

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman George Buckle at 8:00 p.m. on June 19, 1978, in Room 6 of the Isabel Cook Community Center. Representing Town Staff: Charles R. Leitzell, Director of Public Works/Planning.

1. ROLL CALL

Commissioners Present: Buckle, Goltz, Harle, Kapranos, Ollinger, Ragan
Commissioners Absent: Olive

2. APPROVAL OF MINUTES - JUNE 5, 1978

Page 2, paragraph 6, delete: ". . . and (3) make the lower wall four feet and not seven feet.", and replace with: ". . . and (3) site the whole building slightly lower."

M/S Goltz, Kapranos, to approve the minutes of June 5, 1978, as amended.

Motion passed: AYES: Buckle, Goltz, Kapranos
ABSTAIN: Ragan
(Commissioners Harle and Ollinger had not yet arrived)

3. OLD BUSINESS

A. EU-22 - Betty Jane (Mondala) Logwood, 25 Bella Vista Avenue, A/P 6-082-35, application to allow an existing second unit to remain.

Betty Jane (Mondala) Logwood, applicant, present.

Ms. Logwood told the Commission she can extend the existing carport into the sideyard. She and her tenant do not plan to use the parking area across the street. There are only two automobiles involved which can fit in the driveway tandem.

Commissioner Ragan reminded the applicant that the parking area proposed will have to be paved to Town standards.

Mr. Leitzell said a variance application is not required for parking for second units. The Second Unit Ordinance deals with parking independently of the other ordinances; however, parking can be a condition of the use permit.

Commissioner Buckle said he spoke with one of the applicant's neighbors who has no problems with the application.

M/S Ragan, Kapranos, to approve EU-22, application for a use permit to allow an existing second unit to remain, for Betty Jane (Mondala) Logwood, 25 Bella Vista Avenue, A/P 6-082-35, with the following provisions:

1. A smoke detector shall be installed in the second unit;
2. two off-street parking spaces be provided, and this parking will not encroach into the frontyard setback requirement;
3. applicant shall enter into a Rental Agreement with the Town and failure to do so will cause this application to be re-heard by the Planning Commission.

Motion passed: AYES: Buckle, Goltz, Kapranos, Ollinger, Ragan
(Commissioner Harle had not yet arrived)

Applicant was advised of the ten day appeal period.

B. EU-24 - Charles I. Browne, 19/21 Allyn Avenue, A/P 7-095-17, application for a use permit to allow an existing second unit to remain on change in ownership.

Charles Browne, applicant, present.

Malcolm Brodzinsky, 20 Allyn Avenue, said the garage is being used as a workshop at this time. Any parking for the second unit is on-street.

Mr. Browne said there are three parking spaces for two units on his property, besides the garage.

Linda Berkeley, 20 Allyn Avenue, expressed concern about the large pickup truck parked in front of the residence on the grass because it ruins her view.

Mr. Browne assured the Commission there is a flat concrete area for parking on his property and he does not remember the truck being parked on the grass. Mr. Browne lives on the property and, therefore, is able to supervise situations.

M/S Kapranos, Ollinger, to approve EU-24, application for a use permit to allow an existing second unit to remain on change in ownership for Charles Browne, 19/21 Allyn Avenue, A/P 7-095-17, on the basis that this will not be detrimental to the neighborhood, as sufficient parking is available; that the granting of this use permit is for the preservation and enjoyment of substantial property rights in allowing legal and reasonable use of the property, with the following conditions:

1. A smoke detector shall be installed in the second unit and inspected;
2. The owner shall enter into a Rental Agreement with the Town.

Motion passed: AYES: Buckle, Goltz, Kapranos, Ollinger
 ABSTAIN: Ragan
 (Commissioner Harle had not yet arrived)

Applicant was advised of the ten day appeal period.

4. NEW BUSINESS

- A. V-784 - Howard Collamer, 479 Laurel Avenue, A/P 7-131-47, application for a 20 foot frontyard variance to construct a carport within 0 feet of the frontyard property line.

Howard Collamer, applicant, present.

Mr. Collamer said his reasons for constructing this carport is to protect his automobiles from the weather.

Commissioner Ragan, speaking as a neighbor of the subject property, said he has no objections to the application. He said it is very difficult to make additions to homes on Laurel Avenue without encroaching into the setback requirements.

M/S Ragan, Goltz, to approve V-784, application for a 20 foot frontyard variance to construct a carport within 0 feet of the frontyard property line, for Howard Collamer, 479 Laurel Avenue, A/P 7-131-47, on the basis that the configuration of this lot prevents placement of the carport in any other area of the lot; that it preserves the enjoyment of substantial property rights; and that it will not be detrimental to the neighborhood.

Motion passed: AYES: Buckle, Goltz, Kapranos, Ollinger, Ragan
 (Commissioner Harle had not yet arrived)

Applicant was advised of the ten day appeal period.

- B. V-786 - Harry and Ethel Fenton, 11 Vine Avenue, A/P 7-273-11, application for a 6.5 foot frontyard variance to construct a deck and room within 13.5 feet of the frontyard property line.

Harry Fenton, applicant, present.

Mr. Fenton explained to the Commission that his contractor, Karl Schultz, had received a building permit from the Town to remove the existing staircase and replace it; however, Mr. Schultz had told the Fenton's he had permission to also extend a deck and room, which encroached into the setbacks. The construction is completed.

Mr. Fenton showed the Commission the drawing which was submitted the the Building Department by Karl Schultz. It only showed a staircase to be removed.

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Porter Smith, 15 Vine Avenue, said he is in favor of the application.

M/S Buckle, Kapranos, to approve V-786, application for a 6.5 foot and 2.5 foot frontyard variance to allow the room and deck to remain within 13.5 feet and 11.5 feet of the front property line, respectively, for Harry and Ethel Fenton, 11 Vine Avenue, A/P 7-273-11, on the basis that this construction is necessary to provide a deck off an existing living room and sun room; and constitutes an existing condition of the building and, therefore, makes the variance necessary; and, in addition, the house is small and in order for the applicant to enjoy substantial property rights, it is necessary to extend into the setbacks; and it will not be detrimental to those living in the neighborhood because it is consistent with the frontyard setbacks of the large majority of the existing houses which were built to the old 15 foot setback requirement.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

5. MATTER FOR CONSIDERATION

A. Review of Planning Department and Capital Improvements Budget

Mr. Leitzell, referring to the proposed Jarvis-Gann Budget, said the Planning staff is being reduced by a half-time steno clerk and a half-time planning technician position. A writer (CETA employee), who works part-time will finish his project shortly. A half-time draftsman is no longer employed by the Town due to personnel reasons.

Mr. Leitzell said he will propose to the Town Council at the budget hearing June 20, 1978, that the planning technician position be reinstated. This would be a CETA employee who would do drafting half-time and also prepare recommendations for the Planning Commission on applications in an outline form on a half-time basis. This persons would hopefully also do some advance planning. Legally, this CETA employee could be hired by the Town because there is no one else in that job classification who could lose their job due to Proposition 13.

Mr. Leitzell said this position would cost the Town approximately \$2,000.00 in fringe benefits. He asked the Commission's recommendation that this position be reinstated.

M/S Ragan, Harle, to recommend to the Town Council that a CETA position of Planning Technician and Draftsperson be included in their new budget for reason that failure to do so will most seriously impair the proper conduct of the Planning Commission's business.

Motion passed unanimously.

Mr. Leitzell said the Town should not eliminate Design Review altogether; it should still be used for commercial, apartment and duplex construction and major remodels. Mr. Leitzell said changing Design Review's functions will not require a public hearing according to Hadden Roth, Town Attorney, because of the emergency situation of Proposition 13.

6. ADDITIONAL ITEM

A. Discussion of Possible Changing of Section 10-3.504(h) of the San Anselmo Municipal Code.

Commissioner Buckle suggested the two story limitation on structures in R-1 neighborhoods should be eliminated because the 35 foot height limit basically covers it. His contention is that a house can be three stories, but under 35 feet in height. The purpose of the ordinance is to limit height.

Commissioner Goltz said the ordinance was probably written to include a limit on the number of stories because a two story

house will most likely be under 35 feet in height, so a peaked roof is built; however, a three or four story house might be 35 feet high with a flat roof, creating a large, blocky building.

The Commissioners agreed this suggestion would have to be studied further before a hearing could be scheduled.

7. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 9:17 p.m. to the next regular meeting of July 10, 1978.

Lisa Burclin

LISA BURGLIN
PLANNING COMMISSION SECRETARY

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