

**TOWN OF SAN ANSELMO
PLANNING COMMISSION MINUTES FOR OCTOBER 7, 1991**

The regular meeting of the San Anselmo Planning Commission was convened at 8:00 p.m. by Vice Chairman Jeff Kroot. Commissioners present were Harle, Yarish and Sias. Staff present were Planner Lisa Wight, Planning Consultant Delvin Washington and Planning Director Ann Chaney.

B. CONSENT AGENDA

1. Minutes -
 - A. September 23, 1991
 - B. September 30, 1991
2. **V-9132 - Carola Ashford, 225 San Francisco Blvd, A/P 5-204-35**, an 8' south sideyard variance and a 20' rearward variance to construct a roof within 0' of the rear and south side property lines on property located within the R-1 zoning district.
3. **DR-9114 - Greg and Judy Gibson, 47 South Oak, A/P Nos. 7-192-03 and 7-241-47**, design review of first and second story additions and reconstruction of an uncovered deck, on property located within the R-1 zoning district (above 150 feet mean sea level).
4. **V-9135 - Nancy Roscoe and Richard and Marylou Murphy, 15 Barber Ave and 25 and 35 Entrata Avenue, A/P 6-241-39**, a 7' rearward variance and 8' sideyard variances to construct a 16' high gabion slope protection wall against the east side of the creek bank as measured to the top of the bank, on property located within the R-1 zoning district.
5. **V-9137 - Gregory Bailey, 179 Spring Grove, A/P 6-212-28**, a 15' variance to construct a garage within 5' of the front property line on property located within the R-1 zoning district (above 150 mean sea level).

M/S Yarish/Harle, to approve the consent agenda.

Ayes: Kroot, Harle, Yarish

Abstain: Sias

Motion passed. Audience advised of the ten day appeal period.

C. CONTINUED PUBLIC HEARINGS

1. **V-9131 - Ronald and Lynn Hinck, 45 Suffield, A/P 5-121-11**, 1) an 8' front yard variance to construct a second story addition within 12' of the front property line; and 2) a 7' front yard variance to extend an existing garage within 13' of the front property line, on property located within the R-1 zoning district. CONTINUED TO THE MEETING OF OCTOBER 21, 1991
2. **GPA-9101/Z-9101/ER/LLR-9101/U-9104/V-9130/DR-9110 - Jim McDonald, 40 Belle, A/P 7-301-05, 7-301-16 and 7-301-17**, 1) Environmental review of the General Plan amendment and rezoning; 2) General Plan amendment to revise the land use map for a portion of the property currently C-3 to have a designation of R-1 and a portion currently R-1 to have a designation of C-3 (fronting Mariposa Avenue); 3) Rezoning of a portion of the property currently zoned C-3 (fronting Mariposa Avenue); 4) Lot line relocation to create two parcels from three existing parcels; 5) A use permit, variance and design review to construct a new building and parking area within 6' of the west side property line (fronting Mariposa Avenue) to house current school activities; and 6) A use permit for the Rummage Rack location to be shifted from the C-3 zoned parcel to the adjacent R-1 parcel (located in the new building fronting Mariposa Avenue). CONTINUED TO THE MEETING OF OCTOBER 21, 1991

D. PUBLIC HEARINGS

1. **V-9128 - Charles C. Mohun, 46 Broadmoor Ave, A/P 5-185-13**, a 4'6" sideyard variance to construct a first and second story addition within 3'6" of the side property line, on property located within the R-1 zoning district.

The applicants were present.

Mr. Washington presented the staff report.

The Commissioners were pleased with the redesign and the effort put forth by the applicants.

M/S Yarish/Sias, to approve V-9128 - Charles C. Mohun, 46 Broadmoor Ave, A/P 5-185-13, a 4'6" sideyard variance to construct a first and second story addition within 3'6" of the side property line, on property located within the R-1 zoning district. This approval is based on the following findings. 1. *Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of a variance will not constitute a grant of*

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special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. The existing setback of the neighboring house is five feet from the side property line. The applicant is concentrating the addition on this side of the house because the established building line is presently 3'-6" from the side property line. The existing floor plan of the house would have to be re-configured in order to adjust the ground floor of this residence. Reconstructing the ground floor addition at its original 3'-6" setback and slightly extend the wall out 3 feet will not pose any substantial detriment on the neighboring properties. Furthermore the applicant has extended the addition out in the allowed building area to compensate for the area lost in this floor plan adjustment. The granting of a variance would not warrant a special privilege for this applicant. 2. *The granting of the 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 or the applicant and will not be detrimental to the public welfare or injurious to property or improvements in such neighborhood.* A variance approval will not have any detrimental impacts to the immediate neighbors or the community at large. The addition will only slightly increase the length of the building wall which currently is 3'-6" from the side property line. This additional floor area will not result in any substantial increase in nonconformity that will cause any detriment to neighboring properties. The second floor addition has been adjusted so as to conform with the required 8 foot side yard and 20 foot rear yard setback **Conditions of approval are that the project be built according to the approved plans dated 9/30/91.**

Motion unanimously passed. Audience advised of the ten day appeal period.

2. **V-9136 - James and Marjorie Gibbs, 52 Forest, A/P 7-013-09,** 1) a 12' rearyard variance to construct a garage within 8' of the rear property line, and 2) a 0' front yard variance to install a new access stairway above 30" in height within the right-of-way easement (revocable encroachment permit required), on property located within the R-1 zoning district.

The applicants were not present.

Mr. Washington presented the staff report.

The Commission was in support of this project.

Commissioner Yarish noted that the building department will probably require some shear walls during the plan check process. If the shear walls are required the plans will be altered. Commissioner Harle stated that if that does happen, he felt it should either be approved administratively if the modification is minor or come back to the Commission as a consent item, depending upon the amount of the modification. The Commission agreed with Commissioner Harle's comments.

M/S Harle/Yarish, to approve V-9136 - James and Marjorie Gibbs, 52 Forest, A/P 7-013-09, 1) a 12' rearyard variance to construct a garage within 8' of the rear property line, and 2) a 0' front yard variance to install a new access stairway above 30" in height within the right-of-way easement (revocable encroachment permit required), on property located within the R-1 zoning district. Approval is based upon the following findings. 1. *Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under an 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.* The extreme slope of the site limits the available area where a vehicle can feasibly be parked on the property. This subject area is presently used for parking. Covering it will not significantly increase the degree of non-conformity of the site. 2. *The granting of the 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 or the applicant and will not be detrimental to the public welfare or injurious to property or improvements in such neighborhood.* This variance approval will not have any detrimental impacts to the immediate neighbors or the community at large. **Conditions of approval are that the project be built according to the plans dated 8/9/91.**

Motion unanimously passed. Audience advised of the ten day appeal period.

3. **DR-9115 - Daniel Ohlson and James Howey, 21 Mariposa, A/P 7-301-06,** design review to install new exterior finish on an existing self storage facility on property located within the C-3 district.

The applicants were not present.

Mr. Washington presented the staff report.

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Commissioner Kroot stated that he did not think that the amount of plywood for this storage facility would be appropriate for this area. Other houses and apartments within the vicinity are constructed of stucco and brick and he felt concrete related better than wood. He felt that concrete walls would be handsome and that there are products that can be less expensive than wood, that can be sprayed on as a sealer.

Commissioner Yarish concurred with Commissioner Kroot. He stated that the wood might look good for a few years but mahogany especially, does not weather very well. In the long run, concrete would look the best.

Commissioner Harle was persuaded by the comments he just heard from his fellow Commissioners.

Commissioner Sias stated that he did not think there would be any difference between concrete or wood for the 150' plus storage facility. If the applicant prefers wood, he would be willing to go along with that.

Mr. Washington asked if the Commission had any objection to using a sealant with new paint. Commissioner Yarish stated the applicant might consider Elastomerit

Commissioner Harle said he wanted to change his decision and go along with the applicant's desire to use wood.

M/S Yarish/Harle, to continue DR-9115 - Daniel Ohlson and James Howey, 21 Mariposa, A/P 7-301-06, design review to install new exterior finish on an existing self storage facility on property located within the C-3 district. This is continued to the meeting of October 21, 1991.

H. ADJOURNMENT

The regular meeting was adjourned at 9:15 p.m. to the next regular meeting on October 21, 1991.

BARBARA CHAMBERS