TOWN OF SAN ANSELMO

Resolution No. 3187

RESOLUTION GRANTING THE APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF APPLICATION DR-9120, THEODORE POSTHUMA, 379 OAK AVENUE, A/P #7-241-61, DESIGN REVIEW FOR A PROPOSED EXPANSION OF AN EXISTING RESIDENCE

The Public Hearing

The public hearing was opened. Planning Director Ann Chaney presented the Town staff report on the application and reviewed the changes and house design and size. The differences between the new plan and the plan reviewed by the Town Council at its January 28, 1992, meeting included reduction in size of the house of 133 square feet from 3,703 square feet to 3,575 square feet; and a reduced length in the house of 14 feet, from 102 feet to 88 feet.

The applicant stated the redesign, though saving the plum tree, would mean sacrificing the maple tree. He thought the house had been lowered by a foot. He redesigned the house to soften the lines and shifted the house to alleviate grading in the rear. He noted the reductions in the length and size of the house.

Dixie Ruud, representing appellants, stated the bulk still needed to be downscaled. The garage and carport had not been shown on the plans and she believed these should be reinstated so the Council could see where the garage and carport would be located. She stated the opinion the house was still too long at 88 feet, because other houses in the neighborhood averaged 50 feet in length. Ms. Ruud stated her house was 40 feet long with a 20-foot garage.

Phyllis Wright, 367 Oak Avenue stated she would prefer to see the addition nestled behind the existing structure.

Paul Anderson, 510 Redwood Road, spoke in support of the applicant. He stated Mr. Posthuma was a good neighbor and that he had PG&E remove eucalyptus trees. He said Mr. Posthuma had made a great effort to compromise.

Richard Posthuma, 2 Skyline Drive, stated he was the brother of the applicant; that his brother had made a very strong effort to meet everyone's expectations; and that he had attempted to reduce the length of the house and to move the house behind the existing house.
The applicant showed the Council some photographs, including aerial photographs showing other homes in the neighborhood.

Mark Kertz, attorney for Miranda Leonard stated that compatibility should not be based on aerial views and that the neighbors had not had a chance to review the photographs Mr. Posthuma showed to the Town Council.

David Bassett, an architect representing Mrs. Leonard, stated it was difficult to understand what the actual floor plan of house will be.

Planning Director Chaney said the applicant could probably accomplish his parking without the need for a large amount of grading; that no additional garage or carport would be allowed without a public hearing; the amount of grading was excessive for its purpose; and that there was not an unusually low amount of detail shown on the plans.

Councilmember Zaharoff stated the proposal was going in the right direction but the 130 square foot size reduction and 12-foot length reduction were not enough to achieve compatibility as required by local regulations. She stated she would approve the application if 10 more feet were taken off the front of the house on the right side. She referred to her comments on the application made at the January 28 Council meeting.

Councilmember Yarish stated the proposed addition does not do a good job in picking up the details of the original building. The original building had charm and this was ignored in the design of the addition. As an example, there could be smooth and flowing railings to accentuate the flowing lines. The design, however, gets better with each application. Yarish stated he believes there is enough parking without additional cutting for four to five cars and that additional parking would result in cutting and the need for retaining walls which would create an unnecessary hole in the ground. The floor plans are disjointed, resulting in awkward living conditions, awkward spaces, which could improve with a more centralized floor plan. Yarish stated he did not see a measurable impact of the square footage as much as from the adverse visual attributes of the project. He stated the project had been subject of an honest effort of cooperation by the Town Council and the Planning Commission with the applicant.

Councilmember Chignell stated that when he and Mayor Kanis visited the property, they advised the applicant they did not want to design the project for him. Chignell said the addition could go behind the house but it has not gone far enough. The design was not compatible with the neighborhood and he supported denying the application requesting the applicant come back with a redesign.
Councilmember Kanis said he concerns about the design, length and visual appearance had been stated by his colleagues. He did not think that reducing the house size mitigates his concern regarding the appearance of the front of the house. He said he could not approve the design now and noted that at the last meeting the Council had discussed moving the addition to the rear of the existing house.

The applicant was asked if he would like the opportunity to resubmit a design that would be reviewed by the Town Council without having to go back to the Planning Commission. The applicant indicated he was not interested in redesigning his project.

**Applicable Regulations**

Objective 11 of the San Anselmo General Plan provides in Policy No. 11.1:

> New development, including rehabilitation and expansion projects, shall be of a scale, intensity and design that integrates with the existing character of the surrounding neighborhood.

Section 10-3.710(1) of the San Anselmo Municipal Code provides:

> It is the purpose of this chapter to minimize adverse effects of poor or inappropriate exterior design of improvements to real property by providing for the review of the design of certain buildings and improvements hereafter constructed in the Town. Poor or inappropriate exterior design improvements to real property adversely affects the health, safety, and welfare of the residents of the Town by creating conditions which

....

(b) Decreased property values in the surrounding area of the town as a whole;

(c) Impair the comfort and well-being of persons using such real property; and

(d) Are aesthetically incompatible with adjacent real property.
The intent of Design Review is to insure the above adverse effects are eliminated or minimized through the imposition, if necessary, of conditions that cause the improvements to comply with the intent of this [chapter].

No improvement subject to Design Review shall thereafter be constructed, located, repaired, altered, or thereafter maintained, except in accordance with the design approved as provided in this section.

Section 10-710(5) states the required findings for Design Review as follows:

Approval of design review, which may include the imposition of conditions, shall be made only after the making of the following findings:

(a) (1) Is functionally and aesthetically compatible with the existing improvement and the natural elements in the surrounding area.

In making these findings, the Planning Director or Planning Commission shall consider the size, proportions, use, type and quality of materials; architectural features and ornamentation; night lighting; color application; signs; site placement of all features; existing and proposed landscaping and topography; existing and proposed open spaces and paved area; screen devices and other matters and elements deemed to be pertinent to the criteria set forth in this section.

Findings

Application DR-9120 is a plan for a project of a scale and design which does not integrate with the existing character of the surrounding neighborhood.
The proposed square footage, 3,570 square feet, is substantially larger and out of character with the immediate neighborhood average size of 2,600 square feet. Similarly, the length of the house proposed, 88 feet, greatly exceeds the length of other houses in the surrounding neighborhood, averaging 50 feet.

Application DR-9120 impairs the comfort and well-being of the surrounding neighborhood and creates conditions which are aesthetically incompatible with adjacent properties.

The addition fails to pick up and continue the style and details of the original building. Additional parking can be achieved without the large amount of grading contemplated adding to the preservation of the natural landscape. The floor plans are disjointed, resulting in awkward living spaces, which can be improved with a more centralized floor plan. The design of the exterior can be significantly improved by moving the addition behind the existing structure.

Determination

BASED ON THE FOREGOING, AND ALL PREVIOUS PROCEEDINGS REGARDING THIS APPLICATION, PARTICULARLY ON THE ISSUE OF COMPATIBILITY, THIS APPEAL OF THE APPROVAL OF APPLICATION DR-9120 IS GRANTED.

The foregoing Resolution was adopted at a regular meeting of the San Anselmo Town Council held on May 26, 1992, by the following vote:

AYES: Chignell, Yarish, Zaharoff, Kanis

NOES: (None)

ABSENT: (None)

ABSTAIN:

CAROLINE FOSTER
Town Clerk