

Agenda Item No. 18.

Staff Report

Date:

June 16, 2022

To:

Mayor Robbins and Council Members

From:

Rebecca Markwick, Planning & Building Director

Subject:

Fletcher Residence, 3 Willow Hill Road

Recommendation

It is recommended that the Town Council consider adoption of Resolution No. 2254 (see Attachment 1) approving Design Review, Hillside Lot Permit and Variance for the subject project as described below.

Property Address:

3 Willow Hill Road

A.P.N.:

073-252-13

Applicant:

Fischer Architecture

Property Owner:

Scott Fletcher

Zoning:

R-1:B-5A; Hillside Lot

General Plan:

VL (Very Low Density)

Flood Zone:

X (Minimal risk area)

Project Summary: The applicant is requesting approval of Design Review and Hillside Lot Permit to construct a new pool and new decks at the back of the existing single-family residential property. Variances are required to construct new building projections with nonconforming side and rear yard setbacks; and to exceed the allowable lot coverage.

Project Data

	Code Standard	Existing	Proposed
Lot Area	5 Acres min.	21,250 sq. ft.	No change
* The more restrictive of the regulations apply.	R-1:B-5A: 10% max. Hillside: 1,633 sq. ft.	No change/not applicable to project	No change/not applicable to project
Building Coverage	10% max.	3,044 sq. ft. (14.3%) (nonconforming)	3,296 sq. ft. (15.5%) (nonconforming)
Front Setback	25 feet min.	House: 9 feet (nonconforming)	No change/not applicable to project
* The more restrictive of the regulations apply.	R-1:B-5A: 45 feet min. Hillside: 45 feet min.	House: East, 28 feet (nonconforming); West, 38 feet (nonconforming)	House: No change New pool/deck: East, 28 feet; West, 34 feet (nonconforming)
* The more restrictive of the regulations apply.	R-1:B-5A: 70 feet min. Hillside: 70 feet min.	Deck: 13'-3" feet (nonconforming)	New pool/deck: 13'-5" feet (nonconforming)
Building Height	2 stories; 30 feet max.	No change/not applicable to project	No change/not applicable to project
Off-street Parking Spaces	4 total (2 enclosed) min.	No change/not applicable to project	No change/not applicable to project
Impervious Surface Coverage	Minimize and/or mitigate for any increase.	4,420 sq. ft. (20.8%)	3,116 sq. ft. (14.7%)

Project Description

The project proposes to remove the existing rear decks at the first and second stories of the existing single-family residence, and to remove an existing hot tub at the first story. At the rear elevation of the residence, the project proposes to construct a new elevated pool and deck at the first story, covering 1,295 square feet. The new pool/deck projection would be located 34 feet from the west side property line, 28 feet from the east side property line, and 13.5 feet from the north rear property line. The exterior of the elevated



pool/deck structure would be clad in masonry at a height of approximately 4.5 feet to 7.5 feet above grade. New mechanical equipment would be enclosed and screened underneath the existing house. At the second story of the residence, the project proposes a new elevated rear deck and exterior stairs within the existing building footprint.

The project proposes to replace the existing impervious driveway with new permeable pavers, resulting in a net decrease to impervious coverage from 20.8% to 14.7%. Project grading includes approximately 12 cubic yards of excavation and 38 cubic yards of fill.

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

Background

The project site is an irregularly shaped, 21,250-square-foot lot on the north side of Willow Hill Road. The approximate half-acre lot is substandard with respect to the minimum required 5-acre lot size for the district. The lot has an average slope of approximately 35%. The property is designated as a Hillside Lot with an average slope that exceeds 30%; it is not located within Slope Stability Hazard Zones 3 or 4. The property contains an existing single-family residence and detached garage with nonconforming setbacks and building coverage.

According to Marin County records, development occurred on the site in 1913 and 1993. Previously, the Town approved development projects on the property include the following:

Date	Permit	Description
06/14/79	Variance	Replace and expand deck and hot tub with nonconforming setback.
05/12/83	Variance	Build new front entry and residential additions with nonconforming floor area.
07/17/95	Variance	Reconstruct carport with nonconforming setback.

Date	Permit	Description
05/14/87	Variance	Build new garage and residential additions with
		nonconforming setbacks.

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 on April 19, 2022, and May 17, 2022. 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 April 19, 2022, the ADR Group recommended revisions to the project design. The ADR Group's recommended revisions included: increase the distance from the new pool/deck projection to the north rear property line; reduce the elevation of the new pool/deck projection; and minimize the profile and improve the appearance of the pool/deck structure as viewed from offsite locations. The April 19, 2022, ADR Group meeting minutes are included as **Attachment 6**.

In consideration of comments received from the ADR Group, the applicant revised the project design and resubmitted the revised project for ADR Group review, along with a written response to ADR Group comments (see **Attachment 7**). The applicant's revisions included: reduction of the overall area of the proposed new pool and decks from 1,860 square feet to 1,740 square feet; reconfigured the shape of the proposed new pool/deck to better suit the configuration of the lot; lowered the elevation of the proposed new pool/deck to better suit the topography of the lot; increased the distance between the proposed new pool/deck and the north rear property line from approximately 9 feet to 13 feet; and clad the exterior in masonry.

On May 17, 2022, the ADR Group unanimously recommended that the revised 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 did not recommend or require any further revisions for approval of Design Review. The May 17, 2022, ADR Group meeting minutes (draft) are included as **Attachment 8**.

Discussion

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 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.

Staff recommends approval of Design Review, as summarized below and as supported by the findings in Exhibit "A" of the attached Resolution.

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. 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. Buildings use materials and colors that minimize visual impacts, blend with the existing landforms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Exterior lighting is shielded and directed downward to avoid creating glare, hazard or annoyance to adjacent property owners or passersby. The post-project stormwater runoff rates from the site would be no greater than pre-project rates; pre-existing impervious surfaces would be reduced.

The project is consistent with the allowed uses and general development standards associated with the Very Low Density land use designation of the General Plan, the Single Family Residence and Special Building Site zoning regulations, and the Hillside Lot regulations; therefore the project is found to be consistent with the Ross General Plan and Zoning Ordinance.

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 a project resulting in more than fifty cubic yards of grading or filling.

Staff recommends approval of the Hillside Lot Permit as summarized below and by the findings in Exhibit "A" in the attached Resolution.

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. The project proposes Variances to encroach into the side and rear yard setbacks as well as to exceed the allowable lot coverage. Consistent with Chapter 18.48, findings are recommended to support the requested variances to allow for the proposed setback encroachments on a Hillside Lot.

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 maximum building coverage, 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 minimum required side and rear yard setbacks and the maximum allowed building coverage. The proposed new pool and deck projections are proposed to be located 9 feet away from the rear property line, to encroach within the minimum 70-foot rear yard setback and 45-foot side yard setbacks as required by the zoning district and the Hillside Lot regulations; and to allow for nonconforming building coverage exceeding the 10% maximum allowed by the zoning district to be increased.

Staff recommends approval of the Variances as summarized below and by the findings in Exhibit "A" in the attached Resolution.

The special circumstances and conditions applicable to the land include the substandard lot size of less than half an acre, which is less than one-tenth the minimum lot size of five acres for the district. As such, the subject property is subject to development standards that are more applicable to five-acre lots, including building coverage and side and rear yard setbacks which are more restrictive than would typically apply to an equivalent lot located in a conforming zoning district. The special circumstances and conditions applicable to the land also include the irregular lot shape, the steep slope of the property, and the existing development pattern on the property including nonconforming setbacks and nonconforming building coverage, which make it difficult to construct new improvements that are entirely compliant with the minimum required yard setbacks and maximum allowed building coverage.

Due to the special circumstances mentioned above, the strict application of the zoning ordinance provisions which limits building coverage to 10% of the lot area, and which requires 45-foot minimum side yard setbacks and 70-foot minimum rear yard setback, would deprive the subject property of the ability to construct new pool and deck improvements at the back of the existing property. Granting of the variance request, in a neighborhood where existing nonconforming 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.

The proposed project is compact in design, with setback encroachment minimized to the greatest extent feasible. The project would maintain and not reduce the existing nonconforming north rear yard setback of approximately 13 feet, and it would maintain side yard setbacks of 28 and 34 feet. The proposed building coverage of 15.5% is not substantially more than the 15% maximum building coverage allowed for a zoning district that is more typical of the subject halfacre lot. Project construction would be required to comply with all applicable building and health

codes.

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.

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 has been reviewed under the provision of the California Environmental Quality Act (CEQA) and the CEQA Guidelines, California Code of Regulations. On June 9, 2022, the proposed project was determined to be categorically exempt from CEQA pursuant to Section 15301 because the proposed project consists of the project consists of minor alteration of existing private structures, facilities, or topographical features, involving negligible or no expansion of existing or former use.

Public Comment

Public Notices were mailed to property owners within 500 feet of the project site 10 days prior to the meeting date. Written comments received prior to the finalization of this report are included as **Attachment 9**. Written comments, received prior to the May ADR meeting are summarized below:

Property Owner	Summary
10 Madrona Avenue	Objects to the project; cites primary concerns as potential noise,
	public safety, and privacy impacts.
14 Madrona Avenue	Objects to the project; cites primary concerns as potential noise,
	public safety, privacy, and visual impacts.
16 Madrona Avenue	Objects to the project; cites primary concerns as potential noise
	impacts.
40 Madrona Avenue	Supports the project.
4 Willow Hill Road	Supports the project.

Attachments

- 1. Resolution No. 2254
- 2. Project Plans
- 3. Project Description
- 4. Neighborhood Outreach Description

- 5. Project History
- 6. ADR Group Meeting Minutes, April 19, 2022
- 7. Response to ADR Group Comments
- 8. ADR Group Meeting Minutes, May 17, 2022 (draft)
- 9. Public Comments

ATTACHMENT 1

TOWN OF ROSS

RESOLUTION NO. 2254

A RESOLUTION OF THE TOWN OF ROSS APPROVING DESIGN REVIEW, HILLSIDE LOT PERMIT, AND VARIANCE TO CONSTRUCT A NEW POOL AND NEW DECKS AT THE BACK OF THE EXISTING SINGLE-FAMILY RESIDENTIAL PROPERTY AT 3 WILLOW HILL ROAD, A.P.N. 073-252-13

WHEREAS, applicant Fischer Architecture, on behalf of property owner Scott Fletcher, has submitted an application requesting approval of Design Review, Hillside Lot Permit, and Variance to construct a new pool and new decks at the back of the existing single-family residential property at 3 Willow Hill Road, A.P.N. 073-252-13 (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 June 16, 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 16th day of June, 2022, by the following vote:

meeting held on the 10	day of Julie, 2022, by the following vote.
AYES:	
NOES:	

ABSENT:	*	
ABSTAIN: Council Member Kuhl (recused)		
	Elizabeth Robbins, Mayor	
ATTEST:		
Linda Lopez, Town Clerk		
Linua Lopez, Town Cierk		

EXHIBIT "A" FINDINGS 3 WILLOW HILL ROAD

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. Buildings use materials and colors that minimize visual impacts, blend with the existing landforms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Natural materials such as wood and stone are preferred. Exterior lighting is shielded and directed downward to avoid creating glare, hazard or annoyance to adjacent property owners or passersby. The post-project stormwater runoff rates from the site would be no greater than pre-project rates; pre-existing impervious surfaces would 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 Very Low Density land use designation of the General Plan, the Single Family Residence and Special Building Site zoning regulations, and the Hillside Lot 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 and nonconforming building area.

- 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. 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 setback encroachments on a Hillside Lot.

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

Architectural design complements the form of the natural landscape. Materials and colors are of subdued tones to blend with 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. Railings are transparent and compatible with the architectural design.

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 substandard lot size of less than half an acre, which is less than one-tenth the minimum lot size of five acres for the district. As such, the subject property is subject to development standards that are more applicable to five-acre lots, including building coverage and side and rear yard setbacks which are more restrictive than would typically apply to an equivalent lot located in a conforming zoning district. The special circumstances and conditions applicable to the land also include the irregular lot shape, the steep slope of the property, and the existing development pattern on the property including nonconforming setbacks and nonconforming building coverage, which make it difficult to construct new improvements that are entirely compliant with the minimum required yard setbacks and maximum allowed building coverage.

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 including substandard lot size, irregular lot shape, steep slope, and existing development pattern including nonconforming building setbacks and nonconforming building coverage, the strict application of the zoning ordinance provisions which limits building coverage to 10% of the lot area, and which requires 45-foot minimum side yard setbacks and 70-foot minimum rear yard setback, would deprive the subject property of the ability to construct new pool and deck improvements at the back of the

existing property. Granting of the variance request, in a neighborhood where existing nonconforming 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 project would maintain and not reduce the existing nonconforming north rear yard setback of approximately 13 feet, as established by the existing rear yard deck to be removed; and it would maintain side yard setbacks of 28 and 34 feet (which exceeds the 20-foot minimum required side yard setback that would apply to an equivalent lot located in a complying zoning district). The project building coverage of 3,296 square feet (15.5%) is not substantially more than the 15% maximum building coverage allowed for a zoning district that is more typical of the subject half-acre lot. Project construction would be required to comply with all applicable building and health codes.

EXHIBIT "B" CONDITIONS OF APPROVAL 3 WILLOW HILL ROAD A.P.N. 073-252-13

- 1. This approval authorizes Design Review, Hillside Lot Permit, and Variance to construct a new pool and new decks at the back of the existing single-family residential property at 3 Willow Hill Road, A.P.N. 073-252-13 (herein referred to as "the Project").
- 2. The building permit shall substantially conform to the plans prepared by Fischer Architecture, entitled, "3 WILLOW HILL ROAD, ROSS, CA 94957, PLANNING REVIEW SET REV 2, 05.02.22"; and reviewed and approved by the Town Council on June 16, 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.
- I. 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 (nontoxic) 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

PROJECT DESCRIPTION

The project includes a deck rebuild, a new pool and new planters located in the backyard of an existing single family residence situated on a hillside; no construction will be done on the existing residence, The existing deck covers an area of 1,145 st and is currently a non-conforming structure as it sits beyond the required backyard setbacks of 70'-0". The proposed deck, pool and spa will cover a lotal area of 1,740 sf and will require a variance to permit the proposed project to also sit beyond the required backward setbacks. The primary materials for the construction of the project will be ipe wood decking, painted steel railings, and weathered wire steel mesh fence/screen around the proposed stair and stacked stone walls for perimeter terraced planters.

PROJECT INFORMATION

Project Address:

3 Willow Road Ross, CA 94957 073-252-13

APN: Zoning District: Construction Type

R-1_B-5A V-B Occupancy Type: RS

Parking Spaces: Front Yard Sethack:

25'-0" (Req) - 9'-0" (existing) Side Yard Sethacks: 45'-0" (Reg) - 34'-3" (west) 45'-0" (Reg) - 28"-1" (east) 70'-0" (Req) - 13'-8" (rear)

Rear Yard Setback: Number of Stories: Building Heighl (existing):

36'-0" n.c. Maxium Building Height: Lot Area: 21,250 (n.c.) Living Area Sq. FL 3,044 sf (n.c.) Garage Sq. Ft. 483 sf (n.c.) Deck/Patio Sq. FL (existing) 1 145 sf Deck/Patic Sq. Ft. (proposed) 1.295 sf Pool/Spa Sq. Ft. (Proposed) 445 sf

PROJECT TEAM

OWNER Scott Fletcher 3 Willow Hill Road

CIVIL ENGINEER Oherkamner & Associates Civil Engineering Inc. 7200 Redwood Blvd., Suite 308 ARCHITECT Novato, CA 94945 tel. (415) 599-2645 James D. Clark, P.E.

Fischer Architecture 2984 San Pablo Avenue Berkeley, CA 94702 tel, 510.204,9250

GENERAL CONTRACTOR Kerstin Fischer, Principal

Andrew Fischer, Principal

LANDSCAPE ARCHITECT

SYMBOLS / ABBREVIATIONS

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W O

U.O.D.



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Exterior Elevation / Section Cut



Room Name / Number



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verify in field

where occurs

unless otherwise noted

Interior Elevations

Revision Marker

Window Number

Door Number

- Elevation Marker

adiustable af.f. above finished floo blka blocking cab: cabinet CL center line elna ceifing clear dimension

DN dtl detail dwg drawing(s) ea each el elevation (height) elect electrical elevs elevation (drawings) 80 egual (8) existing

exterior furnished by owner fluor fluraescent ga gauge galvanized gyp bd. gypsum board hour

height

max maximum mechanical mech med.cab. medicine cabinet manuf manufacturer NIC not in contract NTS not to scale (n)

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plywood ptd. painted radius req'd required rough opening

в.c.d. see civil drawings ьJ.d. see lanscape drawings sim similar st. stl stainless steet

steel std standard tempered glass to be determined through

SHEET INDEX

Revisions Architectural Drawings:

A0,0 Cover

A0,1 Project Data & Information

Site Boundary Survey

A0.2 Neighborhood Outreach AD.3 Storm Control Plan

A0.4 Proposed Site Plan

A0.5 Zoning Requirements Diagram

A1.0 Demo Basement Level Plan

A1_1 Demo Lower Level Deck Plan

A1.2 Demo Upper Level Deck Plan

A1_3 Demo Elevations

A1.4 Demo Elevations

A1.5 Demo Elevations

A2.0 Proposed Basement Level Plan

Proposed Lower Level Deck Plan

A2.2 Proposed Upper Level Deck Plan

A3.0 Proposed Section / Elevation A3.1 Proposed Elevation

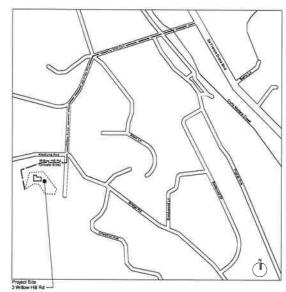
A3.2 Proposed Elevation

A5.0 Materials Palette

LA-1 Landscape Plan

VICINITY MAP

Path of Travel From Major Road



FISCHER ARCHITECTURE

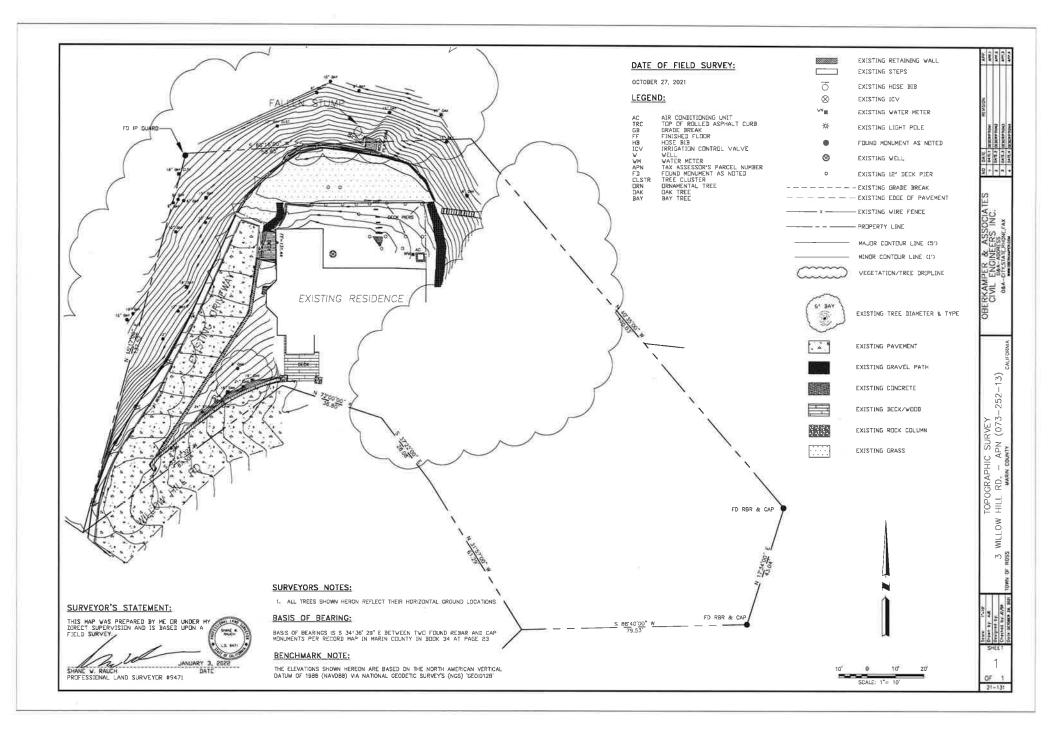
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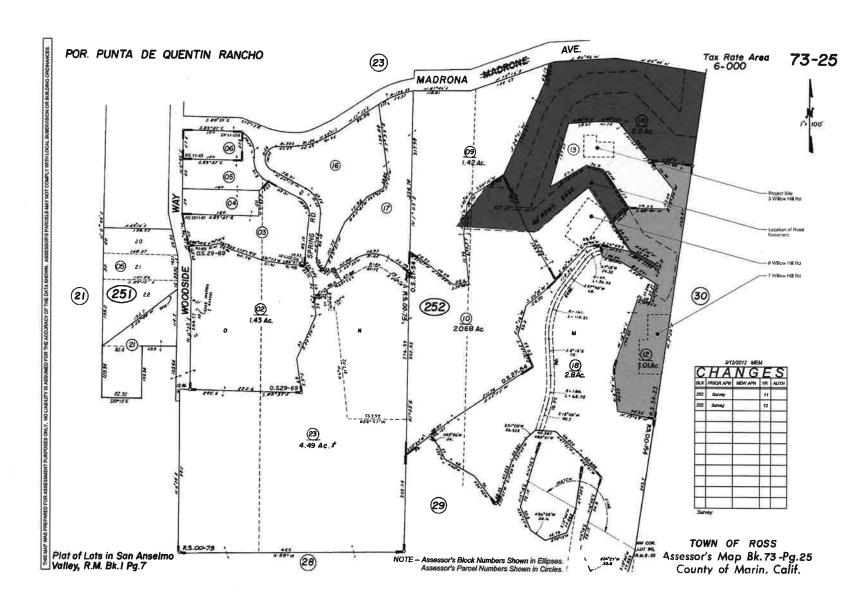
FLETCHER RESIDENCE 3 WILLOW HILL ROAD ROSS, CA 94957 APN: 073-252-13

DESCRIPTION PROJECT DATA & INFORMATION

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NEIGHBORHOOD OUTREACH

Pollution Prevention — It's Part of the Plan



Make sure your crews and subs do the job right!

Runoff from streets and other paved areas is a major source of pollution in San Francisco Bay. Construction activities can directly affect the health of the Bay unless contractors and crews plan ahead to keep dirt, debris, and other construction waste away from storm drains and local creeks. Following these guidelines will ensure your compliance with local ordinance requirements.

Materials storage & spill cleanup

Non-hazardous materials management

- Sand, dirt, and similar materials must be stored at least 10 feet from catch basins, and covered with a tarp during wet weather or when rain is forecast.
- ✓ Use (but don't overuse) reclaimed water for dust control as needed.
- Sweep streets and other paved areas daily, Do not wash down streets or work areas with water!
- Recycle all asphalt, concrete, and aggregate base material from demolition activities.
- Check dumpsters regularly for leaks and to make sure they don't overflow Repair or replace leaking dumpsters promptly.

Hazardous materials management

- Label all hazardous materials and hazardous wastes (such as pesticides, paints thinners, solvents, fuel, oil, and antifreeze) in accordance with city, state, and federal regulations.
- Store hazardous materials and wastes in secondary containment and cover them during wet weather.
- Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- ✓ Be sure to arrange for appropriate disposal of all hazardous wastes.

Spill prevention and control

- Keep a stockpile of spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- When spills or leaks occur, contain them inumediately and be particularly careful to prevent leaks and spills from reaching the gutter, street, or storm drain. Never wash spilled material into a gutter, street, storm drain, or creek!
- Report any hazardous materials spills immediately! Dial 911 or your local emergency response number.

Vehicle and equipment maintenance & cleaning

- Inspect vehicles and equipment for leaks frequently. Use drip pans to catch leaks until repairs are made; repair leaks promptly.
- Fuel and maintain vehicles on site only in a bernied area or over a drip pan that is big enough to prevent runoff.
- If you must clean vehicles or equipment on site, clean with water only in a bermed area that will not allow nasewater to run into gutter, streets, storm drains, or creeks.
- Do not clean vehicles or equipment on-site using soaps, solvents, degreasers, steam cleaning equipment, etc.

Earthwork & contaminated soils

- Keep excavated soil on the site where it is least likely to collect in the street Transfer to dump trucks should take place on the site, not in the street.
- Use fiber rolls, silt fences, or other control measures to minimize the flow of silt off the site.



- Avoid scheduling earth moving activities during the rainy season if possible. If grading activities during wet weather are allowed in your permit, be sure to implement all control measures necessary to prevent erosion.
- Mature vegetation is the best form of erosion control. Minimize disturbance to existing vegetation whenever possible.
- If you disturb a slope during construction, prevent erosion by securing the soil with erosion control fabric, or seed with fastgrowing grasses as soon as possible. Place fiber rolls down-slope until soil as secure.
- If you suspect contamination (from sile history, discoloration, odor, texture, abandoned underground tanks or pipes, or buried debris), call the Regional Water Quality Control Board or local hazardous waster management agency for help in determining what testing should be done, and manage disposal of contaminated soil according to their instructions.

Dewatering operations

- Reuse water for dust control, irrigation, or another on-site purpose to the greatest extent possible.
- ▶ Be sure to call your city's storm drain inspector before discharging water to a street, gutter, or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the city inspector to determine what testing to do and to interpret results. Contaminated groundwater must be treated or hauled off-site for proper disposal.

Saw cutting

- Always completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or sand/gravel bags to keep slurry out of the storm drain system.
- Shovel, absorb, or vacuum saw-cut slurry and pick up all waste as soon as you
 are finished in one location or at the end of each work day (whichever is
 sooner!).
- If saw cut slurry enters a catch basin, clean it up immediately.

Paving/asphalt work



- Do not pave during wet weather or when rain is forecast.
- Always cover storm drain inlets and manholes when paving or applying seal coal, tack coat, slurry seal, or fog seal.
- Place drip pans or absorbent material under paving equipment when not in use.
- Protect gutters, ditches, and drainage courses with sand/gravel bags, or earthen berns
- Do not sweep or wash down excess sand from sand sealing into gotters, storm drains, or creeks. Collect sand and return it to the stockpile, or dispose of it as trash.
- Do not use water to wash down fresh asphalt concrete pavement.

Concrete, grout, and mortar storage & waste disposal

- ✓ Be sure to store concrete, grout, and mortar under cover and away from drainage areas. These materials must never reach a storm drain.
- Wash out concrete equipment/trucks off-site or designate an on-site area for washing where water will flow onto dirt or into a temporary pit in a dirt area. Let the water seep Into the soil and dispose of hardened concrete with atter seep.



- Divert water from washing exposed aggregate concrete to a dirt area where it will not run into a gutter, street, or storm drain.
- If a suitable dirt area is not available, collect the wash water and remove it for appropriate disposal off site

Painting

- Never rinse paint brushes or materials in a gutter or street!
- Paint out excess water-based paint before rinsing brushes, rollers, or containers in a sink If you can't use a sink, direct wash water to a dirt area and spade it in



- ✓ Paint out excess oil-based paint before cleaning brushes in thinner
- Filter paint thinners and solvents for reuse whenever possible.
 Dispose of oil-based paint sludge and unusable thinner as hazardous waste.

For more detailed information:
Get a copy of the "Field Manual" — (510) 622-2465 or
www.abag.ca.gov/bayarea/s(ep/reports/construction.html

FISCHER ARCHITECTURE

tel 510 204 9250 | Fracherarchitecture.co

FLETCHER RESIDENCE 3 WILLOW HILL ROAD

ROSS, CA 94957 APN: 073-252-13 REV. DATE ISSUE

1.01.2022 Revised Planning Submitted

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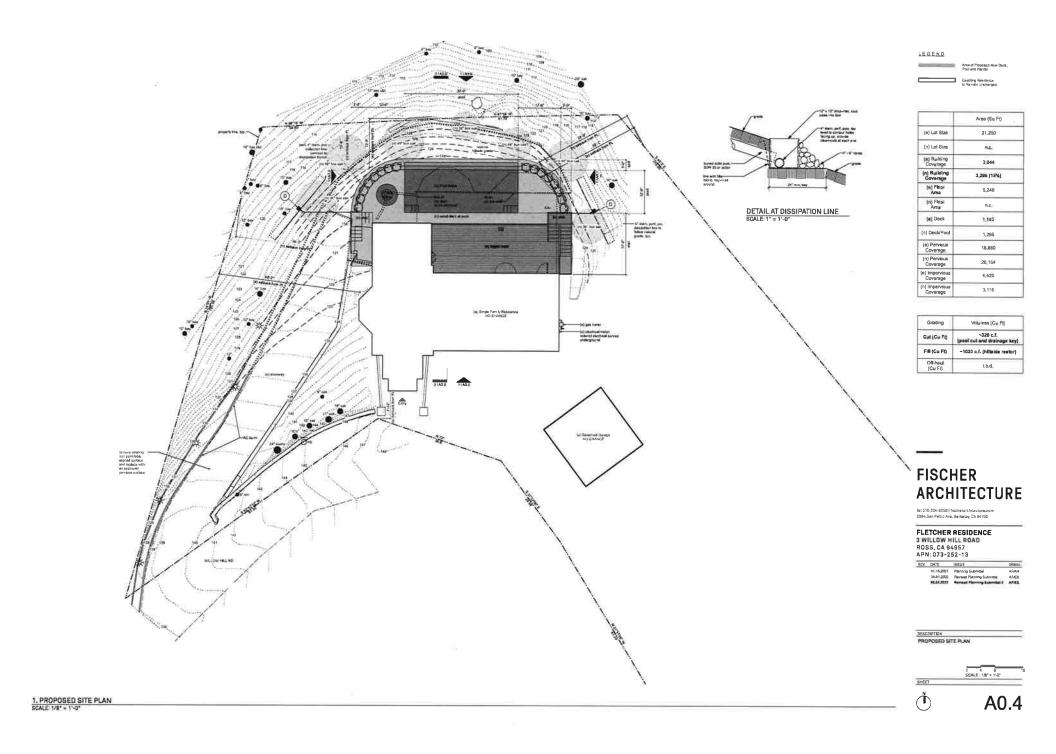
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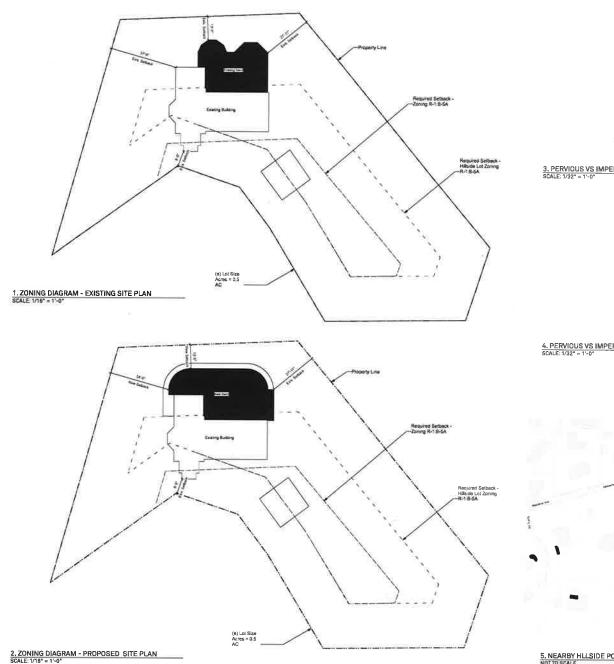
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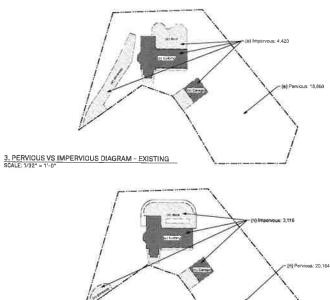
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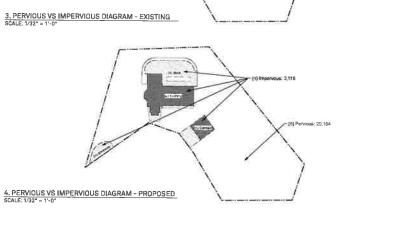
Storm drain polluters may be liable for fines of \$10,000 or more per day!

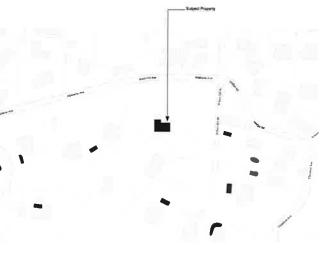
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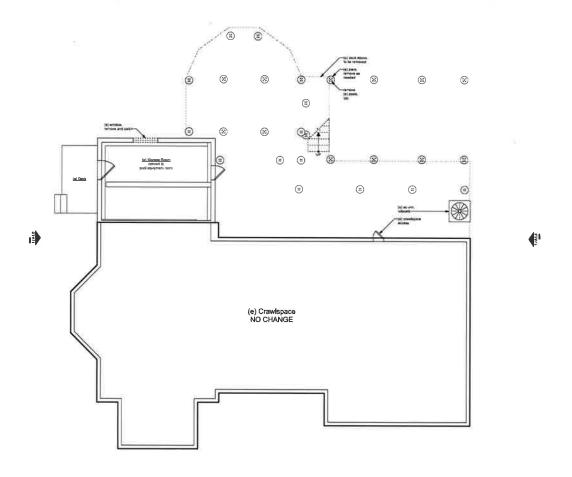
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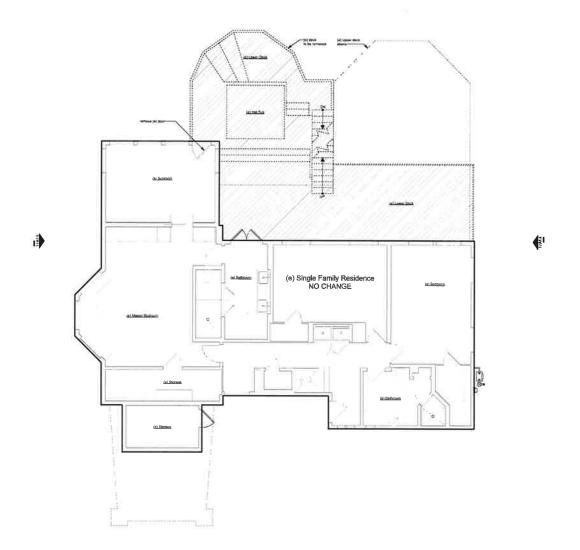
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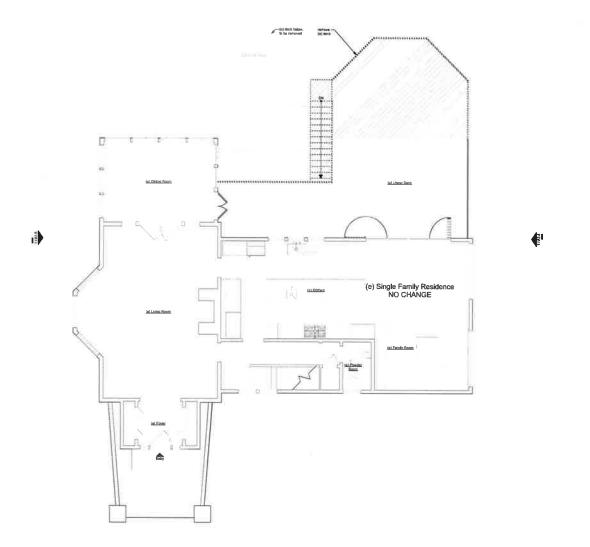
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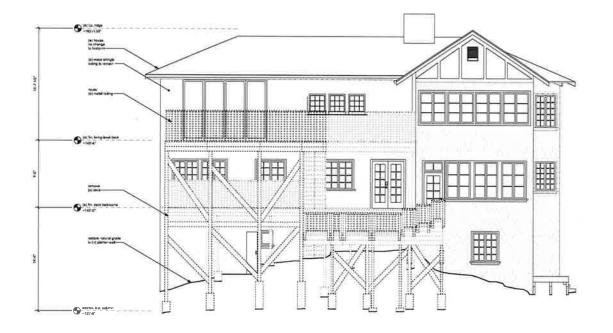
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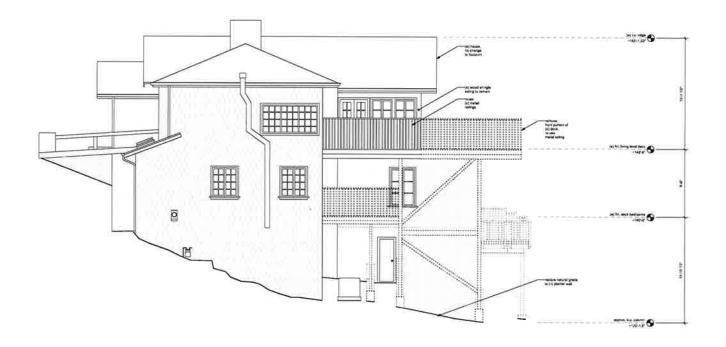
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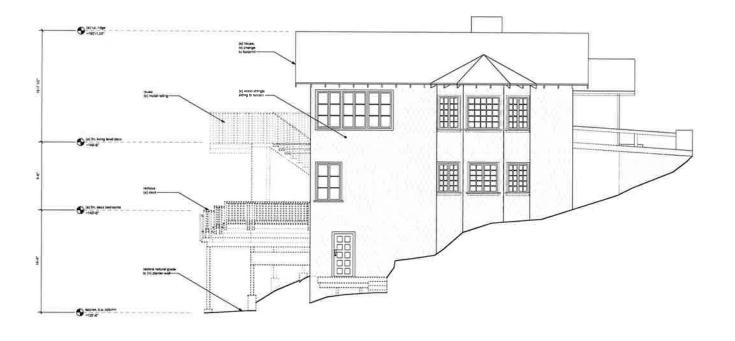
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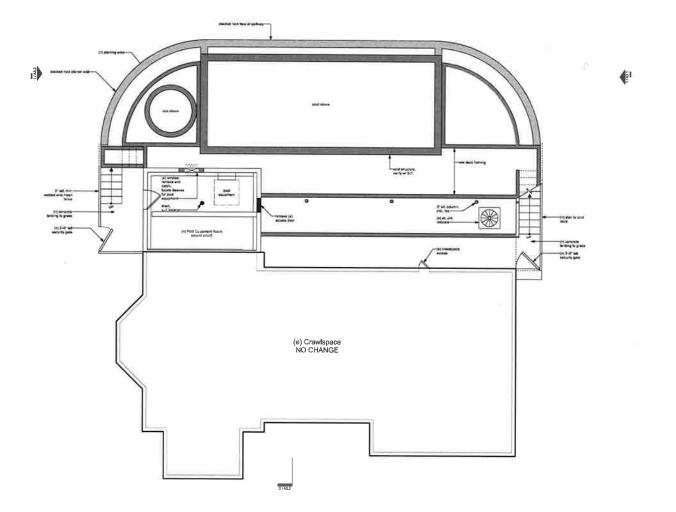
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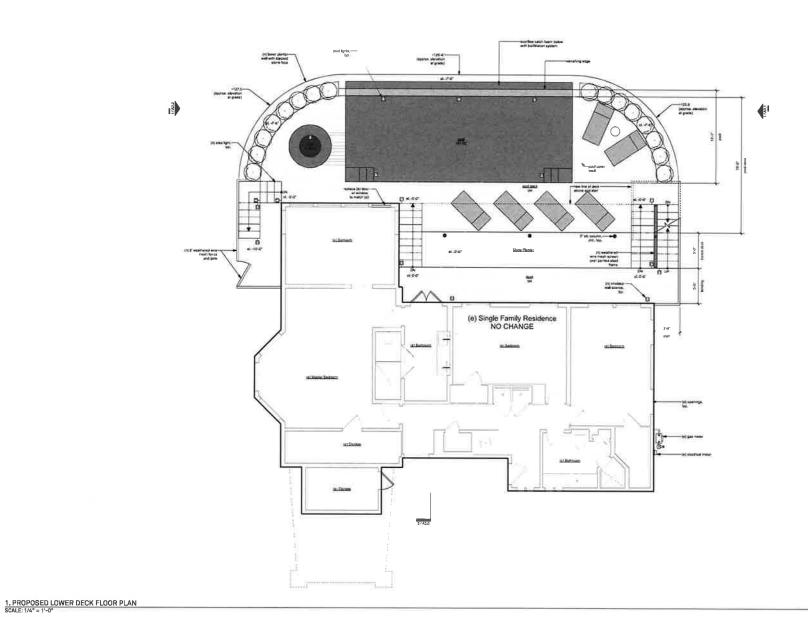
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PROPOSED BASEMENT LEVEL DECK PLAN

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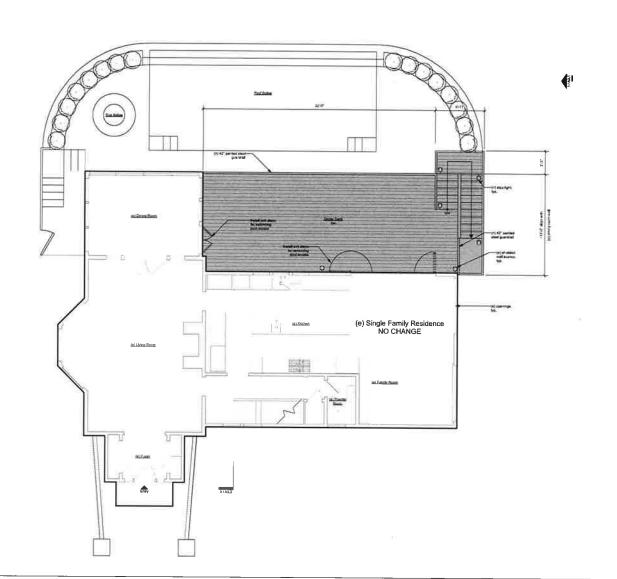
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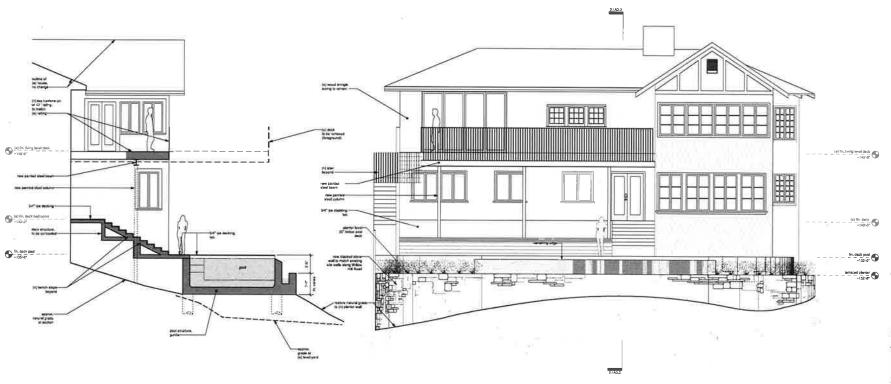
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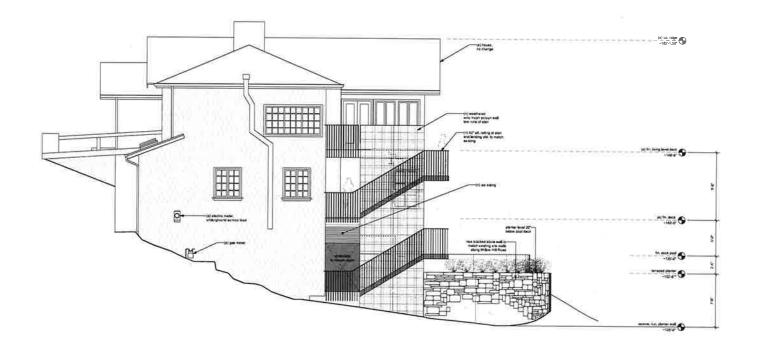
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PROPOSED SECTION / ELEVATIONS





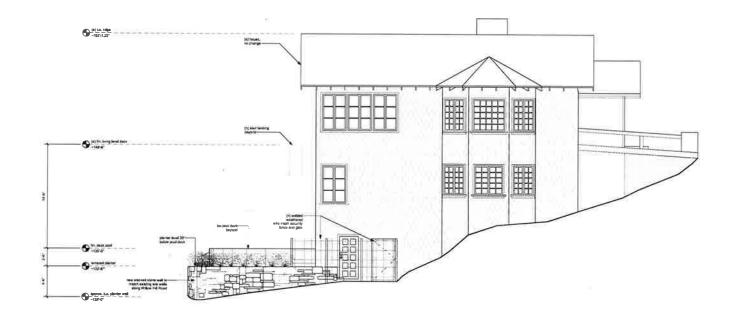
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IPE DECKING

WILLOW HILL STACKED STONE WALL

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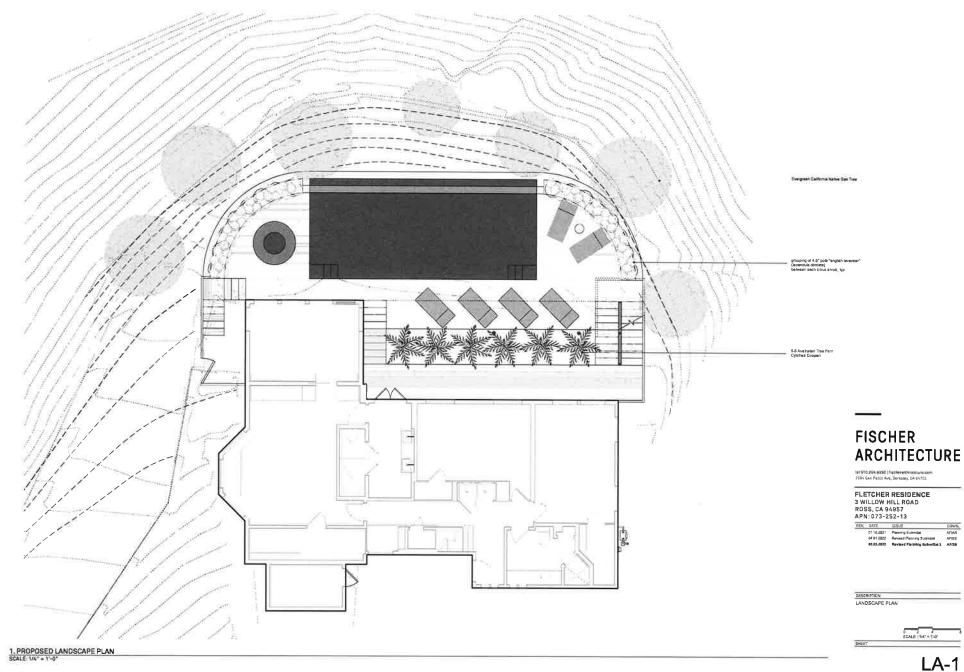




(E) PAINTED STEEL RAILING



STEP LIGHT - E1 FIXTURE



ATTACHMENT 3

18 January 2022 (Revised 04 April, 2022)

Project Description: 3 Willow Hill Road

Enclosed please find our submittal for a Planning Application and Variance Request for improvements to the home at 3 Willow Hill Road, a single-family residence owned by Scott Fletcher.

The property at 3 Willow Hill Road, accessed by a private road, is sited along a heavily wooded hillside lot in the Town of Ross. It includes a single-family residence, a detached garage, elevated deck structures and a hot tub. The project proposes demolition and remodel of the existing multilevel deck off the living areas and an addition of a pool and a terraced planter. One of the goals for this project is to simplify the design of the existing deck and supporting structure. Currently, the wooden structure is composed of complex add hock geometries that obscure much of the existing northern façade of the 1913 craftsman house. (refer to A1.3). Our proposed redesign of the deck features a clean and redefined deck plan that allows for simpler circulation and efficient organization of exterior spaces. In elevation, the proposed design produces a less obstructive structure that reveals more of the pleasant aesthetics of the existing residence's northern façade. This allows the existing home to display its doors, windows and shingled exterior cladding. As part of the deck design, the proposal also includes a pool and terraced planter that encroaches into the rear setback of the irregular narrow lot which triggers a request for a variance.

The materials proposed for this design include a palette of warm hardwood decking, painted steel structural members and painted metal railings. These materials will be complemented with vegetation planted in a terraced planter that falls along the perimeter of the proposed deck and pool. To mitigate the presence of the pool wall from below hill the perimeter planter walls will be concealed by weathered, wire mesh fence panels that will sustain plants and vines to serve as screening vegetation. In addition we are restoring natural grade (by removal of an existing retaining wall) at the base of the terraced planter wall to further reduce the visual impact of the proposed structure.

Variance Findings

Special Circumstance:

The size of the subject property and the location of its existing structures do not meet the standards of the zoning district, R1: B5-A, for minimum lot area, building coverage as well as for side, front and rear setbacks. The minimum lot area for this zoning district is 5 acres, with a 10% coverage requirement, 25' front, 45' side and 75' rear setbacks. 5 Willow Hill has a lot area of less that 0.5 acres, making building coverage and setbacks that comply with its assigned

zoning district standards an impossible burden to overcome. Furthermore, the lot is irregularly shaped with a large portion unbuildable due to steep topography and a grove mature oak trees.

Substantial Property Rights:

The existing home is positioned on a narrow section of a very steep lot with limited access to the outdoors and natural grade, other than by elevated wooden decks. Our proposed pool and lower deck extend off the living areas and provide an accessible outdoor recreational area that would otherwise be prohibitive.

Public Welfare:

The proposed improvements will be fully shielded from view on the south and east side of the property by the existing home and detached garage structure. The view from the western side is screened by existing mature oak trees as well as being well below the level of the proposed decks and pool. A filtered view of the proposed improvements from the North can only be seen from the private road through mature oak and bay trees. The limited view back to the house from below will be improved by the removal of a large portion of the visible upper deck that projects out towards the north. We are also proposing to restore natural grade up to the base of the pool/planting structure as well as utilizing a terraced planter to reduce the visual wall height along the norther edge of the pool deck.

The subject property is not visible from the public right-of-way below Willow Hill along Lagunitas and Madrona

Many thanks again for your consideration, and please don't hesitate to call with any questions or comments.

Sincerely,

M

ATTACHMENT 4



Town of Ross

Planning Department P. O. Box 320, Ross, CA 94957 Telephone (415) 453-1453 ext. 121 www.townofross.org

Fax (415) 453-1950

NEIGHBOR ACKNOWLEDGEMENT FORM

The Town of Ross requires applicants for development projects to review their plans with abutting neighbors prior to submitting the project to the Town. These plans should be considered **PRELIMINARY ONLY** and there may be modifications made by the applicant or required by the Town during the formal review period, including at the public meeting on the project. The Town will mail a notice of any public meeting regarding the project to the owner of your residence at least ten days prior to the meeting. You are invited to contact the Town Planning Department for more information.

Project Address and	Assessor's Parcel No	o. 3 Willow Hill Road, 073-252-13
Owner(s) of Parcel	Scott Fletcher	
Date of Plans		
am a neighbor of t with me and I under formal review proce	rstand the scope of v	ified above. The applicant has reviewed the project plans work. I understand that the plans may change during the
approve the pla	ans as proposed	I do not approve the plans as proposed for the following reasons (attach additional material if necessary):
Note: the informat providing personal	tion on this form wil information is option	ill become part of the public record for this project and mal. If you have any concerns with the plans, the Town
encourages you to a	liscuss them with the	applicant. If the concerns are not resolved, please inform
the Planning Depart Department by 5:00	tment ana/or tne 10 p.m. the Thursday (7	own Council. Written comments received by the Planning 7 days) prior to the Town Council meeting will be included
in the Council agen	da packet. Other w	vritten comments should be submitted at least 48 hours
	meeting so the Counc	ocil has ample time to review the comments.
Neighbor Name(s)	Scott +	Estin arace
	/XIO	W. 1
Neighbor Signature	(s) Coult J	grace Date Jan 22, 2022
Neighbor Signature	(s)	2

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Neighbor Address

Neighbor Phone Number and Email

Town of Ross

Planning Department P. O. Box 320, Ross, CA 94957 Telephone (415) 453-1453 ext. 121 www.townofross.org

Fax (415) 453-1950

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Project Address and Assessor's Parcel No. 3 Willow Hill Road, 073-252-13				
Owner(s) of Parcel Scott Fletcher				
Date of Plans				
I am a neighbor of the project site identified above. The applicant has reviewed the project plans with me and I understand the scope of work. I understand that the plans may change during the formal review process. I approve the plans as proposed I do not approve the plans as proposed for the following reasons (attach additional material if necessary):				
Note: the information on this form will become part of the public record for this project and providing personal information is optional. If you have any concerns with the plans, the Town encourages you to discuss them with the applicant. If the concerns are not resolved; please inform the Planning Department and/or the Town Council. Written comments received by the Planning Department by 5:00 p.m. the Thursday (7 days) prior to the Town Council meeting will be included in the Council agenda packet. Other written comments should be submitted at least 48 hours prior to the Council meeting so the Council has ample time to review the comments. Neighbor Name(s) Alexander and City Uinland Date 1/23/7072				
Neighbor Address 9 Willow Hill Pd.				

(617) 840-4640 alexander Willeine gnail.com



Town of Ross

Planning Department
P. O. Box 320, Ross, CA 94957
Telephone (415) 453-1453 ext. 121
www.townofross.org

Fax (415) 453-1950

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least ten days prior to the meeting. You are invited to contact the Town Planning Department for more information.				
Project Address and	Assessor's Parcel No.	3 Willow Hill Road, 073-252-13		
Owner(s) of Parcel	Scott Fletcher			
Date of Plans				
	stand the scope of wo	ed above. The applicant has reviewed the project plans ork. I understand that the plans may change during the		
I approve the plans as proposed I do not approve the plans as proposed for the following reasons (attach additional material if necessary):				
providing personal in	formation is optional	become part of the public record for this project and I. If you have any concerns with the plans, the Town		
encourages you to discuss them with the applicant. If the concerns are not resolved, please inform the Planning Department and/or the Town Council. Written comments received by the Planning Department by 5:00 p.m. the Thursday (7 days) prior to the Town Council meeting will be included				
in the Council agenda packet. Other written comments should be submitted at least 48 hours prior to the Council meeting so the Council has ample time to review the comments.				
Neighbor Name(s)	Jahl B. Con	J		
Neighbor Signature(s)	Johns a	Date 1 25 22		
Neighbor Address	Uy Willow	Hu RD, Russ Ct 94957		
Neighbor Phone Number and Email 415-261-7237 John can @ me-com				

ATTACHMENT 5

-4-

2. No. 532 Thomas K. and Sally D. Koch, 3 Willow Hill (73-252-13) Acre Zone.
Replacement of condemned deck and addition of 450 sq. ft. of new decking and hot tub at rear of non-conforming house.

Present floor area ratio 18.3%
Proposed " " " 20.2%
Mr. Koch explained that the house has no cutdoor
living space and the deck at the rear of the house
will not be visible to any other dwelling or from
the road.
On motion by Mr. Brekhus, seconded by Mr. Maginis,
Variance No. 532 was unanimously granted.

3. No. 533 David and Dana Tully-Smith, 10 Locust (73-101-44 & 45) 10,000 sq. ft. zone.

Conversion of portion of existing deck on south side of non-conforming house to provide study area.

Lot Area 36,000 sq. ft.

Present floor area ratio 16%

Proposed " " 16%

Mrs. Tully-Smith said the room addition will not increase the lot coverage and will provide a study

Mrs. Tully-Smith said the room addition will not increase the lot coverage and will provide a study area for Dr. Tully-Smith.
On motion by Mrs. Osterloh, seconded by Mr. Maginis, Variance No. 533 was unanimously granted.

4. No. 534 Mr. and Mrs. William Mott, 16 Garden Road (72-153-06) 10,000 sq. ft. zone.
Addition of 175 sq. ft. to non-conforming house and 80 sq. ft. of decking and stairway.

Lot Area 13,400 sq. ft.
Present floor area ratio 24.14%
Proposed " " 26.04%
explained that the present

Architect Van Logan explained that the present kitchen is very small and there is no family room. The new deck will provide outdoor living space. All neighbors approved.

On motion by Mr. Brekhus, seconded by Mrs. Osterloh, variance No. 534 was unanimously granted.

5. F. D. and L. K. Begg, 100 Ivy Drive (73-143-13) 10,000 sq. ft. zone.

Stair extension at south side, entry porch at north side, room extension at lower level on the east and new lower deck under existing deck line.

Lot Area 9,332 sq. ft.
Present floor area ratio 29%
Proposed " " " 35.7%

Architect Andrew Drozdowicz presented the plans and explained that the existing stairs are substandard. The stair extension will correct the deficiency. The east structural wall requires extra vertical support and bracing at ground level. Protection from the

-4-

impact on the existing open space and the landscaped areas. No windows will be located in the 2nd level sidewalls.

Public Safety inspector Borba asked that the speed bump in the driveway be removed, steel pipe in the driveway be removed and tree limbs over the driveway be trimmed. Bldg. Inspector Lunding requested installation of an 18" minimum culvert where the driveway crosses the drainage ditch on Lagunitas Road.

Mr. McCarroll explained that the bump in the driveway slows traffic to protect small children, as does the pipe, which could be moved closer to the house.

Mr. Poore moved that the variance be granted, subject

to the following conditions:

1. The speed bump be striped, for better visib-

ility.

2. Vertical steel pipe be moved toward the house 6", and tree limbs over the driveway trimmed.

3. Applicant be responsible for his a share of installing an 18" minimum culvert.

Mr. Chase seconded the motion, which was unanimously passed. Mr. Poore also moved that Mr. Lunding take necessary steps to require the owners of the three additional properties using the desired to the state of the state

necessary steps to require the owners of the three additional properties using the driveway to each pay a 1/2 share of the 18" culvert, seconded by Mr. Chase and unanimously passed.

2. No. 663 Dr. and Mrs. Michael Mandel, 3 Willow Hill (73-252-13) Acre Zone

Request to build new entry over existing deck within front setback, laundry area expansion of 24 sq. ft. on upper level, 205 sq. ft. study on lower level.

Lot Area 23,144.5 sq. ft.

Present lot coverage 14%

Proposed " " 14%

Present floor area ratio 20%

Proposed " " 21%

Or. Mandel explained the house has no entry hallway or porch so when the front door is opened, the living room is totally exposed. The proposed study will be added under the dining room and will not change the appearance of the existing house.

Fireman Borba reported that the hot tub heating system needs to be improved.

Mr. Poore moved approval of the variance request, subject to a favorable inspection of the hot tub heating system. Mr. Stafford seconded the motion, which was unanimously passed.

ft.

Mr. Georgiou stated they had a guest house but no one was occupying it and no one would be occupying it.
Mrs. Robert Behrendt of Laurel Grove spoke from the audience and said that she would like the Council to consider story poles. Mr. Georgiou stated he would be willing to put in as many 25 ft. trees as Mrs. Behrendt requested.

After discussion, Councilman Brekhus moved approval of the variance with the condition that the Council reserve the right to request further landscaping and that Mr. Georgiou bring back his landscaping plans for approval, and that a monitored fire alarm system be installed as per the Ross PSD. This was seconded by Councilman Poore and passed with four affirmative votes. Mr. Julien was opposed.

h. John and Ingrid Gallagher, 15 Norwood (AP 73-151-11)
20,000 sq. ft. Request is to remodel attic area into
bedroom and bath; dormer windows; addition of 221 sq. ft.;
non-conforming house. VARIANCE NO. 792

Lot Area	6,200 sq. ft
Present Lot Coverage	14.6%
Proposed Lot Coverage	14.6%
Present Floor Area Ratio	16.7%
Proposed Floor Area Ratio	20.3%
(15% allowed)	

There being no comments from the audience, Councilman Poore moved approval with the condition that a smoke detector be installed as per the Ross PSD, seconded by Councilman Dirkes and passed unanimously.

i. Michael and Sheila Mandel, 3 Willow Hill Road (AP 73-252-13)

l Acre Zone. Request is to allow reconstruction of existing carport 4 ft. from front property line (25 ft. required).

Non conforming house. VARIANCE NO. 793

Lot Area	23,144.5 sq.
Present Lot Coverage	15%
Proposed Lot Coverage	15%
Present Floor Area Ratio	21%
Proposed Floor Area Ratio	21%
(15% allowed)	

Mr. Mandel presented the plans, and stated that the structure would be designed by a structural engineer, and the drainage will be tied into the culvert.

After a brief discussion, Councilman Dirkes moved approval of the variance subject to the condition that the drainage be tied in to the culverts and the number of the house be posted on the street. This was seconded by Councilwoman Flemming and passed unanimously.

- 17. Cathy and Lee Epstein, 15 Brookwood Lane Review of Variance No. 739 Granted 7/11/85.

 Public Works Director Lunding stated he had three sets of drawings: house, landscaping and drainage. Letters of approval had been received from all neighbors approving these plans. The Potters were out of Town but there was no problem there.

 Accordingly, Councilman Brekhus moved approval of these plans, seconded by Councilman Poore and passed with four affirmative votes. Councilwoman Flemming abstained.
- 18. John R. Tozzi, Madrona Avenue, (AP 73-232-38) Variance
 No. 779 Granted 5/8/86 Approval of Drainage Plans.

 After review, Councilman Brekhus moved approval of the plans subject to Town Engineer Hoffman's approval. This was seconded by Councilman Poore and passed unanimously.
- 19. Review Resolution No. 1179 Marin County Revised Solid Waste Management Plan by the Marin County Board of Supervisors. Councilman Brekhus moved approval of the Resolution No. 1179, seconded by Councilman Poore and passed unanimously.

f. Michael and Sheila Mandel, 3 Willow Hill (AP 73-252-13) Acre Zone. Request is to allow expansion of bathroom and closet in front of existing house; replacement of existing carport with a garage with storage below; total addition of 290 sq. ft. Proposed garage to be 2' 6" from front property line (25 ft. required); existing carport is on front property line. Variance for reconstructing carport granted 7/17/86, but variance was not used and expired. VARIANCE NO. 823

Lot Area 23,144 sq. ft.
Present Lot Coverage 14.1%
Proposed lot Coverage 14.5%
Present Floor Area Ratio 20%
Proposed Floor Area Ratio 21%
(15% allowed)

Councilman Brekhus moved approval subject to the following:
(1) A smoke detector be installed in garage, (2) that the road
(Willow Hill) be free for fire trucks and emergency vehicles
(as per Mrs. Daphne Greene's letter), (3) that there be no
living space underneath garage.

This was seconded by Councilman Dirkes and passed unanimously.

g. William Ziegler, 32 Fernhill (AP 73-041-23) 20,000 sq. ft. zone. Request is to allow replacement of existing one-car garage with a two-car garage (addition of 175 sq. ft.); proposed garage to be 9 ft. from side property line (15 ft. required). Addition of master bedroom suite on second floor (502 sq. ft.); total addition of 677 sq. ft. VARIANCE NO. 824

Lot Area 21,712 sq. f.t
Present Lot Coverage 14.1%
Proposed Lot Coverage 15.5%
Present Floor Area Ratio 17.05%
Proposed Floor Area Ratio 20%
(15% allowed)

Mr. Ziegler presented plans and said that he had agreed to plant two mature trees as requested by neighbor Mr. Hong; Councilman Dirkes moved approval subject to the conditions that (1) Council reserve the right to request further landscaping, (2) the trees be planted as requested by Mr. Hong; (3) the street number of the house must be posted; (4) smoke detectors be installed in garage and in new bedroom addition, and (5) the applicant work with Mr.Lunding on drainage. This was seconded by Councilman Poore and passed unanimously.

- h. Kelly Pacific Construction, 32 Ross Common (AP 73-272-06) C-L District. Request is to allow 18" projection of trellis over property line at central bay of building and 6" projection of trellis beams at front corners of building. VARIANCE NO. 825.

 Mr. Kelly explained that he needed the beams to hang the signs for commercial use. The beams are 11' 6" above the ground and will not create any clearance problems, and he plans on planting wisteria. Mr. Norman Bradley of Willow Avenue felt that the applicant did not have a right to use the air space and that it is an intrusion and the variance should stipulate this. Councilman Dirkes moved approval subject to the understanding that the Town is not granting Mr. Kelly the air space. This was seconded by Councilman Poore and passed with three affirmative votes. Mr. Brekhus voted against.
- i. Ronald M. Cook, 51 Bridge Road (AP 73-261-24) 7,500 sq. ft. zone. Request is to allow construction of 8' x 14' deck off front of existing house 15' off ground level. Total addition of 122 sq.ft.

Lot Area	VARIANCE	NO.	826	12.978
Present Lot Coverage	re			14.9%
Proposed Lot Coverage			15.8%	
Present Floor Area Ratio			13.2%	
Proposed Floor Area Ratio			14.1%	
(20% allowed)				

Councilman Dirkes moved approval. This was seconded by Councilman Brekhus and passed unanimously.

j. Jack and Barbara Lake, 65 Poplar AVe. (AP 73-313-18) 7,500 sq.ft. zone. Request is to allow addition of 18' x 20' carport 5 ft. from side yard (15 ft. required); construct 63 sq. ft. deck 6 ft. from property line (15 ft. required). Addition of family room/breakfast room; total addition of 706 sq. ft.

ATTACHMENT 6

MINUTES

Regular Meeting of the Ross Advisory Design Review (ADR) Group 7:00 PM, Tuesday, April 19, 2022

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

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

Chair Mark Kruttschnitt called the meeting to order and called roll.

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

2. Approval of Minutes.

The ADR Group voted 4-0-1 to approve the March 15, 2022 meeting minutes. Mark Kruttschnitt abstained.

3. Open Time for Public Comments.

Mayor Elizabeth Robbins and Council Member Julie McMillan spoke about Measure I, which is the renewal of parcel tax for paramedic services. The measure is on the June 7 ballot.

4. Planning Applications.

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

Property Owner:

Erin & Darius Mozaffarian

Applicant:

Polsky Perlstein Architects

Project Summary: The applicant requests 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 new front yard fences and gates; 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. Minor Exceptions are required to construct new mechanical equipment and associated enclosures with nonconforming side and rear yard setbacks. 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 development standards and project characteristics of the revised project.

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

Chair Kruttschnitt opened the public comment.

Landscape Architect Ive Haugeland and Attorney Len Rifkind, representing Lionel Conacher and Joan Dea at 3 Upper Ames Avenue, presented information and objections related to privacy, screening, and aesthetics.

Applicant Darius Mozaffarian presented information and responded to comments.

Chair Kruttschnitt closed the public comment.

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

Josefa Buckingham:

- Revised design addresses all previous concerns discussed by ADR Group.
- Privacy concerns of the neighbor are being very well addressed in a sensitive manner.
- Separation between properties provides privacy; scale/size of proposed additional landscaping is more than necessary to provide for privacy.
- Applicant is requesting to develop equivalent to the neighbor's property.
- Appreciates relocating development out of setbacks to avoid variances and increase privacy.
- Supports proposed location of pool equipment attached to new ADU and adjacent to a street
- Findings can be made for a solid fence along Shady Lane frontage due to special circumstances.
- Supports project as designed; very nice design.

Stephen Sutro:

- Supports the project as presented.
- Agrees with Group Member Buckingham's comments.

Mark Fritts:

- Supports the project as presented.
- Concurs with Group Member Buckingham's and Sutro's comments.
- Project does not result in views or sightlines into living space; visibility of a building in and of itself is not a privacy impact.
- Windows are located appropriately to avoid privacy impacts and/or offsite glare.
- The project respects the privacy of 3 Upper Ames Avenue. Compliments to the designers.
- Supports the solid fence along Shady Lane.
- Supports proposed location of pool equipment attached to new ADU.

Laura Dewar:

Supports the project.

- Appreciates revisions made to address ADR Group's previous comments, including minimize/eliminate setback encroachments.
- Supports proposed location of pool equipment attached to new ADU.

Mark Kruttschnitt:

- Proposed new ADU is ministerial in nature.
- The existing property at 3 Upper Ames Avenue has extensive glazing, which should not restrict the subject property's ability to develop based on views from 3 Upper Ames Avenue.
- The existing landscaping is more extensive/mature than the level of landscaping that would be required to develop an undeveloped lot; the ADR Group would typically not require more landscaping than currently exists.
- Concurs with previous comments of ADR Group Members.

The ADR Group unanimously recommended Design Review approval as proposed.

Chair Kruttschnitt closed the hearing.

b. Swire Residence, 5 Ames Avenue (A.P.N. 073-181-19)

Property Owner: Stephen Swire & Jacqueline Neuwirth-Swire

Applicant: Catton Design

Project Summary: The applicant requests approval of Design Review to construct a new two-story accessory structure containing an accessory dwelling unit at the lower floor and an open-air cabana at the upper floor; remodel and expand an existing pool house above an existing garage; renovate the exterior of the existing main residence; construct new front yard fence and gates; 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. 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 development standards and project characteristics.

Architect Ken Catton and Landscape Architect Brad Eigsti described the project.

Chair Kruttschnitt opened the public comment.

Sam Livermore at 2 Ames Avenue expressed concerns about potential visual, aesthetic, and privacy impacts from downslope; specifically concerned about extended eaves, building heights, increased massing, and window locations.

Chair Kruttschnitt closed the public comment.

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

Mark Kruttschnitt:

- The project adds a lot of mass and bulk from offsite/street views; not compatible with topography.
- Recommends designing to integrate better with natural topography and minimize visual impacts on the land.
- Existing roof is unobtrusive; new wings and supports would draw more attention.
- Recommends redesigning for less new bulk and mass.
- Driveway gate is heavy in design; does not match proposed open fencing.

Stephen Sutro:

- Supports modern aesthetic.
- Project lacks compatibility between existing residence and new buildings; specifically, fenestration is not compatible between buildings.
- Not architecturally comfortable with new flat eaves "mashed on" to sloped eaves; also, results in too much mass from offsite views.
- Cabana roof is bulky.

Mark Fritts:

- Most concerned about main house renovation; lots of new massing added from downslope views.
- Does not see new eaves working on the main house; would exacerbate shadows on the residence.
- Cabana height exacerbates bulk and massing; cabana roof mass is excessive.
- Pool house fenestration should be reduced/minimized.
- Underground storage space should be reduced/minimized to not be visible at hillsides.

Laura Dewar:

- Concerned about bulk and mass impacts from downslope view; cumulative impacts of extended eaves, new accessory buildings, and canopies.
- Project should be more responsive to the site and the neighboring properties.
- Outfacing balconies are not necessary; should be avoided for privacy impacts.

Josefa Buckingham:

- Concurs with previous comments by ADR Group Members.
- Recommends puling in the entire project design: smaller, shorter, less grand.
- Lower accessory building heights; reduce building profiles from street views.
- Minimize/reduce glazing around front entrance to avoid offsite light/glare impacts.
- Provide a more open driveway gate to match the open fencing.
- Supports modern aesthetic.

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 Kruttschnitt closed the hearing.

c. Fletcher Residence, 3 Willow Hill Road (A.P.N. 073-252-13)

Property Owner:

Scott Fletcher

Applicant:

Fischer Architecture

Project Summary: The applicant requests approval of Design Review and Hillside Lot Permit to construct a new pool and new decks at the back of the existing single-family residential property. Variances are required to construct new building projections with nonconforming side and rear yard setbacks; and to increase nonconforming building area.

Planner Weintraub summarized the development standards and project characteristics.

Architect Andrew Fischer described the project.

Chair Kruttschnitt opened the public comment.

Adrian Liggett at 10 Madrona Avenue expressed concerns about potential negative impacts on downslope properties, including visual/privacy, noise, and slope stability; does not believe variance request for setback encroachment is justified.

Chair Kruttschnitt closed the public comment.

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

Mark Fritts:

- Appreciates removing/renovating existing rear decks, which have a looming effect; supports building architecture.
- Questions ability of property to accommodate a pool with topographic limitations, although proposed location is most suitable location on the lot.
- Does not support pool as proposed on the sloped site; does not believe variance findings for setback encroachment or increased nonconforming building coverage can be made.

Mark Kruttschnitt:

- Agrees with Mark Fritts' comments.
- Supports building deck reorganization.
- Property is highly visible to downslope neighbors.

• Does not support a new pool on the sloped lot; does not support variances for setback encroachment or increased nonconforming building coverage.

Stephen Sutro:

- Lot is a victim of zoning; substandard small lot in a district meant for larger lots and more restrictive standards.
- Supports building deck reconfigurations.
- Could support a new pool proposal if revised to comply with the "appropriate" zoning standards for the small lot, including 15-foot minimum setback and 15% maximum building coverage; and lowered by approximately 4 feet to fit into topography.
 Recommends "endless pool" design that would not require fencing/screening.

Josefa Buckingham:

- Road easement provides some relief for setback encroachment.
- Findings cannot be made to support the variance request to increase nonconforming building coverage.
- Pool needs to be lowered to fit with topography.
- The site may not accommodate a new pool.
- Does not support project as proposed.

Laura Dewar:

- Project needs to take into topography of the site.
- Difficult to support setback encroachments and increased nonconforming building coverage.
- Project would have significant impacts on downslope neighbors; looming appearance/presence.
- Does not support project as proposed.

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 Kruttschnitt closed the hearing.

5. Conceptual Advisory Design Review.

None.

6. Information and Discussion.

ADR Group discussion on potential for returning to in-person meetings. The ADR Group recommended holding a videoconference meeting in May and further discussion at the May meeting to discuss potential for returning to in-person meetings in June. (Director Woltering)

7. Communications.

April 19, 2022 ADR Group Meeting Minutes

The Town's consultant for the Housing Element Update, Dyett & Bhatia, requests a "Key Informant Interview" with the ADR Group at the regular meeting of May 17, 2022. The Key Informant Interview will be structured as informal discussion meant to elicit candid input on planning issues and provide a broad sense of the community, major issues of concern, preferences, and practical constraints that may emerge during the preparation of the Housing Element Update. (Director Woltering)

8. Adjournment.

Chair Kruttschnitt adjourned the meeting at 9:36 p.m.

Next scheduled regular meeting date and time: May 17, 2022 at 7:00 PM.

ATTACHMENT 7

tel 510.204.9250 fischerarchitecture.com 2984 San Pablo Avenue Berkeley, California 94702 04 April 2022

Matthew Weintraub, Planner Town of Ross 31 Sir Francis Drake Boulevard Ross, California 94957

Re: Planning Application 3 Willow Hill Road Ross, CA 94957

Dear Matthew,

Enclosed please find our responses to the 3 Willow Hill Planning Department's Comments:

- Comment # 1 Please see sheet A0.4 which includes a table with all the calculations for the building coverage. As per code, our lot allows for a 10% building coverage of 2,328 sq. ft. The existing building coverage is 2,920 sq. ft. and our proposed is 3,770 sq. ft. The code is reflecting a lot size of 5 acres, and our lot is 0.5 Acres total.
- 2. Comment # 2 Please see sheet A0.5 which shows a diagram of the required setbacks. These setbacks are reflecting a lot size of 5 Acres, and our lot is 0.5 Acres total therefore they do not comply with our site.
- 3. Comment # 3 Please see sheet A0.4 shows the drainage on the site plan. We show the collections and how we are proposing to dissipate it. Also, in the table chart added to the same sheet we show that we are reducing the impervious coverage by removing the existing non permeable asphalt surface and replacing it with an approved pervious surface.
- 4. Comment # 4 Please see sheet A2.1 and A2.2 shows our added proposals for pool barriers. We are proposing alarms on doors that have direct access to the pool as well as adding an approved safety pool cover.
- 5. Comment # 5 Please see sheet A0.2 shows a site plan with the location of the road easement.

Many thanks for your time an attention to this application.

Sincerely, FISCHER ARCHITECTURE

Andrew Fischer

May 2, 2022

tel 510.204.9250 fischerarchitecture.com 2984 San Pablo Avenue Berkeley, California 94702

Matthew Weintraub, Planner Town of Ross 31 Sir Francis Drake Boulevard Ross, California 94957

Re: Revisions to the Planning Application for 3 Willow Hill Road Ross, CA 94957

Dear Matthew,

Please find our revised design and application for the Deck and Pool project at 3 Willow Hill Road. We have gone back and revised our plans and elevations to incorporate comments made by several of the ADR commissioners from the April 19th public hearing. The specifics and details of the revisions are noted below.

Sheet A0.1 Project Data and Information:

• Revision to the Project Description and Project Information have been made to reflect the design changes, specifically to the proposed Deck and Patio square footage as well as the Pool/Spa size. The overall decks, pool and spa have been reduced, from 1860 s.f. to 1740 s.f. These changes have been highlighted with **Bold Text.**

Sheet A0.4 Proposed Site Plan:

- Revision to shape and size of lower pool deck and planters.
- Increased the rear yard setback from 9'-4" to 13'-9", which is currently the setback to the existing lower deck.
- Proposing to increase the area of hillside grade restoration to follow revised shape of deck and planter walls.
- Introducing stacked stone walls at terraced planters (replaces lagging wall and steel mesh panels). The stone walls will resemble the stone site walls that currently line Willow Hill Road.
- Introducing evergreen trees to be planted along base of planter walls, see notes to Landscape Plan below.
- Building coverage has been reduced to 14.1% from 16.2%.
- Cut and fill calculations reflect changes made to restore hillside and push pool closer to the house. Note, these calculations are in cubic feet.

Sheet A0.5 Zoning Requirement Diagrams:

- The diagram for the proposed design has been modified to reflect the revisions.
- Note; we have removed the redundant site calculations which show up on Sheet A0.4.
- We added a diagram illustrating the approximate location of existing pools, on the hillside, and in close proximity to 3 Willow Hill.

Sheet A2.0 Proposed Basement Level Floor Plan:

Changes to the deck structure to reflect revised design.

Sheet A2.1 Proposed Lower Level Floor Plan:

• Changes made to the shape of the pool deck and terraced planter. The revised shape and smaller pool better conform to the natural topography of the site and significantly reduce the height of the outer, downslope walls.

- Proposing to removed the mid level bench deck and replace with a sloped planter.
- Introducing spill over catch basin with "bio-filtration" medium.
- The spa has been removed from the pool and placed on the west deck.
- Removed steel mesh screen at planter walls, see Sheets A3.0-A3.2 for further illustration of material changes
- Rerouted west stair from pool deck to grade.

Sheet A2.2 Proposed Upper Level Plan:

• Minor dimension changes to proposed stair from upper deck.

Sheet A3.0 Proposed Section/Elevation:

- Section drawing illustrated the modifications made to the pool deck and terraced planter walls/overspill catch basin. Terraced wall height reduced to 3'-0" from 5'-2".
- Elevation illustrates the modifications made to the pool deck and terraced planter walls. Overall wall heights have been greatly reduced and a material change is proposed for the planter walls and introduction of a "vanishing" pool edge and overspill catch basin.

Sheet A3.1 Proposed East Elevation:

• Elevation illustrates the modifications made to the pool deck and terraced planter walls. Terraced planter wall height has been reduced to 7'-6" from 11'-10". Planter wall materials have been changed from steel mesh screening to stacked rock walls.

Sheet A3.2 Proposed West Elevation:

- Elevation illustrates the modifications made to the pool deck and terraced planter walls. Terraced planter wall height has been reduced to 4'-6" from 10'-7". Planter wall materials have been changed from steel mesh screening to stacked rock walls.
- Access stair and security fence has been modified to follow west edge of the house.

Sheet A5.0 Material Palette and Lighting:

• Added an image of stacked stone walls that are similar to the existing stone walls that line Willow Hill Road.

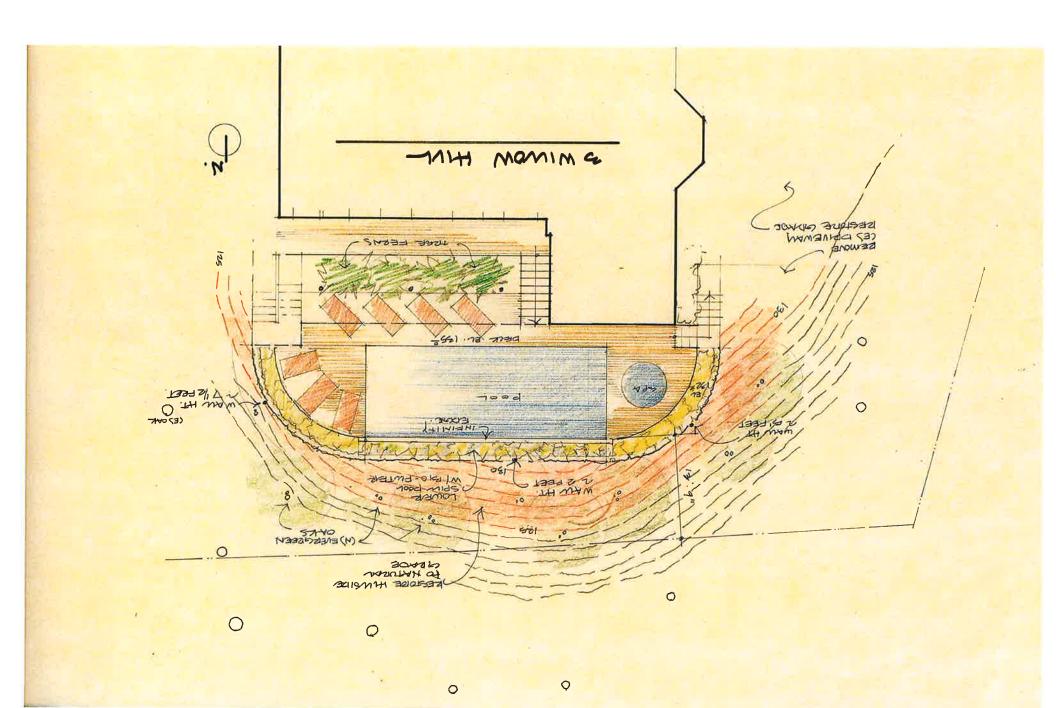
Sheet LA-1Landscape Plan:

- Modified planting plan to reflect changes made to the terraced planter walls and removal of the steel mesh screen wall.
- Proposing to add several large box evergreen oak trees to the restored hillside for stability and screening.

Sincerely,

FISCHER ARCHITECTURE

Andrew Fischer



ATTACHMENT 8

MINUTES

Regular Meeting of the Ross Advisory Design Review Group 7:00 PM, Tuesday, May 17, 2021

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

1. 7:00 p.m. Commencement

ADR Group Chair Mark Kruttschnitt called the meeting to order.

Present: Mark Kruttschnitt, Laura Dewar, and Stephen Sutro.

Absent: Josefa Buckingham and Mark Fritts

Director Rebecca Markwick and Planner Matthew Weintraub were present representing staff.

2. Approval of Minutes.

The ADR Group unanimously approved the April 19, 2022 minutes.

3. Open Time for Public Comments

No comments were provided.

4. Housing Element Update:

The Town's consultant for the Housing Element Update, Andrew Hill, Principal, Dyett & Bhatia, requests a "Key Informant Interview" with the ADR Group at the regular meeting of May 17, 2022. The Key Informant Interview will be structured as informal discussion meant to elicit input on planning issues and provide a broad sense of the community, major issues of concern, preferences, and practical constraints that may emerge during the preparation of the Housing Element Update.

Andrew Hill, principal at Dyett and Bhatia gave a presentation on the housing element update and the process that the Town of Ross is engaging on.

5. Planning Applications.

a. 5 Ames Avenue (A.P.N. 073-181-19)

Property Owner: Stephen Swire & Jacqueline Neuwirth-Swire

Applicant: Catton Design

Project Summary: The applicant requests approval of Design Review to construct a new two-story accessory structure containing an accessory dwelling unit at the lower floor and an open-air cabana at the upper floor; remodel and expand an existing pool house above an existing garage; renovate the exterior of the existing main residence; construct new front yard fence and gates; 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. 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 development standards and project characteristics of the revised project.

May 17, 2022 ADR Group Meeting Minutes (DRAFT)

Architect Ken Catton described the revised project. ADR member Sutro asked about the logic of not changing the roof on the main house. Architect Ken Catton indicated that because the roof is not seen and the cost to replace is a lot.

Chair Kruttschnitt opened the public comment.

Sam Livermore, concerned about the topography as his house is lower than 5 Ames, and the proposed project will be visible form their downhill property. He understands that the project height was reduced, however the new structures will be very visible and will create more mass. Appreciates the Swires addressing their concerns.

Chair Kruttschnitt closed the public comment.

Laura Dewar:

- Great improvements have been made, reduction of eves, and lowered the pool house roof.
- Material palette and colors have changed, concerned about the white color will stand out more.
- Pool house balcony could create privacy concern for the neighbors.
- Cabana makes the property seem built up creating more bulk and mass, however since it is not in the setback, she supposes it is okay
- Main house roof is okay if it meets the applicant's budget.

Mark Kruttschnitt:

- Mark read comments received by Josefea Buckingham provided written comments regarding the roof at the main house. She indicated that the house on the main roof should be changed to match the modern architecture of the cabana and the pool house.
 Peaked roof should come off in the main house is a modern aesthetic is desired.
- Juxtaposition of both architectural styles do not work.
- Cabana project from the hillside, is visible from the road, suggests removing the cabana roof.

Steve Sutro:

- Design is nice, ADU is really nice, changes are nice
- The roof line of the cabana is too tall. Lowering the cabana roof would help, or removal of the cabana roof.
- Has trouble with the projection of the roof over the streetscape.
- The main house eve changes are great, supports the size of the eves. Wishes the roof of the main house would change to match, does not meet the criteria of "excellence of design."
- If the roofline were to change on the main house he could fully support the project. Supports the balcony on the ADU, lowering the cabana roof would be great.

b. 3 Willow Hill Road (A.P.N. 073-252-13) 🖳

May 17, 2022 ADR Group Meeting Minutes (DRAFT)

Property Owner:

Scott Fletcher

Applicant:

Fischer Architecture

Project Summary: The applicant requests approval of Design Review and Hillside Lot Permit to construct a new pool and new decks at the back of the existing single-family residential property. Variances are required to construct new building projections with nonconforming side and rear yard setbacks; and to increase nonconforming building area.

Planner Weintraub introduced the project.

Andrew Fischer described the changes made to the project. Reduced the width of the pool, reduced the walkway around the pool, keeping the terrace planter wall to help mitigate the construction into the hillside. Reduced the rear setback, the pool matches the existing deck.

The public hearing was open.

Scott Fletcher, property owner introduced himself.

Adrienne LaBonte Ligett, concerned with the privacy impacts of the deck and pool. Opposes the project.

Alex Uihlein, supports the project

Michael Rosenbaum does not support the project, the pool near them is very noisy and they are concerned about the noise level given the acoustically situation of the canon. Difficult to mitigate the noise.

Scott Grace, 7 Willow Hill. Fully supports the project.

Stephen Sutro:

- Appreciates design changes, shape of retaining wall and height make it contextually appropriate in turns of topography
- Reduction of deck is appreciated
- Setbacks given the topography is very tricky.

Mark Kruttschnitt:

Concurs with everything Steven said.

Laura Dewar:

- All changes have made the design less dominant
- All property owners should be able to enjoy their properties, putting restrictions on noise is difficult.
- Design is improved and she supports the design.

May 17, 2022 ADR Group Meeting Minutes (DRAFT)

c. 15 Skyland Way (A.P.N. 072-201-16)

Property Owner:

Horatio LLC

Applicant:

Polsky Peristein Architects

Project Summary:

The applicant is requesting approval of Design Review and Hillside Lot Permit to construct new first-story and second-story additions to an existing attached garage at the west wing of the existing single-family residence. Variance is required to construct new building additions with a nonconforming south side yard setback for the Hillside Lot. (Weintraub)

Staff report attached.

Planner Weintraub introduced the project.

Jared Polsky summarized the project.

The public hearing was opened.

Mr. and Mrs. Scially, property owners introduced themselves.

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

Mark Kruttschnitt:

Likes the project as designed, likes the trellis above the windows.

Laura Dewar:

No comments regarding the design, supports the project.

Stephen Sutro:

Agrees, and supports the project as designed.

Chair Kruttschnitt summarized that the ADR Group unanimously recommended Design Review approval.

6. Conceptual Advisory Design Review.

Ken Instead summarized the project located at 40 Madrona Avenue.

7. Communications

a. Staff

Discussion of in person meetings. ADR would like to conduct hybrid meetings.

b. ADR Group Members

Mark Kruttschnitt discussed how to make recommendations clear to planning staff and the public.

8. Adjournment

Chair Kruttschnitt adjourned the meeting at 9:08 PM.

ATTACHMENT 9

From:

Adrienne Marie Liggett

To: Cc: designreview
Eric Dustin Liggett
3 Willow Hill comments

Subject: Date:

Tuesday, April 12, 2022 11:54:31 AM

Dear ADR,

I am writing in opposition to the pool plan/deck extension at 3 Willow Hill. From the proposed plan it looks like the pool is within a 9 ft. set back, opposed to the required 40 feet. There's no reason this project qualifies for a variance and should not be required to conform to the mandatory 40-foot setback. If a pool is desired, we'd like to see the resident relocate the pool to the east side of the parcel where there seems to be room to situate the pool/decks within the required setbacks.

Somehow 147 Lagunitas was able to build a pool and pool house within their rear and side setbacks prior to us purchasing our home and the noise pollution from congregating has been problematic for us and surrounding neighbors. We don't want to endure this problem with another pool going in within the required setback creating additional noise pollution from congregating on the multiple planned deck extensions and pool area.

The proposed plan of 3 Willow Hill also seems a little extreme as far as design and potential hazards. We have serious concerns about spillage from a hillside pool during a storm and or even worse, an earthquake. Our home was flooded by a neighbor's pool 17 years ago during The Great Ross Flood. Apparently it rained so much the pool flooded, spilling down into our yard, under our home washing out all of the ducting/HVAC. So building this monstrous pool and deck build some hundred feet directly above our home is threatening.

Additionally we've already seen 25+ bay laurels on Willow Hill leaning due to instability of the hill, several of which were marked for emergency removal by PGE and have since been removed. Another 15+ leaning trees are slated to be removed with in a month so. These are trees that were once upright, as evidenced by residents that have grown up on this block but have been shifting and leaning as the ground has moved. It's unclear that the hill is stable enough to sustain a hillside pool, especially at that grade. We already have had issues with the pool behind us at 123 Lagunitas cracking on far less of a grade. Has anyone done a geological report and or study to show the hillside can sustain such an immense project?

Finally, we purchased our home at 10 Madrona because of the privacy that Willow Hill provided. The proposed design of the new deck extensions and pool within the required setbacks would have residents looking down into our very private courtyard and backyard, which is not mitigated by the proposed shrubs. As it stands, privacy is already being reduced by removal of all of the leaning trees. Needless to say, this project has a negative impact to our property value. It also changes the quiet, peaceful "feel" of living on Madrona.

Thank you,

Adrienne Liggett

10 Madrona Avenue

From:

elika rosenbaum <elika.rosenbaum@gmail.com>

Sent:

Monday, April 18, 2022 6:31 PM

To:

designreview; m cell

Subject:

3 Willow Hill- Oh NO!!

To the Members of the Ross Town ADR:

I am writing in **strong opposition** to the project proposed at 3 Willow Hill. I live at 14 Madrona and the negative impact of this project will be significant to my property.

This is a hillside where the sound acoustics are significant. We already share the parties and outdoor events hosted by neighbors on Willow Hill (and Lagunitas Rd) due to the land topography. This project location on the lot as proposed will significantly increase this impact. As it is, we have to close all of our doors and windows to avoid hearing these parties. Adding a variance-required pool to this neighborhood is a further burden.

This property does not qualify for a variance. Nor, even if you found reason to grant one, would such a significant variance be in keeping with any other granted in the neighborhood. This is not a hardship lot that makes this location for a pool qualify for a variance. If a pool is desired, a location within the setbacks, or nearly within the setbacks should be found. People are denied variances for bedrooms and told to purchase a house that has the space and FAR for them; this pool certainly should not be given the go ahead when it so greatly violates so many requirements.

The amount of earth moved to create a pool in this location will impact drainage and potential hillside stability. We have lived through numerous pool flood issues from our rear neighbors. Do not take this issue lightly. Further, increased runoff from impermeable surfaces will impact the flooding problems that already exist at the bottom of Willow Hill and wash out the intersection at Madrona, Bridge Rd and Willow Ave at any major storm. This hillside has shown a downward instability impacting viability of many trees. Causing further instability, even with major engineering, is looking for trouble. It is a hillside lot. We have rules for a reason.

The decks would look into my and other Madrona neighbor's homes, bedroom windows and back yards. The reason we have setbacks is to minimize impact to neighbors. This pool is a direct impact on the downhill neighbors and is an unfair and uncompensated harm to our properties. It is a major loss of my privacy and would cause a lifestyle and decorating change in our home to avoid having people looking in to our bedrooms and yard that never existed before. Landscaping on our property or theirs is highly unlikely to be able to mitigate this.

The mass of this project on this hillside is not in keeping with the lot and is not in keeping with the neighborhood. The size of this project is massive relative to the other, much smaller homes and is too big for the site. Further is it a bad location for a major expansion of this home visually.

This project does not qualify for a variance and it should not be granted.

I am traveling tomorrow evening; if there is a way for me to call in or zoom in I will do so. Please do not consider my lack of attendance as a lack of interest.

Thank you for your time and consideration of our concerns.

Sincerely, Elika Rosenbaum 14 Madrona 415-308-4477

From:

Tony Rose <marinmachine@comcast.net>

Sent:

Tuesday, April 19, 2022 2:35 PM

To:

Matthew Weintraub

Subject:

Fw: 3 Willow Hill- Oh NO!!

Respectfully suggest that pool be moved to the SE area of the lot outside of the setbacks and where there will be less noise impact and as a practical matter, a lot more sun, which is essential for pool usage (Current location is in the shadow of the house). Tony Rose, 16 Madrona

From: tony rose

Sent: Tuesday, April 19, 2022 1:46 PM To: Matthew Weintraub; Tony Rose Subject: Re: 3 Willow Hill- Oh NO!!

Pls let the record show this evening, that not having rec'd a notice 'til noon today, I am unable to have an opinion at this late hour re tonight's meeting on 3 Willow Hill. However, I do know that on occasion, sound from 3 Willow Hill is very audible.

Sent from Outlook

From: Matthew Weintraub < Mweintraub@townofross.org >

Sent: Tuesday, April 19, 2022 1:05 PM

To: tony rose < marmac79@hotmail.com >; designreview < designreview@townofross.org >

Subject: RE: 3 Willow Hill- Oh NO!!

Hello,

Meeting materials are available at https://www.townofross.org/advisorydesignreview/page/advisory-design-review-group-meeting-139. Project plans are attached to the staff report.

A notice was mailed to the following owner address on file with the County Assessor for 14 Madrona Avenue:

Secured:073-232-42 :14 MADRONA AVE , ROSS Owner(s):ROSENBAUM MICHAEL F TR & /ROSENBAUM ELIKA S TR Owner Address:PO BOX 1035

ROSS, CA 94957

Thank you,

Matthew Weintraub Planner



P.O. Box 320 | 31 Sir Francis Drake Blvd. Ross, CA 94957-0320 415.453.1453 x116 415.453.1950 fax

mweintraub@townofross.org

From: tony rose <marmac79@hotmail.com> Sent: Tuesday, April 19, 2022 12:52 PM

To: designreview < designreview@townofross.org>

Subject: Fw: 3 Willow Hill- Oh NO!!

I rec'd something fm you on this but mcafee mysteriously made it disappear. Pls resend. Pls clarify why I wasn't informed of this project, Thx, Tony Rose

Sent from Outlook

From: tony rose < marmac79@hotmail.com > Sent: Tuesday, April 19, 2022 9:10 AM

To: designreview@townofross.org <designreview@townofross.org>

Cc: elika rosenbaum <elika.rosenbaum@gmail.com>; Joshua Reeves <joshua.reeves@gmail.com>

Subject: Fw: 3 Willow Hill- Oh NO!!

I live next to Elika and do not believe I was notified of this project. Pls forward same to me, Thank you, Tony Rose, 16 Madrona Ave.

Sent from Outlook

From: elika rosenbaum < elika.rosenbaum@gmail.com >

Sent: Monday, April 18, 2022 6:30 PM

To: designreview@townofross.org < designreview@townofross.org>; m cell < mfrosenbaum@gmail.com>

Subject: 3 Willow Hill- Oh NO!!

To the Members of the Ross Town ADR:

I am writing in **strong opposition** to the project proposed at 3 Willow Hill. I live at 14 Madrona and the negative impact of this project will be significant to my property.

This is a hillside where the sound acoustics are significant. We already share the parties and outdoor events hosted by neighbors on Willow Hill (and Lagunitas Rd) due to the land topography. This project location on the lot as proposed will significantly increase this impact. As it is, we have to close all of our doors and windows to avoid hearing these parties. Adding a variance-required pool to this neighborhood is a further burden.

This property does not qualify for a variance. Nor, even if you found reason to grant one, would such a significant variance be in keeping with any other granted in the neighborhood. This is not a hardship lot that makes this location for a pool qualify for a variance. If a pool is desired, a location within the setbacks, or nearly within the setbacks should be found. People are denied variances for bedrooms and told to purchase a house that has the space and FAR for them; this pool certainly should not be given the go ahead when it so greatly violates so many requirements.

The amount of earth moved to create a pool in this location will impact drainage and potential hillside stability. We have lived through numerous pool flood issues from our rear neighbors. Do not take this issue lightly. Further, increased runoff from impermeable surfaces will impact the flooding problems that already exist at the bottom of Willow Hill and wash out the intersection at Madrona, Bridge Rd and Willow Ave at any major storm. This hillside has shown a downward instability impacting viability of many trees. Causing further instability, even with major engineering, is looking for trouble. It is a hillside lot. We have rules for a reason.

The decks would look into my and other Madrona neighbor's homes, bedroom windows and back yards. The reason we have setbacks is to minimize impact to neighbors. This pool is a direct impact on the downhill neighbors and is an unfair and uncompensated harm to our properties. It is a major loss of my privacy and would cause a lifestyle and decorating

change in our home to avoid having people looking in to our bedrooms and yard that never existed before. Landscaping on our property or theirs is highly unlikely to be able to mitigate this.

The mass of this project on this hillside is not in keeping with the lot and is not in keeping with the neighborhood. The size of this project is massive relative to the other, much smaller homes and is too big for the site. Further is it a bad location for a major expansion of this home visually.

This project does not qualify for a variance and it should not be granted.

I am traveling tomorrow evening; if there is a way for me to call in or zoom in I will do so. Please do not consider my lack of attendance as a lack of interest.

Thank you for your time and consideration of our concerns.

Sincerely, Elika Rosenbaum 14 Madrona 415-308-4477

From:

Chad Lewis <clewis@klein-financial.com>

Sent:

Tuesday, April 19, 2022 9:21 AM

To:

Matthew Weintraub

Subject:

3 Willow Road

Matthew,

I am writing in support of 3 Willow Hill Road adding a pool to their home. We added a pool to our home over four years ago and it has brought so much joy to our family I can't imagine our home without it.

Thank you,

Chad Lewis 40 Madrona Ave

From:

Jack Coan < Jack.Coan@ninetyone.com>

Sent:

Tuesday, April 19, 2022 3:45 PM

To:

designreview

Cc:

Matthew Weintraub

Subject:

3 Willow Hill Pool Project

Jack Coan

Head of Consultant Relations - North America

Jack.Coan@ninetyone.com

T: +1 415 261 7237

M: +1 415 261 7237

5 Ross Common, Ross, CA 94957 www.ninetyone.com





This ornal is confidential and may be legally uninteged, it is subject to important turns and conditions, available at consequent any many made in the control of your armon access this are. Our Powers' made a small bloom increases a manufacture of your armon an elementarized and other control of the contr

From:

Adrienne Marie Liggett <moxtail@yahoo.com>

Sent:

Wednesday, May 11, 2022 11:55 AM

To:

designreview

Subject:

3 Willow Hill comments

Dear ADR,

I am once again writing in strong opposition to the variance request by 3 Willow Hill for the purpose of a recreational pool. In no way is this project a hardship and should not be considered a special circumstance. If the owner wanted a pool, they should have purchased a home with a more suitable lot including proper setbacks or at a minimum, a reasonable setback, not a steep hillside lot without a suitable yard. Just because the applicant wants a pool, does not mean that this site should or does qualify as a suitable lot to build one.

Granting a variance would violate the public welfare of the homes below on Madrona/Willow, who would see the pool looming overhead (although the applicant wrongly claims otherwise) and be subject to intrusions on our privacy—specifically of our very private courtyard and backyard. Additionally there would be significantly increased noise as a result of congregating because of the topography and acoustics the hill creates. As a result, this would change the serene, peaceful nature of walking down Madrona. Properties with a hillside lot require a 70 foot setback, it is unclear why we are even having this up for consideration - we have rules for a reason. And this is a blatant disregard of rules our Town has put in place to maintain its character and privacy.

Additionally there are serious hazards involved with pools on a steep hillside lot and this project threatens our home because of the hill's visible instability as evidenced by all of the leaning trees, many of which were tagged for emergency removal. All the reasons I stated in my previous letter (below) to ADR still hold true and moving the pool 5 additional feet within the setback with this revision is hardly an improvement to design or respectful of the neighbors below.

Thank you,

Adrienne Liggett 10 Madrona Ave

---- Forwarded Message -----

From: Adrienne Marie Liggett <moxtail@yahoo.com>

To: designreview@townofross.org <designreview@townofross.org>

Cc: Eric Dustin Liggett <edl333@hotmail.com>
Sent: Tuesday, April 12, 2022, 11:54:23 AM PDT

Subject: 3 Willow Hill comments

Dear ADR,

I am writing in opposition to the pool plan/deck extension at 3 Willow Hill. From the proposed plan it looks like the pool is within a 9 ft. set back, opposed to the required 40 feet. There's no reason this project qualifies for a variance and should not be required to conform to the mandatory 40-foot setback. If a pool is desired, we'd like to see the resident relocate the pool to the east side of the parcel where there seems to be room to situate the pool/decks within the required setbacks.

Somehow 147 Lagunitas was able to build a pool and pool house within their rear and side setbacks prior to us purchasing our home and the noise pollution from congregating has been problematic for us and surrounding neighbors. We don't want to endure this problem with another pool going in within the required setback creating additional noise pollution from congregating on the multiple planned deck extensions and pool area.

The proposed plan of 3 Willow Hill also seems a little extreme as far as design and potential hazards. We have serious concerns about spillage from a hillside pool during a storm and or even worse, an earthquake. Our home was flooded by a neighbor's pool 17 years ago during The Great Ross Flood. Apparently it rained so much the pool flooded, spilling down into our yard, under our home washing out all of the ducting/HVAC. So building this monstrous pool and deck build some hundred feet directly above our home is threatening.

Additionally we've already seen 25+ bay laurels on Willow Hill leaning due to instability of the hill, several of which were marked for emergency removal by PGE and have since been removed. Another 15+ leaning trees are slated to be removed with in a month so. These are trees that were once upright, as evidenced by residents that have grown up on this block but have been shifting and leaning as the ground has moved. It's unclear that the hill is stable enough to sustain a hillside pool, especially at that grade. We already have had issues with the pool behind us at 123 Lagunitas cracking on far less of a grade. Has anyone done a geological report and or study to show the hillside can sustain such an immense project?

Finally, we purchased our home at 10 Madrona because of the privacy that Willow Hill provided. The proposed design of the new deck extensions and pool within the required setbacks would have residents looking down into our very private courtyard and backyard, which is not mitigated by the proposed shrubs. As it stands, privacy is already being reduced by removal of all of the leaning trees. Needless to say, this project has a negative impact to our property value. It also changes the quiet, peaceful "feel" of living on Madrona.

Thank you,

Adrienne Liggett 10 Madrona Avenue

From:

elika rosenbaum <elika.rosenbaum@gmail.com>

Sent:

Wednesday, May 11, 2022 12:04 PM

To:

designreview; m cell

Subject:

Re: 3 Willow Hill- Oh NO!!

Committee Members:

I again write in **opposition** to the proposed project at **3 Willow Hill**, which is asking to invade the rear setbacks by 80% and bring a large mass and noise to the rear of their house in order to build a pool. There is no real change in this project that makes it more acceptable.

I do not understand how this project can meet Town hardship requirements for a variance.

- Special Circumstances-Yes the lot is a hillside lot, on a private road with an irregular shape. But it was
 purchased knowing this. Further, the strict application of the existing Zoning Ordinance does not deprive this
 property of privileges enjoyed by other similar properties in the vicinity. NO other properties in the area have
 been allowed to invade setbacks so significantly. See 51 Bridge Rd.denied for a pool.
- Substantial Property Rights-this property has been enjoyed by numerous residents for decades without their property rights being harmed. This project is not necessary for the preservation and enjoyment of said rights. The project is a desired addition not preservation of existing. Further, this will harm other neighbors without compensation.
- Public Welfare-This project injures the neighborhood by adding visual bulk in the setback and noise out the back on a downhill slope. The particular topography here amplifies sound in the neighborhood. It also creates a viewing platform that looks into downhill neighbors homes. Our privacy will be compromised.
- Special Privilege-No other properties in the area invade the setbacks so substantially, and with such coverage ratios. 10 Madrona was denied an upstairs bedroom that affected the neighborhood less significantly. Granting this variance to 3 Willow Hill would indeed be a special privilege to this homeowner.

I do not understand how this will not create a neighborhood noise nuisance due to the proposed location and the hillside's topography which creates special sound amplification. We do not agree with the applicant that this project will not loom over the neighborhood or not be visible from the area below.

Not all properties have space for a pool. This location is not suitable and is an undue burden to the rest of us.

Elika Rosenbaum
CPA and Notary Public
elika.rosenbaum@gmail.com

On Mon, Apr 18, 2022 at 6:30 PM elika rosenbaum <<u>elika.rosenbaum@gmail.com</u>> wrote: To the Members of the Ross Town ADR:

I am writing in **strong opposition** to the project proposed at 3 Willow Hill. I live at 14 Madrona and the negative impact of this project will be significant to my property.

This is a hillside where the sound acoustics are significant. We already share the parties and outdoor events hosted by neighbors on Willow Hill (and Lagunitas Rd) due to the land topography. This project location on the lot as proposed will

significantly increase this impact. As it is, we have to close all of our doors and windows to avoid hearing these parties. Adding a variance-required pool to this neighborhood is a further burden.

This property does not qualify for a variance. Nor, even if you found reason to grant one, would such a significant variance be in keeping with any other granted in the neighborhood. This is not a hardship lot that makes this location for a pool qualify for a variance. If a pool is desired, a location within the setbacks, or nearly within the setbacks should be found. People are denied variances for bedrooms and told to purchase a house that has the space and FAR for them; this pool certainly should not be given the go ahead when it so greatly violates so many requirements.

The amount of earth moved to create a pool in this location will impact drainage and potential hillside stability. We have lived through numerous pool flood issues from our rear neighbors. Do not take this issue lightly. Further, increased runoff from impermeable surfaces will impact the flooding problems that already exist at the bottom of Willow Hill and wash out the intersection at Madrona, Bridge Rd and Willow Ave at any major storm. This hillside has shown a downward instability impacting viability of many trees. Causing further instability, even with major engineering, is looking for trouble. It is a hillside lot. We have rules for a reason.

The decks would look into my and other Madrona neighbor's homes, bedroom windows and back yards. The reason we have setbacks is to minimize impact to neighbors. This pool is a direct impact on the downhill neighbors and is an unfair and uncompensated harm to our properties. It is a major loss of my privacy and would cause a lifestyle and decorating change in our home to avoid having people looking in to our bedrooms and yard that never existed before. Landscaping on our property or theirs is highly unlikely to be able to mitigate this.

The mass of this project on this hillside is not in keeping with the lot and is not in keeping with the neighborhood. The size of this project is massive relative to the other, much smaller homes and is too big for the site. Further is it a bad location for a major expansion of this home visually.

This project does not qualify for a variance and it should not be granted.

I am traveling tomorrow evening; if there is a way for me to call in or zoom in I will do so. Please do not consider my lack of attendance as a lack of interest.

Thank you for your time and consideration of our concerns.

Sincerely, Elika Rosenbaum 14 Madrona 415-308-4477

From:

Tony Rose <marinmachine@comcast.net>

Sent:

Wednesday, May 11, 2022 3:04 PM

To:

Matthew Weintraub

Subject:

3 Willow Hill

I am unable to attend the 5/17 3 Willow Hill ADR Meeting, so per previous, pls let the record show, that on occasion, noise from 3 Willow Hill is very audible and that I urge the pool be relocated to the other side of the house for noise reasons and as a practical matter should be much sunnier (very important for pool usage). Respectfully, Tony Rose, 16 Madrona Ave. 415 456 1412

Michael & Elika Rosenbaum PO Box #1035 14 Madrona Ave Ross, CA 94957

June 7, 2022

Dear Members of the Ross Town Council:

We have lived at 14 Madrona Ave since 1987 and have seen variance-requested projects that make sense. This is not one of them.

We write to you in strong **opposition** to a proposed "hardship" variance for the construction of a pool at **3 Willow Hill**.

First, we ask that as a group you review the general question of what qualifies for a variance before you look at this property specifically. In our earlier letter to ADR, we reviewed some observations on the criteria that must be met to qualify for a variance and will not repeat them here.

Once you look at the established requirements, we think you will find this request fails to qualify before you even consider the project design details.

ADR declined to opine on the merits for a variance, only on the design aspects of the project should it meet the criteria. Notwithstanding, at the design review hearing, the applicant stated that they qualified for a variance because:

- -The applicant wants a pool
- -Some of their neighbors have a pool and so they should be able to have one too
- -The neighbor's property below theirs should be considered part of their property
- -The noise nuisance created is not relevant
- -The hillside zoning is not fair for this property
- -The pool would not be visible from down hill

Let us suggest the following:

- Their neighbors have a pool and the applicant wants one too.
 - Did the neighbors need a 70% setback invasion variance for their pool or did they buy a property that allowed for a pool?
 - o Do swim clubs exist in the area?
 - Are the Willow Hill neighbors' who support this project located uphill so they will not be affected by it? How do the downhill neighbors feel?
 - Do the neighbors who support this project also have projects that will be coming before you and hope their favorable support here will also flow to them?
 - We would like a honey-harvesting shed so we don't mess up our kitchen. Can we have one in our setback too? Other people have outbuildings. No, seriously.
 - Our neighbors as 10 Madrona applied for a bedroom addition. It wasn't even in the setback. Should they apply again? How about 147 Lagunitas' dance studio and basketball court against the rear corner of their yard? Can they have them back? 51 Bridge's pool request?

- The 70% invasion of the setback should not be considered as such because there is 'unbuildable land below their house belonging to a neighbor that should be looked upon as theirs'
 - Wow. Me too. Please use that for the setback for our honey shed! And maybe some FAR for that neighbor's bedroom.
- Noise issues are not their burden to bear
 - If they were not asking for a variance to create a new noise nuisance on the side of a canyon that reflects and amplifies sound, they might have a point.
 - We do not ask for quiet from their property but that they do not get this variance to create a significant, new problem for many other people
 - We are not only talking about kids splashing in a pool in the afternoons but rather the teen and adult parties with music that run until 10 at night, and later.
 - Frequency of private parties is not a regulated item, nor are we suggesting this.
 But it gets very old very fast when you have to close all of your windows to hear your own TV or to be able to go to sleep on a summer night
 - We do regulate schools and other town nuisances to protect local residents. Why would you allow a variance to create one?
- The zoning is not fair for this project
 - It is a hillside lot. Always was. Even when the house was built in 1913. Did the owner not realize this when they bought the house in 2017? Did the price they paid not reflect this?
- The pool would not be visible from below
 - We suggest you look for yourselves
 - Further the space, according to the prior residents, looks directly into our bedrooms. This new usage would only create more of a privacy issue for us and our Madrona neighbors

Should you get to the merits of this project, please also consider:

How the pool equipment and other noise would be abated

What is being done to prevent flooding downhill

How is drainage from a pool cover pump and from loss of pervious surfaces handled What visual mitigation is being required

Respectfully we ask that you **deny** this request for a variance for this property. There is not a hardship here, it would be special treatment, and this project is detrimental to the neighborhood.