

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF APRIL 3, 2006**

**A. CALL TO ORDER**

**Commissioners Present:** Chair House, Vice-Chair Krebs, Harris, Overberger, Sisich, Schinner, Zwick

**B. OPEN TIME FOR PUBLIC EXPRESSION**

No-one spoke during this time.

**C. CONTINUED PUBLIC HEARING ITEMS**

1. **V-0604/DR-0604 - Brian Clark, 190 Scenic Avenue, APN 007-063-15, Hillside** Design review of a new 4,338± square foot, two story single family dwelling, a 642± square foot pool house, a 642± square foot carport, and uncovered deck terraces; a Parking Access Variance to access the property via an easement over APN 007-063-11 (undeveloped lot known as 186 Scenic Avenue); and Setback Variances for 1) the new dwelling to be located within 15'2" of the front property line (Scenic Code setback: 20' front yard setback with a 2' roof eave projection); and 2) retaining walls up to 42" above existing grade to be located within 0' of the east side property line, on property located in the R-1 C zoning district. (staff person: Wight) CONTINUED TO 4/17/06

**D. PUBLIC HEARING ITEMS  
CONSENT AGENDA**

1. **Minutes – March 20, 2006 - CONTINUED**
2. **V-0618 - Daniel Deffner, 33 Nokomis Avenue, APN 006-074-33,** setback variance to reconstruct and relocate a garage within 6" of the side property line (moved closer to the street) (Code side setback: 8') on property located in the R-1 zoning district. (staff person: Wight)

Commissioner Overberger recused herself because she lives within 300 feet of the property.

M/s Zwick/Harris and unanimously passed (5-0) to approve Item 2 on the Consent Agenda. Chair House reminded the hearing of the 10-day appeal period to Town Council.

Commissioner Sisich joined the meeting.

**REGULAR AGENDA**

3. **V-0617/DR-0606 - Shana Larkin, 11 Sturdivant, APN 006-181-12 and 006-181-14,** Hillside Design Review and Setback Variance for a new 629± square foot garage with a 519± square foot room above (living area, not a second living unit) to be within 4' of the front property line; and a 118± square foot entry deck. The second driveway will require an encroachment permit from the Public Works Director. (staff person: Wight)

The reading of the staff report was waived.

In response to Michael Pettit, architect for the project, Planning Director Wight said that a deed restriction is usually required for the colors of hillside homes, but that it could be amended.

Mr. Pettit said that the applicant no longer desires white windows.

Commissioner Schinner joined the meeting.

M/s Zwick/Harris and passed (6-1 abstention: Schinner) to approve the staff report with the condition that the color scheme be approved by staff administratively.

Chair House reminded the hearing of the 10-day appeal period.

4. **V-0535/DR-0530 – Greg and Kristi Bush, 142 Sequoia Drive, APN 006-114-05,** 1) Setback Variance to add a ±113 square foot covered porch within 18' of the front and 8'-6" of the street side property lines (Code: 20' and 12'); 2) Setback Variances to add a ±272 square foot first story and ±310 square foot second story addition within 8'-6" of the street side property line (Knoll Road) (Code: 12'); 3) Hillside Design Review of first and second story additions totaling ± 582 square feet; and 4) Parking Variance for one of the three required on-site parking spaces to be substandard in length and partially in the right-of-way (Code: 3: 9'x19' spaces wholly on the property); located within the R-1 zoning district. (Staff person: Chambers)

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Planner Chambers introduced the staff report. She discussed the changes that have been made to the design since the previous hearing, and she noted that the FAR has been reduced to 35% to comply with the Town's regulations. Ms. Chambers noted that a variance is requested for a front yard encroachment, although special circumstances do not appear to exist. She suggested that the front porch be pulled back 2' to honor the setback.

Margaret Williams, architect, spoke about the project in more detail. She said that the setback variance is critical to the design, and she noted that the front yard setback has been reduced. Ms. Williams discussed the difficulty of moving the entry way back two feet.

In response to Commissioner Zwick, Planning Director Wight explained the changes that were made to the Code that allowed an exception to the rules concerning trellising.

In response to Commissioner Harris, Ms. Williams said that a front yard variance could be justified because the property is small with a skewed front property line and a limited buildable area.

Commissioner Harris said he could support the project due to the configuration of the front yard.

In response to Commissioner Overberger, Ms. Williams explained why other porch designs were not considered, the main reason being the garage, which is long and projects forward.

The Commissioners were in general agreement with Commissioner Harris with regard to the findings.

M/s Harris/Krebs and unanimously passed (7-0) to approve the staff report, to include the front yard setback variance for the covered porch, the special circumstances being the irregular-shaped front yard and the enhancement of the project's design.

Chair House reminded the audience of the 10-day appeal period.

5. **U-0604/V-0601/DR-0601 – Ralph Epstein for House Mavens LLC, 8 Richmond Road, APN 007-302-29,** 1) Use Permit to demolish a single family residence; and Design Review of a  $\pm 1,459$  square foot second story in conjunction with a new  $2,680\pm$  square foot dwelling and a  $499\pm$  square foot garage and a Parking Variance to permit tandem parking (Code: clear parking, not in tandem), located in the R-1 zoning district. (staff person: Wight)

Planning Director Wight introduced the staff report. She provided background information on the project, and discussed the revisions that have been made to the plans since the last hearing. Ms. Wight noted that a shadow study has been provided, from which it has been determined that the new house will not unreasonably impair access of light to neighboring properties. However, privacy issues prevail, on which Ms. Wight spoke in further detail.

Ms. Wight discussed a height issue and the necessity of raising the property because it is in a flood zone, and the need to reduce the mass. She also explained the reasons that special circumstances cannot be made to allow a variance for tandem parking, and she noted that staff supports the special use permit.

Ralph Epstein, applicant, expressed surprise that support does not exist for tandem parking, and he explained why he believes special circumstances exist for it to be granted.

Chair House explained that the Planning Commission is not empowered to change the code unless a special circumstance exists and it appears that none exists for tandem parking.

Mr. Epstein said that he had not focused on redesigning the project because he believed that he had support for his project. He has redesigned the house in a craftsman style in order to appease his neighbors and in response to comments made by some of the Commissioners at the previous hearing. Mr. Epstein said that they have tried to minimize the impact of the project on their neighbors, and privacy issues have been negated by the use of obscured glazing in the bathroom. Mr. Epstein further discussed ceiling heights, and he noted that it has been deemed necessary to raise the house out of the flood plain.

Paul Kaehler, 30 Gilmartin Drive, Tiburon, suggested that the removal of a sycamore tree in order to construct a two car garage is a special circumstance to approve the variance for tandem parking.

Lisa Travaglini, 10 Richmond Road, believes that the parking variance should be granted in order to protect the trees at the front. However, they are concerned that the second floor is too large and the design boxy, and they are further concerned about drainage problems and that their sunlight might be affected.

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Peter Monahan 2 Richmond Road, said that the revised exterior design is more appealing and he does not object to tandem parking. However, drainage remains a concern.

Donna Monahan, 2 Richmond Road, is concerned about the redesign. The plans indicate that they will have a 2-story wall close to their house, which will affect sunlight in two of their bedrooms and family room. Furthermore, their bathroom privacy might also be affected, and she is further concerned about asbestos escaping during the demolition phase.

Joey Edelman, 44 Bolinas Ave, provided a letter to the Commissioners, which he read aloud. The house is still too large and substantial changes to the design have not been made since the last hearing.

Molly Delaney, 44 Bolinas Avenue, echoes all the sentiments of the neighbors regarding the height of the structure and flood issues. She provided materials to the Commissioners to illustrate her point.

In response to public comment, Mr. Epstein said that he believed he had addressed his neighbors' concerns, and he presented a photograph of a house in the neighborhood which he considers less attractive than his own. He spoke further on tandem parking.

Ms. Wight noted that staff's issues concerning tandem parking are contained in the staff report and the previous minutes. She noted that the Director of Public Works has recommended that the property be raised, and the drawings indicate that the house will be taller than the recommended height. Ms. Wight explained window heights in more detail, and she said that the Director of Public Works will review the drainage plan. Furthermore, a permit must be obtained from the Bay Area Air Quality Management District before the structure is demolished. Ms. Wight noted that the proposed side yard setback is 8'.

Commissioner Zwick said that the style of design is not the main focus for review because it is a flatland property. He is concerned by the number of windows that face neighboring windows, which might cause privacy issues, and which he discussed in further detail.

Commissioner Zwick agrees with the applicant's argument concerning tandem parking but this is not something he is able to address. However, he is very much concerned that the house incorporates a two-story undifferentiated wall that is very high. The house is too large and too tall and he said that the Planning Code does not assume every lot in every circumstance will be suitable to build a two-story house. A different design (with a set back second story) could be employed or a one-story house could be built. Commissioner Zwick said he would like a conceptual drainage plan to be presented and an attempt made to reduce the amount of impermeable surface on the site.

Commissioner Overberger suggested a means by which a finding for tandem parking could be made by reducing the impermeable materials. She said that a large house has been designed for a small lot, and that the second story could be redesigned to reduce the size.

In response to Commissioner Harris, Ms. Wight said she did not know the square footage of neighboring homes.

In further response to Commissioner Harris, Ms. Wight said that a single parking space exists in the front of the property for which a tree would not need to be removed.

Commissioner Harris said that stacking a second story on top of a first story creates a structure that is too large and has the effect of changing the character of the neighborhood and the town. He has known this to occur on previous occasions, which he believes has been a mistake. He would like consideration to be given to staff's suggestion that a one-car driveway be opened into a two-car garage.

Vice-Chair Krebs agrees with Commissioner Harris that houses have been approved with bulky second floors that impact the light and privacy of neighboring properties, and which change the character of the town. He recommends that the second floor be redesigned.

Commissioner Sisich said that he is a proponent of tandem parking, although they have no authorization to make the findings. He noted that the house is larger than the original design, albeit a more stylish design. However, the second floor is too large and the ceilings too high. Commissioner Sisich will not support the project.

Commissioner Schinner agrees with the other commissioners with regard to the height and size of the house. He believes that evidence exists to support tandem parking, including the front tree and lot size. Furthermore, the neighbors support tandem parking.

Chair House said that the house is too large and that the size needs to be reduced and the plate heights lowered.

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In response to Mr. Epstein, Ms. Wight said that if clear parking cannot be found on the property, then circumstances might exist to grant the variance for tandem parking.

In response to Commissioner Zwick, Ms. Wight said that the Town Council could be requested to make a policy change on tandem parking

In response to Staff, Ms. Epstein agreed to a 90-day extension to his project.

M/s Harris/ Overberger and unanimously approved (7-0) to continue the project to the meeting of May 1, 2006.

6. **V-0619 - Craig and Kris Marezki, 215 Laurel Avenue, APN 007-161-24**, Setback Variances to raise the existing dwelling 3' to clear the December 31, 2005 flood elevation within 16'-8"± of the front property line and within 5'-9" of the north side property line (Code setbacks: front: 20'); to construct entry stairs and a covered porch within 16' of the front property line (Code setback: 20'); and to construct an addition within 16'-2" of the rear property line (Code setback: 20'), on property located in the R-1 zoning district. (staff person: Wight)

The reading of the staff report was waived. Planning Director Wight said that letters had been received by neighbors with a request that a sidewalk be installed. She reported that the Town Engineer has already made that request and he has approved the removal of a bay tree in order for the sidewalk to be laid.

Tom Levine, architect for the project, used the plans to explain where the sidewalk would be installed. He expressed concern on his clients' behalf that little privacy will be afforded at the front of the property. Ms. Wight said that the Director of Public Works must be consulted if the applicants would like to erect a fence or plant foliage.

Commissioner Krebs recused himself from voting because he lives within 300 feet of the property.

M/s Sisich/Overberger and unanimously passed (6-0) to approve the staff report. Chair House reminded the audience of the 10-day appeal period to the Town Council.

**E. ITEMS FROM PLANNING COMMISSION**

Commissioner Overberger and Planning Director Wight discussed findings for tandem parking. Ms. Wight said that she will approach the Town Council with a code change but that tandem parking should not be allowed in hillsides.

General discussion on parking ensued.

**F. ITEMS FROM STAFF**

53 Indian Rock Road has been appealed and will be heard by the Town Council at their meeting on Tuesday April 11, 2006.

405 Redwood Road has been appealed.

**G. ADJOURNMENT TO THE MEETING OF APRIL 17, 2006.**

The meeting was adjourned at 8.55pm.

**JOANNE O'HEHIR  
SR. ADMIN SERVICES ASST.**