



AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, SEPTEMBER 10, 2009

1. 6:30 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 Strauss.
7. Report from Committee Heads. (10 minutes)
 - Public Works - Council member Martin
 - Status of Public Works projects
 - Marin Energy Authority
 - Finance Committee - Council member Hunter
 - Town Finance and Accounting Update
8. Report from Ross Property Owners Association.
9. Flood Control Report. (5 minutes, Martin)
10. Report from the Ross School. (5 minutes)
11. Consent Agenda. (10 minutes, Semonian)
The following three items will be considered in a single motion, unless removed from the consent agenda:
 - a. 341 Upper Toyon Drive, Design Review No. 1750 
Mike Guelfi, 341 Upper Toyon Drive, A.P. No. 72-051-25, R-1:B-5A (Single Family Residential, 5 Acre min. lot size), Very Low Density (.1-1 units per acre). Request fo

*For information as to which item the Council is hearing, please call 415-453-1453, option 3,
after 6:30 p.m. on the night of the meeting. Times shown are estimates only.*

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.


design review of retaining walls, totaling 109 linear feet, up to 6.5 feet tall, to be located on the uphill bank of Upper Toyon Drive to prevent soil erosion and protect mature trees. The walls would be finished with natural stone veneer and landscaped.

b. 21 Makin Grade, Variance and Design Review No. 1749 

Phillip and Sharon Pillsbury, 21 Makin Grade, A.P. No. 72-061-09, R-1:B-5A (Single Family Residence, 5 Acre Minimum Lot Size), Very Low Density (.1-1 Units/Acre). Design review and variances to allow the following: 1.) construction of a 120 square foot storage room at the rear of the garage, within the side yard setback (25 feet required, 15 feet proposed); 2.) relocation of the existing greenhouse within the side yard setback (25 feet required, 13 feet proposed) and rear yard setback (40 feet required, 30 feet proposed); 3.) garage roof replacement and addition of a cupola, with a maximum ridge height of 17 feet, within side yard setback (25 feet required, 15 feet proposed); 4.) decorative trellis above garage door within side yard setback (25 feet required, 15 feet proposed); 5.) conversion of lower floor mechanical equipment room and dark room to living space; 6.) new terrace outside of master bedroom; 7.) new hot tub, terrace, stone retaining walls, trellis and pool equipment vault within rear yard setback (40 feet required, 18 feet proposed); and 7.) new barbecue area, fire pit, bench wall and trash enclosure within front yard setback (25 feet required, 2 feet proposed).

Lot Area	30,808 sq. ft.
Effective Lot Area (less roadway easement)	18,990 sq. ft.
Existing Floor Area Ratio	23.4%
Proposed Floor Area Ratio	24.0% (15% permitted)
Existing Lot Coverage	22.8%*
Proposed Lot Coverage	25.6%* (15% permitted)

*These numbers were revised from mailed/posted notice.

c. 10 Lagunitas Road, Variance and Design Review No. 1748 

Jon and Linda Gruber, 10 Lagunitas Road, A.P. No. 73-191-23, R-1:B-A (Single Family Residence, 1 Acre Minimum Lot Size), Very Low Density (.1-1 Units/Acre). Design review and variances to allow construction of a new 912 square foot pool house, with a partially enclosed outdoor kitchen and patio area, to replace the existing, 560 square foot, pool house within the north side yard setback (25 feet required, 14 feet proposed). The structure would be elevated to prevent damage from flooding. The roof ridge would be 16' 4" from grade.

Lot area	90,000 square feet
Existing Floor Area Ratio	12.5%
Proposed Floor Area Ratio	12.9% (15% permitted)
Existing Lot Coverage	9.6%
Proposed Lot Coverage	10.2% (15% permitted)

End of Consent agenda.

12. Town Council consideration of adoption of Resolution No. 1676 amending taxicab regulations of the Marin General Services Authority. (10 minutes, Broad) ☐
13. Town Council consideration of adoption of Resolution No. 1677 enacting a temporary closure of the Ross Common for the annual Town Dinner from 4 p.m. to 10 p.m. on September 25, 2009. (10 minutes, Reis) ☐
14. Town Council approval of continued placement of temporary signs and locations for the Street Smarts Pilot Program, a traffic education campaign. (10 minutes, Reis)
15. Town Council consideration of approval of Marin County Major Crimes Task Force Joint Exercise of Powers Agreement. (5 minutes, Broad) ☐
16. Town Council consideration of adoption of Resolution No. 1678 amending preferential parking on Redwood Drive. (15 minutes, Broad) ☐
17. Town Council consideration of authorizing necessary work for the rental of 6 Redwood Drive. If authorized, the FY09-10 budget will be amended to provide funding for this work. (15 minutes, Martin)
18. Town Council consideration of adoption of Resolution No. 1675 amending Resolution No. 1630 eliminating planning fees for second units and home occupation permits, reducing variance fees for second units in existing nonconforming structures and clarifying parcel slope determination fees. Town Council discussion of potential municipal code amendments to streamline some development applications and reduce applicant processing costs. (15 minutes, Broad) ☐
19. Town Council final selection of its five Town Council goals for 2009-2010. The Council identified the following five potential goals at its August 2009 Town Council workshop. (20 minutes, Council)
 - a. Downtown plan
 - b. Public facilities
 - c. Flood control
 - d. Hillside lot ordinance review
 - e. Unfunded mandates/pensions
20. 7 Woodhaven Road, Variance, Design Review, Hillside Lot/Hazard Zone 4 Use Permit No. 1680 ☐ (30 minutes)

Steve Bode, 7 Woodhaven Road, A.P. No. 73-021-04, R-1:B-5A (Single Family Residence, 5 Acre Minimum Lot Size), Very Low Density (.1-1 Units/Acre). Town Council consideration of the Town Attorney's opinion that the September 11, 2008, appeal by Dick and Patty Treadwell, is void because there is no right to appeal a Town Council decision. If the appeal is void, the applicant Steve Bode requests the original approval be re-instated for the full one year term. The original approval was for the following:

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:

Effective lot area	73,216 square feet	
Present Floor Area Ratio	2.7%	
Proposed Floor Area Ratio	8.3%	(15% permitted)*
Present Lot Coverage	2.7%	
Proposed Lot Coverage	6.1%	(15% permitted)

* The hillside lot design standards would recommend a guideline floor area of 5,561 square feet. Total development of 6,055 square feet (not including mechanical area) is proposed.

- 21. **81 Wellington Avenue, Variance No. 1746** 🗓️ (15 minutes)
Paul & Valerie Herzog, 81 Wellington Avenue, A.P. No. 72-072-21, R-1:B-10 (Single Family Residential), Medium Low Density (3-6 units per acre). Request for variances to permit an outdoor fireplace, outdoor kitchen, and new patio and deck areas within the side setbacks (15 feet required, 0 feet proposed) and rear yard setback (40 feet required, 3 feet proposed). A tree removal permit is also requested to remove a pittosporum, privet and bay tree.

- 22. **19 Brookwood, Variance and Design Review No. 1724** 🗓️ (40 minutes)
Les Sherman and Patricia Duffy, 19 Brookwood, A.P. No. 73-311-02, R-1: B-10 (Single Family Residence, 10,000 SF Minimum Lot Size), Medium Low Density (3-6 Units/Acre). Design review and variances to allow a significant remodel of the existing residence, including replacement of all windows with new wood windows, addition of stone veneer at the base of the residence, and new main level deck and third floor balcony on the east facing (rear) elevation. The project involves development of the existing basement storage level with a 698 square foot second unit, 533 square foot, two-car, garage, laundry room, and circulation areas (2 stories permitted, 3 stories proposed). A total addition of 1,454 square feet is proposed. The 540 square foot detached garage would be demolished. The residence would be elevated to prevent the new lower level from damage from flooding. As a result, a height variance is requested to allow a portion of the roof to be raised further above the 30 foot height limit (30.75 feet existing, 32.5 feet proposed).

Lot area		17,119 square feet
Existing Floor Area	3,381 sq. ft.	20.0%
Proposed Floor Area	4,295 sq. ft.	25.0% (20% permitted)

Existing Lot Coverage	15.2%	
Proposed Lot Coverage	14.9%	(20% permitted)

The existing residence is non-conforming with regard to building height and front yard setbacks pursuant to a variance approved in 1996.

23. 15 Fernhill Avenue, Variance and Design Review No. 1751

Continued at the applicant's request.

Charles Almond, 15 Fernhill Avenue, A.P. No. 73-091-36, R-1:B-20 (Single Family Residential, 20,000 sq. ft. min. lot size), Low Density (1-3 Units/Acre). Application for variances and design review for a remodel and addition to the existing residence. The project involves demolition of the existing garage, trellis, mudroom and bathroom on the west side of the residence and construction of a new garage and trellis with a bedroom above the garage. A balcony is proposed above the garage, on the north-facing elevation of the residence. A variance is requested to maintain the existing side yard setback for the garage, trellis, and 2nd floor addition (20 foot setback required, 3.75 feet proposed). The project involves new landscaping, including new plants and modification of the driveway and patio areas. A patio, level with the first floor, would be constructed at the rear of the residence, within the west and east side yard setbacks (20 feet required, 5 feet proposed). The pool equipment would be relocated within the rear yard setback (40 feet required, 5 feet proposed). Exterior modifications include a new slate roof and replacement of several windows and doors.

Lot area	17,764 sq. ft.	
Existing Floor Area	23.4%	
Proposed Floor Area	24.8%	(20% permitted)
Existing Lot Coverage	18.9%	
Proposed Lot Coverage	18.9%	(20% permitted)

This item will be heard at the September 22nd Advisory Design Review Group Meeting.

24. Correspondence.

25. Other Business.

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.