

BELVEDERE PLANNING COMMISSION

REGULAR MEETING AGENDA

SEPTEMBER 17, 2019 6:30 P.M.

BELVEDERE CITY HALL, COUNCIL CHAMBERS

450 SAN RAFAEL AVENUE, BELVEDERE, CALIFORNIA

HEARING PROCEDURE:

The Planning Commission will follow the following procedure for all listed public hearing items:

- 1) The Chair will ask for presentation of the staff report and comments from the Deputy City Attorney on the Permit Streamlining Act deadline;
 - 2) The Commission will have the opportunity to question staff in order to clarify any specific points;
 - 3) The applicant and project representative will be allowed to make a presentation, **not to exceed 10 minutes for large, or 5 minutes for small, projects, as total for the applicant's design team;**
 - 4) The public hearing will be opened;
 - 5) Members of the audience in favor or against the proposal will be allowed to speak, **for a maximum of 3 minutes per speaker;**
 - 6) The applicant will be given an opportunity to respond to comments made by the audience, **for a maximum of 5 minutes total for the applicant's design team;**
 - 7) The public hearing will be closed; and
 - 8) Discussion of the proposal will return to the Commission with formal action taken to approve, conditionally approve, deny, or continue review of the application.
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A. CALL TO ORDER OF REGULAR MEETING

B. OPEN FORUM

This is an opportunity for any citizen to briefly address the Planning Commission on any matter that does not appear on this agenda. Upon being recognized by the Chair, please state your name, address, and limit your oral statement to no more than three minutes. Matters that appear to warrant a more lengthy presentation or Commission consideration will be agendaized for further discussion at a later meeting.

C. REPORTS

The Reports agenda item consists of any oral reports from standing Planning Commission committees (if any), an individual member of the Planning Commission, and staff.

D. CONSENT CALENDAR

The Consent Calendar consists of items that the Planning Commission considers to be non-controversial. Unless any item is specifically removed by any member of the Planning Commission, staff, or audience, the Consent Calendar will be adopted by one motion. Items removed will be considered in the sequence as they appear below. If any member of the audience wishes to have an item removed, please step to the microphone, state your name, and indicate the item.

1. Draft [Minutes of the August 20, 2019](#) regular meeting of the Planning Commission.
2. Extension of previous approvals granted for Demolition, Design Review, Exception to Total Floor Area, two Variance(s), Lot Merger, Use Permit & Accessory Dwelling Unit (2nd Unit) and Revocable License applications to demolish the existing single family home and other existing associated site improvements in order to construct a new residence, accessory dwelling unit (2nd unit) and other new associated site improvements (i.e., pool, sunken fire pit & seating area & BBQ areas) and a new dock/pier and boat lift on an adjacent County of Marin tide lot located at [135 Belvedere Avenue](#). Property Owner(s)/Applicant: Amalfi Belvedere 135 LLC – Lowell Strauss. (*Recused Commissioners Slaymaker and Hart*).
3. Variance application for the deck to encroach into the side yard setback for the property located at [242 Beach Road](#). A larger Design Review and Exception to Total Floor Area project was approved at the August 20, 2019 Planning Commission hearing and it was determined that a Variance was required for the deck. Applicant: Pacific Design Group; Property Owner: Barbara Malatesta. [Plans](#).

E. PUBLIC HEARINGS

4. Design Review, Exception to Total Floor Area and a Variance application to demolish the existing garage and replace it with a new garage and second story addition for the property located at [17 Cove Road](#). The project requires an Exception to Total Floor Area to exceed the allowable floor area and a Variance to encroach into the rear yard setback. Applicant: Michael Heckmann; Property Owner: Rettke Family Trust. (*Recused Commissioner Stoehr*) [Plans](#).
5. Retroactive Design Review & Variances (for encroachment into side & rear yard setbacks & for exceeding the allowable lot coverage) for a workshop/storage area constructed at the rear of the property located at [329 San Rafael Avenue](#). A Revocable License is also required for existing improvements in the City right-of-way. Property Owner: Marty Wickenheiser. Applicants: Hank Bruce (architect) & Keith Walker. (*Recused Commissioner Hart*) [Plans](#).
6. Design Review & Variance (for encroachment into the setbacks) to extend and change the orientation of the existing garage located at [105 Golden Gate Avenue](#) to allow for safer ingress/egress from the property. Additionally a new fenced in trash area is proposed north of the garage and a new entrance gate & fence are proposed to accommodate the new driveway. Applicant: David Kotzebue (architect). Property Owner: Tozzi Family Trust. [Plans](#).
7. Design Review for an addition & remodel of the existing residence and other associated site improvements for the subject property located at [431 Golden Gate Avenue](#). A portion of application is for Retroactive Design Review for some fencing and other site improvements that were started prior to design review approval. An Exception to Floor Area to exceed the allowable floor area and a Variance for encroachment into the setback (side yard) is required for the proposed project. A Conditional Use Permit for an Accessory Dwelling Unit proposed to be located on lower level of residence is requested and a Revocable License is required for existing improvements in the City right-of-way. Property Owner(s)/Applicants: Linda Applewhite & Marshall Miller. (*Recused Commissioner Lynch*) [Plans](#).
8. Demolition, Design Review and Exception to Floor Area to exceed the allowable floor area to demolish the existing single family residence and to construct a new residence & garage, pool house & pool and other associated site improvements for the subject property located at [1 Blanding Lane](#) (corner of Blanding Lane & Belvedere Avenue). A Revocable License is required for improvements in the City right-of-way. Property Owner: Chris Henry. Applicant: David Kotzebue (architect). [Plans](#).

APPEALS: The Belvedere Municipal Code provides that the applicant or any interested person may appeal the action of the Planning Commission on any application. The appeal must be in writing and submitted with a fee of \$523.00 not later than ten (10) calendar days following the date of the Planning Commission action. Appeals received by City staff via mail after the tenth day will not be accepted. Please note that if you challenge in court any of the matters described above, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Planning Commission at, or prior to, the above- referenced public hearing [Government Code Section 65009(b)(2)].

NOTICE: WHERE TO VIEW AGENDA MATERIALS

Staff reports and other writings distributed to the Planning Commission are available for public inspection at the following locations: ● Online at www.cityofbelvedere.org; ● Belvedere City Hall, 450 San Rafael Avenue, Belvedere (Writings distributed to the Planning Commission after the posting date of this agenda are available for public inspection at this location only.); and

- Belvedere-Tiburon Library, 1501 Tiburon Boulevard, Tiburon. To request automatic mailing of agenda materials, please contact the City Clerk at (415) 435-3838

NOTICE: AMERICANS WITH DISABILITIES ACT

The following accommodations will be provided, upon request, to persons with a disability: agendas and/or agenda packet materials in alternate formats and special assistance needed to attend or participate in this meeting. Please make your request at the Office of the Planning Department or by calling (415) 435-3838. Whenever possible, please make your request four working days in advance of the meeting.