

AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, JULY 10, 2008

1. 6:30 P.M. Commencement.
2. Posting of Agenda.
3. Canvassing of Election Returns.
4. Swearing-in Ceremony for R. Scot Hunter, Christopher Martin and Richard Strauss as Ross Town Council Members.
5. Election of Mayor.
6. Election of Mayor Pro Tempore.
7. Minutes.
8. Demands.
9. Open Time for Public Expression.
Limited to three minutes per speaker on items not on agenda.
10. Report from Mayor Cahill.
11. Report from Committee Heads.
 - Community Protection - Council member Skull
 - Transportation Authority of Marin update
12. Report from Ross Property Owners Association.
13. Flood Control Report.
14. Selection of members to Town Council Committees and Town Representatives.
15. Town Council consideration of canceling the August 14, 2008 Town Council meeting.

*For information as to which item the Council is hearing, please call 415-453-1453, option 6,
after 6:30 p.m. on the night of the meeting.*

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.

- 16. Resolution No. 1653 Commending the Outstanding Service of Public Safety Director Barry Heying.
- 17. Town Council consideration of adoption of Resolution No. 1654 Opposing Light Brown Apple Moth Spraying.
- 18. Town Council consideration of authorization of expenditures for Glenwood Avenue overlay project. (Jarjoura)
- 19. Town Council consideration of authorization of expenditures for North Road, East /West Road and Hill Road Overlay Project and Wellington Ave, Garden Road and Prospect Avenue Overlay Project. (Jarjoura)
- 20. Public Hearing: Levy Taxes/Assessment Pursuant to Ordinance 582 of the Ross Municipal Code – Fiscal Year 2008-09. (Broad)
- 21. A public workshop on the draft Town of Ross Budget for Fiscal Year 2008-2009 and Town Council consideration of adoption of the Fiscal Year 2008-09 budget. (Broad)

22. Planning Application Consent Agenda.
The following four items will be considered in a single motion, unless removed from the consent agenda:

a. **51 Wellington, Variance, Design Review and Demolition Permit No. 1685**
Craig and Melissa Slayen, 51 Wellington Avenue, A.P. No. 72-071-15, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum Lot Size). Demolition permit to allow modifications to each elevation of the residence, including replacement of the existing horizontal siding and windows with new painted wood shingles and windows. Variance and design review to allow a remodel and addition to the existing residence and landscape improvements that include: 1.) removal of the 2-car carport and its roof deck within the front yard setback; 2.) enclosure of the existing entry porch area, partially within the front yard setback (25 feet required, 20 feet proposed); 3.) addition of an attached, two-car, garage partially within the front yard setback (25 feet required, 20 feet proposed) and rear yard setback (40 feet required, 32 feet proposed); 4.) reconstruction of the northwest corner of the residence, increasing the roof ridge over the area, within the rear yard setback (40 feet required, 0 feet proposed); 5.) landscape grading involving 85 cubic yards of cut and 135 cubic yards of fill; 6.) construction of fenced trash enclosure; 7.) 180 linear feet of new retaining walls up to 5 feet in height; and 8.) new terrace within the front yard setback (25 feet required, 20 feet proposed) and rear yard setback (40 feet required, 10 feet proposed).

Lot area	11,275 square feet	
Existing Floor Area Ratio	29.6%	
Proposed Floor Area Ratio	31.9%	(20% permitted)
Existing Lot Coverage	26.6%	
Proposed Lot Coverage	25.0%	(20% permitted)

b. 57 Bridge Road, Variance and Design Review No. 1690

James Felchlin and Diane Oliver, 57 Bridge Road, A.P. No. 73-261-21, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum Lot Size). Design review to allow the replacement of 56 linear feet of wood retaining wall and a 5-6 foot tall wood lattice fence with a new concrete retaining wall and 6 foot wood fence. The existing and new walls range from 4 to 6 feet in height, and are located close to the north property line. A height variance is required for the fence, since the combined height of the wall and fence is up to 12 feet tall (6 feet permitted).

c. 6 Skyland Way, Variance and Design Review No. 1691

Paul Fradelizio, 6 Skyland Way, A.P. No. 72-201-01, R-1:B-A (Single Family Residence, 1 Acre Minimum Lot Size). Design review and variance to allow the repair of an existing deck and construction of a 350 square foot addition to the deck.

Lot area	17,764 square feet
Existing Floor Area Ratio	11.6%
Proposed Floor Area Ratio	11.6% (15% permitted)
Existing Lot Coverage	13.1%
Proposed Lot Coverage	14.9% (15% permitted)

The existing residence is nonconforming in setbacks.

d. 22 Chestnut Avenue, Extension of Time No. 1571

Suzanne and Joe Galuszka, 22 Chestnut Avenue, A.P. No. 73-301-15, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum). A one-year time extension to June 14, 2009, for a variance and design review application approved on June 14, 2007, to allow landscape improvements including: 1.) a 20 foot by 24 foot pergola at the upper end of the driveway within a side yard setback (20 feet required, 2 feet proposed); 2.) new and replacement retaining walls up to 5 feet tall between the residence and the street; and 3.) new pedestrian path and landings within the east side yard setback.

Lot area	22,651 square feet
Existing Floor Area Ratio	8.8%
Proposed Floor Area Ratio	11.3% (15% permitted)
Existing Lot Coverage	19.2%
Proposed Lot Coverage	19.2% (15% permitted)

End of Planning Consent agenda.

23. 662 Goodhill Road, After-the-Fact Hillside Lot, Slope Stability Hazard Zone 3 and 4 Use Permit, and Design Review No. 92

Donald Santa, 662 Goodhill Road, A.P. No. 73-211-45, R-1:B-5A (Single Family Residence, 5 acre minimum lot size). Amendments to plans approved by the Town Council on July 9, 1998, and amended on July 8, 1999, September 14, 2000, February 8, 2001, March 8, 2001, and April 12, 2001, for a hillside lot, slope stability hazard zone 3 and 4 use permit, and design review for a new residence, pool house and garage/guest unit. After-the-fact design review approval is requested to allow over 1,800 linear feet of retaining walls constructed without planning approval and without building

permits. After-the-fact design review approval is also requested for cut and fill for creation of terraced areas and paths not shown on the approved plans and also constructed without planning or building approval. An amendment to the prior conditions of approval is requested to allow after-the-fact approval for work done within designated "hillside protection zones" without prior Town approval. This amendment would require amending Resolution No. 1409 approved on July 8, 1999 and Resolution No. 1462 approved on April 12, 2001.

The application has been modified since the last public hearing to include design review for three terraced retaining walls, up to 8 feet tall, which would reduce the height of the terraced area that is currently retained by a wall up to 19+ feet tall.

The Council declared this work a public nuisance and has demanded that the nuisance be abated by July 9, 2008. The Council will consider a nuisance abatement order for the illegal construction at this hearing.

24. **7 Woodhaven, Demolition Permit, Variance, Design Review, Hillside Lot/ Hazard Zone 4 Use Permit and Second Unit Permit No. 1680**
Steve Bode, 7 Woodhaven Road, A.P. No. 73-021-04, R-1:B-5A (Single Family Residence, 5 Acre Minimum Lot Size). Demolition permit to allow the demolition of an existing residence and detached accessory structures totaling 1,961 square feet of floor area. Variance, design review, hillside lot/ hazard zone 4 use permit and second unit permit to allow the following: 1.) construction of a 4,861 square foot residence and attached two-car garage with a maximum ridge height of 28 feet; 2.) construction of a 1,140 square foot detached second unit above a two-car garage (700 square feet permitted), with a maximum ridge height of 18.5 to 23 feet (18 feet permitted); 3.) location of the new residence, second unit, driveway and landscape retaining walls within 50 feet of a watercourse contained in a culvert (25 to 50 foot setback recommended); 4.) 469 cubic yards of cut and 340 cubic yards of fill; and 5.) over 100 linear feet of new driveway and landscape retaining walls with a maximum height of 9 feet.

Existing and Proposed Conditions:*

Lot area	76,746 square feet
Present Floor Area Ratio	2.7%
Proposed Floor Area Ratio	7.8% (15% permitted)
Present Lot Coverage	2.7%
Proposed Lot Coverage	5.8% (15% permitted)

(*INFORMATION SUBMITTED BY APPLICANT. BASED ON THE APPLICANT'S CALCULATION OF SLOPE AND LOT SIZE, THE HILLSIDE LOT DESIGN STANDARDS WOULD RECOMMEND A GUIDELINE FLOOR AREA OF 5,800 SQUARE FEET)

25. **18 Canyon, Lot Line Adjustment and Conditional Exception from Subdivision Regulations No. 1692**
Douglas Abrams, owner of Assessor's Parcels 72-031-27 (18 Canyon Road) and 072-031-44 (12 Canyon Road) and Faraz Naqvi, owner of Assessor's Parcel 072-031-28 (16 Canyon Road). The lots are zoned R-1:B-5A (Single Family Residential, Five Acre

Minimum Lot Size). Lot line adjustment to allow the transfer of lot area from 18 Canyon Road to 16 and 12 Canyon Road. The net area of 16 Canyon Road would increase from 2.1 acres to 2.8 acres. The net area of 12 Canyon would increase from 4.3 acres to 5.1 acres. The net area of 18 Canyon would decrease from 1.5 acres to .7 acres. A conditional exception to the subdivision regulations is requested to allow 18 Canyon Road to further decrease below the 5 acre minimum lot size. All of the existing lots are nonconforming in size and do not have public street frontage.

26. **3 Upper Ames, Variance and Design Review No. 1689**

Lionel Conacher and Joan Dea, 3 Upper Ames Avenue, A.P. No. 73-201-02, R-1:B-A (Single Family Residence, 1 Acre Minimum Lot Size). A significant demolition and remodel of the existing residence, designed by Joseph Esherick, architect, in 1957-1958. Demolition permit to allow modifications to each elevation of the residence, including demolition of walls, the roof and garage. Design review for the following: 1.) addition of 2,481 square feet of floor area on the first and second story of the residence to create a 7,540 square foot residence and 712 square foot garage; 2.) landscape improvements that include construction of a new pool, 860 square foot pool house, pool patio area and sports court; and 3.) steel, lattice design, driveway gates up to 6 feet in height between new stone columns. Approval of setback variances would be necessary in order to locate portions of two parking/turnaround areas within the west side (25 feet required, 15 feet proposed) and south rear (40 feet required, 8 feet proposed) setback areas. No other variances are necessary for the project. The Town Council will determine if the existing residence is a historical resource and, if so, if further review is warranted under the California Environmental Quality Act.

Lot area	96,407 square feet	
Existing Floor Area Ratio	6.1%	
Proposed Floor Area Ratio	9.5%	(15% permitted)
Existing Lot Coverage	6.1%	
Proposed Lot Coverage	8.7%	(15% permitted)

27. **Correspondence.**

28. **Other Business.**

29. **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.