

## Elise Semonian

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**From:** munzer dajani [munzer3@msn.com]  
**Sent:** Tuesday, October 20, 2009 12:22 PM  
**To:** Elise Semonian; mikeskall@comcast.net

Dear Ms.Semonian,

I am in receipt of the note for the meeting you plan to have on the 29th of october,2009 concerning Hillside Lot Ordinance and Hillside Development Regulation.

The purpose of my email to you is to voice my opinion. As an owner of 2 properties in the Town of Ross, I find these "Regulations" and "Ordinance" very stringent and extremely limiting to any kind of development whether concerning an empty lot or a developed lot that needs enhancement. I always have believed that development of property and empty lots may in fact be beneficiary to the town in terms of value to owners ,enhancement of drainage, fire control and landslide control.

What I would like to see is far less "Regulation" and an easement of requirements on the "Ordinance" . Please present my views in the meeting , to the Town Council members and Town Engineer ,as I am unable to attend.Thank you for your cooperation.

Sincerely,

Munzer Dajani

**Elise Semonian**

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**From:** munzer dajani [munzer3@msn.com]  
**Sent:** Monday, November 02, 2009 3:10 PM  
**To:** Elise Semonian

Dear Ms. Semonian,

Please make sure that my views are posted in the Morning after Newsletter as outlined in my last email to youi concerning the Hillside Ordinance. What's the point of writing if my views are not going to be known to others!

Munzer Dajani

## Elise Semonian

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**From:** Julie McMillan [juliemcmillan@comcast.net]  
**Sent:** Monday, October 26, 2009 8:32 AM  
**To:** Michael Skall  
**Cc:** peter barry; Elise Semonian  
**Subject:** HLO: "excellence of design" intent  
**Attachments:** November 27.txt

Hi Michael,

Attached is Peter Barry's November 2008 letter regarding the intent of the phrase "excellence of design" as added to the HLO in 1993.

I hope your workshop will help clarify and strengthen this language based on its original intent.

Thanks --

~Julie McMillan

h: 415/459-7108; c: 415/971-8819

[juliemcmillan@comcast.net](mailto:juliemcmillan@comcast.net)

November 27

November 27, 2008  
225 Wellington Avenue  
Ross, California

Dear Council members:

Happy Thanksgiving and thank you for your service. I know that a lot of work and time and effort go into your job and that you are not paid and rewarded often with new enemies when you make decisions.

I am writing to clarify some questions raised about the hillside lot ordinance and to urge you to follow your own guidelines concerning the Parmenter application. Initially like many neighbors I was asked to sign a letter of support for the house which he hopes to build.

This seemed reasonable until I recently walked his lot and saw the topography of his lot. There is a steep slope from Baywood which seems to be about 45 degrees. Then, at the end of the slope, an almost vertical drop. I now understand why the two previous councils have denied applications for this property.

One can see clearly that the hazards of construction on this lot will be of great concern. The slope is steep, the geology seems hazardous, and the view from Baywood will be blocked by the proposed construction.

When on the council in 1993 we slightly modified the hillside lot ordinance to allow some flexibility to future councils. Thus, instead of having to strictly follow guidelines, future councils would have the ability to slightly modify set back requirements or even slightly change FAR requirements for example by turning a house slightly to decrease the apparent bulk. This might involve slightly entering a set back. Another example would be for making provision to protect an oak tree which would decrease the visual impact of a house. So the language talks about excellent design or preservation of natural environment. It does not mean that a famous architect could simply trump the hillside lot requirements. Rather it would urge and support architects and landscapers to minimize the effect of houses build on hills.

We envisioned excellence of design and some features which would minimize the impact of a house on a hill not that someone was building a "green house" or some other politically popular phrase. We have a disaster of this sort with the Deneke house which has had a removal of a hill and huge retaining wall with heavy equipment working every summer and Fall day and now the project is putting back all the earth which was removed.

If the Parmenter application were approved as offered, I think the council would be opening a bag of worms. First, the house being approved at 1400 feet rather than the allowed 840, would signal other owners of similar previously considered unbuildable lots that it is open season for them to develop their property. There are many lots in this and other neighborhoods which would be making applications. Approval of this application would bring many similar applications to the council. They would all be contended and the hearing would be prolonged and rancorous as with this application.

There is likelihood that this application, if approved out of compliance with the hillside lot ordinance, would provoke legal action by the threatened neighbors. While I am not an attorney I doubt such an action would be in the interest of the town. Legal fees are always higher than anticipated.

Finally it should be noted that this application would not preserve the very nice view from Baywood while the language of the hillside lot ordinance states that preserving views is an important aspect of excellent of design.

The safest course and the wisest course to avoid an avalanche of similar applications and years of legal actions and delays with multiple hearings is to simply stick to the hillside lot ordinance. That was its purpose and that it what I urge you to do.

You should be fair and honest and not bend the rules or the ordinances to favor any applicant. If this man wants to build an 840 square foot house which is what he is allowed by the ordinance than the design, placement, geology, and visual impact should be reviewed. He should not be granted any exception to the ordinance so that all applicants are treated fairly and equally.

Thank you again for your service.

Sincerely yours

Peter Barry M.D.

## Elise Semonian

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**From:** Ken Frankel [ken@kenfrankel.com]  
**Sent:** Friday, October 30, 2009 3:08 PM  
**To:** mskall@comcast.net; Elise Semonian  
**Subject:** Comments for record on hillside ordinance

To Councilmember Michael Skall and Elise Semonian, Senior Planner

Re: Hillside Ordinance

Dear Mr. Skall and Ms. Semonian,

Please include these comments in your record regarding rewriting the Ross hillside development ordinance, even though through experience I have learned that whatever I write will be completely ignored.

My wife and I moved to Ross 16 years ago. In the past 16 years, we have watched our property rights be dissolved a small bit at a time. Now our at-purchase non-hillside lot, which we loved partly because it wasn't a hillside lot, and we could walk around every part of it, as opposed to hiking around it, has been declared officially a hillside lot. If our house ever burned down, it probably wouldn't be allowed to be replaced.

All of this just to give Town officials more power over our lives. As you can tell, I strongly object to your having retroactively made our (or anyone else's) non-hillside lot into a hillside lot, with many more official restrictions. I strongly object to your changing the hillside ordinance to put even more restrictions on our lot, and give you more power over our lives. I am in the surprisingly small minority in this town that believes in less governmental regulation, as opposed to progressively more Ross regulation of every aspect of our lives every year, from more and more restrictions on what and where we can build, to even proposed regulations on whether we can smoke a cigarette on our own property.

Kenneth Frankel

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Kenneth Frankel, Ph.D.  
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(415) 453-3161

## Elise Semonian

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**From:** Josefa Buckingham [josefabuckingham@comcast.net]  
**Sent:** Monday, November 02, 2009 6:25 AM  
**To:** Elise Semonian  
**Subject:** my two cents on the Hillside Lot Ordinance

Hi Elise,

I was frustrated to be unable to attend last Thursday's meeting about the Hillside Lot Ordinance. We live on a hillside, so I am very familiar with that ordinance. It is also a constant thorn in the side of these applications because it is hard to apply fairly.

The one real issue I think should be addressed is allowing space to be used under the footprint of a house. When you build on a hillside, you create these huge spaces below the house as it falls away from the hillside. Frequently, they are not usable because of FAR restrictions and that is just a stupid waste. Maybe the council could consider counting them as a percentage of FAR, ie maybe 50% or something like that? Am I making sense? We applied to make some of our space into storage so that it was all permitted, and the things we had to do in order to assure that it was not living space were pretty ridiculous. No windows, not enough outlets, etc. If it does not add to bulk of house, there should be some way of using space. It's the same idea as full basements and that whole dilemma. Space that is unseen should somehow be allowed, I believe.

Just my two cents on the matter! When is the next meeting on this issue so that I can get it on my calendar early?

Hope you're well,  
Joey

Josefa Buckingham Design  
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