

SAN ANSELMO PLANNING COMMISSION
MINUTES OF JANUARY 6, 2002

2003

A. CALL TO ORDER

Commissioners present:
Commissioners absent:

Fernandez, House, Jochum, Sisich
Zwick, Harris, Wittenkeller

B. OPEN TIME FOR PUBLIC EXPRESSION

None

C. CONTINUED PUBLIC HEARINGS

1. **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). **CONTINUED TO 2/3/03**
2. **V-0301 - Dennis Pufpaf, 71 Elm Avenue, APN 007-052-39**, lot coverage variance to add a 222 square foot addition and remove 288 square feet of decking, reducing the lot coverage from 42% to 41% (Code: 35%). (Staff person: Chambers) **CONTINUED TO 2/3/03**

D. PUBLIC HEARING ITEMS

CONSENT AGENDA

1. **MINUTES - December 16, 2002**

M/s House/Fernandez and passed (5-0) to approve the minutes with minor corrections.

REGULAR AGENDA

1. **V-0249/DR-0239 Majid Azadeh, 10 Spruce Avenue, APN 7-024-08**, design review and setback variances for 1) the dwelling to be reconstructed by 50 percent or more within 7.5' of the east side property line; 2) to be expanded by remodeling and externally expanding the lower basement into living area; 3) to increase the roof height by raising the ceiling height of the main floor and the attic for a total height increase of 12'; 4) an adjustment to the setback variance granted in 2001 for a 24' deep parking deck, which was constructed 26' deep; 5) a parking variance for the third required parking space to be located within 0' of the west side property line; 6) a setback variance to enclose the area below the car deck (temporary storage deck to be removed) within 0' of the west side property line and 6' of the front property line; and 7) an FAR variance to exceed the maximum floor area by 11 square feet, on property located in the R-1 zoning district above 150 msl. (Staff person: Wight)

Senior Planner Wight presented the staff report.

In response to Chair Jochum, the applicant, Majid Azadeh, said that he wishes to enclose the underside of the garage in order to strengthen it and protect the framing. It was confirmed, in response to Commissioner Fernandez, that the storage deck under the car deck must be removed.

The applicant said that he did not plan to expand beyond the existing footprint. He is seeking an FAR variance for the kitchen area in order to fit kitchen counters, which he does not believe should be construed as added living space.

Commissioner Fernandez asked the applicant if he understands that his project is considered a 'new construction' because he is replacing more than 50% of the dwelling. The applicant said that since the attic space is already existing and is accessed by a pull-down ladder, then it should not be considered as added extra space. However, Ms. Wight confirmed that the Building Official verified the space in the attic as contributing to additional footage, thus increasing the overall expansion beyond 50%.

Commissioner Sisich suggested that the applicant should be able to accommodate the Planning Code and reduce the floor area. The applicant feels he should still be able to extend beyond the maximum floor area to install kitchen cabinets.

In response to Commissioner House, the applicant said that the material for the exterior of the house is similar to T111. He confirmed that a non-textured siding would be used on the lower level and a textured siding on the upper part of the house.

In response to Chair Jochum's inquiry, Ms. Wight confirmed that the space beneath the carport may not be developed unless a variance is sought because the maximum FAR has already been reached. The applicant's intention of enclosing the space is to make it look habitable for his neighbors. He suggested that if he would not be able to enclose the space, then perhaps he could extend siding partially down the framing to protect the glu-lam beams.

Ted Fehlhaber, of 12 Spruce Avenue, is concerned that the house will be too tall if the roof design is approved and prefers the original design of a sloping roof. Furthermore, the parking deck is already casting a large shadow over his property.

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Randall Stevenson, of 8 Spruce Avenue, expressed his concern that the height of the dwelling will affect his privacy.

The applicant observed that the house will remain within the existing foot print and said he will ensure the windows and sky lights will not interfere with his neighbors' privacy.

The applicant has purchased windows and has replaced two in the lower level. The windows that are already in place are aluminum with a white frame and, in addition, the applicant has purchased standard white Marvin windows. Chair Jochum noted that the white color of Marvin windows has a bluish tinge for which approval would have been unlikely. He suggested the trim be changed should the Commission approve the windows.

In response to Chair Jochum, Ms. Wight said she has not calculated how much the applicant has exceeded the 50% construction level, although it is clear that it has been exceeded. The original plans had not warranted design review at Commission level and the applicant had received authorization for window replacement.

Commissioner Fernandez thinks that the windows already installed are not highly visible and Commissioner Sisich noted that since the windows were bought for a project that had been approved, then the applicant should be allowed to continue.

Chair Jochum said that the Planning Commission and Staff are generally lenient and find ways to approve projects. He understands how the applicant is trying to use the system to achieve more than would generally be allowed. The attic roof is superior in design and under normal circumstances would be permissible. However, it would not be difficult to add dormers in the attic and double the square footage for living space, which he would not support. The area below the car deck appears to be living space, which he cannot support. The glu-lams can be protected with copper flashing.

Commissioner House is unable to support the project whilst height and privacy issues remain. Clarification of the positioning of windows is needed and the colors are too light and will be visible from across the valley. She would support the colors of the Bald Hill Plan and believes the exterior materials to be unattractive. Commissioner House agrees that the attic space will be living space and will not support future dormers or the FAR variance for the kitchen. Furthermore, the applicant has exceeded the work for which he gained administrative approval.

In response to Commissioner Sisich, Senior Planner Wight confirmed that the attic would be included as habitable space. Commissioner Sisich is unable to support the FAR variance and questions the need for windows in the proposed enclosed area below the car deck. He notes that a shadow study has not been undertaken and believes that the structure will affect the light on the neighboring property. He suggests that the roof is lowered and darker exterior colors chosen.

Commissioner Fernandez echoes the comments of the other Commissioners and supports the staff report. M/s House/Fernandez and passed (4-0) to approve the staff report (thereby denying the car deck enclosure and FAR variance requests) with the added condition that the colors for the trim, side and roof be approved by staff.

3. **V-0302/DR-0301 – Kim Feldman, 57 Indian Rock Court, APN 177-250-08**, hillside design review of a 1,906 square foot addition to a single family house and variance to construct a garage and upper floor expansion within 2.1' of the front property line (Code: 20') and within 5.7' of the side property line (Code: 8'). (Staff person: Bell)

The Planning Director presented the Staff Report.

The applicant, Kim Feldman, said the architecture of the existing house is less than desirable and the addition has been designed to try and give the house a more contemporary look. The mass has been broken by stepping the garage out in the front and stepping back the bedroom and back of the garage so that the structure did not appear to be one great vertical mass facing the street.

The applicant confirmed his plans to clad the windows with a trim that would match the siding and asked if the staff would consider his color scheme following framing. In reply to Commissioner House, the applicant confirmed that the garage doors will not be trimmed in an accent color.

Chair Jochum believes the design is a good solution and approves the project.

M/s House/Fernandez and passed (4-0) to move staff report with an amendment to Condition #6 that the colors should be consistent with the color boards submitted and approved by staff.

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

4. **TOWN OF SAN ANSELMO – Amendment to Section 10-3.607 (c) of the San Anselmo Municipal Code to prevent the expansion, enlargement, or intensification of nonconforming uses, and delete a requirement restricting reconstruction, maintenance, or alteration of structures housing nonconforming uses. (Staff person: Bell)**

The Planning Director presented the report.

M/s Jochum/Sisich and passed (4-0) to approve the staff report.

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

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E. GENERAL DISCUSSION

1. General Plan discussion

This item was adjourned in the absence of three Commissioners.

2. Election of Chair and Vice Chair of Planning Commission for 2003

M/s House/Fernandez to appoint Commissioner Harris as Chair and Commissioner Sisich as Vice Chair.

The Housing Element will be heard on January 21, 2002.

F. REPORT OF UPCOMING APPEALS TO TOWN COUNCIL

None

G ADJOURNMENT TO THE SPECIAL MEETING ON TUESDAY, JANUARY 21, 2003.

The Meeting was adjourned at 8.25pm.

Joanne O'Hehir
Sr. Admin. Services Asst.