

CITY OF SAN ANSELMO
 PLANNING COMMISSION MEETING
 COUNCIL CHAMBERS, 8:00 P.M., JUNE 6, 1966
MINUTES

1. ROLL CALL

Commissioners Present: Perry, Lloyd, Nordmann & Anderson
 Commissioners Absent: West & Creighton

2. APPROVAL OF MINUTES OF MAY 16, 1966

Commissioner Lloyd moved the minutes of the meeting of May 16, 1966 be accepted as presented. Commissioner Nordmann seconded the motion and it was unanimously approved.

3. ELECTION OF VICE-CHAIRMAN (to replace Commissioner Murphy)

Chairman Perry suggested that this matter be held over to the next meeting in view of the small number of Commissioners present. The Commission was in agreement and the matter was continued.

4. OLD BUSINESS

A. PUBLIC HEARINGS - USE PERMITS

- (1) U-112 - Union Oil Co. - Appl. to construct service station at 926, 928 & 934 Sir Francis Drake Blvd., A/P 6-061-01,02,08 & 09.

Chairman Perry informed the Commission that the Applicant had requested this matter be held over to the meeting of 6-20-66 as their attorney, Mr. Bianchi, was unable to attend this meeting.

- (2) C-1 - Elden H. Hill - Appl. for Certificate of Use & Occupancy at 15, 15A, 17 & 17A Humboldt Ave. A/P 7-023-02 & 03.

Engineer Leitzell presented his report on this application, including the minutes from the Council meeting at which this property was determined to be a non-conforming use. He then read a letter from City Attorney Buresh stating that the Commission cannot legally impose conditions on this use.

Mrs. Merritt, representing her mother, Mrs. Tolmacheff, of 9 Humboldt, protested the granting of the certificate. She stated that the area is zoned R-1. Engineer Leitzell explained to her that if the use was established prior to the adoption of the zoning ordinance, it may continue until abandoned for a period of six months.

Mr. Cullen, a neighbor, stated he felt the applicant is entitled to the permit as he feels the neighborhood has been improved by the apartments.

Mrs. Merritt stated that she is complaining primarily because the lack of parking causes congestion and, therefore, is a fire hazard as fire trucks couldn't get through in an emergency. Chairman Perry informed her that regulation of parking is a police matter.

After some discussion as to the benefit to be derived by issuing this certificate with a one-year review, Commissioner Lloyd moved as follows:

That C-1 - Application of Elden H. Hill for Certificate of Use & Occupancy at 15, 15A, 17 & 17A Humboldt Ave., A/P 7-023-02 & 03 be granted and that such permit be reviewed one year from this date. He requested the minutes show that the Commission feels this is primarily a police matter and the review is for the benefit of neighbors concerned over this particular matter and that only problem uses should be brought before the Commission. Commissioner Anderson seconded and the motion passed unanimously.

B. SUBDIVISIONS

(1) S-69 - Martha Bruckner - Appl. for four-lot subdivision of A/P 5-031-29.

Engineer Leitzell gave his report on this request.

Mr. Selinger, attorney for Mrs. Bruckner, questioned Engineer Leitzell's recommendation that an 18' driveway easement be a condition of the subdivision as it would serve only three dwellings. Mr. Bruckner, son of applicant, was present and pointed out that the roadway is only 10' to 12' wide and that the car deck would serve three cars. The Engineer's report also recommended that parcels 2 & 3 be combined as applicant has no immediate plans for development.

Warren Loose, 180 Camino de Herrera, stated there is a restriction in the deed that there can be no driveways within 10' of the property line and stated he felt the easement is too narrow to lend itself to traffic, and the logical way to serve the property is from below.

Mr. Stovall, 176 Camino de Herrera, pointed out that the existing access doesn't conform with the 20' easement line. The actual roadway is partly on his and Mr. Loose's property.

Mr. Selinger replied that he will see that there is a lawful subdivision and any encroachments will be negotiated or litigated.

Commissioner Lloyd moved that S-69 - Application of Martha Bruckner for four-lot subdivision of A/P 5-031-29 be granted subject to the following conditions:

1. That Parcels 2 & 3 be combined to form one parcel, renamed Parcel 2.
2. That the proposed 20' easement for road and utility purposes indicated on present Parcel 3 be deleted.
3. That a 12' paved access road be installed from the end of pavement at Center Road to the intersection of lines bearing N 3° 33 Min. East and N 38° 01 Min. West.
4. That frontage requirements for Parcels 1 & 2 be waived.
5. That a fire hydrant be installed according to Fire Chief's recommendation.

Commissioner Nordmann seconded and the motion passed unanimously.

(2) SS-112 - Harold Sharrow - Appl. for subdivision of A/P 6-091-08 located at 580 & 590 Red Hill Ave.

Engineer Leitzell gave his report on this application stating that it was continued from meeting of September 20, 1965 with conditions, some of which have been met. He presented the soils report by Harding, Miller, Lawson & Assos. to the Commission and also recommended rezoning the rear portion of property to R-1.

Mr. Sharrow was present and objected to changing the zoning as other property in the area is Commercial. Mrs. Sharrow questioned if their property is rezoned, will others be changed too?

Commissioner Lloyd asked what was most recent action of the Planning Commission on this matter and Engineer Leitzell read the minutes of September 20, 1965.

Commissioner Nordmann moved that SS-112 - Application of Harold Sharrow for subdivision of A/P 6-091-09 located at 580 & 590 Red Hill Ave. be approved with the following conditions:

1. That the conditions of the soils report be complied with.
2. The frontage requirement on Parcel 2 be waived.

Commissioner Lloyd seconded and the motion passed unanimously.

Chairman Perry called for a second motion regarding zoning of this area and Commissioner Lloyd moved that the City Engineer make a study showing proposed division between Commercial and Residential zones on the north side of Red Hill east of Sir Francis Drake Blvd. Commissioner Anderson seconded the motion and it was unanimously approved.

5. NEW BUSINESS

A. ADJUSTMENTS

- (1) ADJ-355 - Hans Steinbach - Appl. for rear and side yard fence height var. for 6' to 8' fence at 149 Crescent Rd. A/P 7-171-30.

Engineer Leitzell presented his report to the Commission and read a letter from Mr. Latcham, an adjoining property owner, requesting that Mr. Steinbach be required to get the approval of the adjoining property owners on the fence design.

Mr. Steinbach spoke for his application stating he wanted the fence to keep deer out of his property. The fence will be constructed on top of a bulkhead in some places, making a total permissible height of 10' along the bulkhead.

Mr. Daly stated that his lot slopes up to Mr. Steinbach's and he objects to the bulkhead and fence being this high and feels it will box in his property.

Mr. Latcham was also present and stated he did not want anything to disfigure the neighborhood, and he feels this fence would not be to the benefit of the neighborhood.

Commissioner Lloyd moved that ADJ-355 be continued and asked that applicant provide information as to specific fence heights and that the portion of the Daly residence likely to be affected by the fence be indicated on the drawing, also, that fence material and construction be indicated. Commissioner Anderson seconded and the motion carried unanimously.

- (2) ADJ-356 - W. A. DeCook - Appl. for var. of 6' to permit a 4' setback for car deck at 1 Freda Lane, A/P 6-119-15.

Engineer Leitzell read his report on this application.

Mr. DeCook was present and spoke for his application.

After brief discussion, Commissioner Anderson moved that ADJ-356 - W. A. DeCook application for variance of 6' to permit a 4' setback for car deck at 1 Freda Lane be granted. Commissioner Lloyd seconded and the motion was unanimously approved.

- (3) ADJ-357 - Atha & Mae Box - Appl. for fence height var. in side yard for 10' fence at 15 Florence Ave.

Engineer Leitzell read his report to the Commission. He also read a letter from Louise Walsh stating objections to the fence on behalf of the adjoining property owners, the Cruthers.

Mrs. Box spoke for their application listing her reason for variance as the unsightly appearance of the Cruthers' property.

Mr. Cruthers objected to the fence on the grounds that it would cut out light and air to his property.

It was the concensus of the Commission that while the Cruthers' property did present an unsightly appearance on the side facing the Box's, there is not justification under the provisions of the ordinance to grant the variance.

Commissioner Anderson moved that ADJ-357 - Application of Atha & Mae Box for fence height var. in side yard for 10' fence at 15 Florence Ave. be denied for the reason that no special circumstances pertaining to the land, building or use had been shown. Commissioner Nordmann seconded and the motion passed unanimously.

- (4) ADJ-358 - Peter C. Haywood - Appl. for zero front yard setback var. at 38 Elk Horn Way to permit construction of an access deck to carport and front entrance.

Engineer Leitzell read his report on the application.

The Applicant, Peter C. Haywood, was present and spoke for his request stating there would be no room for children to play without the deck.

Commissioner Lloyd moved that ADJ-358 - Peter C. Haywood - Appl. for zero front yard setback var. at 38 Elk Horn Way be granted with the stipulation that a 20' x 20' carport area be provided, set back 15' from the property line. Commissioner Nordmann seconded and the motion was unanimously approved.

B. SUBDIVISION

- (1) S-71 - Barbara Yeo Rivara - Appl. for four-lot Subd. of A/P 5-062-52, 19, 24 & 25 Rancho Drive.

Engineer Leitzell gave his report to the Commission stating that this is a resubmission of a former application. He stated that drainage had been a problem and that it is wise when subdivision is applied for to get these drains into public control as drainage should be a public improvement.

Mr. Aldridge, 3 Rancho, spoke stating he thinks the water problem should be taken care of on the Rivara property if the 4-lot subdivision is granted.

It was pointed out that this property has four units which are non-conforming use. Commissioner Lloyd stated he was not in favor of creating a lot with two family units on a single-family zoned lot.

Commissioner Lloyd moved that this subdivision be continued until we get an opinion from the City Attorney on creating a lot that is in violation of the zoning for this property. Commissioner Anderson seconded and the motion carried unanimously.

6. CORRESPONDENCE

- (1) Memo from Zoning Administrator to Planning Commissionere. A/P 6-173-20, 91 Spring Grove Avenue.

Commissioner Lloyd moved we have a meeting to consider rezoning of this parcel from R-3 to R-1. Commissioner Nordmann seconded and the motion carried unanimously.

- (2) Letter to Chairman Perry from the City Administrator advising of meeting on 6-16-66 at 8:00 p.m. to hear presentation for preliminary plan for Sir Francis Drake Extension.

7. MATTERS FOR CONSIDERATION OF THE PLANNING COMMISSION

Due to the lateness of the hour, these items were continued to the 6-20-66 meeting.

8. ADJOURN

Commissioner Anderson moved the meeting be adjourned at 11:40 p.m. Commissioner Lloyd seconded and it was passed unanimously.

Warren R. Perry
WARREN R. PERRY
CHAIRMAN, PLANNING COMMISSION