

AGENDA  
REGULAR MEETING of the ROSS TOWN COUNCIL  
THURSDAY, AUGUST 10, 2006

1. 6:00 P.M. Commencement.
2. Open time for matters pertaining to the closed session in agenda item 3.
3. Closed Session – Conference with Legal Counsel – Anticipated litigation, pursuant to Government Code Section 54956.9, because of 135 claims filed representing 76 properties; the claims are available for public inspection at Ross Town Hall.
4. 7:00 P.M. – OPEN SESSION. Council will return to open session and announce action taken, if any.
5. Posting of Agenda.
6. Minutes.
7. Demands.
8. Open Time for Public Expression.  
Limited to three minutes per speaker on items not on agenda.
9. Report from Mayor Rick Strauss.
  - Appointment of Elise Semonian as Senior Planner
10. Report from Committee Heads.
  - Public Works - Council member Durst
    - July 17<sup>th</sup> Meeting on Undergrounding Utilities
  - Public Safety - Council member Hunter
    - Fire Consolidation Update
11. Report from Ross Property Owners Association.
12. Flood Control Report.

*For information as to which item the Council is hearing, please call 415-453-1453, option 6, after 7:00 p.m. on the night of the meeting.*

“Brevity is the Soul of Wit.” (Shakespeare)  
Project applicants will be limited to no more than 15 minutes total for owner, architect, engineer, etc. presentations. All other speakers will be limited to a maximum of 3 minutes per item.

13. Town Council consideration of amendments to the adopted Town of Ross Fiscal Year 2006-2007 Budget, including adding a \$180,000 Legal Defense Fund and Adoption of Resolution No. 1607 establishing a Legal Defense Fund.
14. Council Resolutions and Appointment Consent Agenda  
The following three items will be considered in a single motion, unless removed from the consent agenda:
  - a. Town Council consideration of Resolution No. 1605 accepting the National Emergency Management System for use in emergency planning. (Heying)
  - b. Town Council Consideration of Resolution No. 1606 Award of Contract and Authorization of Expenditures for Redwood Drive and Poplar Avenue Overlay Project. (Jarjoura)
  - c. Town Council reappointment of Loraine Berry to the Marin County Commission on Aging. (Broad)

End of First Consent Agenda.

15. Town Council consideration and response to the Grand Jury June 20, 2006 Report "The Next Disaster: Are Marin Citizens Prepared?" (Broad)
16. Town Council consideration of the use and leasing of the existing structure at 6 Redwood Drive for use as a community learning center providing tutoring, educational therapy, coaching and enrichment to students. (Broad)
17. Town Council consideration of Resolution No. 1599 Approving a 602 Square Foot Studio and 693 square foot raised deck and patio structure at 71 Shady Lane for Ash and Juliet Wood, A.P. No. 73-091-32. (Broad)
18. Planning Application Consent Agenda.  
The following three items will be considered in a single motion, unless removed from the consent agenda:
  - a. Design Review  
Barney and Donna Aldridge, 16 Skyland Way, A.P. No. 72-241-43, R-1:B-A (Single Family Residence, One Acre Minimum). Design review to allow the expansion of the existing southern wing of the residence including 220 square feet of new lower level living room and kitchen space at the rear of the residence. A 65 square foot second story deck is additionally proposed over the kitchen addition.

Lot area	56,414 square feet
Existing Floor Area Ratio	13.7%
Proposed Floor Area Ratio	14.1% (15% permitted)
Existing Lot Coverage	12.9%
Proposed Lot Coverage	13.5% (15% permitted)

*The existing master suite structure is nonconforming in setbacks.*

**b. Variance and Design Review**

Katharina Wehl, 6 Sylvan Lane, A.P. No. 73-191-27, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum). Variance and design review to allow an existing two story residence to be raised 4 feet, resulting in a new maximum height of 26 feet within guideline watercourse setbacks (50 feet recommended, 27 feet proposed.) The applicant additionally proposes: 1.) construction of a 173 square foot raised deck and stairs within the east side yard setback (20 feet required, 15 feet proposed); 2.) construction of new stairs and landings on the front and west side elevations and a wheelchair lift on the west side elevation; and 3.) demolition of an existing 133 square foot shed attached to a cottage structure located to the west of the primary residence.

Lot area	26,368 square feet
Existing Floor Area Ratio	16.9%
Proposed Floor Area Ratio	16.4% (15% permitted)
Existing Lot Coverage	15.3%
Proposed Lot Coverage	16.0% (15% permitted)

*Existing cottages and sheds are nonconforming in setbacks.*

**c. Design Review**

Jeff Lyons, 325 Upper Toyon Drive, A.P. No. 72-051-19 & 20, R-1:B-5A (Single Family Residence, Five Acre Minimum). Design review to allow the following: 1.) replacement of existing windows and doors throughout the residence with new outswinging aluminum clad windows and doors; 2.) addition of new balconies with a depth of 3 feet throughout the residence to accommodate the proposed outswinging doors; and 3.) in like kind replacement of stucco exterior cladding throughout the residence.

Lot area	217,800 square feet
Existing Floor Area Ratio	4.4%
Proposed Floor Area Ratio	4.4% (15% permitted)
Existing Lot Coverage	6.1%
Proposed Lot Coverage	6.3% (15% permitted)

End of Second Consent Agenda.

19. **Design Review, Demolition Permit, Tree Removal, and Encroachment Permit**  
Nancy and Herb Tully, 12 East Road, A.P. No. 73-173-01, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum). Demolition permit to allow the removal of a 1,113 square foot single story residence adjoining East Road. Design review to allow the following: 1.) construction of a new 4,029 square foot two story residence with a maximum height in excess of 30 feet (30 feet allowed, 30 feet and 3 inches proposed) and vehicular access from Lagunitas Road; 2.) construction of a 563 square foot partially sub-grade two car garage between the proposed residence and Lagunitas Road; 3.) construction of a pool and pool patio to the north of the proposed residence and two patios to the west of the

residence; 4.) construction of a 6 foot tall open wood and wire fence on the property line adjacent to East Road; 5.) construction of a 2.5 foot tall stone wall on the property line and a 6 foot tall open wood and wire fence set back 3 feet from the property line adjacent to Lagunitas Road; 6.) construction of 6 foot tall open metal vehicular and pedestrian access gates with 2 foot wide by 6 foot tall stone columns on the property line adjacent to Lagunitas Road; 7.) construction of a sound insulated pool equipment structure to the east of the proposed swimming pool; and. 8.) 425 cubic yards of cut, 250 cubic yards of fill, and 195 linear feet of retaining walls with a maximum height of 3 feet. Tree removal approval is requested to allow the removal of 11 trees, including 9 bays with diameters between 8 and 15 inches, a 22 inch oak, and a 24 inch tree of indeterminate species. Encroachment permit approval is additionally requested to allow the creation of a gravel parking area within the East Road right-of-way.

Lot area	23,488 square feet
Existing Floor Area Ratio	4.7%
Proposed Floor Area Ratio	19.5% (20% permitted)
Existing Lot Coverage	6.5%
Proposed Lot Coverage	15.7% (20% permitted)

*The existing residence is nonconforming in setbacks and the property is currently nonconforming in covered parking.*

20. Variance and Design Review

David Baylor and Theresa Helmer, 10 Sylvan Lane, A.P. No. 73-161-44, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum). Variance and design review to allow an existing two story residence to be raised 3 feet, resulting in a new maximum height of 25.5 feet within the north side yard setback (20 feet required, 17 feet proposed) and guideline watercourse setbacks (50 feet recommended, 42 feet proposed.) The floor level of the garage is proposed to be raised 2 feet with the existing driveway re-graded to access the new garage floor level. The applicants additionally propose: 1.) construction of a raised terrace at the rear of the residence at a height of approximately 4 feet; 2.) construction of an entry terrace at the front elevation at a height of approximately 4 feet within the front yard setback (25 feet required, 21 feet proposed); and 3.) 182 cubic yards of fill and 54 linear feet of retaining walls with a maximum height of 2 feet.

Lot area	26,368 square feet
Existing Floor Area Ratio	14.4%
Proposed Floor Area Ratio	14.4% (15% permitted)
Existing Lot Coverage	17.0%
Proposed Lot Coverage	24.1% (15% permitted)

*The existing residence is nonconforming in setbacks.*

21. Demolition Permit, Variance and Design Review

David and Anne Ramsay, 79 Shady Lane, A.P. No. 73-091-16, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum). Demolition permit to allow the demolition of an existing 2,502 square foot two story residence and attached 329 square foot single car garage; a total of 2,831 square feet of floor area is

proposed to be demolished. Variance and design review to allow the following: 1.) construction of a new 2,587 square foot two story Mediterranean style residence and an attached 473 square foot two car garage located within guideline watercourse setbacks (50 feet recommended, 25 feet proposed); a total of 3,060 square feet of new floor area is proposed; 2.) demolition and filling of an existing front yard swimming pool; 3.) construction of a 240 square foot raised patio at a height of approximately 5 feet above existing grade at the rear of the residence; 4.) construction of a decomposed granite utility area within the north side yard setback (15 feet required, 5 feet proposed); and 5.) construction of two 6 foot tall stone columns at the entry drive adjacent to Shady Lane. Tree removal approval is additionally requested to allow the removal of a 25" d.b.h. oak located to the rear of the proposed residence.

Lot area	11,298 square feet
Existing Floor Area Ratio	25.1%
Proposed Floor Area Ratio	27.1% (20% permitted)
Existing Lot Coverage	20.4%
Proposed Lot Coverage	20.5% (20% permitted)

*The existing residence and swimming pool are nonconforming in setbacks.*

22. **Demolition Permit, Variance and Design Review**  
 Eric and Sarah Filler, 7 Woodside Way, A.P. No. 73-232-03, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum). Demolition permit to allow the demolition of the eastern 2/3rds of the existing 3,447 square foot two story residence. Demolition of the existing carport and the majority of the existing pool cabana is also proposed. Variance and design review to allow the following: 1.) renovation of and additions to the existing residence within the rear yard setback (40 feet required, 39 feet proposed) including construction of a new eastern wing incorporating a second story master bedroom suite and a new ground floor family room and kitchen nook resulting in a net increase of 236 square feet of floor area; 2.) renovation of the existing pool cabana resulting in a smaller 297 square foot structure within the rear yard setback (40 feet required, 0 feet proposed) and an at-grade entry terrace within the rear yard setback (40 feet required, 0 feet proposed); 3.) construction of a 1,179 square foot raised deck with outdoor fireplace and built-in barbeque connecting the residence to the pool cabana within the rear yard setback (40 feet required, 15 feet proposed); 4.) construction of a 450 square foot detached two car garage to the west of the residence; and 5.) construction of a 338 square foot covered rear porch connecting the residence to the garage.

Lot area	22,294 square feet
Existing Floor Area Ratio	19.3%
Proposed Floor Area Ratio	19.8% (20% permitted)
Existing Lot Coverage	14.0%
Proposed Lot Coverage	18.8% (20% permitted)

*The existing residence, pool cabana, and swimming pool are nonconforming in setbacks.*

(This item has been withdrawn at the applicant's request.)

23. Correspondence.
24. Other Business.
25. Adjournment.

*If any of the matters discussed above are challenged in court, you may be limited to raising only those issues you or someone else raised at any public hearing described on this notice or in written correspondence delivered at, or prior to, the Council meeting at which this matter will be heard. (Government Code Section 65009).*

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Manager at (415) 453-1453, extension 107 or (415) 453-1950 (Fax). Notification at least 48 hours prior to the meeting will enable the town to make reasonable accommodation to help insure accessibility to this meeting.*