

# Kensington Municipal Advisory Council

## Minutes

September 30, 2008

1. Roll Call
  - a. Present: Ray Barraza, Chris Brydon, Kay Reed, Patrick Tahara
  - b. Excused: Pam Brown
2. Approval of Minutes
  - a. June 24, 2008 – Barraza/Reed – Unanimously approved.
  - b. July 29, 2008 – Cannot be approved because only 2 of the 4 members present at that meeting are present at current meeting.
  - c. August 26, 2008 - Cannot be approved because only 2 of the 4 members present at that meeting are present at current meeting.
3. Citizen Comments –
  - a. Kay Reed encouraged those present to recycle or find a reuse for the trash that is left for the city-wide pick-up this week.
  - b. Linda Lipscomb announced the Kensington Improvement Club's candidates' forum on Saturday, October 11.
4. Chair Tahara laid out the process for the meeting and explained the general plan policies for Kensington as well as the findings needed to recommend a variance.
5. 264 Arlington (VR08-1033) Development Plan review to request a 0' setback and building height of 16'-10' where 15' is max height, to rebuild a garage roof and door to an existing detached accessory building.
  - a. Gene Millstein, the applicant, spoke of wanting to rebuild his 1912 garage in such a way that the footprint does not expand but is the roof is higher by 22 inches than allowed. He showed photos of other garages with similar height in Kensington. The Council noted that all photos shown were of attached garages while the garage in question is an accessory building.
  - b. There was a discussion about the correct zoning for the parcel. Community Development documents furnished to KMAC indicated it as R-6. Ray, based on the county's zoning map, concurred that it was an R6 parcel, while Mr. Millstein produced a letter from the county in 1996 where an official noted that the parcel was neighborhood commercial.
  - c. Linda Lipscomb, 103 Highland Blvd, spoke to the need to approve the project due to the lack of parking in the neighborhood.
  - d. Barraza does not problem with rebuilding what existed before. Tahara is concerned about approving a project with a variance without the needed findings, especially a grant of special privilege without an accessory building like it in the neighborhood.
  - e. Motion: *Presuming that the R-6 zoning is correct,*
    1. *Recommend approval of the garage 0' setback based on the fact that it was built in 1912 and the footprint has not changed.*
    2. *Recommend denial of the variance for the building height because it would be a special privilege.*
    3. *Recommend OK of Development plans subject to the ridgeline being lowered to 15' on Ardmore.*Barraza/Brydon – Unanimously approved.
6. 829 Coventry (VR08-1045) Variance review to request approval for enlarging the lower story creating a third story and increasing floor area ratio.

- a. John Gough, applicant, presented a petition of support signed by his neighbors, for replacing his foundation. By replacing his foundation according to current code, he triggers this variance request even though the “above ground envelope” of the building is not changing.
  - b. KMAC appreciated that the applicant was developing his property within the existing above ground envelope. This was one of the major intents of the authors of the Kensington Ordinance.
  - c. Motion: *To recommend approval of VR08-1045 with drawings date stamped 7/24/08 for both the development plan and the variance. We find the variance meets the three criteria needed for approval.*
    - i. Barraza/Brydon - Unanimous
7. 114 Ardmore (VR08-1046) Variance review to recommend approval of an addition to an existing attached garage located 2’6” from the front property line where 20’ is required and a sideyard variance of 1’5” where 5’ is required and an aggregate sideyard of 11’5” where 15’ is required.
  - a. Lisa Goldberg, 114 Ardmore Road, the applicant explained about the current substandard garage and steps she is taking to improve it so that a car can be parked in it.
  - b. Marilyn Lewis-Hampton, daughter of Ruth Lewis, 120 Ardmore Road, had the following questions and concerns:
    - i. A recent survey has not been done and she had questions about if the garage were built on her property.
    - ii. Her mother recently had new landscape and hardscape installed, and she wanted assurance that any damage during construction to her property would be repaired.
    - iii. Will there be a retaining wall on the property line?
    - iv. What is the drainage plan for both roof and ground water for the house and garage?
    - v. Is a geo-technical study wise before issuing the permit?
  - c. The applicant read a letter from her architect about his plan draining the water away from the neighbor’s property. The applicant is willing to do a survey.
  - d. Barraza – thought that locating the property line between the two neighbors would be a good idea. Reed – wanted applicant to pay attention to the drainage issues the neighbor mentioned.
  - e. Motion: *Recommend approval of VR08-1046 drawings dated 8/13/08 of the development plan and the variance, as it is a minimal increase to an existing building’s variance to increase its usefulness, with the following recommended conditions of approval:*
    - i. *The property line between 120 and 114 Ardmore is confirmed by a licensed surveyor, and*
    - ii. *All surface drainage of 114 Ardmore is conveyed directly to the gutter by way of the applicant’s property.*
8. Update on 401 Colusa status – Barraza reported that the applicant was going to resubmit a redesigned plan, talk to the neighbors with the drawings being submitted to the County for the Planning Commission meeting in October.
9. 214 Yale (DP08-3054) Development plan for work granting approval of an already built deck in the rear of the property.
  - a. The applicant was not present and the hearing was continued.

- b. Bart Jones on behalf of his client, a neighbor, asked KMAC to officially send notification to the applicant of the October meeting and take action whether or not the applicant appeared at that time.
- c. KMAC recommended continuance of hearing in the absence of the applicant until the October meeting. The item will be heard in October regardless of the presence of the applicant.
  - i. Brydon/Barraza Unanimously approved.

#### 10. Information Reports

- a. Enforcement Report – 240 and 220 Yale are both reported as decrepit houses.

#### 11. Adjournment