



Staff Report

Date: April 3, 2015

To: Mayor Elizabeth Brekhus and Councilmembers

From: Elise Semonian, Senior Planner

Subject: Lynch, Design Review and Demolition Permit, Variances, Nonconformity Permit, 32 Allen Avenue, File 1982

Recommendation

Council approve the project subject to the findings and conditions attached.

Project Summary

Owner: Courtney Lynch

Design Professional: Charles Theobald, Architect and
Tseckares Landscape Architecture

Location: 32 Allen Avenue

A.P. Number: 73-261-39

Zoning: R-1:B-7.5 (Single Family Residence, 7,500 sq. ft. minimum lot size)

General Plan: Medium Low Density (3-6 units per acre)

Flood Zone: Zone AE (High Risk Area with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage) and Zone X (west side outside of High Risk Area)

Review of application for demolition permit, design review, variance and nonconformity permit. The proposed project involves a significant remodel (potentially full demolition) and addition to the existing residence and modifications to the landscaping including: 1.) replacement of windows and doors on each elevation; 2.) modification of siding from painted horizontal siding to cedar shingles with a semi-transparent grey stain; 3.) elevating the residence 9" to prevent flooding; 4.) modification to the roof form, including an increase in the maximum ridge height; 5.) demolition of structures at the rear of the property (carport, covered patio, shed and cottage); 6.) new landscaping including a new pool within the rear yard setback, patios, arbors, fencing, gates, lighting and planting; and 7.) removal of four trees.

Lot Area	11,071 square feet	
Existing Floor Area Ratio	2,596 sq. ft.	23.4%
Proposed Floor Area Ratio	2,595 sq. ft.	23.4% (20% permitted)
Existing Lot Coverage	2,573 sq. ft.	23.2%
Proposed Lot Coverage	2,209 sq. ft.	20.0% (20% permitted)
Existing Impervious Surfaces	4,775 sq. ft.	43.1%
Proposed Impervious Surfaces	4,035 sq. ft.	36.5%

Background, project description and discussion

The applicant proposes a significant remodel of the residence that will likely result in full replacement of the structure. The site has a number of accessory structures. Staff considers some of them legal nonconforming and existing floor area, and others illegal and not existing floor area. Staff supports with the floor area calculation provided by the applicant. The project maintains the existing floor area and reduces lot coverage.

The Advisory Design Review Group reviewed the design at their November 2014 meeting. The design was supported by ADR. The design submitted for Council review is nearly identical to the ADR plan. However, the maximum roof ridge is one foot taller, to permit additional head height at the upper level.

While ADR had no concerns with the design, staff is concerned the entry appears overly detailed for the cottage style. If Council agrees, staff would recommend permitting the architect to address this concern at a staff level.

The existing pool and pool house structures encroach into the rear and side yard setbacks. The applicant is proposing to bring the site into further conformance with the plans by removing structures from the setback areas. The new pool will be located further into the rear yard area. However, since the site has an existing pool, the pool is not expected to create any new impacts to neighbors.

Significant new landscaping is proposed. Some landscape planting is proposed in the right of way. Staff believes this will be more attractive than leaving the right of way area bare of planting. No structure are proposed in the right of way area, just planting. Although it increases impervious surfaces at the site, staff recommends replacement of the pavers within the right of way with asphalt so that it is more clear the area is public right-of-way and not private parking for 32 Allen and easier for the Town to maintain.

The project will result in an attractive upgrade of the residence and site and staff supports the project as proposed.

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 in part on the valuation of the work proposed. 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. The Town currently serves the site and there would be no operating or funding impacts associated with the project.

Alternative actions

1. Continue the project for modifications; or
2. Make findings to deny the application.

Environmental review (if applicable)

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Sections 15303 (one single-family residence) and Section 15301 (existing facilities, as an addition to an existing single-family residence in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive). No exception set forth in Section 15300.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources.

Attachments

1. Findings and Conditions of Approval
2. Town Council Minute history
3. Information provided by the applicant

Attachment 1

Recommended Town Council Action, Findings and Conditions

Staff recommends that the Town Council, after carefully reviewing the facts and the arguments presented after a public hearing, site visits, review of story poles installed at the site, staff reports, correspondence, and other information contained in the project file, approve the project as proposed with the following Findings and subject to the following Conditions of Approval:

A. Findings

1. **CEQA** The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Sections 15303 (one single-family residence and second unit) and Section 15301 (existing facilities, as an addition to an existing single-family residence in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive). No exception set forth in Section 15300.2 of the CEQA Guidelines (including but not limited to Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources, applies to the project.

2. Design Review

The project maintains the scale and character of the existing development. The proposed materials and colors will integrate the residence with its setting and the neighborhood. The project would maintain the existing drainage pattern and impervious surfaces, while improving site drainage. A drainage plan in compliance with the Town Stormwater Management Ordinance will be required prior to building permit issuance. The proposed development area has been previously disturbed with development. Extensive new landscaping is proposed.

3. Variance

a) *Special Circumstances. That there are special circumstances or conditions applicable to the land, building or use referred to in the application. There are 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.*

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

c) *Public Welfare. 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 property is a corner lot. The site has a number of existing nonconforming structures, including a swimming pool in the setbacks. The proposed pool will not increase any impacts on

neighbors. The proposed landscape plan improves the site screening and includes several new trees that will grow to a tall mature height.

4. Nonconformity permit/Demolition

a. The nonconforming structure was in existence at the time the ordinance that now prohibits the structure was passed.

b. The demolition will not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural or aesthetic value. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood or the community.

c. The project substantially conforms to relevant design review criteria and standards in Section 18.41.100.

d. Total floor area does not exceed the greater of: a) the total floor area of the existing conforming and/or legal nonconforming structures.

e. Granting the permit will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

f. The project will comply with the Flood Damage Prevention regulations in Chapter 15.36.

g. The fire chief has confirmed that the site has adequate access and water supply for firefighting purposes, or that the project includes alternate measures approved by the fire chief.

h. The applicant has agreed in writing to the indemnification provision in Section 18.40.180.

i. The site has adequate parking. For purposes of this section, adequate parking shall mean that the site complies with at least the minimum number of parking spaces required for the zoning district (covered or not covered). If the site does not comply with the covered parking requirement, the Town Council may require covered parking to be provided. The Town Council may consider the size of the residence and number of bedrooms and may require additional parking up to the following:

<i>Total site floor area (excluding covered parking)</i>	<i>Required off street parking</i>
1,300 square feet to 3,300 square feet	3 spaces
Over 3,300 square feet	4 spaces

B. Conditions of Approval, 32 Allen Avenue

The following conditions of approval shall be reproduced on the cover sheet of the plans submitted for a building permit.

1. Except as otherwise provided in these conditions, the project shall substantially conform with the plans for the residence approved by the Town Council on April 9, 2015. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.

2. The pool equipment venting shall be directed away from adjacent property as much as feasible (for example, vents or louvres directed on site) and the shed insulated for noise as much as possible.

3. The garage attic stairs shall be pull down only, to permit full use of the garage area.

4. The Landscaping shall be installed in substantial conformance with the approved landscape plan prior to project final. The Town staff reserves the right to require modifications to the landscape to protect mature trees and to comply with MMWD water conserving landscape requirements or fire code clearance requirements. The Town Council reserves the right to require additional landscape screening for up to three (3) years from project final. The applicant may be required to provide additional screening if fire clearance requirements require removal of necessary screening landscaping. Staff may require additional screening landscaping of the second unit prior to project final if it is found to be necessary to screen the structure from adjacent site views.

5. 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.

6. Exterior lighting of landscaping by any means shall not be permitted if it creates glare, hazard or annoyance for adjacent property owners. Lighting expressly designed to light exterior walls or fences that is visible from adjacent properties or public right-of-ways is prohibited. No up lighting is permitted. Interior and exterior lighting fixtures shall be selected to enable maximum "cut-off" appropriate for the light source so as to strictly control the direction and pattern of light and eliminate spill light to neighboring properties or a glowing night time character.

7. Applicants shall comply with all requirements of PG&E prior to project final.

8. The applicant shall comply with all requirements of the Marin Municipal Water District (MMWD) for water service prior to project final including compliance with all indoor and outdoor requirements of District Code Title 13 – Water Conservation. Indoor plumbing fixtures must meet specific efficiency requirements. Landscape plans shall be

submitted, and reviewed to confirm compliance or exemption. The Code requires a landscape plan, an irrigation plan, and a grading plan. Any questions regarding District Code Title 13 - Water Conservation should be directed to the Water Conservation Department at (415) 945-1497. Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1559. For questions contact Joseph Eischens, Engineering Technician, at (415) 945-1531. Letter or email confirming compliance with MMWD's requirements shall be submitted to the building department prior to project final.

9. Applicants shall comply with the requirements of the Ross Valley Sanitary District No. 1 prior to project final.

10. The applicant and contractor should note the Town of Ross working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).

11. The project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:

a. 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.

b. Prior to any demolition or issuance of a building permit, which was constructed prior to 1985, an asbestos and lead-based paint survey shall be provided to the Town building department for review by the Building Official. If asbestos-containing materials are determined to be present, the materials should be abated by a certified asbestos abatement contractor in accordance with the regulations and notification requirements of the Bay Area Air Quality Management District. If lead-based paint is identified, then federal and state construction worker health and safety regulations should be followed during renovation or demolition activities. If loose or peeling lead-based paint is identified, it should be removed by a qualified lead abatement contractor and disposed of in accordance with existing hazardous waste regulations.

c. The drainage design shall comply with the Town's stormwater ordinances (Ross Municipal Code Chapters 15.54 and 12.28).

d. 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.

e. 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).

f. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.

g. 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.

h. Inspections shall not be provided unless the Town-approved building permit plans are available on site.

i. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).

j. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways 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.

k. Flood resistant materials shall be used below the finished floor. All structural and non-structural building materials at or below the base flood elevation must be flood resistant. A flood-resistant material is defined as any building material capable of withstanding direct and prolonged contact with floodwaters without sustaining significant damage. Flood-resistant materials must be used for all building elements subject to exposure to floodwaters, including floor joists, insulation, and ductwork. Any building utility systems within the crawlspace must be elevated above the base flood elevation or designed so that

floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the base flood elevation or sealed from floodwaters. (See FEMA Technical Bulletins 2-93 and 11-01 at <http://www.fema.gov/> for more information)

l. A FEMA elevation certificate shall be submitted to the Town with the building permit plans and prior to project final.

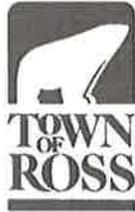
m. The Building Department may require a No Rise Certification prior to issuance of a building permit.

n. All cracked, broken or uplifted sidewalk fronting the property shall be replaced.

o. Trees and vegetation shall be trimmed according to the Ross Municipal Code. Trees and shrubs shall be kept trimmed so that the lowest branches projecting over public properties provide clearance required by the Department of Public Works. Bushes and other vegetation shall be trimmed so no portion hangs over the sidewalk, or the road if no sidewalk is present.

p. 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.

12. 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 attorneys fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.



Town of Ross

Planning Department

Post Office Box 320, Ross, CA 94957

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

Web www.townofross.org

Email esemonian@townofross.org

Staff Use Only

Received By: _____

Date: _____

Fees Paid: _____

Date: _____

VARIANCE/DESIGN REVIEW/DEMOLITION APPLICATION

See Town of Ross Planning Fee Schedule for Applicable Fees

Parcel Address 32 Allen Ave.

Assessor's Parcel Number 073-261-39

Legal Owner of Parcel Courtney Lynch

Mailing Address P.O. Box xxxx

City Ross State CA ZIP 94957

Day Phone 415-310-2817 Evening Phone _____

Fax _____ Email courtneylynch@chevron.com

Architect (Or applicant if not owner) Charles Theobald

Mailing Address 248 Bolinas Rd.

City Fairfax State CA ZIP 94930

Phone 415-637-7428

Fax _____ Email chartheo@gmail.com

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

Lot Size 11,071 sq. ft.

Existing Coverage 2,573 sq. ft. Existing Floor Area 2,596 sq. ft.

Existing Lot Coverage 23.2% % Existing Floor Area Ratio 23.4% %

Coverage Removed 945 sq. ft. Floor Area Removed 511 sq. ft.

Coverage Added 581 sq. ft. Floor Area Added 510 sq. ft.

Net Change- Coverage 364 sq. ft. Net Change- Floor Area 1 sq. ft.

Proposed Lot Coverage 2,209 % Proposed Floor Area Ratio 23.4% %

Proposed New Retaining Wall Construction 0 ft. (length) 0 ft. (max height)

Proposed Cut 0 cubic yards Proposed Fill 0 cubic yards

Project Statistics

32 Allen Ave.

11/3/2014

Basic Statistics	
Parcel No.	073-261-39
Lot Size (SF)	11071.11
Zoned:	R-1:B-7.5
Allowable F.A.R / Coverage	20% / 20%
Allowable F.A.R. for Max.	2214.22
Parking Requirement	2 (1 covered)
Setbacks	Side 15', Front 25', Rear 40'
Maximum Height	30'

.27 Acres =
11,761.2 SF

Lot Coverage (includes roof overhangs)				
	Existing	Proposed	Added	Removed
Area	2,573	2,209	581	945
% Coverage	23.2%	20.0%	5.2%	8.5%
Net-Change in Coverage		-3.3%		

F.A.R. Calculations				
Area	Existing	Proposed	Added	Removed
Main Floor	1194	1581	458	71
Garage	232	232	0	0
Upper Floor	730	774	52	0
Rear Unit	440	0	0	440
Hot Tub	212*	0	0	212*
Shed	51*	0	0	51*
Trellis	na	263*	0	
Total	2596	2587	510	511
F.A.R.	23.4%	23.4%	-0.1%	

*not counted in total

Pervious Calculations		
	SF	%
Existing Pervious	6,296	56.87%
Existing Impervious	4,775	43.13%
Added Impervious	2407	21.74%
Removed Impervious	3147	28.43%
Net Change Impervious	740	6.68%
Proposed Pervious	7,036	63.55%
Proposed Impervious	4,035	36.45%

Proposed Retaining Walls	
Length of Walls	0 feet
Maximum Ht.	0 feet
Proposed Cut	0 cubic yards
Proposed Fill	0 cubic yards

7/8/82

bathroom to master bedroom, new latticework entry gate, move greenhouse 10' from property lines, install pool equipment building behind projection of the house and adequately insulate it. Architect Fitzpatrick explained that the dining room will not constitute a major change in the appearance of the house and is needed for entertaining. When the property was cut off from the Armsby parcel, the rear property setback was inadequate. All abutting neighbors have no objection to the project. On motion by Mr. Scales, seconded by Mr. Poore, the variance request was unanimously granted and Mr. and Mrs. Adler warmly welcomed to Ross.

X

3. F. Gordon and June Dunn, 32 Allen Ave. (73-261-02)
7,500 sq. ft. zone

Request to erect temporary carport, consisting of tubular steel and green canvas, 10' x 15', to provide covered parking.

Lot Area	11,071 sq. ft.
Present lot coverage	16%
Proposed " "	17%
Present floor area ratio	16%
Proposed " " "	17%

(20% allowed)

Dr. Dunn explained that the existing small garage is not usable and because it is not possible to raise the driveway or the garage and the area floods, he felt a temporary carport would be the least obtrusive and would fit into the small area. He also produced plans for a permanent structure, which the Council had not seen. On motion by Mr. Poore, seconded by Mr. Chase, the Council unanimously agreed to put the matter over to the August meeting in order to study both plans. It was decided that Dr. Dunn need not pay an additional \$100 filing fee, but should pay for the cost of renoticing all residents within 300'.

4. No. 640 Dirk M. and Barbara Van Meurs, 14 Skyland Way (72-201-08) Acre Zone

Request to remodel and upgrade existing pool lanai and replace concrete deck with raised wooden platform

Lot Area	18,611 sq. ft.
Present lot coverage	21.8%
Proposed " "	24.7%
Present floor area ratio	26.8%
Proposed " " "	28.3%

(15% allowed)

Landscape Architect George Girvin presented the plans and explained that the pool lanai is in need of a face-lifting and the concrete deck is cracked and has drainage problems. The lanai will be brought up to building code and will be architecturally detailed to match the house, the 8' x 12' deck will

28-82

Following discussion, on motion by Mayor Bretnes, seconded by Mr. Scales, it was unanimously agreed to continue the rehearing until September 9th, during which time Mr. McDevitt will provide additional legal information.

10. Solar Permit No. 31 James and Molly Mangan, 8 Thomas Court (73-232-11) 10,000 sq. ft. zone
Request to install solar panels
Mr. Lunding reported complete conformance with Town guidelines and on motion by Mr. Chase, seconded by Mr. Stafford, solar permit No. 31 was unanimously granted.

11. Variances.
No. 641 Ronald and Judith Lombardi, 141 Bolinas Ave. (73-041-01) R-1 5,000 sq. ft. zone
Request to install larger windows and dormer window on 2nd floor and window seat on 1st floor.

Lot Area	6,365 sq. ft.	
Present lot coverage		35.86%
Proposed "	"	35.98%
Present floor area ratio		40.42%
Proposed "	"	40.81%

(20% allowed)

Mr. Lombardi explained that the second floor of the house is framed in and has room for two bedrooms. The windows will provide ventilation and will remedy many ills now present. On motion by Mr. Chase, seconded by Mr. Poore, the Council unanimously granted the variance.

2. No. 642 Betty M. Wilson, 78 Shady Lane (73-101-41) 10,000 sq. ft. zone
Request to construct 18' x 14' deck at front of existing house.

Lot Area	9,765 sq. ft.	
Present lot coverage		20.7%
Proposed "	"	23.29%
Present floor area ratio		24 %
Proposed "	"	26.5%

(20% allowed)

Ms. Wilson explained the need for a deck and said no neighbor objected. On motion by Mr. Scales, seconded by Mr. Poore, variance No. 642 was unanimously granted.

3. F. Gordon and June Dunn, 32 Allen Ave. (73-261-02)
The Clerk reported that no permanent plans for a carport were received and she was directed to contact Dr. Dunn to determine if he has decided to abandon his request for a variance.

8-19-82 *

A court reporter was present and Thomas Casson was sworn and testified. Also, Dr. Robert A. Blau was sworn and testified.

Resolution No. 1117

Making Finding concerning Thomas Casson's Disability under Calif. Government Code Section 21029.

Mr. Poore moved that the Council find Mr. Casson incapacitated to work as 'Fire Chief' for the Town of Ross. Mr. Stafford seconded the motion, which passed by a three to one vote, Mr. Chase dissenting.

Resolution No. 1119

Concerning Question of Whether Disability of Thomas Casson is Industrial or Not Industrial

Mr. Chase moved that the Council make no finding of whether Mr. Casson's disability is industrial or not industrial. Mr. Poore seconded the motion, which was unanimously passed.

Mr. Stafford asked that the records show that Dr. Blau's report of March 2, 1982 does not indicate that Chief Casson participated in an extra business during the time he was employed by the Town of Ross. He asked that the Worker's Compensation Appeals Board be so advised.

The Clerk was directed to forward the Council's decisions and a copy of these minutes to the Public Employees' Retirement System for further proceedings.

* 7. Variances.

1. F. Gordon and June Dunn, 32 Allen Ave., (73-261-03)
7,500 sq. ft. zone

Mr. Lunding and the Clerk reported receiving no plans for a permanent carport nor any indication from Dr. Dunn that he wishes to proceed with the variance request. Mr. Chase moved that the variance be declared null and void, seconded by Mr. Stafford and unanimously passed.

2. No. 643 Alice Hayden, 15 Morrison Road
(72-051-14 & 16) Acre Zone

Request to add a story over the existing house, thereby making three stories over the dining room.

Lot Area	2.99 Acres	
Existing lot coverage	2.9%	
Proposed " "	3.5%	
Existing floor area ratio	3%	
Proposed " " "	5.6%	

(15% allowed)

9/9/82

This lot line adjustment will not result in any change in existing parcel sizes. The adjustment is requested to remedy an existing condition in which development encroaches over lot lines.

Dr. Gordon Dunn expressed concern over the wording of the documentation and asked that it be clarified to indicate that it is a lot line adjustment and not an easement. Councilmember Barry moved approval subject to the endorsement of the language by the Town Attorney, the Town Engineer and both parties of the lot line application. This was seconded by Councilman Scott and passed unanimously.

22. Use Permits.

a. Daniel and Susan Ohlson, James and Christine Howey, Legal Owners, and John Bremner, potential tenant, 23 Ross Common, AP 73-273-10, Local Commercial District. Request is to allow operation of a management consulting office. One employee on site. Hours of operation are Monday through Saturday, afternoons and evenings.

Use Permit #170

Councilman Barry moved approval with the condition that a business license be obtained, seconded by Councilman Reid and passed unanimously.

b. Use permit amendment, variance, design review and demolition. The Branson School, 39 Fernhill Avenue, (AP Nos. 073-082-01, 073-151-05, 073-141-03, 073-143-19, 073-082-12), R:1-B-A district (Single Family residential, One Acre minimum). The demolition/new construction is proposed on parcel 73-141-03. Request is to allow an amendment to an approved master plan use permit and request for demolition permit to allow the demolition of the existing Oaks and Stairways buildings. The construction of a 4,646 square foot new classroom building and 2,054 square feet of covered front porches on the new building and to an existing classroom building is also proposed. A variance application has been filed to allow a floor area ratio increase from 25.4% to 25.9% (15% permitted) and to allow a reduced setback of 15 feet (the required setback is 25 feet if considered a side yard, 40 feet if considered a rear yard.)

*Use Permit #171
VARIANCE #1057
Design Review #2*

Lot Area*	268,765 sq. ft.
Present Lot Coverage*	10.9%
Proposed Lot Coverage*	12.2% (15% permitted)
Present Floor Area Ratio*	25.4%
Proposed Floor Area Ratio*	25.9% (15% permitted)

*(parcel 73-141-03 only)
Mayor Brekhus said that the Council was aware that there was concern re the parking and traffic conditions and that this item would be put on the agenda for next month.

Councilman Barry asked if the application was complete and Town Planner Broad responded that the Town Arborist, Peter Andreucci, felt the submitted recommendations were inadequate as a tree protection plan because they would not adequately regulate construction activity. However, he felt that the construction could be accomplished without adversely impacting the two adjacent trees. A more detailed tree protection plan will be provided by the Town Arborist. Mr. Broad noted that the school will be responsible for adhering to the protection plan of Mr. Trees as well as the Town arborist.

Councilman Reid referred to the letter from the Sanitary District and Mr. Lillevand responded that he would work out satisfactory setbacks with the District. Mr. Ned Ongaro, Ross Valley Sanitary District Manager,



MARIN MUNICIPAL WATER DISTRICT

220 Nellen Avenue Corte Madera CA 94925-1169
www.marinwater.org

November 26, 2014
Service No. 07677

Elise Semonian
Town of Ross Planning Dept
PO Box 320
Ross CA 94957

RE: WATER AVAILABILITY - Single Family Dwelling
Assessor's Parcel No.: 073-261-39
Location: 32 Allen Ave., Ross

Dear Ms. Semonian:

The above referenced parcel is currently being served. The purpose and intent of this service are to provide water to a single family dwelling. The proposed elevating and remodeling of the existing structure and assorted exterior improvements, including a new pool, will not impair the District's ability to continue service to this property.

Compliance with all indoor and outdoor requirements of District Code Title 13 – Water Conservation is a condition of water service. Indoor plumbing fixtures must meet specific efficiency requirements. Landscape plans shall be submitted, and reviewed to confirm compliance. The Code requires a landscape plan, an irrigation plan, and a grading plan. Any questions regarding District Code Title 13 – Water Conservation should be directed to the Water Conservation Department at (415) 945-1497. You can also find information about the District's water conservation requirements online at www.marinwater.org.

Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1558.

If you have any questions regarding this matter, please contact me at (415) 945-1532.

Sincerely,

Joseph Eischens
Senior Engineering Technician

JE:cb



Ross Valley Sanitary District

2960 Kerner Blvd., San Rafael, CA 94901
Tel. (415)259-2949 Fax (415)460-2149

Nov 24, 2014

Elise Semonian, Senior Planner
Town of Ross
P.O. Box 320
Ross, CA 94957-0320

SUBJECT: DESIGN REVIEW, 32 ALLEN AVENUE, ROSS; APN: 73-261-39

Dear Ms. Semonian:

We are in receipt of your transmittal letter received Nov 18, 2014 concerning the above- referenced project. Since this project involves a significant demolition and rebuild, the project will require a connection permit from the District. The size of the sewer lateral will depend on the fixture count calculated during the permitting process. If the existing lateral meets the size requirement of the fixture count, the applicant has the option of installing a new lateral or, the old sewer lateral needs to be tested in the presence of a District Inspector and found to meet all current District requirements.

Sanitary District No. 1 will place a hold on said property once the building permit is issued. This hold prevents the new building from being released for occupancy until the District's permit and sewer requirements are fulfilled. It is the owner's responsibility to obtain a sewer connection permit from this office and meet all District requirements pertaining to the private side sewer/lateral.

In addition, please see the attached Section 610 from our Sanitary Code with respect to Swimming Pools. Requirements for discharge of contents of a swimming pool into our sanitary sewer system include the following:

- Permit and inspection. (See attached. The \$250 permit fee for inspection will apply for discharging contents of a swimming pool.)
- Compliance with the Sanitary Code and District Standard Specifications and Drawings.
- Pipe not larger than two inches.
- Head not to exceed 20 feet.
- Discharge rate for pumping not to exceed 100 gpm.
- Equipped with separator to preclude any possibility of backflow of sewage.
- No surface or subsurface drainage, rainwater, stormwater, etc. shall be permitted to enter any sanitary sewer by any device or method whatsoever.

Please note, the District will only allow temporary discharges of contents of swimming pools. No permanent connections for discharge to the sanitary sewer system will be acceptable.

If you need further information regarding this matter, please contact the office.

Sincerely,

A handwritten signature in blue ink that reads "Randall Y. Ishii".

Randell Y. Ishii, M.S., P.E.
District Engineer

Board Members:

Thomas Gaffney, President
Michael Boorstein, Secretary
Mary Sylla, Treasurer
Pamela Meigs
Frank Egger

General Manager:

Greg Norby

Serving the Communities of:

Fairfax *Larkspur*
Greenbrae *Ross*
Kentfield *San Anselmo*
Kent Woodlands *Sleepy Hollow*



Ross Valley Fire Department
 777 San Anselmo Ave
 San Anselmo, Ca 94960
 Ph. 415-258-4686

FIRE DEPARTMENT PLAN REVIEW

PROJECT: Residence
 ADDRESS: 32 Allen Ave
 Ross, CA

Page: 1 of 3
 Date: 12/04/2014
 Reviewed by: Rob Bastianon
 (415) 258-4673

TYPE OF REVIEW: Planning
 Bldg. 12/01/14

E-mail: rbastianon@rossvalleyfire.org

Fire Dept. # 14-0437

Review No. 1

Fire Department Standards can be found at: www.rossvalleyfire.org

Applicant*: Ross Planning

***Applicant is responsible for distributing these Plan Review comments to the Design Team.**

Occupancy Class: R-3	Fire Flow Req: 1000 GPM	Sprinklers Required: YES
Type of Construction: V-B	On-site Hyd. Req: NO	Fire Alarm Required: NO
Bldg Area: 2355sf	Turn-Around Req: NO	Permits Required: Sprinkler
Stories: 2+	Fire Flow Test Required: NO	
Height: 24+ft.	Wildland Urban Interface: YES	

The project listed above has been reviewed and determined to be:

- APPROVED** (no modifications required)
- COMPLETE AS NOTED** (minor modifications required - review attached comments)
- NOT APPROVED** (revise per attached comments and resubmit)
- INCOMPLETE** (provide additional information per attached comments and resubmit)

NOTE: Please review the comments and make corrections and/or add notes as required. Changes and/or additions shall be clouded and referenced by date on a legend. Approval of this plan does not approve any omission or deviation from the applicable regulations. Final approval is subject to field inspection. Approved plans shall be on site and available for review at all times.

ROSS VALLEY FIRE DEPT.
 REVIEWED

DATE: 12-4-14

Inspections required:

- Access/Water Supply prior to delivery of combustibles
- Defensible Space/Vegetation Management Plan
- Sprinkler Hydro/Final
- Final



Ross Valley Fire
Department
777 San Anselmo Ave
San Anselmo, Ca 94960
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ITEM #	SHEET	COMMENTS	Corr. Made
1		Scope of work for this project was found to fall within the definition of a substantial remodel. A "Substantial Remodel" is defined as follows: The renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty percent of the existing floor area of the structure. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.	
		Submitter's Response: Correction has been completed. See Sheet ___ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
2		A fire sprinkler system shall be installed throughout the entire building which complies with the requirements of the National Fire Protection Association (NFPA) 13-D and local standards. A separate deferred permit shall be required for this system. Plans and specifications for the system shall be submitted by an individual or firm licensed to design and /or design-build sprinkler systems. Please note that the system shall be monitored by a UL Listed Central Station alarm company. SHALL BE NOTED AS DEFERRED SUBMITTAL	
		Submitter's Response: Correction has been completed. See Sheet ___ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
3		Maintain around the structure an effective firebreak by removing and clearing all flammable vegetation and/or other combustible growth within the defensible space zone of 30-100 feet. Trees shall be cut back to the edge of the driveway and limbed up 14 feet to allow for access. Ross Valley Fire Department Fire Protection Standard 220 Vegetation/Fuels Management Plan is available online @ Rossvalleyfire.org to assist the applicant in meeting the minimum defensible space requirements.	
		Submitter's Response: Correction has been completed. See Sheet ___ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
4		All smoke detectors in the residence shall be provided with AC power and be interconnected for simultaneous alarm. Detectors shall be located in each sleeping room, outside of sleeping rooms centrally located in the corridor and over the center of all stairways with a minimum of one detector per story of the occupied portion of the residence.	



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FIRE DEPARTMENT PLAN REVIEW

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E-mail: rbastianon@rossvalleyfire.org

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ITEM #	SHEET	COMMENTS	Corr. Made
		Submitter's Response: Correction has been completed. See Sheet ____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
5		Carbon monoxide alarms shall be provided in existing dwellings when a permit is required for alterations, repairs, or addition exceeds one thousand dollars. CO alarms shall be located outside of each dwelling unit sleeping are in the immediate vicinity of the bedroom(s) and on every level of a dwelling unit including basements.	
		Submitter's Response: Correction has been completed. See Sheet ____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
6		Address numbers at least 4" tall must be in place adjacent to the front door. If not clearly visible from the street, additional numbers are required. Residential numbers must be internally illuminated (backlit), placed to a light or be reflective numbers. If your project is a new house or substantial remodel, they may only be internally illuminated or illuminated an adjacent light controlled by a photocell and switched only by a breaker so it will remain illuminated all night. If not currently as described, they must be installed as part of this project.	
		Submitter's Response: Correction has been completed. See Sheet ____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
7		A minimum Class "A" roof assembly is required for this project. SHALL BE NOTED ON PLANS	
		Submitter's Response: Correction has been completed. See Sheet ____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
8		A Knox key switch override shall be provided for the electric gate. Knox products can be ordered online at rossvalleyfire.org .	
		Submitter's Response: Correction has been completed. See Sheet ____ of <input type="checkbox"/> Plans <input type="checkbox"/> Calculations.	
9		Applicant may propose alternate materials or method in accordance with Section 103.3. All approved alternates requests and supporting documentation shall be included in the plans set submitted for final approval.	

*If re-submittal is required, all conditions listed above shall be included in revised drawings.
Fire and life safety systems may require a separate permit. Fire permits may be noted as deferred.*