

February 6, 1967

The regular meeting of the Planning Commission was called to order by Chairman Warren Perry at 8:00 p.m. in the Council Chamber on February 6, 1967.

1. ROLL CALL

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

Commissioners absent: None

2. APPROVAL OF MINUTES OF JANUARY 16, 1967

Commissioner Anderson moved adoption of the minutes as written, seconded by Commissioner Gue, unanimously approved.

3. OLD BUSINESS

A. USE PERMITS

(1) U-118 Gerald Curtis

Previous action was reviewed. Mr. Curtis said he had no further evidence to present that would establish the date of the construction of the duplex. Commissioner Gue said he felt the previous letter directed to the applicant from the City Engineer might fulfill the applicant's request. Mr. Curtis agreed this was so.

Commissioner West said he would like to state generally, and with no reflection upon the Curtis' application, that there are many "bootleg" duplex uses in San Anselmo, and he does not go along with the tacit approval of such use.

Commissioner West moved that U-118, application of Gerald Curtis to continue use of existing non-conforming duplex located at 32 Humboldt Avenue, be denied for the reason that no evidence has been presented to prove that this non-conforming use existed at the time of enactment of Ordinance 254, on May 23, 1939. Motion seconded by Commissioner Anderson and approved with the following vote:

AYES: Commissioners Anderson, Heinecke, Moore, West, Perry

NOES: Commissioners Creighton, Gue

The applicant was informed of his right to appeal the decision to the City Council.

B. ADJUSTMENTS

(1) ADJ. 365 - Robert Hubbard

The City Engineer reported that corners had been flagged as requested and a letter from John H. Meigs, Building Designer, was read. Mr. Leitzell said the road does have to be widened in front of this parcel, and it would not be feasible to build a driveway down into the lot.

Commissioner Moore moved that Adjustment 365, application of Robert Hubbard for a 4 foot setback on one corner and an 11 foot setback on the other corner of a proposed carport at 39 Alderney Road, be approved for the reason that it is the best use of the land, and for the reason that it is not feasible to construct a driveway on this particular property. Motion seconded by Commissioner Creighton, approved by the following vote:

AYES: Commissioners Anderson, Creighton, Gue, Heinecke,
Moore, Perry

NOES: Commissioner West

4. NEW BUSINESS

A. USE PERMITS

(1) U-120 - Glen Douglas

Mr. Leitzell said this was a request for a home occupation to be conducted from a shop which the applicant wished to construct at the rear of his carport at 26 Austin Avenue. A letter protesting the application was read from William and Amelia Cuneo, 221 Ross Avenue, and one from Oliver and Marie Berven was read.

Present to protest the application were Robert Alvarado, 49 Austin Avenue; Warren Landon, 74 Austin Avenue; F. Renshaw, 16 Austin Ave. Mr. Rogers 24 Austin Avenue said he went along with the majority in what was best for the neighborhood.

Mr. Max Thornton, 11 Sunnyside Avenue, said he did not feel this shop would be a detriment to the vicinity and could not see that the business would hurt the neighborhood. He felt the amount of paint thinner allowed should be restricted, and the Use Permit restricted to individual use only.

Mr. Douglas said he formerly had a shop in San Anselmo; however, through no fault of his own, he had to move the shop. He had looked for a suitable place in San Anselmo, but could find none. At present, he is operating from San Rafael. He pointed out that in the same neighborhood there is the Festival Theater and the Seminary, each of which has numerous activities which bring much traffic into the neighborhood.

Commissioner Creighton said he felt that erecting a building to transact a commercial business was much different from a home workshop. Commissioner Heinecke said he felt this use was incompatible with the zoning ordinance, and not in the concept of a home occupation. Commissioner Anderson felt the use was not compatible with the zoning, and this was definitely not incidental use, but a full time use. Commissioner Moore and Commissioner Gue each agreed this use was not a home occupation.

Commissioner Anderson moved that U-120, Glen Douglas, application to conduct a home occupation (sign painting) from a shop to be constructed at the rear of his carport in an R-1 district, located at 26 Austin Avenue, be denied for the reasons that the use is not compatible with the ordinance, and the use is not incidental to the residential use of the premises. Motion seconded by Commissioner Moore, and unanimously approved. The applicant was informed of the right to appeal the decision to the City Council.

5. MATTERS FOR CONSIDERATION OF THE PLANNING COMMISSION

A. PROPOSED AMENDMENTS TO THE ZONING ORDINANCE

Commissioner Heinecke asked what the City Engineer meant by his reference to creating non-conforming lots by increasing the minimum lot size to 7500 square feet. Mr. Leitzell said the floor of the valley, or downtown area, was long ago divided for the most part into lots of 5,000 square feet, and if the minimum lot size were increased to 7500 square feet, all of these existing lots would henceforth be non-conforming lots.

Commissioner Anderson said he had made a tabulation from the chart mailed out the median lot size for the 11 cities of Marin County is 6318 square feet, median street frontage requirement, 47 feet, median average width of an interior lot 58.5 feet, rear setback, 17 feet. Commissioner Creighton said he was not in favor of increasing the minimum lot size; he felt where larger minimum lot sizes were desired, B district zoning could handle the requirement.

He said he felt if some of the older homes on larger lots were demolished and two smaller new ones built; it would be an asset to the City.

The Chairman appointed Commissioner Heinecke to draft a revision to the zoning ordinance which could be submitted to the Council after approval of the Planning Commission.

Each of the Commissioners, with the exception of Commissioner Creighton, said he felt the minimum lot size should be 7500 square feet.

B. PROPOSED MANEMENT TO SUBDIVISION ORDINANCE RE DEDICATION OF PARK LANDS

Commissioner Anderson moved to put the discussion on this over until the next meeting, seconded by Commissioner Heinecke, unanimously approved.

6. CORRESPONDENCE

A. Marin County Planning Department Proposed Policy Statement

Commissioner West said he would like to have the problem of erosion and proper completion of excavations placed on the Agenda for discussion since it would be a timely subject.

B. League of California Cities - Resolution of 1967 League Conference Consideration.

C. League of California Cities - Legislative Bulletin

D. Staff Report, Marin County Planning Department, regarding signs.

This item had been included for each Commissioner's information since Amendments to the Sign Ordinance will be on the Agenda for the next Planning Commission meeting.

At 10:25 p.m. there being no further business before the Planning Commission, Commissioner Creighton moved the meeting be adjourned, seconded by Commissioner Moore, unanimously approved.

Warren R. Perry
WARREN R. PERRY
PLANNING COMMISSION CHAIRMAN