

Heather Bennett
78 Shady Lane
Ross, CA 94957
March 28, 2025

Town of Ross Council Members
31 Sir Francis Drake Blvd.
Ross, CA 94957

Subject: Response to Public Comment by Mr. and Mrs. Untermann (March 25, 2025)

Dear Council Members,

I am writing in response to the public comment submitted by Mr. and Mrs. Untermann on March 25, 2025, regarding our proposed project amendments. I would like to clarify several inaccuracies in their statement, particularly concerning the revisions to the front porch and the claim about a laundry facility in the basement.

First, I want to address the allegation that our project includes a laundry facility in the basement. This claim is not accurate. Our plans have never included such a facility, and Mrs. Untermann's assertion appears to be based on a misunderstanding. Despite multiple efforts to clarify this issue, including meetings with the Town of Ross staff and additional sectional drawings provided by our architect, she continues to make this incorrect assertion.

To clarify, the basement remains an unconditioned space with no electrical outlets, mechanical ducting, water lines, or gas lines that could support a laundry facility. The designated laundry area is located on the first floor, three risers down from the main level, in a space that replaces a former closet. Though the space is split-level, the laundry will be installed on a raised platform to comply with Base Flood Elevation (BFE) requirements. As per town regulations, split-level floors that do not exceed a full story in height are considered part of a single ground floor, meaning there is no increase in the Floor Area Ratio (FAR). Therefore, Mrs. Untermann's claim about the laundry facility in the basement is unfounded.

Regarding the front porch, Mrs. Untermann's concerns appear to be based on an earlier, unapproved design revision. Upon hearing her privacy concerns and the Planning Department advising us that any revisions to the porch would require a Design Review Amendment and could not exceed the approved FAR limits, we modified the design so it was in compliance with the approved FAR limits and addressed the neighbor's privacy concerns by reorienting the stairs to now face eastward, away from the neighboring property to the south, and reducing the width of the south-facing double doors.

Importantly, the proposed design does not increase FAR. The amendment reallocates six square feet of previously approved FAR from the front entry to square out two corners of an existing north-facing bay, resulting in covered porch dimensions of 9 feet 11 inches by 7 feet 3 inches. Since neither the length nor the width of the porch exceeds 10 feet, it does not contribute to FAR.

calculations. In fact, this modification results in a net decrease of one square foot of approved FAR.

To further address privacy concerns, we have included thoughtful design elements and landscaping improvements. A new landscape screening along the south property line has been incorporated to reduce potential impact, and a mature Tulip Poplar (*Liriodendron tulipifera*) already provides substantial screening for the neighboring home. Additionally, it is important to note that the original property included a 250-square-foot elevated deck, extending 18 feet from the existing covered porch to within 20 feet of the south property line. Our proposal eliminates this deck, and the covered porch remains within the original house footprint. The proposed steps are now oriented toward the east front property line, and the new patio doors are positioned under a covered roof, more than 40 feet from the south property line.

Lastly, I would like to address Mrs. Untermann's claim that the Town of Ross staff has failed to protect their property rights and lacked transparency. Mrs. Untermann requested and was granted access to all written exchanges between myself, my design and construction team, and the Town staff. Throughout this process, Town staff has acted promptly to address her concerns. She has visited the Planning Department frequently to review plans and documents.

Mrs. Untermann has requested multiple times that construction be halted due to unforeseen circumstances, including the removal of exterior cladding for lead and asbestos abatement, repairs for extensive dry rot and termite damage, and necessary foundation repairs. She also expressed concerns that our project violated the FEMA 50% rule. In response, we provided documentation confirming that we had not exceeded the 50% construction cost threshold. However, given the scope of the unforeseen repairs and the corresponding reduction in our design material budget to stay within the 50% rule, we determined that raising the house to comply with FEMA's BFE requirements was the most prudent solution.

We have consistently provided full documentation of all exterior damage and repairs, including abatement reports, photos, and structural details. Our construction has adhered to approved plans and building codes, with all work inspected accordingly. The entry and rear porch areas subject to this amendment remain on hold, and no construction will proceed without approval and a new building permit revision.

We appreciate the Council's time and consideration in reviewing this matter. Our project has been designed in full compliance with town regulations while respecting the privacy and character of the surrounding neighborhood. Please do not hesitate to contact me should you need any further clarification.

Sincerely,

Heather Bennett