



THE TOWN OF  
CORTE MADERA  
MARIN COUNTY CALIFORNIA

## TOWN COUNCIL NOTICE OF PUBLIC HEARING

**Town Hall**  
**300 Tamalpais Drive**  
**Corte Madera, CA 94925-1418**

**TOWN AGENCY:** CORTE MADERA TOWN COUNCIL

**HEARING DATE:** **TUESDAY, MAY 3, 2016**

**TIME AND PLACE:** 7:30 P.M., CORTE MADERA TOWN HALL COUNCIL CHAMBERS, 300 TAMALPAIS DRIVE

**SUBJECT:** APPEAL OF THE PLANNING COMMISSIONS APPROVAL OF RESOLUTION 16-009 THAT APPROVED WITH MODIFICATIONS DESIGN REVIEW PERMIT NO. 15-019, WHICH ALLOWED AN APPROXIMATELY 465 SQ. FT. ADDITION TO THE EXISTING RESIDENCE AT 359 CHAPMAN DRIVE. THE MODIFICATIONS APPROVED BY THE COMMISSION INCLUDED REDUCING THE ROOF HEIGHT OF THE ADDITION, REDUCING THE SIZE OF THE ADDITION, INSTALLING LANDSCAPE SCREENING AND AT THE APPLICANT'S DISCRETION MODIFYING THE WINDOWS ON THE NORTH ELEVATION OF THE ADDITION, PL-2016-0023-APTC

**SITE:** PROJECT SITE - 359 CHAPMAN DRIVE, APN 025-162-03

**APPELLANT:** JENNIFER LARSON

**ZONING:** R-1 (MEDIUM-DENSITY RESIDENTIAL DISTRICT)

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### SUMMARY:

On February 5, 2016, the Zoning Administrator approved Design Review Application No. 15-019 – A request for a 465 square foot single story addition and remodel of the existing house at 359 Chapman Drive. The proposed addition includes a master suite and dining area toward the west. The proposed addition meets the height, setback, lot coverage, and floor area ratio regulations for the R-1 Medium Density Residential Zoning District.

On February 12, 2016, the adjacent property owner to the north (355 Willow Avenue) filed an application appealing the Town's approval of Design Review Application No. 15-019. The appeal was based on the grounds that the approval omitted multiple sections of the General Plan that focus on view preservation and that no metrics were used to evaluate the project. The appellant also stated that the addition will not only eliminate her short and long term view from the living room bay windows - the focal point of the house and her single view – but by constructing a massive wall in the foreground that would drastically, negatively and forever, alter the relationship of her house and property to its natural surroundings. The appellant also stated that the proposed addition at 359 Chapman Drive will have a significant negative impact on the value of her home and her quality of life and that the decision to approve the Design Review application needs to be made on the basis of facts, analysis, and metrics.

On March 8 2016, the Planning Commission of the Town of Corte Madera approved modifications to the Planning Director's approval of Design Review Permit No. 15-019. The modifications included:

- a. The maximum height of the roof of the addition shall not exceed 12 feet 6 inches.

- b. The west wall of the addition shall not extend more than 16 feet 2 inches from the existing west wall of bedroom #1 (1 foot less than proposed in the plans).
- c. Screen plantings shall be installed by the property owner of 359 Chapman Drive along the northern property line to shield the bulk of the new northern wall of the addition. These plantings shall be maintained by the property owner of 359 Chapman Drive to not exceed the height of the eve of the addition at any time.
- d. At the applicant's discretion, the proposed windows on the northern wall of the addition can be removed or moved horizontally. They cannot be enlarged or moved vertically.

On March 18, 2016 the resident of 355 Willow Avenue, adjacent to the project site, filed an appeal of the Planning Commission's March 8, 2016 decision to modify the Planning Director's approval of Design Review Permit No. 15-019.

In summary, the appeal to the Town Council is based on the following grounds:

- 1) That the proposed addition eliminates the appellants short and long ranges views and would drastically, negatively and forever, alter the relationship of her house and her property to its natural surroundings.
- 2) The application and hearing process was unfair and the Planning Commission proceedings were a breach of protocol and her due process rights.
- 3) Community members support her view that the Town's process and approval are unreasonable and unfair.

*Pursuant to Chapter 18.34.080 - Town Council Action. On an appeal from a decision of the planning commission ... the town council shall hold a public hearing on the matter on the prescribed date. The town council may affirm, reverse or modify the decision of the planning commission. .... The town council may remand the matter to the planning commission for its determination of appropriate conditions or the town council may make its own determination of appropriate conditions.*

A complete set of plans of the project at 359 Chapman Drive and the appeal application are available for review at the Planning Department at 300 Tamalpais Drive, Monday through Thursday from 8 a.m. to 11:30 a.m. and from 1:00 p.m. to 3 p.m. The department is closed to be public on Fridays; however, staff is available via email, [pboyle@tcmmail.org](mailto:pboyle@tcmmail.org) and phone, 415-927-5067.

The Planning Department recommends that this project is exempt from the California Environmental Quality Act (CEQA) under Categorical Exemption Class 3 (CEQA Article 19, Section 15303).

All persons interested in the foregoing are invited to appear before the Corte Madera Town Council at the time, day and place listed above. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town of Corte Madera at, or prior to, the public hearing. All written responses will become part of the public record. If you are interested in more information about this application, please contact the Corte Madera Planning Department at 927-5067. Staff reports are usually available by 4:30 p.m. on the Friday before the meeting and may be obtained from the Planning Department, Corte Madera Town Hall, 300 Tamalpais Drive. I do hereby certify that the foregoing Notice of Public Hearing was duly processed according to the California Government Code and the Corte Madera Municipal Code.

Phil Boyle, Senior Planner

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at 415-927-5064. Notification two business days (the Friday before the meeting) prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

Mailed on or before April 22, 2016