

Olive Family Properties
4 Bridge Street
San Anselmo, California 94960

January 29, 2013

Phillip Boyle, Senior Planner
TOWN OF SAN ANSELMO
525 San Anselmo Avenue
San Anselmo, California 94960

RE: Ford Greene's 1/10/13 Application re Shed and Common Green Wall as Modified by Revised Plans labeled Reduced Shed Area dated 1/29/2013

Dear Mr. Boyle:

I am the managing general partner for Olive Family Properties, which owns the parcel (APN 006-083-09) that is adjacent to Mr. Greene's property (APN 006-083-08) along Greene's eastern property line.

Mr. Greene has sent me a copy of the design for the Shed and Green Wall that is dated January 10, 2013 and the revised plans labeled Reduced Shed Area dated January 29, 2013, wherein the shed is scaled back in height and breadth and the wall is plastered rather than being a green wall structure. I understand that the plans are pending for review before the Planning Department, with a hearing date of February 4. The latest design includes a fence, a shed with a wall and a door both of which are common to our two properties. The door represents a permissive use for limited purposes.

Please be advised that on behalf of the Olive Family Properties I consent to Mr. Greene both using the common doorway and constructing the shed with common access from his property to ours.

I would **strongly prefer** that the Town allow the existing fence structure that has been in place for years to continue at the current height. I am deeply concerned that a reduced fence height will create safety and security concerns for Mr. Greene's property and mine, as it will encourage access by homeless persons who are drawn to the area by the inadequately secured dumpsters at Andronico's, which provide both food and income from stolen recyclables. We have had a history of problems with homeless persons urinating, defecating, eating, sleeping and using drugs on the property, which I am concerned will increase and spread to Mr. Greene's mixed-use property if a reduced height fence is mandated by the Town.

As a taxpaying citizen, property owner and business owner in the Town of San Anselmo, I am appalled that the Town has created an issue with Mr. Greene's property over matters that are not harming any of the adjacent properties. No one noticed the fence for years. It is only

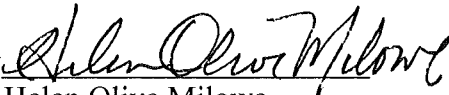
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when someone with an axe to grind against Mr. Greene went looking for issues that the fence became a matter of concern to the Town. All of the affected property owners not only did not object to the fence, but *actively consented*. Removal of the fence or reduction in its height will negatively impact not only Mr. Greene's property but also negatively impacts my property. Had Mr. Greene not been serving on Town Council, I think this matter would have been resolved much more quickly and without public hue and cry. I agree it would have been better for a variance to have been obtained prior to the construction of the fence. Yet it was not. There is a procedure for after-the-fact approval of a variance, and it should be followed here. I was amazed that there was not a finding of special circumstances that would justify the variance. Are there really so many places in town where the structures adjacent to the fence tower over it on all sides? Where there is NO property adversely affected by the height of the fence? Where all adjacent property owners actively approve? What beneficial purpose is being served by requiring the reduction in fence height? The rules and ordinances of the Town are designed to help keep the peace, to avoid or resolve conflicting interests of property owners and advance the common good. All of those purposes are served by allowing the fence at its current height, and none are contravened. Does approval create the risk that similar tall fences may be built in places that no one notices and all adjacent property owners want it? I, for one, can live with that risk. If that isn't a situation when a variance should be issued, I can't think of one. When I think of the Town resources that have been expended on this matter, particularly given current budget constraints, I feel outrage. Please, please close this matter with an approval of the existing fence. Failing that, I would urge you to approve Mr. Greene's current plans for a shed and to allow the existing fence in front of his barn.

If you need any further information, please feel free to call me.

Sincerely Yours:

OLIVE FAMILY PROPERTIES,
A California limited partnership

By 
Helen Olive Milowe
Managing General Partner