TOWN OF SAN ANSELMO
TOWN COUNCIL RESOLUTION NO. 3738

A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL FOR DENIAL OF SIZE,
HEIGHT AND CHANGEABLE COPY SIGN VARIANCES (AFTER THE FACT) FOR A 101
SQUARE FOOT SIGN LOCATED ON THE WEST FACING BUILDING WALL AT 711 SIR
FRANCIS DRAKE BOULEVARD, APN 006-083-08

WHEREAS, an application was filed with the Town of San Anselmo on August 4,
2004, for sign variances and the application was determined complete on May 26, 2005; and

WHEREAS, the Planning Commission held a public hearing on June 20, 2005, to
consider the variance requests and received comments from staff and the audience; and

WHEREAS, the Planning Commission approved the variances for a sign
approximately 101 square feet in area on June 20, 2005, on the grounds that granting the
variance will not be a special privilege due to the fact that there are existing sign usages
greater than the applicant is requesting.

WHEREAS, two appeals of the Planning Commission's determination were
subsequently filed on June 30, 2005.

WHEREAS, the Town Council held a public hearing on August 9, 2005, considered
the appeals, received comments from staff and the audience, and closed the public hearing; and

WHEREAS, on August 9, 2005, the Town Council granted the appeal of the size,
height and changeable copy sign variances on the grounds that the findings for approval
could not be made, thereby overturning the Planning Commission approval, and continued
the matter to the August 23, 2005 meeting for adoption of a Resolution.

NOW, THEREFORE, be it resolved that the Town Council finds the following:

Variance Findings

Required Finding No. 1. The strict application of the provisions of this chapter would result in
unreasonable practical difficulties or in unnecessary hardships for the applicant, which
difficulties or hardships are unique to the particular applicant and his use are not present
generally, or that the strict application of the provisions of this chapter would bring about
results inconsistent with the purposes and intent of this chapter.

The purpose of the sign ordinance is to protect the public's ability to identify premises
without confusion; to eliminate unnecessary distractions, which may diminish driving safety;
to promote the safe construction of signs; to protect the natural beauty of the town; and to
enhance and improve properties and their neighborhoods by the encouragement of signs
which are compatible with, and complementary to related buildings and uses and
harmonious with their surroundings.
The strict application of the provisions of the sign ordinance related to size, height and changeable copy limitations would not result in unreasonable practical difficulties or in unnecessary hardships for the applicant for the following reasons: a) Sign allotment in this area is based on the length of the primary building face and the number of traffic lanes the building faces. The size of the building's primary building face provides the applicant the same opportunity as others in this neighborhood to have 1.5 square feet of sign area for every lineal foot of primary building face. Other properties in the area with legal signage have managed to conform their sign allotment to the San Anselmo Municipal Code requirements; b) the height of the sign can be lowered to meet the Code required 20' height and still be visible to both motorists and pedestrians due to the fact that this two-story wall is higher than the neighboring one-story building walls on this block; and c) the applicant was granted permission administratively for a sign to be located on the west facing wall, rather than the primary building face, which increases its visibility.

Required Finding No.2. The granting of the variance would not adversely affect the public health, safety, or welfare or be detrimental to or endanger or depreciate the property located in the surrounding area.

The granting of the variance to allow a changeable copy sign of this size and height could endanger the safety of persons traveling on the road who would be distracted by such a large changeable copy sign. Additionally, a sign of this size could likely depreciate the property in the surrounding area.

PASSED AND ADOPTED at a meeting of the Town Council on August 23, 2005, by the following vote:

AYES: Breen, Cooper, Kroot, Thornton
NOES: None
ABSENT: Chignell

Peter Breen, Mayor

ATTEST:

Barbara Chambers, Town Clerk