

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR APRIL 20, 1992**

The regular meeting of the Planning Commission was convened at 8:00 p.m. in the Council Chamber by Chairman Kroot. Commissioners present were Julin, Harle and Sias, with Mihaly arriving at 8:05 p.m. Staff present were Planning Director Chaney and Planning Consultant Washington.

B. CONSENT

1. Minutes - April 6, 1992
2. **AR-9006/V-9039 - Luis Huerto-Rojo, 16 Ivy Lane, A/P 7-064-55, 1) a 20' front yard variance and a 16'6" rear yard variance; and removal of two trees (36" Bay, 12" Madrone); and 3) Design Review Amendment to construct a new single family residence, on property located within the R-1 Zoning District (above 150 feet mean sea level).**
3. **DR-9206 - On-Line Construction for Bank of America, 401 San Anselmo Avenue, A/P 7-251-22, design review for installation of a new automated teller machine (ATM) on property located within the C-2 Zoning District.**
4. **V-9209 - Steve Marshall, 87 Ridge Road, A/P 5-172-57, a 20 foot front yard setback and 0' side yard setback to construct a carport on property located within the R-1 Zoning District (within the 150' mean sea level).**

The consensus was to move the minutes to the end of the agenda.

M/S Julin/Harle, to approve items 2, 3 and 4 on the consent agenda. Motion unanimously passed.

2. AR-9006/V-9039 - Luis Huerto-Rojo, 16 Ivy Lane, A/P 7-064-55, 1) a 20' front yard variance and a 16'6" rear yard variance; and removal of two trees (36" Bay, 12" Madrone); and 3) Design Review Amendment to construct a new single family residence, on property located within the R-1 Zoning District (above 150 feet mean sea level). Reasons for approval are stated in Resolution No. 92-01. Audience advised of the ten day appeal period.

3. DR-9206 - On-Line Construction for Bank of America, 401 San Anselmo Avenue, A/P 7-251-22, design review for installation of a new automated teller machine (ATM) on property located within the C-2 Zoning District. Reasons for approval are as follows:

1. Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area. The new ATM will be adjacent to and similar in appearance to the existing ATM. Both will be handicap accessible in accordance with the law. Both ATMs are located within a recessed portion of the building which is partially hidden from view and does not disrupt the architectural integrity of the building's design. 2. *Provides for protection against noise, odors, and other factors which may make the environment less desirable.* Except during construction, the new ATM will not emit noise, odors, or other environmentally undesirable features. 3. *Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy.* Installation of a new ATM with handicap access will not cause surrounding areas to depreciate in value or appearance in that it will be located in a recessed alcove of the building which is not highly visible from the street. 4. *Will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel.* Many people using the existing ATM are pedestrians who have other business in the Downtown area. Thus, additional congestion is not expected. Because the ATMs are set back from the sidewalk, they will not impede pedestrian traffic nor distract motorists. 5. *Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area.* The proposed installation of the ATM will conform with all established codes including handicap requirements and should not create any adverse or hazardous conditions during construction or after completion. **Conditions of approval are: 1. That the new ATM, and handicap retrofit of the existing ATM, be built per plans date stamped received by the Town on March 25, 1992.** Audience advised of the ten day appeal period.

4. V-9209 - Steve Marshall, 87 Ridge Road, A/P 5-172-57, a 20 foot front yard setback and 0' side yard setback to construct a carport on property located within the R-1 Zoning District (within the 150' mean sea level). Reasons for approval are as follows:

1. *Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated;* This parcel has a very extreme down-slope that limits the potential building area on the site. Therefore, a variance can be justified because it is not feasible to construct covered parking anywhere else on the lot. Other parcels along this portion of Ridge

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Road have been granted similar variances for parking structures. 2. *The granting of such variance, under the circumstances of the particular case, will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.* This will not materially impact any of the neighboring properties in this area nor will it cause any detrimental impacts for the neighborhood. The adjacent neighbors to this property will be some distances from the carport and will not have any portions of their property impacted, with a reduction in light, air, or visibility. **Conditions of approval are:** 1. **That the carport shall be constructed in accordance with the plans date stamped by the Town on March 6, 1992.** The audience was advised of the ten day appeal period.

C. PUBLIC HEARINGS CONTINUED TO THE MEETING OF May 4, 1992

1. **PS-9201 - Geoffrey Koblck et al, 6-42 Red Hill Avenue**, A/P 6-201-02, amendment to a land division approval to delete a mutual access easement condition, on property located within the C-3 Zoning District.

2. **Water Well Ordinance - Town of San Anselmo** - Consideration of the adoption of a well ordinance relative to their construction, reconstruction, maintenance, removal and monitoring.

3. **V-9207 - Gene and Barbara Stockwell 1 Hilldale Drive**, A/P 6-166-07, a 2' side yard variance to construct a second floor addition on property located within the R-1 Zoning District.

D. PUBLIC HEARINGS

1. **V-9208 - John Oldfather and Holly Ford, 158 Pine Street**, A/P 7-251-31, 1) a 4'8" side yard variance; and 2) a 1' front yard variance to construct a second floor addition; and 3) a two car parking variance to locate parking within the front and side yards, on property located within the R-1 Zoning District.

Mr. Oldfather was present.

Mr. Washington presented the staff report.

Mr. Oldfather stated that his house was currently about 1,200 square feet and they are proposing to lift the house up because they have a new roof on the house now. Also, by lifting the house they will not have to tear off the existing siding or shear wall. They also want to maintain the character of the existing house. With regard to parking, he said that most of the cars in the neighborhood park in the driveway even though garages exist. He stated that his neighbor at 160 Pine was in support of the project and presented testimony to that effect.

John Barnes, 154 Pine Street, stated that the homes in this area are small and families that are growing need more room. He would like to see the downtown sustain families and therefore he supported the desire of the applicants to construct a second story. He did suggest to the applicant however, that the addition did look quite bulky.

Commissioner Julin supported the staff recommendation of either a denial or a redesign by the applicant although the rationale to raise the house was a compelling reason. She felt the addition would be much too close to 160 Pine. She added that she did not support the addition at 154 Pine that was previously approved and she did not want to see the precedent continue. She was inclined to support the parking variance.

Commissioner Harle agreed that there will be requests for expansion in this area and generally supports this however, he could not support this proposal in its current form because of the closeness to the neighbor at 160 Pine. He stated that the lot is narrow but even in its present form it is encroaching into 160 Pine Street. In general the design and reasons for the addition as stated by the applicant are good although he could not support the project.

Commissioner Mihaly was unable to support the variance for the reasons stated by his colleagues. If the addition was allowed it would make the area too dense. He felt there were alternative ways to build up without creating such density. He wondered if parking could become a non issue because the applicants were still able to park on site even though they were unable to access their garage.

Commissioner Sias agreed with his colleagues about the second story addition. He would like to see as much light and greenery as possible surrounding the houses. He felt that was as important in the flat lands as in the hillsides. With regard to parking, he felt that the Commission had to act on the parking if the applicants have taken away usable parking.

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Chairman Kroot thought the design was handsome but was afraid the addition would be too looming and out of scale for the neighborhood. He would like to see the second story walls lower and then perhaps peaked in the center. He was sympathetic about the parking and did not see a detriment. In fact it might be a benefit not to have the cars so far to the rear because of the potential noise that could bother the neighbors.

Mr. Oldfather wanted to know if the Commission could give them guidance on how much of a variance they could approve, if any. Ms. Chaney stated that staff would be willing to work with the applicant and his architect to come up with a plan that would be favorable.

M/S Mihaly, Sias, to continue V-9208 - John Oldfather and Holly Ford, 158 Pine Street, A/P 7-251-31, 1) a 4'8" side yard variance; and 2) a 1' front yard variance to construct a second floor addition; and 3) a two car parking variance to locate parking within the front and side yards, on property located within the R-1 Zoning District. This is continued to the meeting of May 18, 1992, to allow the applicant time to redesign.

Motion unanimously passed.

As an aside, Commissioner Mihaly stated that he is opposed to the variance in its current form and this continuances will allow the applicant time to redesign to conform. However, he acknowledged that the Planning Commission has granted a foot or two variances in the past.

Commissioner Harle stated that a variance for tandem parking is normally fine but it should be noted that if this particular variance is granted the Commission would be allowing storage in a garage that currently exists.

Commissioner Sias thought the applicants might consider tearing down the garage to allow for more open space.

Commissioner Julin stated that she would like to see staff withdraw the parking variance portion. Many cars are parked out of doors and as long as the garage doors are not removed, it could still be considered a garage. She suggested a gate instead of the retaining wall. That would give the owners access to the garage.

2. Minutes of April 6, 1992

M/S Julin/Mihaly, to approve minutes of April 6, 1992.

Ayes: Kroot, Mihaly, Julin

Abstain: Sias, Harle

Motion carried.

E. GENERAL DISCUSSION

Ms. Chaney stated that the Council is asking for a Planning Commission to sit on the Library Review Committee. By consensus, the Commission appointed Commissioner Julin.

Ms. Chaney asked the Commission for any recommendation on view points for a visual simulation on the 663 Oak Avenue project. Julin recommended San Francisco Blvd near Sir Francis Drake Blvd. Others commented that the HUB would not be a preferred location. The Commissioners also suggested that a group tour of the site be conducted at a future date.

H. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 9:40 p.m. to the next meeting on May 4, 1992.

BARBARA CHAMBERS