

RESOLUTION NO. 3545

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO
APPROVING THE VARIANCE FOR THE SECOND STORY ADDITION AT
60 SEQUOIA DRIVE**

WHEREAS, an application was filed on August 15, 2000 requesting a front yard setback and lot coverage variance for the house located 60 Sequoia Drive; and

WHEREAS, the Planning Commission held a noticed public hearing on December 18, 2000 to review the request and consider public input on the proposal; and

WHEREAS, the Planning Commission approved the request for a front yard setback variance and variance to increase lot coverage with a vote of 3 -1; and

WHEREAS, on December 27, 2000 an appeal to the Planning Commission decision was filed by Claudia Breault and Jeff Hvid; and

WHEREAS, the Town Council held a noticed public hearing on January 9, 2001, to consider the appeal of the Planning Commission decision, considered the proposal and received public input; and

WHEREAS, the Town Council is able to make the following findings on the proposed project, with conditions as stated below:

Findings:

1. Due to the special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict interpretation of the controlling zoning ordinance or regulation deprives the 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;

Special circumstances applying to this lot and house include the substandard size and irregular shape of the lot and the location and design of the house. The existing house is located within the front yard setback and although an addition could be located to comply with the setback requirements, it would have to be located directly above the living room area compromising the design and integrity of the existing interior space.

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 of the applicant and will not be materially detrimental to the public welfare or injurious to the property or improvements in such neighborhood.

Granting this variance will not materially affect adversely the health, welfare or safety of persons in the neighborhood of the subject property and will not be materially detrimental to neighboring properties because the additions will be built to comply with the adopted building codes of the

Town and will increase the aesthetic value and safety of the neighborhood by increasing value to this parcel.

Conditions:

1. That the request for Variance be granted to build first and second story additions in accordance with the plans date stamped November 6, 2000, received by the Town of San Anselmo Planning Department.
2. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections.
3. This permit and each condition contained herein shall be binding upon applicant and any transferor, or successor in interest.
4. If construction is not commenced within one year from the date of final action, the permit becomes null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one (1) year provided the applicant places such a request in writing to the Planning Director showing good cause prior to the expiration of the discretionary action.
5. As part of this permit, the garage door shall be replaced with an operable door, sized to accommodate two standard size cars.
6. The existing trees and shrubs along the street frontage of Bungalow Avenue and Sequoia Drive shall be maintained to provide screening of the second story addition.

A deed restriction with the above language shall be signed by the applicant, notarized and recorded with the County of Marin Recorder's Office.

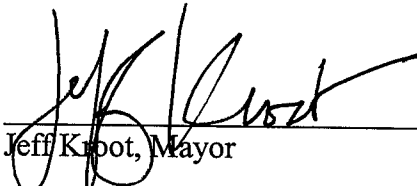
NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of San Anselmo hereby denies the appeal and approves the variance for 60 Sequoia Drive.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of San Anselmo on January 23, 2001, by the following vote:

AYES: Breen, Chignell, Hodgens, Kilkus and Kroot


NOES: (None)

ABSENT: (None)



Jeff Kroot, Mayor

Attest:



Debra Stutsman, Town Clerk