

**Strawberry Design Review Board**  
118 E. Strawberry Drive, Mill Valley, CA 94941  
**August 17, 2015**

## **SUMMARY**

### **I. The meeting was called to order at 7:30pm**

Members present were:

Penna Omega  
Barbara Rowe  
Julie Brown

### **II. Administration:**

1. Approval of July 6, 2015 minutes: SDRB members approved minutes.
2. B. Rowe noted that two members were not in attendance and moved to postpone Agenda Item 2 - Administrative Business to the next meeting. Motion was seconded and passed.

### **III. Agenda Items:**

1. Hoang-Byrd Variance  
**Applicant:** Brad Byrd  
**Planner:** Scott Greely  
**Recommendation:** Approve application with concerns\*

#### **Comments to Planner:**

George Millen and Brad Byrd presented the project history, photos and plans to the SDRB. There were no neighbors or other concerned parties in attendance. After questions and discussion the following motion was made by Julie Brown, seconded by Barbara Rowe and passed by vote of the SDRB.

#### **Motion:**

**To approve the application as presented for variance of the following:**

1. **Approval of .2 foot existing building encroachment at northerly side yard setback.**
2. **Approval of 9.5 foot existing building encroachment to front yard setback.**

3. **Legalizing existing enclosure to front courtyard limited to 5 foot tall solid front fence approx 1.7 feet from the front property line with 1 foot of lattice at the top.**
4. **Legalizing existing 5 foot tall solid front fence approx 15.9 feet from the front property line south of the garage.**
5. **Variance exemption granted for existing floor area ratio of 31.9%**

**Presentation:**

George Millen of Dan Meier Architects presented photographs and half size set of survey drawings of the existing conditions present. Brad Byrd gave a brief history of the project stating that in the 1950's and 60's significant work was done on the project without permit. This work was reported to the county by neighbors. There is no record that the owner took any action to settle the matter with the county. The property was later sold to a second owner who further delayed application for a variance under the premise that they would be doing significant improvements to the property and would at some point apply for variance to include those future improvements. Mr. Byrd stated that those improvements and the application for variance never happened. He stated that when he later purchased the property, the county pursued request for compliance and that he is now in the process of submitting to Planning for approval. George Millen noted a building inspection is to follow SDRB review.

**SDRB Member discussion:**

Julie Brown asked G Millen to clarify exactly which portions of the project were within the setback. She noted the implications for variance most directly affect the neighbors and observed that no neighbors were present with concerns. She also noted that the setback conflicts could have been made more clear in the presentation drawings.

Barb Rowe noted that the existing front fence has been reduced from 6' to 5'. B Byrd confirmed that the owner's had performed that work at the county's request.

Penna Omega noted the tight parking conditions at the street and that the project fence was closer to the road by approx 1' than neighboring fences. She questioned if future traffic would be impacted. G Millen stated that the fence was not within the County right of way.

Julie Brown noted that there was a small rear upper deck encroaching into the side yard setback and asked if it was part of the variance. She noted that while it would be difficult to ask the owner for a building modification, a deck could be modified to comply.

**SDRB Member Concerns:**

**All Board members voiced concern over the implications of legitimizing work over 50 years after it was first brought to the attention of the county for non-compliance.**

**While there was understanding expressed for the plight of the owner, the Board was concerned about both setting a precedence for non compliant work and for future improvements to the project which might take further advantage or trying to expand on the variance.**

**Motion** made by Julie Brown and seconded by Barbara Rowe:  
**To approve the application as presented but to note SDRB concerns.**

Penna Omega - yes

Barbara Rowe - yes

Julie Brown – yes

**IV. Meeting adjourned at 8:35pm.**

Minutes provided by Julie Brown

Strawberry Design Review Board meets 1<sup>st</sup> and 3<sup>rd</sup> Mondays at 7:00pm at the Strawberry Recreation Center on the first floor. Agenda is available several days before meeting at:

<http://www.marincounty.org/depts/cd/divisions/planning/boards-commissions-and-public-hearings/drb/strawberry-drb>

If there are no agenda items scheduled, meeting will be cancelled.