



**MINUTES
SPECIAL MEETING – 3:00 P.M.
HEARING OFFICER
Wednesday, October 21, 2020
Virtual Meeting**

Meeting Started: 3:00 P.M.
Meeting Adjourned: 4:15 P.M.

Hearing Officer Present: Paul Novak
Acting Zoning Administrator: Beilin Yu
Staff Present: David Sinclair, Jennifer Driver, Alison Walker, Kristen Johnston

- 1. READING OF PROCEDURES**
- 2. PUBLIC HEARINGS**

MINOR CASES

A. MV #11929: 1475 HILLCREST AVENUE – COUNCIL DISTRICT #7

Minor Variance: To allow the construction of a new pool and spa to encroach into a required front yard setback. The subject property is a double-frontage lot with frontages along Hillcrest Avenue and Oak Knoll Avenue. The new pool and spa is proposed to be set back 40'-8" from the property line along Oak Knoll Avenue, where the minimum required setback is 51'-0". The subject property is located within the RS-4 (Single-Family Residential) zoning district. A Minor Variance is required for the reduction of the required front yard setback.

Staff Recommendation:

- 1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15303 (Class 3, New Construction or Conversion of Small Structures); and
 - 2) Approve the Minor Variance with conditions
- Case Manager: Kent Lin

APPROVED

APPEAL DATE: November 16, 2020

EFFECTIVE DATE: November 17, 2020

HEARING OFFICER ACTION: The Hearing Officer decided to adopt the Environmental Determination, which is an exemption, and approve the project subject to findings in Attachment A and adopted conditions found in Attachment B.
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REGULAR CASES

B. HDP #6725: 90 MALCOLM DRIVE – COUNCIL DISTRICT #6

Hillside Development Permit: To allow the construction of a 988 square-foot, two-story addition to the existing one-story 1,169 square-foot single-family residence with an attached 405 square-foot garage. The application includes a 502 square-foot addition to the same level as the existing residence and garage, and the addition of a new 486 square-foot lower level. The property is located within the RS-6-HD-SR (Single-Family Residential, Hillside Overlay District, San Rafael Area) zoning district. A Hillside Development Permit is required for any new square footage above the first story. No protected trees are proposed to be removed as part of the project.

Staff Recommendation:

- 1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 (Class 1, Existing Facilities); and
- 2) Approve the Hillside Development Permit with conditions.

Case Manager: Jennifer Driver

APPROVED

APPEAL DATE: November 16, 2020

EFFECTIVE DATE: November 17, 2020

HEARING OFFICER ACTION: The Hearing Officer decided to adopt the Environmental Determination, which is an exemption, and **approve** the project subject to findings in Attachment A and adopted conditions found in Attachment B.

C. CUP #6849 AND TPM #83256: 701 E. UNION ST AND 100 N. EL MOLINO AVE – COUNCIL DISTRICT #3

Conditional Use Permit: To allow a park at the corner of Union Street and Oak Knoll Avenue. The request requires the following applications:

- 1) Conditional Use Permit: To allow the establishment of a Park and Recreation Facility; and
- 2) Tentative Parcel Map: To allow the merging of three parcels, and creating two parcels.

Staff Recommendation:

- 1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15332 (Class 32, In-Fill Development); and
- 2) Approve the Conditional Use Permit and Tentative Parcel Map with conditions.

Case Manager: Beilin Yu

APPROVED

APPEAL DATE: November 16, 2020

EFFECTIVE DATE: November 17, 2020

HEARING OFFICER ACTION: The Hearing Officer decided to adopt the Environmental Determination, which is an exemption, and **approve** the project subject to findings in Attachment A and adopted conditions found in Attachment B.

D. V #11923: 162 E CLAREMONT AVENUE – COUNCIL DISTRICT #3

Variance: To facilitate the interior alteration of a single-family residence to accommodate a two-car garage. The request requires the following applications:

- 1) Variance: To allow an 11-foot aisle width where 20 feet is required pursuant to 17.46.130;
- 2) Variance: To reduce the required depth of a garage to 17 feet, where 18 feet is required pursuant to 17.46.110; and,
- 3) Variance: To allow a garage to be located in front of the primary structure, where 17.22.050.B requires the garage to be located behind the primary structure.

Staff Recommendation:

- 1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15270(a), (Projects Which are Disapproved); and
- 2) Disapprove the Variances.

Case Manager: Alison Walker

DISAPPROVED

APPEAL DATE: November 16, 2020

EFFECTIVE DATE: November 17, 2020

HEARING OFFICER ACTION: The Hearing Officer decided to adopt the Environmental Determination, which is an exemption, and **disapprove** the project subject to findings in Attachment A.

E. V #11930: 1155 LINDA VISTA AVENUE – COUNCIL DISTRICT #6

Variance: To allow 1,403 square feet or 40 percent front yard paving to facilitate the construction of a circular driveway, where the Zoning Code allows a maximum of 30 percent paving within the front yard. There are no trees proposed for removal as part of this application. The subject property is located within the RS-4-HD (Single-Family Residential, 0-4 dwelling units per acre, Hillside Overlay District).

Staff Recommendation:

- 1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15270(a), (Projects Which are Disapproved); and
- 2) Disapprove the Variance.

Case Manager: Kristen Johnston


DISAPPROVED

APPEAL DATE: November 16, 2020

EFFECTIVE DATE: November 17, 2020

HEARING OFFICER ACTION: The Hearing Officer decided to adopt the Environmental Determination, which is an exemption, and **disapprove** the project subject to findings in Attachment A.

3. ADJOURNMENT: approximately 4:15 p.m.



Beilin Yu, Senior Planner



Tess Varsh, Recording Secretary