

RESOLUTION NO. 14/2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA AFFIRMING THE PLANNING COMMISSION'S MODIFICATION THE PLANNING DIRECTOR'S APPROVAL OF DESIGN REVIEW PERMIT NO. 15-019, THEREBY ALLOWING THE CONSTRUCTION OF A 465 SQ. FT. ADDITION, LESS THE AREA REMOVED WITH THE MODIFICATION OF THE LOCATION OF THE WESTERN WALL AND THE REDUCTION IN ROOF HEIGHT OF THE ADDITION, TO THE EXISTING SINGLE FAMILY RESIDENCE AT 359 CHAPMAN DRIVE,

WHEREAS, on July 9, 2015, an application for Design Review was filed for a 465 sq. ft. addition to a single family residence; and

WHEREAS, on July 29, 2015, the Planning Department determined the application to be complete after review of submitted information and recommended that the project qualified for categorical exemption under Section 15301 of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, on February 5, 2016, Staff approved Design Review Application No. 15-019 – for a 465 square foot single story addition and remodel of the existing house at 359 Chapman Drive. The addition met the height, setback, lot coverage, and floor area ratio regulations for the R-1 Medium Density Residential Zoning District. Staff analyzed the concerns and objections from the neighbor at 355 Willow Avenue, added conditions of approval to minimize the project impacts and made all of the required findings for Design Review Approval; and

WHEREAS, on February 12, 2016 the adjacent property owner to the north (355 Willow Avenue–Jennifer Larson) filed an application appealing the Town's approval of Design Review Application No. 15-019; and

WHEREAS, on February 25, 2016 A public notice of the Appeal Application No. PL-16-11-AP was posted and sent to all property owners within 300 feet of 359 Chapman Drive; and

WHEREAS, on March 8, 2016 The Planning Commission held a public hearing regarding Appeal Application No. PL-16-11-AP and approved Resolution 16-009 which approved design review permit No. 15-019 with modifications, allowing 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; and

WHEREAS, on March 18, 2016 the adjacent property owner to the north (355 Willow Avenue–Jennifer Larson) filed an application appealing the Planning Commission's Approval of Resolution 16-009 based on the following:

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; and
2. The application and hearing process was unfair and the Planning Commission proceedings were a breach of protocol and her due process rights; and

3. Community members support her view that the Town's process and approval are unreasonable and unfair; and

WHEREAS, on April 22, 2016 a public notice of the Appeal Application No. PL-16-23-APTC was posted and sent to all property owners within 300 feet of 359 Chapman Drive; and


WHEREAS, the approval of this resolution is exempt from the California Environmental Quality Act under CEQA guidelines section 15301 class (e)(2) – existing facilities.


NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Corte Madera does hereby affirm the Planning Commission's approval of Resolution 16-009 which modified design review permit No. 15-019, allowing an approximately 465 sq. ft. addition to the existing residence at 359 Chapman Drive with the following modifications as required by the Planning Commission:

1. The maximum height of the roof of the addition shall not exceed 12 feet 6 inches.
2. 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).
3. 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.
4. 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.
5. 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.

I hereby certify that the foregoing resolution was duly and regularly adopted by the Town Council of Corte Madera at a regular meeting held on the 3rd day of May, 2016 by the following vote, to wit:

AYES:	Councilmembers:	Condon, Furst, Lappert
NOES:	Councilmembers:	Andrews, Bailey
ABSENT:	Councilmembers:	None


Sloan C. Bailey, Mayor

ATTEST:

Rebecca Vaughn, Town Clerk