

TOWN OF SAN ANSELMO  
PLANNING COMMISSION MINUTES OF JULY 23, 2007

**A. CALL TO ORDER**

Commissioners present: Harris, Schinner, Krebs, Sisich, Zwick  
Commissioners absent: Overberger

**B. OPEN TIME FOR PUBLIC EXPRESSION**

Katherine Gant Bradley, Durham Road, asked about items and expressed concern about keeping people informed.

**C. CONTINUED ITEMS**

None.

**D. PUBLIC HEARING ITEMS**

**CONSENT AGENDA**

Kathryn Gant Bradley, Durham Road, requested that 32 Hillcrest be pulled because she didn't get a chance to read the report and is concerned about the setbacks being lessened.

Commissioner Schinner agreed to pull the item from the Consent Agenda due to the citizen's comments and the particular variance request.

1. **Minutes – July 2, 2007 and July 16, 2007**
2. **UP-0712 - Jeanne Laslo for Red Door Yoga, 634 San Anselmo Avenue, APN 006-102-28, Use Permit to operate a Yoga Studio within the C-2 zoning district. (staff person: Chambers).**
3. **DR-0721 – Peter Joseph and Marcy Levine, 53 Summit Road, APN 007-031-44, Design Review to add a ±260 square foot screened gazebo 10' in height, and retaining walls up to 2' in height, located within the R-1 zoning district (above 150' msl). (staff person: Chambers).**

M/s Harris, Schinner, and unanimously passed, to pass consent agenda items 1, 2 and 3, with minor changes to the July 2 minutes.

It was announced that there is a 10-day appeal period to the Town Council.

**REGULAR AGENDA**

4. **V-0724/DR-0722 – Hal and Katrina Russek, 32 Hillcrest Avenue, APN 007-121-46, Setback Variances to construct first and second story additions within 12.5' of the front property line (Code: 20'), a first story deck within 7" of the front property line, and a second story deck within 5'9" of the front property line (Code: 14') and; Hillside Design Review to add ±189 square foot first story and ±447 square foot second story additions, and decks totaling ±107 square feet, located within the R-1 zoning district (above 150' msl). (staff person: Chambers)**

Assistant Planner Barbara Chambers presented the staff report.

Thayer Hopkins, architect, described the project.

The public hearing was opened.

Katherine Gant Bradley, Durham Road, said she is not clear on the setback and requested a formal survey, to which Chambers advised a survey is on record.

Christian Baker, Olive Avenue, contiguous property, said the plans are modest and should be approved.

Jeremy Levin, contiguous neighbor on the downslope, said he has no problem with the plans.

The public hearing was closed.

Commissioner Harris noted that he is not inclined to be favorable to variances; however, in this case, the special circumstances finding can be made.

Chambers asked that the conditions be expanded to reflect the current proposal that the deck depth be reduced from four feet to two feet.

M/s Sisich, Schinner, and passed unanimously, to approve the staff report with the added condition of reducing the deck depth from four feet to two feet.

Applicant was advised of the 10-day appeal period to the Town Council.

5. **V-0720/DR-0717 – Thomas A. and Cary M. Nowell, 26 Foss Avenue, APN 007-232-46**, Flatland and Setback Second and Third Story Design Review of a 254 ± square foot second story addition, a 627 ± square foot third story addition and a 49 square foot covered porch within 6' of the side property lines (Code setback: 8'); and 2) Lot Coverage Variance to enlarge a nonconforming building (existing and proposed coverage is 36.3%) (Code Maximum: 35%); Setback Variance to: 1) enclose a carport and create a garage within 14' of the front property line (Code setback: 20'); and 2) construct an attached trellis extending 5' from the building wall within 11' of the front property line (Code: 3'), on property located in the R-1 zoning district. (staff person: Consultant Vazquez).

Planning Consultant Jan Vazquez presented the staff report.

Tom Nowell, applicant, presented the project.

Commissioner Harris noted that although the lot coverage has been reduced, it is still over the Code maximum, to which Nowell said he took off every bit of coverage and changed the floor plan. Vazquez noted it would be necessary to move an exterior wall, chopping into the foundation to reduce the existing lot coverage any further. Wight added that when the dwelling was constructed, there was an allowable 40% lot coverage, which means it was conforming until the Code was changed in 1991.

Katherine Gant Bradley, Durham Road, expressed concern about precedent being set for too big houses on small lots.

Tim Navoni, Foss Avenue, said he has been working closely with the applicant to make adjustments to landscaping in order to maintain a view of the Seminary. Chairman Krebs suggested this could be worked out between the neighbors, rather than have Commission involvement.

The public hearing was closed.

Commissioner Zwick asked questions regarding the design and construction. Discussion ensued regarding the ability to conform to Code lot coverage. Zwick said he thought that the project should and could be made to conform.

Schinner said he could approve the staff report. He likes the third story. The perimeter of the foundation is not being expanded, which weighs in favor to grant it and moving it six inches causes problems.

Sisich said he had trouble with the drawings, but would support the project.

Harris would support the project because there currently is no FAR in the flatlands. There aren't light, air and privacy issues that would justify tinkering with the third story, and the neighbors support it.

Krebs said he is concerned about precedence, but if the lot coverage was legal at the time of construction, that makes a difference. He feels that it is a little large, but it does not impact light, air and privacy. All in all could support the project.

M/s Sisich, Schinner, and passed, to move the staff report. (4 ayes to 1 noe: Zwick).

Applicant was advised of the 10-day appeal period to the Town Council.

**E. ITEMS FROM PLANNING COMMISSION**

In response to Chairman Krebs, Wight advised that the Town Council had not taken action, but continued the Zoning Ordinance amendments for staff to return with more information, including graphics. Commissioner Zwick added that he would be bringing Corte Madera's slide show.

**F. ITEMS FROM STAFF**

Wight confirmed that the Town Council will be hearing the Zoning Ordinance Amendments tomorrow night on July 24<sup>th</sup>, at 7 p.m.

**G. ADJOURNMENT**

The meeting was adjourned at 8:48 to the next special meeting of Tuesday, August 7, 2007.

Megan Young