

AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, MAY 11, 2006

1. **6:00 P.M. Commencement.**
2. **Posting of Agenda.**
3. **Minutes.**
4. **Demands.**
5. **Open Time for Public Expression.**
Limited to three minutes per speaker on items not on agenda.
6. **Report from Mayor Rick Strauss.**
7. **Report from Committee Heads.**
 - General Government - Mayor Strauss
 - Finance - Council member Barr
 - Public Works - Council member Durst
 - Bolinas Avenue Neighborhood Meeting
 - 37 Sir Francis Drake Boulevard Update
 - Report on Potential Rental of 6 Redwood
 - Marin Telecommunications Report
 - Public Safety - Mayor Pro Tempore Hunter
 - Fire Consolidation Update: Kentfield and Ross Valley
8. **Flood Update Report and Fish Ladder Discussion, with Jack Curley, Assistant Engineer, Marin County Flood Control & Water Conservation District and James S. Miller, AICP, Project Manager, US Army Corps of Engineers San Francisco District.**
9. **Town Council Decision on Allocation of Remaining Flood Relief Funds.**
10. **Report from Ross Property Owners Association.**
11. **Consent Agenda.**

The following three items will be considered in a single motion, unless removed from the consent agenda:

 - a. **Extension of Time**
Mimi and Todd Lyon, 18 Canyon Road, A.P. No. 72-031-27, R-1:B-5A (Single

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.

Family Residence, Five Acre Minimum). A one-year time extension to May 12, 2007 for a variance and design review application approved on May 12, 2005 to allow demolition of an existing residence and construction of a new two-story residence, attached garage, swimming pool, and associated development.

b. Extension of Time

Ken and Lori Tishgart, 12 Norwood Avenue, A.P. No. 73-091-29, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum). A one-year time extension to April 7, 2007 for a variance and design review application approved on April 7, 2005 to allow renovation of and additions to an existing residence, demolition of an existing carport, and construction of a pool pavilion.

c. Variance and Design Review

Stephanie and David Lamarre, 11 Woodside Way, A.P. No. 73-232-01, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum). Variance and design review to allow the following: 1.) reconstruction of and alterations to an existing 457 square foot raised rear deck, stairs, and raised under-deck patio located within the north side yard setback (15 feet required, 7 feet proposed); 2.) demolition of an existing raised deck on the north elevation; 3.) construction of an approximately 63 square foot trellis-roofed structure with a height of 11 feet at the rear of the residence; 4.) reconstruction of an existing barbeque area at the rear of the residence and within the north side yard setback (15 feet required, 4.5 feet proposed); 4.) window replacement on all four elevations; 5.) reconstruction of and alterations to a 6 foot tall solid wood fence along the west front yard and south side yard property lines; and 6.) construction of an 8 foot tall trellis structure (6 feet allowed) over an existing pedestrian gate adjacent to the south side yard property line.

Lot area	10,345 square feet	
Existing Floor Area Ratio	34.5%	
Proposed Floor Area Ratio	34.5%	(20% permitted)
Existing Lot Coverage	21.3%	
Proposed Lot Coverage	21.3%	(20% permitted)

The existing residence is nonconforming in setbacks.

End of Consent Agenda.

12. Reconsideration of Variance, Design Review and Tree Removal

Request from Lissa and Wendel Nicolaus for Council reconsideration of the following variance, design review and tree removal approval from the March 9, 2006 Council meeting:

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 602 square foot single story studio addition with a maximum height of 27 feet to the south of the existing residence, with a raised deck with a height of 7 feet at the front elevation of the addition and a raised deck with a height of 5 feet at the rear. Tree permit approval to allow the removal of a large double-trunked bay located in the footprint of the proposed addition.

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	14.9%	(20% permitted)

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

If the Council votes to reconsider the Wood application approval, it will immediately thereafter hold a public hearing to reconsider the application.

13. Resolution No. 1597 Denying An After-the-Fact Design Review, Use Permit and Hillside Lot Applications and Approving A Lot Line Adjustment

Council consideration of Resolution No. 1597 approving the lot line adjustment between Don Santa, 662 Goodhill Road, A.P. No. 73-211-43 and Cregg and Jerliyn Baumbaugh, 658 Goodhill Road, A.P. Nos. 74-271-33 (Ross) & 74-300-02 (Kentfield) and denying the request for an after-the fact approval to legalize a 395 square foot finished basement, construct a 1,030 square foot, two bedroom, split-level guest house to the southeast of the main residence, construct a raised patio to the north of the proposed guest house incorporating 72 linear feet of retaining walls with a maximum height of 8 feet and create 48 cubic yards of cut and 48 cubic yards of fill.

14. Variance and Design Review

Stefanie Reichel-Cook and Nathaniel Cook, 83 Shady Lane, A.P. No. 73-091-15, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum). Variance and design review to allow an existing two story residence to be raised 2 feet, resulting in a new maximum height of 27 feet within the south side yard setback (15 feet required, 6 feet proposed), north side yard setback (15 feet required, 4 feet proposed), and front yard setback (25 feet required, 18 feet proposed.) The applicants additionally propose: 1.) renovations to the second floor including construction of a new rear dormer which would allow existing second story living space to be shifted towards the rear of the structure within the south side yard setback (15 feet required, 6 feet proposed) and north side yard setback (15 feet required, 4 feet proposed); 2.) construction of an approximately 48 square foot raised rear balcony at a height of 15.5 feet within the south side yard setback (15 feet required, 13.5 feet proposed) and north side yard setback (15 feet required, 11 feet proposed); 3.) demolition of an existing first floor addition at the rear of the residence and construction of a new rear addition within the south side yard setback (15 feet required, 6 feet proposed) and north side yard setback (15 feet

required, 4 feet proposed); and 4.) replacement of front and rear stairs and landings.

Lot area	4,572 square feet	
Existing Floor Area Ratio	37.6%	
Proposed Floor Area Ratio	37.6%	(20% permitted)
Existing Lot Coverage	31.6%	
Proposed Lot Coverage	32.4%	(20% permitted)

The existing residence and shed are nonconforming in setbacks. The property is nonconforming in covered parking (1 required, 0 existing.)

15. Design Review, Demolition Permit, and Tree Removal

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 3,913 square foot, 30 foot tall, two story residence with a primary entry from Lagunitas Road; 2.) construction of a 484 square foot two car garage between the proposed residence and Lagunitas Road; 3.) construction of a 300 square foot single car garage adjacent to East Road; 4.) construction of a pool and pool patio to the north of the proposed residence and two patios to the west of the residence; 5.) construction of a 6 foot tall open wire and wood fence on the property line adjacent to East Road; 6.) 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 2 feet from the property line adjacent to Lagunitas Road; 7.) 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; and 8.) 470 cubic yards of cut, 250 cubic yards of fill, and 84 feet of retaining walls with a maximum height of 3 feet. Tree removal approval is additionally requested to allow the removal of 12 trees, including 9 bays with diameters between 8 and 15 inches, a 22 inch oak, a 12 inch hawthorn, and a 24 inch tree of indeterminate species.

Lot area	23,488 square feet	
Existing Floor Area Ratio	4.7%	
Proposed Floor Area Ratio	20.0%	(20% permitted)
Existing Lot Coverage	6.5%	
Proposed Lot Coverage	16.0%	(20% permitted)

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

16. Design Review

Boyd and Donna Fellows, 32 Shady Lane, A.P. No. 73-191-01, R-1:B-A (Single Family Residence, One Acre Minimum). Design review to allow the construction of a 6 foot tall solid wood fence on the rear property line adjacent to Sylvan Lane.

17. Variance

Marcia and Michael Skall, 31 Shady Lane, A.P. No. 73-181-10, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum). Variance to allow the following: 1.) demolition of an existing 45 square foot accessory structure and 2.) construction of a 165 square foot office addition at the rear of the residence and within the south side yard setback (20 feet required, 15 feet proposed).

Lot area	17,989 square feet	
Existing Floor Area Ratio	15.9%	
Proposed Floor Area Ratio	16.6%	(15% permitted)
Existing Lot Coverage	22.9%	
Proposed Lot Coverage	22.7%	(15% permitted)

The existing residence and accessory structure are nonconforming in setbacks.

18. Variance and Design Review

Leni and Douglas Herst, 11 Upper Ames Avenue, A.P. No. 73-181-16, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum). Variance and design review to allow the following: 1.) construction of a lower level studio, including the conversion of an understory dark room and raised storage space and construction of a green house addition resulting in approximately 311 square feet of new floor area; 2.) addition of 34 square feet to an existing upper level master bath within the rear yard setback (40 feet required, 39 feet proposed); 3.) demolition of an existing 71 square foot upper level deck on the west elevation; and 4.) construction of a patio to the south and west of the proposed studio and within the rear yard setback (40 feet required, 32 feet proposed.)

Lot area	20,169 square feet	
Existing Floor Area Ratio	17.5%	
Proposed Floor Area Ratio	19.2%	(15% permitted)
Existing Lot Coverage	16.6%	
Proposed Lot Coverage	16.6%	(15% permitted)

The existing residence is nonconforming in setbacks.

19. Amendment to Approved Plans

Karen and Stanley Stern, 66 Bridge Road, A.P. No. 73-302-10, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum). Amendments to a March 10, 2005 variance, design review, demolition permit, and tree removal approval to allow the following changes: 1.) the approved front yard swimming pool is proposed to be reoriented from a north-south axis to an east-west axis and 2.) the pool is additionally proposed to be enlarged from 9' x 38' to 14' x 38'.

(Continued at the applicants' request.)

20. Amendment to Approved Plans

Rick Newton, 94 Laurel Grove Avenue, A.P. No. 72-211-10, R-1:B-A (Single

Family Residence, One Acre Minimum). Amendment to an October 13, 2005 variance and design review approval to allow the ridgeline height of the residence to be increased by 4 feet to a new maximum height of approximately 22 feet.

21. Variance and Amendment to Approved Plans

David and Elizabeth DeRuff, 3 Southwood Avenue, A.P. No. 73-152-09, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum). Variance and amendment to a March 10, 2005 variance, design review, and demolition permit approval to allow the following: 1.) construction of a circular drive and parking pad in the front yard and 2.) installation of a gas backup generator within the rear yard setback (40 feet required, 21 feet proposed).

22. Correspondence.

23. Other Business.

24. 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.