

The regular meeting of the Planning Commission was called to order in the Town Council Chamber at 8:00 p.m. on May 2, 1988, by Chairman Hayes. Staff present: Lisa Wight.

A. ROLL CALL

Commissioners present: Harle, Yarish, Julin, Sias,
Hayes
Commissioners absent: Manning

B. PUBLIC HEARINGS

1. V-2229 - Gene Stockwell, 1 Hilldale Drive, A/P 6-166-07, a 3.5 foot east sideyard variance to construct a first story addition within 4.5 feet of the east side property line.

Gene Stockwell, applicant, present.

Lisa Wight presented staff report, noting that the retaining wall was not included in the staff report because it was not on the drawing but can be handled administratively.

All the Commissioners were in agreement with the application.

M/S Yarish, Julin, to approve V-2229 - Gene Stockwell, 1 Hilldale Drive, A/P 6-166-07, a 3.5 foot east sideyard variance to construct a first story addition within 4.5 feet of the east side property line with an 18 inch roof overhang on the basis that: 1. Due to special circumstances applicable to the property, specifically that the existing bedroom is very small to be used as a master bedroom and the proposed construction is the logical extension along the east wall and to construct the addition to the rear of the living room would eliminate light to the room and the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification; and the granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated; and 2. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner, specifically that the applicant feels it is necessary to have additional living area; and 3. The granting of such variance, under the circumstances of the particular case, will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood, specifically that the adjacent properties are somewhat removed from the addition and few if any have a view of this space. This is based on drawings dated December 23, 1987.

All ayes. Motion passed unanimously. Applicant advised of the 10 day appeal period.

2. V-2230 - Warren and Sandra Pino, 260 San Francisco Boulevard, A/P 6-011-15, a 2 foot north sideyard variance to construct a two story addition within 6 feet of the north side property line, with a two foot roof overhang.

Warren and Sandra Pino, applicants, Jeff Kroot, Architect, present.

Lisa Wight presented staff report.

Mr. Kroot presented letters of support from the neighbors and a photograph of the backyard, stating the variance is

necessary because of the needs of the large family. They feel this variance is the most logical spot.

Commissioner Sias was concerned about how close the addition would be to the adjacent neighbors, but if the neighbors have no objections, then he could support the application.

Commissioner Julin was in support of this application but wondered how the house at No. 261 was ever allowed an encroachment.

Commissioner Yarish felt it was a well laid out extension of the house and the addition is forward of the adjacent dwelling.

Commissioner Harle was in support of the application.

Chairman Hayes agreed with Commissioner Yarish.

M/S Harle, Julin to approve V-2230 - Warren and Sandra Pino, 260 San Francisco Boulevard, A/P 6-011-15, a 2 foot north sideyard variance to construct a two story addition within 6 feet of the north side property line, with a two foot roof overhang because the internal economy of circulation of the existing dwelling and the layout of yard and placement of house on the adjacent property to deny use of the logical placement of the addition would deprive them of their rights. The granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, specifically the house next door; and the granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner, specifically this is a reasonable variance to increase the size of the house. This is in reference to drawings dated March 31, 1986.

All ayes. Motion passed unanimously. Applicant advised of the 10 day appeal period.

3. V-2231 - Don and Rae Mansell, 90 Hollstein Road, A/P 177-160-07, a 3 foot frontyard variance to extend a garage within 17 feet of the front property line; and a variance to convert a portion of the existing garage to a garden room.

Don Mansell, applicant, present.

Lisa Wight presented staff report.

Mr. Mansell stated that his plan is to install a roll up garage door so he will not need a 3 foot clearance, therefore he will not block the neighbors; he also noted that his extension will be towards the north.

All the Commissioners were in favor of this application.

M/S Sias, Julin, to approve V-2231 - Don and Rae Mansell, 90 Holstein Road, a/P 177-160-07, a 3 foot frontyard variance to extend a garage within 17 feet of the front property line; and a variance to convert a portion of the existing garage to a garden room on the basis that: 1. Due to special circumstances applicable to the property, specifically the lot layout and placement of the house so as not to see the pool the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification; and the granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated; and 2. The granting of the variance is necessary for the preservation and enjoyment of

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The San Anselmo Planning Commission hereby denies without prejudice the variance application of Lee Cole Properties to construct a driveway within an easement shown over portions of Assessors Parcel Nos 5-043-16, 22, and 31.

The San Anselmo Planning Commission in denying without prejudice this variance application does so with the intent to allow Lee Cole Properties an opportunity to submit an application for improving driveway access to Assessors Parcel No. 177-220-54 which is located in the County of Marin. However, Lee Cole Properties must submit a variance application which can be implemented unilaterally by the applicant, or the applicant must obtain the endorsement of the owners of other properties which are proposed to be improved under the variance application.

The San Anselmo Planning Commission hereby makes the following findings in denying the variance application:

1. Section 10-3.2102 of the San Anselmo Zoning Code requires that all applications for variances be made in writing and signed by the property owners requesting said variance.
2. The improvement drawing presented by Mr. Michael Carradine at the February 16, 1988, meeting of the Planning Commission included a paved turnabout on land outside of the 40' roadway easement shown on the drawing. The property on which the turnabout was located was not owned by the applicant, Lee Cole Properties Inc., and the owner of said land had not signed the application as required by Section 10-3.2102.
3. Mr. Michael Carradine stated at the February 16, 1988 meeting of the Planning Commission that Lee Cole Properties was the only applicant matter, and that J. K. Naylor Inc. was not a party to the application before the Planning Commission; nor had he signed the application made by Lee Cole Properties, Inc.
4. The paved turnabout shown on the improvement plan presented by Mr. Carradine was a requirement of the Ross Valley Fire District to insure that adequate fire protection would be available to properties and improvements served by the requested driveway.
5. Lee Cole Properties Inc. could not guarantee the implementation and construction of the paved turnabout without the written consent or endorsement of the owner of Assessors Parcel No. 5-043-16.
6. The 18 foot driveway without a paved turnabout would be detrimental to the public welfare and injurious to public safety personnel, and properties, and improvements intended to be served by the driveway. Accordingly, a variance application which would be detrimental to the public welfare has to be denied under Section 10-3.2102 of the San Anselmo Zoning Ordinance.

The foregoing resolution was adopted and passed at a regular meeting of the San Anselmo Planning Commission held on March 7, 1988, by the following vote:

AYES:

NOES:

ABSENT:

Chairman, Planning Commission

ATTEST:

Secretary, Planning Commission