



Agenda Item No. 16

Staff Report

Date: May 11, 2023

To: Mayor Kuhl and Council Members

From: Alex Lopez-Vega, Assistant Planner

Subject: Schiller Residence, 63 Laurel Grove Avenue

Recommendation

It is recommended that the Town Council adopt Resolution No. 2304 (**Attachment 1**) approving Design Review, Hillside Lot Permit, and a Variance for the subject project as described below.

Property Address: 63 Laurel Grove Avenue
A.P.N.: 072-131-33
Applicant: Eric Cole
Property Owner: Joshua Schiller
Zoning: R-1:B-A
General Plan: VL (Very Low Density)
Flood Zone: X (Moderate Risk)

Project Data

	Code Standard	Existing	Proposed
Lot Area	1 Acre	149, 322 SF	No change
Hillside Lot Floor Area (FAR)	3,355 SF	5,580 SF	6,876 SF
Building Coverage	15%	4,175 SF (3%)	5,137 SF (3 %)
Front Setback	25'	25'	No Change

	Code Standard	Existing	Proposed
Left Side Setback	45' House	45' House 0' Carport	House- No Change 42' 6" Carport
Right Side Setback	45'	45'	No Change
Rear Setback	70'	70'	No Change
Building Height	30'	26'	No Change Carport 9'
Parking	4 (2 Covered)	5 (2 Covered)	8 (5 Covered)
Impervious Surface Coverage	Minimize and/or mitigate for any increase.	6, 483 SF	6,305 SF

Project Description:

The applicant requests approval for Design Review, Hillside Lot Permit, and a Variance. The project is requesting construction of a new 588 square foot carport that includes a green roof and a 9-foot retaining wall. The new carport will be located north of the single-family residence and in the existing driveway. Access to the home is provided via Laurel Grove Avenue via the shared driveway easement. There are five existing parking spaces, two in the existing garage. The project proposes to add three additional covered parking spots by widening the driveway and construction of a new carport.

The project also includes converting the pool cabana basement into a gym and home office by converting 708 square feet of unconditioned space into floor area. A new deck is proposed outside the newly conditioned space. A Variance application is requested to exceed the allowable floor area by 1,296 square feet (588 SF carport and 708 SF gym and office), construct the new carport within the side yard setback, and construct a 9-foot retaining wall.

The proposed gym and home office will have western red cedar siding, with black anodized aluminum windows and doors. The new deck will be made from IPE wood decking and will have a stainless-steel cable railing. The project also proposes to construct an outdoor kitchen with concrete countertops. A wooden trellis is being proposed on both the pool cabana and the main house. The project will also remove 6 trees under 6" in diameter.

Project plans are included as **Attachment 2**; Project Application and Materials are included as **Attachment 3**.

The proposed project is subject to the following permit approval:

- **Design Review Permit is required pursuant to RMC Section 18.41.010** to allow for construction of a new building exceeding 200 square feet of a new floor area; fences and gates greater than 48" in height adjacent to the street right-of-way; a project resulting in more than 50 cubic yards of grading or filling; a project resulting in over 1,000 square feet of new impervious landscape surface; and redevelopment, rehabilitation, and/or renovation of existing landscape over 2,500 square feet.
- **Variances are required pursuant to RMC 18.48.010** to exceed the allowable floor area, construct a new carport within the side yard setback and construct a 9-foot retaining wall.
- **Hillside Permit is required for lots with a slope of 30 percent or more, pursuant to RMC Section 18.39.020.**

Background

The project site is a 149,322 square-foot steeply sloping lot on Laurel Grove. The size of the lot is more than three times greater than the minimum lot size for the zoning district. The minimum lot size for R-1:B-A is 1 acre, the lot is 3.4 acres, larger than the zoning designation but two thirds of the land is unbuildable due to the steeply sloping lot. The subject site has an average slope that is greater than 30%.

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 for Attics, a Hillside Lot Permit, and/or a Variance.

On April 18, 2023, the applicant took the project to the Advisory Design Review (ADR) group for review. The ADR members were all okay with the proposed carport and 8-foot retaining wall, but all recommended that the carport decrease in size to minimize the bulk of the structure at the roadway. One of the ADR members suggested softening the carport with an angle and adding some plantings to soften the concrete.

The applicant has pulled the eastern edge of the carport canopy back 6' and the retaining wall back 10' from the driveway, so it's not as prominent as you drive up the driveway. The applicant included a planter along the length of the retaining wall to break up the mass and bulk of the carport. The applicant also reduced the total floor area of the carport from 770 square-feet to 588 square-feet.

The ADR members had a split decision on adding floor area to the existing pool cabana basement. Two ADR members did not support the additional square footage. The two ADR members also could not support the deck since it is visible from the road. Two ADR members supported the

floor area increase because the unconditioned space is existing and there is not an expansion of footprint. Additionally, they agreed that the structure has no impact to the neighbor's privacy, and it does not add bulk or mass to the site, it is an existing structure. The same ADR members could not support the deck as proposed and asked that the deck be reduced in size and more landscape screening be proposed to help soften it. The ADR members acknowledged that the deck was a means to access the gym and office and understood the necessity of it. The applicant has reduced the overall size of the deck by 40%, so it's less prominent as you drive up the private driveway. The revised plans included as **Attachment 2** reflect some of the ADR suggestions.

Draft minutes of the April 18, 2023, ADR meeting are included as **Attachment 4**.

Discussion

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

Design Review

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

The Town Council may approve, conditionally approve or deny an application for design review. The Town Council shall include conditions necessary to meet the purpose of Design Review pursuant to Chapter 18.41 and for substantial compliance with the criteria set forth in this chapter. If Council intends to approve Design Review, staff recommends that the required findings for approval be satisfied for the proposed project, as follows:

- **The project is consistent with the purpose of Design Review as outlined in Section 18.41.010. (Section 18.41.070 (b) (1))**
- **The project is in substantial compliance with the design criteria of Section 18.41.100. (Section 18.41.070 (b) (2))**
- **The project is consistent with the Ross General Plan and zoning ordinance. (Section 18.41.070 (b) (3))**

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. The proposed project is not monumental or excessively large in size and is compatible with others in the neighborhood and do not attract attention to themselves. The project proposes 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. Landscaping protects privacy between properties, all proposed lighting is down lit with covered bulbs. The post-project stormwater runoff rates from the site would be no greater than pre-project rates.

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 encroaching within the minimum required side yard setback.

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. Design is well articulated to minimize the appearance of bulk. Materials and colors are of subdued tones and blend with the natural landscape. Development minimizes the obstruction of views from surrounding properties and public vantage points, with particular care taken to protect primary views. The project proposes to construct a new carport with a green roof and convert the pool cabana basement into a gym and office space. Consistent with Chapter 18.48, the findings are recommended to support the requested carport to allow for the proposed setback

encroachments on a Hillside Lot.

Variance

Pursuant to RMC Section 18.48.010, where practical difficulties, unnecessary hardships and results inconsistent with the general purpose of the zoning ordinance may result from the strict application of certain provisions thereof, variances, exceptions and adjustments may be granted, by the Town Council in appropriate cases, after public notice and hearing as provided in the zoning ordinance. 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.

In accordance with RMC Section 18.48.010 (c), a Variance is recommended for approval to exceed the allowable floor area, construct a new carport within the side yard setback and construct a 9-foot retaining wall based on the following mandatory findings:

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

Analysis: The special circumstances and conditions applicable to the land, building, or use include the existing topography, lot layout and patterns of development on the property and the neighborhood. The existing and proposed structure complies with the maximum required FAR for the zoning district R-1:B-A. However, the property is subject to the more restrictive FAR for a Hillside Lot because two thirds of the lot is very steep, even though the proposed construction would not occur within the sloped area. The allowable FAR under a Hillside Lot permit is only 3,354 SF. There's an existing single-family residence on the property which is 5,580 SF (4%), and a proposed property improvement of a carport and converting an unconditioned basement space into a conditioned one would increase the floor area up to 6,876 (5%). This is still well below the 15% threshold of a R-1:B-A lot. The new carport structure is also subject to the more restrictive minimum yard setbacks of 45-foot side yard setback instead of 25-foot side yard setback due to the circumstances applicable to the land. The new retaining wall will be part of the proposed carport and is proposed at 8 feet of height, due to the existing topography and the hillside adjacent to the driveway the retaining wall is needed in order for the carport to exist.

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

Analysis: Gyms are commonly enjoyed by owners of residential properties, therefore granting a Variance for the additional square footage would not be considered a special privilege under this zoning classification. Granting a carport will improve the driveway on a hillside property to meet current needs for access and safety, and to allow for the renovation and modernization of the existing front entry area. Granting of the variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

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

Analysis: The proposed retaining wall, new carport, and additional floor area would not adversely affect the health and safety of nearby residents as the existing mature landscaping and shrubs will provide visual screening from adjacent properties. The project would also be constructed in compliance with the building code and fire codes and all conditions of approval. No members of the general public have expressed concerns or issues with respect to the project.

Fiscal, Resource and Timeline Impacts

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

Alternative actions

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

Environmental Review

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities), because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Public Comment

Public Notices were mailed to property owners within 500 feet of the project site 10 days prior to the meeting date and no comments were received at the time of writing this report.

Attachments

1. Resolution No. 2304
2. Project Plans
3. Project Application and Materials
4. Draft ADR Meeting Minutes, April 18, 2023

ATTACHMENT 1

TOWN OF ROSS

RESOLUTION NO. 2304

RESOLUTION OF THE TOWN OF ROSS APPROVING DESIGN REVIEW, HILLSIDE LOT PERMIT, AND A VARIANCE TO EXCEED THE ALLOWABLE FLOOR AREA, CONSTRUCT A NEW CARPORT, AND TO CONSTRUCT A 9-FOOT RETAINING WALL LOCATED AT 63 LAUREL GROVE AVENUE A.P.N. 072-131-33

WHEREAS, applicant Eric Cole, on behalf of property owners Joshua Schiller has submitted an application requesting approval of Design Review, Hillside Lot Permit, and a Variance to construct a new 588 square foot carport that includes a green roof and a 9-foot retaining wall, the applicant also proposes to add 708 square feet by converting the pool cabana basement into a gym and home office at 63 Laurel Grove Avenue APN 072-131-33 (herein referred to as “the Project”).

WHEREAS, the Project is determined to be 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 the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; and

WHEREAS, on May 11, 2023, 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, and a Demolition Permit 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 11th day of May 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

P. Beach Kuhl, Mayor

ATTEST:

Cyndie Martel, Town Clerk

EXHIBIT "A"
FINDINGS
63 Laurel Grove Avenue
A.P.N. 072-131-33

A. Findings

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

a) The project is consistent with the purpose of the Design Review chapter as outlined in RMC Section 18.41.010.

As recommended by the Advisory Design Review (ADR) Group, the Project is consistent with the purpose of the Design Review chapter as outlined in RMC Section 18.41.010. It provides excellence of design consistent with the scale and quality of existing development; preserves and enhances the historical "small town," very 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.

b) The project is in substantial compliance with the design criteria of RMC Section 18.41.100.

As recommended by the Advisory Design Review (ADR) Group, the Project is in substantial compliance with the design criteria of RMC Section 18.41.100. The site would be kept in harmony with the general appearance of neighboring landscape. Lot coverage and building footprints would be minimized, and development clustered, to minimize site disturbance area and preserve large areas of undisturbed space. New buildings constructed on sloping land are designed to relate to the natural landforms and step with the slope in order to minimize building mass, bulk and height and to integrate the structure with the site. Buildings would use materials and colors that minimize visual impacts and blend with the existing landforms and vegetative cover, including wood and stone. Good access, circulation and off-street parking would be provided consistent with the natural features of the site. Open fencing would be aesthetically attractive and not create a "walled-in" feeling or a harsh, solid expanse. Landscaping would be integrated into the architectural scheme to accent and enhance the appearance of the development, including attractive, fire-resistant, native species and replacement trees for trees removed by development. Landscaping would create and maintain defensible spaces around buildings and structures as appropriate to prevent the spread of wildfire. The Project would maximize permeability and reduce the overall impervious surface coverage on the property, by removing existing impervious surfaces to more than offset the new development, so that the post-development stormwater runoff rates from the site would be no greater than pre-project rates.

c) 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, therefore the Project is found to be consistent with the Ross General Plan and Zoning Ordinance.

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

(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.

(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. Development adheres to the wildland urban interface building standards within the California Building Standards Code. 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.

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

Architectural design complements the form of the natural landscape. Design is well-articulated to minimize the appearance of bulk. Materials and colors are of subdued tones to blend with the natural landscape. The new carport design and the placement conform to the natural contours of the site. Development minimizes the obstruction of views from surrounding properties and public vantage points, with particular care taken to protect primary views.

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

a) 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, building, or use include the existing topography, geology, and lot layout and patterns of development on the property and the neighborhood. The existing and proposed structure complies with the maximum required FAR for the zoning district R-1:B-A. However, the property is subject to the more

restrictive FAR for a Hillside Lot because two thirds of the lot is very steep, even though the proposed construction would not occur within the sloped area. The allowable FAR under a Hillside Lot permit is only 3,354 SF. There's an existing single-family residence on the property which is 5,580 SF (4%), and a proposed property improvement of a carport and converting an unconditioned basement space into a conditioned one would increase the floor area up to 6,876 (5%). This is still well below the 15% threshold of a R-1:B-A lot. The new carport structure is also subject to the more restrictive minimum yard setbacks of 45-foot side yard setback instead of 25-foot side yard setback due to the circumstances applicable to the land.

b) That the granting of the application is necessary for the preservation and enjoyment of substantial property rights.

Gyms are commonly enjoyed by owners of residential properties, therefore granting a Variance for the additional square footage would not be considered a special privilege under this zoning classification. Granting a carport will improve the driveway on a hillside property to meet current needs for access and safety, and to allow for the renovation and modernization of the existing front entry area. Granting of the variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

c) 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 new carport, and additional floor area would not adversely affect the health and safety of nearby residents as the existing mature landscaping and shrubs will provide visual screening from adjacent properties. The project would also be constructed in compliance with the building code and fire codes and all conditions of approval. No members of the general public have expressed concerns or issues with respect to the project.

EXHIBIT "B"
CONDITIONS OF APPROVAL
63 Laurel Avenue
A.P.N. 072-131-33

1. The building permit shall substantially conform to the plans entitled, "Schiller Residence" and dated 4/18/2023, and reviewed and approved by the Town Council on May 11, 2023
2. 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.
3. 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.
4. The Project shall comply with the Fire Code and all requirements of the Ross Valley Fire Department (RVFD).
5. 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.
6. 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.
7. A Tree Permit shall not be issued until the project grading or building permit is issued.
8. 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 a signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system (i.e., temporary seeding and mulching or straw matting).
- e. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the Project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.
- f. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director.
- g. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
- h. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the town planner and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout areas. The plan shall demonstrate that on-street parking associated with construction workers and deliveries are prohibited and that all project deliveries shall occur during the allowable working hours as identified in the below condition 10n.
- i. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading

activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the Project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).

- j. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to issuance of the building permit to review conditions of approval for the Project and the construction management plan.
- k. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.
- l. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.
- m. Inspections shall not be provided unless the Town-approved building permit plans are available on site.
- n. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).
- o. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.
- p. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and rights-of-way free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely

covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind.

- q. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.
- r. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.
- s. The Project shall comply with building permit submittal requirements as determined by the Building Department and identify such in the plans submitted for building permit.
- t. The applicant shall work with the Public Works Department to repair any road damage caused by construction. Applicant is advised that, absent a clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment shall be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.
- u. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.
- v. The Public Works Department may require submittal of a grading security in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
- w. BEFORE FINAL INSPECTION, the Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.
 - i. The existing vegetation shall not be disturbed until landscaping is installed or erosion control measures, such as straw matting, hydroseeding, etc., are implemented.
 - ii. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.

- iii. The applicant shall provide a hard copy and a CD of an as-built set of drawings, and a certification from all the design professionals to the building department certifying that all construction was in accordance with the as-built plans and his/her recommendations.
9. 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

Owner:
JOSH SCHILLER
63 LAUREL GROVE AVE
ROSS, CA 94957

Architect:
dion + cole
954 POWELL STREET
SAN FRANCISCO, CA 94108
ERIC COLE - PRINCIPAL
ERIC@DIONCOLE.COM
415-919-7151

Structural Engineer:
MARTIN/MARTIN ENGINEERS
900 LARKSPUR LANDING CIRCLE
LARKSPUR, CA 94939
SCOTT HENDERSON
SHENDERSON@MARTINMARTIN.COM
415-614-0030

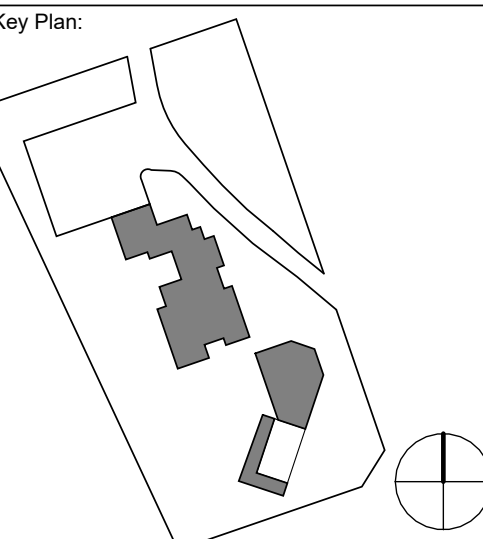
Civil Engineer:
LEA & BRAZE
2495 INDUSTRIAL PARKWAY WEST
HAYWARD, CA 94545
JIM TOBY
JTTOBY@LEABRAZE.COM
510-715-6028

Landscape Architect:
STUDIO MALA
630 MANGELS AVE
SAN FRANCISCO, CA 94127
CATHERINE GREY
CAT@STUDIO-MALA.COM
415-631-4932

General Contractor:

#	Description	Date
1	DESIGN REVIEW	10/13/22
2	DESIGN REVIEW #2	03/03/23
3	TOWN COUNCIL REVIEW	04/25/23

Key Plan:



Seal & Signature:

Sheet Name:

SITE SURVEY

Project No.:

2111

Scale:

Sheet No.:

A0.01

TOPOGRAPHIC AND BOUNDARY SURVEY

63 MONTE ALEGRE
TOWN OF ROSS

MARIN COUNTY — CALIFORNIA
SCALE: 1" = 10' DECEMBER 2012

ASSESSOR PARCEL NUMBER:

072-131-19, 25, 26

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A TOPOGRAPHIC AND BOUNDARY
SURVEY MADE BY ME OR UNDER MY DIRECTION AT THE REQUEST OF:

BRAD OLDENBROOK IN: DECEMBER 2012

I HEREBY STATE THAT THE TOPOGRAPHY AND BOUNDARIES SHOWN ON
THIS MAP IS BASED UPON A FIELD SURVEY MADE BY ME, DYLAN M.
GONSALVES, PLS 8475

ON DECEMBER 14, 2012

I FURTHER STATE THAT TO THE BEST OF MY KNOWLEDGE ALL PROVISIONS
OF APPLICABLE LOCAL ORDINANCES HAVE BEEN COMPLIED WITH.

DYLAN M. GONSALVES

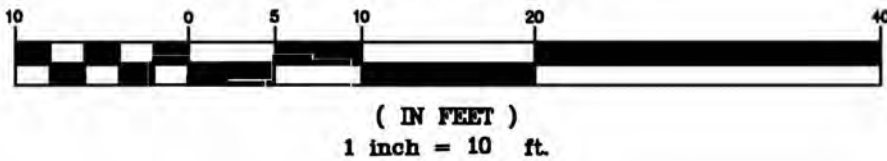
DATE

LOT AREA:

GROSS:
149,322± SF, 3.43± AC

NET (EXCLUDES 20' WIDE ROAD EASEMENT):
139,192± SF, 3.20± AC

GRAPHIC SCALE

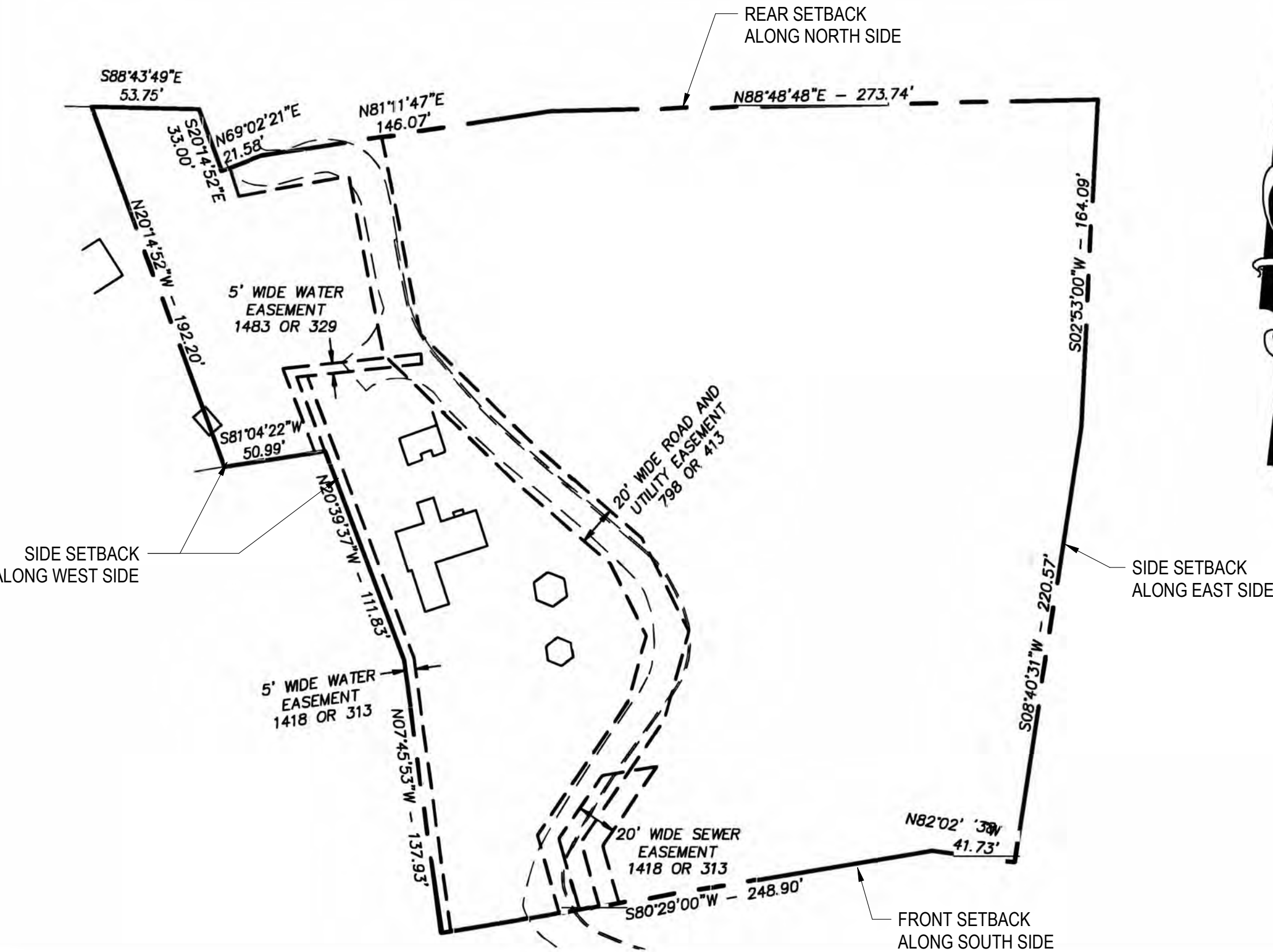


LEGAL DESCRIPTION:

PARCEL B, AS SHOWN UPON THAT CERTAIN MAP
ENTITLED "PARCEL MAP, DIVISION OF, LANDS OF
MARTIN SKEWES-COX, AND ADJACENT PARCELS
TOWN OF ROSS, MARIN CO., CALIF." RECORDED ON
FEBRUARY 4, 1970 IN BOOK 4 OF PARCEL MAPS,
AT PAGE 75, MARIN COUNTY RECORDER'S OFFICE.

NOTES:

- CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES
PRIOR TO CONSTRUCTION.
- BASIS OF ELEVATION: ELEVATIONS SHOWN ARE BASED AN
ASSUMED ELEVATION. MAIN FINISH FLOOR TAKEN AS 248.0'.
- 2' CONTOUR INTERVAL
- BASIS OF BEARINGS: BEARINGS SHOWN ARE BASED UPON
FOUND POINTS ALONG THE WESTERLY BOUNDARY ADJACENT TO THE
MAIN HOUSE AS SHOWN ON THE RECORD OF SURVEY OF THE
LANDS OF DENICKE, PREPARED BY DJ SCRANTON AND FILED ON
FEBRUARY 18, 1997 IN BOOK 35 OF RECORD OF SURVEYS, AT
PAGE 96, MARIN COUNTY RECORDER'S OFFICE. BEARING TAKEN AS
NORTH 20°39'37" WEST.
- THERE EXISTS AN EASEMENT OVER THE ENTIRE PROPERTY FOR
MARIN MUNICIPAL WATER DISTRICT TO LAY, MAINTAIN, REPAIR,
REMOVE AND OPERATE A PIPELINE. SPECIFICS ARE DESCRIBED IN
BOOK 731, PAGES 147-148, MARIN COUNTY OFFICIAL RECORDS.



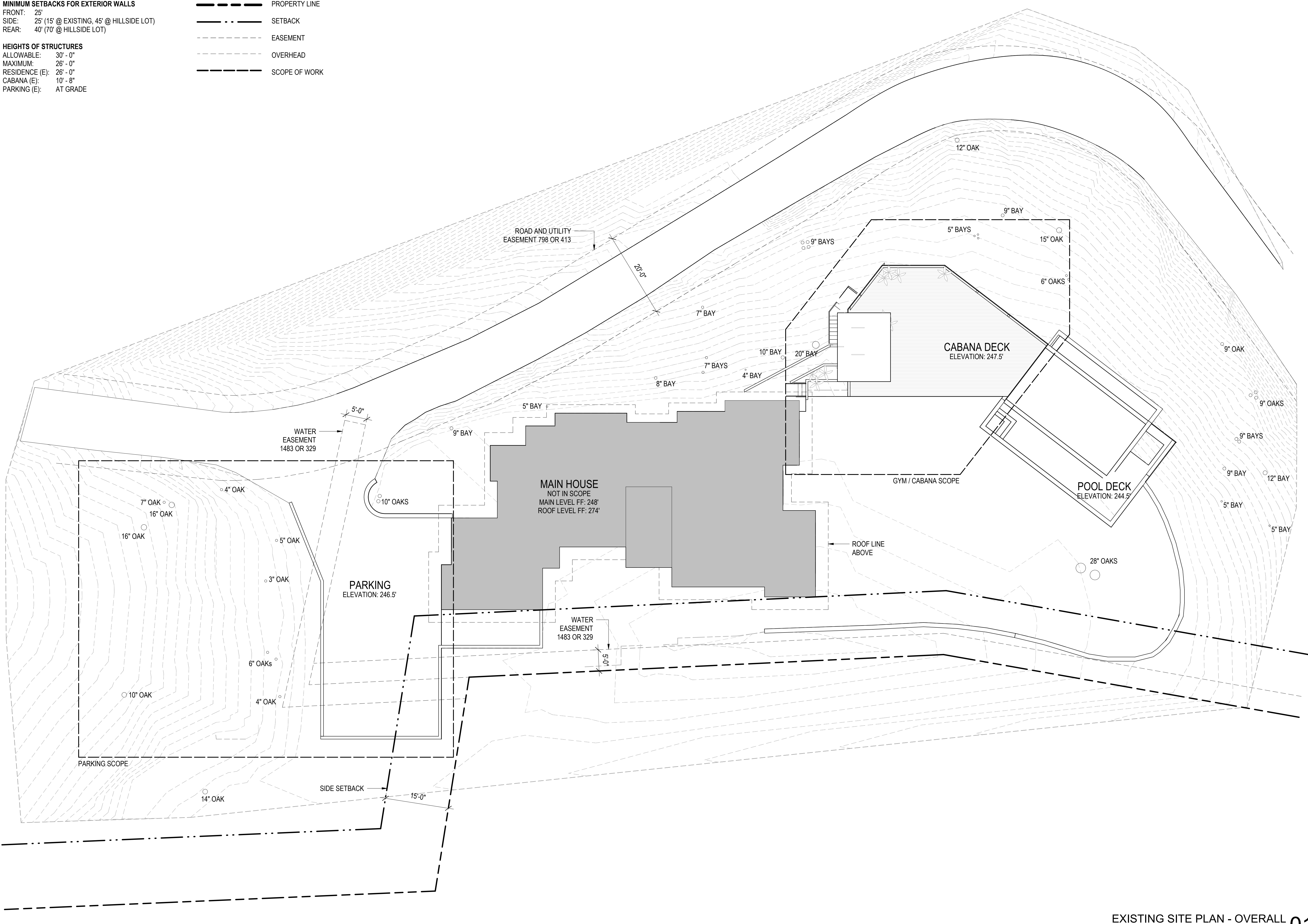
PROJECT INFORMATION

MINIMUM SETBACKS FOR EXTERIOR WALLS
FRONT: 25'
SIDE: 25' (15' @ EXISTING, 45' @ HILLSIDE LOT)
REAR: 40' (70' @ HILLSIDE LOT)

HEIGHTS OF STRUCTURES
ALLOWABLE: 30' - 0"
MAXIMUM: 26' - 0"
RESIDENCE (E): 26' - 0"
CABANA (E): 10' - 8"
PARKING (E): AT GRADE

LEGEND

- PROPERTY LINE
- SETBACK
- EASEMENT
- OVERHEAD
- SCOPE OF WORK



63 LAUREL GROVE AVE
ROSS, CA

Owner:
JOSH SCHILLER
63 LAUREL GROVE AVE
ROSS, CA 94957

Architect:
dion + cole
954 POWELL STREET
SAN FRANCISCO, CA 94108
ERIC COLE - PRINCIPAL
ERIC@DIONCOLE.COM
415-919-7151

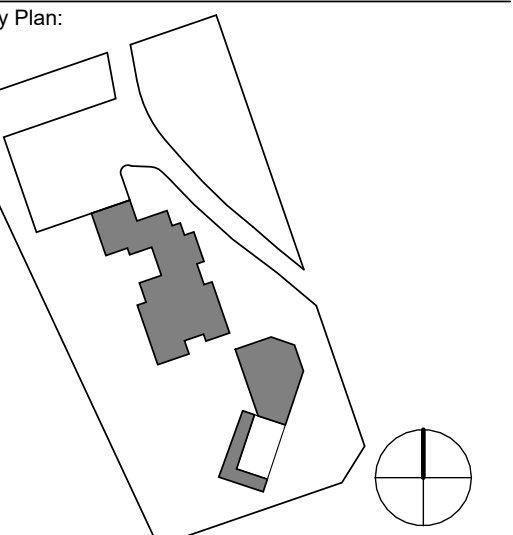
Structural Engineer:
MARTIN/MARTIN ENGINEERS
900 LARKSPUR LANDING CIRCLE
LARKSPUR, CA 94939
SCOTT HENDERSON
SHENDERSON@MARTINMARTIN.COM
415-814-0030

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General Contractor:

#	Description	Date
1	DESIGN REVIEW	10/13/22
2	DESIGN REVIEW #2	03/03/23
3	TOWN COUNCIL REVIEW	04/25/23



Seal & Signature:

Sheet Name:
**SITE PLAN -
EXISTING**

Project No.:	2111	Sheet No.:	A0.02
Scale:	1" = 10'-0"		

EXISTING SITE PLAN - OVERALL
SCALE: 1" = 10'-0" **01**

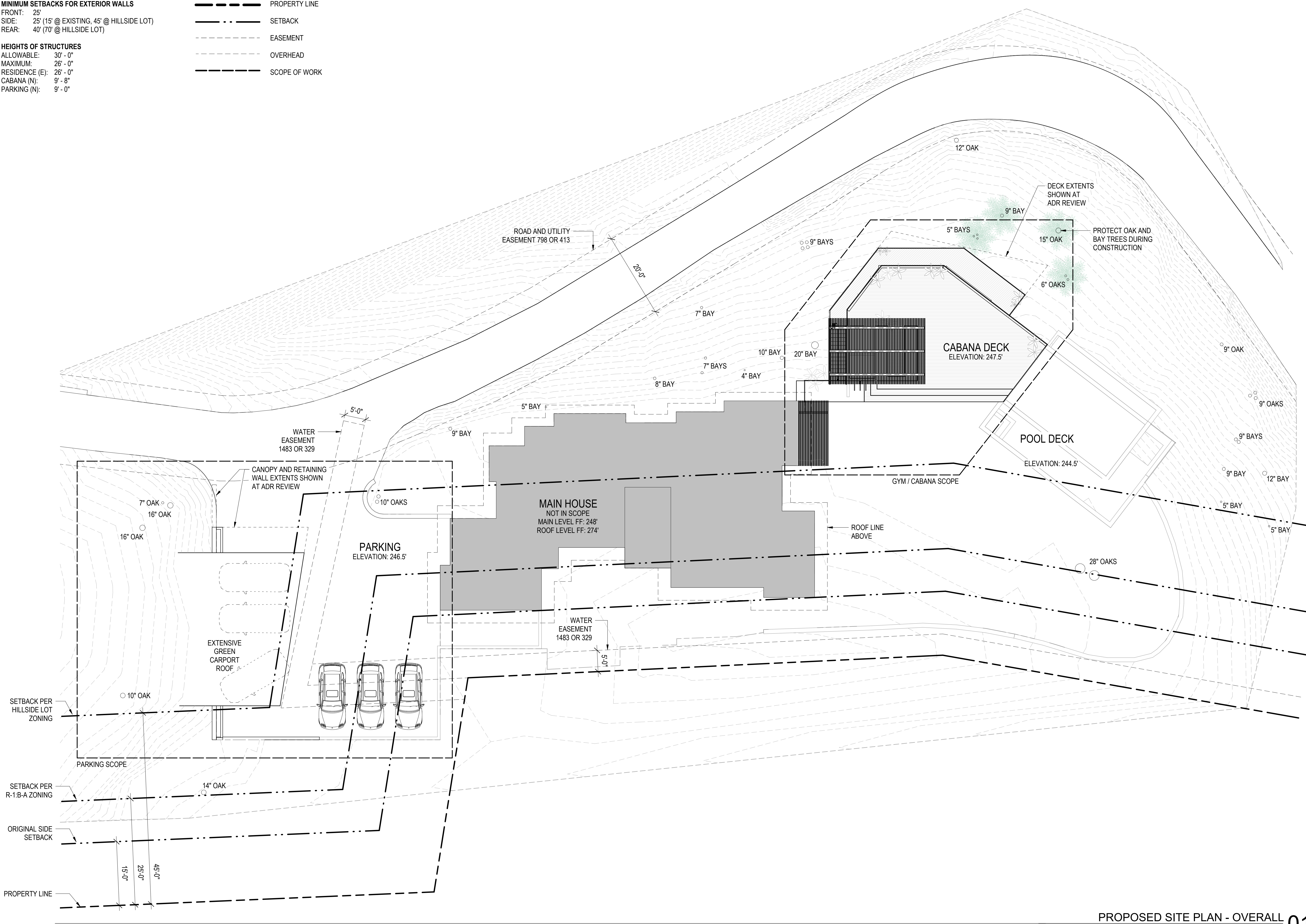
PROJECT INFORMATION

MINIMUM SETBACKS FOR EXTERIOR WALLS
FRONT: 25'
SIDE: 25' (15' @ EXISTING, 45' @ HILLSIDE LOT)
REAR: 40' (70' @ HILLSIDE LOT)

HEIGHTS OF STRUCTURES
ALLOWABLE: 30' - 0"
MAXIMUM: 26' - 0"
RESIDENCE (E): 26' - 0"
CABANA (N): 9' - 8"
PARKING (N): 9' - 0"

LEGEND

- PROPERTY LINE
- SETBACK
- EASEMENT
- OVERHEAD
- SCOPE OF WORK



63 LAUREL GROVE AVE
ROSS, CA

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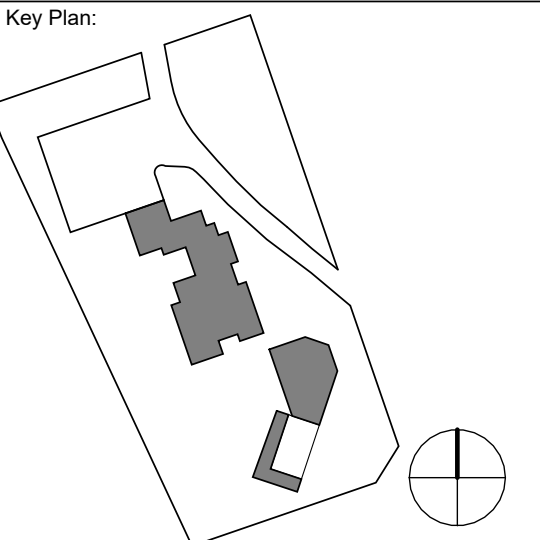
Structural Engineer:
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General Contractor:

#	Description	Date
1	DESIGN REVIEW	10/13/22
2	DESIGN REVIEW #2	03/03/23
3	TOWN COUNCIL REVIEW	04/25/23



Seal & Signature:

Sheet Name:
SITE PLAN -
PROPOSED

Project No.: 2111
Scale: 1" = 10'-0"
Sheet No.: A0.03

PROPOSED SITE PLAN - OVERALL 01
SCALE: 1" = 10'-0"

63 LAUREL GROVE AVE
ROSS, CA

Owner:
JOSH SCHILLER
63 LAUREL GROVE AVE
ROSS, CA 94957

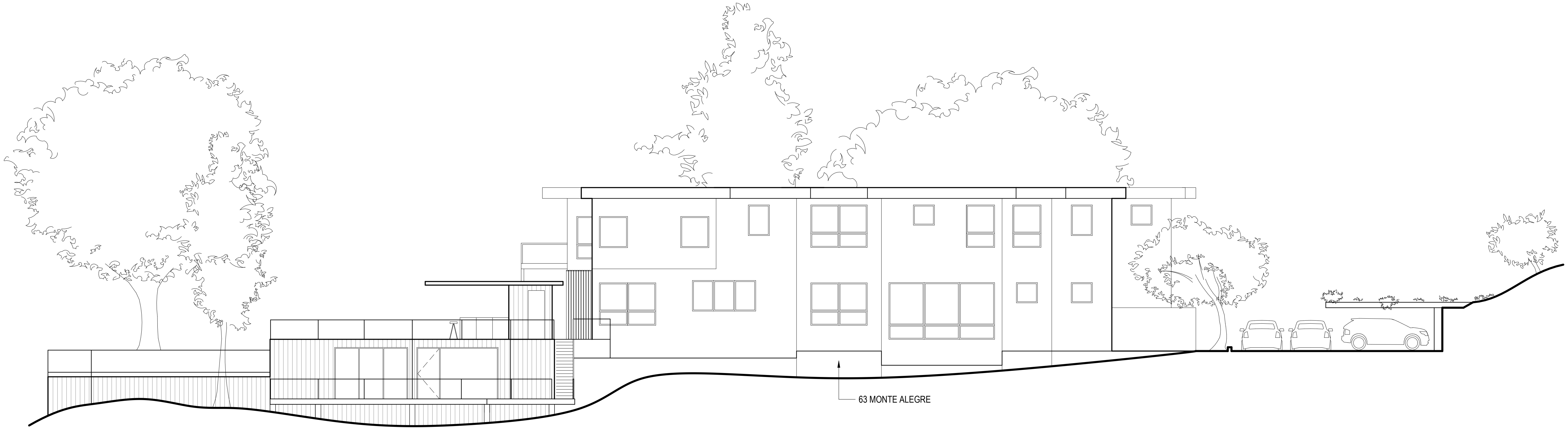
Architect:
dion + cole
954 POWELL STREET
SAN FRANCISCO, CA 94108
ERIC COLE - PRINCIPAL
ERIC@DIONCOLE.COM
415-919-7151

Structural Engineer:
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415-631-4932

General Contractor:

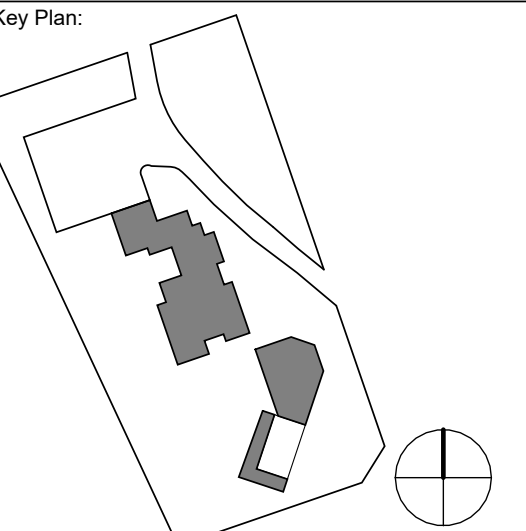


PROPOSED NORTHEAST FACADE 02
SCALE: 1" = 10'-0"



EXISTING NORTHEAST FACADE 01
SCALE: 1" = 10'-0"

#	Description	Date
1	DESIGN REVIEW	10/13/22
2	DESIGN REVIEW #2	03/03/23
3	TOWN COUNCIL REVIEW	04/25/23



Seal & Signature:

Sheet Name:
SITE SECTIONS

Project No.:	2111	Sheet No.:
Scale:	1" = 10'-0"	A0.04

Owner:
JOSH SCHILLER
63 LAUREL GROVE AVE
ROSS, CA 94957

Architect:
dion + cole
954 POWELL STREET
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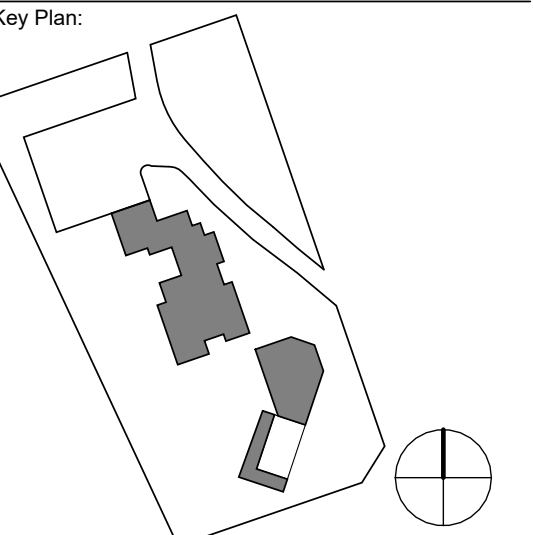
Civil Engineer:
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CATHERINE GREY
CAT@STUDIO-MALA.COM
415-531-4932

General Contractor:

#	Description	Date
2	DESIGN REVIEW #2	03/03/23
3	TOWN COUNCIL REVIEW	04/25/23

Key Plan:



Seal & Signature:

Sheet Name:

AREA PLAN

Project No.:	Sheet No.:
2111	A0.11
Scale:	As indicated

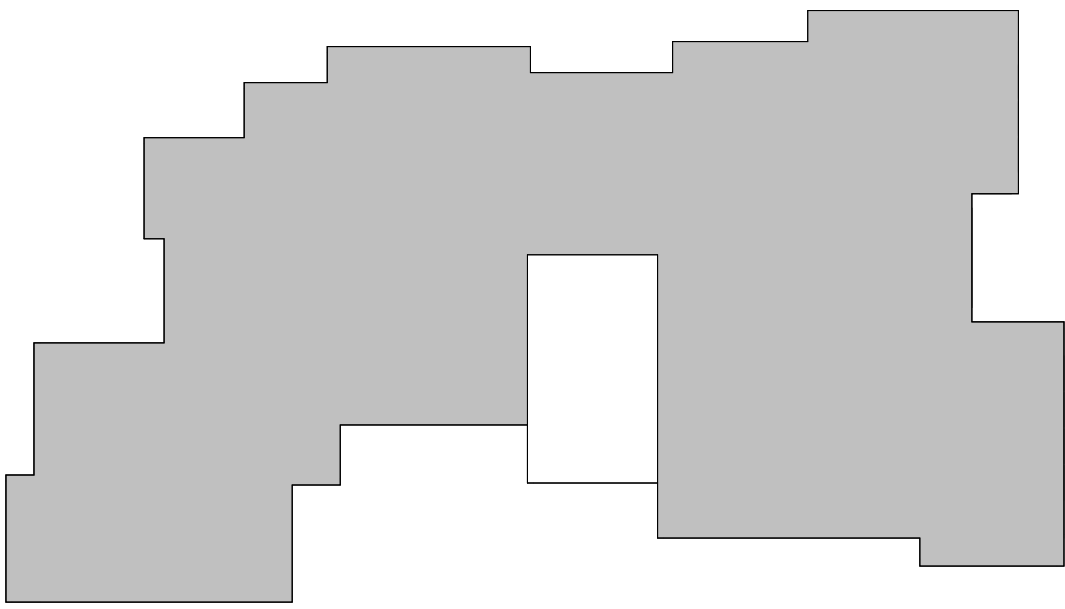
GROSS FLOOR PLAN

LOT SIZE: 149,322 SF (3.43 ACRES)

EXISTING
RESIDENCE: 5,488 SF
CABANA: 92 SF
TOTAL: 5,580 SF

PROPOSED
RESIDENCE: 5,488 SF (NO CHANGE)
CABANA: 92 SF (NO CHANGE)
STORAGE/GYM: 708 SF (N)
CARPORT: 588 SF (N)
TOTAL: 6,876 SF

- AREA INCLUDED
IN FAR
- AREA EXCLUDED
FROM FAR
- AREA NOT IN SCOPE
AND NO CHANGE

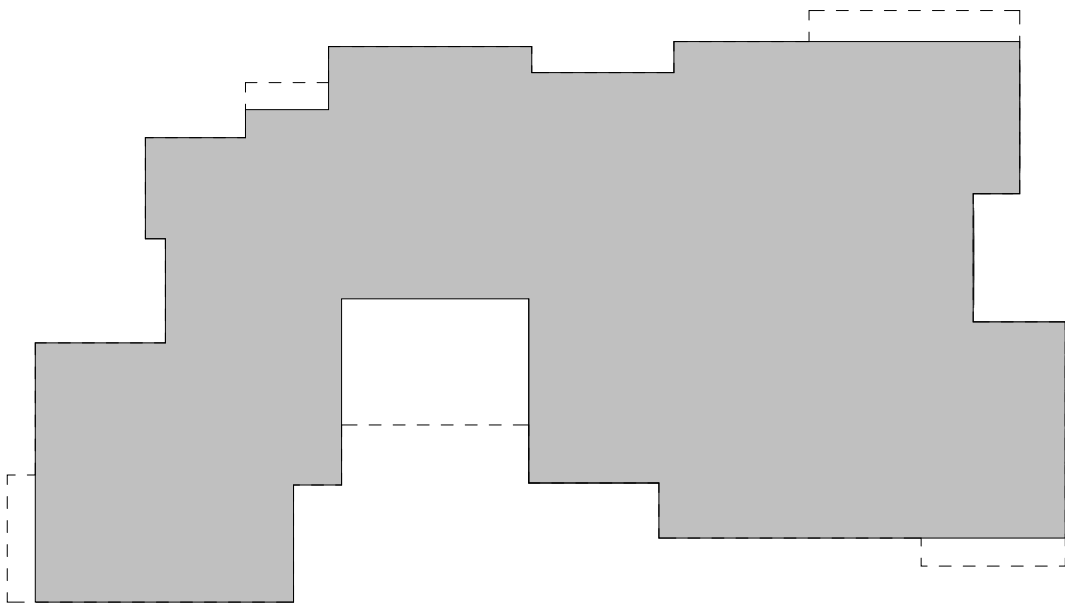


(NOT IN SCOPE, NO CHANGE)

RESIDENCE AREA PLAN - L2

SCALE: 1/16" = 1'-0"

16

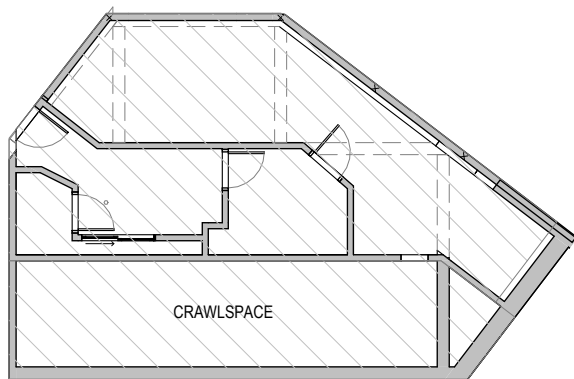


(NOT IN SCOPE, NO CHANGE)

RESIDENCE AREA PLAN - L1

SCALE: 1/16" = 1'-0"

12

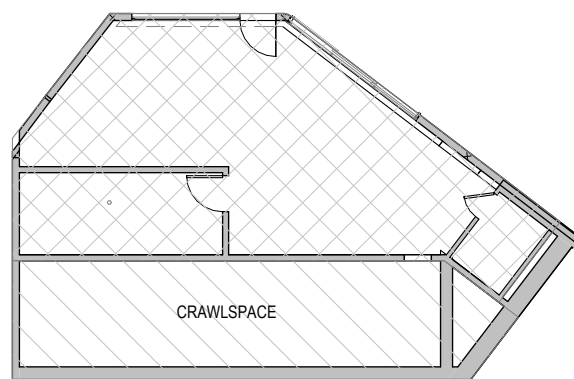


708 SF

GYM AREA PLAN (E)

SCALE: 1/16" = 1'-0"

15

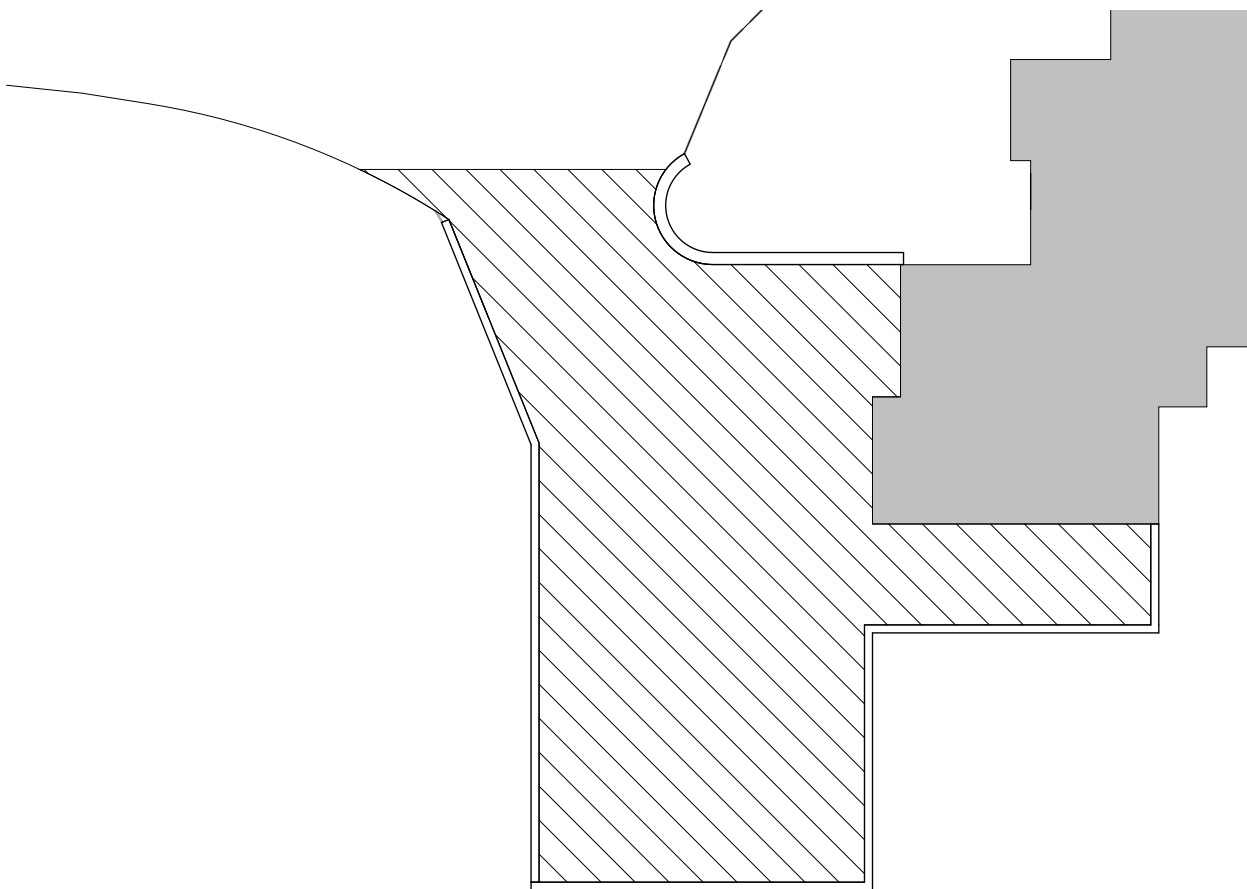


708 SF

GYM AREA PLAN (N)

SCALE: 1/16" = 1'-0"

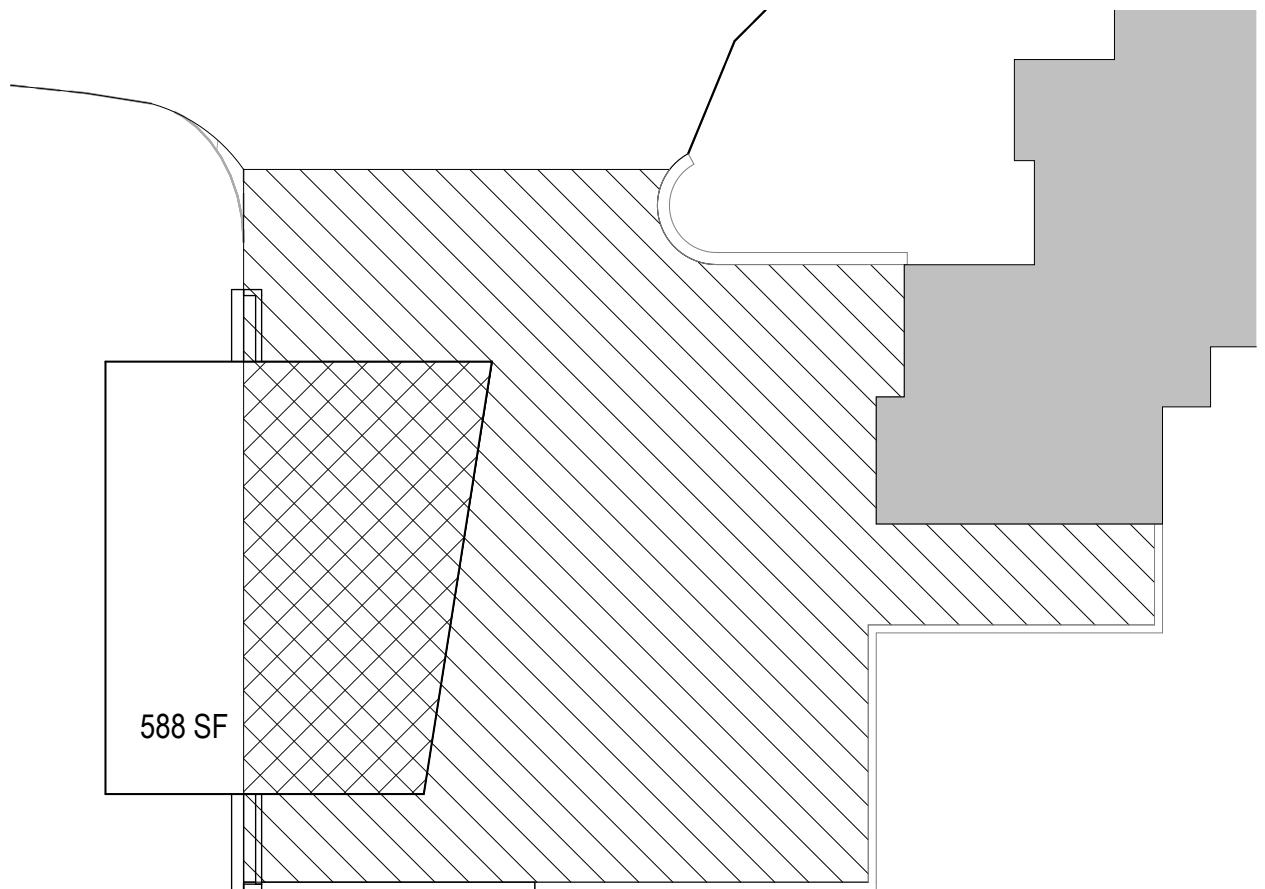
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PARKING AREA PLAN (E)

SCALE: 1/16" = 1'-0"

07

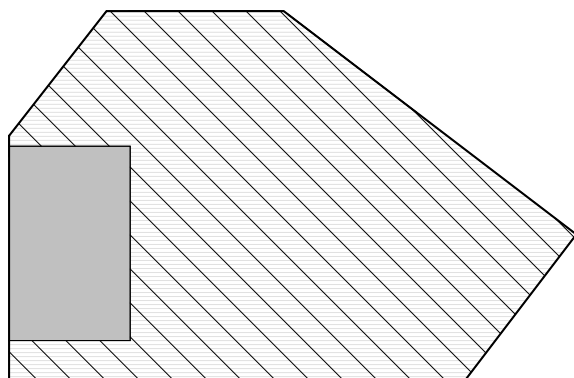


588 SF

PARKING AREA PLAN (N)

SCALE: 1/16" = 1'-0"

03

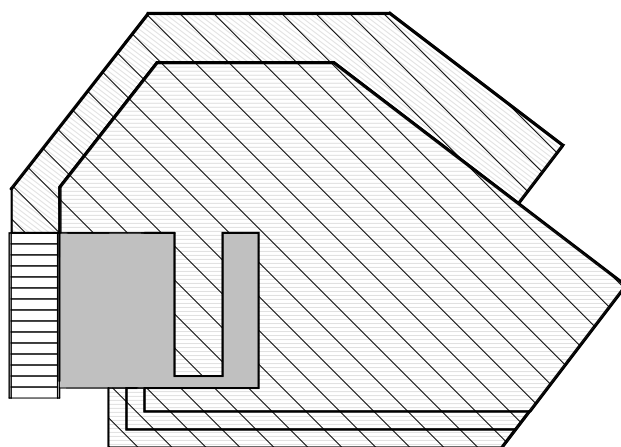


971 SF

DECK AREA PLAN (E)

SCALE: 1/16" = 1'-0"

14

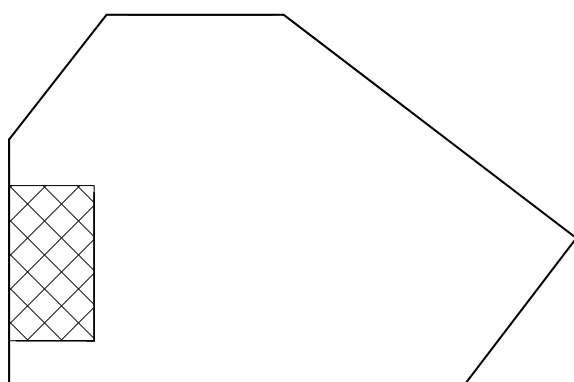


1,241 SF

DECK AREA PLAN (N)

SCALE: 1/16" = 1'-0"

10

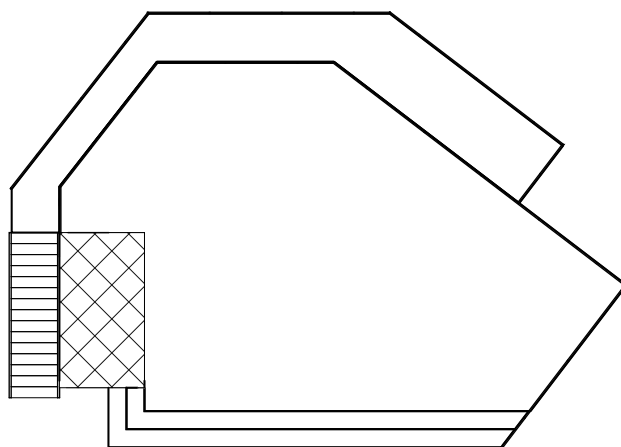


92 SF

CABANA AREA PLAN (E)

SCALE: 1/16" = 1'-0"

13

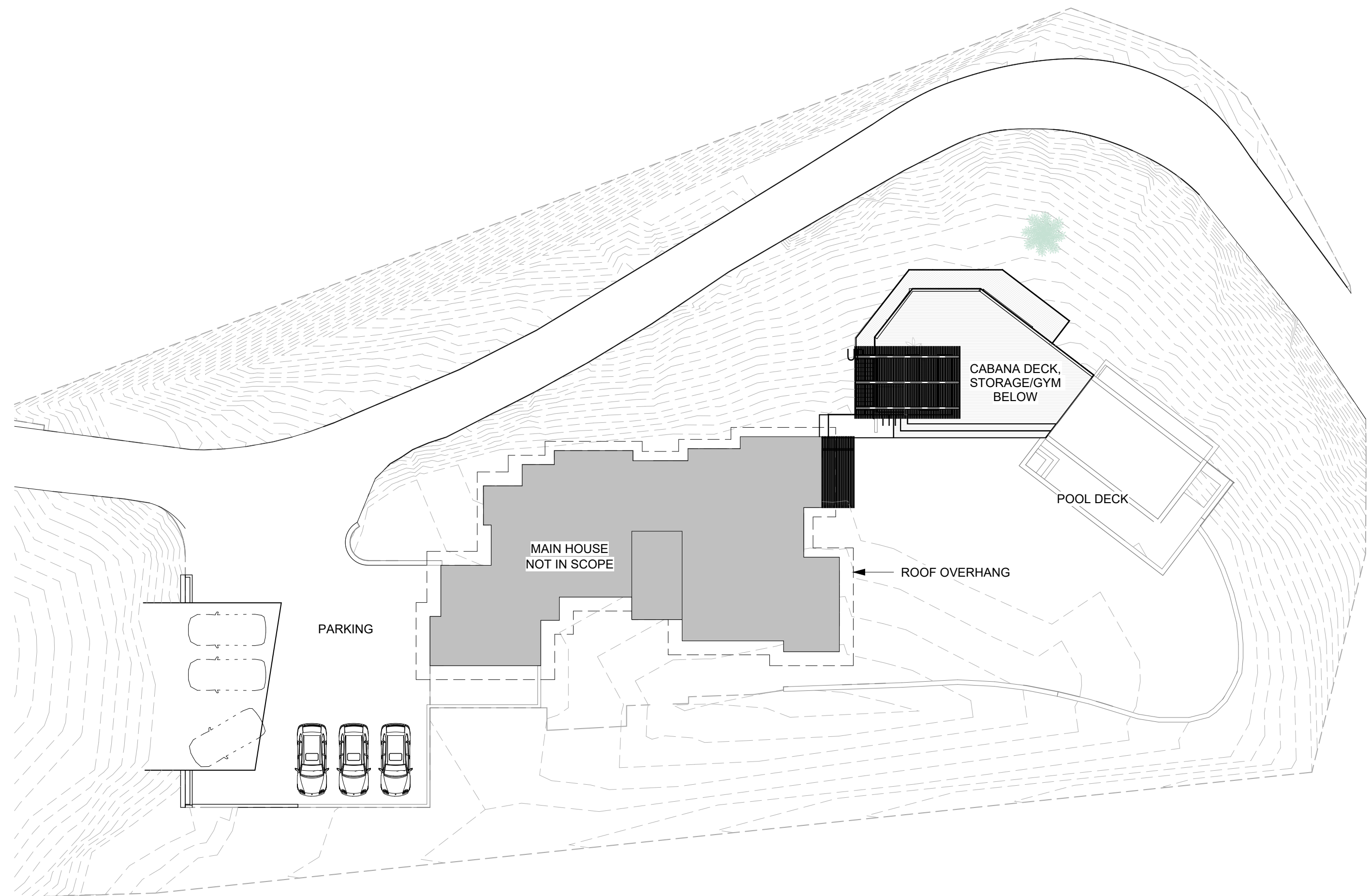


92 SF

CABANA AREA PLAN (N)

SCALE: 1/16" = 1'-0"

09



AREA PLAN

SCALE: 1" = 20'-0"

01

Owner:
JOSH SCHILLER
63 LAUREL GROVE AVE
ROSS, CA 94957

Architect:
dion + cole
954 POWELL STREET
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Landscape Architect:
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General Contractor:

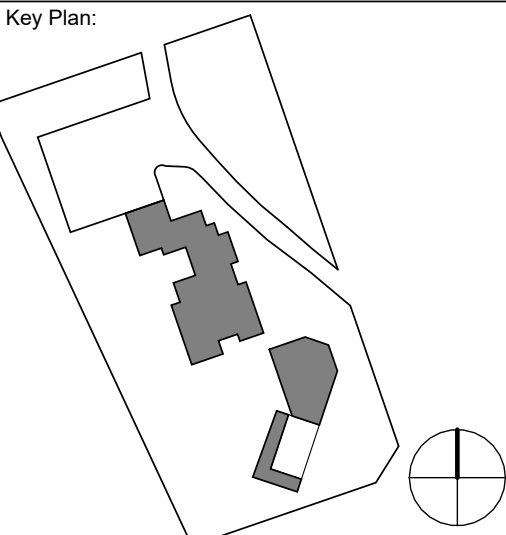


EXISTING PARKING AREA



PROPOSED CARPORT ADDITION

#	Description	Date
1	DESIGN REVIEW	10/13/22
2	DESIGN REVIEW #2	03/03/23
3	TOWN COUNCIL REVIEW	04/25/23



Seal & Signature:

Sheet Name:
**CARPORT
RENDERINGS**

Project No.:	Sheet No.:
Scale:	2111
	A0.21

Owner:
JOSH SCHILLER
63 LAUREL GROVE AVE
ROSS, CA 94957

Architect:
dion + cole
954 POWELL STREET
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General Contractor:

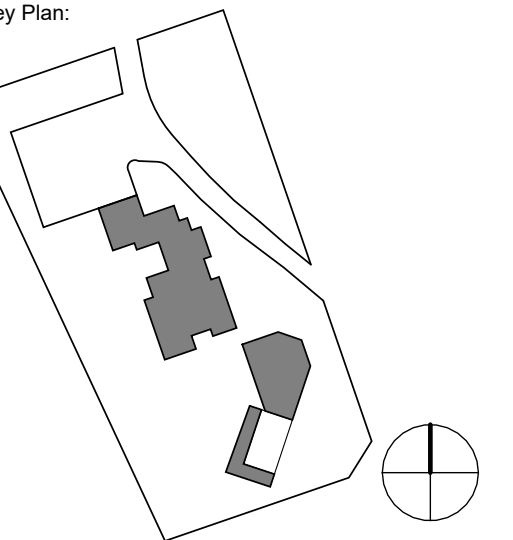


EXISTING GYM / CABANA AREA



PROPOSED GYM / CABANA AREA

#	Description	Date
1	DESIGN REVIEW	10/13/22
2	DESIGN REVIEW #2	03/03/23
3	TOWN COUNCIL REVIEW	04/25/23



Seal & Signature:

Sheet Name:
**GYM / CABANA
RENDERINGS**

Project No.:
2111

Scale:

Sheet No.:
A0.22

Owner:
JOSH SCHILLER
63 LAUREL GROVE AVE
ROSS, CA 94957

Architect:
dion + cole
954 POWELL STREET
SAN FRANCISCO, CA 94108
ERIC COLE - PRINCIPAL
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415-919-7151

Structural Engineer:
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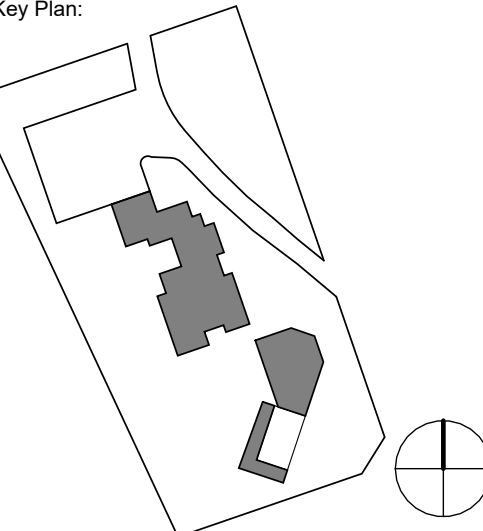
Civil Engineer:
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#	Description	Date
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Key Plan:



Seal & Signature:

Sheet Name:

MATERIALS

Project No.:

2111

Scale:

A0.31



POWDERCOATED STEEL OUTDOOR KITCHEN
WITH CONCRETE COUNTERTOP



WOOD TRELLIS



FASCIA: STRUCTURAL STEEL

PERMEABLE PAVER DRIVEWAY

EXTENSIVE GREEN ROOF
WITH NATURAL GRASSES

BOARD-FORM CONCRETE WALL
+ PLANTER

HOUSE NUMBERS

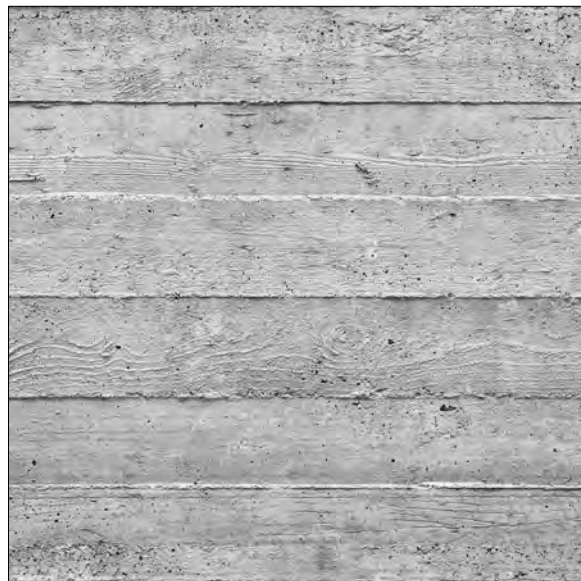
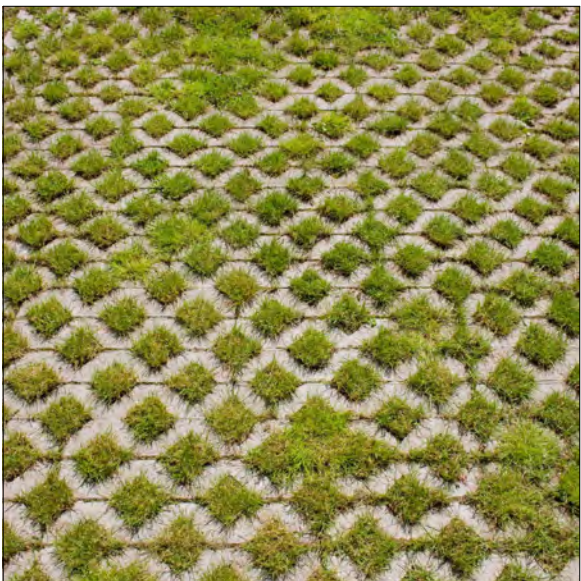
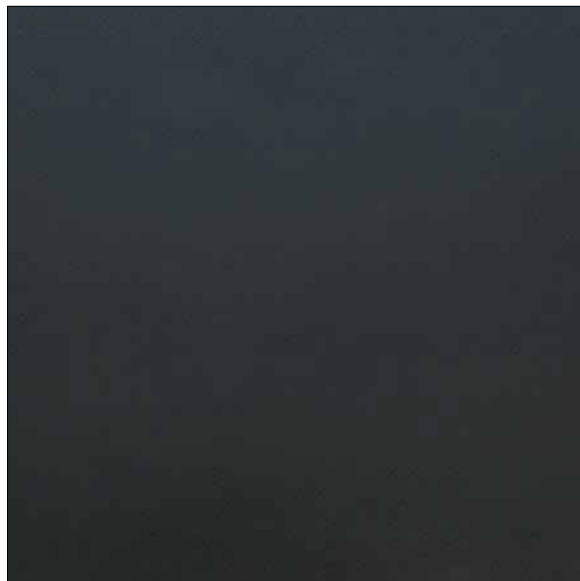


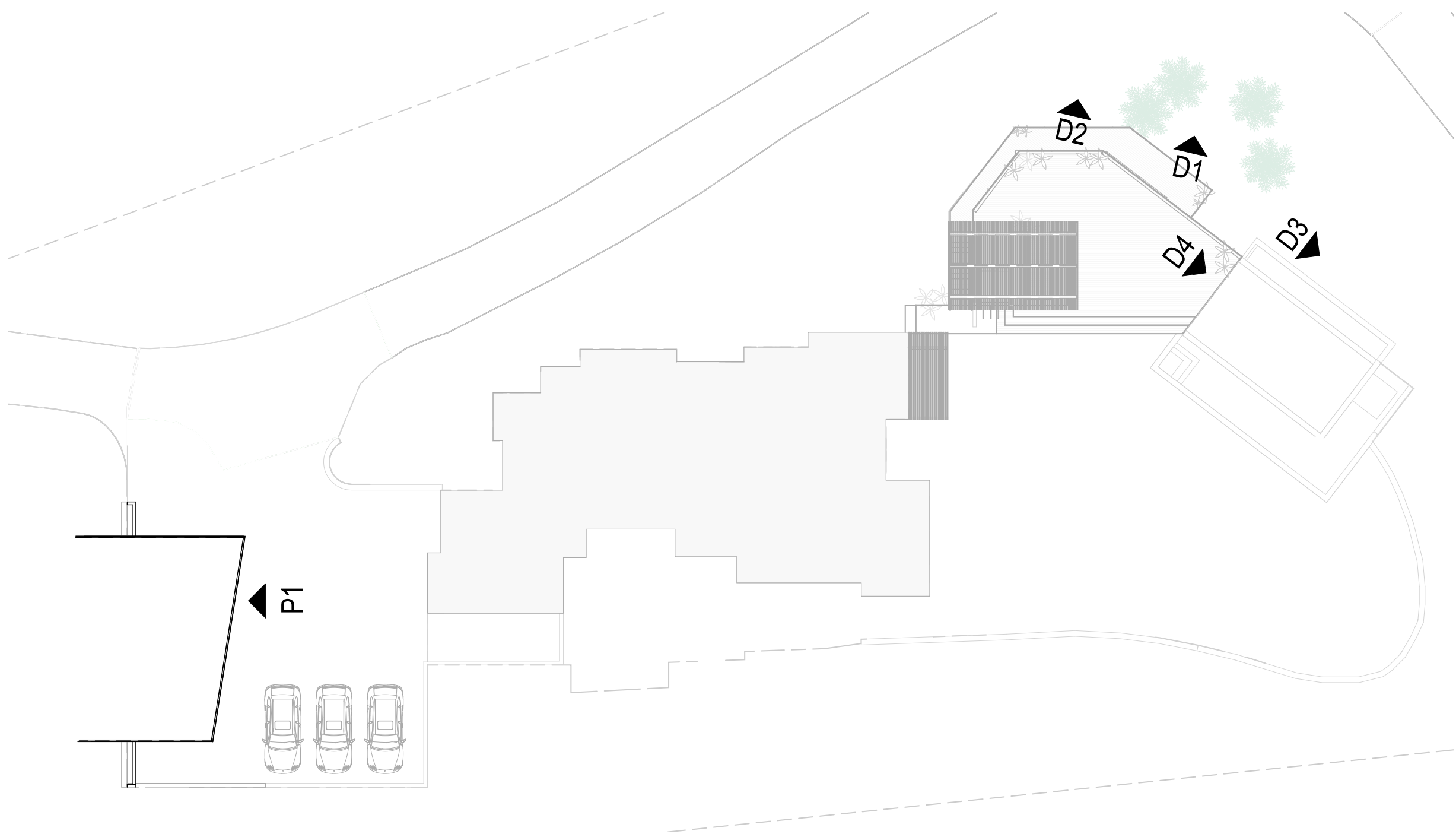
SIDING: WESTERN RED CEDAR RAIN
SCREEN WITH SEMI-TRANSPARENT STAIN

WINDOWS: BLACK ANODIZED
ALUMINUM WINDOWS AND DOORS

DECKING: IPE WOOD DECKING

GUARDRAIL: STAINLESS STEEL
CABLE RAILING





D4 - ABOVE DECK VIEW SOUTH



D3 - DECK VIEW SOUTH



P1 - PARKING AREA NORTH



D2 - DECK VIEW EAST



D1 - DECK VIEW EAST



B4 - BASEMENT POOL EQUIPMENT



B3 - BASEMENT DOMESTIC WATER



B2 - BASEMENT VIEW



B1 - BASEMENT VIEW

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ROSS, CA

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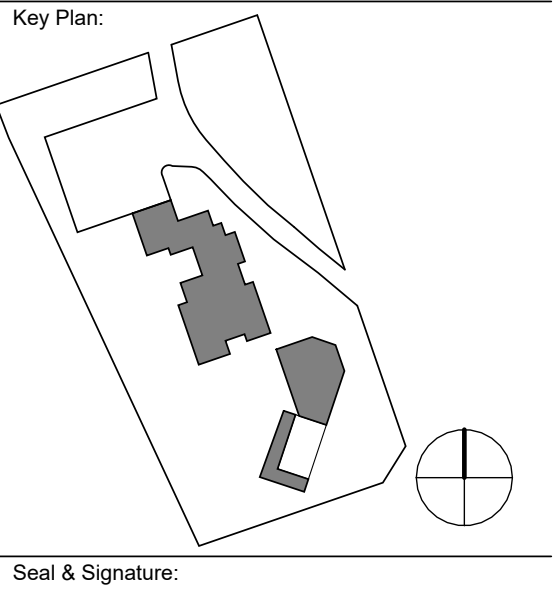
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510-715-6028

Landscape Architect:
STUDIO MALA
630 MANGELS AVE
SAN FRANCISCO, CA 94127
CATHERINE GREY
CAT@STUDIO-MALA.COM
415-531-4932

General Contractor:

#	Description	Date
2	DESIGN REVIEW #2	03/03/23
3	TOWN COUNCIL REVIEW	04/25/23



Seal & Signature:

Sheet Name:
SITE PHOTOS

Project No.:	Sheet No.:
	2111
Scale:	1" = 20'-0"

A0.41

Owner:
JOSH SCHILLER
63 LAUREL GROVE AVE
ROSS, CA 94957

Architect:
dion + cole
954 POWELL STREET
SAN FRANCISCO, CA 94108
ERIC COLE - PRINCIPAL
ERIC@DIONCOLE.COM
415-919-7151

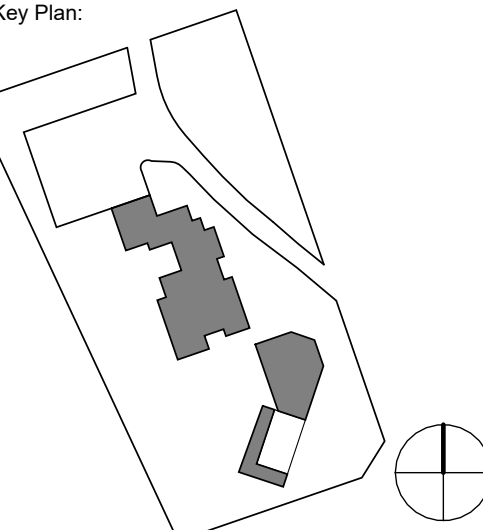
Structural Engineer:
MARTIN/MARTIN ENGINEERS
900 LARKSPUR LANDING CIRCLE
LARKSPUR, CA 94939
SCOTT HENDERSON
SHENDERSON@MARTINMARTIN.COM
415-814-0030

Civil Engineer:
LEA & BRAZE
2495 INDUSTRIAL PARKWAY WEST
HAYWARD, CA 94545
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General Contractor:

#	Description	Date
1	DESIGN REVIEW	10/13/22
2	DESIGN REVIEW #2	03/03/23
3	TOWN COUNCIL REVIEW	04/25/23

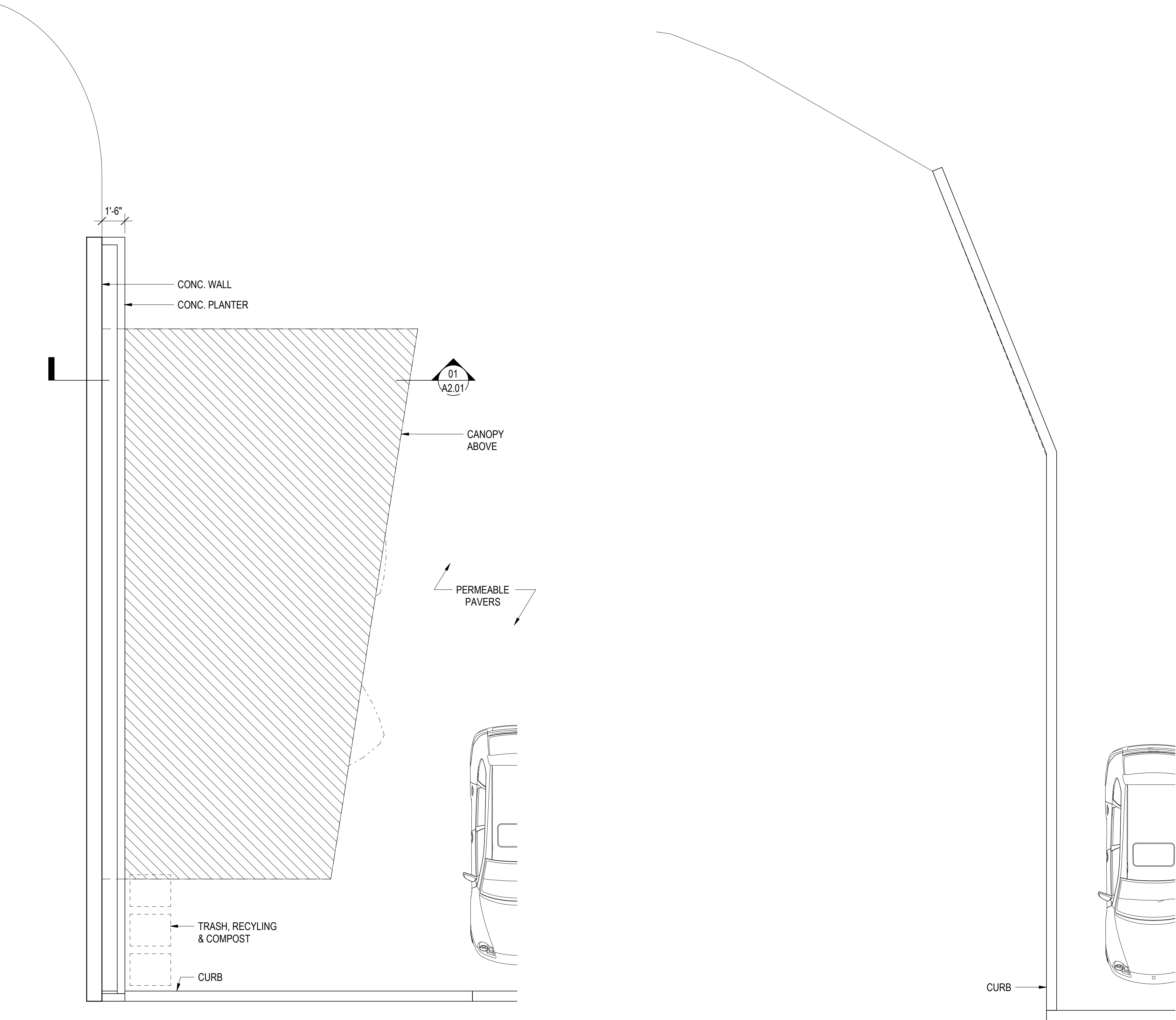


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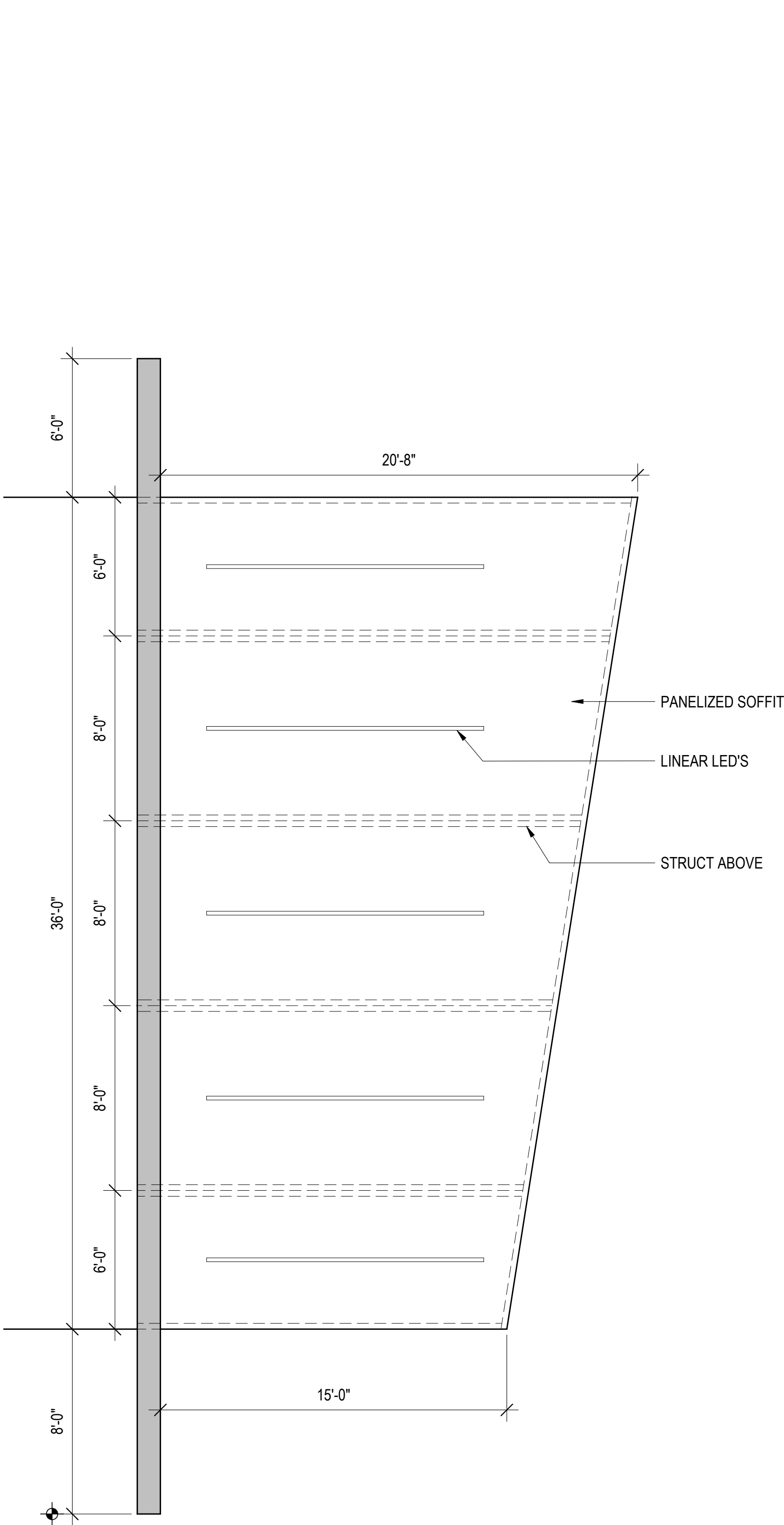
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CARPORT PLAN AND RCP

Project No.:	Sheet No.:
2111	A1.01
Scale:	1/4" = 1'-0"

EXISTING PARKING PLAN 01
SCALE: 1/4" = 1'-0"



CARPORT FLOOR PLAN 02
SCALE: 1/4" = 1'-0"



CARPORT RCP 03
SCALE: 1/4" = 1'-0"

Owner:
JOSH SCHILLER
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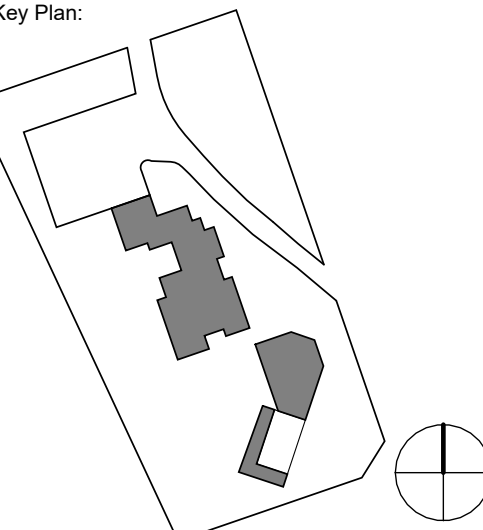
Civil Engineer:
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General Contractor:

#	Description	Date
1	DESIGN REVIEW	10/13/22
2	DESIGN REVIEW #2	03/03/23
3	TOWN COUNCIL REVIEW	04/25/23

Key Plan:



Seal & Signature:

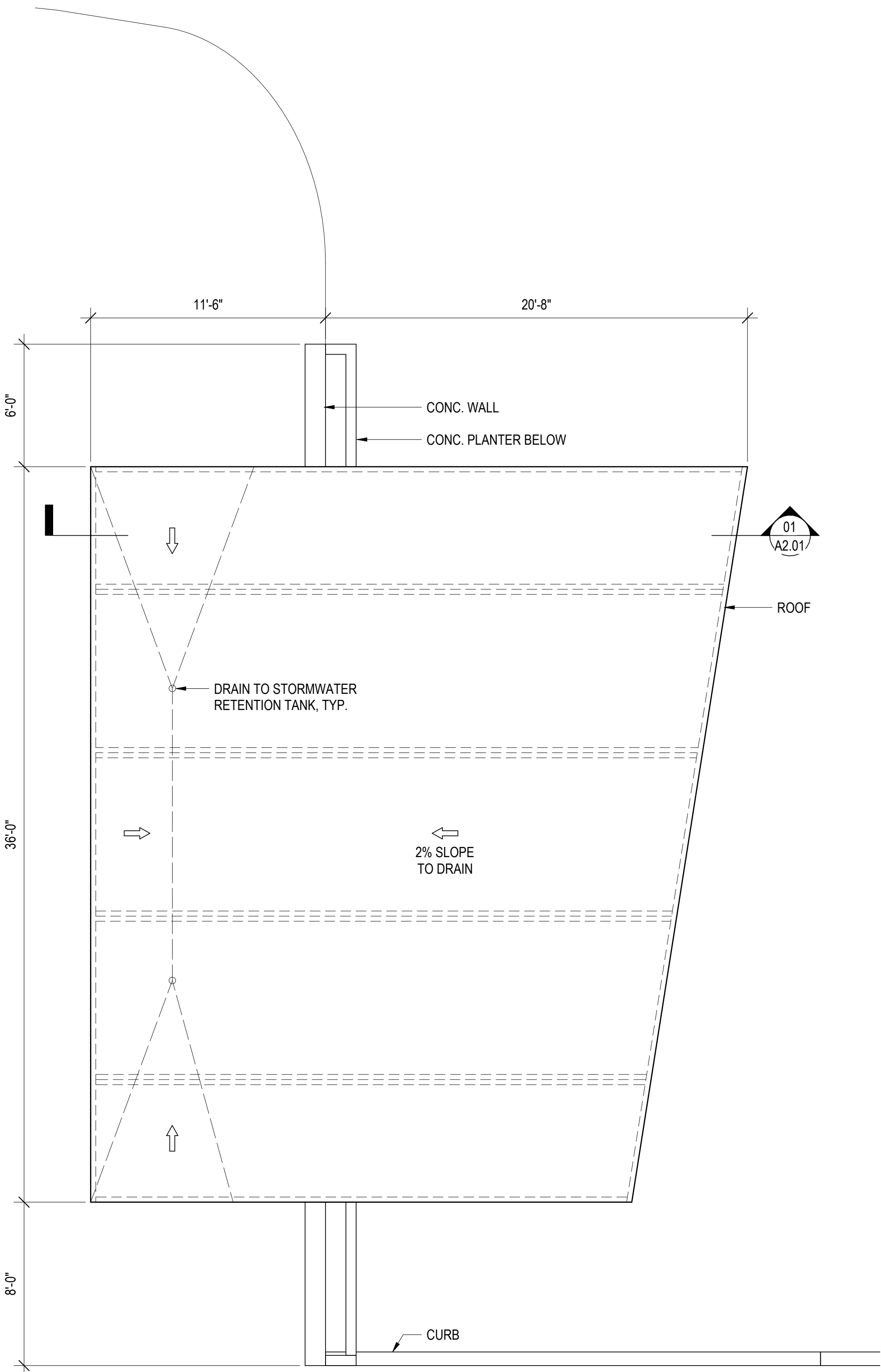
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AND SUBROOF

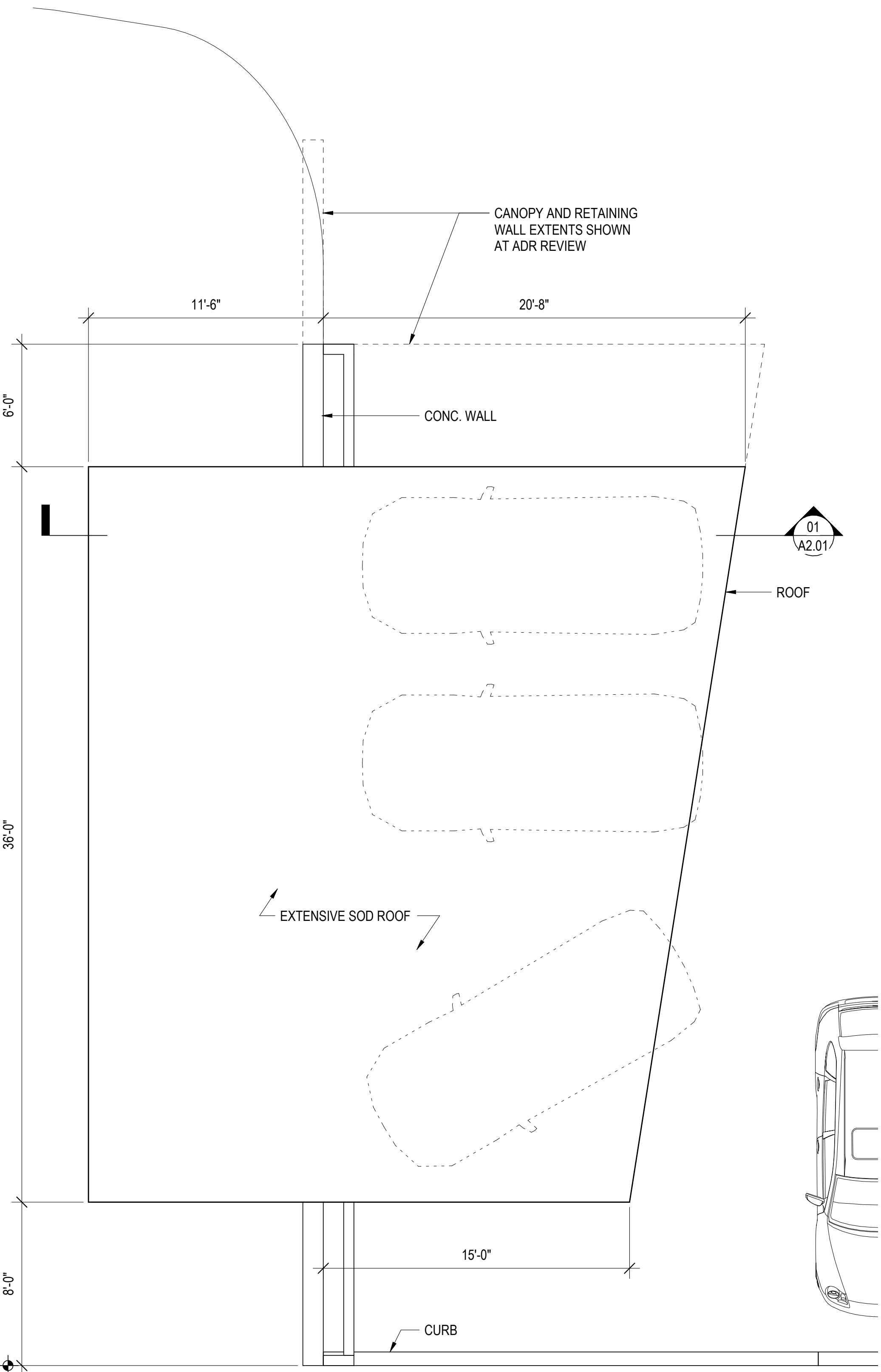
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Sheet No.:

A1.02



CARPORT SUBROOF PLAN 02
SCALE: 1/4" = 1'-0"



CARPORT ROOF PLAN 01
SCALE: 1/4" = 1'-0"

63 LAUREL GROVE AVE
ROSS, CA

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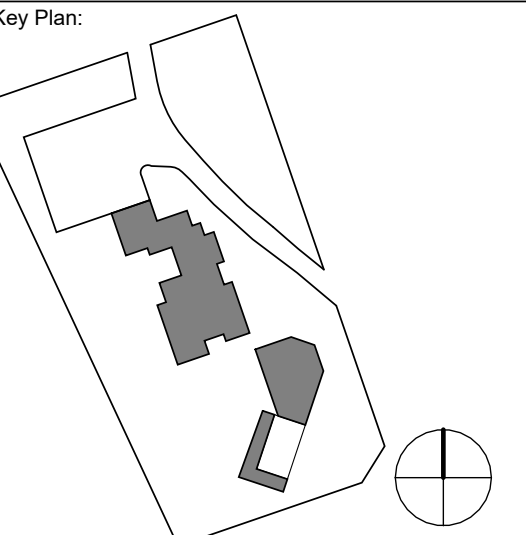
Structural Engineer:
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900 LARKSPUR LANDING CIRCLE
LARKSPUR, CA 94939
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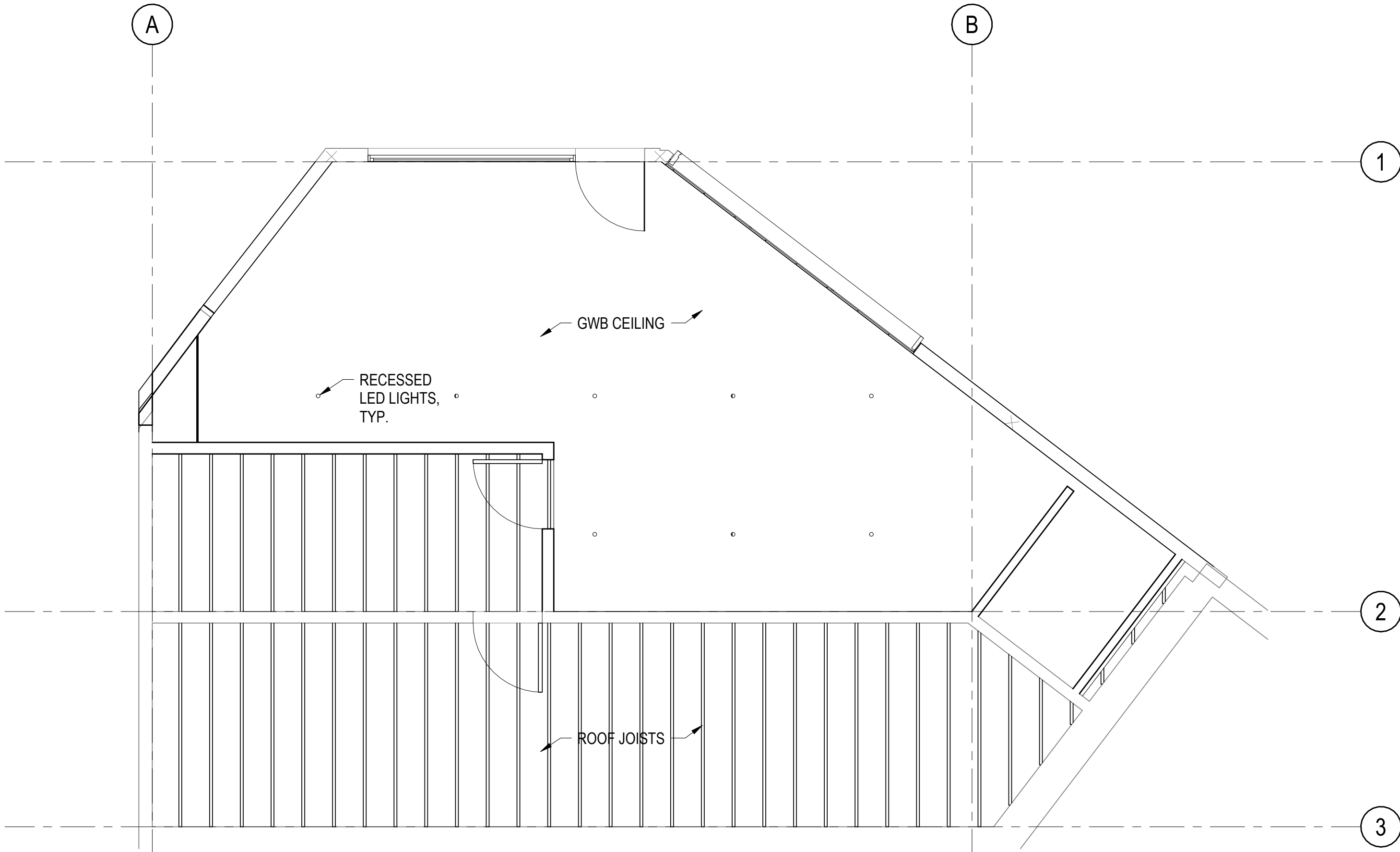
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3	TOWN COUNCIL REVIEW	04/25/23



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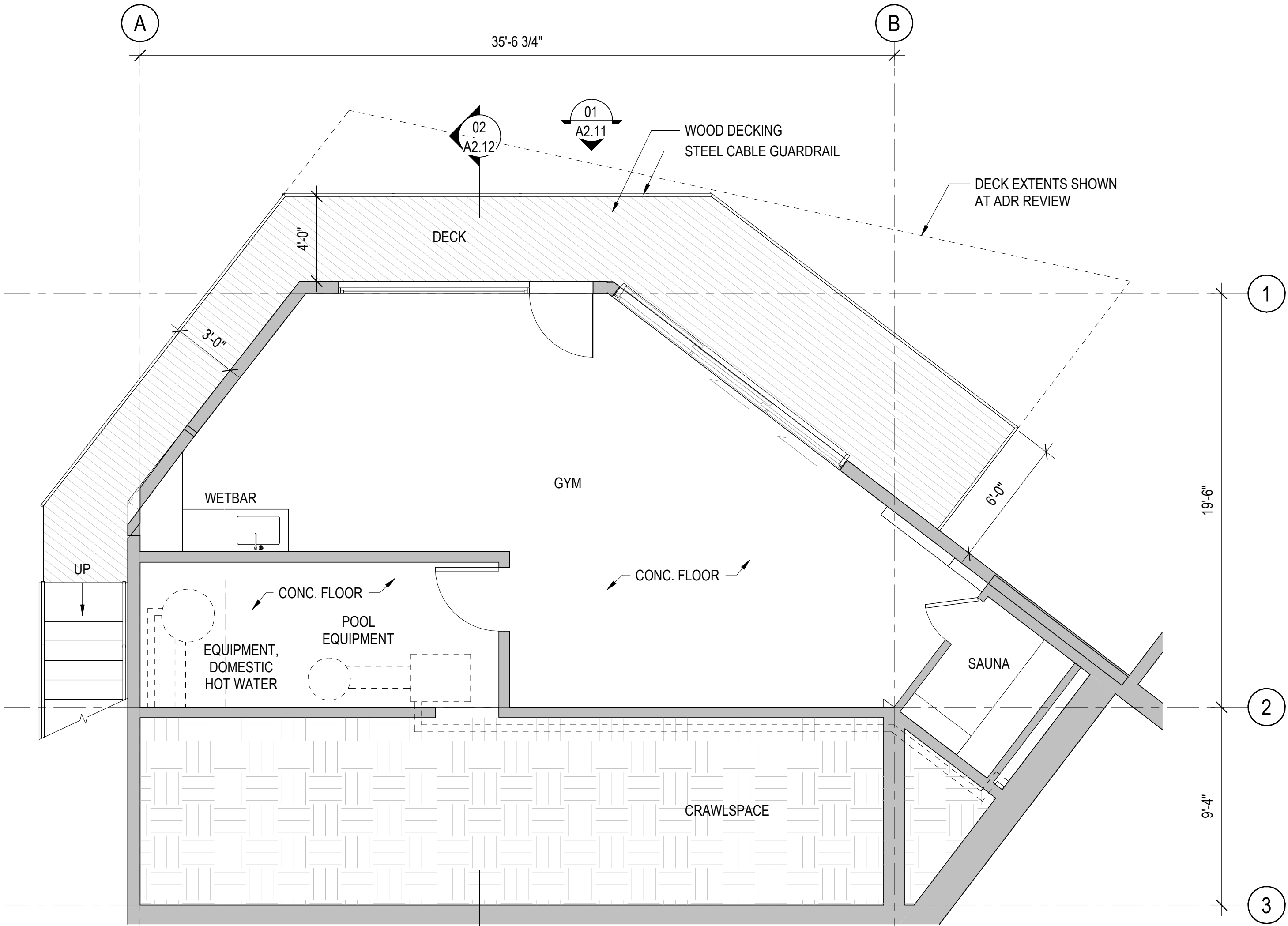
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**GYM FLOOR PLAN
AND RCP**

Project No.:	Sheet No.:
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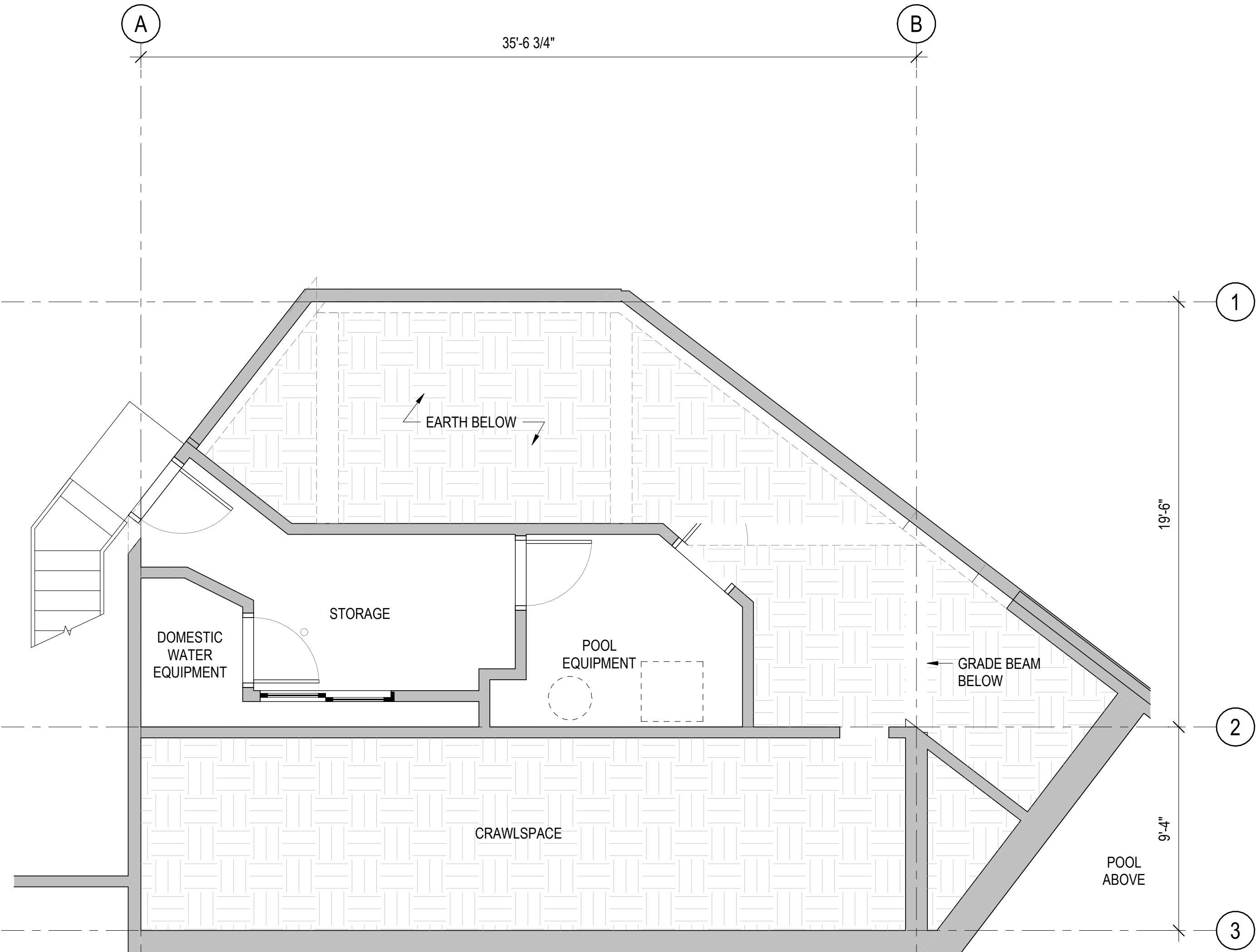
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SCALE: 1/4" = 1'-0"

07



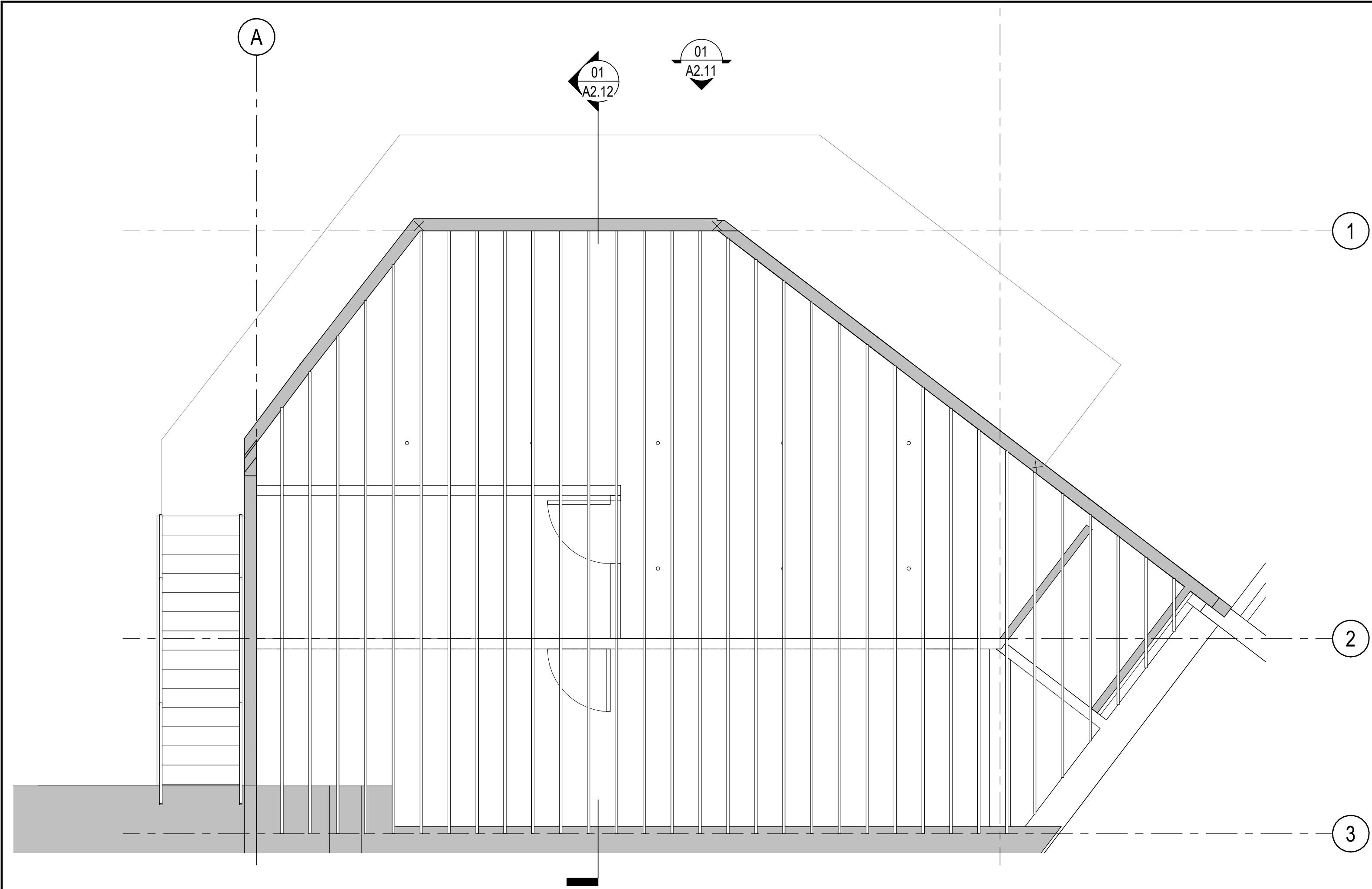
GYM FLOOR PLAN
SCALE: 1/4" = 1'-0"

05

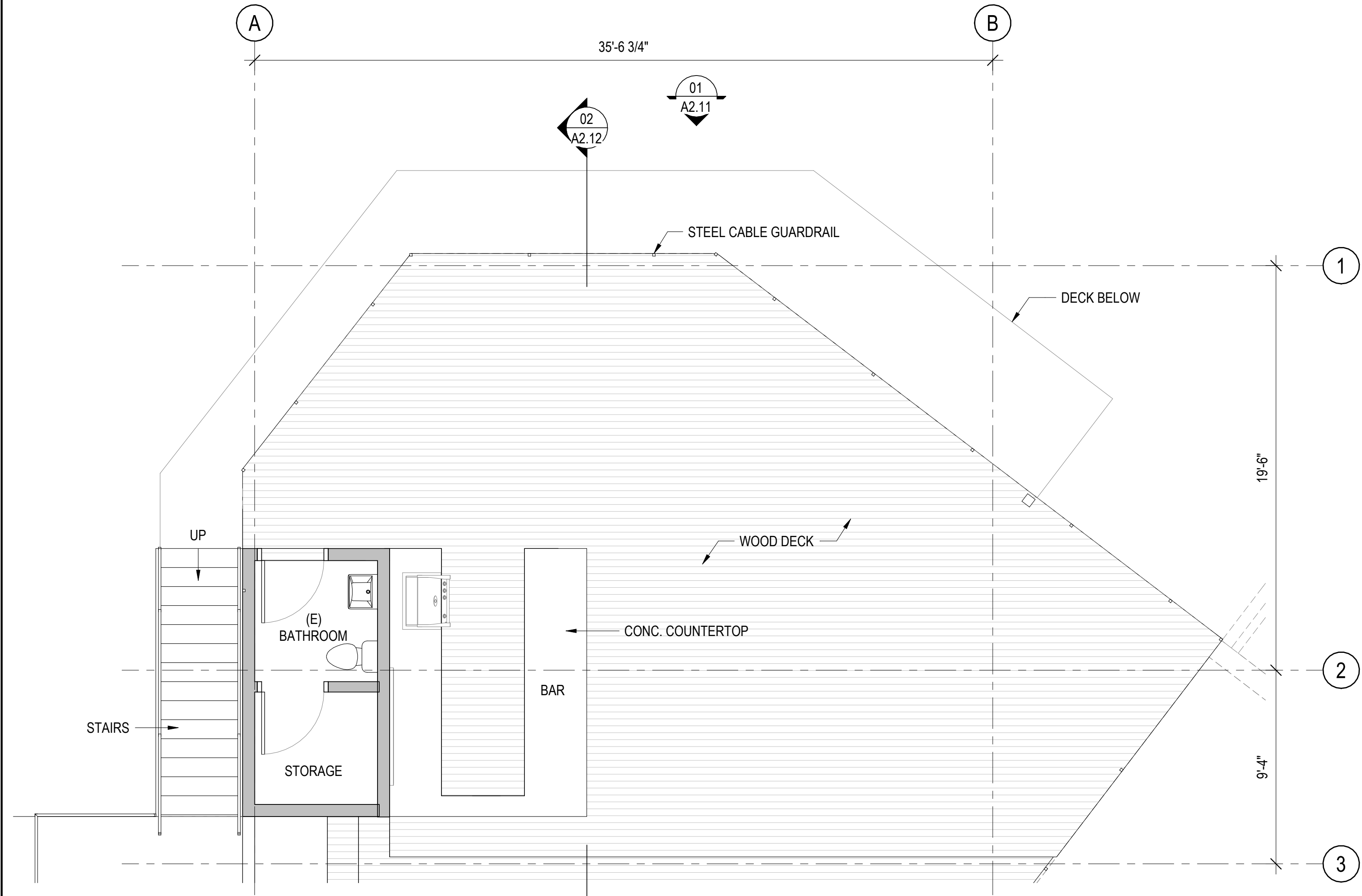


EXISTING GYM PLAN
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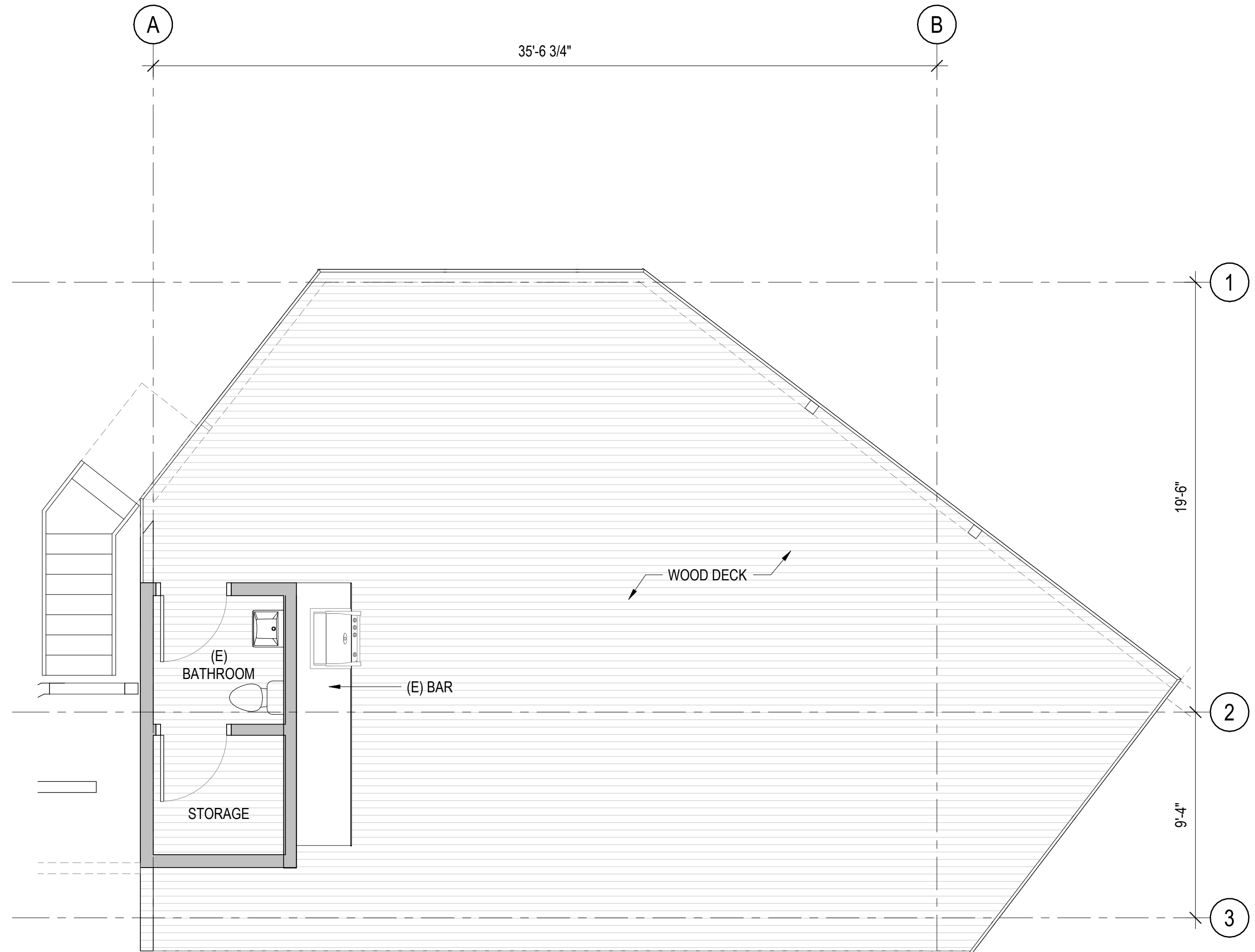
01



CABANA SUBROOF PLAN
SCALE: 1/4" = 1'-0" 07



CABANA FLOOR PLAN
SCALE: 1/4" = 1'-0" 05



EXISTING CABANA FLOOR PLAN
SCALE: 1/4" = 1'-0" 01

63 LAUREL GROVE AVE
ROSS, CA

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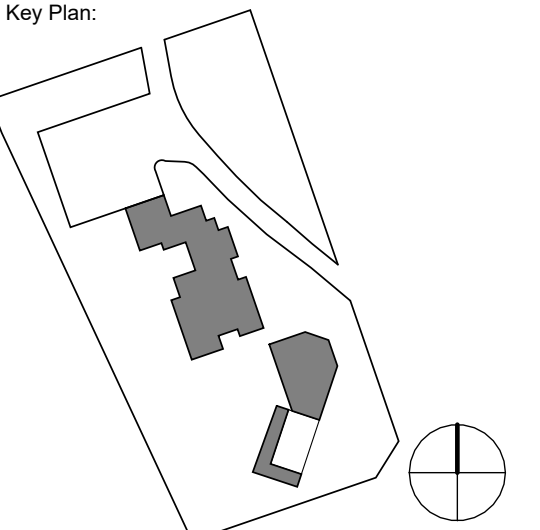
Civil Engineer:
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General Contractor:

#	Description	Date
1	DESIGN REVIEW	10/13/22
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3	TOWN COUNCIL REVIEW	04/25/23

Key Plan:



Seal & Signature:

Sheet Name:

CABANA FLOOR
PLAN

Project No.:

2111

Scale:

1/4" = 1'-0"

Sheet No.:

A1.12

63 LAUREL GROVE AVE
ROSS, CA

Owner:
JOSH SCHILLER
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Architect:
dion + cole
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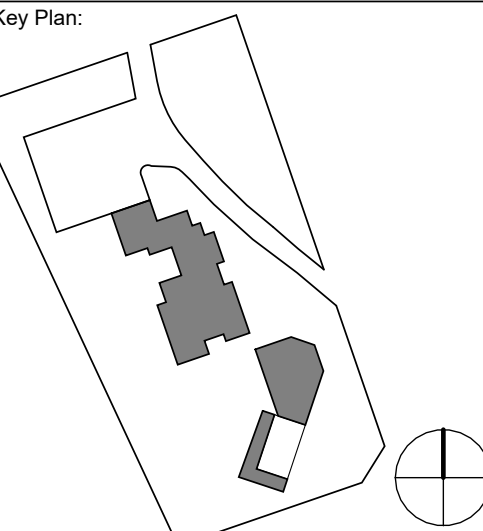
Structural Engineer:
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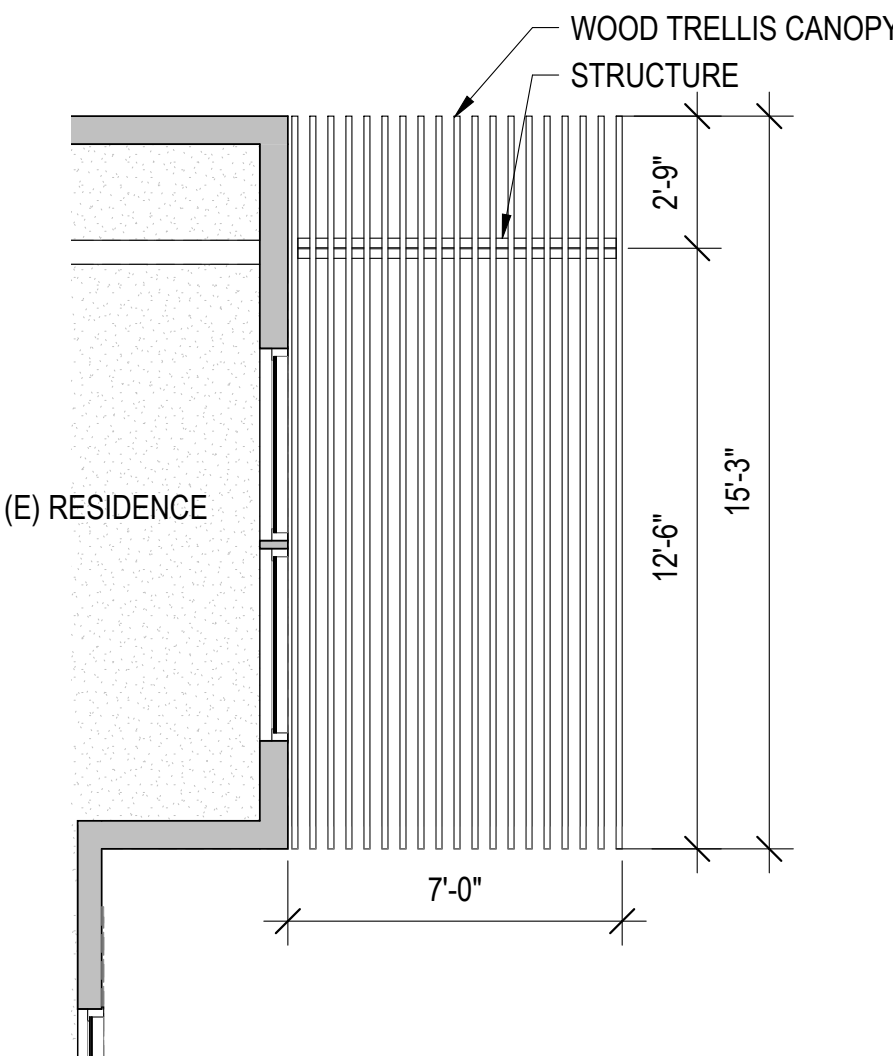
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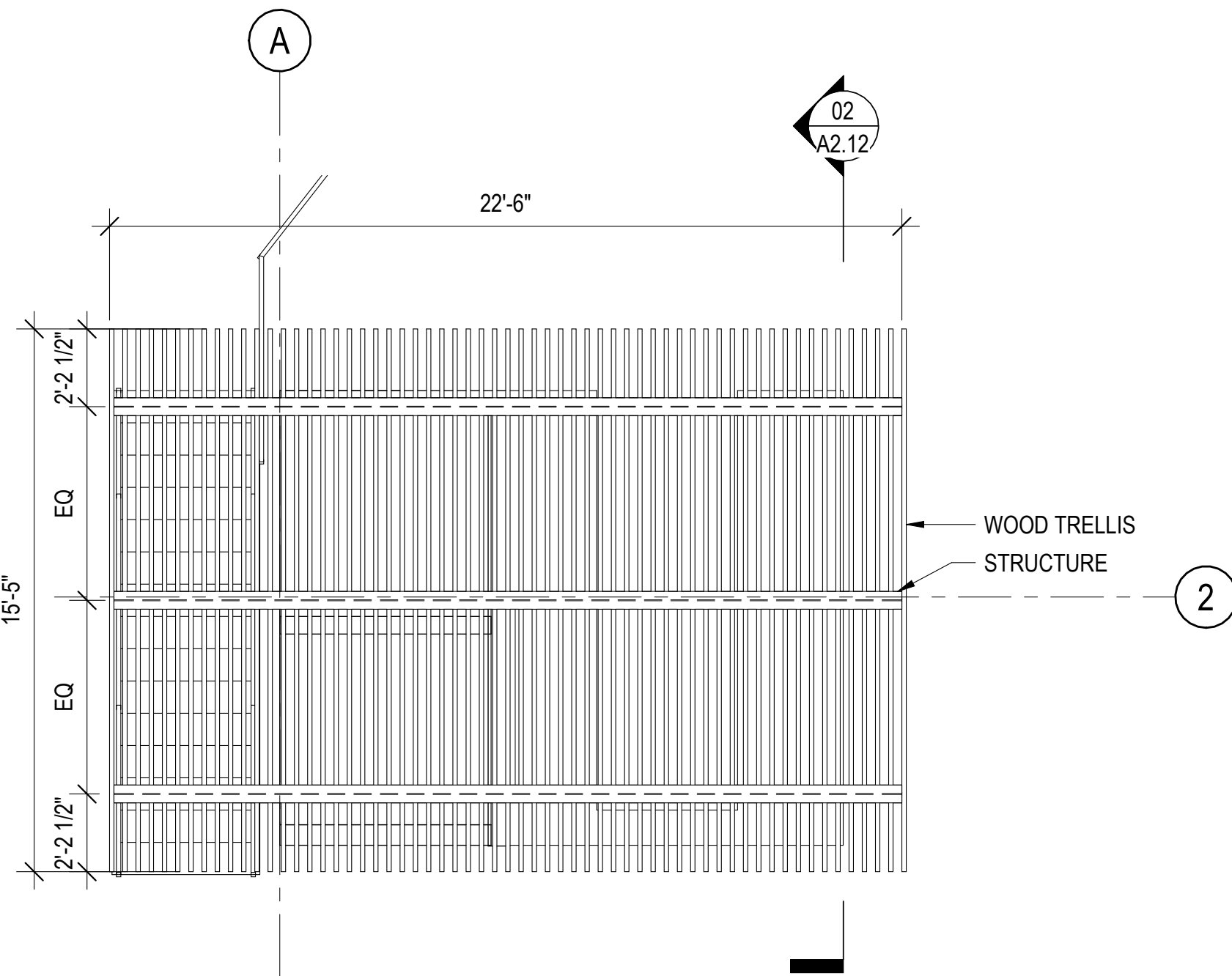
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CABANA AND SHADE
STRUCTURES

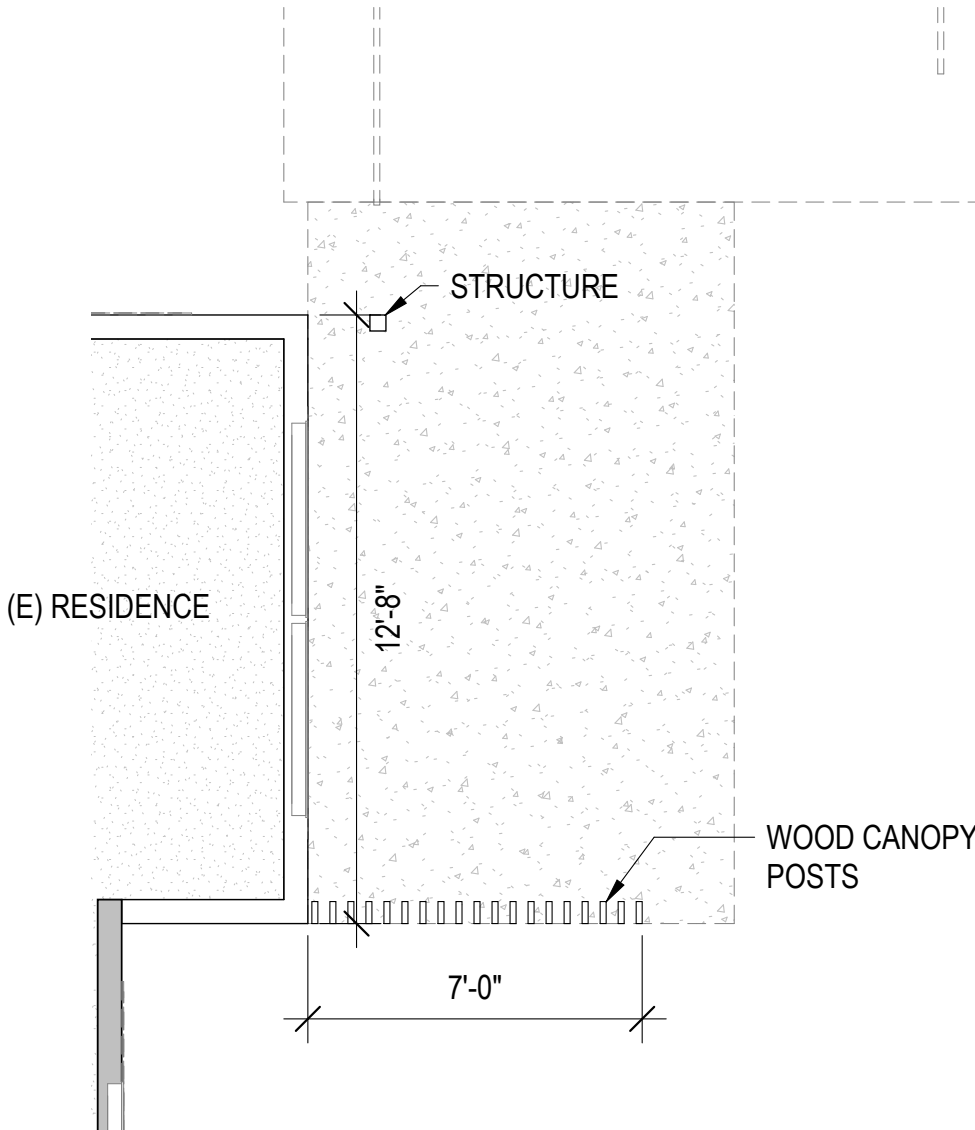
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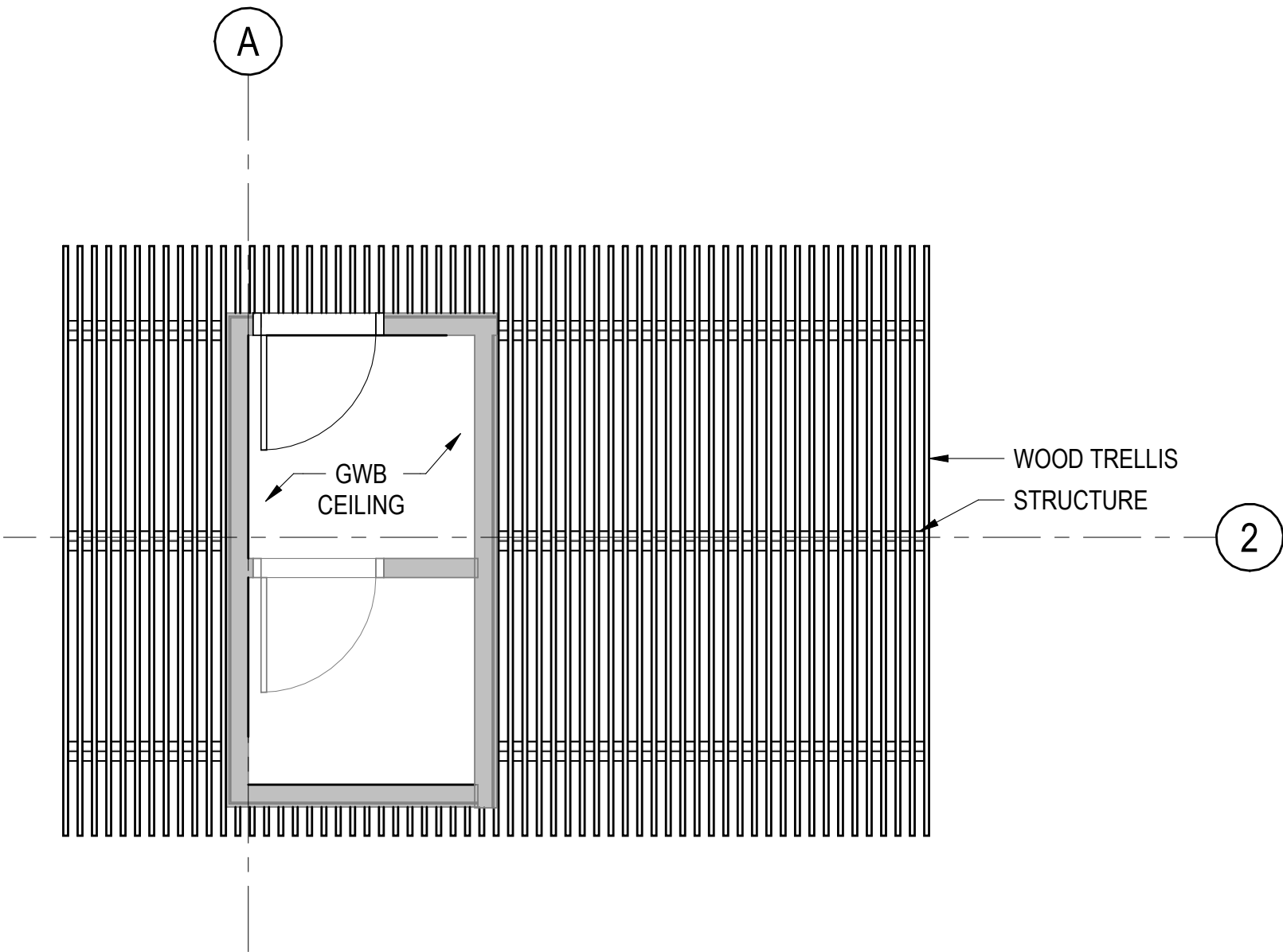
CANOPY ROOF PLAN 06
SCALE: 1/4" = 1'-0"



CABANA ROOF PLAN 03
SCALE: 1/4" = 1'-0"



CANOPY PLAN 05
SCALE: 1/4" = 1'-0"



CABANA RCP 01
SCALE: 1/4" = 1'-0"

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ROSS, CA

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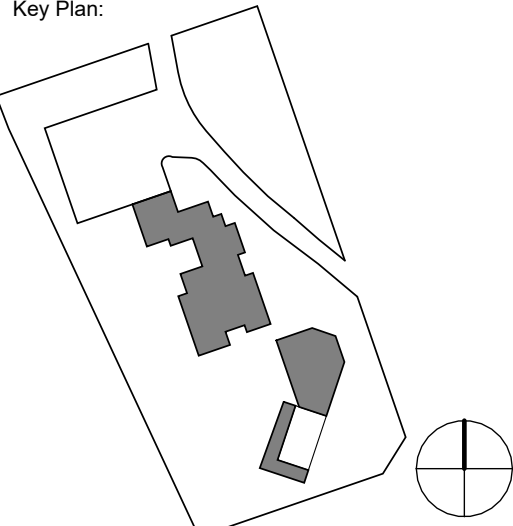
Civil Engineer:
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General Contractor:

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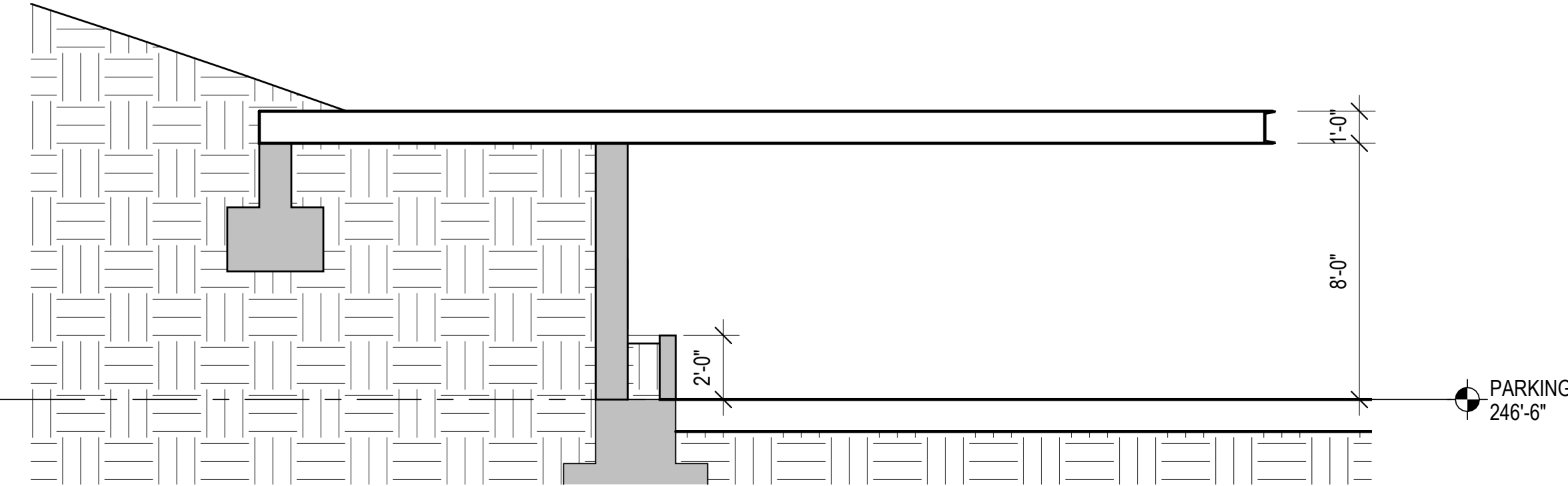
Key Plan:



Seal & Signature:

Sheet Name:
CARPORT SECTIONS

Project No.:	2111	Sheet No.:	A2.01
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CARPORT SECTION 01
SCALE: 1/4" = 1'-0"

Owner:
JOSH SCHILLER
63 LAUREL GROVE AVE
ROSS, CA 94957

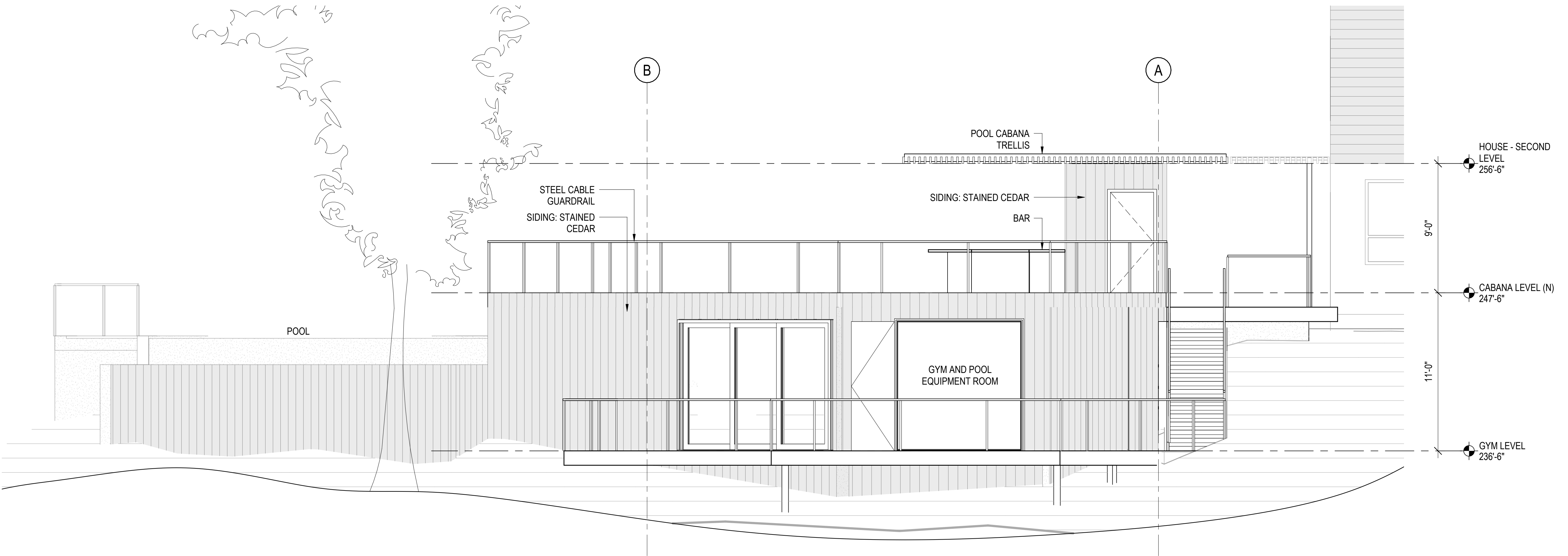
Architect:
dion + cole
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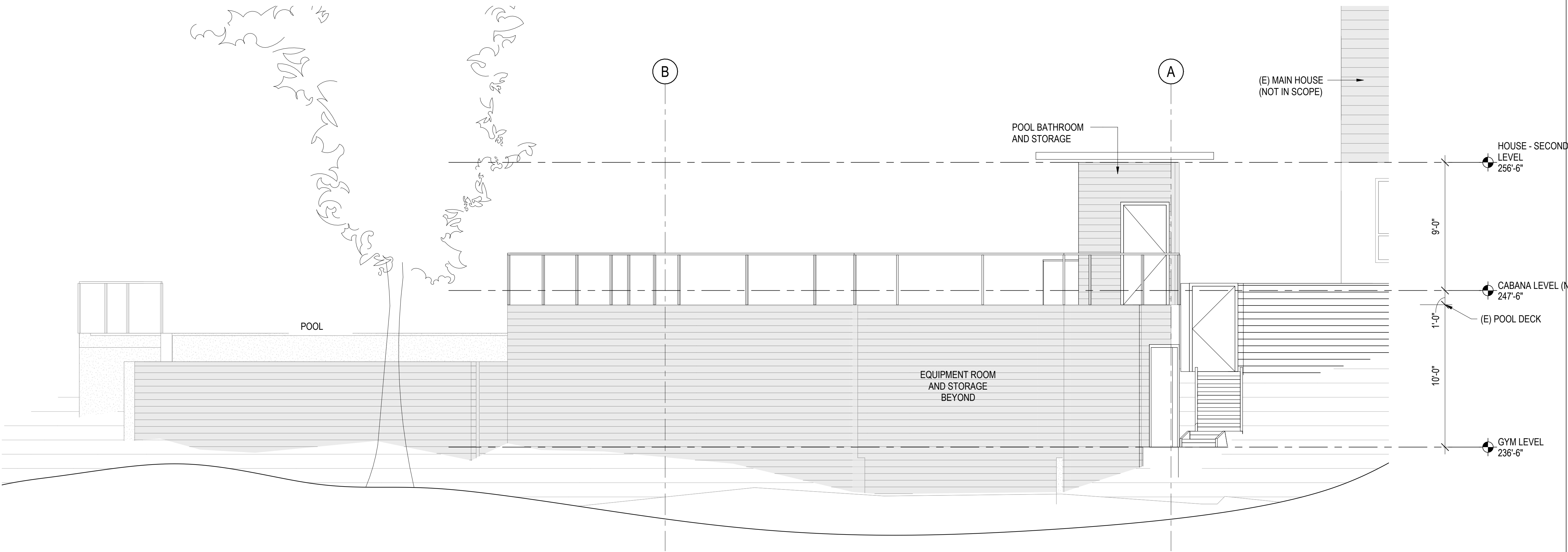
Civil Engineer:
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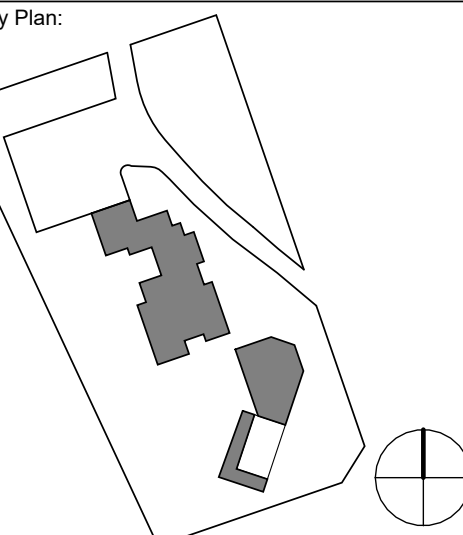


PROPOSED GYM+CABANA ELEVATION 02
SCALE: 1/4" = 1'-0"



EXISTING GYM+CABANA ELEVATION 01
SCALE: 1/4" = 1'-0"

#	Description	Date
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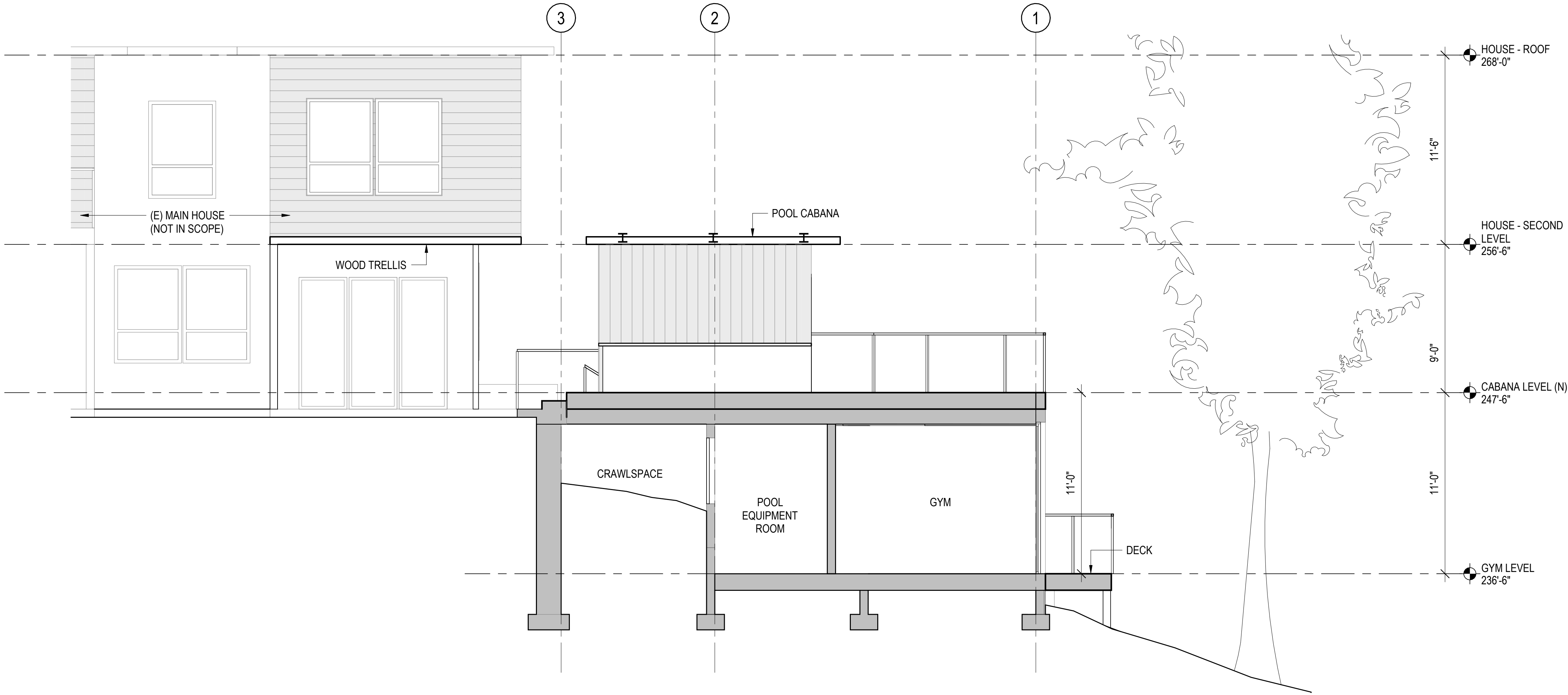


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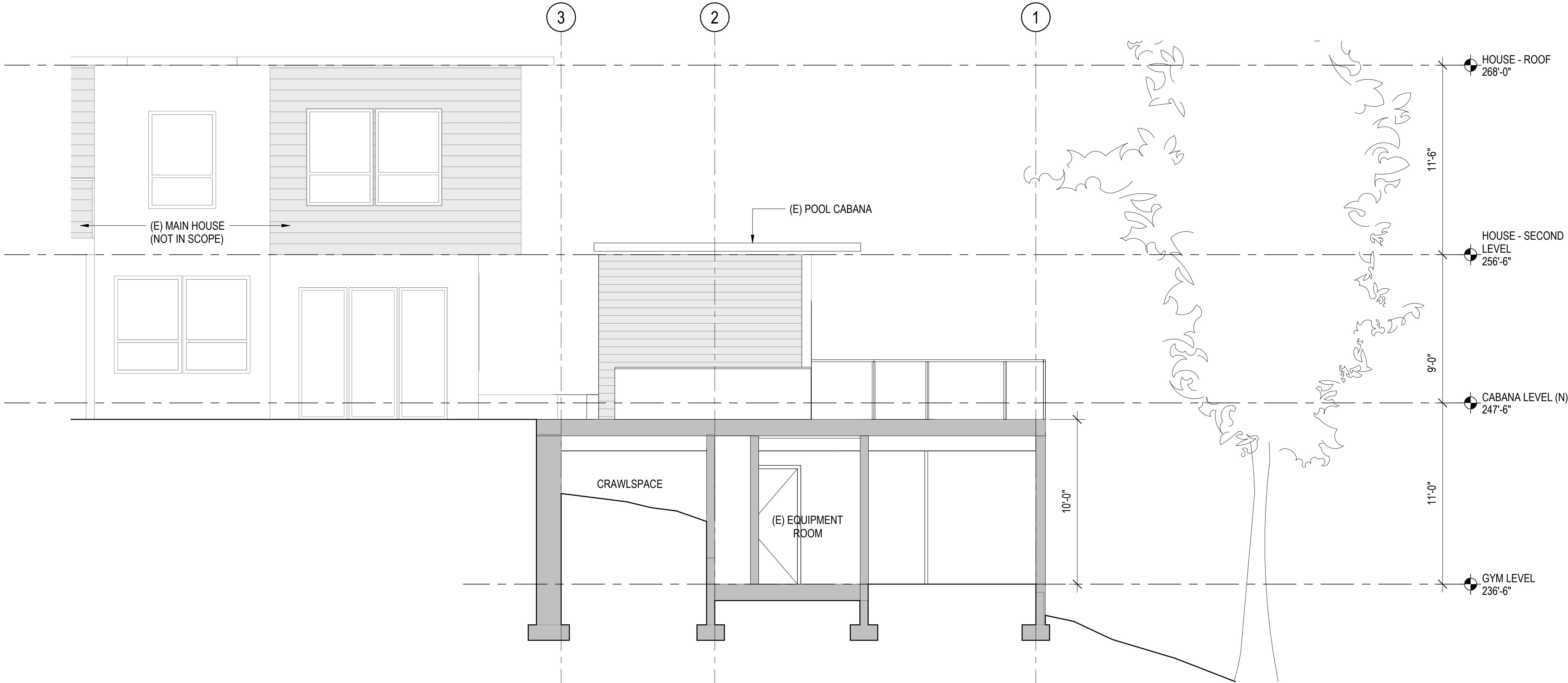
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GYM / CABANA
ENLARGED
ELEVATION

Project No.:	Sheet No.:
2111	A2.11
Scale:	1/4" = 1'-0"

4/25/2023 6:59:33 PM



PROPOSED GYM / CABANA SECTION 02
SCALE: 1/4" = 1'-0"



EXISTING GYM / CABANA SECTION 01
SCALE: 1/4" = 1'-0"

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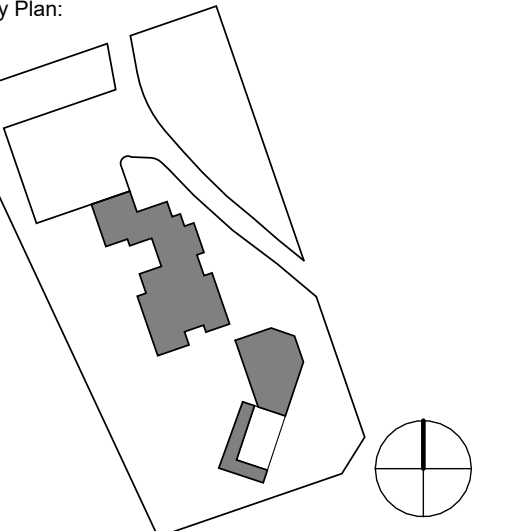
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General Contractor:

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Key Plan:



Seal & Signature:

Sheet Name:
GYM / CABANA
SECTION

Project No.:	2111	Sheet No.:
Scale:	1/4" = 1'-0"	A2.12

ATTACHMENT 3



Town of Ross

Planning Department

Post Office Box 320, Ross, CA 94957

Telephone (415) 453-1453, Ext. 121 Fax (415) 453-1950

www.townofross.org

PLANNING APPLICATION FORM

Type of Application (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Advisory Design Review | <input type="checkbox"/> Minor Exception |
| <input type="checkbox"/> Appeals | <input type="checkbox"/> Non-conformity Permit |
| <input type="checkbox"/> Basement and Attics Exception | <input type="checkbox"/> Accessory Dwelling Unit |
| <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> Tentative Map |
| <input type="checkbox"/> Demolition Permit | <input type="checkbox"/> Tentative Map Amendment |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Design Review- Amendment | <input type="checkbox"/> Use Permit |
| <input type="checkbox"/> Final or Parcel Map | <input type="checkbox"/> Variance |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Zoning Ordinance |
| <input type="checkbox"/> Hillside Lot Permit | <input type="checkbox"/> Amendment Other: |
| <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Other: |

To Be Completed by Applicant:

Assessor's Parcel No(s): _____

Project Address: _____

Property Owner: _____

Owner Mailing Address (PO Box in Ross): _____

City/State/Zip: _____ Owner's Phone: _____

Owner's Email: _____

Applicant: _____

Applicant Mailing Address: _____

City/State/Zip: _____ Applicant's Phone: _____

Applicant's Email: eric@dioncole.com

Primary point of Contact Email: ☐ Owner ☐ Buyer ☐ Agent ☐ Architect

To Be Completed by Town Staff:

Date Received: _____

Application No.: _____

Zoning: _____

Planning 5300 _____

Tree Permit 5305 _____

Fee Program Administration 5315-05 _____

Record Management 5316-05 _____

Record Retention 5112-05 _____

Technology Surcharge 5313-05 _____

Date paid: _____ TOTAL FEES: _____

Make checks payable to Town of Ross. Fees may not be refunded if the application is withdrawn.

SUBDIVISION INFORMATION ONLY

Number of Lots: _____

LOT LINE ADJUSTMENT ONLYDescribe the Proposed Lot Line Adjustment: _____

Existing Parcel Size(s)

*Parcel 1:**Parcel 2:*

Adjusted Parcel Size(s)

*Parcel 1:**Parcel 2:***PARCEL ONE****PARCEL 2**

Owners Signature: _____

Owner's Signature: _____

Date: _____

Date: _____

Owner's Name (Please Print): _____

Owner's Name (Please Print): _____

Assessor's Parcel Number: _____

Assessor's Parcel Number: _____

* If there are more than two affected property owners, please attach separate letters of authorization.

REZONING OR TEXT AMENDMENT ONLY

The applicant wishes to amend Section _____ of the Ross Municipal Code Title 18.

The applicant wishes to Rezone parcel _____ from the _____ Zoning District to _____.

GENERAL OR SPECIFIC PLAN AMENDMENT ONLYPlease describe the proposed amendment: _____
_____**CERTIFICATION AND SIGNATURES**

I, the property owner, do hereby authorize the applicant designated herein to act as my representative during the review process by City staff and agencies.

Owner's Signature: _____

Date: _____

I, the applicant, do hereby declare under penalty of perjury that the facts and information contained in this application, including any supplemental forms and materials, are true and accurate to the best of my knowledge

Owner's Signature: _____

Date: _____

SIGNATURE:

I hereby authorize employees, agents, and/or consultants of the Town of Ross to enter upon the subject property upon reasonable notice, as necessary, to inspect the premises and process this application.

I hereby authorize Town staff to reproduce plans and exhibits as necessary for the processing of this application. I understand that this may include circulating copies of the reduced plans for public inspection. Multiple signatures are required when plans are prepared by multiple professionals.

I further certify that I understand the processing procedures, fees, and application submittal requirements.

I hereby certify that I have read this application form and that to the best of my knowledge, the information in this application form and all the exhibits are complete and accurate. I understand that any misstatement or omission of the requested information or of any information subsequently requested shall be grounds for rejecting the application, deeming the application incomplete, denying the application, suspending or revoking a permit issued on the basis of these or subsequent representations, or for the seeking of such other and further relief as may seem proper to the Town of Ross. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this application was signed at

_____, California on _____

Signature of Property Owner(s) and Applicant(s) Signature of Plan Preparer

Notice of Ordinance/Plan Modifications

- ☐ Pursuant to Government Code Section 65945(a), please indicate, by checking this box, if you would like to receive a notice from the Town of any proposal to adopt or amend the General Plan, a specific plan, zoning ordinance, or an ordinance affecting building permits or grading permits, if the Town determines that the proposal is reasonably related to your request for a development permit.

Alternate Format Information

The Town of Ross provides written materials in an alternate format as an accommodation to individuals with disabilities that adversely affect their ability to utilize standard print materials. To request written materials in an alternate format please contact us at (415) 453-1453, extension 105.

Consultant Information

The following information is required for all project consultants.

Landscape Architect

Firm _____
Project Landscape Architect _____
Mailing Address _____
City _____ State _____ ZIP _____
Phone _____ Fax _____
Email _____
Town of Ross Business License No. _____ Expiration Date _____

Civil/ Geotechnical Engineer

Firm _____
Project Engineer _____
Mailing Address _____
City _____ State _____ ZIP _____
Phone _____ Fax _____
Email _____
Town of Ross Business License No. _____ Expiration Date _____

Arborist

Firm _____
Project Arborist _____
Mailing Address _____
City _____ State _____ ZIP _____
Phone _____ Fax _____
Email _____
Town of Ross Business License No. _____ Expiration Date _____

Other

Consultant _____
Mailing Address _____
City _____ State _____ ZIP _____
Phone _____ Fax _____
Email _____
Town of Ross Business License No. _____ Expiration Date _____

Other

Consultant _____
Mailing Address _____
City _____ State _____ ZIP _____
Phone _____ Fax _____
Email _____
Town of Ross Business License No. _____ Expiration Date _____

Written Project Description – *may be attached.*

A complete description of the proposed project, including all requested variances, is required. The description may be reviewed by those who have not had the benefit of meeting with the applicant, therefore, be thorough in the description. For design review applications, please provide a summary of how the project relates to the design review criteria in the Town zoning ordinance (RMC §18.41.100).

The project is to expand out door parking adjacent to the existing driveway by cutting into the adjacent hillside and then covering the newly created spots with a cantilevered carport that includes an extensive green roof. The project also includes taking an existing pool cabana structure that has an unfinished and unconditioned basement that is currently only housing pool equipment and some utility equipment and turning it into a conditioned space that will be used for a gym and home office. Outside of the newly conditioned space will be a new deck. The pool cabana structure itself will have the shade canopy extended and the bar counter reconfigured. The adjacent patio outside the breakfast nook of the main house will have a new shade canopy matching the design of the pool shade canopy to shield the interior breakfast nook space.

Variances sought are regarding the FAR and setback limitations for a hillside lot. These are described in further detail on the following page.

Mandatory Findings for Variance Applications

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

Special Circumstances

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

The project lot is 3.43 acres but approximately two thirds of the lot is a steep, heavily wooded hillside to the east of Laurel Grove (also called Monte Alegre). This steep hillside contributes heavily to the listed site slope of 54%. The existing building lot is the acre or so to the west of Laurel Grove, which while still perched on the ridge of a hill, has a much shallower slope than across the road. Because of the zoning restrictions from the site being considered a hillside lot rather than the typical R-1:B-A lot, the allowable FAR is only 2.2%, which is 3,354 sf. There's an existing single family residence on the property which is 6,288 sf, a 4.2% FAR, and the proposed property improvements of a car port and converting an unconditioned basement space into a conditioned one would increase the floor area up to 7,058 sf, a 4.7% FAR. This is still well below the 15% threshold of a R-1:B-A lot so we are requesting a variance from the 2.2% FAR required by the hillside lot zoning requirements to go up to a 4.7% FAR. Note also that simply adding more parking wouldn't be adding to the FAR, but by putting a green carport roof above the new parking causes it to be counted in the FAR calculations.

The other variance we are seeking also results from the challenges of the hillside lot zoning designation. Side setbacks for a hillside lot are 45', as compared to the 15' that existed when the current house was built and the 25' setback that is used for R-1:B-A lot. Sheets A0.02 and A0.03 show how these various setbacks cut across the existing building lot. This variance that we are seeking is to maintain the 25' setback along this west side to make the parking expansion and carport portion of the project feasible rather than the 45' setback required by the hillside lot zoning.

Substantial Property Rights

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

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

Part of the project converts an otherwise unusable unfinished basement into a conditioned space. We are assuming this area was already included in the FAR calculations as it is an enclosed basement space with greater than 7' ceilings, however if it being unfinished previously excluded it from being included then the FAR variance is required to allow this conversion to take place and prevent the basement from sitting fallow.

For the parking portion of the project, if we simply expanded the parking but did not build a covering above it, we would not be seeking a variance. However by making it a carport, we are able to provide value to the property by covering the vehicles, and with the green roof, it both blends in with the adjacent hillside and reduces the amount of impervious ground cover. For this, we need and request a variance.

Public Welfare

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

For the parking portion of the project, we will be adding capacity for on-site parking and then covering it with a cantilevered green roof that serves to blend it back in with the adjacent hillside. For the gym and pool cabana portion of the project, the deck, facade and shade structure elements are not visible from the adjacent neighbor properties and are designed to blend in both with the existing house and surround landscape.

	Date:	03/03/23
	Application Number:	DRP22-0020
	Project:	Schiller Residence
	Project Address:	63 Laurel Grove Avenue, Ross, CA
#	<i>Review Comment</i>	Response
	<i>Planning Department</i>	
1	Cover Sheet: Provide a Zoning Parameters table. The table should have three columns, allowed, existing, proposed.	This table is now shown on A0.00.
2	Setbacks: Provide on the existing and proposed site plans the property lines, the setback lines, specifically the front, side and rear. It is difficult to determine on this lot what you are identifying as the front and side. Clearly label the setback lines and the distance. On the existing site plan clearly indicate where the roof line is for the carport.	Notations have been added to the site survey on A0.01 to label which setback line is which. On the existing and proposed site plans shown on A0.02 and A0.03, the side setbacks are now clearly labeled. There is no existing carport.
3	Sheet A0.22 indicates that there is an existing gym/cabana area under the deck. Can you provide more detail on what is underneath the existing deck. Is it counted towards floor area? Is it an existing gym? An existing and proposed floor plan would be helpful.	There is an enclosed storage and equipment area and an area that is enclosed by the deck above and perimeter walls but has only grade beams and the site soil below, the open patio deck above, and non-weatherproof wood siding for walls.
4	The subject lot has an average slope of 55.55%, according to RMC section 18.39.020 any lot that has an average slope of more than 30% requires a Hillside Lot Permit. Please provide the following: Pay fee; Preliminary Title Report; Neighborhood Outreach.	A neighborhood outreach report is shown on A0.00 and the preliminary title report is included in this response pdf.
5	The application for the Variance is incomplete. Part of the application requires that the applicant provide the mandatory findings as indicated in the application. Revise the application and provide the findings for the Variance. Additionally, indicate what portion of the project requires the Variance application.	The application form has been completed.



October 25, 2022

Eric Cole
Attn: Eric Cole
954 Powell Street
San Francisco, CA 94108

Re: Schiller Residence, 63 Laurel Grove Avenue, APN 072-131-33
Application DRP22-0020

Dear Eric:

Thank you for submitting your planning application for a Design Review, and Variance to construct a cantilevered carport and covert existing pool cabana structure into a space that will be used for a gym and home office located at 63 Laurel Grove Avenue, APN 072-131-33. Staff has reviewed your submittal, submitted on October 13, 2022 and determined your application to be incomplete for processing. Please provide the following information to staff to ensure a complete application:

1. Cover Sheet: Provide a Zoning Parameters table. The table should have three columns, allowed, existing, proposed. (Example below)

Project Item	Code Standard	Existing	Proposed
Lot Area	1 Acre	99,980 SF	No change
Floor Area	14,997 SF (15%)	11,232 SF (11.2%)	14,694 SF (Includes 400 SF from 1,200 SF ADU) (14.7%)
Building Coverage	15% max. *	9,152 SF (12.2%)	12,159 SF (12.2%)
Front Yard Setback (Street)	25'	90'8"	25'
Side Yard Setback (Left)	25'	29'9"	25'

Project Item	Code Standard	Existing	Proposed
Side Yard Setback (Right)	25'	117'6"	124'
Rear Yard Setback	40'	40'9"	50'6"
Building Height	30'	28'10"	30'
Off-street Parking Spaces	4 (2 covered)	4 Covered	8 Covered
Impervious Surfaces	Minimize and/or reduce **	35,000 SF	22,000 SF

2. Setbacks: Provide on the existing and proposed site plans the property lines, the setback lines, specifically the front, side and rear. It is difficult to determine on this lot what you are identifying as the front and side. Clearly label the setback lines and the distance. On the existing site plan clearly indicate where the roof line is for the carport.
3. Sheet A0.22 indicates that there is an existing gym/cabana area under the deck. Can you provide more detail on what is underneath the existing deck. Is it counted towards floor area? Is it an existing gym? An existing and proposed floor plan would be helpful.

Here is the definition of Floor Area: "Floor area ratio" means the floor area of the building or buildings on a lot, divided by the area of that lot. For the purpose of determining the allowable floor area of a lot, the floor area is the sum of the gross horizontal areas of the several floors of the building or buildings measured from the exterior faces of the exterior walls. Floor area also includes mezzanines, finished basements and attics, garages, carports, porches which are screened or otherwise enclosed, the entirety of porches which have a depth greater than ten feet, stairs and elevators on one floor, and other detached structures which are accessory to a dwelling. Floor area shall not include finished basement space used only for storage with less than seven feet of ceiling height and finished attic space used only for storage that does not meet building code requirements for habitable space and is not accessible by permanent stairs.

4. Hillside Lot Permit

- a. The subject lot has an average slope of 55.55%, according to RMC section 18.39.020 any lot that has an average slope of more than 30% requires a Hillside Lot Permit. Please provide the following:
 - Pay Fee
 - Preliminary Title Report
 - Neighborhood Outreach

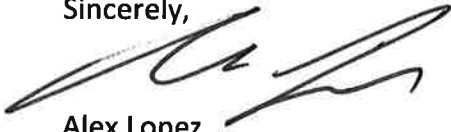
5. Variance

- a. The application for the Variance is incomplete. Part of the application requires that the applicant to provide the mandatory findings as indicated in the application.

Revise the application and provide the findings for the Variance. Additionally, indicate what portion of the project requires the Variance application.

Please submit all of the above information in order for staff to continue reviewing this application. Do not hesitate to contact me if you have any questions regarding this letter at (415) 453-1453 ext. 116 or at alopez-vega@townofross.org

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Lopez', is written over the printed name.

Alex Lopez
Assistant Planner

PRELIMINARY REPORT FORM

Issued By:



Prelim Number:

In response to the application for a policy of title insurance referenced herein, **FNTG Lenders Direct division of Commonwealth Land Title Company** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(ies) of title insurance to be issued hereunder will be policy(ies) of Fidelity National Title Insurance Company, a Florida corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Fidelity National Title Insurance Company

By:

Randy Quirk, President

Attest:

Marjorie Nemzura, Secretary

Countersigned By:

Stacy Murphy
Authorized Officer or Agent



ORDER NO.: FFDE221-2120189

ISSUING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
FNTG Lenders Direct division of Commonwealth Land Title Company 1200 Concord Ave., Suite 120 Concord, CA 94520 Main Phone: (925)349-2420	Escrow Officer: Lynn Lawrence FNTG Lenders Direct division of Commonwealth Land Title Company 1200 Concord Ave., Suite 120 Concord, CA 94520 Phone: 925-349-2420 Fax: 925-887-6858 Main Phone: (925)349-2420 Email: Lynn.Lawrence@fnf.com

TO: Goldman Sachs Bank USA
200 West Street
New York, NY 10282
Attn: Benjamin Clark

Property Address(es): 63 Monte Alegre Road, Ross, CA 94957

Effective date: October 8, 2021 at 07:30 AM

The form of Policy or Policies of Title Insurance contemplated by this Report is:

ALTA Short Form Residential Loan Policy 2012

1. The estate or interest in the Land hereinafter described or referred to covered by this Report is:

A Fee

2. Title to said estate or interest at the date hereof is vested in:

Thomas F. Hyde, Trustee of the Melissa Ann Siebel Trust dated December 27, 1982 and Joshua Schiller, a married man

3. The Land referred to in this Report is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 072-131-33

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ROSS, COUNTY OF MARIN, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

PARCEL B AS SHOWN ON THAT CERTAIN MAP ENTITLED, 'PARCEL MAP DIVISION OF LANDS OF MARTIN SKEWES-COX AND ADJACENT PARCELS-TOWN OF ROSS', RECORDED FEBRUARY 4, 1970 IN BOOK 4 OF PARCEL MAP AT PAGE 75, MARIN COUNTY RECORDS.

PURSUANT TO A NOTICE OF MERGER RECORDED APRIL 26, 2013 BY INSTRUMENT #2013-0029219.

Note: As an appurtenance to the land herein described, the following easement should be included on the Deed or Deed of Trust to be recorded. This appurtenance is shown for information purposes only and is not to be construed as a part of this report.

PARCEL TWO:

AN EASEMENT FOR ROADWAY AND UTILITY PURPOSES APPURTENANT TO PARCEL ONE ABOVE (TO BE USED IN COMMON WITH OTHERS) OVER A STRIP OF LAND 20 FEET WIDE, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF LAUREL GROVE AVENUE, DISTANT NORTH 56 DEGREES 09' EAST 35.0 FEET FROM THE SOUTHEASTERLY CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO EDITH P. SKEWES-COX BY DEED RECORDED IN VOLUME 338 OF OFFICIAL RECORDS, AT PAGE 401, MARIN COUNTY RECORDS; AND RUNNING THENCE NORTH 29 DEGREES 55' 30" WEST 140.0 FEET, NORTH 37 DEGREES 13' 30" WEST 55.79 FEET, NORTH 44 DEGREES 54' 30" WEST 72.12 FEET, NORTH 49 DEGREES 15' 30" WEST 74.91 FEET, NORTH 44 DEGREES 54' 30" WEST 10039 FEET, NORTH 46 DEGREES 57' WEST 70.75 FEET, NORTH 55 DEGREES 43' WEST 147.85 FEET, NORTH 58 DEGREES 47' WEST 94.0 FEET AND NORTH 34 DEGREES 30' WEST 40.0 FEET TO A POINT IN THE SOUTHERLY LINE OF PARCEL ONE ABOVE DESCRIBED.

PARCEL THREE:

AN EASEMENT FOR UTILITY PURPOSES (TO BE USED IN COMMON WITH OTHERS) BEING APPURTENANT TO PARCEL ONE ABOVE DESCRIBED, OVER THE FOLLOWING DESCRIBED PARCEL OF LAND:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 1, BLOCK 12, MAP OF WINSHIP PARK, ROSS, CALIFORNIA, AND RUNNING THENCE SOUTH 20 DEGREES 04' EAST 33.0 FEET, NORTH 69 DEGREES 56' EAST 23.0 FEET, NORTH 49 DEGREES 31' EAST 534 FEET, NORTH 20 DEGREES 04' WEST 45.0 FEET, NORTH 19 DEGREES 27' 50" WEST 118.88 FEET; THENCE ON A CURVE TO THE RIGHT WHOSE CENTER BEARS NORTH 70 DEGREES 32' 10" EAST AND WHOSE RADIUS IS 90.0 FEET, DISTANCE 52.96 FEET, THENCE NORTH 14 DEGREES 15' EAST 23.15 FEET TO THE SOUTHERLY LINE OF BAYWOOD ROAD; THENCE ALONG SAID ROAD LINE ON A CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 26 DEGREES 27' 15" EAST AND WHOSE RADIUS IS 60A7 FEET, DISTANCE 54.18; THENCE SOUTH 12 DEGREES 02' 35" WEST 7.54 FEET; THENCE LEAVING

EXHIBIT "A"
Legal Description

SAID BAYWOOD ROAD AND RUNNING SOUTH 19 DEGREES 27' 50" EAST 163.23 FEET; THENCE SOUTH 44 DEGREES WEST 8.72 FEET TO THE POINT OF BEGINNING.

PARCEL FOUR:

A 3 FOOT UNDERGROUND EASEMENT FOR UTILITY AND SEWER PURPOSES APPURTENANT TO PARCEL ONE ABOVE AS SET FORTH AND DESCRIBED IN THE DEED FROM JOSEPH F. KIRBY AND ALMA N. KIRBY TO EDITH P. SKEWES-COX RECORDED APRIL 13, 1948 IN BOOK 582 OF OFFICIAL RECORDS AT PAGE 233, MARIN COUNTY RECORDS.

PARCEL FIVE:

AN EASEMENT FOR ROADWAY AND UTILITY PURPOSES APPURTENANT TO PARCEL ONE ABOVE, TO BE USED IN COMMON WITH OTHERS OVER THE FOLLOWING DESCRIBED PARCEL OF LAND:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 1, BLOCK 12, MAP OF WINSHIP PARK, ROSS, CALIFORNIA, AND RUNNING THENCE SOUTH 20 DEGREES 04' EAST 33.0 FEET, NORTH 69 DEGREES 56' EAST 23.0 FEET, NORTH 490 31' EAST 5.34 FEET, NORTH 20 DEGREES 04' WEST 45.0 FEET, NORTH 19 DEGREES 27' 50" WEST 118.88 FEET, THENCE ON A CURVE TO THE RIGHT WHOSE CENTER BEARS NORTH 700 32' 10" EAST AND WHOSE RADIUS IS 90.0 FEET, DISTANCE 52.96 FEET, THENCE NORTH 14 DEGREES 15' EAST 23.15 FEET TO THE SOUTHERLY LINE OF BAYWOOD ROAD; THENCE ALONG SAID ROAD LINE ON A CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 26 DEGREES 37' 15" EAST AND WHOSE RADIUS IS 60.47 FEET, DISTANCE 54.18 FEET; THENCE SOUTH 12 DEGREES 02' 35" WEST 7.54 FEET, THENCE LEAVING SAID BAYWOOD ROAD AND RUNNING SOUTH 19 DEGREES 27' 50" EAST 163.23 FEET, THENCE SOUTH 44 DEGREES WEST 8.72 FEET TO THE POINT OF BEGINNING.

At the date hereof, exceptions to coverage in addition to the printed exceptions and exclusions in said policy form would be as follows:

1. Property taxes, including any personal property taxes and any assessments collected with taxes are as follows:

Code Area:	006-000
Tax Identification No.:	072-131-33
Fiscal Year:	2021-2022
1st Installment:	\$46,843.92 Paid
2nd Installment:	\$46,843.92 Open
Exemption:	\$7,000.00
Land:	\$3,679,095.00
Improvements:	\$4,204,680.00
Personal Property:	\$0.00
2. Supplemental taxes, including any personal property taxes and any assessments collected with taxes, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the Revenue and Taxation Code of the State of California, are as follows:

Tax Identification No.:	072-131-33
Fiscal Year:	2016-2017
1st Installment:	\$12,061.93, Delinquent
Supplemental Bill No.:	17-1234189
3. Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.
4. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.
5. Any liens or other assessments, bonds, or special district liens including without limitation, Community Facility Districts, that arise by reason of any local, City, Municipal or County Project or Special District.

6. A. Covenants, conditions, or restrictions, if any, appearing in the Public Records; however, this policy insures against loss or damage arising from:

- (a) the violation of those covenants, conditions, or restrictions on or prior to Date of Policy;
- (b) a forfeiture or reversion of Title from a future violation of those covenants, conditions, or restrictions, including those relating to environmental protection; and
- (c) provisions in those covenants, conditions, or restrictions, including those relating to environmental protection, under which the lien of the Insured Mortgage can be extinguished, subordinated, or impaired.

As used in paragraph 2(a), the words "covenants, conditions, or restrictions" do not refer to or include any covenant, condition, or restriction (a) relating to obligations of any type to perform maintenance, repair or remediation on the Land, or (b) pertaining to environmental protection of any kind or nature, including hazardous or toxic matters, conditions, or substances, except to the extent that a notice of a violation or alleged violation affecting the Land has been recorded or filed in the Public Records at Date of Policy and is not referenced in an addendum attached to this policy.

- B. Any easements or servitudes appearing in the Public Records; however, this policy insures against loss or damage arising from (a) the encroachment, at Date of Policy, of the improvements on any easement, and (b) any interference with or damage to existing improvements, including lawns, shrubbery, and trees, resulting from the use of the easements for the purposes granted or reserved.
- C. Any lease, grant, exception, or reservation of minerals or mineral rights or other subsurface substances appearing in the Public Records; however, this policy insures against loss or damage arising from (a) any effect on or impairment of the use of the Land for residential one-to-four family dwelling purposes by reason of such lease, grant, exception or reservation of minerals or mineral rights or other subsurface substances, and (b) any damage to existing improvements, including lawns, shrubbery, and trees, resulting from the future exercise of any right to use the surface of the Land for the extraction or development of the minerals or mineral rights or other subsurface substances so leased, granted, excepted, or reserved. Nothing herein shall insure against loss or damage resulting from contamination, explosion, fire, fracturing, vibration, earthquake or subsidence.

7. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$5,000,000.00
Dated: August 1, 2017
Trustor/Grantor: Thomas F. Hyde, Trustee of the Melissa Ann Siebel Trust dated December December 27, 1982; Joshua Schiller, a married man
Trustee: First American Title
Beneficiary: Goldman Sachs Bank USA
Loan No.: 7164754140
Recording Date: August 9, 2017
Recording No: 2017-0031812, of Official Records

8. Any invalidity or defect in the title of the vestees in the event that the trust referred to herein is invalid or fails to grant sufficient powers to the trustee(s) or in the event there is a lack of compliance with the terms and provisions of the trust instrument.

If title is to be insured in the trustee(s) of a trust, (or if their act is to be insured), this Company will require a Trust Certification pursuant to California Probate Code Section 18100.5.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

9. The community interest of the spouse of the vestee named below.

Vestee: Joshua Schiller

The Company will require that the spouse of the vestee shown above join in any conveyance or encumbrance before such transaction will be insured.

END OF EXCEPTIONS

NOTES

1. Note: The Company is not aware of any matters which would cause it to decline to attach CLTA Endorsement Form 116 indicating that there is located on said Land a Single Family Residence, known as 63 Monte Alegre, Ross, California, to an Extended Coverage Loan Policy.
2. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
3. Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the seller/borrower must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.
4. If a county recorder, title insurance company, escrow company, real estate agent or association provides a copy of the declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold faced typed and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
5. Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.
6. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
7. Pursuant to Government Code Section 27388.1, as amended and effective as of 1-1-2018, a Documentary Transfer Tax (DTT) Affidavit may be required to be completed and submitted with each document when DTT is being paid or when an exemption is being claimed from paying the tax. If a governmental agency is a party to the document, the form will not be required. DTT Affidavits may be available at a Tax Assessor-County Clerk-Recorder.

8. Due to the special requirements of SB 50 (California Public Resources Code Section 8560 et seq.), any transaction that includes the conveyance of title by an agency of the United States must be approved in advance by the Company's State Counsel, Regional Counsel, or one of their designees.

END OF NOTES

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
<http://www.fbi.gov>

Internet Crime Complaint Center:
<http://www.ic3.gov>

ATTACHMENT 4

MINUTES
Meeting of the
Ross Advisory Design Review Group
7:00 PM, Tuesday, April 18, 2023

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 Kruttschnitt called the meeting to order.

Present: Laura Dewar, Mark Fritts, and Stephen Sutro

Director Rebecca Markwick and Assistant Planner Alex Lopez-Vega were present representing staff.

2. Approval of Minutes.

The ADR Group minutes were unanimously approved.

3. Open Time for Public Comments

No comments were provided.

4. Planning Applications/Projects

a. Property Address: 101 Upper Road
A.P.N.: 073-022-13
Applicant: EAG Studios
Property Owner: Jessica and Lexi Viripaeff
Zoning: R-1:B-A
General Plan: VL (Very Low Density)
Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval for Design Review, Hillside Lot permit, and a Variance. The project is requesting new landscape structures at the single-family residential property. These structures and features include a new pool/spa, pool equipment, patio, firepit, outdoor kitchen, retaining wall, and an outdoor shower. Variances are requested to allow for the construction of new landscape structures within the side and rear yard setback.

Assistant Planner Lopez presented the project, as well as the project architect, The project architect presented the project over Zoom. The ADR members had questions about the project and the architect answered.

Astrid and Bo Dahlin owners of 11 Upper Road spoke about the project. They own the shared driveway and think that the project is lopsided, and a lot of the development is

focused on near the shared driveway. They did not feel like the project was changed enough, specifically the deck that is close to the road is concerning.

Mark Kruttschnitt

- Previously people were concerned with the height, and setbacks. The project has been amended to be reduced in height.
- The deck in front of the ADU could be removed, however the ADU could be built in the same location which would create more mass if the owners chose. He would prefer the deck is removed.
- The mass could be pulled out of the setback
- The planting is great, colors and materials too.

Stephen Sutro

- Changes are admirable.
- Variances to allow structures in the setbacks, are generally okay if the neighbors cannot see them. The terrace at the driveway side “hot dog window” should be removed.
- Would like to see the neighbor supportive of the project and then he could support it. The lot is odd shaped and steep which lends itself to the Variance
- Work with the neighbor and with their support move the project to Council for approval.

Laura Dewar

- Appreciates the changes, colors and materials look great, more natural.
- If the patio space “hot dog window” is removed she could support, it and the Variance.
- Pool equipment in setback is okay.

Mark Fritts

- Agrees with other ADR members.
- Remove the “hot dog window”
- Does not think moving the pool closer to the house will be a substantial change so it’s not necessary.
- Tightening up the back patio that is in the setback will help reduce the height of the retaining walls.

b. Property Address: 15 Makin Grade

A.P.N.: 072-101-25

Applicant: David Swetzshop c/o Swetzshop, Inc

Property Owner: Cameron and Dave Rivinus

Zoning: R-1:B-5A

General Plan: VL (Very Low Density)

Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval for Design Review, Nonconformity Permit and a Hillside Lot Permit. The project is requesting to improve an aging lot with a new pool, landscaping improvements, and remodel the existing non-conforming guest house. New landscaping includes new trees, shrubs, and a new rectangular shaped pool to replace the existing oval pool. The project also proposes to add 405 square feet of floor area to the existing guest house by converting the basement into a gym and bathroom.

Assistant Planner Lopez presented the project. The project architect also presented the project.

Mark Fritts

- Great project
- Additional square footage falls within the allowable floor area for the project so can support it

Laura Dewar

- Supports the project.

Stephen Sutro

- Supports the project wholeheartedly.
- The additional floor area falls into the allowable so can support the Nonconformity.

Mark Kruttschnitt

- Agrees with the ADR members, supports the project.

c. Property Address: 63 Laurel Grove

A.P.N.: 072-131-33

Applicant: Eric Cole

Property Owner: Joshua Schiller

Zoning: R-1:B-A

General Plan: VL (Very Low Density)

Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval for Design Review, Hillside Lot Permit, and a Variance. The project is requesting construction of a new 588 square foot carport that includes a green roof and a 9-foot retaining wall. The project also includes converting the pool cabana basement into a gym and home office adding 708 square feet of floor area in the existing basement space. A new deck is proposed outside the newly conditioned space. Variances are requested to exceed the allowable floor area by 1,296 square feet, construct the new carport within the side yard setback, and construct a 9-foot retaining wall.

Assistant Planner Lopez presented the project. The project architect and homeowner presented the project and answered questions from the ADR members.

Laura Dewar

- Likes the modern design and green roof of the carport, the green roof minimizes impact.
- The retaining wall at the carport, should be planted to help soften it and can support it.
- The aesthetic design of the area under the cabana looks great. Not clear on adding the floor area, especially given that this is a 6-acre lot, and not clear on how it can be supported.

Mark Fritts

- Thinks the carport is close to the driveway, likes the idea of planting the retaining wall.
- Can support the carport if it is pulled back away from the driveway and reduced in size to a 2-car carport.
- The site appears above the road and is over the allowable floor area. Can not support the additional floor area so close to the road. The deck is also too large and cannot be supported.

Mark Kruttschnitt

- Agrees with Mark, the carport should be a 2-car carport and the wall should be reduced in height.
- The gym development looks nice but cannot support the Variance. The deck is too close to the road. Just because no one can see the floor area does not justify the findings.

Stephen Sutro

- Shift the carport to minimize the bulk from the roadway. Supports the carport if it is shifted away from the road. Plant the wall or slope the wall a little to soften it.
- The additional floor area is okay, the bulk is already there, the gym does not hurt anybody. Can support it if the deck is reduced in size and it is planted to screen the railing.

5. Conceptual ADR

6. Information and Discussion.

7. New Agenda Items.

Adjournment, 8:30 PM.

Next scheduled regular meeting date and time: May 16, 2023, at 7:00 PM.