

AMENDED AGENDA  
REGULAR MEETING of the ROSS TOWN COUNCIL  
THURSDAY, JULY 13, 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 76 Claims filed; 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.
10. Selection of Committees and Town Representatives.
11. Report from Committee Heads.
  - Public Works - Council member Durst
    - July 17<sup>th</sup> Meeting on Undergrounding Utilities
    - Marin Telecommunications Agency Report
  - Public Safety - Council member Hunter
    - Fire Consolidation Update
12. Report from Ross Property Owners Association.
13. Public Hearing: Levy Taxes/Assessment Pursuant to Ordinance 582 of the Ross Municipal Code – Fiscal Year 2006-07. (Broad)
- 13b. Town Council Consideration of Resolution No. 1604 Confirming the RVPA Tax Levy for 2006-07. (Broad)

*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.*

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14. Town Council Consideration of Resolution No. 1602 Approving a Ballot Measure and Ballot Wording for the November 2006 Election for the Ross Valley Paramedic Authority Special Tax for Paramedic Services. (Broad)
15. Town Council Adoption of Ordinance No. 596 Amending Municipal Code Section 10.028.070, Prohibiting Parking at North Road and East Road Intersection. (Heying)
16. Town Council Consideration and Response to the Grand Jury Report dated May 26, 2006 entitled "Agendizing Responses to Grand Jury Reports" and Adoption of Resolution No. 1603 Requiring Grand Jury Responses to be Compliant with Penal Code Section 933 and the Brown Act and on Public Agendas. (Broad)
17. Town Council Consideration of a Request from the Cedars of Marin for a Waiver and Rebate of Town Planning, Plan Check and Building Permit Fees. (Broad)
18. Consent Agenda.  
The following five items will be considered in a single motion, unless removed from the consent agenda:

a. Commercial Use Permit

April Arisian – Bon Bon Shoes (tenant) & John Lord (owner), 5 Ross Common, A.P. No. 73-273-13, C-L (Local Service Commercial). A retail shoe store in 800 square feet of tenant space. Hours of operation will be 10 am to 6 pm Monday through Friday and 11 am to 5 pm Saturday and Sunday, with up to three on-site employees and an estimated customer traffic of fifteen to twenty people per day.

b. Extension of Time

Tracy Clay, Senior Civil Engineer, Marin County Flood Control and Water Conservation District, 49 Sir Francis Drake Boulevard, A.P. No. 73-161-26, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum). Extension of time to July 14, 2007 for a demolition permit approval to allow the removal of a single family residence and attached two car garage originally granted by the Town Council on July 14, 2005.

c. Commercial Use Permit

Lee and Elaine Horschman – Gala Boutique (tenant) & John Lord (owner), 3 Ross Common, A.P. No. 73-273-13, C-L (Local Service Commercial). A retail women's clothing store in 500 square feet of tenant space. Hours of operation will be 11 am to 6 pm Monday through Saturday, with one on-site employee and an estimated customer traffic of ten people per day.

d. Lot Line Adjustment and Variance

Ken and Kerry Keefe, 648 Goodhill Road, A.P. Nos. 74-291-01, 74-291-02, & 74-291-03, R-1:B-5A (Single Family Residence, Five Acre Minimum) and Horst and Helen Meyer, 3 Quail Ridge Road, A.P. No. 74-291-04, R-1:B-5A (Single Family Residence, Five Acre Minimum). Lot line adjustment to allow the

transfer of 2,282 square feet from 3 Quail Ridge Road to 648 Goodhill Road. 3 Quail Ridge Road currently has a lot area of 119,928 square feet and is proposed at 117,646 square feet of lot area. 648 Goodhill Road currently has a lot area of 134,067 square feet and is proposed to become 136,349 square feet.

A variance is requested to allow a further reduction in the lot area of 3 Quail Ridge below the required 5 acre (217,800 square foot) lot size. Variances are additionally requested to allow the existing pool shed, located in the area to be exchanged, to be located within the east side yard setback of the 648 Goodhill property (45 feet required, 0 feet proposed); an existing swimming pool on the 648 Goodhill property within the east side yard setback (45 feet required, 26 feet proposed); and the existing residence on the 648 Goodhill property within the east side yard setback (45 feet required, 37 feet proposed).

*The existing swimming pool at 648 Goodhill and the pool shed at 3 Quail Ridge are nonconforming in setbacks.*

**e. Variance**

Hisako Kobayashi and Harry Whitson, 8 Sir Francis Drake Boulevard, A.P. No. 72-241-23, R-1:B-A (Single Family Residence, One Acre Minimum). Variance and to allow the installation of an air conditioning unit within the north side yard setback (25 feet required, 8 feet proposed).

*The existing residence is nonconforming in setbacks.*

**End of Consent Agenda.**

**19. Variance**

The Cedars of Marin, 115 Upper Road, A.P. No. 73-022-09, R-1:B-A (Single Family Residence, One Acre Minimum). Variance and to allow the construction of a 42 foot long wood bridge with concrete landing pylons within the side yard setback adjacent to Upper Road (25 feet required, 9 feet proposed).

*Existing structures are nonconforming in setbacks.*

**20. Variance and Design Review**

Ash and Juliet Wood, 71 Shady Lane, A.P. No. 73-091-32, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum). Variance and design review to allow the applicants to abandon 602 square feet of existing finished basement space and construct a detached 602 square foot single story studio structure with a maximum height of 23 feet to the southwest of the existing residence. A 693 square foot raised deck and patio structure is additionally proposed to connect the existing residence to the proposed studio.

Lot area	20,345 square feet
Existing Floor Area Ratio	22.8%
Proposed Floor Area Ratio	22.8% (20% permitted)
Existing Lot Coverage	12.2%
Proposed Lot Coverage	16.3% (20% permitted)

*The existing residence is nonconforming in maximum height and number of stories.*

**21. Variance and Design Review**

Robert and Kim Kristoff, 20 Winding Way, A.P. Nos. 72-112-07 & 72-112-16, R-1:B-A (Single Family Residence, One Acre Minimum). Variance and design review to allow renovation of and additions to an existing two-story residence including the following: 1.) construction of a 454 square foot attached two-car garage within the front yard setback (25 feet required, 4.5 feet proposed); 2.) construction of a new 45 square foot front entry on the residence's south elevation; 3.) additions to and renovation of a portion of the residence's north elevation resulting in approximately 466 square feet of new floor area including conversion of existing ground-floor storage and mechanical rooms to living space, a ground level family room and utility room addition, and the addition of a new master bath on the second floor; 4.) additions to an existing second story deck on the residence's north elevation; 5.) demolition of an existing approximately 250 square foot carport located on the residence's west elevation; and 6.) 34 linear feet of new retaining walls with a maximum height of 7 feet.

Lot area	28,042 square feet
Existing Floor Area Ratio	12.5%
Proposed Floor Area Ratio	15.0% (15% permitted)
Existing Lot Coverage	9.3%
Proposed Lot Coverage	10.3% (15% permitted)

*The existing carport is nonconforming in setbacks.*

**22. After-the-Fact Design Review and Encroachment Permit**

Dora Williams, 59 Sir Francis Drake Boulevard, A.P. No. 73-101-21, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum). After-the-fact design review and encroachment permit to legalize a 6 foot tall solid wood fence constructed adjacent to Sir Francis Drake Boulevard and encroaching from approximately 1 foot to 5 feet into the right-of-way.

**23. Variance and Design Review**

Margaret Ellis, 4 Fernhill Avenue, A.P. No. 73-051-15, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum). Variance and design review to allow the construction of a 6 foot tall wood and open wire deer fence along the property's Fernhill Avenue frontage and an entry gate structure with a height of 8.5 feet located within the front yard setback (25 feet required, 22 feet proposed) and east side yard setback (15 feet required, 12 feet proposed.) A previously-existing 6 foot tall fence was destroyed during recent winter storms.

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

**24. Correspondence.**

**25. Other Business.**

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26. 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.*