

**TOWN OF SAN ANSELMO
PLANNING COMMISSION STAFF REPORT**

For the meeting March 18, 2013

Agenda Item D-2

Project Address:

711-715 Sir Francis Drake Boulevard
San Anselmo, CA, 94960
APN: 006-083-08

Case No.

DR-1301

Property Owner:

Ford Greene
711 Sir Francis Drake Boulevard
San Anselmo, CA, 94960

Applicant:

Fani Hansen, AIA
P.O.Box 868
Tiburon, CA 94920

Request

Design review for a shed along the southern property line at 711-715 Sir Francis Drake Boulevard, San Anselmo, APN: 006-083-08.

Recommendation

Conditional approval

I. PROJECT SUMMARY

Environmental Determination

Categorically Exempt: Section 15303(a) – New Construction or the Conversion of Small Structures.

Authority

San Anselmo Municipal Code; Article 15-Design Review.

Timing

A determination must be made within 60 days of the project being deemed complete which is May 7, 2013.

Previous Action

February 4, 2013 The Planning Commission denied an appeal of an administrative decision by the Interim Planning Director regarding the existence of a residential use in the lowest level of the building. The property owner has appealed this action.

The Planning Commission approved an after-the-fact conditional use permit for a residential use in the Limited Commercial (C-L) zoning district.

The Planning Commission continued the after-the-fact design review application for a shed/wall on the southern property line to March 18, 2013.

November 19, 2012 An appeal of an administrative decision by the Interim Planning Director regarding the existence of a residential use in the lowest level of the building was continued to February 4, 2013.

An after-the-fact conditional use permit for a residential use in the Limited Commercial (C-L) zoning district was withdrawn.

An after-the-fact height variance for a 14-foot high fence was denied.

August 23, 2005 Town Council approved Resolution No. 3738 granting the appeal and overturning the approval by the Planning Commission of two sign variances.

II. PROJECT ANALYSIS

Existing and Proposed Conditions

	Existing	Proposed	Code
Lot Size (sq. ft.)	10,000	Same	NA
Floor Area (sq. ft.)	4,840	4,893	10,000
Shed (sq. ft.)	0	53	NA
Garage(sq. ft.)	800	Same	NA
Floor Area Ratio (FAR)	48.4%	Same (Additional shed area is not counted towards FAR)	100%
On-Site Parking	9	Same	9
Stories			
Shed	NA	1	2
Height (feet)	NA	14	30
Shed			
Zoning	C-L	Same	NA
Flood Zone	X (not a flood zone)	Same	NA

Project Background

At the February 4, 2013, Planning Commission hearing, the Commission considered a request for design review to construct a 66 square foot shed/wall with a height ranging from 12 to 19 feet. Staff presented their report to the Commission and recommended denial of the application.

Prior to the hearing, but after publication of the staff report and packet the applicant presented a revised plan to staff. Staff explained that the revised plan had not been reviewed because it was submitted after the notice had already been posted and the packet prepared. As a result, the Planning Commission voted unanimously to continue the item to the March 18, 2013 meeting to allow staff to properly review the revised proposal and prepare a staff report. For additional background information, please refer to the attached staff report and minutes from the February 4, 2013, meeting.

Project Description

The revised plans propose a shed abutting the southern property line with a total area of 53 square feet and a height of 14 feet (Sheet A3.3). The proposed shed would be located between the existing barn on the subject parcel and the adjacent building on the neighboring parcel to the southeast. The shed roof on the structure slopes away from the project parcel. A door and window are proposed facing the interior yard of the parcel to provide access and natural light to the shed. The existing 14 foot high fence adjacent to the existing barn is proposed to be reduced to 6 feet in height.

The proposed shed also includes a door on the southern property line, allowing access from the project parcel to the adjacent property at 707 Sir Francis Drake Boulevard. Although the applicant has provided a statement of support from the neighbor at 707 Sir Francis Drake Boulevard, she has been informed that the California Building Code (Section 705.8.1) does not allow openings in commercial buildings that are located on the property line.

III. REQUIRED FINDINGS

Design Review for Shed

To approve the design review application, the Planning Commission must make each of the following findings:

1. *The project will not unreasonably impair access to light and air of structures on neighboring properties.*

The 53–square–foot shed will not unreasonably impair access to light on neighboring properties, nor will it impair access to air.

2. *The project will not unreasonably affect the privacy of neighboring properties including not unreasonably affecting such privacy by the placement of windows, skylights and decks.*

The proposed shed will not unreasonably affect the privacy of neighboring properties. The proposed shed will provide privacy screening for the property at 711-715 Sir Francis Drake Boulevard.

3. *The project will be of a bulk, mass and design that complements the existing character of the surrounding neighborhood.*

The proposed shed will be of a bulk, mass and design that is relatively complementary to the existing character of the neighborhood.

4. *The project 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.*

Construction will be required to be in compliance with all adopted building codes, thereby ensuring the health and safety of persons in or near the property. The proposed shed is consistent with the use of neighboring properties.

IV. CONDITIONS OF APPROVAL

1. Planning Commission approval is based on the plans and materials titled 711-715 Sir Francis Drake Boulevard, prepared by Danadjieva Hansen Architects, Inc. date stamped received by the San Anselmo Planning Department on February 14, 2013.
2. All conditions of approval shall be printed at the top of sheet 1 of the building permit drawings.
3. No later than three months after approval of this design review application for the shed the owner must submit a complete building permit application to the Town for construction of the shed. The building permit application must include drawings showing the existing fence modified to a maximum height of 6 feet of solid material. Once the building permit is issued the owner shall commence work and continue in a timely manner until project completion.
4. The property owner shall indemnify and hold harmless the Town of San Anselmo and its officers and/or employees in the event of any legal action related to or arising from the granting of this approval and shall cooperate with the Town in the defense of any such action, and shall indemnify the Town for any award of damages and/or attorneys' fees and associated costs that may result.

Prepared By:

Phil Boyle
Senior Planner

Attachments:

1. February 4, 2013 Planning Commission Staff Report and Minutes
2. Plans