

A regular meeting of the San Anselmo Planning Commission was called to order on March 3, 1986 at 8:00 p.m. by Chairman Kroot in the Council Chamber. Lisa Wight, Planning Technician, was present.

ROLL CALL

Commissioners Present: Harle, Sharp, Zaharoff, Chairman Kroot

Commissioners Absent: Hayes, Heubach, McPeak

APPROVAL OF MINUTES

The following changes were made to the minutes of January 20th: the word "Absent" under approval of minutes of January 6th was replaced with "Abstain;" under application Z-239, 57 Ross Avenue, Chairman Kroot's concern that approval of the application would set a precedent for properties zoned R-3 and his request that the applicant demonstrate why this property is unique for this type of proposal was added to the minutes; and Commissioner's Sharp comments about the 57 Ross application at the top of page 3 was amended to state that about 1 1/2 years ago the Town looked at this particular area for rezoning, with the possibility of downzoning. At the beginning of the zoning workshop on 805 and 1535 Sir Francis Drake Boulevard, it was added that Chairman Kroot said he would abstain from this item due to a possible conflict of interest and Vice Chairman Heubach chaired that hearing.

M/S, Sharp-Harle, to approve the minutes of January 20, 1986 as corrected. Motion passed unanimously.

On the minutes of February 3rd, Commissioner Harle clarified that his comments about the shack next to the property at 15 Encina were to suggest the Building Inspector look into this matter.

M/S, Harle-Sharp, to approve the minutes of February 3rd as amended. Motion passed unanimously.

V-2105 - Jack Lieberman, 38 Ridge Road, A/P 5-172-23; 7'2" southeast sideyard variance and 3.5 foot rearward variance to construct an enclosed staircase within ten inches of the southeast side property line and 16.5 feet of the rear property line; 8 foot northwest sideyard variance to construct a patio roof (3 feet higher than existing) within zero feet of the northwest side property line; 6 foot southeast sideyard variance to construct a garage addition within two feet of the southeast side property line; and a 17 foot rearward variance to construct a trash enclosure within three feet of the front property line.

The applicant was present. This item was continued from the meeting of February 3rd.

Planning Technician Wight reported that the plans were revised to pull the enclosed staircase back 10" from the property line at the closest point. The staircase width is the minimum allowed by the Uniform Building Code.

A letter had been submitted from Jeanette Freeman, 42 Ridge Road, stating she did not object to construction of the enclosed staircase near their shared property line which is 26 feet from her house and screened by trees.

M/S, Sharp-Zaharoff, to approve V-2095, Jack Lieberman, 38 Ridge Road, A/P 5-172-23; 7'2" southeast sideyard variance and 3.5 foot rearward variance to construct an enclosed staircase within ten inches of the southeast side property line and 16.5 feet of the rear property line; 8 foot northwest sideyard variance to construct a patio roof (3 feet higher than existing) within zero feet of the northwest side property line; 6 foot southeast sideyard variance to construct a garage addition within two feet of the southeast side property line; and a 17 foot rearward variance to construct a trash enclosure within three feet of the

front property line, on the grounds that granting of the variance is necessary for the enjoyment of substantial property rights and is necessitated by the configuration of the property, the proposal will not be detrimental to the neighborhood, in accordance with the drawings prepared January 10, 1986 and dated March 3, 1986. Motion passed unanimously.

V-2109 - Arthur and Kathy Abram, 321 Greenfield Avenue, A/P 6-211-08; two foot east sideyard variance to construct an addition within six feet of the east side property line; and five foot west sideyard variance to construct a garage within three feet of the west side property line.

Kathy Abram and the project architect, Ronald Casassa, were present.

The proposal is to add living area to the rear of the house, of which 24 square feet is located in the 8 foot east side setback, and to replace a storage building with a single car garage at the end of the driveway in the west side setback.

M/S, Harle-Zaharoff, to approve V-2109, Arthur and Kathy Abram, 321 Greenfield Avenue, A/P 6-211-08, a two foot east sideyard variance to construct an addition within six feet of the east side property line; and a five foot west sideyard variance to construct a garage within three feet of the west side property line, on the grounds that it allows enjoyment of substantial property rights, it offers no detriment to other properties or activities in the neighborhood, the nature of the construction is dictated by the character of the existing building which originally conformed to the setbacks then in force and in order to be consistent with that structure, this seems to be the best solution for the new construction, in conformance with the drawings received January 28, 1986. Motion passed unanimously.

V-2108. Lawrence Cragg, 78 Madrone Avenue, A/P 6-052-24; 16.5 foot frontyard variance and 4.5 foot east sideyard variance to construct a storage/workshop structure within 3.5 feet of the front property line and 3.5 feet of the east side property line.

The applicant was present.

The proposal was for a 216 square foot, 17.5 foot high storage building adjacent to the shed on the neighboring property and at the location of a diseased tree to be removed. Staff recommended raising the building floor 1 foot above the 100 year flood plain and reducing the height of the shed 4 feet.

Mr. Cragg submitted a letter from the owner of the adjacent shed and property at 74 Madrone in support of the application, and added that he intended to paint the shingles brown to match the other structures on his property.

Dianne Coppersmith, 84 Madrone, member of the Board of Directors of the Ross Valley Condominium Association adjacent to this property, asked if the shed could be moved elsewhere on the site. Mr. Cragg responded that any other location would eliminate parking and that he will plant a hedge between the 78 and 84 Madrone properties as well as in front of the shed on the Madrone frontage.

M/S, Sharp-Harle, to approve V-2108, Lawrence Cragg, 78 Madrone, A/P 6-074-24, a 16.5 foot frontyard variance and 4.5 foot east sideyard variance for a storage/workshop structure within 3.5 feet of the front property line and 3.5 feet of the east side property line, with the condition that the pitch of the roof be reduced consistent with the staff recommendation and be no greater than 4 and 12, the finished floor of the building be located at least 1

foot above the 100 year flood plain, and the shed be stained and shingled to match the existing house, on the grounds that the granting of variances is necessary for the preservation and enjoyment of substantial property rights and are necessitated by the configuration of the property, specifically such that the building as proposed with the conditions recommended will be naturally screened by the configuration of the property and will preserve existing parking on the property, and the location as proposed would be clustered with the structure on the adjacent property, as shown on the drawings received January 29, 1986. Motion passed by the following vote:

AYES: Harle, Sharp and Kroot

NOES: Zaharoff

V-2110 - Anthony Avellino, 184 Butterfield Road, A/P 5-101-40; A 6 foot north sidevard variance to construct a garage within 2 feet of the north property line.

The applicant was present.

The proposal was to build a 11 feet wide by 44 feet long and 9 feet high two-car, tandem garage with storage area within two feet of the side property line.

Staff expressed concern about the proximity of the garage to the side property line and the neighbor's home, which has four windows facing this side, and the fact that the garage would block access for heavy equipment to maintain the creek in the rear.

Mr. Avellino suggested there be doors in both the front and rear of the garage to allow through access to the creek. He objected to setting the garage further back on his property as it would necessitate construction of a protective retaining wall, and furthermore, he is attempting to bring the cars out from the rear of the house and into a location where they are less likely to be hit by neighboring vehicles. He did not object to reducing it to a one-car garage.

The Commissioners stated their difficulty in making the finding that the project would not create an adverse impact because it would in fact eliminate clear access to the creek, and in making the finding of necessity since there were other potential locations on the property for this use. A garage 44 feet long would be obtrusive, and would intrude somewhat on the neighbors. Furthermore, if storage is much of the intended purpose of this structure, a carport or storage area may be a more appropriate solution.

Mr. Avellino said he needed a parking structure but that he would explore alternative proposals.

M/S, Sharp-Zaharoff, to continue this item to March 17 and refer it back to the applicant for revisions consistent with the discussion tonight. The motion passed unanimously.

On a motion duly made and seconded, the meeting was adjourned at 9:10 p.m.

Beth Calamar