

**SAN ANSELMO PLANNING COMMISSION
MINUTES OF DECEMBER 18, 2000**

CALL TO ORDER

Commissioners Present: Chair House, Vice Chair Jochum, Commissioners Couture and Wittenkeller

Commissioners Absent: Zwick

Staff Present: Planning Director Feagans, Senior Planner Wight

OPEN TIME FOR PUBLIC EXPRESSION

No one spoke during this time.

CONTINUED ITEMS

1. **DR-0035 – Laura Merrill, 285 Redwood Road, A/P 7-097-06, design review to construct a new 3,613 square foot house and 500 square foot garage in the R-1 Zoning District (Above 150' msl). (Staff person: Feagans) **CONTINUED TO 1/22/01****

CONSENT AGENDA

1. **Minutes – December 4, 2000**
2. **V-0043 - Richard Lucas, 506 Sequoia, AP 6-118-20, side yard setback variance to approve an uncovered deck approximately 348 square feet in size to be within 3 feet of the side property line (code: 6' setback required) on property located within the R-1 Zoning District (above 150 msl). AFTER-THE-FACT (Staff person: Feagans)**

Commissioner Wittenkeller asked to remove Item 2 from the Consent Agenda and open it for discussion.

M/s Jochum/Wittenkeller, and unanimously passed (4-0), to approve Consent Agenda Item 1.

PUBLIC HEARING

- 1A. **V-0043 - Richard Lucas, 506 Sequoia, AP 6-118-20, side yard setback variance to approve an uncovered deck approximately 348 square feet in size to be within 3 feet of the side property line (code: 6' setback required) on property located within the R-1 Zoning District (above 150 msl). AFTER-THE-FACT (Staff person: Feagans)**

Taken from Consent Agenda.

Commissioner Couture asked when the original deck was built.

Richard Lucas, applicant, said the original pool and deck was built in 1979. This application is before the Commission as an after-the-fact application because he was unaware that he needed permission to repair dry rot on the deck and expand the deck.

Commissioner Wittenkeller said that there seems to be a philosophical approach to beg forgiveness for as-built projects rather than get permission before hand. He does not think that staff should routinely place these types of applications on consent. He does not want to give that message to the citizens of San Anselmo. He has a tough approach on the after-the-fact permits.

Commissioner Couture said the weight of his decision in this case relies on the neighbor's input who is most affected by the project, and in this case the neighbor does not have a problem with it. However, he totally agrees with Commissioner Wittenkeller's comments about after-the-fact applications.

Ms. Feagans explained that when staff evaluates projects it is done based on whether or not the findings can or cannot be made, not whether or not the project has or has not been built.

Chair House asked if any trees had been removed due to the deck expansion.

Mr. Lucas stated that there are oleanders that block the neighbor's view of the pool. There are also large pines, as well as other trees that block the pool and the deck. He did consult with the neighbors prior to adding on to his deck.

M/s Couture/Jochum, and passed (3-1 Noes: Wittenkeller), to approve the application based on the findings and conditions as set forth in the staff report.

Chair House advised all parties of interest of the ten day appeal period to the Town Council.

1. **V-0039 Mark Voorsanger and Kay Feallock, 60 Sequoia, AP 6-165-08, setback variance to construct a 342 square foot second story addition within 5'-6" of the front property line (code setbacks: 20') and variance to increase lot coverage from 39.14%**

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existing to 40.3% (Code: 35% maximum) on property located within the R-1 Zoning District. (Staff person: Feagans)

Ms. Feagans presented the staff report.

Commissioner Couture asked about the parking requirements on this parcel. Ms. Feagans noted that they are required to have two spaces. Although the garage is not used as a garage, it is a small, two-car garage.

Chair House asked if the spiral staircase was legal.

Fred Divine, architect representing the applicant, stated they could build over the living room but they picked the addition in this location because of the ceiling height and it also allowed for a little more sun in the yard. It would also have a minimal impact on the adjacent neighbor. This property has a lot of trees and the trees screen the addition and will not appear to be noticeable from the street. With regard to the question about the spiral staircase, his interpretation of the UBC is that an addition of less than 400 square feet meets code. He noted that the garage doors do not presently function for a garage and he understands that the doors need to be workable garage doors. The garage size is 19' x 9', which is the legal size for one car. The owners did talk with the neighbors and many neighbors were in support of the project. A few of the neighbors across the street did have some issues and the drawings reflect the changes based on their concerns. However, the neighbor may still have other issues.

Kay Feallock, applicant, stated that in developing their plans, they incorporated comments from their neighbors.

Robert Leedy, 65 Sequoia Drive and 5 Bungalow, said he initially supported the project. He suggested they add the dormers and reduce the roof height. When the story poles were erected he realized how tall the addition would be. This house faces east, which makes all the neighbors appear to see the back of the house from the street. He met with the owner and suggested they add a first story addition to the north side of the house even though it would increase the lot coverage. He could support that kind of an addition. He noted that although there were many letters of support only one of the people who supported the project would be affected. His biggest problem is that they would be seeing the tall façade.

Allen Wulzen, 55 Sequoia, presented photographs taken from his porch that showed the story poles. His concern is the impact of the view of his house that is across the street from the applicant. His living room is on about the same level and instead of looking over the applicant's house he would be looking at the new wall. Regarding the garage, making the doors workable is a great concession. There has never been a car parked in this garage and there has always been cars parked in the driveway and there is not sufficient parking on the narrow street.

Susan Dines, 56 Sequoia, stated the applicants have been very considerate with this proposal. She recognizes the reality of their problem. The house is very tiny and their request is extremely reasonable. The back yard where Mr. Leedy is suggesting the applicants add on is really the only area for their outdoor living. The applicants contribute to the neighborhood as well as the community and their request is not unreasonable.

Joe Dines, 56 Sequoia, said that from his top deck he can see the story poles but it would not be an imposition to look out on the addition. He supports the project and he wants the applicants to stay in the neighborhood.

Mr. Divine stated that it was suggested by a member of the audience that the neighbors who signed the petition of support for the project were not in the immediate neighborhood; all but one is. The wall in question is only about 19' high, and will not be higher than it is now.

Commissioner Couture stated that this house is a cottage retreat on a cottage size lot. The town now is really a family town. The house is only 900 square feet, with two bedrooms. He felt the house needs to be accountable to a family and 1,200 square feet is not excessive. He does not think of a better approach than what has been proposed, and the ridgeline has been kept very low. He takes the architect's word that the spiral staircase would work. Placing the addition in the yard area is taking away outdoor living space. As designed, he supports the project.

Commissioner Wittenkeller stated that he generally agrees with Commissioner Couture's analysis. This is a modest improvement to allow the owners to remain in the neighborhood. He would like to see San Anselmo remain a small town and still be able to have young families stay in San Anselmo. The architectural approach proposed is better than taking up the yard area. He is sympathetic to the neighbor whose view will be altered but it will not dramatically change his living situation.

Commissioner Jochum stated that he agrees that what is being proposed, on its own merit is very minimal. With the plate height no higher than 8', the addition is being kept to a minimum. It is also fulfilling the needs of the homeowners. What bothers him however is that the streetscape has one-story bungalows. The two story houses are set well back from the street. To approve a project that is out of scale and at the street edge, and to say it is okay because it

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Ms. Wight presented the staff report.

Commissioner Wittenkeller commented that other agencies require that parcels be merged if the properties are contiguous and of the same ownership. The large parcel does not have any out door space and it appears that the pool on the adjacent lot would be used by the large parcel.

Ms. Wight stated that San Anselmo has required other lots to be merged but these lots are too large.

Jim McDonald, architect representing the applicant, stated that the owners have been living on the site since 1985. The lap pool is to be used by the owner and both parcels will be kept in one ownership. The owner does however, want to have a rental unit on the parcel that is zoned R-2. They have done several different designs and this design is the result of 1-½ years of work. The storage area on the lower floor has been added to allow the owners to live on site while the larger home is being developed. The site is very stable and the Town peer review was very positive. There are also other outbuildings on the property, some of which they want to remain. The applicant envisions this as his compound. Looking at the site from Tunstead Avenue you will see about one half of the building. This is a preliminary discussion to advise the Commission about the project but there will be more detailed information before in the future.

Commissioner Wittenkeller said that the adjacent parcel to the left had a very severe slide many years ago. He drove up to the site and the piers are still in place. The reason there was a slide on the adjacent parcel was because the geotechnical review did not take into consideration the hill above. He assumes that this would be taken into consideration for this project. He would also like to see a large reflection wall on the proposed property.

Comments by the Commission on design of the buildings and driveway access are as follows:

Commissioner Jochum stated that the design was nice, and it respects the topography of the site. The street is tight and narrow and they have minimized the access points.

Commissioner Couture said it was quite a nice design. The arrangements on the lot are nice and the buildings do create a compound. He noted that if there were two driveways there would be increased asphalt so he supports the shared driveway. He noted that the street is extremely difficult to park on and he would be interested in knowing what the street improvement would be on Spaulding.

Commissioner Wittenkeller said it will be a good looking building and will add to the residential scale and character to that area, which is lacking now. His only concern is the stability of the hillside above. He is okay with only one driveway for both sites.

Mr. McDonald stated that they originally designed a circular driveway on the west side but it is not possible at this point in the development proposal. There is a 12 foot differential from the elevator to the garage floor. They will have parking for seven vehicles on both sites.

Comments by the Commission on dwelling size and building envelope are as follows:

Commissioner Wittenkeller said he would like to see this as the only residential unit on the site. Accessory structures and tennis courts would be okay, but he does not want to see another house.

Ms. Wight stated that her concern was that the building envelope is quite large and staff would like to see what the Commission wants included in the envelope.

Commissioner Wittenkeller said the entire parcel should be discussed in terms of its land use. He would like to see the lot restricted so it would be a single family home forever.

Commissioner Couture stated that the higher up the site you go, the more visible a structure would be on the site. Therefore, he would like to see any future proposals for added structures come to the Planning Commission.

Commissioner Jochum concurred that any future addition to the site should come before the Commission for review.

Comments by the Commission on accessory structures are as follows:

Consensus of the Commission is that they have no problem with the current accessory structures on the sites.

Comments by the Commission on dwelling size of both buildings are as follows:

Consensus of the Commission is they have no problem with the current proposed dwelling sizes.

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GENERAL DISCUSSION

Commissioner Jochum will be absent for the meetings of January 8th and 22nd.
Chair House said that she may be absent for the meeting of January 22nd but will conform that.

REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

- 1640 San Anselmo Avenue was appealed to the Town Council by the neighbor at 1644 San Anselmo Avenue.
- 41-43 Tomahawk Drive was appealed by the applicant and was approved by the Town

ADJOURNMENT TO MONDAY, JANUARY 8, 2001

The meeting was adjourned at 9:15 p.m.

**BARBARA CHAMBERS
PLANNING TECHNICIAN**