

November 4, 1968

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman John F. West at 8:00 p.m. in the City Hall on November 4, 1968. Representing the City Staff: John O'Rourke.

1. ROLL CALL

Commissioners Present: Creighton, Gue, Heinecke, Moore, Perry
Tusler, West

Commissioners Absent: None

2. APPROVAL OF MINUTES

Commissioner West asked that the minutes of the October 21, 1968 meeting be corrected to show sentence 2 deleted and replaced with the following in Item A (1), paragraph 11: "There was no one, and Mr. West said: "The Chairman of the School Board had advised me that there was no objection to the request for a Use Permit, and he further asked that no vending machines be permitted".

Commissioner Heinecke asked that in paragraph 12, Item A (1) sentence 1, the words "with respect to" be inserted in place of "that", to make the sentence grammatically correct.

Commissioner Perry moved the minutes be accepted with the above corrections; motion seconded by Commissioner Heinecke and unanimously approved.

Commissioner Gue asked to have the file on ADJ. 384, Charles Herndon application for a variance to construct a carport at 299 Brookside Drive, reflect that although he was not present at the meeting when this application was approved, he would like to be shown as being opposed to that type of variance because he thinks it was no more necessary than any property owner with a single family car garage requesting to construct a cover over the driveway.

3. OLD BUSINESS

None

4. NEW BUSINESS

A. VARIANCE APPLICATION

- (1) AJD. 385 Andrew Stafford. Application for an 18 inch variance in frontyard setback and a 1 foot variance in sideyard setback to construct an apartment over the garage at 188 Tunstead Avenue, and a variance in parking requirements. A/P 7-213-47

Mr. Hageman, building designer, was present with Mr. Stafford. Mr. Hageman said that a duplex with a garage in the front presently exists, and Mr. Stafford wishes to add a third unit above the garage in the front of the building. In order to construct a larger apartment, he is asking for an 18 inch variance in frontyard setback which would overhang the garage. The sideyard setback was requested in order to place the addition directly above the existing building which was constructed legally with a 5 foot sideyard setback.

Mr. Hageman and Mr. Stafford felt that because the duplex existing had the required parking at the time of construction, that the new unit should require only parking as required for it. However, the Staff had ruled that the rezoning of the lot from R-2 to R-3 and the subsequent application to construct a third unit, placed the application in an R-3 category and parking should be required for the complete building; such computation would require 4 parking spaces as opposed to the 3 which Mr. Hageman and Mr. Stafford felt would be sufficient if the Commission considered only the additional unit.

Mr. Hageman said they proposed the same front building face as existed on the garage.

Commissioner Perry asked if there was a practical reason why the additional unit was being located in the front rather than to the rear of the building.

Mr. Hageman said the owner lived in one of the rear apartments and this was his yard.

Mr. George Davison, 34 Foss Avenue, said he did not feel it was correct to increase the amount of parking for the original duplex since this duplex was a legally constructed use and had the legal parking at the time of construction.

There was no one else in the audience to comment on this application.

Commissioner Perry said he was in favor of the sideyard variance to allow the new unit to be constructed with the same sideyard setback as the original building; however, he said he did not see on what grounds a frontyard setback variance could be justified, nor, since the lot went to a higher density, did he see how a variance in the parking could be justified.

Each of the Commissioners stated he was concered with the parking situation and could see no justification for a variance in parking requirements.

Commissioner Tusler moved that ADJ. 385, Application of Andrew Stafford for an 18 inch variance in frontyard setback and a 1 foot variance in sideyard setback to construct an apartment over the garage at 188 Tunstead Avenue and a variance in parking requirements, A/P 7-213-47, be approved for the sideyard variance to match the existing structure in the front 25 feet of the building, more or less, and that the frontyard and parking variance be denied for the reason that hardship has not been demonstrated within the intent of the existing ordinance; further that plans for the addition shall be submitted to the Design Review Committee for approval. Commissioner Gue seconded the motion which was unanimously approved. The applicant was informed of his right to appeal the decision to the City Council within ten days.

5. MATTERS FOR CONSIDERATION OF THE PLANNING COMMISSION

A. Policy Regarding Use Permits

This item was held over.

B. Special Meeting

Chairman West announced the special meeting called by the City Council for the 19th of November to discuss the requirements for Use Permits as proposed by the Planning Commission.

C. Commissioner Gue asked that the staff write a letter to Guasco Supermarket asking that they do not display their plants on the sidewalk in the future, or their Use Permit for their Lath house will be rescinded.

The Chairman directed the staff to do so.

D. James McDonald was present with Mr. David M. Lewis of Ross Valley Company, and Mr. Frank Bersall, and explained to the Planning Commission that an application for a Planned Development would be on the Agenda for November 18th, and he asked if there any data they wished submitted with the application. He was informed that for the first meeting the requirements of the ordinance should be met, subsequent details would probably be required at the meeting of the 18th; however, Planned Developments were seldom approved with the first submission.

At 9:40 p.m. Commissioner Gue moved the meeting be adjourned, seconded by Commissioner Moore, and unanimously approved.

JOHN F. WEST
PLANNING COMMISSION CHAIRMAN