

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Ed Bergeson at 8:00 p.m. on September 17, 1984 in the Council Chamber.
L Wight of staff present.

1. ROLL CALL

Commissioners present: Hayes, Harle, Heubach, Sousa, Bergeson

Commissioners absent: Kroot, Sharp

2. APPROVAL OF MINUTES

M/S Hayes, Harle, the minutes of July 2, 1984 be approved as written. Commissioners Heubach and Sousa abstained. Passed with 3 Aye votes.

M/S Hayes, Sousa, the minutes of August 6, 1984 be approved as written. Passed with three Aye votes. Commissioners Heubach and Harle abstained.

Since there would not be a quorum, the minutes of the August 20 meeting were continued.

3. PUBLIC HEARINGS

The Chairman announced Item C, Z-173, Tarrant Bell Properties, Willow Glen, 1330 Sir Francis Drake Boulevard, would be continued to October 15, 1984.

A. V-2016 Herb and Ruth Becker 1 Indian Rock Road

Mr. Ervin Hille, Architect, was present with Herb and Ruth Becker. New drawings with substantial changes were submitted.

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

M/S Harle, Heubach, to approve V-2016, application of Herb and Ruth Becker, 1 Indian Rock Road, A/P 177-250-17, a 9'6" frontyard variance to construct an open deck within 4'6" of the front property line; a 14'6" frontyard variance to construct a partially enclosed stair within 5'6" of the front property line; and a ten foot frontyard variance to construct a new dwelling within ten feet of the front property line, and additionally, a third floor variance to allow the upper floor of the house; granting of the variance is necessary for the preservation and enjoyment of substantial property rights; will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property involved and will not be materially detrimental to the public welfare or injurious to property or improvement in said neighborhood; variance necessitated by the configuration of the lot, and is approved in accordance with the drawing submitted to the Town and dated 8-10-84 by Hille Architects, Inc. Passed with four Aye votes; Commissioner Hayes voted No. Applicants were informed of the ten-day appeal period. P/C 9-17-84

B. V-2022 Charles T. Clemons

Staff reported no detriment to the neighborhood and recommended approval.

Mr. Clemons stated the construction would carry out the design of the house.

M/S Hayes, Harle to approve V-2022, application of Charles T. Clemons, 209 Ross Avenue, A/P 7-262-23, for a five foot east sideyard variance and a four foot east sideyard variance to construct a bay window and elevate an existing dormer within three feet and four feet of the east side property line, respectively, on the grounds the variance is necessary for the preservation and enjoyment of substantial property rights; will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property involved and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood. Variance is necessitated by the proximity of the house to the east side of the property line. Passed unanimously. Applicant notified of the 10-day appeal period. P/C 9-17-84

D. EU-27 Vincent Derham, Benjamin Properties

Mr. Vincent Derham explained how he happened to be a partner in this property; he said he had made several improvements to the property that he would not have made had he known the Town considered it to be not owner-occupied. He felt he was informed by someone in the Town that 1/100 part ownership would qualify as owner-occupied; subsequently, the Town Attorney ruled that 1/100 part ownership would not qualify for this condition.

Rudolph Daniel Kelly, part owner, stated the building had been rented for 30 years, but there was a misunderstanding with the Town over ownership.

Ms. Claire Stoner, 57 Elm Avenue, stated she had been born across the street from the building and had lived there all of her life. She said she represented four adjacent property owners, and they all opposed the application.

Cornelius Keane, 51 Elm Avenue, said he was opposed to the application.

Dennis Puffaf, 71 Elm Avenue, said he was in the same situation as the applicant. He stated this was a residential area and properties should be owner-occupied. He believes if owners absent themselves the property deteriorates.

The Commissioners did not recognize a hardship, within the meaning of the Code, qualifying for exclusion from the requirement to live on the property.

M/S Heubach, Hayes to deny EU-27, application of Vincent Derham, Benjamin Property, 47 Elm Avenue, A/P 7-052-54, for an exception to the requirement for an owner of a second living unit with use permit approval to live on the property. Passed unanimously. Although the applicants were on the way out of the meeting, an announcement of the 10-day appeal period was made. P/C 9-17-84

E. V-2023 Mr. and Mrs. Marsili 26 Elm Avenue

Dan Thomas was present with and to represent Mrs. Marsili. Mr. Thomas cited the slope, irregular shape of the lot and the existing foundation for justification for adding the second story on the existing house line.

Paul Ferrarase, 24 Elm Avenue, said he thought the house would overwhelm his home and back yard and would cut off his sunlight. He asked if the Commissioners had viewed the lot from his rearyard.

Ellen Walker, 10 Elm Avenue, said all of the houses in the area are uniform in size with greenery and asked the Commissioners if they had received her letter inviting them to come into her yard.

Betsey and Bob Burrough, 8 Elm Avenue, supported the application.

Several of the Commissioners said they did not go into backyards in the vicinity.

Dan Thomas said he could move the construction of the second floor over to meet the required setback; however, to put it on existing foundations would be much more logical and sound construction. He suggested he could lower the addition and perhaps not place windows on the side next to the Ferrarese property.

It was suggested by the Commission that the neighbors get together to see what could be worked out.

M/S Harle, Sousa, to continue V-2023, application of Mr. and Mrs. Marsili, 26 Elm Avenue for variances to construct a second story addition until the meeting of October 1, 1984.

F. V-2024 Jeffrey and Patricia Scales

Commissioner Heubach asked about the drainage.

Mr. Hans Glass was present and said drainage would be taken care of.

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

Page No. 3.

M/S Harle, Sousa to approve V-2024, application of Jeffrey and Patricia Scales, 155 Barber Avenue, A/P 6-192-21, for a third story variance to construct a new dwelling, on the basis that granting of the variance is necessary for the preservation and enjoyment of substantial property rights; will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property involved and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood; variance necessitated by the design of the dwelling; other placement of the garage on the north elevation of the house would tend to create sprawl--and to place it other than that would be detrimental to the neighborhood. Passed unanimously. Applicant notified of the ten-day appeal period. P/C 9-17-84

G. PP-2 David H. G. Coleman South Oak Avenue

Mr. Coleman presented preliminary drawings of the proposed construction.

Debbie Treewater, 1000 South Oak Avenue, said she is concerned over drainage. She said the easement road slopes toward her property and she is afraid if the land is cleared of all plant material that might hold the water, she may get all the mud and dirt in her yard.

Mrs. Treewater was advised to attend subsequent meetings where more detailed plans would be presented.

Mr. Coleman stated there was no open space nor trails involved in this presentation.

M/S Sousa, Hayes to approve PP-2, application of David H. G. Coleman, South Oak Avenue, A/P 7-241-50, preliminary plan review of one single family dwelling in the R-1 H District (Hillside Density District) on the basis that it is in conformance with the General Plan. Passed with 4 Aye Votes; Commission Heubach abstained. Applicant notified of the ten-day appeal period. P/C 9-17-84

The meeting adjourned at 10:50 p.m. to the next regular meeting of October 1, 1984.

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