

KMAC minutes, meeting of 8/25/09.

1. In attendance, members Barraza, Tahara, Brydon, Reed, and alternate Becker filling in for member Brown.

2. Approval of minutes. Ray Barraza suggested additions to the minutes that will be reflected in the posted version. With revisions, minutes of 7/28 meetings were approved, 3-0 by the members present at both the 7/28 and 8/25 meetings.

Chair Tahara reviewed the requirements for findings for variance.

3. No citizens' comments were offered.

4. 200 Trinity. Owner, Huihan Liu, presented the project. He requested a variance for existing work consisting of converting a preexisting carport into a garage, done without permit.

Member Reed asked about the distance between the eave and the property line, as the eave appears to encroach closer than the 3'-8" requested. Kay asked if the garage is conditioned, what the interior finish is, and the proposed use. Proponent answered that there is heat, that the walls are finished, and that he proposes to use the space for car storage.

Member Barraza asked, why do you need a wall heater in a garage? Proponent answered that he uses the garage for pursuit of a hobby.

Member Becker asked why the work was performed without a building permit. Proponent answered that he didn't know it was necessary.

The owner furnished a list of adjacent and nearby residences which have garages encroaching into the required setbacks due topography and lot size.

Ray said he would support the variance if conditioning of the space was specifically not permitted.

Kay suggested that the project be recommended for approval with the conditions that the space not be heated, and that there would be a wall between the Recreation Room and the Garage with doors and windows re-done to code.

Member Barraza moved that the project met the requirements for granting a variance and we recommend for approval with the conditions that heat not be provided and that doors and windows be re-designed to be code compliant. Member Brydon seconded. Approved, 4-1 (Becker dissenting).

5. 190 Stanford. Allen Trigueiro, contractor, presented the project. Purpose of the project is to provide additional entry space. Owner, Linda Morse, stated that entry is

uncomfortably small and the project would make a big difference in the functionality of the house.

Member Barraza asked about follow up on his advice to find similar situations in the neighborhood. Contractor provided a letter documenting evidence that nearby properties have entries. Barraza noted that many of these entries encroach into the setbacks due the size of the lots as would be the case here.

Member Reed moved we recommend approval of plans dated 7/13/09 as meeting the requirements for a variance without condition. Member Brydon seconded. Approved 5-0.

6. Ryan Hernandez introduced the new code enforcement officer, Mark Alford. Department of Conservation and Development solicited our input on priorities. Ryan also noted a vehicle abatement program whereby the county can seek removal of abandoned vehicles.

KMAC discussed second units and garage conversions with Messrs. Hernandez and Alford.

Regarding enforcement, Ray asked about 214 Yale. Ryan said they will get the case to hearing in September or October.

Mr. Barraza also inquired about the property at 258 Amherst and was informed the county will follow up.

The Chair requested that email addresses be provided on permit application forms. Ryan said this is do-able.

7. Discussion of bylaws.

Kay recommended edits to make the language of the term, "authorized positions" clearer. Other comments were discussed and accepted or retracted. Ray reviewed the changes suggested by Catherine Kutsuris, and they were acceptable with the council. Ray will incorporate recommendations by Ms. Kutsuris and Member Reed and bring back a new version for consideration by the KMAC.

8. Enforcement report. Discussed under item 6.

9. Adjournment. Members voted to adjourn.