

**KENSINGTON MUNICIPAL ADVISORY COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, November 25, 2014  
7:00 PM**

1. Roll Call of Members Present: Tahara, Brydon, Snyder, Cordova, Engberg, Gilfillan (alternate)

2. Approval of the October 28, 2014 Meeting Minutes: Cordova made the motion to approve the minutes, Brydon seconded the motion. Minutes were approved with a 6-0 vote.

3. Citizens' Comments:

Phil Zimmerman commented on the general need to treat like projects alike based on equal protection principles. He discussed lot coverage percentages and air rights.

**4. 155 Ardmore (DP14-3042) – CONTINUED TO ALLOW FOR COUNCIL SITE VISIT**

Applicant is requesting approval of a Development Plan/ Kensington Design Review for the purposes of constructing a 304 sq. ft. addition which includes a 410 sq. ft. second story deck which exceeds the gross F.A.R. for the site (2,700 sq. ft. threshold, 2780.37 sq. ft. proposed).

Applicant's architect Mike Gehl presented the plans, and stated that it was a minimal addition.

No speakers from the public.

Council asked the applicant to respond to written comments submitted from adjacent neighbor Anna Shane regarding the project's impact on her light and privacy. Council posed questions regarding the existing conditions and whether they were indicated in the plans.

Mr. Gehl stated that the followed all County procedures. Project does not affect shade; it is one story from the basement, and there is an existing walled patio that would be extended. No need for story poles.

Applicants John Wind and Shiva Niazi explained that they had spoken to the neighbor. They do not believe there would be privacy impacts due to existing landscaping. Applicants requested a continuance to allow for KMAC site visit.

Member Brydon voted to continue the item, Engberg seconded. Motion approved 6-0. Ayes (Tahara, Brydon, Snyder, Cordova, Engberg, Gilfillan).

**5. 285 Colusa (VR14-1044) – RECOMMEND APPROVAL**

Applicant requests approval of a variance to allow a 6' side yard setback where 3' is the required minimum) for the purpose of construction a 334 sq. ft. addition located at the rear of an existing residence on a substandard lot.

Applicant's architect Emi Sherman presented the project and explained that a variance is required due to the lot shape (long and skinny) and to allow the addition to continue the existing line of the house.

Applicant Ralph Leighton explained that they had worked with the neighbors and obtained letter of support.

Council noted a typo in the agenda regarding the size of the addition (334 sq. feet, not the 534 sq. feet stated in the agenda). Council discussed the required variance findings and noted the lot's unusual shape (long and narrow), and that it was continue the line of the existing structures.

Vote 6-0 recommendation for approval. Ayes (Tahara, Brydon, Snyder, Cordova, Engberg, Gilfillan).

#### **6. 30 Ardmore (DP14-3044) – RECOMMEND DENIAL**

Applicant requests Development Plan and Kensington Design Review to allow a 175 sq. ft addition to the main level and a 835 sq. ft. second story addition and a 394 sq. ft. deck for an existing single family residence.

Applicant Gillian Thackray presented the project. She explained that she is a 14-year resident, and thanked members for visiting the site the prior Saturday.

She seeks to expand the house from a 2/1 to a 3/2 to meet the needs of her growing family. The proposed square-footage meets all requirements and is consistent with the neighborhood. No variance is required, project meets all setbacks. She wishes to preserve the large oak tree in the backyard.

In response to neighbor concerns, she pulled back the back of the house and adjusted the windows. The applicant explained that she had put up story poles to help people visualize what the project would look like.

In response to a question from Chair Tahara, Gillian explained that she had not view the story poles from the neighbors' homes after they were installed.

Jane Kaplan (26 Ardmore since 1987 – next door neighbor) – Opposes plan on grounds of light, views and solar access. Addition will “loom over” the NW corner of the house, impacting kitchen and living room areas of the house. Jane presented “before and after” photos showing light impacts.

Don Bonato (26 Ardmore) – Opposes plan on same grounds as Jane. He presented panoramic photos showing the project's impact on light, views and sunlight. He stated concerns about the process.

Neil Henry (29 Ardmore) – Opposes plan based on views, bulk and property values. Existing structures take advantage of the “natural slope” of the street. He was informed about the possibility of the addition when he bought the house earlier this year but did not realize the scope of the impacts.

Andrea Lingenfelter (29 Ardmore) – Opposes plan on same grounds as Neil. She referred to images showing view impacts.

David Hertzner (35 Ardmore) – Owner since 1972, opposes plan on grounds of view impacts from his second floor office. He stated that is inconsistent with the neighborhood in terms of bulk, scale and height. He stated that applicant has alternatives to doing a second story.

Krishen Laetsch (34 Ardmore) – Almost 15 years in the neighborhood. Commented that there has been a lot of building in the neighborhood.

Philip Moss (Architect representing owners of 26 Ardmore) – Explained that his clients do not have a problem with Gillian expanding, but there are alternatives that would not have such impacts on light and air. He showed a computer simulation of the project based on the story poles. He states that a compromise solution is needed.

Gary Parsons (Applicant's architect) – Commented on the process (particularly contentious), and pointed out that some views are zoomed.

Lorena France (22 Ardmore) – Opposes the project based on view impacts. She read and submitted a letter into the record.

Melden Heaslip (40 Ardmore) – Supports project and stated it is in character with the neighborhood.

Applicant submitted supporting letters from other Ardmore and Arlington Ave. residents (e.g., 37 Ardmore, 124 Ardmore, 131 Ardmore, 133 Ardmore, 140 Ardmore, 12 Ardmore, 10 Ardmore, 226 Arlington)

Applicant responded to comments. She stated that she had talked to neighbors and performed a shadow study. The issues is “substantial” impacts, and impacts here are not substantial. She has solar panels, which is a constraint on design. She commented on Hartzler's view impacts, which are a result of his remodel.

The Council discussed the impacts of the project. Biggest concern are light impacts at 26 Ardmore, which are substantial from the kitchen and living room. Council noted that there are other 2 story homes on Ardmore, and that view impacts from this project are not as much of a concern. Member Snyder recommended denial, Brydon seconded. Recommended denial 6-0 (Tahara, Brydon, Snyder, Cordova, Engberg, Gilfillan).

7. Consensus to adjourn at 9:20 pm.