

Minutes of the Kensington Municipal Advisory Council (KMAC)
Meeting of October 28, 2008.

Attending: Pam Brown, Patrick Tahara, Kay Reed, Chris Brydon, Gordon Becker, and Ray Barraza.

The KMAC voted to approve the minutes of the meetings of July, August, and September 2008.

Chairman Tahara read the provisions of the general plan policies for development in the Kensington area.

214 Yale. Mr. Amanuel Haile described the project for which he is requesting a permit (i.e., a deck that is already constructed). He noted that a county building inspector informed him of the need for a setback between the property line and the deck during a site visit, and that the setback was provided.

Ms. Reed asked about purpose of deck. Mr. Haile explained that it provides a flat area on a sloping yard.

Anne Fleming, the resident at 201 Amherst, said that the deck is high enough to create a loss of privacy for neighbors.

Phyllis Crakow, the resident at 209 Amherst, reviewed the history of the deck construction and subsequent code enforcement actions. She stated that inaccuracies existed on the design plans she received for the project. She requested that the KMAC recommend against approving a permit based on application of review considerations for projects not yet built.

Laura Dubinett, a resident at 198 Amherst, mentioned that the approval of the neighbors was not sufficiently solicited. She stated that the project has harmed the privacy of Ms. Crakow.

Public discussion was closed and the KMAC members discussed the application. Member Barraza said he would be inclined to recommend permit approval if adequate screening for privacy was provided. He noted multiple inconsistencies between project plans and verbal descriptions with measurements he took during his site visit.

Mr. Brydon mentioned that there appeared to be fill in the lower portion of the backyard, making it difficult to assess the height of the deck. He noted that sufficient space appeared to exist to allow for a landscaping solution to the need for a level surface as opposed to creating a structure.

The members then discussed the procedural aspects of the case. They confirmed that a permit is being requested and a hearing is occurring based on neighbor's request.

Member Barraza suggested re-submitting the application with accurate drawings and provisions for privacy, particularly for the privacy of the neighbor immediately behind the project location.

The applicant requested a continuance. Ms. Reed motioned to continue and the KMAC voted 5-0 to move the item to the November meeting.

[Member Brown left the meeting. Alternate member Becker replaced her.]

92 Purdue. Todd Hudson said that he and Ms. Henon had moved the building toward the back of the lot due to easements. Their stated goal for the project is to maintain a low profile. The sponsors supplied letters from various parties supporting the project. They noted that due to the setback requirement, they had changed the design by moving one room downstairs and reducing the size of the project.

Member Barraza asked what changes were reflected in the two sets of project plans. Proponents responded that they had removed a trellis, altered the retaining wall design, and added a grading plan.

Member Reed asked about need for fill in the project. She was informed that fill was used to elevate the courtyard area to the level of the main floor. The sponsors expressed their desire to balance cut and fill as much as possible.

Chair Tahara opened to the item to public comment. Letters were submitted on behalf of several neighbors, and public comment was closed.

Member Reed suggested making access to the house's crawlspace via the smallest legally allowable door in order to discourage later development of the space for habitation.

Member Reed moved to recommend approval of plans dated Oct 17, 2008 with the provision that the door between the crawl space and the mechanical room be four feet from sill to top. She recommended approval of a variance for the retaining wall and fence along the northeast edge of the house adjacent to Bedroom 1, not to exceed 11 feet in height. The motion was approved 5-0.

The KMAC received one request to fill the second alternate member position. Members discussed the procedure for bringing the alternate in.

Chair Tahara reported that he attended the Kensington Improvement Club (KIC) meeting and the issue of funding was discussed. Members of the KIC indicated their willingness to contribute to the KMAC budget.

Also discussed was the issue of the How to Build In Kensington pamphlet. The KIC is interested in getting the file that is on the Web used to create a printed version for distribution. Member Reed volunteered to get a bid for this task. Member Becker volunteered to send a text version of the file to Ms. Reed for her use in obtaining a bid.

The KMAC reviewed the county code enforcement report.

The KMAC voted 5-0 to adjourn.