 2022

Dear Neighbors of 30 Walnut Avenue,

We are writing on behalf of The Solle Family to notify you of the proposed improvements to the outdoor spaces at their existing residence. We have submitted the design of the proposed landscape enhancements to the Town of Ross and it will be part of the upcoming ADR Group Review on Tuesday, March 15, 2022. The details of the project:

**Project Address:**

30 Walnut Avenue  
Ross, California, 94957

**Project Description:**

The proposed property upgrades are a replacement and/or reconfiguration of existing hardscape elements in the same locations: entry gate, driveway, entry stair, outdoor cooking area and adjusted pathways to connect the proposed deck, pool, spa, and equipment enclosure. The overall project is functionally and aesthetically compatible with the existing built and natural elements of the surrounding area. The proposed exterior colors and materials were selected to match the existing residence and landscape. All landscape improvements will be screened from neighboring views. Every aspect of the proposed project will be constructed to all current building codes and appropriate safety measures will be in place to protect, secure and maintain public safety through all phases of construction.

If you have any questions regarding the proposed project, please feel free to contact Eric Blasen or Angela Boes at 415.485.3885.

Best regards,

Blasen Landscape Architecture



500 Red Hill Avenue  
San Anselmo, CA 94960  
T 415.485.3885  
F 415.485.3877  
[www.blasengardens.com](http://www.blasengardens.com)

March 15, 2022

Dear Matthew,

The Neighborhood Outreach Letter was hand delivered to the following neighboring addresses:

- 9 Walnut Avenue
- 10 Walnut Avenue
- 12 Walnut Avenue
- 14 Walnut Avenue
- 15 Walnut Avenue
- 24 Walnut Avenue
- 26 Walnut Avenue
- 28 Walnut Avenue
- 29 Walnut Avenue
- 190 Lagunitas Road
- 192 Lagunitas Road

Best regards,

Blasen Landscape Architecture

# ATTACHMENT 5

Mayor Brekhus reminded the applicant that several years ago members of the Council met with owners of the properties in the C-L district and gave them the opportunity to provide ample parking but they preferred to do it individually. Accordingly, he felt that the applicant should now provide parking as requested in the staff report.

After discussion, Councilmember Reid moved approval with the following conditions:

- a. A business license shall be obtained from the Town of Ross prior to commencement of use.
- b. Parking for the office use of this building shall be provided on AP #73-272-15, south of the building, at the rate of one space for each 250 square feet of net rentable floor area. Parking lot design shall be subject to the approval of the Town Council.
- c. Council will consider alternate parking solutions provided by the owner.

This was seconded by Councilmember Goodman.

Mr. Lord stated that the vacant lot has to be sold in order to maintain this property and he asked that such a lien not be placed on the parcel.

Councilmember Goodman said that there has been a history of parking problems in this area.

Mrs. Garril Page of Shady Lane said that additional parking by the market would cause further congestion with the delivery truck.

Councilmember Goodman asked how the applicant would provide parking for the vacant lot and Mr. Lord responded that he planned to have parking under the building.

Mayor Brekhus said that the Council has imposed parking regulations on other C-L property owners and he did not favor approving this application.

Mr. Lord stated that it would be unfair to his tenant to continue this matter and said he would abide by the Council's conditions.

Accordingly, Mayor Brekhus called for a vote and the motion passed unanimously.

#### 16. Variances & Design Review.

- a. Craig and Gayley Albert, 30 Walnut Avenue, AP 73-171-48, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum). Request is to allow: Variance and design review to allow additions and alterations to an existing 2,418 square foot residence including the following:
  - (1) Removal of an existing upper story room and construction of a new two bedroom upper story within the side yard setback (15 feet required, 3 feet existing, 8 feet proposed.) A portion of the addition is a third story.
  - (2) Addition of a master bedroom within the rear yard setback (40 feet required, 21 feet proposed.) The addition of a living room and deck are proposed.
  - (3) Construction of a pool and surrounding patio within the rear yard setback (40 feet required, 8 feet proposed) and side yard setback (1 foot proposed, 15 feet required.)
  - (4) Addition of an attached two-car garage and stairway below the proposed living room.
  - (5) Removal of a 28 inch diameter fir tree.

Two existing garages and 224 square feet of shed and deck area will be removed. The existing residence, shed and garages are nonconforming in setback.

Lot Area	15,624 sq. ft.
Present Lot Coverage	18.6%
Proposed Lot Coverage	19.1% (20% permitted)
Present Floor Area Ratio	24.4%
Proposed Floor Area Ratio	29.5% (20% permitted)

**VARIANCE NO. 1077 AND DESIGN REVIEW 24.** Mr. Albert stated that as indicated by the Council at the last meeting, he had reduced the size of the project and removed the nonconforming garage.

Several members of the Council felt this was a great improvement.

After a short discussion, Councilmember Scott moved approval with the following conditions:

1. The Town Council reserves the right to require additional landscaping for one year from project final. A landscape plan shall be submitted for staff review and approval prior to building final. The plan shall include landscaping between site development and Ivy Drive, landscaping within areas to the front of the residence and deck, and landscaping areas formerly containing buildings and the lower driveway. Landscaping shall include native replacement trees, minimum 15 gallon size.
2. A soils report shall be submitted for staff review and approval as part of the building permit submittal.
3. Drainage improvements shall be provided as required by Town staff.
4. The hydrant at 24 Walnut Avenue must be upgraded to steamer type (one 4 1/2" and two 2 1/2" outlets.) (An arrangement may be made with the owner of 24 Walnut for sharing this cost.)
5. A smoke detector shall be provided as required by the Building Department.
6. Fencing shall be provided around the trees throughout demolition and construction activity. Building permit plans shall be subject to staff approval in consultation with the Town Arborist to ensure tree protection. Any recommendations of the Town Arborist to protect trees adjacent to the proposed driveway and parking area, including increasing the distance between trees and the driveway and parking area, shall be followed.
7. New exterior lighting shall not create glare, hazard or annoyance to adjacent property owners or passersby. Lighting shall be shielded and directed downward.
8. The approved site plans and elevations shall not be changed without Town approval.

This was seconded by Councilmember Reid and passed unanimously.

- b. **Barry and Diana Levinson, 20 Glenwood Avenue, AP 73-131-08, R-1:B-A (Single Family Residence, One acre minimum).** Request is to allow: Design review to allow additions and alterations to an existing residence including: 1) the addition of bays and deck areas to the main level; 2) the construction of a new upper level master bedroom area including north and south elevation dormer additions; 3) a two story addition to the rear including a guest room, pool house and decking; and 4) the addition of a rear three-car garage addition below the existing lower level of the residence. The garage addition will create a three story structure (two permitted) 39 feet in height (30 feet permitted.) The additions will add a total of 4,204 square feet of interior floor area and 1,662 square feet of deck floor area.



17. Maurizio and Giovanna Rossetti, Legal Owners  
 Paget Industries, Inc., Tenant, 32 Ross Common, Suite 200, A.P. No. 73-272-06, Local Commercial District. Request is to allow: Business office for an equipment leasing company in 680 square feet of commercial area. Two employees with one customer anticipated each day. Hours of operation are Monday through Friday, 9:00 a.m. to 5:00 p.m.  
USE PERMIT NO. 182<sup>185</sup> Councilmember Reid moved approval with the condition that the tenant obtain a business license. This was seconded by Councilmember Goodman and passed unanimously.
18. Craig and Gayley Albert, 30 Walnut Avenue, AP 73-171-48, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum).  
 Request is to allow: Demolition permit to allow the demolition of an existing 2,418 square foot residence. The Town Council previously approved plans to allow a remodel of the existing residence and for an addition to the residence. The project proponents have determined that a reconstruction of the existing residence, rather than a remodel, is desirable to better meet current building code and earthquake requirements.  
 The proposed demolition will not result in a change in the final exterior appearance of the residence from the plans approved by the Town Council.  
 Mr. Albert said that it was not his intent to change the previously approved plans in any way.  
 Town Planner Broad said that he supported the request and that it was consistent with the intent of the demolition ordinance.  
 Councilmember Goodman said that he had labored over the previously approved variance because it had so many nonconformities; he felt that since the applicant was proposing to demolish the structure, the new structure should conform.  
 Councilmember Scott supported the request.  
 Councilmember Reid was concerned about setting a precedent for new nonconforming structures.  
 After further discussion, Councilmember Scott moved approval of the use permit, this was seconded by Councilmember Brown. The motion failed with Councilmembers Reid and Goodman voting against. Mayor Barry abstained.
19. Variances, Design Review and Hazard Zone.  
 a. Veronica and David Verklin, 12 Skyland Way, AP 72-231-16, R-1:B-A (Single Family Residence, One acre minimum).  
 Variance, design review and hazard zone use permit to allow:  
 (1) Additions and alterations to an existing residence including first-story additions for a dining room, kitchen, entry and porch, a deck and a garage. Second-story alterations and additions include a game room and balcony addition. The additions will encroach within the required side yard setback (9 feet proposed, 25 feet required.) A portion of the addition will exceed 30 feet in height (32 feet proposed) as measured from an existing unfinished area excavated into the hillside.  
 (2) Addition of 7 foot tall stone pillars and steel gate (six foot permitted) within the side yard setback. Light fixtures will be placed atop the pillars.  
 (3) Removal of existing on-site trees including 6, 8 and 16 inch oak trees and a 12 inch bay tree within the side yard setback.
- |                           |                       |
|---------------------------|-----------------------|
| Lot Area                  | 66,033 sq. ft.        |
| Present Lot Coverage      | 5.7%                  |
| Proposed Lot Coverage     | 6.4% (15% permitted)  |
| Present Floor Area Ratio  | 8.7%                  |
| Proposed Floor Area Ratio | 11.9% (15% permitted) |

December 14, 1995

three-storey home with several variances. Councilmember Scott felt that the applicant should submit complete drawings of the existing and proposed house with photographs of the existing structure. He said that when working on an older home, there could be many surprises where further demolition is required. He said that it is very expensive for the applicants to stop work and wait for the next Council meeting.

Councilmember Reid favored a video of the structure and a project consultant on the site serving as a watch dog for the Town. The consultant would report to the Public Works Director who would then report to the Mayor. The Mayor would have the ultimate authority to approve the changes. Councilmember Reid said that the penalties should be stringent to discourage noncompliance. He asked that the Town Attorney report on the penalty issue at the next meeting.

Mayor Goodman felt that the penalty should be the responsibility of the owner.

The Council heard from several members of the community; among them were Mrs. Kathy Strauss, Mr. & Mrs. Wilcox, Mrs. Anne Hickey.

Some of the suggestions were to require inspections prior to approving applications and the possibility of retracting the building permits, if they were not in compliance.

Mayor Goodman thanked everyone for his/her input and the matter was continued to the next meeting.

23. CONSTRUCTION COMPLETION.

Eric Wagner, 2 Southwood Avenue AP NO. 073-151-17. Building Permit No. 13574. Issued: 9/30/94. Extension Issued: 7/13/95. Time Expires: 12/31/95. Request Extension to: 4/30/96 (four months).

Public Works Elias explained that there have been several interior changes but no exterior changes. He said that the attic space was shown on the plans and a pull down ladder has been installed for access.

After a brief discussion, Councilmember Reid moved approval of the extension with the condition that the attic area not be used for living space; the front area of the house be cleaned of all rubble within two weeks; and that Mr. Elias send a letter to the applicant informing him that this will be the last extension on this project. This was seconded by Councilmember Brown and passed unanimously.

AT 9:15 P.M. THE MAYOR CALLED FOR A RECESS AND THE MEETING RECONVENED AT 9:25 P.M. WITH EVERYONE IN ATTENDANCE.

24. LOT LINE ADJUSTMENT.

Craig & Gayley Albert, 30 Walnut Avenue, A.P. No. 73-171-48, R-1:B-10 (Single Family Residence, 10,000 sq. ft. min.); and

Craig & Gayley Albert, 46 Ivy Drive, A.P. No. 73-171-47, R-1:B-10 (Single Family Residence, 10,000 sq. ft. min.)

Lot line adjustment to transfer 5,080 square feet from the 46 Ivy Road parcel to the parcel at 30 Walnut Avenue. The area of 46 Ivy Road would be reduced from 26,181 to 21,100 square feet; the area of 30 Walnut Avenue would be increased from 15,360 to 20,440 square feet.

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

1. A record of survey shall be recorded for this lot line adjustment and a copy filed with the Town of Ross.

2. No further subdivision of 30 Walnut shall be permitted.

This was seconded by Councilmember Scott and passed unanimously.



Councilmember Barry received enthusiastic applause from the Council and audience.

**21. RESOLUTION NO. 1371 - COMMENDING THE OUTSTANDING SERVICES OF JOHN SCOTT.**

Mayor Goodman read a resolution honoring John Scott praising him for his many efforts on Hazardous and Solid Waste Management Joint Powers Agreement matters; also, for his tireless work on General Government issues and his many hours spent at Town Hall. Mayor Goodman said that Councilmember Scott spent countless hours reviewing State and County legislature to keep the Council and residents well informed. Councilmember Scott said that it was a pleasure to serve on the Council and agreed with Councilmember Barry that the Town has an excellent staff.

Mayor Goodman presented a gift to Councilmember Scott as did the Ross Property Owners and Supervisor Hal Brown. Mr. Scott also received enthusiastic applause from the Council and audience and a special thank you from Mr. Garbarino of Marin Sanitary Service.

AT 9 P.M., MAYOR GOODMAN CALLED FOR A RECESS AND THANKED THE ROSS PROPERTY OWNERS FOR PROVIDING REFRESHMENTS IN HONOR OF COUNCILMEMBERS BARRY AND SCOTT'S RETIREMENT. AT 9:40 P.M., THE COUNCIL RETURNED TO THE COUNCIL CHAMBERS WITH EVERYONE IN ATTENDANCE.

**22. Construction Completion.**

**Paul and Noreen Slivon, 30 Walnut. Building Permit No. 13580. Issued 10-07-94. Time Expires: April 10, 1996. Request Extension to: April 10, 1997.**

Councilmember Reid felt that the applicants should submit new conforming plans because of the newly approved lot line adjustment.

Mrs. Slivon said that they preferred to work with the existing foundation in order to save costs.

Mr. Roy Farrington Jones said he approved the plans submitted in January 1994 subject to satisfactory drainage and he referred to his past letters to the Council. He said that the Town had a problem with the owners demolishing the building but did not feel that the Slivons should be responsible for this. He favored the Slivons using the existing plans and building as per the approved plans.

Councilwoman Brown pointed out that the application was for an extension, only. Councilmember Scott agreed.

Mayor Goodman said that had this been an unimproved lot, the Council would not have granted so many variances.

After further discussion, Councilmember Reid moved approval of the extension, seconded by Councilmember Scott.

Mr. Salz of Ivy Drive asked if there were any changes to the existing plans because Mrs. Slivon had considered access on to Ivy Drive which, he felt, was already too crowded.

Mrs. Slivon responded that they had considered this but were willing to work with the existing plans.

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

**23. USE PERMITS.**

**a. Image Group/Portrait Group (tenant)**

Daniel & Susan Ohlson, James & Christine Howey (owners) 23 Ross Common, Suite D, AP 73-273-10, Local Commercial Business office/telephone representative sales for photo industry. One employee with no clients anticipated each day. The office will be open Monday to Friday from 9 a.m. to 4 p.m.

**USE PERMIT NO. 211.** Councilmember Barry moved approval with the findings in the staff report and that a smoke detector shall be provided as required by Public Safety Department. This was seconded by Councilmember Scott and passed unanimously.

3-14-96

Upon motion by Councilmember Gray, seconded by Councilwoman Brown, the application was unanimously continued to the Special Meeting of August 2, 1996.

19. **VARIANCE AND DESIGN REVIEW**

Paul and Noreen Slivon, 30 Walnut Avenue, AP 73-171-48, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum). Request is to allow: Variance and design review to allow the construction of a new 3,606 square foot residence with an attached 480 square foot garage and 521 square feet of porch/deck areas. The residence will be located within the east side yard setback (5 feet proposed, 15 feet required) and the north rear yard setback (33 feet proposed, 40 feet required.) The west deck will be located within the west side yard setback (9 feet proposed, 15 feet required.)

Lot Area	20,440 sq. ft.
Present Lot Coverage	0.0%
Proposed Lot Coverage	15.8% (20% permitted)
Present Floor Area Ratio	0.0%
Proposed Floor Area Ratio	22.5% (20% permitted)

Mr. Slivon said that they purchased the property at 30 Walnut and although they had an approved set of plans from the previous owners, he and his wife wished to submit their own plans. He felt that the new plans were more sensitive to the neighborhood.

Architect Stephen Murch said that there were a number of reasons they changed the plans; i.e., location of garage, turnaround, need to save the trees. They raised the deck to minimize the impact on the trees. He said they needed the decks and stairways in order to have access to the home; patios were not feasible because of the slope of the property. The applicants will retain a civil and structural engineer for drainage, soils and retaining walls. He said that the crawl space will be used to store mechanical equipment.

Councilwoman Brown was concerned about the FAR and questioned if the decks could be reduced in an effort to reduce the numbers.

Town Planner Broad pointed out a correction to the notice - the east side yard setback would be 5 ft and NOT 3 ft. He further stated that the size of the lot had been increased to 20,000 sq. ft. because of the lot line adjustment granted earlier. Mr. Broad referred to his staff report concerning FAR, the topography of the lot, setbacks and retaining walls. He said that the Town Arborist recommended that the house be moved two feet back to help the survival of the trees.

Roy Farrington Jones of Olive Avenue gave a history of the property and told of the problems he had with drainage; however, the temporary drainage system had alleviated his problems at this time. He felt that the variance request was reasonable and that the hardship had been shown.

Mr. John Salz of Ivy Drive expressed concern that Ivy Drive would be used for construction trucks and asked that all access to the site be from Walnut Avenue.

Mr. A. Zeiss of Walnut Avenue said that the 5 ft. setback would be satisfactory and he would be happy to see a new house on the site as there has been concern for fire safety.

Mrs. Chris Baron of Olive Avenue was concerned about drainage and asked that an independent soils engineer be retained by the Town. She asked if the 6" curb is sufficient during heavy rain fall and if the catch basin was in the proper location.

Mr. Roy Farrington Jones said that he and his wife supported the plans but he shared the drainage concerns of Mrs. Baron. He was also concerned about the oak tree.

Councilmember Gray pointed out that the decks added one percent to the FAR.

Councilmember Goodman said that the decks were necessary as they were the only place to watch and supervise the children as there is no flat area. He favored the new plans, adding that there was less encroachment. Councilmember Goodman



further noted that had the natural grade been retained, it would not have required the deck but because the previous owner steeply graded that section, it now required a deck instead of a natural grade. This then created an additional hardship.

Councilmember Curtiss suggested that the storage area in the garage be cut back in an effort to reduce the FAR. He also asked if the Town's requirements for a civil and structural engineer met the concerns of Mrs. Baron.

Mayor Reid explained that the civil/structural/soils engineers' reports will be submitted to the Public Works Director and Town Engineer for review. If they feel that further review is needed, then the Council can retain an independent engineer. The applicants will be notified at that time. The Mayor added that the thrust of the neighborhood concern is drainage and the Town is requesting a Hold Harmless agreement. He said that the lot is an irregular shaped lot on a hillside and the needed stairways count as FAR. He reminded the Council that there is another set of approved plans that are in effect until April 1997. He felt that the proposed plans were more appropriate for the site.

Councilmember Gray felt that the two-foot separation on the trees should be a condition of approval.

After consideration Councilmember Goodman said that conditions One and Two of the staff report shall be deleted and the hillside topography of the lot, along with the preservation of trees, should be included in the findings. Accordingly, he moved approval with the findings in the staff report and the following changes and additions to the conditions in the staff report.

- (1) A structural, civil and soils engineer shall be retained by the applicant to address drainage and soil stability. The engineers shall submit specs and plans for the approval of the Public Works Director and Town Engineer.
- (2) The deck shall not be enclosed nor "traded off" for living area.
- (3) Applicants shall submit a Hold Harmless Agreement concerning drainage to the Town of Ross.
- (4) All construction access shall be off of Walnut and not off Ivy Drive.
- (5) A large tree shall be planted to replace the tree that is removed.
- (6) All drainage shall be as required and as approved by the Director of Public Works. This shall include extending the curb at the end of Walnut to protect surface water from flowing onto the property at 18 Olive Avenue.
- (7) The recommendations of Treemasters shall be adhered to in development of this site. The additional recommendations of the Town Arborist shall also be complied with, subject to Town approval, prior to the issuance of a building permit:
  - a. The site plan shall be revised to provide an additional two feet of separation between the residence and the white oak to improve its chances of surviving.
  - b. No additional excavation or disturbance, grading or filling shall be permitted within the dripline of the white oak.
  - c. The wood deck shall be on piers, with no excavation, grade beams or other construction creating additional site disturbances proximate to on-site trees.
- (8) The hydrant located at 24 Walnut Avenue must be upgraded to a streamer type (one 4 1/2" and two 2 1/2" outlets.) The cost shall be shared with Mr. & Mrs. James Zak of 24 Walnut Avenue. A KNOX box shall be provided as required by the Ross Public Safety Department. All dead or dying flammable materials shall be removed and cleared per Ross Municipal Code Chapter 12.12.

July 11, 1996

-8-

- (9) A landscape plan shall be submitted for Town Planner approval prior to project final. The plan shall focus on providing landscaping within all required yard areas as necessary for screening. The Town Council reserves the right to require landscape screening for up to two years from project final.
- (10) The proposed crawl spaces may not be finished. Crawl spaces may not be provided with any improvements, including but not limited to sheetrock, flooring, etc., without prior approval of the Ross Town Planner. The project architect shall submit a plan prior to the issuance of a building permit, subject to Town Planner approval, to ensure that crawl spaces can be used only be used as crawl spaces.
- (11) An elevation of the gate shall be submitted for Town Planner approval prior to its construction.
- (12) Any exterior lighting shall not create glare, hazard or annoyance to adjacent property owners or passersby. Lighting shall be shielded and directed downward.
- (13) No changes from the Council approved plans are permitted without prior Town approval. Revised plans highlighting all changes in red shall be submitted for Town review and approval prior to submittal for any building permits.

This was seconded by Councilmember Gray and passed unanimously. *with four affirmative votes. Councilwoman Brown abstained.*

- 20. Correspondence. Councilmember Goodman noted a letter, dated June 21, 1996, received from Osmand Molarsky regarding the need for major repairs to Upper Ames Road and possibility of transferring ownership of the road to the Town. The letter was referred to Mr. Elias.

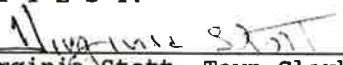
An audit proposal was received from the Vavrinek, Trine, Day and Co.

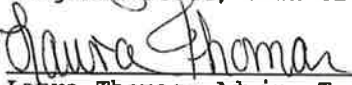
- 21. Other Business. Public Works Director Elias was directed to send a letter to Mr. Wagner of 2 Southwood giving him three days to comply with the conditions of approval on this property. Councilmember Curtiss stepped down from the Council Chambers while this matter was discussed.

- 22. Adjournment. The meeting was adjourned at 10:34 p.m.

  
KELLEY REID, MAYOR

A T T E S T:

  
Virginia Stott, Town Clerk

  
Laura Thomas, Admin. Town Clerk



April 5, 2012 Minutes

Lot area	11,172 square feet
Existing Floor Area Ratio	26.7%
Proposed Floor Area Ratio	27.1% (20% permitted)
Existing Lot Coverage	21.1%
Proposed Lot Coverage	21.1% (20% permitted)
Existing/Proposed Impervious Areas	no change

*The existing residence and garage are nonconforming in setbacks. Existing and proposed conditions are based on data from a 1998 planning application.*

Mayor Small asked for a motion.

Council Member Strauss moved and Council Member Hunter seconded, to approve Consent Calendar Item "h" as submitted by staff. Motion carried unanimously. Martin/Russell abstained.

Conditions for 2 Fernhill Avenue:

1. The approval legalizes the existing improved attic area, as depicted in the photo and as shown on the plans reviewed by the Town Council on April 5, 2012. A building permit is required to complete the legalization of this space. If the use of the area is limited under the building code, the plans shall clearly note the use limits on the plans.
2. The floor area exempted under this approval shall not be traded off for non-attic floor area, or an addition with more apparent mass, in the future. No exterior changes to the area are permitted.
3. The Building and Public Works Director may require any existing downspouts to dissipate on site, if they currently do not, to comply with the Town's stormwater ordinance (Chapter 15.54).
4. As provided in Title 15, Section 15.50.060, no building permit shall be issued within nine months of final inspection or expiration of an antecedent building permit.
5. 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.
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.

**i. 30 Walnut Avenue, Basement Exception No. 1784**

**Paul and Noreen Slivon, 30 Walnut Avenue, A.P. No. 73-171-54, R-1:B-10 (Single Family Residence, 10,000 sq. ft. min. lot size), Medium Low Density (3-6 units per acre). Request for the Town Council to delete a condition of the July 1996 Variance and Design Review approval that restricted improvement of crawl space area. Basement Exception for approximately 114 square feet of finished basement area.**



Lot area	20,440 square feet
Existing Floor Area Ratio	20.0%
Proposed Floor Area Ratio	22.5% (20% permitted)
Existing Lot Coverage	15.8%
Proposed Lot Coverage	15.8% (15% permitted)
Existing/Proposed Impervious Areas	no change

*The existing residence is nonconforming in setbacks.*

Mayor Small asked for a motion.

Council Member Strauss moved and Council Member Hunter seconded, to approve Consent Calendar Item "i" as submitted by staff. Motion carried unanimously.

Conditions for 30 Walnut Avenue (to be reproduced on the first page of the plans submitted for building permit):

1. The approval legalizes the existing improved basement area, as shown on the plans reviewed by the Town Council on April 5, 2012. A building permit is required. The area, currently used as storage space, may be incorporated into the lower level living space in the future so long as a building permit is obtained for the work.
2. The Town rescinds a prior condition of project approval that limited improvement of crawlspace areas to allow the basement improvement.
3. The floor area exempted under this approval shall not be traded off for non-basement floor area, or an addition with more apparent mass, in the future.
4. The applicants shall obtain a building permit for the area improved and the plans shall be subject to current code requirements. If the use of the area is limited under the building code, the plans shall clearly note the use limits on the plans.
5. The Building and Public Works Director may require any existing downspouts to dissipate on site, if they currently do not, to comply with the Town's stormwater ordinance (Chapter 15.54).
6. As provided in Title 15, Section 15.50.060, no building permit shall be issued within nine months of final inspection or expiration of an antecedent building permit.
7. 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.
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.

j. 23 Ross Common, C-L Use Permit, No. 1867

# ATTACHMENT 6



**MINUTES**  
Regular Meeting of the  
Ross Advisory Design Review (ADR) Group  
7:00 PM, Tuesday, March 15, 2022

Video and audio recording of the meeting is available online at the Town's website at:  
[townofross.org/meetings](https://townofross.org/meetings).

**1. 7:00 p.m. Commencement. Call to Order.**

Chair Josefa Buckingham called the meeting to order and called roll.

Present: ADR Group Members Josefa Buckingham, Laura Dewar, Mark Fritts, Stephen Sutro; Planner Matthew Weintraub and Director Woltering representing staff. ADR Group Member Mark Kruttschnitt was recused.

**2. Approval of Minutes.**

The ADR Group unanimously approved the February 15, 2022 meeting minutes.

**3. Open Time for Public Comments.**

No comments were submitted.

**4. Planning Applications.**

**a. Solle Residence, 30 Walnut Avenue (A.P.N. 073-171-54)**

**Property Owner:** Marney & Chris Solle

**Applicant:** Blasen Landscape Architecture

**Project Summary:** The applicant is requesting approval of Design Review and Hillside Lot Permit to construct new landscape structures and hardscape at the existing single-family residential property, including a new pool, patios, open shade structures, walls, walkways, steps, fences and entry gates. Variances are requested to allow for construction of new landscape structures and hardscape with nonconforming side and rear yard setbacks.

Planner Weintraub summarized the project.

Architect Eric Blasen described the project.

Planner Weintraub provided clarification on the project's existing and proposed conforming building coverage.

Chair Buckingham opened the public comment.

*March 15, 2022 ADR Group Meeting Minutes*

Edward and Kay Lee at 46 Ivy Drive, withdrew their previous written concern about the replacement outdoor fireplace; and asked for and received clarification from Architect Eric Blasen on proposed exterior lighting and deck improvements; and asked for and received information from Planner Weintraub on construction management.

Chair Buckingham closed the public comment.

ADR Group Members discussed the merits of the project and provided the following comments:

Mark Fritts:

- No issues with design.
- Form-board concrete walls are not a preferred material.
- Encourages reducing the height of the replacement outdoor fireplace.

Josefa Buckingham:

- No problems with project as designed.
- Beautifully designed for a constricted site.
- Recommends revising the project to result in no net increase to impervious coverage; opportunity to replace existing concrete driveway with permeable pavers.
- Supports proposed replacement/upgrade of the outdoor fireplace with a more modern and functional unit.
- Form-board concrete walls may not be congruous with existing style; possibly a design choice as counterpoint to existing; walls will be screened with landscaping.

Laura Dewar:

- Recommends that the project be revised to result in no net increase to impervious coverage.
- No issues with juxtaposition of modern and traditional materials; not visible offsite.
- Equipment shed is large and may stand out.

Stephen Sutro:

- Design is great; supports the project as designed.
- Supports recommendation to revise the project to result in no net increase to impervious coverage; not a requirement.
- Findings can be made to encroach within the Hillside Lot setbacks based on small degree of encroachment and on existing site conditions.
- Supports replacement/repair of existing west side yard deck as proposed.
- Encourages reducing the height of the replacement outdoor fireplace.
- Equipment shed is included in building coverage.
- Supports board-form concrete walls with proposed landscape screening.

The ADR Group unanimously recommended Design Review approval as proposed; and recommended but did not require reducing the height of the proposed replacement outdoor fireplace; and revising the project to result in no net increase to impervious coverage.

Chair Buckingham closed the hearing.

**b. Mozaffarian Residence, 1 Ames Avenue (A.P.N. 073-201-03)**

**Property Owner:** Erin & Darius Mozaffarian

**Applicant:** Polsky Perlstein Architects

**Project Summary:** The applicant is requesting approval of Design Review to construct additions at the first story and second story of the existing single-family residence; renovate exterior building façades; construct a new pool house accessory structure; construct a new front yard fence; and rehabilitate the landscape. Request for Accessory Dwelling Unit (ADU) Permit to construct a new detached accessory dwelling unit is ministerial in nature and subject to administrative approval. Variances are requested to allow for the construction of a new pool house accessory structure with nonconforming side and rear yard setbacks; and a new second-story residential addition with nonconforming side yard setback. Demolition Permit is required to alter more than twenty-five percent of the exterior walls or exterior wall coverings of a residence.

Planner Weintraub summarized the project.

Architect Jared Polsky and Landscape Architect Brad Eigsti described the project.

Applicant Erin & Darius Mozaffarian provided project background.

Chair Buckingham opened the public comment.

Attorney Len Rifkind, representing Lionel Conacher and Joan Dea at 3 Upper Ames Avenue, referenced the March 15, 2022 letter; and summarized objections related to privacy, which could be solved with additional landscaping, including a high density of trees along the south and west borders; and location of the new accessory dwelling unit.

ADR Group Member Sutro asked for and received clarification from Attorney Len Rifkind that the priority concern and the primary basis of objection relates to potential privacy impacts.

Lionel Conacher and Joan Dea at 3 Upper Ames Avenue described and referenced photographs of existing views and screening from their property, which borders the project site on two sides.

Chair Buckingham closed the public comment.

## *March 15, 2022 ADR Group Meeting Minutes*

Planner Weintraub provided information on ministerial review standards for accessory dwelling units; and project components subject to discretionary review.

Attorney Len Rifkind commented on the location and design of proposed accessory structures. ADR Group Member Fritts stated that the ADR Group understands that the proposed new accessory dwelling unit is not subject to discretionary review.

Director Woltering summarized that the issues are privacy and landscape screening with respect to the proposed new second-story addition and the attached pool accessory structures; the proposed new second unit is not subject to discretionary review.

ADR Group Members discussed the merits of the project and provided the following comments:

### Stephen Sutro:

- Overwhelmingly supports the project as designed; except for the blank façade treatment facing the neighbors on the nonconforming west side, and nonconforming pool accessory structures.
- Could recommend project approval if the new second-story addition is setback to conform to the minimum required side yard setback; or it is redesigned and/or screened to address the neighbor's concerns.
- Does not support variance findings for outdoor shower, bocce court, which could be relocated outside of setback areas.
- Supports relocation of existing nonconforming pool mechanical equipment with setback encroachment; raising parapet wall to screen solar panels; fences and gates as proposed.

### Laura Dewar:

- Accessory dwelling unit is outside of purview.
- Understands maintaining nonconforming setback for pool equipment.
- Recommends relocating outdoor shower to comply with setbacks; more open fence design.
- Minimal difference between conforming and nonconforming setbacks at the second story.
- Recommends additional screening to meet the neighbor's concerns; possibly shortening the second-story eave.
- Massing and scale are modest for the lot; minimize chimney feature.

### Mark Fritts:

- Ensure planting area in front of new front yard fences.
- Recommends more open fence design.
- Does not support variance findings for outdoor shower, bocce court, play structure; lot is large enough to accommodate without setback encroachments.

*March 15, 2022 ADR Group Meeting Minutes*

- Recommends relocation and enclosure of pool equipment outside of setbacks.
- Supports moving back the second story to conform to the minimum required setback; break up the massing and/or differentiate upper story with exterior wood siding.
- Consider adding wingwall to balcony for privacy.

Josefa Buckingham:

- Great design and well-proportioned for the property, including maintaining most of the house as one story; supports the project in principle.
- Large, flat lot with major rebuild; hard to make findings of hardship for many of the proposed setback encroachments.
- Accessory dwelling unit is not subject to comment; attached structures are discretionary.
- Recommends relocation and enclosure of pool equipment outside of setbacks; attach to existing pool house.
- Supports moving back the second story to conform to the minimum required setback; break up the massing and/or differentiate upper story with exterior wood siding.
- Does not support new solid fencing; recommends more open fence design.
- Recommends outdoor shower, bocce court, play structure with conforming setbacks.

Director Woltering recommended to the ADR Group that the applicant implement project revisions based on ADR Group recommendations and public comments; and resubmit for additional review by the ADR Group prior to consideration by the Town Council.

The ADR Group unanimously recommended revisions to the currently proposed project design and additional review by the ADR Group prior to consideration by the Town Council.

Chair Buckingham closed the hearing.

**5. Conceptual Advisory Design Review.**

None.

**6. Communications.**

**a. Staff.**

Next scheduled regular meeting date and time: April 14, 2021 at 7:00 PM.

**b. ADR Group Members.**

None.

**7. Information and Discussion.**

Planner Weintraub provided information and presented materials related to regulations for affordable housing development:

- "California's 2022 Housing Laws: What You Need to Know"
- Town of Ross Zoning Map

*March 15, 2022 ADR Group Meeting Minutes*

- Town of Ross Zoning Regulations Summary
- Town of Ross Accessory Dwelling Unit (ADU) Information Bulletin
- Town of Ross "SB-9" Lot Split and Duplex Information Bulletin

ADR Group Members and staff discussed potential meeting formats for future discussions on the topic.

Director Woltering provided information on the Housing Element Update including upcoming activities and events.

**8. Adjournment.**

Chair Buckingham adjourned the meeting at 9:15 p.m.

# ATTACHMENT 7



**From:** [wthomp139@aol.com](mailto:wthomp139@aol.com)  
**To:** [designreview](#)  
**Subject:** Application for 30 Walnut landscape project  
**Date:** Monday, March 14, 2022 9:11:51 PM

---

March 14, 2022

Dear Advisory Design Review Group,

I am writing to comment on the application from Marney and Chris Solle of 30 Walnut Avenue for a new pool, patios and other landscape structures. My comments are mostly related to conditions and controls that will be in place during construction if the project is approved. I live at 26 Walnut Avenue, two doors from the subject property located at the end of the road. All construction vehicles, cement trucks and equipment will need to pass in front of my property. Walnut is a very narrow street with very limited parking. Much of the limited parking is utilized by current residents in an informal but well established plan. It will be most unfortunate if these few spaces are suddenly occupied by construction pickup trucks. The Solle's property appears to have options for on-site parking and I hope the contractor will develop a plan that has minimal impact on the neighborhood.

I also have concerns about noise, construction hours, and dust control and hope these will be addressed as part of the permit process. On Friday, several houses in the neighborhood received a letter from the contractor introducing the project. While it arrived several days after the notice from the Town it was a nice gesture to reach out to the neighbors. Going forward, I would suggest that occasional communications with the neighbors will go a long way to addressing the inconvenience of living with a large and lengthy project.

Sincerely,

Matilda (Tilda) Thompson  
26 Walnut Avenue, Ross CA

**From:** [leeeg9774@gmail.com](mailto:leeeg9774@gmail.com)  
**To:** [Josefa Buckingham](#); [Laura Dewar](#); [Mark Fritts](#)  
**Cc:** [Stephen Suto](#); [Mark Kruttschnitt](#); [designreview](#); [CouncilAll](#); [Kay Lee](#)  
**Subject:** ADR meeting March 15 for the Solle project on Walnut Ave  
**Date:** Tuesday, March 15, 2022 10:21:25 AM

---

As perhaps the closest neighbor to the Solle property at 46 Ivy Drive, I note that the existing BBQ deck is within 10 feet of our joint property line on the western side of the Solle property. To give some scale to the proximity, during the warmer weather months, when this space is being used for entertainment purposes by the Solle family, conversations are clearly audible from the bedrooms on the eastern side of 46 Ivy building. Given this physical closeness, I am concerned about the newly proposed chimney structure which stands 10.5 feet above the deck and may impinge on the sight lines from 46 Ivy and the proposed permanent lighting fixtures will further disrupt the quiet enjoyment of the property.

Thank you for your consideration of my concerns,

Edward Lee