

252 The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Ollinger on April 20, 1981, at 8:00 p.m. in the Town Hall Council Chamber.

1. ROLL CALL

Commissioners Present: Harle, Peterson, Ollinger, Ragan, Signorelli
Commissioners Absent: Hayes, McPeak

2. APPROVAL OF MINUTES

March 30, 1981

M/S Harle, Peterson, to approve the minutes of March 30, 1981, as written.

Motion carried; Commissioners Ollinger and Ragan abstained.

April 6, 1981

Item 4A, omit "Applicant was advised of the ten day appeal period" in both motions.

M/S Peterson, Signorelli, to approve the minutes of April 6, 1981, as amended.

Motion carried; Commissioners Harle and Ragan abstained.

April 13, 1981

Item 2, Page 3, first paragraph, Commissioner Signorelli's comment, add: "Also that the parking plan should not be reduced by the change."

M/S Signorelli, Peterson, to approve the minutes of April 13, 1981, as amended.

Motion carried; Commissioner Ragan abstained.

3. OLD BUSINESS

A. U-557 - Christopher McCombs, 11 San Rafael Avenue, A/P 7-211-11, use permit to allow a medical office in a P zone.

V-936 - Christopher McCombs, 11 San Rafael Avenue, A/P 7-211-11, parking variance.

BOTH ITEMS CONTINUED TO MAY 4, 1981.

B. V-938 - Thomas and Deborah Burke, 21 Valley Road, A/P 5-121-01, 2'6" and 4'6" aideyard variances to construct an open deck and living addition with a one foot overhang within 3'6" of the south side property line.

Thomas Burke, applicant, and Frank Luttringer, Builder, and Kay Davis, 17 Valley Road, present.

Mr. Luttringer reiterated that the proposed location for the addition is the most reasonable for the lot and that the addition will be compatible with the houses in the area. He added that the design is limited due to the existing staircase.

Ms. Davis said she will lose her privacy and light by this addition.

Commissioner Signorelli said he is concerned about the height of the proposed construction and suggested a compromise by deleting the deck construction.

Commissioners Peterson, Ragan and Ollinger suggested the addition could be designed differently on the lot and perhaps not appear to invade the neighbor's privacy as much as this design.

Mr. Burke pointed out that his house is presently one story and between two-story houses so he has no privacy and no light.

M/S Peterson, Harle, to continue V-938 for Thomas and Deborah Burke, 21 Valley Road, A/P 5-121-01, to the meeting

of May 4, 1981.

Motion passed unanimously.

- C. C-180 - John Koyle, 606 Red Hill Avenue, A/P 6-092-04, design review of an additional covered area over parking and a new roof over an existing structure - CONTINUED 05/04/81.
- D. SR-325 - Randall E. Karkkanen, 75 Red Hill Avenue, A/P 6-214-03, sign variance to permit a projecting painted sign to extend above the roof line and be 32 square feet in size on each side.

Randall E. Karkkanen, applicant, present.

M/S Peterson, Ragan, to approve SR-325 for Randall E. Karkkanen, 75 Red Hill Avenue, A/P 6-214-03, sign variance to permit a projecting painted sign to extend above the roof line and be more than six square feet on each side; on the grounds there are unusual circumstances due to the one-way flow of traffic approaching the business; it is necessary for the enjoyment of substantial property rights of the petitioner; and will not materially affect adversely the health and safety of persons residing and working in the neighborhood.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

4. NEW BUSINESS

- A. V-942 - Christa Roberts, 1363 San Anselmo Avenue, A/P 7-052-05, variances to add to a nonconforming use - to construct a studio (not for separate living purposes) on an existing three unit lot (property is zoned for two family residential); the third living unit is legal, nonconforming); and by constructing an addition there is an addition to the nonconforming use of parking.

Christa Roberts, applicant, and Roger Dillan, property owner, present.

Ms. Roberts said they intend to repair the roof of this building and add a toilet and sink. She said one of the owners and his friend plan to move into one of the living units and would like to use this studio for some working space and do not intend to operate a business nor use the studio as living quarters.

Commissioner Ragan said the previous owners had people living in this studio, which he fears could happen again. He is concerned about the parking situation and overdevelopment of the lot.

Commissioner Peterson said he would rather let the people get full use of their property within reason.

Commissioner Signorelli said he is concerned about parking.

Richard Allen, Sleepy Hollow, suggested that the current owners should not be penalized for the violations caused by the previous owners.

Commissioner Signorelli said he would like to see the building repaired; however, is concerned about parking.

Ms. Roberts said the hardships involved are that the owner cannot move in unless he is able to utilize the shed and that the shed is existing and is not being used.

It was questioned whether a variance would be required if the bathroom was not installed. Ms. Burglin explained that the applicant would still be enlarging the use of the property by repairing the building and occupying such.

Commissioner Harle said with the bathroom addition he sees the potential for the studio becoming living quarters the next time the property is sold.

M/S Ragan, Harle, to deny V-942 for Christa Roberts, 1363 San Anselmo Avenue, A/P 7-052-05, variances to add to a nonconforming use - to construct a studio (not for separate living purposes) on an existing three-unit lot (property is zoned for two-family residential; the third living unit is legal, nonconforming); and by constructing an addition it is an addition to the nonconforming use of parking; on the grounds that it does not conform to the requirements of the San Anselmo Municipal Code as pertains to the hardship portion of that Code; and also that this would merely aggravate an already existing nonconforming use of the property.

Motion carried: AYES: Harle, Ollinger, Ragan
NOES: Peterson, Signorelli

Applicant was advised of the ten day appeal period.

- B. V-940 - Walden and Virginia Valen, 19 West Gate Way, A/P 6-121-30, a 2'4" east sideyard variance and a 3'7" west sideyard variance to construct an addition within 5'8" of the east side property line and 4'5" of the west side property line.

Walden and Virginia Valen, applicants, and their architect from Pike/Gentry Associates, present.

Ms. Valen said her westerly neighbor supports the application and she believes she can get a letter of support from her easterly neighbor.

Commissioner Ollinger suggested that the window that is proposed to wrap around the rear and west side of the building may look into the neighbor's window and that might be taken into consideration.

M/S Signorelli, Harle, to approve V-940 for Walden and Virginia Valen, 19 West Gate Way, A/P 6-121-30, a 2'4" east sideyard variance and a 3'7" west sideyard variance to construct an addition within 5'8" of the east side property line and 4'5" of the west side property line, on the grounds that it is necessary for the enjoyment of substantial property rights; it will not be detrimental to the health and welfare of those residing in that area; and is necessitated by the configuration of the home on the land.

Motion passed unanimously.

Applicants were advised of the ten day appeal period.

- C. V-941 - James E. McDowell, 30 Scenic Avenue, A/P 7-052-29, a four foot sideyard variance to construct a hot tub within four feet of the side property line - After-The-Fact.

James McDowell, applicant, present.

Mr. McDowell said the hot tub had been installed by a licensed contractor in Novato and there had been a misunderstanding as to who was suppose to obtain the permit - the owner or the contractor.

It was noted that letters of support had been received from both next door neighbors.

M/S Ragan, Signorelli, to approve V-941 for James E. McDowell, 30 Scenic Avenue, A/P 7-052-29, a four foot sideyard variance to construct a hot tub within four feet of the side property line; on the grounds that it is the only logical place the tub could be due to the configuration of the lot; it will not be a detriment to the neighbors; and will give the owner sufficient property rights.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

- D. SS-242 - Helen O. Wagner and Helen O. Gibbs, Sycamore Avenue, A/P 6-083-18, two-lot parcel split and environmental review.

Mr. Wagner and Mr. and Mrs. Gibbs, applicants, present.

Steve Dorinson, 130 Sycamore Avenue, expressed concern about the construction of a dwelling on a substandard lot that already has existing outbuildings.

Commissioner Harle said the two lots will not be out of character with the size of lots in the area.

Commissioner Peterson pointed out that with the new house there will be five structures on 1/3 of an acre and suggested a compromise of removing the greenhouse and shed and constructing a modest dwelling. Mrs. Gibbs said the proposed house will be approximately 1,040 square feet. Commissioner Peterson also suggested the applicants file a verified petition for exceptions with the Town.

Mr. Gibbs said they will remove the outbuildings (that is, the greenhouse, shed and garage) and will show their proposed building plans to the Dorinsons'.

M/S Ragan, Signorelli, to continue SS-242 for Helen O. Wagner and Helen O. Gibbs, Sycamore Avenue, A/P 6-083-18, to the meeting on May 18, 1981, with the applicants to submit a verified petition for the exceptions and to revise the tentative map to indicate which outbuildings are to be removed.

Motion passed unanimously.

- E. SS-243 - Mr. and Mrs. Albert Riebeling, 106 The Alameda, A/P 5-102-21, two-lot parcel split and environmental review - CONTINUED 05/04/81.
- F. V-944 - Robert and Louise Ubaldi, 110 The Alameda, A/P 5-102-55, a 1'3" sideyard variance to construct a staircase for a second story addition within 6'9" of the west side property line - WITHDRAWN.
- G. V-945 - Daniel Schreck, 9 Summit Road, A/P 7-031-02, an 18.06 foot frontyard variance and a 5.50 sideyard variance to enclose existing porches within 1.94 feet of the front property line and 2.5 feet of the southwest side property line.

Daniel Schreck, applicant, and Jack Mosher, Builder, present.

M/S Harle, Signorelli, to approve V-945 for Daniel Schreck, 9 Summit Road, A/P 7-031-02, an 18.06 foot frontyard variance and a 5.50 sideyard variance to enclose existing porches within 1.94 feet of the front property line and 2.5 feet of the southwest side property line, on the grounds that it will allow the enjoyment of substantial property rights; it will not be detrimental to the neighborhood; and it would be a hardship to relocate this type of improvement elsewhere on the lot due to the topography.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

5. Ordinance Amendment, Lumber Sales in C-2 Zones

M/S Ragan, Signorelli, that the Planning Commission recommends to the Town Council the Ordinance Amendment for Lumber Sales in C-3 Districts as outlined in the March 12, 1981, memo from the Planning Director be adopted.

Motion passed unanimously.

6. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 9:52 p.m. to the special meeting on April 27, 1981.

Lisa Burclin

LISA BURGLIN
PLANNING ASSISTANT