

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3550**

**A RESOLUTION OF THE TOWN OF SAN ANSELMO APPROVING AN AMENDMENT
TO THE DESIGN REVIEW APPROVAL TO INCREASE THE HEIGHT OF A NEW
TWO-UNIT BUILDING TO BE 24'5" (1'2" HIGHER THAN ORIGINALLY APPROVED)
AND TO INCREASE THE HEIGHT OF AN EXISTING BUILDING, WHICH IS TO
BE RAISED, TO BE 25'2" (10" HIGHER THAN ORIGINALLY APPROVED) AT
853 SAN ANSELMO AVENUE, A/P 7-162-06.**

WHEREAS, an application was filed with the Town of San Anselmo on November 2, 2000, requesting an amendment to the 2000 design review approval; and

WHEREAS, the Planning Commission held a public hearing on January 22, 2001, received comments from staff and the audience, and approved the amended design review; and

WHEREAS, the Town Council held a public hearing on February 27, 2001, to consider an appeal of the Planning Commission's determination, received comments from staff and the audience, and upheld the Planning Commission's determination, thereby conditionally approving the amended design review, and approved a Resolution of Approval;

Conditions of Approval:

1. Approval is based on the plans date stamped received by the San Anselmo Planning Department on November 2, 2000, and as marked up with the revised first floor ceiling height of the rear structure (reduced to 8') on January 8, 2001;
2. Applicant shall apply for and pay all appropriate fees for building permits, plan checks and inspections;
3. The conditions of approval shall be printed on the first page of the drawings submitted for a building permit; and
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. Prior to building permit approval, the Town shall provide a 10-day notice to the abutting property owners in order to give them the opportunity to review the proposed drainage plan with the Building Official.

NOW, THEREFORE, the Town Council of the Town of San Anselmo DOES HEREBY FIND as follows:

Section 1. Design Review Findings for Approval

1. *Will not unreasonably impair access to light and air of structures on neighboring properties.*

The project conforms to the Code required setbacks and height limitations. Due to the location of the new construction in relation to the neighboring homes, air should not be unreasonably impaired. The majority of the neighbors' yard and house spaces do not receive additional shading. In fact, the number of existing trees provides more shade than the raised building and new building will create.

2. *Will not unreasonably affect the privacy of neighboring properties.*

The project will not unreasonably affect the privacy of neighboring properties. The proposed additional rear landscaping will assure such.

3. *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 property or improvements in such neighborhood.*


The project is in conformance with the R-3 zoning district development standards and will be an improvement to the neighborhood in terms of use compatibility, building design, exterior building materials and colors, all-weather surface driveway, and landscaping.

APPROVED by the Town Council of the Town of San Anselmo at a regularly scheduled meeting on February 27, 2001, by the following roll call vote:

AYES: Breen, Chignell, Kilkus, Kroot

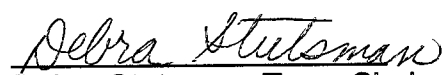
NOES: None

ABSENT: Hodgens



Jeff Kroot, Mayor

ATTEST:



Debra Stutsman, Town Clerk