

202 The Regular Meeting of the San Anselmo Planning Commission was called to order by Vice-Chairman Jan Fairchild in the Council Chambers at 8:00 p.m. on June 7, 1976. Representing Town Staff: T. J. Robbins, Associate Engineer/Planner.

1. ROLL CALL

Commissioners Present: Bolles, Eisgrau, Fairchild, Goltz, Greenfield, Ragan

Commissioners Absent: Ainsworth

2. APPROVAL OF MINUTES - May 17 and May 24, 1976

M/S Ragan, Greenfield that the minutes of May 17, as amended, be approved. Passed unanimously, Commissioners Bolles and Eisgrau abstaining.

Amendments: (1) Pg. 2, para. 5, correct spelling of "Floribel".
(2) Pg. 6, para. 6, correct spelling of "Ainsworth".

3. PUBLIC HEARINGS: The Sleepy Hollow Supplement to the San Anselmo General Plan

M/S that the Sleepy Hollow Supplement to the San Anselmo General Plan be forwarded to the San Anselmo Town Council with the following comments:

1. The first and second paragraph at the top of Page 3 are somewhat contradictory in that the meaning of these paragraphs does not necessarily address itself to the problem of low income housing. It is suggested that some action be taken to either remove the statement "...positive action to meet the needs of all social and economic segments of Marin's population", or to give some specific means to implementing this goal.
2. Page 4, under Circulation Element, Paragraph 2-D leads the Commission to believe that some action should be taken to perhaps widen Sir Francis Drake Blvd. and increase traffic on already overburdened arterial road. Commission would prefer to see discouragement of heavy traffic as outlined in the Town's General Plan.

Other than the above comments the Commission passes this along to the Town Council for whatever action they deem necessary. Passed unanimously.

4. OLD BUSINESS

- A. SUSSER LAND DIVISION: SS-191 - Application for a lot split of A/P 6-144-56, presently 168 Hilldale Dr., with a waiver of the slope policy.

M/S Goltz, Ragan the Planning Commission put over SS-191, Susser Land Division until next regular meeting of June 21. Passed unanimously.

There was no one present in the audience to represent applicant.

- B. FREDERICK ROSCOE: VAR-661 - Application for a variance from a maximum height of 6' for fence and hedge to allow an existing fence and hedge varying in height from 6'5" to 10' high at 35 Entrata Ave., to remain.

Applicant was present and had received Staff Report.

Mrs. Roscoe felt the fact that their house was so close to the property line a site hardship could be found. The additional height of the fence was necessary to the applicant to afford privacy, and the applicant felt 1' off the top of the fence would not affect the amount of sunlight for 62 Lincoln Ave.

Mrs. Roscoe stated he had discussed the possibility of a louvered fence with Mr. Elliott. An agreement was reached between them, but later cancelled by Mr. Elliott as he rejected the idea of horizontal louvers.

Mr. Elliott felt the proposal was insufficient. Mr. Roscoe had proposed louvers spaced 1"-1 1/2". Mr. Elliott was opposed to the louvers being horizontal as that would be more difficult to maintain.

Commissioner Greenfield agreed the Roscoe's did have a privacy problem due to the house being 4' away from the property line. He suggested to the Elliotts that vines or plantings be used to break up the oppressiveness of the fence.

Commissioner Eisgrau stated she'd given the application a lot thought. Most people try to increase their privacy. She felt, however, the fence on the Elliott's side was not as attractive.

Since a mutual agreement had not been met by the involved parties, Commissioner Eisgrau offered to mediate a meeting between the Roscoes, Elliotts, and Mrs. Miller in order to settle this matter. (She would not represent the other members of the Commission at this meeting.)

Vice Chairperson, Jan Fairchild, told applicant it would be to their advantage to present the Commission with an up-to-date, signed agreement for fence construction.

Drawings submitted by the applicant should show what the fence will look like, the space between louvers, exact dimensions showing height of fence on both properties involved (35 Entrata and 62 Lincoln).

M/S Ragan, Goltz, VAR-661 be put over until the meeting of June 21st with the understanding that Commissioner Eisgrau will act as mediator between the three parties. Passed unanimously.

NEW BUSINESS

- A. GILDA SELCHAU: U-450 - Application for home occupation to manufacture bird cages at 11 Hampton Avenue, A/P 5-243-12.

Applicant was present and had received Staff Report.

Vice Chairperson Jan Fairchild announced the Planning Dept. had received two communications from neighbors concerning this item. (Mrs. Heidenfeldt and Mrs. Lavaroni.) Both neighbors could not attend the meeting, but wished to express they had no objections to the application.

M/S Ragan, Eisgrau to approve U-450 for Gilda Selchau, application for use permit for manufacturing of bird cages at 11 Hampton Avenue, on the basis that no significant additional traffic will be generated, and therefore, will not be detrimental to the neighborhood, and granting of the use permit will afford the applicant property rights in a reasonable use at this location. This use will be limited to one employee. Passed unanimously.

Applicant was advised of the 10-day appeal period.

- B. ROY STAFFORD: VAR-670 - Application for variance waiving off-street parking requirements at 95 Holstein Rd., A/P 5-053-04.

Applicant was present and had received Staff Report. Applicant stated he felt permitting the parking on the street would be better than the cut in the hillside that would be necessary for offstreet parking.

Mr. W. Brentlinger of 72 Holstein Rd. stated he was not opposed to the construction of the house, but he did believe there should be offstreet parking.

Staff noted that the Commission could not grant a variance to allow applicant parking on Holstein Rd. The Town would have to abandon it first.

Commissioner Goltz could not agree with the granting of one offstreet parking space. He felt two parking spaces should be required.

DDB863

Commissioner Bolles felt the one parking space was adequate. However, he questioned whether the plan before him was workable. He felt the design was inadequate for an American car. As for the alternate request, parking on Holstein Rd., Commissioner Bolles could not say that Holstein Rd. would always be a deadend street.

Vice-Chairperson Jan Fairchild stated she had no problems with allowing one offstreet parking space, however, she did have problems with that mentioned by the other Commissioners.

Commissioner Greenfield suggested applicant try to get an easement from the adjoining property to provide for an acceptable driveway.

Commissioner Goltz reiterated he felt applicant could solve his parking problem and provide for two spaces besides.

M/S Ragan, Eisgrau the matter be referred back to the applicant for resubmission on the 21st of June. Passed unanimously.

- C. JOSE & MARIA MIURA: VAR-671 - Application for a 1' variance in parking width requirement for one space to allow additional dwelling unit at 1598 Sir Francis Drake Blvd., A/P 5-124-30.

Mr. Scott Nelson, representing the buyer of this property, was present and had received a copy of the Staff Report.

Mr. Nelson stated the buyer was not asking for an additional unit, but for only an additional bedroom. For this, a 1' variance in parking width would be necessary. The original plans for this apartment house indicated the proposed bedroom space as a recreation room.

Commissioner Goltz felt this was just a shuffling around of the units, and he did not see why a variance should be granted for that.

Commissioners Bolles and Fairchild were concerned about maneuvering space and the workability of parking space #5.

M/S Goltz, Eisgrau to deny VAR-671, application for a 1'4" width variance from two parking spaces at 1598 Sir Francis Drake Blvd. A/P 5-124-30, on the basis that no hardship exists to justify this variance. Passed unanimously.

- D. DAVID & BEVERLY EGAN: VAR-672 - Application for a 7' variance to construct two car garage 5'6" and roof overhang 1' from side property line for 5' variance at 10 Woodside Ct., A/P 5-261-10.

This item was held over until July 12, 1976.

- E. AL FERRIS: VAR-673 - Application to allow offstreet parking 2' from the front property line at 49 Oak Springs Drive, A/P 5-254-10.

Applicant was present and had received Staff Report.

Commissioner Bolles stated he had some reservations about approving this particular plan. He felt there was no way to back out of the driveway with any degree of safety.

Applicant stated the only other alternative for providing for parking would be to excavate out the hill and build a 12' retaining wall.

M/S Goltz, Ragan that the uncovered parking slab with a retaining wall 2' from the front property line at 49 Oak Springs Drive, A/P 5-254-10, be approved on the basis that the steep upslope of the site is a hardship and would require this variance and that this approval will affect property rights by allowing building of legal building.

Though there is a possibility of unsightly parking area in the front of this future residence, this can be modified by having the applicant submit a landscaping plan of the area immediately in front of the parking deck to the Design Review Committee. Further,

suggest that the Design Review Committee make suggestions about further softening the appearance of the concrete retaining walls.

Approval is based on drawing by Arthur J. Lang, dated May 7, 1976.

Motion carried: Ayes: Bolles, Eisgrau, Fairchild, Gotlz, Greenfield, Ragan

Nays: None

Applicant was advised of the 10-day appeal period.

- F. STEPHEN BURDICK: VAR-674 - Application for a 20' frontyard variance to construct a garage having an approach ramp 0' from the front property line at 55 Foothill Rd., A/P 7-053-17.

Applicant was present and had received Staff Report.

Commissioner Ragan felt application was reasonable, and that the site dictated there was no other place to put it.

Commissioner Bolles requested applicant move the front of garage 5' back from the property line as he felt a car or truck could not get into the garage at its presently proposed location.

M/S Goltz, Bolles to approve VAR-674, application for a 20' frontyard variance to allow construction of a garage having an approach ramp structure 0' from the front property line, and the parking structure itself 10' from the property line with a 2' overhang at 55 Foothill Rd., A/P 7-053-17, due to the steep downslope of the lot and that this will not be detrimental, but advantageous, to the neighborhood, by providing a safer parking arrangement; and will provide property rights to the applicant in allowing a reasonable development.

Further move that applicant take into consideration Commission's feeling that building is too high and redesign so that it has a lower front on the street and present that design to the Design Review Committee for approval. This motion is based on drawing received May 24, 1976, and prepared by Terra Graphics Design Consultants with the exception of the front distance being changed as stated in the motion.

Motion carried: Ayes: Bolles, Eisgrau, Fairchild, Goltz, Greenfield, Ragan

Nays: None

Applicant was advised of the 10-day appeal period.

Commission expressed the wish that applicant cut down the bulk of his building.

- G. EDWIN GRIFFITH, JR: VAR-675 - Application for a 7' variance with a 5' sideyard setback to permit alterations/additions to the dwelling at 100 Crescent Ave., A/P 7-211-26.

Applicant was present and had received Staff Report.

Applicant stated his neighbors had no objections to the addition and presented Commission with a petition.

Commissioner Goltz felt the condition of the building was reason enough for granting this variance. He pointed out to the Commission that you could not even see the second story from Crescent Lane.

Commissioner Bolles felt that by constructing within the existing framework, it was really benefitting to the neighborhood due to the preservation of the open landscaping.

Commissioner Greenfield felt the addition was attractive and he would not like to see existing trees torn down in order to build elsewhere.

Commissioner Ragan stated a friend of his, Mr. Wilson, had stated he had no objections to the addition.

DDB863

M/S Goltz, Ragan to approve VAR-675 for Edwin Griffith, Jr., 100 Crescent Ave., A/P 7-221-26, for a 7' variance to allow construction of a first and second floor addition 5' from the side property line on the basis that the plan of the building is such that it would be extremely awkward and unsensible to require the addition to be built into the west sideyard and that this will not be detrimental to the neighborhood and that it will provide property rights to the applicant in allowing a reasonable development of a large lot.

Motion carried: Ayes: Bolles, Eisgrau, Fairchild, Goltz, Greenfield, Ragan
Nays: None

Applicant was advised of the 10-day appeal period.

- H. RASJIDAH FRANKLIN: SS-198 - Application for a lot split of A/P's 7-015-04 and 7-015-05 (18, 20 and 22 Fern Lane) with the following exceptions to the subdivision ordinance: 1) less than 40' street frontage; 2) dual use of a driveway; 3) access across easement; 4) less than 7500 S.F. for one parcel; and 5) 6' side and 3' front yard variances.

Applicant was present and had received Staff Report.

Applicant stated the houses on the two lots were built in 1910. The Code now stated that if one of the houses burnt down it could not be rebuilt. She would like to be able to subdivide these lots into three parcels. The way the property is today, it is an expensive piece of real estate. By subdividing the lots, three low to moderate income houses would be provided.

Commissioner Ragan stated he could not vote for this application with all the exceptions requested.

Commissioner Goltz had no problems with any of the exceptions except for the sideyard variance. He questioned whether splitting the lot would be better in terms of planning or to leave it the way it is.

Vice Chairperson Jan Fairchild felt this was not a second unit situation. These residences were built before there was a R-1 law. She condoned the sideyard setback because it existed and the only way to rectify would be to move or demolish the building. This was a sensible request in terms of her right to use the property.

M/S Goltz, Fairchild that the Planning Commission recommend to the Town Council approval of SS-198, application for a lot split of A/P 7-015-04 and 7-015-05, 18 and 20 Fern Lane with the following exceptions: 1) less than 40' street frontage; 2) dual use of a driveway for parcel #2; 3) access across utility easement for parcel #2; and 4) less than 7500 S.F. for parcel 3; on the basis that the buildings exist now and these exact same conditions exist now.

Further move that the Council approve the 5th exception which is a variance from the zoning regulations to allow a structure 1' from the sideyard and 17' from the front yard on the basis that the structure exists and it would be a hardship to require this structure to be removed.

The granting of these exceptions would be necessary to the applicant to exercise her property rights and that the proposed lot split would not be detrimental to the neighborhood.

This recommendation is based upon map dated April 1976, prepared by Hool & Lockett, received by the Town of San Anselmo, May 19, 1976.

Motion failed to pass: Ayes: Bolles, Fairchild, Goltz
Nays: Eisgrau, Greenfield, Ragan

Applicant was advised of her right to appeal the Commission's decision within 10 days.

VI. MATTERS FOR CONSIDERATION

- A. Environmental Review of the Proposed Second Units Ordinance - Held over until June 21, 1976.
- B. Proposed Condominium Conversion Ordinance - Held over until June 21, 1976.
- C. Proposed Amendments to Subdivision Ordinance - Held over until June 21
- D. Proposed Amendments to Design Review Ordinance - Held over until June 21
- E. Planning Dept. Budget - Commission Review - M/S Goltz, Ragan that the Planning Commission recommend to the Town Council they approve Planning Commission budget with exception of Item 391 on Pg. 16 as the recommended \$15,000. is too high. Refer to our motion of March 1, 1976, and the minutes of that meeting which are herein attached.

Motion carried: Ayes: Bolles, Eisgrau, Fairchild, Goltz, Ragan
 Nays: Greenfield

- F. ELECTION OF NEW VICE-CHAIRPERSON - Commissioner Goltz nominated Duane Ragan for Vice Chairperson. Commissioner Eisgrau seconded the nomination. Commissioner Greenfield closed the nominations. Duane Ragan was nominated Vice Chairperson.

VII. ADJOURN

Meeting adjourned 12:50 a.m.

Catherine Carpenter
 Catherine Carpenter, Secretary

DDB863