

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF DECEMBER 16, 2002**

**A. CALL TO ORDER**

**Commissioners Present:** Chair Jochum, Vice Chair Harris, Commissioners House, Fernandez, Sisich, Wittenkeller, Zwick

**B. OPEN TIME FOR PUBLIC EXPRESSION**

None

**C. CONTINUED PUBLIC HEARINGS**

- 1, **V-0249/DR-0239 Majid Azadeh, 10 Spruce Avenue, APN 7-024-08**, design review and setback variance for the dwelling to be reconstructed by 50 percent or more within 6' of the east side property line and to be expanded internally by replacing a basement with additional rooms which can be used as bedrooms and externally by raising the attic roof approximately 10.5'; adjustment to setback variance granted in 2001 for a 24' deep parking deck, which was constructed 26' deep; a parking variance for the third required parking space to be substandard in size and located within 0' of the west side property line; a setback variance to enclose the temporary storage deck below the car deck within 0' of the west side property line and 6' of the front property line; and an FAR variance to exceed the maximum floor area ratio (triggered by the attic area). (Staff person: Wight) **CONTINUED TO 1/6/03**

**CONSENT AGENDA**

1. **MINUTES – November 18 and December 2, 2002**

M/s Fernandez/Wittenkeller and passed (4-1 abstention Dan Harris).

2. **U-0217 – Frances Mecchi, 1382 San Anselmo Avenue, APN 007-051-02**, Use Permit to demolish a single-family residence, located within the R-1 Zoning District. (Staff person: Chambers)

Commissioner Sisich asked how staff determined that the house has no historic value. Planning Assistant Chambers explained that the house did not appear to have historic value, taking into account its original small size, which has been extended by the owners over time. The owners want the house to remain in the family but feel it is not in a fit state to repair. Ms. Chambers said that this is the first item to be heard since the ordinance was introduced.

M/s House/Fernandez and unanimously passed (7-0) to move staff report.

Chair Jochum advised all parties of interest of the 10-day appeal period to the Town Council.

3. **DR-0238 – Michael Weiss, 42 Miwok, APN 177-263-03**, hillside design review amendment for a 3,120 square foot dwelling with approximately 245 square feet of decking, and a 490 square foot garage, located within the R-1 Zoning District. (Staff person: Bell)

The applicant explained he is asking for a variance in order to reduce deck space and avoid maintenance work.

M/s Commissions House/fSisich and passed unanimously (7-0) to approve Staff report.

Chair Jochum advised all parties of interest of the 10-day appeal period to the Town Council.

**REGULAR AGENDA**

4. **V-0247- Nick and Nadine Valeri, 137 Meadowcroft, APN 005-142-07**, a variance to construct a 128.25 square foot trellis that is 9' in height and located within 6'-8" of the front property line (Code: 20') and a 18.75 square foot trellis over the garage door within 2'-0" of the side property line (Code: 3'), located within the R-1 Zoning District( Staff person: Chambers).

Assistant Planner Chambers presented the report.

The Applicant, Nick Valeri, explained that the eyebrow over the garage had been measured incorrectly and was, in fact, 3' away from the side property line and therefore did not require a variance. However, he still requests a variance for the trellis within the front setbacks because it will enhance the property and there is no opposition by the neighbors.

Commissioner Zwick suggested that if the trellises were redesigned to form two separate structures that would fall within the maximum allowance of 60 sq ft, then a variance would not be necessary. Ms. Chambers added that the trellises must not exceed 8' at the highest point. After further examination of the plans, it was thought that findings could be made to approve the height variance based on topographical conditions.

Commissioner Zwick suggested the new design of the trellises be presented to staff to avoid being heard again by the Commission.

M/s Zwick/Wittenkeller and passed unanimously (7-0) with the following amendments:

- a. The trellis over the garage door will be moved one foot away from the side yard setback, thereby creating a 3' side yard setback and making the variance moot;

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF DECEMBER 16, 2002**

- b. The 128.25 square foot trellis over the walkway will be divided into two (2) trellises, each one not exceeding 60 square feet in size and 9" in height; modifications to be reviewed and approved by the Planning Director.

Chair Jochum advised all parties of interest of the 10-day appeal period to the Town Council.

5. U-0218/DR-0237 - Seneca Properties, LLC, 240 Redwood Road, APN 7-095-01, Hillside design review of a proposed 3,202 square foot three-story single family dwelling and a 488 square foot garage (existing 700 square foot dwelling will be removed in conjunction with this project).

Commissioners Wittenkeller and Fernandez recused themselves from this item and stepped down from the dais.

Senior Planner Wight presented the staff report. Commissioner Harris is concerned that the house will be too visible, noting the light colors of the windows. He asked if computer generated studies of the project had been considered, which will be requested. Commissioner Harris further inquired if the view of the house from various locations and across the valley had been taken into account.

Tony Richards, the architect representing the owner, said that he had not studied the effect from across the valley but that the colors should ensure the impact would not be too great. A colored rendering of the house was presented, although the color chart is not yet available. Mr. Richards explained that the house should fit the contours of the road and be stepped down the hill, so that the front and sides of the house are within setbacks. It had already been noted that the garage roof has been lowered, in compliance with neighbors' concerns, and re-designed to form a pyramid shape to reduce mass.

Commissioner Sisich is concerned that the trees on Redwood Road are holding up the roadside. He asked if retaining walls are proposed. The applicant, Lawrence Jatsek, said that the cypress trees on the front of the property will remain if they are in good health. Brian Wittenkeller, the landscape architect representing the owner, explained that there is a sudden oak death-type virus that attacks cypress trees, but that these trees appear to be disease-free. There is also a retaining wall at the front of the building to stabilize the area. However, it is noted that trees need to be removed to provide access for the driveway.

Chair Jochum asked Mr. Wittenkeller about plans for the cypress trees at the side of the property. He explained that the existing trees should survive with the right care, although the owner said he will remove them at the behest of the adjacent neighbor. In place of those trees, Mr. Wittenkeller suggested two varieties of foliage, one with a maximum height of 25 ft on the lower part of the hill. He further suggested that foliage be allowed to grow before the large trees are removed to provide screening. He agrees with the Fire Chief that overgrown pines are a hazard but professional pruning would make the trees safer.

In response to Commissioner Sisich, the owner confirmed that a palm tree is to be removed and replanted elsewhere on the site.

Janice Przybylski, of 246 Redwood Road, is concerned that the trees are too big and are a fire hazard. She objects to the house, which will cut out sunlight into her property and is further concerned that the road is too narrow at the driveway and can foresee collisions.

In response to Commissioner Sisich, Ms. Wight confirmed that the Director of Public Works will decide if the road needs to be widened.

Jonathan Braun, of 49 Scenic Avenue, believes that the project will have a greater impact than on the immediate neighborhood. Once the trees are removed to make way for the project, the house will be clearly visible in the neighborhood. He acknowledges that the house is not the largest to be designed but it is a substantial size, nevertheless. Mr. Braun believes the considerable height of the house will be visible from the north side. The design of the house is attractive although Mr. Braun believes that the height and mass could be reduced. He further believes that the colors are too light and is concerned that inadequate screening will be provided below the house where the land is denuded. Mr. Wittenkeller is able to assure Mr. Braun that an olive tree will remain on the property.

David Lakes, of 249 Redwood road, said that other houses on Redwood Road are less conspicuous because they are not as tall and suggested that the driveway could be steeper. He drew attention, once more, to the narrow roadway and suggested it were widened.

Stephanie Fein 249 Redwood Rd reiterated their desire for the house to be lowered. She would like to see a color chart and for the outdoor lighting to be directed inward. She is concerned that the Cypress trees, which do not appear to be in an entirely healthy condition, will die and will not be replaced by adequate screening. Furthermore, Ms. Fein would like the drainage issues to be dealt with at the planning stage rather than when permit applications are made.

Kathy Sanders of 310 Redwood Road would like the overall elevations to be lowered. She supports the Cypress trees and would like them to be saved. Ms. Sanders is further concerned that the road, which was repaved, will be damaged by trucks.

Deanne Fitzmaurice, of 222 Floribel Avenue, is concerned that water will drain into their back yard from the property if adequate drainage is not provided. Furthermore, she would like screening to be provided between the two properties.

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF DECEMBER 16, 2002**

Joy Gabe, of 194 Floribel Avenue, said that her home will be overshadowed by the new house unless adequate screening is put in. She shares the concern of other Floribel Avenue homeowners with water and drainage issues.

Gay Kagy, of 280 Redwood Road, believes the house will be too high and imposing. She suggested a reduction in size and mass with a more steeply sloping driveway so that the height of the garage can be lowered. Ms. Kagy further supports any road widening plans and the desire of Floribel Avenue's residents to discuss drainage issues during the planning process.

John Borovac, of 200 Floribel Avenue, concurs with other residents of Floribel Avenue with regard to the drainage issues and size of the house.

Caterina Chase, of 232 Redwood Road, is in favor of the project and has not witnessed any accidents during the 45 years she has lived in her house. However, she believes that the Cypress trees are not in a healthy condition. In response to Commissioner Sisich, Ms. Chase, the former owner of 240 Redwood Road, confirmed that she will allow the owner to use the easements in order to build the house.

The architect addressed the drainage concerns. The owner plans to build a dissipater, which will spread the water naturally, otherwise they would need an easement to lay a pipe. He confirmed that it is not possible to lower the garage roof any further but will work on reducing the height of the garage and increase the steepness of the driveway. The architect said he had broken up the design of the house so that it did not look like a big box and that he would try and lower the house. In order to widen the road, he would prefer to encroach on the property on the other side since the new house will be built 4' away from the edge of the road.

Commissioner Harris asked if there is a problem that would prevent the house being built in a different location. He asked what the impact would be on the properties on Floribel Avenue if the house were moved towards the back of the lot. Mr. Richards believes that the view would be worse for those property owners and that the views from houses in the distance would not be effected. To alleviate the overhanging effect of the house on properties below on Floribel Avenue, he had tried to design the house as close to the front yard setback as possible. The 8' side yard setback prevents him from pushing the house back further.

Chair Jochum asked if consideration had been given to landscaping the downhill side of the house. Mr. Wittenkeller said he considered landscaping the lower area but that the owner felt he would wish to address this area at a later date. Mr Wittenkeller agrees that appropriate planting would provide screening.

In response to Commissioner Zwick, Ms. Wight confirmed that the Town's Planning Code does not address privacy issues for hillside developments. Commissioner Zwick likes the overall design of the house and believes that the architect has chosen the best location for the house, given that the impact of the house would be greater for those below if the house were lower. However, he believes the house is too big for the plot, noting that the visual mass has been broken down but the overall size remains unchanged. Furthermore, he would like to see more graphics. He is not in favor of a dissipater system to manage drainage because it will leave water on part of the property rather than dispersing it over the greater portion of the site. Commissioner Zwick supports the widening of the road and would suggest a professional examine the current state of the road to determine how well it is supported.

Commissioner Sisich agrees that the house is too large but notes that the Commission approves other large developments. He would like the architect to present the visual impact of the landscaping plan from below and would prefer darker colors. The Commissioner agrees that the house is located well but shares others' concern that the cypress trees, which do not appear to be healthy, are supporting the roadside. He would like the road to be widened on the property's side and the house and garage lowered. He believes the drainage plans can be improved upon.

Commissioner House agrees that the colors should be darker but otherwise likes the design. She is in agreement with Commissioner Sisich that the road should be widened on the applicant's side and would like the overall height of the house and garage to be reduced. Commissioner House would also like to see a landscape plan for the area on which the old house will be demolished and also for the lower part of the property. She would also like drainage plans to be made available.

Commissioner Harris endorses many of the aforementioned comments. He would like to see a reduction in the size of the house and more effort made to mitigate the impact of the house on its surroundings. Commissioner Harris questioned the necessity of 4 bathrooms. The Commissioner understands that the house needs to be built near the roadside to avoid the overhang effect, although it needs to be positioned as far as possible from the house at 246 Redwood Road. He sees the need for landscaping at the lower end of the property and in-bound outdoor lighting. In response to the Commissioner, Ms. Wight confirmed that the Town Engineer had examined the driveway and bend in the road.

Chair Jochum confirmed the necessity to reduce the perceived size, if not the actual size, of the house and its impact on neighboring properties. The visual mass of the property needs to be minimized, perhaps by lowering the floor level to reduce height or designing the roof and ceiling framing such that a 9'+/- ceiling can be realized while maintaining 8' wall plate heights. He supports a steeper driveway, within code limits, and dropping the garage. The landscape plan should address the lower neighbors and the Chair would like more information on where the road should be widened, if trees are to be removed and a wall built. He would like the story polls to be positioned accurately before submission on further plans.

**SAN ANSELMO PLANNING COMMISSION  
MINUTES OF DECEMBER 16, 2002**

M/s Jochum/House and passed unanimously (7-0) to continue the project to the meeting of 21 January, 2003.

Commissioners Fernandez and Wittenkeller returned to the dais.

**E. GENERAL DISCUSSION**

Ms. Wight explained that the Town believes that the ordinance to protect down town historic buildings should also apply to residences. Commissioner Zwick suggested the onus be placed on the applicant to provide evidence that the residence to be demolished is not of historic significance. He suggested that if inadequate information is provided, then staff could check with the Historic Society or use 'San Anselmo A pictorial History' by Barry Spitz as a reference guide.

**F. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL**

Ms. Wight confirmed that the appeals for 531/535 Oak Avenue and 16 Spruce Avenue were denied

**G ADJOURNMENT TO THE REGULAR MEETING ON MONDAY, JANUARY 6, 2003.**

The Meeting was adjourned at 9.45pm.



**Joanne O'Hehir  
Sr. Admin Services Asst.**