

The regular meeting of the San Anselmo Planning Commission was called to order by Vice Chairman Antone Sousa at 8:00 p.m. on March 25, 1985 in the Council Chamber. L. Wight of staff present.

1. ROLL CALL

Commissioners Present: Bergeson, Harle, Hayes, Heubach, Kroot, Sousa

Commissioners Absent: Sharp

2. APPROVAL OF MINUTES:

Approval of the minutes of March 18, 1985 were unavailable, therefore approval was continued.

3. PUBLIC HEARINGS

A. Consideration of Resolution to amend present fee schedule

Mike Garvey, Town Administrator, was present to explain the proposed resolution. He said the idea was where extraordinary expense would be incurred concerning planning applications, the fees would be passed on to the applicant; for example, soils engineering, planning consultants, etc. Applicants would be notified at the time of the application that they would be expected to carry this burden. Consultants would not be used for things the planning staff normally handles.

Some of the Commissioners were concerned this practice could easily be abused and wanted limits set. They stated there should be a clear criteria over what would require consultants.

The Administrator said he would draft a set of guidelines and procedures which he would furnish to the Planning Commission for their approval.

The Commission indicated approval in concept.

Effective date will be when approved by the Planning Commission

M/S Hayes, Harle to recommend to the Town Council favorable consideration of a Resolution to amend the fee schedule to pass on the cost of consulting professionals to the applicant with an overhead figure to cover Town expenses, subject to the understanding that detailed guidelines will be prepared by staff and reviewed and adopted by the Planning Commission and subject to the effective date of the Resolution being stated to be the date on which the Planning Commission approves the final guidelines.

Passed unanimously.

F/C 3-25-85

B. V-2015 Rae Johnstone, 125 Redwood Road

At the applicant's request, this matter was continued to the meeting of April 1, 1985

C. V-2043 - Coyne and Company, 25 Canyon Road

Mr. Edwin Heine, architect, was present for the applicant. He said a variance to allow an 18 foot setback had been approved a few year ago, however, the plan now has the 20

foot setback.

Sandy Magid, 49 Canyon Road, said his house overlooks the proposed building and the major advantage of his home was the view of San Pablo Bay which would be blocked by this construction. He said it would result in a financial loss. He also asked where guest would park.

Jerry Jaegel said he lives across the street, there is an easement for a storm drain on his property. He asked who is responsible for any damage to the drainage.

M/S Harle, Heubach to approve V-2043, application of Coyne Company, 25 Canyon Road, A/P 7-064-14, three story variance for a new dwelling, on the grounds that granting of the variance is necessary for the preservation and enjoyment of substantial property rights; granting of the variance will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property involved and it will not be materially detrimental to the public welfare or injurious to property or improvement in said neighborhood; variance based on drawings received by the Town of San Anselmo March 22, 1985. Passed unanimously. Applicant informed of the informed of the 10-day appeal period. P/C 3-25-85

D. C-2003 - Adams Brothers

Robert and Douglas Adams were present. Robert Adams said the building would have Spanish tile roof, white stucco and brown trim. The P. G. & E. had recommended upgrading the service to existing buildings to go underground to the new building.

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

M/S Bergeson, Heubach, to approve C-203, application of the Adams Brothers, 1355 Sir Francis Drake Boulevard, A/P 5-195-03, design review of three additional apartment units and a two-car carport, with an exception to the undergrounding of utilities to the new construction; the exception is that the service is above ground to the existing buildings, but underground to the new buildings, the hardship is the length of service that exists to the existing structures. The Commission found the design is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area; provides for protection against noise, odors and other factors which may make the environment less desirable; will not tend to cause the surrounding area to depreciate materially in appearance or value; will not create unnecessary traffic hazards due to congestion, distraction of motorists or other factors and provides for satisfactory access by emergency vehicles and personnel; will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area, in accordance with plans received by the Town of San Anselmo February 19, 1985.

Passed unanimously. Applicant notified of the 10 day appeal period. P/C 3-25-85

NU-43

V-2044 Dennis and Alva Shine

Staff reported 4 second unit openings in the neighborhood if this one is granted.

Mr. and Mrs. Shine present to answer any questions.

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

M/S Hayes, Harle to approve NU-43, application of Dennis and Alva Shine, for a new second unit based on the findings that it falls within the maximum number of second residential units authorized by resolution of the Council for the single family residential use area in which the unit is located; is located on an Assessor's parcel on which the owner of record maintains his principal residence, does not encroach upon required setbacks; will be made the subject of a rent guarantee contract between the applicant and the Town; does not cause excessive noise, traffic, parking or overloading of public facilities. Passed unanimously.

M/S Hayes, Kroot, to approve V2044, application of Dennis Alva Shine, 54 Yolanda Drive, A/P 7-042-17, for a 7'7" sideyard variance for a porch and roof overhand to be within five inches of the side property line; and a parking variance for the existing three parking spaces in tandem in the front and side setbacks; variance necessitated by the configuration of the structure on the site, and in particular the close relationship of the house to the west side property line; 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. Passed unanimously. a informed of the 10 day appeal period.  
P/C 5-23-85

F. V-2045 - Richard P. Chicca

John Manning, Architect was present for the applicant.

Commissioner Hayes said he was apprehensive about the handicapped space for passengers.

M/S Kroot, Bergeson, to approve V-2045, application of Richard P. Chicca, 11 Belle Avenue, A/P 7-302-13, for a parking variance to reduce the required twelve spaces to eleven on the basis granting of the variance is necessary for the preservation and enjoyment of substantial property rights; granting of this variance 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 the neighborhood, and the fact that the number of existing parking spaces is not being reduced; approval based on drawing received by the Town on February 21, 1985. Passed unanimously. Applicant informed of the 10 day appeal period.  
P/C 3-25-85

## C-204 Richard P. Chicca

Mr. John Manning said there would be a new screen wall, portions of the building would be repainted to match existing.

The new siding would be ship-lap redwood. A new canopy for the second floor office would be blue. Building peak would be 27-28 feet in height

M/S Kroot Heubach, to approve C-204, application of Richard P. Chicca, 11 Belle Avenue A/P 5-212-05, design review of exterior alterations to a commercial building based on the findings that it is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area; provides for protection against noise, odors and other factors which may make the environment less desirable; will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment or orderly development in such area; will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel and will not adversely affect the health or safety of persons using the improvements or endanger property located in the surrounding area; approval based on drawings received by the Town 2-21-85. Passed unanimously. Applicant informed of the ten-day appeal period. P/C 3-25-85

## G. V-2046 JOE AND GAIL FUENTES

Mr. and Mrs. Fuentes present with their architect, Frank Cuthbert.

Ann Olds, 59 Cordone, said she was concerned over drainage, whether the pipe is adequate; the design of the driveway; she said the lights of cars would be in her bedroom from the turnaround.

The Architect said cars would be going downhill and would shine no lights into the bedroom. He said because of the slippage to the right and left of the proposed site, this site is the only place the dwelling can go.

Some of the Commissioners expressed the view that the dwelling, being 2,800 s.f., may be too big; it would appear massive on the lot. The structure is very tall. The commission asked for perspective drawings. They also asked for samples of the materials.

M/S Heubach, Bergeson, to continue V-2046 and Z-190, application of Joe and Gail Fuentes, 63 Cordone Drive, A/P 7-015-05, design review of a new dwelling, be continued to the regular meeting of April 15, 1985. Passed with 5 Aye votes; Commissioner Kroot abstained. P/c 3-25-85

## H. S-97 Richard Ryerson

The applicant was not present. M/S Hayes, Harle to continue S-97, application of Richard Ryerson, 510 Center Boulevard, A/P 7-015-08, review of tentative map for six unit residential condominium subdivision, to the meeting of April 1, 1985. Passed unanimously. P/C 3-25-85

V-2047 Russell Penn

Mr. Penn presented photos of the site and indicated he had met with the neighbors.

Mr. Rick Sheviakov, 30 Oakwood, said Mr. Penn has been cooperative. He reiterated an offer from the neighbors to buy the lot.

Mr. Miller, 50 Oakwood, said he owned a lot on the other side of the road, and he had offered his lot free of charge to the Town who did not want it.

Mr. Ostrander, 45 Oakwood and Tom Hendricks, 23 Carlson Court, both spoke of possible slides and water runoff.

Mr. Dave Scalese, 25 Carlson Court said a landslide would engulf his entire home.

Commissioners questioned whether this is really a buildable site; whether the soils report indicates it is feasible to construct on this hillside; would they be able to make a finding that this construction would not be detrimental to the neighborhood:

Mr. Gene Puerling, 22 Oakwood, said he objected to the height of the garage at street level.

The building designer, John Marshall, said he felt the proposed structure was small for the size of the lot.

Mr. Sheviakov asked if it would be in the best interest of the Town to grant a variance. Maybe, he said, a carport and no garage would be acceptable. Additional cars on the street would be acceptable. Additional cars on the street would impede the flow of traffic.

M/S Heubach, Kroot to approve V-2047, application of Russell Penn, 27 Oakwood Court, A/P Nos. 5-062-80 and 5-062-83, for a three story variance as well as a 20 foot frontyard variance to construct a garage and house within zero feet of the front property line; and a 14 foot frontyard variance to construct an open deck within zero feet of the front property line, having found 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 is necessitated by the hardship that exists because there is no access to the property whatever for vehicles without a variance.

Denied by the following tie vote:

Ayes: Bergeson, Heubach, Kroot

Noes: Harle, Hayes, Sousa

J. Amendments to San Anselmo Municipal Code to bring lot merger ordinance in compliance with State mandated law.

Continued to 4-01-85.

At 11:45 p.m. the meeting was adjourned to the next regular meeting of April 1, 1985.

Thelma Foster