

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF JUNE 17, 2002**

**CALL TO ORDER**

Commissioner's Present: Chair Jochum, Vice Chair Harris, Commissioners Wittenkeller and Zwick  
Commissioner's Absent: Fernandez and House

**OPEN TIME FOR PUBLIC EXPRESSION**

None

**CONTINUED PUBLIC HEARINGS**

**PDP-0202/DR-0219 - Jon Pearlstone, 49 South Oak Avenue, A/P Nos. 7-241-73, 7-241-74 and 7-241-76 (across from 60 South Oak Avenue)**, precise development plan and design review of a 4,139 square foot single family dwelling, a 511 square foot garage, and 616 square feet of decks, located within the R-1 H Zoning District (staff person: Wight). **CONTINUED TO JULY 1, 2002**

**2. ER-0201/UP-0206/DR-0216 - Hunter House Foundation, Michael Barber, 19 Ross Avenue, A/P 7-284-48** (property extends between Ross and Mariposa Avenues (between Nos. 15 and 23 Ross Avenue and between Nos. 8 and 18 Mariposa Avenue): environmental review, rezoning to Specific Planned Development for a total residential density of 12 living units (2: market rate, 2: at or below 50% median, 4 at or below 60% median, and 4 at or below 80% median), and design review of two 3,854 square foot, two-story new dwelling structures (6 units each) with access from both Mariposa and Ross Avenues. The existing structures are proposed to be removed from the property, located within the C-2 Zoning District. (Staff person: Wight) **CONTINUED TO JULY 1, 2002**

**PUBLIC HEARING ITEMS**

**CONSENT AGENDA**

**1. MINUTES – June 3, 2002**

**2. V-0225/DR-0221 – Tracy and Monte Georgeson, 126 Prospect Avenue, APN 006-192-05**, flatland design review of a 623 square foot second story addition, a third story variance and design review to add 132 square feet to the existing third story, located within the R-1 Zoning District. (Staff person: Chambers)

M/s Harris/Sisich, and passed (4-1 Abstain: Wittenkeller), to approve Minutes with minor modifications.

M/s Harris/Sisich and unanimously passed (5-0), to approve V-0225/DR-0221, 126 Prospect Avenue, based on the findings and conditions as set forth in the staff report.

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

**REGULAR AGENDA**

**3. V-0227 – Pascal Sisich, 59 Park Drive, APN 006-042-16**, a setback variance to reconstruct a 162 square foot addition and raise the roof ridge from 7'-6" to 10'-10", located within 4' of the north side property line (Code: 8') and 16' of the east (rear) property line (Code: 20); and a 1 car parking variance (Code: 2: 9'x19'), located within the R-1 Zoning District. (Staff person: Chambers)

Commissioner Sisich recused himself.

Ms. Chambers presented the staff report and noted that Condition 2 should be omitted.

Tom Lauderbach, friend of applicant, stated that he is familiar with the project and is available for comments.

Consensus by Commission is that this is just replacing the existing structure and all neighbors are in support of the project.

M/s Zwick/Harris, and unanimously passed (4-0) to approve the project based on the findings and conditions as set forth in the staff report.

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

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Commissioner Sisich stepped back up to the dais.

**4. V-0216 – Greg and Carrie Stewart, 83 The Alameda, APN 5-112-16, a setback variance to add an addition within 3'-5" of the west side property line (Code: 8'), located within the R-1 Zoning District. (Staff person: Bell)**

Mr. Bell presented the staff report, noting that staff cannot support the project. He added that if the Commission decides to approve the project, the neighbor to the west wants his tree protected during construction.

Greg Stewart, applicant, stated they have support in the neighborhood. The owners of 78 The Alameda extended the house at the 5' setback so he is not setting precedent. He has a long narrow lot and wants to take advantage of the backyard and it would also provide additional sunlight. If the Commission did not approve the request, would they have to reapply to move the addition farther away from the property line? His architect has drawn plans that indicate a 5' and 8' sideyard setback. If they jog the property in they would be wasting some of the property.

Mr. Bell said if the applicant agreed to pull the addition back to 5', it could be done as a condition of approval and would not have to be renoticed because it is less of an intrusion.

In response to Commissioner Harris, Mr. Stewart said a 5' setback would be a workable solution. He was unaware of the neighbor's concern about the tree.

Warren Chapman, The Alameda, said he has no objection to the addition. All the homes on the block are within 3' of each other and no one will ever see it from the street.

Chair Jochum said there are findings that have to be made. Based on his site visit the setback for most properties in the neighborhood was 5', with probably 10' between houses.

Jeff Balanco, buyer of the property, stated the 3'6" would be ideal but the 5' setback would be acceptable if the law requires it. If the neighbors were amenable, what could he explore from a variance perspective?

Regarding the tree, Mr. Bell said the addition would have raised pier and would probably not harm the tree.

Commissioner Wittenkeller said a 5' setback would be better for the roots of the tree.

Commissioner Harris asked if there were other houses that had less than 5' sideyard setbacks. Mr. Bell responded that files indicate a garage that had a 3' setback but other properties seem to have a 5' side yard setback, therefore staff could support the 5' setback.

Cliff Periotti, Laurel Avenue Properties, thought the 5' setback was for light and access. The light and air will not be affected and the neighbor on the west is also in support.

Mr. Stewart said the fence line is probably 4'-11" from the house.

Commissioner Wittenkeller said he understands they want to maximize the amount of square footage for the room. Staff can support the 5' setback and he is not able to come up with variance findings at this time. The adjacent property to the west is not parallel to the property line and if they add on, it would bring the properties closer together. He could support a 5' sideyard setback.

Commissioner Harris said the way the addition is designed makes sense for circulation; at the same time even though they have the consent with their neighbor, the Town cannot sanction it. He recommends either a continuance to come back with a design for a 5' side yard setback or survey the neighborhood and see if there are 3' side yard setbacks that are enjoyed by others, although it would have to be more than one property.

Commissioner Sisich said he concurs with his fellow Commissioners; one house across the street does not set the precedent; he could support a 5' setback.

Commissioner Zwick said he could support the 5' sideyard setback, noting that the Commission is trying to look for the findings to live within the Ordinance.

Chair Jochum asked the applicant if they wanted a 5' sideyard variance tonight or a continuance.

In response to Commissioner Wittenkeller, Mr. Bell stated that staff would not be able to make findings for special circumstances for a 3' side yard variance because there are other alternatives open for the applicant and there are no special circumstances.

M/s Wittenkeller/Sisich, and passed (4-1 Noes: Harris), to deny the 3'6" sideyard setback and approve a 5' side yard setback (the addition could be elongated). Special circumstances are with the sideyard setback are that many of the homes built with 5' side yard setbacks in this older neighborhood and 5' was the standard several years ago.

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

**5. DR-0220 – A.J. & Evangeline Kunkle, 64 Nokomis Avenue, APN 006-073-10, a request to demolish the existing structure and rebuild a new 2,698 2-story single story dwelling of which design review is required for the 1,434 square foot second story, located within the R-1 Zoning District. (Staff person: Bell)**

Mr. Bell presented the staff report.

A.J. Kunkle, applicant, said that because of the flood zone they had to raise the floor level. The ceiling height of each floor is 9' and if he had to lower the height, he would rather have the second story lowered. He wants to utilize the garage area. Initially they had the garage in the back, which moved some of the bulk away from the front. They tapered the house in the back because they wanted to use the entry for the staircase.

Chair Jochum asked if they looked at stepping the second story in to reduce mass towards the neighbors. Mr. Kunkle responded that he wanted the master bedroom over the garage and wanted to utilize the view of Mt. Tam. By conforming to the 8' sideyard setbacks on the lower story would mean the second story would be further reduced and he wants to have a decent size bedrooms.

Commissioner Sisich asked if the applicant has talked to the neighbor to the west. Mr. Kunkle said they support the project. In fact, he would remove a tree that would open up their view of Red Hill and the rear of the building will be one story.

Commissioner Harris asked if they considered setting back the front of the second story.

Jill Tardy, architect, said the garage was placed in the front, which means there was not much more room. The front is softened by the porch and trellis and a bay. If they were to set the second story back it would lengthen the entry hall.

Tom Mc Inerney, 50 Nokomis, said he is representing the Owens. They are not opposed to an upgrade and welcome the owners to the neighborhood. Their concern however, is they did not get a notice from the town; and have not had an adequate opportunity to talk to the owner and provide suggestions. The story poles indicate a large house and he did have a look at the plans but has overriding concerns of privacy and light, primarily in the back yard. There is reference to the light study that it will have an impact on the Owens. The backyard is very important to the Owens and there is currently a one story. They want more opportunity to discuss the plan with the applicants to minimize the impact to their privacy. They are also concerned about the light and privacy in their kitchen. They are out of the country for the next two weeks.

Mr. Kunkle said he spoke with the Owens when the story poles were being put up. He suggested adding a lattice cap, and if they wanted a skylight, his crew would install it with a 25% discount. He has had several conversations with Mr. Owens about the project, although he did not see the plan.

Jim Harnes, 68 Nokomis, said the house will not block his light and he has no complaints about the design.

Commissioner Zwick said he could see how they were stuck about how to locate the stairway. The site is not a perfect rectangle. If the back of the house were flipped to the front and the garage moved the forward the stair could start deeper into the house and would then decrease the massing to the front, dividing the mass in two. The backyard would still be large and the porch would be in the front. He has a problem with unarticulated second story walls. The master bedroom is 20' long and quite large and could be modified. He would also want to see the plate heights adjusted on the second story, which would provide a vaulted ceiling and would reduce the height and shadow and scale.

Commissioner Sisich concurs with Commissioner Zwick. He would vote for a continuance because the Owens need to be present, even though the public notice was posted. He was interested in the design with the garage to the back. The house next door has a long driveway. Now the garage is a big mass to the front. He would like the second story smaller.

Commissioner Harris said he would like more articulation in the front and the sides. The east and west elevations have a lot of blank wall.

Commissioner Wittenkeller said he believes the Owens should be a part of the process. The plate heights at 9' on the second floor, provides a tremendous attic height and the eaves should be brought down to 6'. Perhaps that can be done on a portion of the building at the master bedroom. He supports a continuance.

Chair Jochum said his main concern is the impact of the two neighbors. A lot of the suggestions heard by the Commission are very good. There are a number of other ways to help break up the mass. The mass of the second story has greater negative effect than the first story. He noted that the project at 72 Nokomis made changes during the public hearing and the final result was very good.

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Mr. Kundle said he will not do a cathedral ceiling, but if he keeps the same roof design, and drops the plate height from 9' to 8' and keep the pitch of 6:12, would the Commission approve that? Chair Jochum said it is a start.

M/s Harris/Zwick, and unanimously passed (5-0) to continue the application to the meeting of July 15, 2002.

**GENERAL DISCUSSION**

Chair Jochum said he would meet with staff to look at the General Plan. Commissioner Harris suggested the Architects on the Commission review the Land Use Table.

Regarding previous discussions about adding conditions to discretionary projects unrelated to required findings, Mr. Bell stated the Town Attorney agreed with staff. He also agreed with staff about interpretations of General Plan policies.

**REPORT OF UPCOMING APPEALS TO TOWN COUNCIL**

None

**ADJOURNMENT TO THE REGULAR MEETING ON MONDAY, JULY 1, 2002.**

The meeting was adjourned at 8:55.

  
BARBARA CHAMBERS