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The Regular Meeting of the San Anselmo Planning Commission was called to order by Chairman Duane Ragan at 8:00 p.m. in the Council Chambers on October 4, 1976. Representing Town Staff: T. J. Robbins, Associate Engineer/Planner.

1. ROLL CALL

Commissioners Present: Buckle, Fairchild, Goltz, Greenfield, Ragan  
Commissioners Absent: Bolles, Eisgrau

Chairman Ragan welcomed George Buckle to the Planning Commission and re-welcomed Stan Greenfield upon their appointment.

Chairman Ragan announced the Town Council requested the joint meeting between Council and Planning Commission be held on Thursday, Oct. 14th at 8:00 p.m. Commission agreed to this date. Staff was directed to advise Council.

Chairman Ragan announced that the Council had followed the Planning Commission's recommendation regarding not changing Section 10-3.1908(d) from 5,000 S.F. and 50 ft. to 7,500 S.F. and 60 ft..

2. APPROVAL OF MINUTES - September 20, 1976.

M/S Goltz, Greenfield that the Planning Commission approve the minutes of September 20, 1976. Passed unanimously, Commissioners Fairchild and Buckle abstaining.

3. OLD BUSINESS

- A. U-458 - Ken Ingber/Nancy Mayer, 218 Sir Francis Drake Blvd., A/P 6-252-03, reconsideration of use permit conditions to change opening time from 1P.M. to 10A.M.

Applicant was not present at the time this application came up for consideration.

- B. Z-157 - Herman Bauer, 590 Red Hill Ave., A/P 6-091-59, application to rezone from Preliminary Planned Development, Single Family Residential to Specific Planned Development, Single Family Residential

Applicant was not present at the time this application came up for consideration.

- C. U-454 - Sydney & Maureen Philcox, 727 Sir Francis Drake Blvd., A/P 6-083-17, use permit to allow the on-sale business of serving beer and wine.

Applicants were present.

Staff reported checking with the Police Department regarding this operation. They had not received any complaints regarding traffic or parking in this area.

Mr. Philcox stated he could provide two parking spaces in front of his building and between five and six to the rear. He had spoken with the manager of the Shell Station who had verbally offered to absorb six to ten cars if needed.

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

Applicant stated his hours were 10 a.m. to 6 p.m., Monday through Friday and from 10 a.m. to 5 p.m. on Saturday and Sunday. The beer and wine would be strictly to serve with lunch, not to sell retail.

M/S Goltz, Greenfield to approve U-454, Sydney and Maureen Philcox, 727 Sir Francis Drake Blvd., A/P 6-083-17, use permit to allow on-sale business of serving beer and wine since there is no apparent detriment to those living or residing in the neighborhood, and the granting of the use permit is necessary for applicant to exercise property rights. Passed unanimously.

Mr. Ingber was present. Use Permit 458 was considered.

Chairman Ragan stated the Planning Commission had received a letter from Shirley Fisher and Sylvia Purkey of 77 Lincoln Ave. protesting loud music which is frequently a part of MacArthur's Bar.

Mr. Ingber stated he was aware of the problems the loud music caused. It was his intention to change the type of music, but this would not happen for at least three months.

He was now requesting only a change in hours as it would be essential for him to open at 10 a.m. on Saturday and Sundays due to football and baseball season.

Mr. Robbins stated, for the record, that the Town had quite a lot of trouble with MacArthur's posting signs around the Town. He wanted to remind Mr. Ingber that this was illegal.

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

M/S Greenfield, Goltz that U-458 for Ken Ingber & Nancy Mayer, 218 Sir Francis Drake Blvd., A/P 6-252-03, be approved for the right to open their business at 10:00 a.m. in the morning changing the original use permit conditions from 1:00 p.m. to 10:00 a.m. on the basis that it does not appear that this change will adversely affect the neighborhood or conditions of the original use permit and will permit the applicant to exercise full property rights. Passed unanimously.

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Mr. Herman Bauer was present. Z-157 was considered.

Mr. Robbins read the points made by the Commission at their September 13th meeting concerning this application. It was felt by Staff that the applicant had revised his application in line with the Commission's comments.

Mr. Robbins informed Mr. Bauer that the driveway marked "graded drive" would have to be paved. This would either be out of concrete or asphalt. Commissioner Buckle felt the 25% slope of the driveway was pretty steep to use asphalt.

M/S Goltz, Buckle that the Planning Commission recommend to the Town Council that Z-157 for Herman Bauer, 590 Red Hill Avenue, A/P 6-091-59, be approved for rezoning from PPD R-1 to SPD R-1 in accordance with the drawing with the revised date of September 29, 1976, Town of SAn Anselmo, and including the revisions made to that drawing at the October 4th meeting.

Specific amendments to this drawing are:

- 1. Revisions to upper plateau parking arrangement;
- 2. Notation that lower plateau be fully landscaped;
- 3. That there be screen plantings between the three units.

Passed unanimously.

D. VAR-689 - Sali Carlson, 181 Floribel, A/P 7-091-08, 18'6" rearyard and 6'6" sideyard setback variances to construct room additions, and variance for parking space.

Applicant and Mr. Robert Martin, Engineer, were present.

Mr. Robbins explained to the Commission that there was some construction going on already. Mr. Carlson had not been aware that he needed a permit to replace a structure, and also a variance because the existing structure had been in the setback area.

Mr. Carlson stated he needed the variance to add on to his house. He felt physically cramped and it would be a comfort to have the extra living space.

Mr. Martin stated he felt Mr. Carlson's request was reasonable. The Commissioners concern about interfering with the A-frame house below didn't apply as the A-frame house would have to be built up and out before it would conflict.

Commissioner Goltz felt the house and lot were very small, and the lot was very difficult as it is very steep. There didn't appear to be any other place for the applicant to add on to his house which wouldn't require a variance.

Commissioner Goltz and Fairchild expressed concern about increased lot coverage over what was permitted. It proved to be under the 40%.

Commissioner Greenfield felt the proposed addition was the most preferable way to add on.

M/S Greenfield, Buckle that VAR-689 for Sali Carlson, 181 Floribel Ave., A/P 7-091-08, request for an 18'6" rearyard and 6'6" sideyard setback variance to construct a room addition and to waive the parking space requirement be approved for the reason that 1) size of house provides a hardship in itself combined with the hardship of the lot making the location of the addition constricting, 2) there is no apparent detriment for construction of this addition, and 3) that construction of this addition will permit owner to enjoy property rights. Variance is as presented in map dated Sept., 1976 with specific removal of future addition. Passed unanimously.

4. NEW BUSINESS

- A. VAR-695 - Antone Sousa, 4 Glen Rd., A/P 7-012-41 and 7-012-29, application to construct a 20' x 20' carport 1' from the front property line (19' frontyard variance) and 4'6" from the side property line (3'6" variance).

Applicant and architect John Arnold were present.

The architect stated Mr. Sousa now parks his car on the Town right-of-way which blocks the neighbor. He felt that the proposal was not the best solution, but it was the best for the lot.

A letter from Alzada Shields, 28 Forest stated she had no objections to the application.

Mr. Robbins stated the neighbor to the east side had come in to the office and stated no objections. However, she did have problems getting out.

Chairman Ragan felt the 24" oak tree should be removed so that the carport ramp could be moved so the cars didn't have to back all the way up to Forest.

Commission all felt the backing into the Forest/Glen interesection was dangerous and would be a detriment to the people residing in the neighborhood.

Mr. Frank Jordan, 10 Glen Rd., stated he had no objections with the garage. It was his opinion that it made no difference whether you drove on to Forest frontward or backward as it was dangerous either way.

M/S Goltz, Greenfield that the Planning Commission refer application VAR-695, Antone Sousa, 4 Glen Rd., A/P 7-012-41 and 7-012-29, variance to construct a 20' carport, be referred back to the applicant for restudy. Passed unanimously.

- B. VAR-696 - Christopher Nightingale, 71 Lincoln Ave., A/P 6-254-27, application to construct a one car garage (3rd parking space) requiring an 8' north sideyard and a 14'10" rearyard variance to construct within 5'2" of the rear property line.

Applicant was present. He stated he needed a 3rd car space for a classic car. He felt the building would not affect anyone detrimentally.

Randolph Heubach, 61 Lincoln Ave., approved of the application.

Brian Wittenkeller, 69 Lincoln felt it would be an improvement to the property.

M/S Buckle, Greenfield to approve VAR-696 for Christopher Nightingale at 71 Lincoln Ave., A/P 6-254-27 to construct a one car garage with the 8' north side yard variance and 14'10" rear yard variance to construct within 5'2" of the rear property line, without any further additions, based on the findings that there is a possible hardship on the property owner and there is no apparent complaints with the adjoining neighbors. The granting of this variance will allow the applicant enjoyment of his property rights.

Motion carried: Ayes: Buckle, Fairchild, Greenfield, Ragan  
Nays: Goltz

5. MATTERS FOR CONSIDERATION

- A. Questions from Town Attorney regarding preparation of ordinance regarding non-conforming uses/parking requirements.

TO BE DISCUSSED AT THE OCTOBER 20th WORKSHOP MEETING.

- B. Set meeting date for consideration of proposed Condominium Ordinance.

TO BE DISCUSSED AT THE OCTOBER 20th WORKSHOP MEETING.

Chairman Ragan read a letter from Commissioner Fairchild stating she was submitting a letter of resignation to the Town Council, effective immediately.

6. ADJOURN

Meeting adjourned 10:30 p.m.

Catherine Carpenter, Secretary

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