

**TOWN OF SAN ANSELMO
TOWN COUNCIL RESOLUTION NO. 3465**

**A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL APPROVING
VARIANCES AND THE DESIGN OF A NEW SINGLE FAMILY DWELLING ON
405 SEQUOIA DRIVE, A/P 6-117-08**

WHEREAS, an application was filed with the Town of San Anselmo on September 24, 1998, requesting approval for Variances and Design Review to construct a single family dwelling on 405 SEQUOIA DRIVE, A/P 6-117-08; and

WHEREAS, on January 5, 1999, the Planning Commission received comments from staff, the applicant, and others, and conditionally approved the Variances and Design Review based on the plans date stamped received by the Town on September 24, 1998; and

WHEREAS, on January 15, 1999, an appeal of the Planning Commission's approval was received by the Town; and

WHEREAS, on February 23, 1999, the Town Council received comments from staff, the applicant, the appellant, and others, and continued the matter in order to obtain a landscape plan, color plan, and construction management plan and that the neighbors were asked to submit their comments to the Town Engineer; and

WHEREAS, on April 13, 1999, the Town Council received comments from staff, the applicant, the appellant, and others, reviewed the landscape plan and construction management plan, and approved the project subject to the following conditions:

Conditions of Approval

1. The applicant must adhere to all recommendations established in a Geotechnical Investigation prepared by a geotechnical engineer, which must be peer reviewed and approved by the Town Engineer prior to building permit issuance.
2. The applicant must adhere to all recommendations established in a Drainage Study prepared by a civil engineer, which will be subject to the Town Engineer's review and approval prior to building permit issuance.
3. The Construction Management Plan, which addresses order of work, schedule of work starts, dust control, road bond and road protection, road closures, house and site drainage, parking, hours of work (as modified by the Town Council to be: 7 a.m. to 5 p.m. Monday through Friday, and silent work between 9 a.m. and 2 p.m. on Saturdays (this silent work translates to no gas engines running, no power tools, no tools that produce medium to loud noise, including hammers; does allow hand digging, clean up, non-noisy tools)), trees, completed work, miscellaneous items (muffling, construction shed, debris box, and as modified by the Town Council to include: removal of poison oak and scotch broom). This Plan is Exhibit A to this Resolution.

4. With the exception of the dying acacia so noted on the plans, the removal and pruning of trees, shrubs, and herbaceous plants is prohibited except for reasons of disease, and the need to maintain fire and human safety. The proposed trees shall be allowed to grow to their maximum height.

5. Exterior lighting shall be designed to eliminate off-site spread of light through the use of hooded, low level light, low wattage light fixtures, which cast light in a downward direction. Such lighting should be permitted for safety and security purposes only and must be unobtrusive and maintain privacy.

6. The exterior materials shall be as follows:

Roof:	Asphalt shingles
Siding:	Stucco
Trim:	Wood

Exterior colors of the roof, siding, windows and trim will be subject to administrative approval. Prior to selection of exterior colors, the applicant shall provide staff with: 1) samples of the roof, stucco, trim, and window colors; 2) paint a 4' by 8' swatch of the stucco color on site or on the framed building prior to the Planning Director's determination on color. The intent of allowing staff to view a large painted section prior to painting the entire building is so that staff can make the determination that the selected color will blend with its environment; and 3) obtain administrative approval. The Town will provide the neighboring property owner, Gil Iwanaga, 409 Sequoia Drive, a 10 day notice of the Planning Director's intent to administratively determine the exterior building color and he will have the ability to appeal the administrative determination to the Planning Commission.

7. The proposed Pittosporum on the west side of the property shall be 15-gallon size at planting (the 15-gallon size is provided this size is available to purchase at a reasonable price). This Pittosporum shall have drip irrigation;

8. A road covenant between 405 and 409 Sequoia Drive with the parties to meet and record the document without Town involvement;

9. Should construction not begin within one year from the date of this approval, the approval shall be considered null and void. A one-time-only, one-year extension can be requested in writing to the Planning Director prior to the expiration date.

10. Prior to building permit issuance, a deed restriction listing the above condition Nos. 4, 5, 6, 7 and 8 shall be signed by the applicant, notarized, and recorded at the County.

NOW, THEREFORE, the Town Council of the Town of San Anselmo does hereby find as follows:

- Findings required for the approval of **Variations** pursuant to Section 10-3.710 of the San Anselmo Municipal Code are as follows:

***Required Finding 1.** Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulation deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.*

The special circumstances are the lot shape (which is narrow), and its topography (which is steep). The granting of variances permits a dwelling stepped up the hill that is lower in height. The granting of the variances will not be a grant of special privileges inconsistent with other properties in the area.

2. The granting of the variance, under the circumstances of the particular case, will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property or the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.

The granting of the variances actually permits a less imposing dwelling as it has been spread across the lot and stepped up the hill. Additionally, the rear yard serves as a side yard between the two properties and a 15' setback from this common property line is sufficient to provide light, air and privacy to the neighboring property.

- Findings required for the approval of **Design Review** pursuant to Section 10-3.710 of the San Anselmo Municipal Code are as follows:

***Required Finding 1.** Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area;*

The building site is steep and not well vegetated. These restraints have resulted in a house design, which will be visible, but with the added articulation and design stepped up the hill, and landscape proposals, should be aesthetically compatible with the existing improvements and the natural elements in the surrounding area. The dwelling is smaller than previously proposed and is consistent with other neighboring dwellings in the area.

***Required Finding 2.** Provides for protection against noise, odors, and other factors, which may make the environment less desirable;*

This single family dwelling should not result in adverse environmental impacts as the landscaping will provide screening, there will be drainage improvements, a fire truck turnout will be constructed, and adequate parking will be provided.

***Required Finding 3.** Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment or orderly development in such area;*

This project will not cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or development in the area as the development will be a single family dwelling.

Required Finding 4. Will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel;

This project will not create unnecessary traffic hazards as this is a single family home in a single family neighborhood; the mirror direction shall be closely monitored by the applicant; and the fire truck turnout has been approved by the Ross Valley Fire Department.

Required Finding 5. Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area.

Construction will be in accordance with the Town Engineer's requirements based on peer reviews of the soils and drainage reports.

NOW, THEREFORE, BE IT RESOLVED that the San Anselmo Town Council does hereby approve V-9858 and DR-9849.

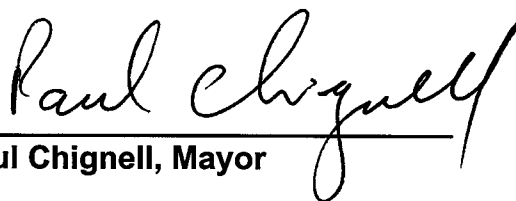
The foregoing resolution was adopted at a regular meeting of the Town Council of the Town of San Anselmo held on the 13th day of April, 1999, by the following vote:

AYES: Breen, Kroot, Overberger

NOES: None

ABSTAIN: Hodgens

ABSENT: Chignell



Paul Chignell, Mayor

ATTEST:



Debra Stutsman, Town Clerk

Exhibit A

RECEIVED

APR 02 1999

TOWN OF SAN ANSELMO
Dept of Public Works and Planning

Proposed Single Family Dwelling
Construction Management Plan
405 Sequoia Drive
San Anselmo

Revision 3/31/99



1) Order of Work

-The piers will be poured first and then the foundation for the garage and parking area will be poured next. The focus at the start of the job is to get the garage driveway and parking area in the front of the house completed first. In doing so there will be more room to park, store materials and more importantly creating a larger flat area to work.

2) Schedule of Work Starts (schedule and dates are approximate due to the lack of construction drawings)

- Permit available June 1 (approximate date only)
Install temp power and layout foundation
- Start of work June 7-10
Grading and drilling of piers (two road closures)
- Pour piers June 10-15
Set steel and pour the piers (one road closure)
- Foundation for garage and parking area June 15-23
Form retaining walls and pour (one road closure)
- Foundation for rest of house June 23-July 8
Strip forms, waterproof garage walls, install drainage, backfill and build forms for the rest of the house, start framing the garage floor
- Parking pad and garage floor ready to use July 8
- Finish foundation and continue framing July 8-August 9
Pour the rest of the concrete, strip forms, install drainage, and frame the rest of the house (one road closure for the pouring of the last of the foundation)
- Framing and the roof August 9- August 23

OK
Keith Argerman
4/2/99

Plumb and line walls, misc. framing, complete the shear walls and install roof trusses (one road closure for the unloading of the roof trusses)

Subs and windows August 23-September 10
Start the rough plumbing, start the rough electrical, install the windows, complete the framing pick up

Roofing and gutters September 10-September 17
Install misc. sheetmetal, install the gutter, install the roof, delivery and installation of the sheetrock, furnace and ducting to be installed (one road closure for the unloading of the sheetrock)

Interior trim September 17-October 6
Install cabinets, install interior doors, install all interior trim, install landscaping. The driveway and parking pad will now be poured. These parking areas have been filled with crushed rock in order to provide a flat parking and work area during the construction process (one road closure for the pouring of the parking pad and driveway)

Final inspection October 7

3) Dust Control

-All exposed or disturbed soil will be watered down or covered in order to reduce dust generation. If there is a problem with dust on the weekend or any time someone is not there, any neighbor can call me. My phone number is on the job sign and they can call me anytime. If I am not home a message can be left and also my voice mail phone number is on my answering machine.

4) Road Bond and Road Protection

- There will be a Road Bond as required by the Town of San Anselmo. This will insure the protection and repair of the road and shoulders of the road. The upper part of Sequoia Drive and its shoulders will be video taped and filed with the Director of Public Works prior to the start of construction. The beginning of the area for video taping would be the uphill side of the intersection of Sequoia Drive, Grovehill North and continue along past the job site on Sequoia Drive and stop at the area in front of the home at 1 Freda Lane (attached Exhibit #1). If there is any damage to the road caused by the proposed construction or vehicles used on the construction project this damage will be repaired at the end of the project by the applicant.
- Short wheel base concrete trucks will be used and the maximum amount of concrete each truck can carry will be six cubic yards in order to decrease the weight of the trucks substantially. This will be done to help insure that no damage occurs to the road during construction.
- The path of travel for the vehicles driving to the job site will be: to turn on to Sequoia Dr. and to stay on Sequoia Dr. until they reach the job site (unless of course they park on the lower areas of Sequoia Dr. and get a ride to the job site). To leave the job site they will follow the same path, unless they need to turn around. If someone needs to turn around to

leave the job site they will drive past the job site and turn at the intersection of Freda and Sequoia Dr. please see attached Exhibit #2.

5) Road Closures

- The closing of the road would be needed if a vehicle is unloading material or needs to be stopped for a period of time more than fifteen minutes and there is not twelve feet of room left on the road. Road closures would only happen if necessary. If large delivery trucks or concrete trucks can be pulled on the property and leave enough room for cars to pass, this will be done to prevent the need for a road closure. There may need to be a road closure during the unloading of the roof trusses and the sheetrock if the outriggers on these trucks extend into the twelve foot right of way. There will be approximately 6-8 road closures.
- If a road closure is needed a 48-hour notice will be given to residents prior to a road closure. Any proposed road closure will first need to be approved by the Police Department and the Ross Valley Fire Department. A written notice will be given to the neighbors above the project site and a large sign will be placed in front of the property with the date and times of the road closure. Also on that sign will be my phone number in case there are any problems with that time. The maximum for any road closure will be 90 minutes. During the 90-minute maximum time there will be two or three periods of approximately 15-20 minutes that the road will be open, when a concrete truck will leave to get more concrete.
- There may need to be some "short term" road closures. These are road blockages for a time period of 10-15 minutes. As with the case of lumber deliveries, there is enough room for the truck to pull over to the side of the road, on top of the property, and roll off their load. These deliveries will be made with smaller trucks and these trucks will be pulled off the side of the road as much as possible. Once the parking area on the front of the property is built there should not be any more short term road closures. There will be approximately 3-4 short term road closures.
- Deliveries and traffic by large trucks will be restricted to non-peak periods of 10 am to 3 p.m., in order to reduce the chances that a truck may block someone or impede the flow of neighborhood traffic.

6) House and Site Drainage

- A drainage system will be designed for the retaining walls and the building site. A separate drainage system will be designed for the downspouts and their runoff. The drainage plan will be submitted during the permitting process. These systems will also be double-checked by the Town engineer.

7) Parking

- Until the parking area at the front of the property is constructed, the site parking will be as per attached Exhibit #3. If there is not enough room to park at the site, workers will park on the lower areas on Sequoia Drive (legal spots for all day) and they will be ferried up to the work site.
- The parking area and the garage, at the front of the property will be constructed first in order to provide extra room for parking, for material deliveries, for material storage, for an area to work or for what ever is needed at that time (please remember that a job site changes every day).

-No one associated with this project will block access to a neighbor's property by the placement of a parked vehicle, material or by any other means.

-Any and all parking on the site will be allowed ONLY if it does not interfere with the normal flow of traffic.

-There will be absolutely no parking on the shoulders of the road if it were to cause any damage to that shoulder or surrounding area.

-Crooked Ave. will not be used for parking.

8) Hours of Work

-Please see attached letter with proposed modified working hours, For Town Council approval.

-The hours that have been approved are as follows: "Hours of construction shall be limited to the time period from ^{7am to 5pm} 8a.m. to 4:30 p.m. weekdays ^{silent work between 9am and 2pm} only and ~~no construction on the~~ weekends and holidays. Heavy construction truck trips shall be restricted to non-peak periods (10 a.m. to 3 p.m.). The Public Works Director or Building Official may authorize construction beyond these hours and days upon written request, including interior work and other work tasks he deems appropriate."

on Saturdays
no gas engines,
no power tools,
no tools that
produce medium to
loud noise,
including hammers,
does allow hand
digging, clean-up,
non-noisy tools

for each individual
occurrence,

9) Trees

No oak trees are to be removed. Damage to the existing trees will be minimized to the greatest extent possible during construction. A tree protection plan prepared by a certified Arborist and approved by the Town of San Anselmo will be submitted prior to the issuance of a grading or building permit. All tree protection measures will be in place prior to construction.

10) Completed Work

-Soils report by Salem Howes Associates Inc., Geotechnical Consultants is complete and has been peer reviewed by John Hom.

-Landscaping plan by David Hazelwood licensed Landscape Architect is attached to the plans submitted. This plan will shield the house from the road below and also provide screening for the neighbor at 409 Sequoia Dr.

11) Miscellaneous

-All construction equipment shall be adequately muffled and maintained.

-The construction shed (shipping container) that was used at 25 Sequoia Dr. will not be used for this project and will not be brought up to 405 Sequoia Dr. There will be four foot by four foot box attached to the toilet for storage. There will be supports and a plywood floor to create a level area for the toilet and attached shed. There will be two Knaak type job boxes to be used to store tools. Please see attached Exhibit #4.

-A debris box will not be brought to the job site until the parking deck and parking area is constructed. The debris boxes will be placed in the driveway or the parking area. The debris box will follow the same rules as any car or truck that wishes to park in front of the new house.

- Removal of poison oak and Scotch broom.

* As modified ^{OK}
by Town
Council 4/13/99
Keith Asgerman
4/21/99

Modified Working Hours For Town Council Approval

405 Sequoia Drive
3/18/99

The maximum hours of work will be 7am-5pm Monday through Friday. There is a possibility of some work happening on Saturday and if so it will not be noisy work. The maximum hours of work Saturday will be 9am-4pm. No work will be allowed on Sunday, (even though the town of San Anselmo allows it). If some work happened on Saturday there will be no gas engines running, no electrical power tools going or any other tools that produce medium to loud noise. Saturday will be used primarily as a day to get caught up with digging, cleaning and moving of materials. Saturday work is sometimes necessary to prepare and get things ready for the following weeks work. This will help in shortening the time of construction about 30 days. The Public Works Director or the Building Inspector can authorize construction beyond these hours and days upon written request for each occurrence, including interior work and other work tasks he deems appropriate. The Planning Staff supports the above mentioned modified hours of work.

Please note that the hours for construction in the Town of San Anselmo is as follows:

Monday through Friday	7am – 7pm
Saturday	9am – 5pm
Sunday	12am – 5pm

Not approved ^{by TC} & Refer
to page 4 "Hours of
Work" and "Miscellaneous."

OFFICIAL SURVEY ONLY MEASUREMENTS
131709 AVE

7-2009

COMBINED AS
ONE BLOCK SINCE
ALREADY
DEVELOPED

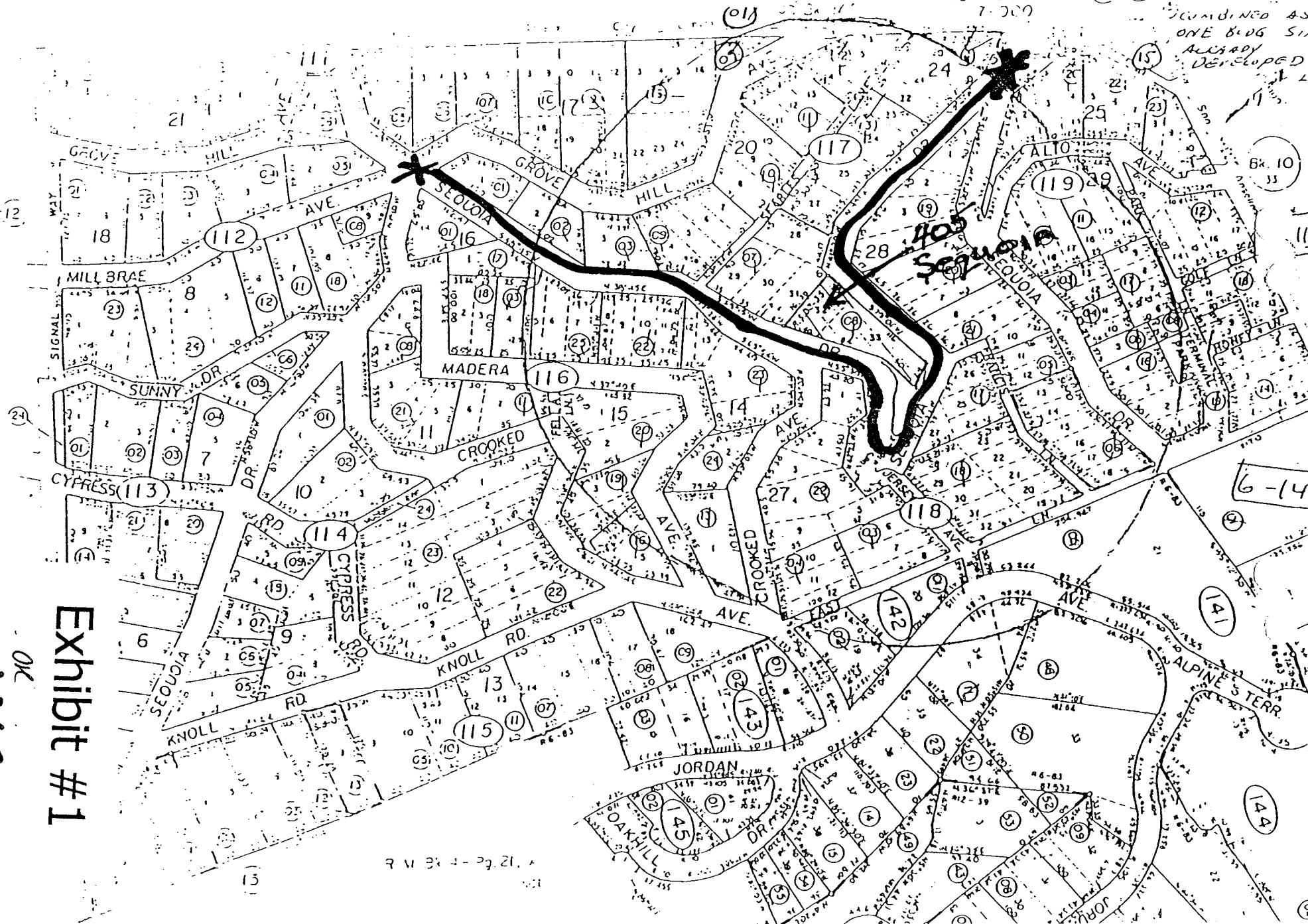


Exhibit #1

OK
Lois Chapman
4/2/99

9 M 34 - 27 21. A

OFFICIAL SURVEY ONLY NOT A LEGAL INSTRUMENT

7-200

COMBINED AS ONE BLDG. S. ALREADY DEVELOPED

Turn Around

405 Sequoia

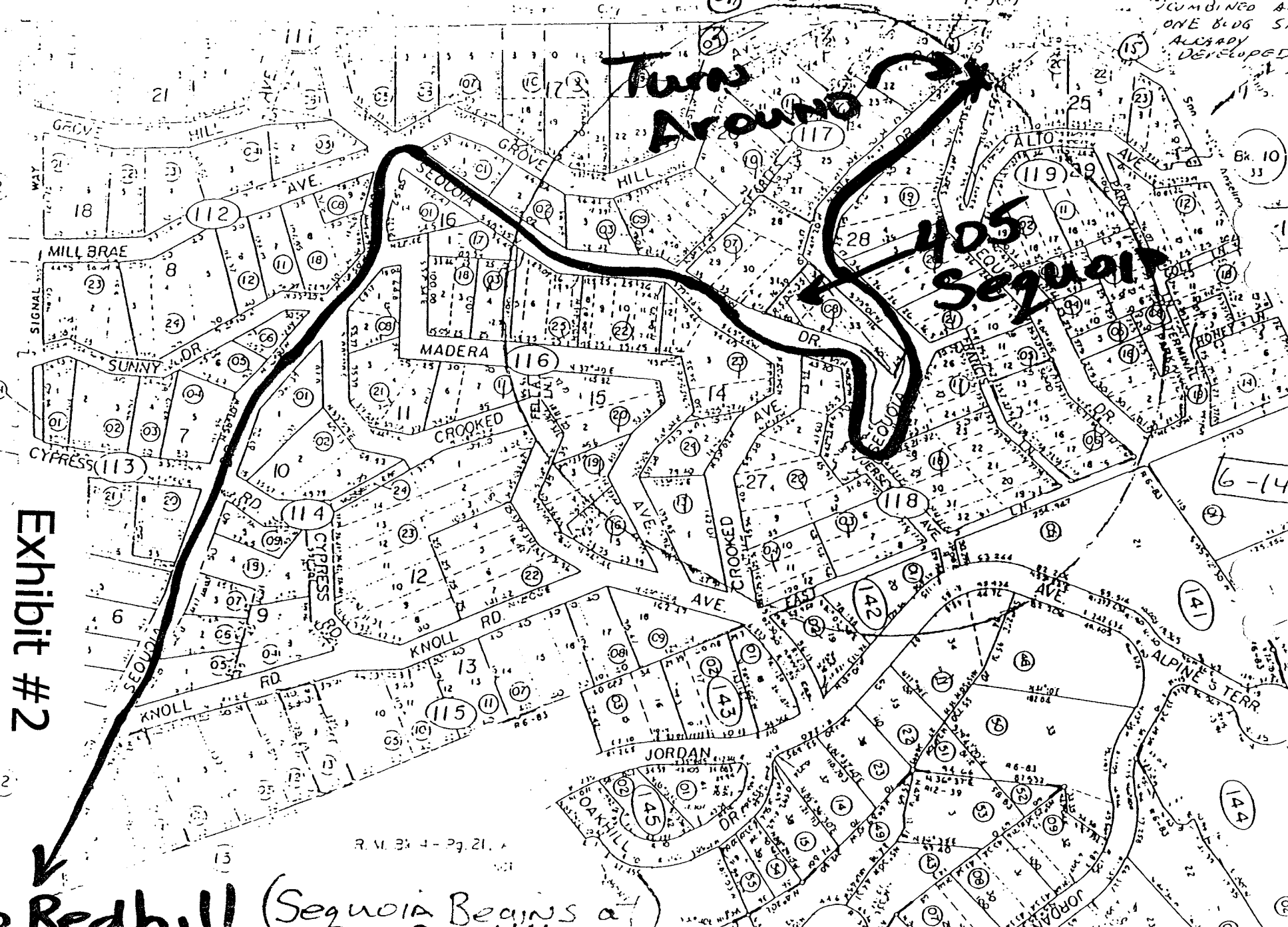


Exhibit #2

OK
Kait's Computer
4/2/90

To Redhill (Sequoia Beans a)

R.M. 34-4-Pg. 21.

405 Sequoia
Project Site

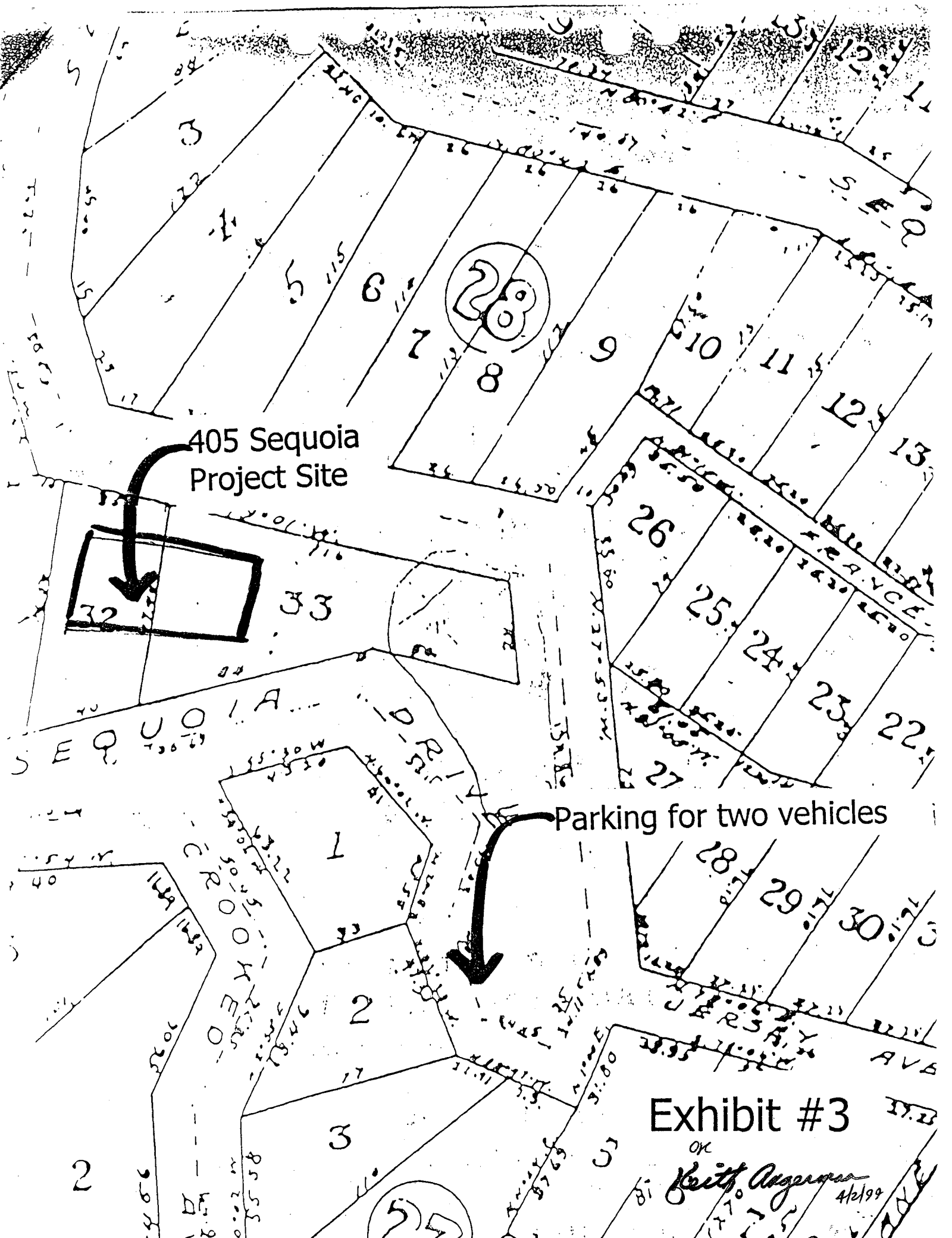


Parking for two vehicles



Exhibit #3

OK
Keith Angerson
4/2/99



Area of Toilet and 4x4 Shed

Edge of asphalt

Parking for 2 vehicles max until the parking pads are built

Storage area for materials

Temp Power Pole

Two metal job type boxes

Exhibit #4

SCALE 3/16" = 1'

OR. Keith Angerman 4/2/99

