

Kensington Municipal Advisory Council

Regular Meeting Agenda Minutes

March 31, 2009

1. Roll Call

Patrick Tahara, Ray Barraza, and Vanessa Cordova were present, securing a required quorum. As such, Chair Tahara explained that all motions related to the evening's agenda items require a unanimous vote.

2. Approval of the Minutes from the February 24, 2009 meeting

Motion to adopt the minutes from the 2/24/09 meeting was moved by Barraza and seconded by Cordova. The minutes were approved unanimously.

3. Citizens' Comments

Resident Joan Gallegos informed the KMAC that the County's Local Area Formation Commission (LAFCO) has recommended the dissolution of the Kensington Fire Protection District (KFPD) and proposed its consolidation into the Kensington Community Services District (KCSD). Ms. Gallegos asserts that such action by LAFCO can be presented and adopted by the Board of Supervisors without community input.

Additionally, Ms. Gallegos noted that the issue would be discussed at a regular meeting of the KFPD board, Wednesday, April 1 at 4:30 PM. She also indicated that the KCSD board will also include the item on their meeting agenda for Sunday, April 5, 2009.

4. 32 Beverly (VR09-1003) - An application for a variance to remove and replace a failing retaining wall, including the addition of a 38" high fence to the top of the wall.

1. Mr. Kurt Ahlich, the project's contractor, spoke in favor of the project on behalf of the homeowner. Mr. Ahlich explained the existing wall, which he suspects is original to the 1937 home, is failing. He described the proposed replacement wall, which includes a 38" fence.
2. No speakers with concerns or questions were present.
3. The council discussed and concluded the proposed project meets all three variance requirements. As such, a motion was presented by Barraza and approved unanimously to recommend a variance to replacement pre-existing wall with a new retaining wall and fence, as indicated on proposed construction drawings date stamped February 2, 2009.

5. 238 Lake Drive (DP08-3039) - Development Plan review to request approval of plan to remodel a single family residence, which includes permitting of a 280 square foot second story addition; a 123 square foot expansion of an interior loft; reconfiguration of a rear deck and exterior landings; finalization of a second floor bathroom; and the addition of several windows.

4. Mr. David Yarnell, spoke in favor of the project on behalf of the homeowner.

Mr. Yarnell explained that while the scope of the proposed development plan is broad, the plan is actually an attempt by the homeowner to document existing construction not currently on file with the County so that he can obtain appropriate permits to complete construction left unfinished by the previous owner, including:

1. Completion of a second story bathroom, which includes the addition of several small windows;
2. Reconfiguration of an exterior side porch and rear deck and landings to conform appropriately.

No expansion of square footage or material changes to the exterior of the home is proposed. The applicant also noted that the proposed plan is in accordance with local ordinance, has no impacts to or expressed opposition by neighbors.

5. No speakers with concerns or questions were present.

6. After a brief discussion by Council, a motion was presented by Barraza and approved unanimously to recommend approval of proposed design plan date stamped February 5, 2008. (Council noted, and the applicant concurred, that date stamp should indicate 2009, not 2008.)

6. Information Reports

Chair Tahara introduced the new Code Enforcement Inspector for Kensington, Mr. Richard Pence Jr., who briefly discussed the inspection process.

Mr. Pence also noted that the Department of Conservation & Development is contemplating new guidelines for second and third units on lots within R-6 zoning. If approved, the new policy may be initiated as early as June 1, 2009.

7. Enforcement Report

Summary of report dated June 1, 2009:

- Active cases: 21
- Closed cases: 3
- Open cases: 2

8. Adjournment – With no further business, meeting adjourned at 7:35 PM.