

1. ROLL CALL

Commissioners Present: Buckle, Harle, Hayes, McPeak  
Commissioners Absent: Olive, Ollinger, Ragan

2. APPROVAL OF MINUTES - APRIL 7, 1980

Correction for 3/19/80, change "establishes to" to "establishes no."

Item 3F, motion, change "recruitments" to "improvements."

Item 4E, add between paragraphs 4 and 5, "The majority of the Commissioners felt it improper to use the use permit for outdoor display as a mechanism for enforcing the Building and Fire Codes."

Item 4E, motion, change "BTM" to "BFM."

M/S Hayes, McPeak, to approve the minutes of April 7, 1980, as amended. Motion passed unanimously.

3. OLD BUSINESS

A. SS-228 - Robert C. Martin, Brookside and Cordone Drives, A/P 5-222-01, lot line relocation - CONTINUED 05/05/80.

B. V-874 - Herman and Katharina Weihl, 73 Ross Avenue, A/P 7-284-02, a two foot sideyard variance and a 5'6" sideyard variance to construct an open deck and a bay window within four feet and 2'6" of the side property line, respectively - WITHDRAWN.

C. SS-230 - John Murphy, The Alameda, A/P Nos. 5-043-16, 5-043-22, 5-043-31 and 177-133-13, lot line relocations - WITHDRAWN.

D. V-878 - David and Carol Souten, 131 Hilldale Drive, A/P 6-154-03, a 1'7" south sideyard variance to construct a second floor addition within 6'5" of the south side property line.

David Souten, applicant, present.

Mr. Souten said he told his neighbor, Mr. Shelnutt, that he will put some shrubbery on the northwest side of his property.

Hadden Roth had written his opinion that deed restrictions, even if binding as by private covenant, are immaterial to the grant or denial of the variance. The Commission was also given Mr. Shelnutt's letter which stated he is against two story homes in that neighborhood (this was written before he read Mr. Roth's letter).

M/S McPeak, Buckle, to approve V-878 for David and Carol Souten, 131 Hilldale Drive, A/P 6-154-03, a 1'7" south sideyard variance to construct a second floor addition within 6'5" of the south side property line, on the basis that the second floor addition is necessary for the enjoyment of substantial property rights; it will not be detrimental to the neighborhood; that it is necessary because of the small size of the lot and the placement of the house on the lot; and that the continuation of the existing structure is minor in nature.

Motion passed unanimously.

Applicant was advised of the ten day appeal period.

4. NEW BUSINESS

A. U-546 - David and Sharilyn Bunce, 729 Sir Francis Drake Boulevard, A/P 6-083-06, use permit for the on-sale of beer and wine and outdoor eating upon change of ownership.

David and Sharilyn Bunce, applicants, present.

Mr. Bunce said the recent storm caused approximately one parking space to be washed out in the rear of the property; however, he is applying for disaster aid. He does not plan to open for lunch at this time; however, he may in the future.

M/S Buckle, Hayes, to approve U-546 for David and Sharilyn Bunce, 729 Sir Francis Drake Boulevard, A/P 6-083-06, use permit for the on-sale of beer and wine and outdoor eating upon change of ownership, on the basis that it will not be detrimental to people living or working in the area; and is necessary for the enjoyment of substantial property rights.

Motion passed unanimously.

Applicants were advised of the ten day appeal period.

- B. U-547 - Steven Parsons, West Coast Towing, 151 San Anselmo Avenue, A/P 7-301-07, use permit for the storage of vehicles.

Steven Parsons, applicant, present.

Mr. Parsons presented a petition signed by tenants and business owners in the neighborhood supporting his application.

John Colteaux, 55 Kensington Road, suggested that the property should have been posted. He pointed out that a previous applicant was denied this same use at this address. He feels it would be a junkyard and is inappropriate for the neighborhood.

Mr. Parsons said he rents some parking to tenants in the area and has told the people in the area to let him know if his business is too noisy. He said he parks the ugly cars on the Mariposa side where they can be hidden from view. He said he does not dismantle the cars and sell parts. They have painted the fence and pulled some weeds. He showed some pictures of the yard to the Commission. He said at the present time he has only two wrecks in the yard; one has been there a month and the other two weeks.

Mr. Robbins suggested that the application be continued as he wants to notify Joe Paz, the previous applicant, so that he can attend the hearing, if desired.

M/S Buckle, McPeak, to continue U-547 for Steven Parsons, West Coast Towing, 151 San Anselmo Avenue, A/P 7-301-07, use permit for the storage of vehicles, to the meeting of May 19, 1980.

Motion passed unanimously.

Mr. Parsons was told that he can continue his use through the 19th of May, 1980.

- C. V-881 - Dolores Foley, 57 Indian Rock Court, A/P 177-250-08, a 13'10" frontyard variance and a 7'2" frontyard variance to construct a carport and deck within 6'2" and 12'10" of the front property line, respectively.

Dolores Foley, applicant, present.

Ms. Foley presented a petition signed by her neighbors supporting the application.

M/S Hayes, McPeak, to approve V-881 for Dolores Foley, 57 Indian Rock Court, A/P 177-250-08, a 13'10" frontyard variance and a 7'2" frontyard variance to construct a carport and deck within 6'2" and 12'10" of the front property line, respectively, on the grounds that it will not be detrimental to the health and welfare of the neighborhood; and that it is necessitated due to the steepness of the lot and the location of the house on the lot.

Motion carried: AYES: Harle, Hayes, McPeak  
ABSTAIN: Buckle

Commissioner Buckle abstained as he lives close to the property.

5. DISCUSSION

Set a public hearing date for consideration of the environmental review, General Plan amendments, and density ordinance (as returned by the Town Council).

Mr. Robbins said the date for the public hearing will be set on May 5, 1980. On that date the environmental question will also be discussed, i.e., whether an EIR will be required for the ordinance.

6. ADJOURNMENT

The regular meeting of the San Anselmo Planning Commission was adjourned at 9:30 p.m. to the next regular meeting on May 5, 1980.

*Lisa Burclin*

LISA BURGLIN  
PLANNING ASSISTANT