

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman Warren Perry in the Council Chamber at 8:00 p.m. on December 18, 1967.

1. ROLL CALL

Commissioners present: Anderson, Creighton, Gue, Heinecke, West Perry

Commissioners Absent: Moore

2. APPROVAL OF MINUTES

Commissioner Gue moved, seconded by Commissioner Creighton that the minutes of November 20, 1967 be adopted, unanimously approved.

3. OLD BUSINESS

None

4. NEW BUSINESS

A. PUBLIC HEARING - REZONING

- (1) Z-96 Application of William Backes to rezone from Two Family Residence District (R-2) to Neighborhood Apartment District (R-3), Lot 32, Linda Vista Tract, Sub. of Lots 1, 2, 8 & 12, Assessor's Parcel 7-213-49, and known as 194 Tunstead Avenue

Mr. Backes stated that the lot he wished to have rezoned was surrounded by R-3 zoning, and he hesitated to develop the lot as R-2.

Mr. Charles Hweg, 196 Tunstead Avenue said the lot was so narrow he did not see how it could be developed for multiple use and still conform to setback requirements and provide off-street parking.

Mr. Leitzell said that plans were submitted with the zoning application which indicate the proposed building could conform to all setback requirements and provide 6 parking spaces.

Commissioner West said he felt this would be an intrusion into the buffer zone, and he would like to see more R-2 zoning as a buffer to Cedar Street.

Commissioner Anderson said he felt the last row of lots along Cedar Street should remain R-2.

Commissioner Creighton moved that Z-96, application of William Back-s to rezone Assessor's Parcel 7-213-49, from R-2 to R-3, be approved. Motion seconded by Commissioner Gue and approved by a 5 to 1 vote with Commissioner West casting the dissenting vote.

Mr. James L. Wheeler, 176 Tunstead Avenue mentioned that his similar application for rezoning was denied several years ago, and he wanted to know if the new concept in zoning this area would apply to his lot. He was advised to consult with the Planning Office regarding possible resubmission of his application.

Commissioner Anderson moved that lots 25 and 26 of the Linda Vista Tract, on the north side of Tunstead Avenue be rezoned from C-2 to R-3, and a public hearing be set accordingly. Motion seconded by Commissioner Gue and approved by five Aye votes with Commissioner West abstaining because he did not know enough about it.

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B. ADJUSTMENTS

- (1) ADJ. 376 Application of James W. Howey for a 6 foot variance in sideyard setback to construct a carport at 18 Brenfleck Avenue. A/P 6-051-21

Mr. Howey said the house was poorly planned, and although there was room for a carport on the opposite side of the house, it would necessitate changing water lines and destroying landscaping and a carport would also block off 2 bedroom windows. Mr. Howey said that although the neighbors were unhappy with the house itself, they had no objection to placing the carport to the property line.

Commissioner West said he did not feel there was justification for a variance because there was space on the other side of the house to construct a carport without a variance.

Commissioner Heinecke said he did not see how forcing the applicant to destroy his sideyard would improve the neighborhood and pointed out that there was already a paved space that was used for parking in the area for which the variance was requested.

Commissioner Creighton said that although he could see the practicality of placing the carport where the parking area currently is, he could see no hardship, and felt a variance should not be granted unless a definite hardship is proved.

Commissioner Perry said he did not feel the aesthetics would be enhanced by tearing down the hedge and cutting the trees, still we did have an ordinance and Brenfleck Avenue already gives the impression of overcrowding. He did not feel there was justification for a variance.

Commissioner West moved that Adj. 376, application of James W. Howey for a 6 foot variance in sideyard setback to construct a carport at 18 Brenfleck Avenue be denied, it being apparent that a carport can be built on other locations on this property in conformity with the setback requirements of the Ordinance, and that the necessary showing of practical difficulties or unnecessary hardships and other special circumstances to justify the request have not been made. Motion seconded by Commissioner Anderson and approved by the following vote:

AYES: Commissioners Anderson, Creighton, Heinecke, West, Perry
NOES: Commissioner Gue

C. SUBDIVISIONS

- (1) SS-144 Application of Thomas Gehres for a 2 lot SUBDIVISION of A/P 7-121-52 located at 340 Laurel Ave.

Briefly sketching the history of the dwelling in question, Mr. Leitzell said in 1963 the property owner constructed a guest house which was definitely understood to have no kitchen facilities. Subsequently kitchen facilities were installed without a permit for the applicant's infirmed parents who occupied the guest house. The house is now facant, and in order to rent the house as the applicant wished to do, it would either have to be rezoned or subdivided inasmuch as this area is an R-1 district. It would be impractical to rezone the lot, hence subdivision is the only practical solution. There is some question about the lot line location between parcels 51 & 52.

Mr. Joseph Sheeks, representing the applicants, said the house was there, although it is an unfortunate situation, no great harm will be done to planning concepts by dividing the lot. There is ample area for two lots. The area is already developed, and no subsequent development could take place.

Mr. Gehres stated that parcel #3 was retained by the previous owner at the time Mr. Gehres bought the property (1958); that later Mr. Gehres bought parcel #3 from the previous owner, and at a later date conveyed it by trade or sale to Mr. Clyde.

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Mr. Sheeks, Mr. Gehres' attorney. stated that Mr. Gehres had added kitchen facilities to the accessory building sometime after the original completion.

Mr. Leitzell suggested that if the application were approved, parcel #2 should include all of the frontage and parcel 1 granted easement rights across parcel 2. This would require a waiver of the frontage requirement for parcel 1.

Commissioner West voiced his objection to the whole pattern of irregularities that surround the property, including the splitting off of parcel 51 without subdivision procedure and the addition of the kitchen facilities without a building permit.

Mr. Sheeks asked to have this application continued until the next regular meeting to give the applicants time to revise their maps and possibly correct the lot line between parcels 51 & 52.

Commissioner Creighton moved SS-144, application of Thomas Gehres for a 2 lot subdivision of A/P 7-121-52, located at 340 Laurel Avenue be put over until the January 15th meeting, seconded by Commissioner Gue, unanimously approved.

5. CORRESPONDENCE

A letter from the San Anselmo Homes Association regarding the Robson property acquisition and a Hub Regional Park.

Commissioner West moved that the Planning Commission give their general endorsement to the views expressed in the motion of the San Anselmo Homes Association and forward the letter to the attention of the City Council. Motion seconded by Commissioner Anderson and approved by 5 Aye votes with Commissioner Perry abstaining.

6. MATTERS FOR CONSIDERATION OF THE PLANNING COMMISSION

A. Drafting of Sign Ordinance

Mr. James Reed was present representing the Chamber of Commerce. He said that after the last meeting at which the Sign Ordinance had been discussed, the Chamber of Commerce had sent out 35 questionnaires and had received 22 replies from the merchants.. These questionnaires will be reproduced and the tabulated results distributed to the Planning Commission before the next meeting. A special meeting to consider the sign ordinance was set for Monday, January 8th at 8:00 p.m. in the City Hall. Representatives from the Chamber of Commerce will be asked to be present.

B. ABAG Preliminary Plan, Regional

This matter has been withdrawn from the Agenda until such time as Planning Commission action is requested.

Mr. Leitzell reported that San Anselmo City Council voted 3 to 2 to join the City-County Planning Council.

Commissioner West said he felt the matter of off-street parking requirements in R districts that Mr. Leitzell had brought up earlier should be discussed and possibly the ordinance should be amended to provide for off-street parking not within the setbacks.

Commissioner Anderson suggested the matter be put on the Agenda when the current amendments to the zoning ordinance are returned from the City Attorney and any revisions can be incorporated at that time.

At 10:45 p.m., Commissioner Gue moved the meeting be adjourned, seconded by Commissioner Heinecke and unanimously approved.

Warren R. Perry

 WARREN R. PERRY
 CHAIRMAN