

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF OCTOBER 7, 2002**

**CALL TO ORDER**

**Commissioners Present:** Chair Jochum, Vice Chair Harris, Commissioners House, Fernandez and Sisich

**Commissioners Absent:** Zwick and Wittenkeller

**OPEN TIME FOR PUBLIC EXPRESSION**

None

**CONTINUED PUBLIC HEARINGS**

1. **ER-0202/PS-0201/PDP-0203/DR-0231 - Stonecraft, LLC, 531 and 535 Oak Avenue (located between 541 and 565 Oak Avenue), A/P 7-201-15**, environmental review, parcel split, precise development plan (including amendment to previously-approved building envelopes and driveway location), and design review, for two new single family dwellings: No. 531: two-story, 3,985 square foot dwelling and 495 square foot garage, and decks; No. 535: three-story, 4,480 square foot dwelling, 825 square foot garage, 170 square foot pool house, and decks, on property located in the R-1 H zoning district (Residential, Hillside Density). (Staff person: Wight) **CONTINUED TO THE MEETING OF OCTOBER 21, 2002**

**PUBLIC HEARING ITEMS**

**WITHDRAWN**

1. **V-0239 – Tim and Pilar Maas, 110 Calumet Avenue, APN – 006-071-04**, variance to construct a spa within 3' of the side property line (Code: 8') and a variance to construct a guestroom addition of 216 square feet within 5' of the side property line (Code: 8'), on property located within the R-1 zoning district. (Staff person: Bell)

**CONSENT AGENDA**

2. **MINUTES – September 16, 2002**
3. **DR-0230 – William and Barbara Powers, 396 Redwood Road, APN 7-360-02**, design review amendment to change the previously approved exterior colors on property located within the R-1 H zoning district. (Staff person: Wight)
4. **V-0240/DR-0234 –Debi Dean and Paul Ulsich, 56 Crooked Avenue, APN – 006-115-09**, rear yard setback variance to construct a second story addition within 12' of the rear yard (Code: 20') and design review to add a master bedroom study of 146 square feet and a bay window of 18 square feet to a front bedroom, and a roof deck of approximately 316 square feet, on property located within the R-1 zoning district (above 150' msl). (Staff person: Bell)
5. **DR-0213 – Lawrence Goldfarb, 96 Avenue del Norte – APN – 006-181-42** – design review of a 330 square foot arbor that will replace a 330 square foot enclosed solarium, on property located within the R-1H zoning district. (Staff person: Chambers)
6. **DR-0232/U-0211 – Roni and Nancy Akmon, 1509 San Anselmo Avenue, APN 7-011-24**, use permit to change previously-approved use of one commercial space and one living unit to two living units on property located within the C-1 zoning district. (Staff person: Wight)
7. **DR-0235 – Laura Merrill, 285 Redwood Road, A/P 7-097-06**, design review amendment to change the previously-approved roof material on property located within the R-1 H zoning district.
8. **V-0241/DR-0233 – Brian B. Beard and Kristen Gregoriex, 25 Fernwood Drive, APN – 007-131-05**, variance for construction of a garage within 1'-4" of the front property line (Code: 20'), variance for a retaining wall to be within the front yard up to 6.5' in height (Code: 4' maximum); and design review of proposed additions totaling approximately 1,085 square feet, side and rear yard decking of approximately 330 square feet and construction of a garage of approximately 470 square feet, on property located within the R-1 zoning district (above 150' msl). (Staff person: Bell)

M/s House/Fernandez, and unanimously passed, to approve consent agenda with amendments to Minutes page 5, 59 Grove Lane to change vote of Harris to "no".

The audience was advised of the ten day appeal period to the Town Council.

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**REGULAR AGENDA**

9. **U-0212/SR-0202 – Ammanullah Damani for Bolinas Market, 4 Bolinas Avenue, APN 007-302-17**, Use Permit and Sign Review for a new convenience store to be located within the existing commercial center (previously occupied by the Quick Stop) on property located within the C-3 zoning district. (Staff person: Bell)

Planning Director Bell presented the staff report.

Marshall Jainchill, representative of the property owner, explained that Quick Stop did not renew its lease and this applicant is interested in taking over the space. They have three other locations and are successful. They will also sell beer and wine. The colors will match the existing colors and the signs will comply with the code.

Commissioner Sisich said the building could use some maintenance and garbage should be removal. He would like to require the building to be painted as part of the approval. He has some concerns about the operation of the store. He would also like to see the florescent fixtures have covers.

Commissioner House said the building looks run down and should be painted and have better lighting with fixture covers. Otherwise, she is in support of the project.

Commissioner Harris said hopefully the applicant would do the cutting edge of what is required with regard to display and sale of cigarettes.

Commissioner Fernandez and Chair Jochum agreed with what has been said.

M/s House/ Fernandez, and unanimously passed (5-0) to approve the application based on the findings and conditions in the staff report; with amended conditions to include: the building shall be painted prior to occupancy the same colors as are on the building now; and the Planning Director shall review lighting and fixtures with applicant, including the two long florescent fixtures that were added without fixtures that need to be covered.

Chair Jochum advised all parties of interest of the ten day appeal period.

10. **V-0230/DR-0202 – Jeff and Diane Ramsey, 16 Spruce Avenue, APN 7-024-05**, design review of a 3 story, 1,832 square foot single family dwelling; a height variance for the dwelling to be 36.75' above average grade (Code: 35'); and a setback variance for the garage to be within 15.5' of the front property line (Code: 20') on property located within the R-1 zoning district (above 150' msl). (Staff person: Wight)

Senior Planner Wight presented the staff report. She noted that the average height is 40' as calculated by the applicant's architect, not 38'-5" as staff has stated in the staff report.

Scott Couture, architect representing the applicants, explained how the house was sited and designed. He noted that the house was laid out using the Bald Hill height calculations even though a height variance is required. The house was sited so it could be lowered quickly down the hill and out of the way of 14 and 18 Spruce Avenue. They are open to suggestions from the Commission regarding colors and suggest painting the color sample on the building. No landscaping is proposed but they planted redwoods for 14 Spruce, next door. Regarding the survey, the existing survey was recorded in 2000 and used for 14 and 16 Spruce. The road is extremely narrow and the site steep but the Ramsey's have reconstructed 12 Spruce and built the new house at 14 Spruce and are very familiar with the street.

Commissioner House asked about moving the garage further away from the road but leaving the house in its current location. Mr. Couture responded that would negatively impact 14 and 18 Spruce. Even by adding 2' to the parking area cars could not parallel park because you can't back out straight.

Commissioner House asked about having the driveway apron go to the edge of the property lines to make it easier for cars to get in and out. Mr. Couture said he had no problem with that.

Commissioner Sisich asked if the house would be visible from the lot below on Forrest. Mr. Couture responded that there are many bay trees between the lots, which would screen the house.

Jeff Ramsey, applicant, said he has gone through an extensive survey and he had a dispute with the Ross Valley Sanitary District regarding the sanitary easement, which was placed on 14 Spruce; and went through a two-year process, proving that his survey is correct. The Sanitary District now says they would move it to the correct easement. There has been no additional information that disputes the current survey.

Paul Thompson, 18 Spruce, stated that the west side property line goes through his property based on the new survey. He always thought there would be a 13' separation but that is not the case

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now. He would like the Town to verify the story poles to make sure they are in the same location of where the foundation will be.

In response to Commissioner Harris, Mr. Thompson said the windows facing the proposed house are for two offices, his master bedroom and bathroom. The bedroom window was constructed with translucent glass with the full knowledge that a house would be built next door.

Commissioner House asked what the impact would be if the garage was moved further up. Mr. Thompson said it would have no impact on him.

In response to Commissioner Sisich, Mr. Thompson said he was told by the architect that the east story pole was 13' from his house.

John Sawyer, 30 Spruce, said he would like the property line issue resolved prior to permits. The parking on Spruce is very difficult and he would support the garage being moved further away from the street so they can get more offstreet parking.

Ted Fehlhaber, 12 Spruce, said he has been working on a lot line adjustment since he has heard of the survey. 7 out of 8 owners in the neighborhood have agreed verbally to do a lot line adjust. He is urging the Commission to delay the process until all the lot lines are done.

In response to Commissioner Sisich, Mr. Fehlhaber said he does accept the Walling survey but it would change the setbacks.

Jefrey Reinders, 67 Spruce Avenue, supports the neighbors. He is very sensitive to parking because of the safety aspect due to the very narrow street. He wants two cars to be able to park on the parking deck because the garage will not be used to park the vehicles.

In response to Chair Jochum, Mr. Reinders said there is a question about the origin of the starting point of the survey.

Commissioner Fernandez asked how far along the neighbors are in the process of lot line adjustments. Mr. Fehlhaber responded that they have a quote and verbally 6 out of 7 owners are in agreement but it could take 3 to 6 months.

In response to Commissioner Fernandez, Ms. Wight said the Town Attorney agrees that the item should still be heard tonight.

Mr. Couture said the survey information is accurate. The only information the neighbors have for the discrepancy is that they have taken the measurements themselves and they are not surveyors. It sounds like an enormous undertaking to have all the lot lines adjusted for several properties. There has been no indication that there are any discrepancies since this record of survey. Regarding the parking area, he spoke with the applicants and they are willing to decrease the depth of the garage to accommodate cars on the parking deck. Regarding lowering the roof pitch to 4:12, he is not in favor of that architecturally. It would only be lowered one foot and would not give anyone additional light. Regarding the location of the story poles, he believes the story poles are in the correct location. He would have the foundation surveyed, which is typically done during construction.

Commissioner Harris said even though a variance would be necessary, perhaps the house could be moved one foot closer to 14 Spruce, which would give Mr. Thompson additional space. Also, the house is pushing the maximum and wonders what other designs would lengthen the house down the hill. Mr. Couture responded that if the house was longer and lowered, it creates a very inefficient interior access. The house is only 1,800 square feet, which is not very large.

Commissioner Harris asked about the flexibility in color with white vinyl windows. Mr. Couture explained they are willing to work on all the colors, including the window colors.

Commissioner Sisich suggested a continuance so they can move the garage back. He does not want to see white colors, and wants darker shingles. In terms of the survey, he would find it a bit punitive to ask the owner to hold off on their plans until the lot lines are completed. Regarding the story poles, he would like the locations verified and would support having the foundation certified by a surveyor.

Commissioner House said other projects have required expanding the roadway to 12'. Ms. Wight explained that Condition 4 in the Resolution states the Public Works requirements, which does not include widening.

Commissioner House also wanted all surfaces to maintain the low visual profile, including the muttons. And would like to expand the driveway to the east side so it hits the road. Ms. Wight said that is the Public Works Director's call, but she will forward the recommendation.

Further, Commissioner House recommended pushing the garage back and would like the roof pitch lowered to 4:12. The applicants, with this legal lot of record with a legal survey should go forward

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with this project. She likes how the design breaks up the mass of the house. She would like the foundation surveyed.

Commissioner Harris said they cannot inject the Town process with a private dispute. This survey has been on record for two years. Given the site, it is a nice design, but it goes up against the allowable limit. The white windows need to be changed. He has no problem with the height of the garage because it would not make a difference on the street. He wants story poles verified prior to next meeting.

Commissioner Fernandez did not feel the project should be held up due to lot line adjustments.

Chair Jochum said he is willing to vote on the project as it is shown on the drawings; he would be in favor of having the foundation certified and would like the garage moved back and colors changed. He would like to know if an easement can be granted for a main structure, because he did not think so. The colors should be determined on site. He can support staff's recommendation of 17 foot.

Commissioners' Harris and House said they would like 19'.

Couture said 17' can be accommodated and is workable with parking also.

Consensus by the Commission to have the story poles moved to reflect the new location and location to be reverified by a contractor.

Commissioner Harris suggested contacting the neighbor of 18 Spruce so he can look at the west story pole.

M/s House/Fernandez, and unanimously passed (5-0) to continue the application to 10/21/02.

**GENERAL DISCUSSION**

None

**REPORT OF UPCOMING APPEALS TO TOWN COUNCIL**

32 Sir Francis Drake Boulevard will be heard at the 10/22/02 Town Council meeting.

**ADJOURNMENT TO THE REGULAR MEETING ON MONDAY, OCTOBER 21, 2002.**

The meeting was adjourned at 9:30 p.m.

  
**BARBARA CHAMBERS  
PLANNING TECHNICIAN**