

The regular meeting of the San Anselmo Planning Commission was called to order by Vice Chairman David Strassman at 8:00 p.m. in the Town Hall on July 7, 1975. Representing Town Staff: T. J. Robbins, Associate Engineer/Planner

1. ROLL CALL

Commissioners Present: Ainsworth, Bolles, Greenfield, Strassman
Commissioners Absent: Fairchild, Goltz, Ragan

2. APPROVAL OF MINUTES

M/S Ainsworth, Bolles passed unanimously that the minutes of June 30, 1975 be held over until the next workshop meeting of the Planning Commission.

3. OLD BUSINESS

A. PUBLIC HEARING

- 1. U-160 - The Lion's Share - Continuation of a public hearing on considering the revocation of The Lion's Share Use Permit.

There was no one in the audience to comment on the item. Staff reported that The Lion's Share lease expired on July 31, and they did not intend to continue the business after that time.

M/S Bolles, Ainsworth, passed unanimously, that in regard to U-160, The Lion's Share, 60 Red Hill Avenue, the Public Hearing be continued to August 4, 1975. -- P.C. 7/7/75

B. REVIEW OF USE PERMITS

- 1. U-379 - Campolindo Juice Bar, 56 Red Hill Ave., Review Use Permit allowing live music.

There was no one in the audience to comment on this item.

M/S Bolles, Greenfield, passed unanimously, that regarding U-379, Use Permit allowing live music at Campolindo, 56 Red Hill Avenue, use be allowed to continue without any further scheduled review unless complaints are received.

- 2. U-382 - Richard B. Dye, 1214-A San Anselmo Ave., Review Use Permit allowing commercial winery.

There was no one in the audience to comment on this item.

M/S Greenfield, Ainsworth, passed unanimously, that regarding U-382, Richard B. Dye, Use Permit allowing a commercial winery at 1214-A San Anselmo Avenue, use be allowed to continue without any further scheduled review unless complaints are received. P.C. 7/7/75

4. NEW BUSINESS

A. USE PERMITS

- 1. U-408 - D. R. McClurg, 1604 Sir Francis Drake Blvd., A/P 5-121-14, Application to permit real estate office (GPC)

Mr. McClurg said he was planning what he considered a "typical Marin structure". There was no one in the audience to comment on the application.

M/S Bolles, Greenfield, passed unanimously, U-408, application of D. R. McClurg, to permit a real estate office to be constructed on A/P 5-121-14, commonly known as 1604 Sir Francis Drake Blvd., be approved on the basis that there is no apparent conflict with the final zoning consideration for the General Plan and there appears to be no conflict with the Open Space, Ridgetop, Trails, Health & Safety, Land Use and Circulation elements of the General Plan. - P.C. 7/7/75

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2. U-412/VAR-621 - Pool Scene, 2 Bridge Ave., A/P 6-083-09, Application for remodeling the existing building, an addition of a new structure with a variance in parking space size.

Mr. Clay Reese of the Pool Scene was present. He said architect Ray Hall had intended to submit another proposal for a smaller building area to cut down on parking requirements. These plans had not been received by the Department of Public Works.

M/S Ainsworth, Bolles, passed unanimously, to continue this application to July 21, 1975. - P.C. 7/7/75

3. U-413 - Tim DeYoung, 606 Sir Francis Drake Blvd., A/P 6-092-04 Application for GPC Use Permit to allow car stereo shop.

Mr. Tim DeYoung, applicant was present with property owner Mr. Joseph Murphy. There was no one in the audience to comment on the application. Mr. DeYoung submitted statements from adjoining businessmen to his two former locations verifying that Mr. DeYoung's business had never caused traffic problems or parking congestion during his tenure.

Mr. DeYoung and Mr. Murphy agreed that it would be impossible to obtain a joint grant of easement between this property and the Clark's furniture property to the west for parking, ingress and egress. They both verified, however, that joint use of the parking area was a fact and discontinuance of this use would be harmful to both properties.

Commissioner Ainsworth was concerned because the crosswalk takes pedestrians into the driveway area, and he asked Staff to consider moving the crosswalk.

The Commission expressed concern for the general appearance of the area from Kentucky Fried Chicken to the Standard Station and all felt some landscaping and painting should be required, were the Use Permit to be granted. Mr. Murphy, the property owner said he agreed and would be willing, to a limited extent, to accomplish this.

M/S Ainsworth, Bolles to approve U-413, application of Tim DeYoung to operate a car stereo shop on A/P 6-092-04, commonly known as 606 Sir Francis Drake Blvd., on the basis that there is no apparent possibility of conflict with the General Plan with the exception of the Scenic Highway Element, which conflict may be removed by referring the application to the Design Review Committee for consideration and suitable landscaping.

Motion passed by the following vote:

Ayes: Commissioners Ainsworth, Bolles, Greenfield
Nays: Commissioner Strassman

The applicant was informed of the 10 day appeal period and instructed to contact the Public Works Office for information on preparing an application for Design Review.

B. VARIANCES

1. VAR-618 - Joseph Sarcona, 147 Allyn Ave., A/P 7-093-09, Application for a 12 frontyard setback to build an additional story and a variance from a maximum two stories.

Mr. Joseph Sarcona was present. There was no one in the audience to comment on the application.

Commission discussion centered around the preservation of the 8 or 9 oak trees, some of which are 30 inches in diameter and a possible slope instability in a terraced section, and the probability of the slope being in excess of 30% on which construction would be in conflict with the General Plan.

Mr. Sarcona pointed out that only a portion of the building, approximately 8' x 12' in size would contain three stories,

and no view would be blocked by the proposed construction.

M/S Ainsworth, Bolles, passed unanimously, to approve VAR-618, application of Joseph Sarcona for a 12' frontyard setback and a variance from the maximum of 2 stories to allow a third story at 147 Allyn Avenue, A/P 7-093-09, in accordance with site plan dated date hereof, on the ground that there are exceptional and extraordinary conditions applying to the land and the building which circumstances and conditions do not apply generally to other land or building in that the area to the south contains mature trees; that the granting of the application is necessary for the enjoyment of substantial property rights and that the granting of the application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. For Correction Page 21

- 2. VAR-619 - Rose Asdurian, 304 Bolinas Ave., A/P 7-266-02, Application for a 2'6" east sideyard setback and 4'6" west sideyard setback to enclose a patio 14' x 44'6".

Mr. and Mrs. Worner, 310 Bolinas Ave., property owners to the west of the applicant appeared on behalf of the applicants. They urged the Commission to approve the application.

Mr. and Mrs. Asdurian said they needed the additional room for a family room, bedroom and bathroom.

M/S Ainsworth, Bolles, passed unanimously, to approve VAR-619 application of Rose Asdurian for a variance to allow a 4.5' west sideyard setback to construct an addition at 304 Bolinas Ave., on A/P 7-266-02, on the basis that due to the pie-shape of the lot the extension of the existing building line necessitates an invasion of the setback zone; that there is a significant upslope to the area to the immediate rear of the proposed addition, and that an addition as proposed on accompanying drawing dated June 3, 1975, would tend to shore up a dirt embankment to the west sideyard area, constitutes an exceptional condition applying to the land and building which conditions do not apply generally to other lands and building; that the granting of the application is necessary for the preservation of property rights of the petitioner, and further that the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. For Correction Page 21

M/S Ainsworth, Greenfield, passed unanimously, to deny VAR-619, application of Rose Asdurian for a variance for a 2'6" east sideyard to construct an addition at 304 Bolinas Avenue on A/P 7-266-02, on the basis that the necessary criteria for a variance cannot be found.

The applicant was informed of the approval and denial and of the 10 day appeal period.

- 3. VAR-622 - Mr. & Mrs. Robert S. Caughie, 236 Los Angeles Blvd. A/P 6-013-35. Application for a 14' frontyard and 5' sideyard setback to build one room above the existing garage.

Mr. and Mrs. Caughie presented a petition containing signatures of 19 property owners in favor of the variance, and also pictures of their home and surrounding homes. There

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was no one in the audience to comment on the application.

Commission discussion disclosed that the immediate property owner where the proposed addition is located did not sign the petition because he was on vacation. Other discussion suggested that a smaller room could ameliorate the situation; perhaps the roof framing could be reconsidered. The main concern of the Commission was the cutting off of light to the home adjacent to the proposed addition.

M/S Bolles, Ainsworth, passed unanimously, to refer VAR-622, application of Mr. and Mrs. Robert Caughie for a variance to construct a second story within the existing lines of the garage, be referred back to the applicant.

C. SUBDIVISIONS

1. SS-187 - Lands of Vollert, 123 Woodside - Relocation of a common sideyard line - A/P 5-272-06 and A/P 5-272-07

Mr. Mark Wasser and Mr. Arthur Vollert were present. There was no one in the audience to comment on the application.

This is an application to correct an encroaching situation. The structure at 123 now encroaches on 119 Woodside Dr.

M/S Ainsworth, Bolles, passed unanimously, to approve SS-187 application of Mark Wasser and Arthur Vollert, for a lot line revision between A/P 5-272-06 and 5-272-07 in accordance with tentative map dated August 1973 and prepared by Michael F. King; it is further moved that the following findings are made in accordance with this application:

1. There is no substantial likelihood of conflict with the General Plan;
2. That the findings required by Section 10-2.707 of the San Anselmo Municipal Code are hereby favorably determined.

The applicant was informed that his application was approved subject to the legal appeal period.

5. ADJOURN - The meeting adjourned at 11:00 p.m.

DAVID STRASSMAN, VICE CHAIRMAN
SAN ANSELMO PLANNING COMMISSION

By

Thelma Foster
Thelma Foster
Secretary