

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF AUGUST 19, 2002**

CALL TO ORDER

Commissioners Present: Chair Jochum, Vice-Chair Harris, Commissioners House, Sisich, Wittenkeller, Zwick
Commissioner Absent: Commissioner Fernandez

OPEN TIME FOR PUBLIC EXPRESSION

None

CONTINUED PUBLIC HEARINGS

1. **V-0233 – William and Paula Raudlo, 50 Florence Avenue, APN 007-014-30**, a lot coverage variance to construct a 177 square foot first story addition at the rear of the dwelling, in conjunction with removing a 500 square foot shade structure and a hot tub, such that the existing 45% lot coverage will decrease to 39% (Code maximum: 35%), located within the R-1 Zoning District. (Staff person: Bell) **CONTINUED TO 9/3/02**
2. **ER-0201/UP-0206/DR-0216 – Hunter House Foundation, Michael Barber, 19 Ross Avenue, APN 007-284-48** (property extends between Ross and Mariposa Avenues (between Nos. 15 and 23 Ross Avenue and between Nos. 8 and 18 Mariposa Avenue): environmental review, rezoning to Specific Planned Development for a total residential density of 12 living units (2: market rate, 2: at or below 50% median, 4 at or below 60% median, and 4 at or below 80% median), and design review of two 3,854 square foot, two-story new dwelling structures (6 units each) with access from both Mariposa and Ross Avenues. The existing structures are proposed to be removed from the property, located within the C-2 Zoning District. (Staff person: Wight) **CONTINUED TO 9/3/02**
3. **V-0230/DR-0222 – Jeff and Diane Ramsey, 16 Spruce Avenue, A/P 007-024-05**, hillside design review, front yard setback and height variances to construct a new 1,832 square foot, 3 story dwelling and garage within 15.5' of the front property line (Code setback: 20') and to be 40' above average grade (Code height maximum: 35' above average grade; and design review of the project, located within the R-1 Zoning District (above 150' msl) (staff person: Wight) **CONTINUED TO 9/3/02**

PUBLIC HEARING ITEMS

CONSENT AGENDA

1. **MINUTES – August 5, 2002**
2. **DR-0226 – Town of San Anselmo, APN 007-213-70** - Design review for consideration of one air conditioning unit and ladder on Library roof.

Planning Director Bell presented the staff report. Commissioner Harris inquired about the positioning of the ladder. Mr. Bell said that it would be partially hidden from the direction of the parking lot and would be painted to blend in with its surroundings.

M/s WittenkellerHouse and unanimously passed (5-0) to approve the Consent Agenda.

REGULAR AGENDA

3. **V-0234/DR-0225 – Chris Smith and Kim Thorn, 100 South Oak Avenue, APN – 007-241-68 & 71**, precise development plan and hillside design review of a proposed 4,389 square foot dwelling, 816 square foot garage, 100 square foot cabana, and 371 square foot deck and porch areas, located on property within the R-1 H zoning district. (Staff person: Wight)

Sr. Planner Wight presented the report noting that the information, which was requested at the last meeting, had been provided. Ms. Wight recommended approval of the project with the added conditions.

The applicant, Chris Smith, presented a map showing south views from the house. He also brought letters of support from neighboring properties.

With reference to the last meeting, the applicant asked the Commissioners to note the saving he had made on the number of truckloads of earth to be carried away. He confirmed that he had shown John Deignan, 60 South Oak, the trees to be removed and had marked out a trail as requested at the last meeting.

Commissioners Wittenkeller, Sisich and Harris remain concerned with the amount of soil needing to be excavated and dealt with. The applicant explained that he had not studied alternative house designs and the roofline remained the same. However, he had concentrated on the issue of soil distribution. Additional terracing would use some of the soil, as would the driveway, which had increased 2ft to 14ft at the request of the Fire Marshall. Overall, the applicant is keen to use as much soil as possible to reduce haulage, which is both expensive and troublesome to the neighbors.

The landscape plan is of concern to Commissioner Wittenkeller. He pointed out that of the 14 plants specified, 7 species are not deer-proof according to his reference sources. Furthermore, he is concerned that the plan to distribute soil around the remaining trees may be harmful, noting the applicant will be bound by condition #6. He suggested the applicant submit another plan to staff.

Commissioners Zwick and Harris share Commissioner Wittenkeller's concern that the house remains hidden by vegetation.

Commissioner Harris is disappointed that the applicant failed to explore alternatives to the cut he proposes, an opinion he shares with Commissioner Sisich.

Commissioners House and Zwick are in favor of the house but remain concerned with the roof color. The applicant presented a selection of roof tiles for the Commissioners to study. Chair Jochum favors a darker roof and is in agreement with the other Commissioners who would like the house to blend in with the landscape as much as possible.

M/s Jochum/Zwick and passed (5-0) to approve staff report with conditions, with the exception of the roof color (4-1: Noes: Harris). Ms. Wight will ensure the chosen roof tile is made a condition of approval. As a further condition, a revised plant list must be submitted and approved by Staff.

4. **V-0232 – Roger Machson, 59 Grove Lane, APN 007-162-39**, variance to build a 213 square foot accessory structure with a maximum height of 8'-6" within 4'-2" of the rear property line (Code: 20') and 5'-2" from the east side property line (Code: 8'), located within the R-1 Zoning District. (Staff person: Chambers)

Mr. Bell presented the report, noting that staff can support the project as long as the shed is adequately screened.

Mr. Bell confirmed that the previous structure was illegal and non-conforming but that Staff Chambers supported the variance because the owner had previously enjoyed entitlement to a similar structure. A variance is necessary because the new structure, which is already in place, is 10 inches taller than the old shed.

Commissioner Sisich suggested a trellis to screen the structure, acknowledging that it would not conform to height restrictions. Mr Bell confirmed that this solution had been denied to another applicant, recently.

The applicant, Roger Machson, explained that his intention was to replace the previous structure, which was in a poor and dangerous state, with another that was smaller in size to give him more yard space. The increase in height raises the structure out of the flood plain. The applicant is surprised by the objections raised because the previous shed was an eyesore and in a state of dilapidation. He considers the new structure attractive and an improvement.

In answer to Commissioner Zwick's inquiry, Mr. Bell confirmed that a permit had not been granted to build the shed. Commissioner Zwick was surprised that the applicant left responsibility for the permit solely with the contractor. Similarly, he feels that the Commission cannot be sure that it was built to code if no inspections were conducted.

Commissioner Sisich asked the applicant if vegetation could be planted to screen the shed. The applicant explained that he had already planted a tree on one side and could put in another. However, a large tree overhangs the back of the shed, under which nothing grows easily.

Daniel Krebs, of 48 San Rafael, has a view of the south side of the structure. He had not realized that the shed would be so tall, otherwise he would have voiced his objections to the applicant. As a solution, he proposed a trellis but had been told that this would contravene Town regulations. He is further concerned that the slope of the shed will cause excessive amounts of water to pour on to his property during the rainy season. Mr. Krebs presented photographs showing the visibility of the structure from his property.

Susan Krebs, of 48 San Rafael, confirmed her objection to the height of the shed.

Commissioner Wittenkeller suggested the materials be changed to a darker shade or that, subject to staff review, wire or an open trellis be erected over which fast growing plants could grow. The owners remain concerned that vegetation may not survive and repeated their proposal of a lattice structure.

Commissioner Zwick suggested that the owner may be willing to pay for landscaping on the property belonging to 48 San Rafael Ave. However, the Krebs said that vines had failed to grow in the area because it is too shaded. Furthermore, a lattice structure had previously existed but had been removed when the fence had been fixed.

Commissioner Harris asked if they were aware of the existence of lattice structures in the neighborhood. One or two examples were brought to the Committee's attention.

Kim Summers-Silva of 44 San Rafael Avenue disagreed with the trellis solution, given the general view that vegetation is difficult to grow in the area. She favored a taller fence or reducing the height of the shed. The applicant responded that replacing the fence would be far from ideal, given its length, and particularly because the main purpose is to hide the length of the shed, only.

Commissioner House suggested a variety of plants that may grow in such an environment. She further suggested the guttering be painted and the walls be stained so that the structure would blend more with the landscape. Commissioner House is inclined to oppose a trellis based on the Commission's recent ruling on a different property.

Commissioner Sisich would agree to a trellis if it were considered the best option, particularly as one had existed previously and there were other examples in the neighborhood.

Commissioner Zwick is uncomfortable supporting a solution to a project that was built illegally, particularly in view of the decision to deny a similar variance for a project proposed using the normal channels.

Commissioner Wittenkeller is in favor of the vegetation option but would support the trellis if is preferred by the neighbors and applicant. He suggested postponing a decision for staff to set a variance, which could be heard by the Commission. Commissioner Wittenkeller further suggested the applicant put in four 15-gallon, 8ft tall shrubs or small trees that would shield the structure. This option would be cheaper than a fence.

Commissioner Harris said that lowering the height of the structure should not be ruled out. He suggested the neighbors consult one another and present their preferred option to the Commission. He further suggested that the guttering be painted a different color.

Chair Jochum supports Commissioner Harris' view that the neighbors come to an agreement, whether the shingles be stained a darker color or a small lattice put up. It must be worked on as soon as possible should the Planning Director need to set a variance for the next meeting.

M/s Wittenkeller/Harris, and unanimously passed (5-0), to continue the application to the meeting of September 3, 2002.

5. **V-0236/DR-0228 – Ned and Karen Farnkopf, 146 Calumet Avenue, APN 006-071-11** – variance to construct a garage and dwelling within 5' of the street side property line (Code: 12'), and design review to raise an existing 1,230 square foot dwelling 3' vertically creating a second story, modify the existing roofline, and construct a second story addition of approximately 697 square feet with upper deck areas of 330 square feet, located within the R-1 Zoning District. (Staff person: Bell)

Planning Director Bell presented the report.

The applicant, Morgan Hall, explained why he considers the variance does not grant special privileges. First, the side yard setback is just 1' more than the side yard setback of a nearby property. Second, Karl Avenue functions more as a driveway than as a thoroughfare and, therefore, it may not be considered fair to apply standard setbacks. The road allows for pedestrian access to a footbridge but otherwise only the neighboring properties and emergency vehicles use the road. Third, he asked the Commission to take into consideration the sewer line that has been put in the back of the property.

Mr. Hall explained that the original design of the house ensured a larger rear yard for the family's use and thus the corner of the garage meets the same 5' setback as the house. In view of the sewer line, it was a good decision. However, his client now needs a variance because he cannot extend into the back of the property.

Commissioner Sisich expressed confusion over the height of two of the story polls, which the plans indicate as being over 10ft tall. The owner confirmed that the poles had been set at the allowable height of 9.5ft. However, he confirmed that two further poles had not been erected because he had not been able to work with the grade but confirmed that the tallest story polls indicate the height of the eaves. These poles were put in place on Friday, 2 August 2002. Commissioner Sisich is concerned that the neighbors are unable to decipher the correct height of the roof and believes that the story polls are incorrect.

Commissioner Zwick is concerned that the neighbors may not have had a fair opportunity to see the story polls in place. However, Mr. Bell noted that the neighbors had submitted letters of support before any story polls were erected. One letter of complaint had been received from a homeowner whose property is 23' from the owner's property. Mr. Bell has not ordered a shadow study in view of the distance. Commissioner Zwick favors the project since the neighbors have no objections.

Chair Jochum feels that the design suits the neighborhood and noted that the house across the street is much taller. He believes it is appropriate for the Commission to vote on the project because it gained neighborhood support before the story polls were in place.

M/s Harris/House, and passed (4-1 Noes: Sisich) to approve the project based on the findings and conditions as set forth in the staff report.

Chair Jochum advised all parties of interest of the ten-day appeal period to the Town Council.

E. GENERAL DISCUSSION

Commissioner Zwick commented that it would be helpful to display a map of the trails in the General Plan. Ms. Wight confirmed that the Town is prohibited from publishing the Worn Springs Trail.

F. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

None.

G. ADJOURNMENT TO THE SPECIAL MEETING ON TUESDAY, SEPTEMBER 3, 2002.

The meeting was adjourned at 8.45pm.



**JOANNE O'HEHIR
SENIOR ASA**