

**TOWN OF SAN ANSELMO
PLANNING COMMISSION RESOLUTION NO. 92-01**

**A RESOLUTION OF THE TOWN OF SAN ANSELMO PLANNING COMMISSION APPROVING
ARCHITECTURAL REVIEW AND VARIANCE REQUEST FOR THE DEVELOPMENT OF A
SINGLE FAMILY RESIDENCE AT 16 IVY LANE AND ADOPTING FINDINGS FOR
ARCHITECTURAL REVIEW AND VARIANCES BASED OF REVISIONS TO THE HOUSE
DESIGN.**

WHEREAS, an application was filed with the Town of San Anselmo on December 10, 1991 requesting approval for architectural review and variances related to the development of a single family home located at 16 Ivy Lane, San Anselmo, Assessor Parcel Number 7-064-55, and

WHEREAS, The Planning Commission held a legally noticed public hearing on March 2, 1992; and

WHEREAS, after receiving public testimony, the Planning Commission directed the applicant to revise their presentation and provide more information about the new proposed house design and which could better resolve neighbor's concerns about, massing, visual impact, and landscaping, and provide additional technical information related to soils and drainage improvements; and for the Planning Staff to provide the minutes from the Town Council meetings approving the former plan for this site; and

WHEREAS, the applicant prepared a revised design which was discussed at a neighborhood meeting sponsored by the applicant on March 27, 1992; and

WHEREAS, the Planning Commission held a legally noticed public hearing on April 6, 1992 to review the revised plan and received additional public testimony; and

WHEREAS, the Planning Commission unanimously approved the revised architectural plans referred to as Exhibit A and dated received by the Planning Department on April 3, 1992 subject to the following conditions:

1. That the request for Design Review be granted to construct a new single family residence, in accordance with the plans date stamped received by the Town of San Anselmo on April 3, 1992.
2. The exterior of the house shall conform with the existing color and material palette previously approved by the Planning Commission.
3. All necessary off-site improvement including drainage, road widening and paving, and retaining wall construction shall be provided by the applicant, designed to Town standards and approved by the Director of Public Works prior to issuance of a building permit. All road widening shall be performed based upon the plan reviewed and approved by the Town Council on June 25, 1991.
4. The cement retaining walls shall be darkened with lampblack and textured with special textured forms. The retaining wall adjacent to 10 Ivy Lane shall be stained a darker color than natural wood and the beams shall be 4' x 12' in dimension. The stairway to 10 Ivy shall be constructed with railroad ties.
5. The off-street parking area to the north of the residence at #10 Ivy Lane shall be paved asphalt instead of gravel over dirt.

6. The applicant shall strive to carpool site construction workers in order to reduce the number of vehicles driving on Ivy Lane and to park construction vehicles on or immediately adjacent to the site.
7. Construction activities shall be limited to Monday - Friday between the hours of 7:30 am to 5:00 pm.
8. The removal of any additional trees that were not noticed for removal with this application that are protected by the tree preservation ordinance shall require Planning Commission approval.
9. A drip irrigation system shall be incorporated in the landscape plan sheet 2 and installed along with the landscape material to better ensure its survival. In addition, the recommendations of Mr. Trees Tree Protection Plan (letter dated 8-23-90) shall be explicitly followed. The Landscape Plan (sheet 2 date stamped received April 3, 1992) shall be revised and resubmitted prior to issuance of a Building Permit as follows:
 - a) Pitisporum shall be used in place of Myoprum. An additional Myoprum or Pitisporum shall be planted between this parcel and 10 Ivy Lane.
 - b) Violet Trumpet Vines (5 gals. each) shall be planted at the top of the concrete retaining wall and along the frontage of 10 Ivy lane, and at 53 Canyon Road.
10. The applicant shall secure all encroachment permits from the Director of Public Works prior to issuance of a building permit. Staff will investigate whether the encroachment permit can indicate that the improved parking area in the Ivy Lane right-of-way adjacent to 10 Ivy Lane shall be understood to provide parking for the residence. This determination will involve input from the RVFD Fire Chief, Town Attorney, and Director of Public Works.
11. When reviewing the improvement plans for Ivy Lane, the Director of Public Works shall delete the proposed curb if it is not deemed necessary in order to maintain down-slope drainage in a manner as consistent with historical drainage as possible.
12. Staff shall confer with the applicant and the owners of 8 Ivy Lane regarding an appropriate site out of the Ivy Lane right-of-way for relocation of the trash enclosure prior to the issuance of a building permit.
13. The Planning Director shall contact the owners of 10 Ivy Lane during the plan check process and permit them to review and comment on construction plans for roadway improvements adjacent to their home.
14. The plan design, site preparation, construction, and monitoring recommendations of Salem Howe Associates (5-24-91) and Miller Pacific Engineering Group (6-14-91) shall be followed unless modified by the Director of Public Works.
15. Unless waived by the Ross Valley Fire Department a sprinkler system shall be installed in this residence.
16. The applicant shall retain the services of an engineering firm to perform a revised soils and any geotechnical report. This report shall be and reviewed and approved by the Town Engineer.

NOW , THEREFORE, the Planning Commission of the Town of San Anselmo DOES HEREBY FIND as follows:

Section 1. Findings required for the approval of Design Review pursuant to Section 10-3.710(5) of the San Anselmo Municipal Code that the proposed residence:

- (1) Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area.
- (2) Provides for protection against noise, odors, and other factors which may make the environment less desirable;
- (3) Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or otherwise discourage occupancy, investment, or orderly development in such area;
- (4) Will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel; and
- (5) Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area.
- (6) Is adequately screened.
- (7) Contains a selection of architectural features and colors that enable the structure to blend with its environment and which results in a low visual profile.

Supporting facts for these findings are as follows:

The revised house design is compatible with the existing improvements in the neighborhood and the natural elements in the area because it is a two-level structure that is built in stair step fashion up the steeply sloping parcel. The building facade provides varied planes which create architectural interest and the natural wood exterior and muted colors will help the home blend into the heavily wooded site. While the site plan and architectural elevations have been developed to minimize visual impact on other residences by breaking up the building mass and setting it a fair distance from adjacent properties, planned landscaping will further improve the visual quality of the residence by softening and screening the building.

Off-site improvements will substantially improve off-street parking in the neighborhood and provide for emergency vehicle access through road widening, construction of a turnaround, reconstruction of retaining walls, and provision of an all-weather roadway surface.

Section 2. Findings for the two variances (20 foot front yard variance and a 16'-6" rear yard variance) pursuant to section 10-2.709 of the San Anselmo Municipal Code are as follows:

- (1) Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulations deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated; and
- (2) The granting of such variance, under the circumstances of the particular case, 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.

Supporting facts for these findings are as follows:

The location of this parcel at the end of Ivy Lane coupled with the irregular, triangular-shaped parcel configuration, creates the need to provide convenient access and parking within the front

yard setback. The parcel is narrowest adjacent to Ivy Lane. Although the house is designed to step up-slope toward the widest portion of the parcel, the need to provide reasonable living space within proximity to the garage results in construction of the decks and portions of the residence in the rear and front yard setback.

The proposed residence will blend into the existing neighborhood and therefore will not cause visual blight. The off-site roadway improvements, including reconstruction of retaining walls, road widening and paving, and construction of a turnaround for emergency vehicles will improve safety conditions in the neighborhood and would likely have a positive impact on property values.

PASSED AND ADOPTED by the Planning Commission of the Town of San Anselmo at a regular scheduled meeting on April 20, 1992, by the following roll call vote:

AYES: Kroot, Harle, Mihaly, Julin, Sias

NOES: None

ABSENT: Hayes


JEFF KROOT, PLANNING CHAIRMAN

ATTEST:


CAROLINE FOSTER, TOWN CLERK