

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF MAY 18, 1998**

The regular meeting of the San Anselmo Planning Commission was convened at 7:45 p.m. by Chair Zwick in the Council Chamber, 525 San Anselmo Avenue, San Anselmo, CA. 94960.

CALL TO ORDER

Commissioners present: Zwick, Dowd, Cronk and House
Commissioners absent: Harle, Israel and Wittenkeller

Staff present: Senior Planner Wight and Associate Planner Griffin

OPEN TIME FOR PUBLIC EXPRESSION

No one spoke during this time.

CONSENT AGENDA

1. MINUTES: April 20, 1998 and May 4, 1998

M/s House/Cronk, and unanimously passed (4-0), to approve the Consent Agenda.

PUBLIC HEARING

1. V9815/DR-9813 David and Dana Barsocchini, 115 Madrone Avenue, A/P 7-161-03, 1) Design Review to build a new, 2,752 square foot, 2-story house. New house will replace an existing, 1,012 square foot, 1-story non-conforming house; and 2) Variance to allow existing parking spaces within 3' of the easterly property line (8' required) and within 11' of the rear property line (20' required) on property located within the R-1 Zoning District

Mr. Griffin presented the staff report.

Dave Barsocchini, applicant, stated that he has made a lot of changes to make the neighbors happy but does not feel the windows on the second story should have to be made smaller.

Gail Permar, 113 Madrone Avenue, stated that they have no problem with the applicant's proposed second story window heights and supports the plan.

Commissioner House has no problem with the variance and felt the windows on the second floor should remain as shown on the plan.

Commissioner Cronk was in support of the staff report with the exception of the second story windows.

Chair Zwick stated that they are at the maximum 35% lot coverage and this house does not show the articulation along the long walls. It has a bungalow look but falls short of the architectural features. Therefore, he is not able to support the project as is.

Mr. Barsocchini stated that the architectural details will be included in the working drawings but they were in a rush to submit the plans.

M/s Dowd/House, and passed (3-1 Zwick: no), to approve the application based on the findings and conditions as set forth in the staff report with the following conditions:

Conditions of approval

1. That the request for Design Review and Variance be granted to construct a new two story house and allow two existing, enclosed parking spaces to remain within the side and rear setback areas in accordance with the plans date stamped April 22, 1997, received by the Town of San Anselmo Planning Department with the following revisions:
 - a) Reduce the front porch width to 6' and
 - b) Eliminate the footprint associated with the bay window along the southerly side.
2. During the entire construction period, the applicant is responsible for, and shall maintain, at least 12' of unobstructed street width on both Madrone and Grove Lane. Roads shall be devoid of any building material and shall not be used to store any equipment or project related vehicles. If temporary street closure is necessary, the date, time and length of closure shall be approved by the Public Works Director and the Police Chief three (30) days prior to the desired closure.
3. Garage structure shall be converted to use as a two car garage, accommodating two, 9'x19'x7' spaces, free and clear of any obstruction, prior to final building inspection or Certificate of Occupancy, whichever occurs first.

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4. A survey of the property may be required pursuant to Resolution 3383 of the Town Council.
5. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections.
6. This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.
7. If construction is not commenced within one year from the date of final action, the permit becomes null and void. However, this discretionary action may be renewed by the Planning director for a maximum period of one (1) year provided the applicant places such a request in writing to the Planning Director showing good cause prior to the expiration of the discretionary action.

Chair Zwick advised all parties of interest of the ten-day appeal period.

2. V-9817/DR-9816 - Aliabadi and Podgarski, 203 San Anselmo Avenue, A/P 7-284-39, Design Review including painting and sign review. Sign Variance request to allow the following: a) A total of five signs (two allowable); b) increase total sign area square foot of 81.25 square feet (48 square feet allowable); c) placement of projecting sign less than 8' from grade, on property located within the C-3 Zoning District.

Mr. Griffin presented the staff report.

Stewart Caskie, Designer representing the applicant, stated that the building sits back on the lot and they want the signage to let people know the restaurant exists. He wants to amend his application to remove the signs on the fence, but can not improve the roof sign, noting that the actual surface area of the sign is only 12 square feet. He presented a diagram that shows the signs removed on the fence and an alternative design showing where he would like to place a sign that is perpendicular to the fence, but still on private property.

In response to Commissioner Cronk, Mr. Caskie stated that the reason he has not added the words cafe/bistro to the sign was because it would add more square footage.

The Commission discussed how the Code defines the sign measurement and how it applies to this particular application. The consensus was that they would use two rectangles instead of one.

Commissioner House commented that she drove past the restaurant not knowing where it was. Therefore, she felt it was important to allow a sign perpendicular to the road.

M/s Zwick/House, and unanimously passed (4-0), to approve the design review based on the findings and conditions as set forth in the staff report and to approve the sign variance for up to three signs, using two rectangles. The signage is not permitted on the fence. The findings for the variance are that the building is set back from the street and the signs will direct customers to the restaurant.

Chair Zwick advised all parties of interest of the ten-day appeal period.

3. V-9818/DR-9815 - Ron and Terri Collindres, 14 Ramona Way, A/P 5-151-08, A parking variance to convert a two-car tandem garage and a one car tandem carport to living area; a parking variance for two car tandem parking to be within 4' of the west side property line (8' setback and two clear parking spaces required); design review to enclose the east side of the dwelling within 7' of the east side property line (8' required); and a front yard variance to construct a covered porch within 14' of the front property line on property located within the R-1 Zoning District.

Ms. Wight presented the staff report, noting that staff is proposing denial of the variance and approval of the design review.

In response to Commissioner House, Ms. Wight stated that the neighbors adjacent to the proposed parking have an area that is used for storage, and their living area is on the second floor.

In response to Commissioner Cronk, Ms. Wight stated there is no proposal for additional landscape.

Ms. Collindres stated that the only impact would be on the west side neighbors and they are in support of the project. The majority of the neighborhood has carports, not garages. The house needs a new facade, it now looks like an apartment building, and the improvement would benefit their neighborhood. There is no proposal for additional landscaping. In response to staff recommendations, she stated that adding the addition in the rear would not provide enough room for the stairway and the four foot side yard extension would not be attractive or gain them enough room.

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Commissioner Dowd stated that the proposal is a great improvement and the house does need more curb appeal.

Commissioner Cronk was sympathetic with what the applicant is trying to achieve however diminishing parking is very difficult for her to approve and she would hate to see parking brought out from the garage.

Chair Zwick stated that he is not in support of the parking variance although he sees the architectural improvement.

Chair Zwick offered the applicants a continuance to allow time for a redesign.

Mr. Colindres asked if the Commission would consider adding a garage to the side and removing the porch. Chair Zwick stated that it is difficult to visualize without drawings. His sense of the Commissioners present was that they would be more willing to support a partial variance, as long as there is some covered parking. Mr. Colindres said they will continue their application to 6/15/98

M/s House/Cronk, and unanimously passed (4-0), to continue the application to the meeting of 6/15/98.

4. V-9819-Peter Thompson, 26 Vineyard Avenue, A/P 7-265-13, Variance request for the following: 1) extend a recently approved retaining wall within 0' of the front property and within 0' of the easterly side property line. Wall height up to 9'. Wall will dislocate existing garage space along Vineyard; 2) After-The-Fact request to amend a previously approved variance (applicant was granted variance to build a carport within 4' of the front property line in 4/94). Request is to allow a garage and exterior stairs within 3' of the front property line, on property located within the R-1 Zoning District.

At the request of the applicant, the application was continued to the meeting of 6/1/98.

5. V-9816 Michael and Julie Austin, 9 Scenic Avenue, A/P 7-081-25, A side yard Variance to construct a one-car garage within 2' of the south side property line (8' required), on property located within the R-1 Zoning District.

Ms. Wight presented the staff report.

Mike Austin, applicant, stated that they have a permit for a remodel and they are now requesting permission to build a garage. They currently have two aluminum storage sheds that they want to remove once they get approval on their garage. There is a 3.6' drainage culvert in the rear of the property that drains from the up hill property and presents a problem for the garage location. Also, if they move the garage to the rear it would increase the concrete area. The adjacent neighbor is in support of the garage and other properties in the area have similar lots with garages on the property line. There is twenty-three feet between their house and the adjacent house.

Commissioner Cronk stated that she was in support of the proposal because of the adjacent property being so far away and covered parking is a benefit.

Commissioner Dowd also supported the variance as proposed because there would be adequate space between the houses and he did not want to see the garage in the rear.

Commissioner House was in support of the project because of the culvert in the back and having to protect the tree.

Chair Zwick stated that he could not support the parking variance.

M/s House/Cronk, and passed (3-1 Zwick: no), to approve a 5' side yard variance based on the special circumstances that the garage cannot be placed in the rear or the lot because of the large Oak tree behind the north side of the house, the existing culvert and the distance between the two houses of 20 plus feet allows for adequate separation.

Conditions of approval

1. That the garage construction be in accordance with plans date stamped received by the Town of San Anselmo on May 4, 1998 and amended to have a three foot set back.
2. That any storage sheds within setback areas be limited to one, detached or attached and 60 square feet or less in area and 6' or less in height above grade.
3. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections.
4. This permit and each condition contained herein shall be binding upon the applicant and any transferor, or successor in interest.

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5. If construction is not commenced within one year from the date of final action, the permit becomes null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one year provided the applicant places such a request in writing to the Planning director showing good cause prior to the expiration of the discretionary action.

Chair Zwick advised all parties of interest of the ten-day appeal period.

6. V-9820 – Herb Carlson, 1029 San Anselmo Avenue, A/P 7-112-08, a Variance to allow the following: a) 2 required parking spaces (tandem) within 9' of the front property line and 1' of the westerly side property line; b) a 17.5 square foot, attached accessory structure within 5' of the easterly side setback (8' required); and c) a 10' 4" long portion of the first story within 5' of the easterly property line (8' required), located within the R-1 Zoning District

Mr. Griffin presented the staff report, noting that staff can only support a portion of the variance.

Mr. Carlson presented photographs of the 1000 block of San Anselmo Avenue for the purpose of indicating a view of parking and setbacks on the street. He also presented letters of support from neighbors who are in support of his project. The best location for parking is in the current location rather than paving under the oak tree for a parking pad. The house is less than 1,600 square feet, not 2,3331 square feet as stated in the staff report. The water heater is gravity fed and it does not matter where it is placed as long as it is in close proximity.

Mr. Carlson explained that prior to the second story addition the location of the water heater was along the westerly side of the house. This location does not provide adequate space, nor is there adequate space in the rear. He is proposing to relocate the water heater to the west side, and set it on a foundation that is the same height of the house and will face it in brick. The adjacent neighbor is not opposed to the accessory structure. The window seat was a mistake on his part because he did not think it was part of the floor area and would be almost impossible to remove. It also cannot be seen by the neighbors.

Tom Turkenton, neighbor, stated he was in support of the project.

Marston Tallant, Rowland Avenue, stated that at the beginning of the project he was opposed to the addition but now supports the project because the house is so well done. However, there is a structure in the rear that was placed there without a permit and a heritage fir that was removed several years ago without a permit and he wants to make sure that the project does not go beyond the scope of the approval.

Mr. Carlson responded that the fir tree was not deemed a heritage tree by an arborist and the structure in the rear is temporary and will be removed once the project is completed.

Commissioner House stated that she has no problem with parking as stated in the staff report. With regard to the water heater, she looked out the window of the west side and felt the structure would be ugly and would fit better in the location proposed by the applicant and will not impact the neighbor. She was mixed on the window seat.

Commissioner Dowd said it makes more sense to move the water heater; the window seat is built and would be expensive and cumbersome to have it removed. It also makes that side of the house architecturally pleasing.

Commissioner Cronk said the water heater does not work in the location suggested by staff and the location proposed by the applicant does not have any negative impacts on the neighbor. She is mixed on the window bench because it seems expensive to remove it but it could set precedent by allowing it to remain. She noted that is more than a window seat because it has floor space.

Chair Zwick asked if the area of the washer and dryer could be stacked and the water heater placed in by the washer and dryer. Mr. Carlson responded that he was not sure how to discharge the dryer vent if that the water heater was placed there and besides he already has a washer and dryer that are side by side.

Chair Zwick said that he knows it is possible to reframe the window seat without a lot of difficulty.. He had no problem with the parking variance and supports staff's recommendation that the water heater should be placed in another location.

Mr. Carlson responded that the water heater is placed in the most practical location.

M/s Dowd/House, and passed (3-1 Zwick: no), to approve the application based on staff's findings for the parking variance and approve the variances for the accessory structure and addition within the easterly setback for the window bench because they are de minimus and will not have a negative impact on the adjacent neighbors.

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Conditions of approval

1. That the request for Variance be granted to: a) allow two, tandem parking spaces within 1' of the westerly side property line and within 9' of the front property line; b) allow an attached accessory structure (5' x 3'4" x 10") within 4'8" of the easterly property line; and d) allow a bench window addition (10'x2'6" bump out) within 5'6" of the easterly side property line, in accordance with the plans date stamped March 19, 1998, received by the Town of San Anselmo Planning Department.
2. Building permits shall be amended via revised plans reflecting any and all changes resulting from variance V-9820.
3. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections. Including After the Fact inspections if applicable.
4. This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.
5. If construction is not commenced within one year from the date of final action, the permit becomes null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one year provided the applicant places such a request in writing to the Planning Director showing good cause prior to the expiration of the discretionary action.

Chair Zwick advised all parties of interest of the ten-day appeal period.

7. **DR-9817 - George Lucas, 11 Coogan, A/P 6-127-07, Design Review of a new single family dwelling located within the R-1 Zoning District (Above 150' Mean Sea Level) (Staff person: Wight)**

At the request of the applicant, the application was continued to the meeting of 6/5/98.

CONTINUED ITEMS

1. **ER-9701 - Curtis Eisenberger, A/P Nos. 5-031-35, 5-081-07, and 5-081-19. Review of Negative Declaration regarding Environmental Impact. Environmental review of a proposal to subdivide a 21.66-acre parcel of land into four home sites on 5.95 acres and dedication of 15.71 acres for public open space. The project site is located at the end of the Traxler and Valley Roads and covers the steeply sloping hillsides on either side of the drainage course, on property located within the R-1-H Zoning District. (Staff person: Wight) CONTINUED TO 6/ 1/98**
2. **LLA-9801/ER-9806/PDP-9801/DR-9812 - David Boesel, near 259 Redwood Road, A/P 7-097-02 and 05 and 7-141-04, 1) Environmental Review, Precise Development Plan, Lot Line Adjustment, and Design Review to construct two houses and extend a private driveway on 2.6 acres of land; and 2) Rezone A/P 7-097-04 (269 Redwood Road) from R-1 to R-1H and lot line adjustment request, on property located within the R-1 and R-1H Zoning District (Above 150' mean sea level) (Staff person: Chaney) CONTINUED TO 6/15/98**
3. **PDP-9505/Parcel Split-9503/V-9549/DR-9525 - Carlos Castro, 444 Redwood Road, A/P 7-191-10, 1) Land Division; Precise Development Plan, Density Determination, and Design Review to split an existing property currently developed with a single family residence in order to construct a new house; 2) a Variance to construct a retaining wall a total of 60' long along the uphill side of Redwood Road (within 0' of the property line) in order to widen Redwood Road to 15' of paving for fire safety reasons; and 4) remove one heritage tree (30" bay) on property located within the R-1-H Zoning District (above 150' mean sea level) (Staff person: Chaney) CONTINUED TO 7/6/98**
4. **DR-9814 Mark and Tia Watts, 500 Redwood Road, A/P 7-143-01, Design Review of a 977 square foot first story addition, and 822 square foot second story addition, and 723 square foot roof decks, on property located within the R-1 Zoning District. (Staff person: Wight) CONTINUED TO 6/1/98**

GENERAL DISCUSSION

Ms. Wight presented a photograph of the outside seating for Ted's Bar at 218 Sir Francis Drake Boulevard. Staff noted that the owner wanted to amend the use permit and hoped he did not have to go back to the Commission. The consensus of the Commission was to bring the application back to the Commission.

ADJOURNMENT

The regular meeting was adjourned at 10:15 p.m. to the next meeting on June 1, 1998.

BARBARA CHAMBERS