

KENSINGTON MUNICIPAL ADVISORY COUNCIL

DRAFT MEETING MINUTES

Meeting Venue: Conference Room, Kensington Community Center

Meeting Date: July 22, 2003, 7:00 pm

1. **Present:** J. Carman (Chair), R. Barraza, E. Detmer, and D.Jenkins
2. **Minutes** of the June 24, 2003 Meeting were approved unanimously as written.
3. **117 Lawson Rd. (VR031012).** Request for small lot review and front yard setback variance of 0 ft (20 ft required) to build a 7 ft retaining wall as part of an extensive remodel of an existing dwelling on a substandard lot.

The project was presented by R. Concepcion (Owner) and M. Kelly (Builder). This project has been discussed by KMAC on 3 previous occasions and the owner has addressed all of the issues raised by KMAC and the County. J. Garvey, 16 Kensington Court (the property adjacent to the rear of 117 Lawson Road) expressed concern over loss of distant view and of privacy caused by the proposed project. R. Concepcion and M. Kelly agreed to erect story poles to support their contention that no view impingement would occur. Because no further expansion of the rear yard deck was proposed, privacy would not be affected.

It was moved as follows:

“KMAC recommends approval of the project exactly as shown on the plan with the County Development Department date stamp of June 26 2003 with regard to the design review for the substandard lot and variances for:

- *Third story furnace and water heater space with access only through an external 3 ft x 4ft door;*
- *A 0 ft front setback (20 ft required) and a 0 ft side yard setback (5 ft required) for retaining walls;*
- *The extension of a parking pad into these same front yard and side yard setbacks;*
- *A 19 ft front setback for the deck on the main story (20 ft required);*
- *A 2 ft side yard setback and 5 ft aggregate side yard setback (5 ft and 10 ft required respectively) for retaining walls in the backyard.*

This recommendation is based on findings that:

- *The development is compatible with the neighborhood;*
- *The variances do not constitute a grant of special privilege when compared to other properties in the neighborhood;*
- *The steepness and narrowness of the lot;*

- *The granting of these variances meets the intent and purpose of the R6 land use district”.*

The motion was approved 4-0

4. **30 Beverly Rd. (VR031057).** Request for a variance to further develop the third story (2_ stories allowed) of an existing 3 story house.

The project was presented by D. Kockan (Owner) and P Beaudry (Contractor). Because KMAC Member E. Detmer is the owner of an adjoining property he recused himself from this item.

A major rehabilitation is planned that includes a full foundation replacement and its waterproofing, earthquake proofing, an upslope retaining wall, a garage expansion, between-floor enclosure of utility and heating services, conversion of existing crawl space to a work room and an interior hallway, a mudroom, a wine cellar and a potting shed with a Belvedere on its roof. The project adds a floor area of 591 ft² to an existing 2369 ft². All of the added area is on the 1st story and some of it is into the existing crawl space. The project would add 50 ft² that was 3 stories.

E. Detmer (18 Avon Rd) indicated that he would be the most affected by the expansion of the garage and that he had no objection to the variance required for this. He supported the use of crawl space for expansion. He was concerned about proper erosion control during construction, the loss of privacy from the proposed Belvedere, and the amount and location of external lighting on the north side of the project.

K. Stein (32 Beverly Rd) supported the project but was concerned with the external driveway/garage lighting. In discussion KMAC noted that the extent and form of the expansion was almost completely driven by the required foundation and earthquake rehabilitation.

The Owner and the Contractor stated that erosion would be properly controlled during construction, that mutually acceptable screening would be incorporated into the Belvedere and that exterior lighting would be the minimum required and, where appropriate, would be mounted close to the ground.

It was moved as follows:

“KMAC recommends the granting of variances for:

- *The addition to this residence of approximately 600 ft² of storage and access space which results in an approximate 50 ft² increase of the 3rd story in a pre-existing non-conforming 3rd story (2_ stories permitted).*
- *A rear yard setback of 11ft 6in (15ft required) for the expansion of a garage to 19ft deep by 22ft wide.*

This recommendation is based on findings that:

- *The granting of these variances does not constitute a special privilege;*
- *The preexisting developed basement in conjunction with the need to replace the foundation are special circumstances applicable to this project;*
- *The granting of these variances meets the intent and purpose of the R6-land use districts.*

Motion passed 3-0, 1 recusal.

5. Citizens' Comments

E. Detmer reported that a pathway has been cut through the bushes in the front of 44 Lenox Dr.

6. Procedural Matters

The next KMAC meeting will be held at 7:00 PM on August, 26, 2003 in Building E.

7. Information reports

A jazz concert with amplified sound and a charge for admission was held at 500 Coventry without a land use permit. The owner of 500 Coventry has been cited by the County.

8. Enforcement Actions

There are 5 active cases including two that have been "on the list" for a long time. Chair Carman has contacted the responsible County planners and urged them to take action.

9. Adjournment

Meeting adjourned at 8.40 pm

Respectfully submitted

David Jenkins
Secretary KMAC

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