

DRAFT

KENSINGTON MUNICIPAL ADVISORY COUNCIL

MEETING MINUTES

Meeting Venue: Conference Room, Kensington Community Center

Meeting Date: September 30 2003, 7.00 pm

1. **Present:** J. Carman (Chair), E. Detmer, and D.Jenkins
2. **Minutes** of the August 26, 2003 Meeting were approved with one correction. Item 5, paragraph 4, line 4 should read(E. Hammonds)....not...(E. Hammond).
3. **601 Wellesley Ave. (VR031021R).** Request for variance for a 3 story (2 _ stories allowed) addition to an existing dwelling on a substandard lot.

The project was presented by D. Quinn (Architect) and R. and Z. Dodd (Owners). D. Quinn stated that the current project plans (dated September 16, 2003) had been revised from those presented to KMAC for discussion at its April 2003 meeting as follows:

- correction and clarification of all elevations;
- renaming of a “bedroom” to an “attic”;
- addition of a landscape plan;
- change of location of stairs from side of deck to its rear;
- increase of the wall height of the 3rd story addition and lowering of its roof pitch without a change in total height.

Chair Carman suggested and D. Quinn agreed, that the indicated floor area of 1085 ft² on the September 16, 2003 plans did not include the garage, and the living space behind it, making the total existing floor area 2049 ft² and proposed 2,849 ft².

KMAC members commented that the owner had done nothing substantive to address their strong and unanimous opposition to the construction of a 3-story house. There were feasible methods for making the project 2_ stories and for utilizing the space behind the garage. R. Dodd indicated that KMAC’s suggestions had been considered but rejected as being infeasible (2_ stories) and uneconomical (using space behind garage). R. Dodd noted that there were existing 3 story residences in the vicinity.

J. Grossman and B. Ressler (603 Wellesley Ave) were supportive of the proposed project stating the owners had worked hard not to infringe on their view and the addition (“a beautiful structure”) would enhance the neighborhood.

KMAC responded to this discussion by reiterating their strong objection to 3-story structures in Kensington. The following motion was approved 3-0.

“KMAC recommends that the request for a variance for a 3 story addition (2_ stories allowed) be denied because:-

- *there are no special circumstances that would justify a 3rd story and*
- *the proposed project does not meet the intent and purpose of R6 zoning”.*

- 4. 600 Plateau Dr. (VR031051R).** Request for variances for a secondary, corner lot setback of 6 ft. 7 in. (15 ft. required) and a rear yard set back of 3 ft. 8 in. (15 ft. required) to build an addition to an existing dwelling and convert an existing garage into living space.

The proposed project was presented by A. Pastor and M. Pastor (Owners) and J. Cowee (Architect). This project was presented at a previous KMAC meeting. KMAC had requested clarification of

- the nature of the interior of the new space and
- the exact location of the lot boundaries

J. Cowee presented plans (dated 9/10/03) with the interior details of the new space (a bedroom, a family room, a bathroom and a home office) and the lot boundaries shown. A. Pastor indicated two minor changes to the plans already seen by KMAC:

- * the roof line connecting the house to the modified garage had been changed to be more aesthetically pleasing (no height change)
- * one parking space had been removed (because it was not required).

G. Clark and V. Van Kessel (604 Plateau Drive) were supportive of the proposed project as long as it did not create a second unit. A. Pastor responded that the project was being undertaken so that his son could move into the house (and because it was a good investment) **not** to develop a second unit.

KMAC complemented the applicants on their responsiveness to its comments. Both the applicants and the neighbors were receptive to KMAC’s suggestion that a standard deed restriction disallowing a second unit be made.

The following motion was passed 3-0.

“KMAC recommends approval of variances for a secondary side yard set back of 6ft 7 in (15 ft. required) and a rear yard set back of 3 ft 8 in .(15 ft. required) to build an addition to an existing garage and convert the existing garage into living space exactly as represented on plans dated 9/10/03. These variances do not represent a granting of a special privilege because the existing dwelling is already in the secondary side yard set back. A special circumstance exists because the other secondary side yard is unbuildable (it is an EBMUD dam).

The proposed project meets the intent and purpose of the R6 land use. KMAC approval is recommended with the condition that the standard deed restriction

prohibiting the installation of cooking equipment without the issuance of a land use permit for a residential second unit be recorded on the deed of subject property.

5. 11 Highgate Rd. (VR031075). Request for a front yard setback variance of 12 ft (20 ft. required) and a side yard variance of 4 ft. with 5 ft. 6 in. aggregate (5 ft. with 15 ft. aggregate required) to build an addition to an existing dwelling.

The project was presented by E. Katler (Owner) and R. Vaterlaus (Architect). It is desired to add 800 ft² to an existing 1600 ft² dwelling for a living room, a library and an expanded bedroom. These changes were being made because the family had outgrown this modestly sized house. In 1985 a variance had been granted for a 400 ft² addition (the library) but no construction had taken place. KMAC noted that the additions to the front of the house (rather than to the rear) could be justified because of an unbuildable hill in the rear, and the large existing set back from the paved roadway. The frontage variance request is needed because the County right-of-way is very wide and hence closer to the subject property than the paved roadway.

The side yard variance requests for a bay window addition to a bedroom has no deleterious impact on neighbors since the adjacent property on the subject side yard is an undeveloped area of the University of California's Blake Gardens. KMAC member E. Detmer complemented the Owner and Architect on the development of an excellent floor plan.

KMAC approved the following motion 3-0

“KMAC recommends approval of variances for a front yard set back of 12 ft (20 ft required) and a side yard set back of 4 ft with an aggregate of 5 ft 6 in (5 ft and 15 ft required respectively) to construct an addition to an existing dwelling.

This project does not represent a granting of special privilege because the existing garage is already within the front set back. Further the owner previously had an approved permit to build an addition in the front set back. There is no impact from the from the side yard variance since this backs on to the University of California Blake Gardens property. The addition cannot be built on the rear of the property because of the existence of an unbuildable hillside. The project conforms to the intent and purpose of the R6 land use”.

6. Citizens' Comments

None

7. Procedural Matters

- a) Appointment/Reappointment of two Council members for terms expiring December 31, 2007

D. Jenkins stated he would apply for a second term on KMAC. E. Detmer stated he was inclined not to apply for a second term on KMAC but would reserve his final decision until it was determined whether an architect could be found to join the KMAC.

8. Information Reports

a) Enforcement Report

Two cases were closed; four cases are active.

b) ZI 0310017B, 16 Cowper Ave.

H. Goldstein had submitted a complaint to the enforcement officer concerning an addition to a residence at 32 Highland Ave, the height of which seems to exceed that approved. No answer has been received on this matter.

9. Adjournment

The meeting was adjourned at 8.35 pm

Respectfully submitted,

David Jenkins

Secretary, KMAC

Mydocuments\KMACSeptmins