

A regular meeting of the San Anselmo Planning Commission was called to order on January 5, 1987 at 8 p.m. in the Council Chamber by Chairman McPeak. Planning Technician Wight was present.

ROLL CALL

Commissioners Present: Hayes, Kroot, Zaharoff, Chairman McPeak

Commissioners Absent: Harle, Manning

APPROVAL OF MINUTES, DECEMBER 15, 1986

M/S, Kroot-Hayes, to approve the minutes of December 15, 1986 as submitted. Motion passed unanimously.

PUBLIC HEARINGS

Z-241 - Town of San Anselmo, 1535 Sir Francis Drake Boulevard, A/P 5-153-01, proposed rezoning from C-1 (Neighborhood Business District) to either PPD R-2, PPD R-3 or PPD R-2/C-1 (Preliminary Planned Development with a presumptive use of either Two Family Residential, Multiple Family Residential or Two Family Residential/Neighborhood Business District) and the initial environmental review - CONTINUED TO 1-19-87.

V-2149 - Stephen Tillson, 105 Scenic Avenue, A/P 7-064-01, a 17 foot frontyard variance to construct a two-car garage with a second story office area within three feet of the front property line - CONTINUED TO 1-19-87.

V-2148 - Richard E. Nagley, 40 Butterfield Road, A/P 5-144-26, a seven foot north sideyard variance to raise a garage roof six inches within one foot of the north side property line with an eight inch overhang; a five foot north sideyard variance to raise a storage area attached to the garage 3.5 feet high within three feet of the north side property line with an overhang; and 18 foot rearward variance to raise a storage area roof 3.5 feet high within two feet of the rear property line - CONTINUED TO 1-19-87.

Z-242 - Mr. and Mrs. Paul Elliot, 57 Summit Road, A/P 7-031-41, proposed rezoning from PPD R-1 (Preliminary Planned Development with a presumptive use of Single Family Residential) to SPD R-1 (Specific Planned Development for one dwelling) (previously approved; however, a use permit was not obtained within two years so the zoning automatically reverted to PPD R-1) and the initial environmental review - CONTINUED TO 1-19-87.

U-616 - Mr. and Mrs. Paul Elliot, 57 Summit Road, A/P 7-031-41, use permit for a Specific Planned Development single family dwelling - CONTINUED TO 1-19-87.

V-2154 - Richard and Maureen Hochschild, 281A Crescent Road, A/P 7-222-42, a 12 foot rearward variance to construct a first floor addition within eight feet of the rear property line; a four foot frontyard variance to construct a first floor addition within 16 feet of the front property line - this addition is to have a one foot overhang; a seven foot frontyard variance to construct a retaining wall within 13 feet of the rear property line; a seven foot frontyard variance to extend a carport to accommodate two vehicles within 13 feet of the front property line.

Richard Hochschild was present.

At the direction of the Commission at the meeting of December 15, the applicant revised his drawings to enlarge the carport to provide for the required two off-street parking spaces. Planning Technician Wight reported that the enlarged parking area is still unworkable, due to the interfering location of the eucalyptus tree.

Mr. Hochschild explained that his neighbor at 96 Woodland Avenue was willing to sell him a portion of his property and therefore his ultimate plan was to build a triple carport on this new property. The plan submitted today was an attempt to just make the carport workable in order to obtain the Commission's approval of the variance for the house addition.

Commissioner Kroot said he would need to see parking spaces that were workable in order to grant the variance. Commissioner Zaharoff commented that if area from the adjoining lot is purchased, a two or three-car carport would be workable. Commissioner Hayes said he agreed with the previous Commissioners' comments and added that an open cardeck would be less looming.

Chairman McPeak said the applicant needed two 9' x 19' spaces that did not conflict with each other; the present proposal means that if two cars were parked in the carport, one would block the other.

M/S, Zaharoff-Hayes, to refer V-2154 back to the applicant for plans regarding parking in conformance with comments heard tonight. Motion passed unanimously.

V-2156 - Michael L. and Patricia Sterling, 378 Butterfield Road, A/P 5-041-18, a three foot north sideyard variance to construct a garage within five feet of the north side property line; a one foot north sideyard variance to construct a second floor open deck within five feet of the north side property line; and a three foot south sideyard variance to construct a living addition within five feet of the south side property line.

The applicants were present.

The proposal was to convert the garage to living area and build a new garage and open decks. The applicants have been granted a building permit for an additional living area that is not within the setbacks. The proposed 20 square foot area of first floor living addition on the south rear of the building would continue the building line within three feet of the south side property line. Staff reported that to conform to the setback would reduce the dining area.

Staff expressed concern about the reducing the north side setback less than the required 8 feet; since the south side setback is only 3 feet, the north side is the only access route for equipment to maintain the creek in the rear of the property.

Letters of support were received from neighbors at 374, 379, 644 and 666 Butterfield Road.

Mr. Sterling responded that it was not possible to get equipment to the creek anyway because of two structures and trees in the rear of the property. Furthermore, should the creek bank need support he would most likely use gabion cages, which are constructed and installed by hand.

Mrs. Sterling said it would be easier to access the creek through neighbors' property.

Don Rickers, 349 The Alameda, asked whether the Sterlings had permits to build decks. Chairman McPeak responded that this issue was not relevant to the application.

Commissioner Zaharoff said in theory she would have a problem with the north side variance due to creek access, but the issue is moot if machinery cannot pass anyway. She supported the south side variance.

Commissioner Hayes commented that given the small square footage involved in the south side setbacks, it seems harmless to extend the building line. He noted that prior to the most recent changes, the side setback was 5 feet; if 5 feet was previously adequate access width for equipment, it should also be sufficient now.

Chairman McPeak said he appreciated staff's concern about the access, but he would prefer to see the additional parking.

Commissioner Hayes objected to staff's recommendation that it be stated in the motion that the accessory structures are not second living units. He said he would not want the Commission to make an assumption to prejudice its use.

Commissioner Kroot supported the application noting that the garage will be an improvement and that neighbors have demonstrated support, and that the special circumstances are the narrowness of the lot and lack of another location for the garage without encroaching into the setback.

M/S, Hayes-Kroot, to approve V-2156, Michael and Patricia Sterling, 378 Butterfield Road, A/P 5-041-18, a three foot north sideyard variance to construct a garage within five feet of the north side property line; a one foot north sideyard variance to construct a second floor open deck within five feet of the north side property line; and a three foot south sideyard variance to construct a living addition within five feet of the south side property line, on the grounds that it is necessary for the enjoyment of substantial property rights, it will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood, it will not materially adversely affect the welfare of persons living or working in the neighborhood, and the special circumstances that exist are the narrowness of the lot and the proximity of the existing residence to the south side property line, in reference to the plans received by the Town 12-10-86. Motion passed unanimously.

V-2157 - Warren L. and Kathryn J. Prostrollo, 41 Prospect Avenue, A/P 6-181-10, a third story variance to construct a living addition; a six inch height variance for a chimney to be 35.5 feet in height from average grade; a six foot east sideyard variance to construct an open porch and stairs within zero feet of the east side property line; and an eight foot frontyard variance and two foot east sideyard variance to construct a first floor garage, second floor living room extension and third story living addition within 12 feet of the front property line and six feet of the east side property line.

The applicants were not present.

Staff recommended that the entry porch proposed on the east side be reduced to provide a two foot setback for maintenance purposes. Planning Technician Wight reported that staff was concerned about the looming affect the third story would have from the street and was further concerned about the impact of the addition on the neighbor at 31 Prospect, specifically in the loss of privacy and morning light.

Warren McKeen, Woodruff Road, said the house is exposed to the street on the front and sides and the third story structure will stand out boldly, particularly if the front setback is reduced to 12 feet. His other major concern is that cars are habitually parked on the street in front of this property, and the bigger the house the more inhabitants there could be.

Margaret Drohan, 31 Prospect, said the addition goes up the hill and overpowers her. The upper level deck will be right over her eating area, which is not light to begin with, and backyard.

It was the consensus of the Commission to continue the application to view the subject property from the neighbor's house at 31 Prospect, and to require the applicant to erect story poles at the front and back and at each corner.

M/S, Hayes-Kroot, to continue V-2157 to the meeting of January 19th. Motion passed unanimously.

ADJOURNMENT

M/S, Kroot-Zaharoff, to adjourn at 8:53 p.m.

Respectfully submitted,

Beth Calamar