

**MINUTES #14
TIBURON DESIGN REVIEW BOARD
MEETING OF AUGUST 7, 2003**

The meeting was opened at 7:00 p.m. by Vice-Chair Teiser.

A. ROLL CALL

Present: Vice-Chair Teiser, Boardmembers Beales and Figour

Absent: Chair Comstock and Boardmember Kunzweiler

Ex-Officio: Planning Manager Watrous, Associate Planner Lynch and Minutes Clerk Flanagan

B. PUBLIC COMMENTS:

No one spoke during this time.

C. STAFF BRIEFING

Planning Manager Watrous noted that the items for 118 Hacienda Drive and 23 Old Landing Road were continued to the September 4, 2003 meeting.

D. OLD BUSINESS BEFORE THE BOARD

**1. 111 SUGARLOAF DRIVE GRUDNOWSKI, NEW DWELLING/
VARIANCES/FLOOR AREA EXCEPTION**

On May 1, 2003, the applicant requested approval for a 3,749-square-foot home that was comprised of two levels, in addition to a garage, a swimming pool, and various landscaping improvements. When the Design Review Board first reviewed the application, there were several concerns regarding the potential view impacts of the project. The project would have appeared to impact the view from several properties in the vicinity. Based on these concerns, the Board continued the public hearing to July 3, 2003 so the applicant could make any modifications to address the issues.

On July 3, 2003, the applicant requested a continuance to the July 17, 2003 Board meeting. On July 17, 2003, the applicant submitted a revised plan for the project that significantly reduced the view impact across the site. At the Board meeting most of the neighboring property owners spoke in favor of the project and the consensus of the Board was that the revised design addressed the previous concerns. The Board made a motion to determine that the project is categorically exempt from the provisions of CEQA and to accept the design of the project in concept.

However, the revised plan shifted the proposed structure slightly to the northwest. This shift resulted in a setback of eleven feet from the side property line, when the applicant had previously requested a variance for reduced side yard setback of twelve feet. Since this change occurred without prior review by Planning Division Staff, and the legal notice for the project reflected a side yard setback of twelve feet rather than eleven feet, the Board was unable to make a formal motion to approve the project and the requested variances at the meeting of July 17, 2003. The project has now been properly noticed to the public, and Planning Division Staff have reviewed the project with respect to the Zoning Ordinance and Hillside Design Guidelines.

Mohamad Sadrieh, architect, stated no changes had been made since the last meeting.

Frank Sebastian, 120 Sugarloaf Drive, asked for clarification about the front yard setback whether the plans and drawings dated July 31, 2003 were the same as those agreed to by neighbors and applicant.

Associate Planner Lynch confirmed that the plans on file indicate a 19-foot front yard setback and July 17, 2003 is the correct date on the plans. The meeting at which the plans were presented was held on July 17, 2003; he requested additional plans for Boardmembers and these are dated July 31, 2003, and are the same plans as those dated July 17, 2003.

Boardmember Figour stated he can make findings for the variance based upon the consideration that the restrictive requirement for the view corridor across the lot is a hardship.

M/S, Figour/Beales (passed 3-0, Comstock and Kunzweiler absent) to approve the application subject to the conditions of approval as set forth in the Staff report.

2. 524 VIRGINIA DRIVE GAVROS, ADDITIONS/VARIANCES

Vice-Chair Teiser recused himself from this item.

On May 15, 2003, the applicant presented an application for the construction of additions, with variances for reduced side yard setback and reduced front yard setback, and a floor area exception, on the property at 524 Virginia Drive. The original request was to add approximately 1,624 square feet, resulting in a total of 2,942 square feet for the home. The additions would be located on both the upper and lower level of the residence. Other proposed site improvements included converting the carport to Living space, a swimming pool and spa would be constructed adjacent to the existing concrete patio, the existing retaining wall along the front property line would be rebuilt terraced retaining wall walls below a new parking pad would be constructed, new steel trellises near the front entrance would be installed and the concrete steps leading up to the street would be reconfigured. At this meeting, the Board raised concerns about the potential view impacts the project presented for the residents of 525 Virginia Drive. The Board noted that there would be a significant blockage of the view of Blackie's Pasture and Richardson Bay from the

property at 425 Virginia Drive. Members of the Board also had a concern about the prominence of the structure in its proposed location as viewed from north of the project site. Based on these concerns, the Board continued the public hearing to the meeting of June 19, 2003.

On June 19, 2003, the applicant presented a revised plan for this project. The main aspect was that the slope of the roof over the s-story element would be changed from 6:12 to 4:12, essentially lowering the overall height of the structure in this location by approximately three feet. The applicant also clarified some of the technical items the Board had previously discussed; for example, the location of the six-foot redwood fence, the provision for landscaping, and details for the retaining wall supporting the pool. The Board still had concerns regarding potential view impacts, and continued the item to allow the applicant to modify the plans.

Since that time, the applicant has submitted further revised plans that attempt to address all of the Board's concerns. Several changes have been made to the proposed roof design. The variances for reduced front and side yard setbacks are still requested, but a floor area exception is no longer required.

George Gavros, owner, summarized the intent and direction of the project.

Francois Varney, 525 Virginia Drive, stated that the revised plans were a substantial improvement. He asked what type of fireplace would need the large chimney proposed, and if the story poles are accurate. He asked that the applicant lower the second story two feet because it is in his kitchen view.

Associate Planner Lynch stated that he has not received a letter of certification of the story poles.

Wayne Snow, 100 Jefferson Drive, distributed a letter from a resident on Washington Street who was concerned about the visual prominence of the building. Mr. Snow asked that the one-story structure be reduced to a height of twelve feet. He previously asked if the designer could provide a photo simulation of the house on the hillside, which was not done. He was concerned that people driving into Tiburon will see this large house on the hillside, as much of the existing vegetation would be removed, making the building very obvious. He said that he has no issues with the variance requests. He noted that a survey conducted as part of the Town's General Plan update revealed concerns regarding the prominence of structures and preservation of character, along with a desire that remodels and new buildings be consistent in scale and size to existing neighborhoods. He felt that the proposed project would be both prominent and out of character with its surroundings.

Mr. Gavros stated the story poles had not been certified. He felt that further reducing the building height was unreasonable after the concessions made to date. He said that privacy was a concern to him, but that the proposed vegetation will ensure it is not a problem. He said that many homes on the street are larger than what is proposed, and no two homes on the street are the same color.

Roger Hartley, designer, stated that he had discussed window changes with Michael Heckmann, representing Mr. Varney, and that they had agreed that the windows would be screened by the carport and would not impact Mr. Varney. He stated that the chimney is for a wood-burning fireplace, but that the view angle would hide the chimney from Mr. Varney's sight. He said that story poles had been placed at the edge of the roof to show the extent of view blockage. He said that only the very top of the building would be seen from Blackie's Pasture. He stated that much of the vegetation would remain.

Boardmember Figour stated that he has liked this design from the beginning. He did not agree with those who think this would be a big, massive house. He felt that it would probably be the best-looking house on the hillside. He said that he was pleased to see the architecture not lose any excitement or thrust by the house being pulled around to preserve the view corridor. He felt that the views from 525 Virginia Drive have been well maintained with slight impact. He said that the applicant has tried hard to make this project work, and this would not be out of character with the neighborhood. He said he could support the application.

Boardmember Beales stated that the chimney is not an issue, as it would be masked by the roof. He did not think that there was a need to lower the building. He said that the building would be no more visible from Blackie's Pasture than others on the hillside, and that the vegetation would help screen the building as well. He asked Staff whether story pole certification was normally required. Associate Planner Lynch responded that generally, story poles are not required to be certified for a remodel project, but that a condition of approval could be added to require this.

M/S, Figour/ Beales (passed 2-0-3, Teiser recused, Comstock and Kunzweiler absent) to determine that the project is categorically exempt from the provisions of CEQA and approve the application subject to the conditions of approval as set forth in the Staff report and require story poles to be certified as correct.

Vice-Chair Teiser returned to the meeting.

3. 118 HACIENDA DRIVE SPATZ, ADDITIONS/VARIANCES/FLOOR AREA EXCEPTION: CONTINUED TO 9/4/03

4. 23 OLD LANDING ROAD ESPERSON, NEW DWELLING: CONTINUED TO 9/4/03

E. NEW BUSINESS BEFORE THE BOARD

5. 301 KAREN WAY TWIGGS/VALVERDE, ADDITIONS/VARIANCE

The applicant has submitted a request to construct additions to an existing single-family dwelling on a property located at 301 Karen Way. The property is located within the Bel Aire neighborhood, and has a rectangular shape that is ubiquitous among properties in the

vicinity. The property is relatively flat near the street, but it slopes up more dramatically at the rear of the property. The project would include additions at the rear of the structure, including a new master suite, new dining room and an expansion to the kitchen and living room. A small addition would also be located at the front entryway. The additions would add approximately 1,000 square feet of floor area, resulting in a 2,341-square-foot home. Other aspects of the project would include a trellis over a porch in the front of the residence, and a trellis off the master suite. A 30-inch diameter willow tree would be removed as a result of the construction. The project involves a request for a variance for excess lot coverage.

Jim Malott, architect, discussed the project.

Boardmember Figour stated that he could make the findings for the variance because second stories are so strongly opposed in this neighborhood. He noted that the owner could not get additional floor area and not exceed lot coverage without adding a second story.

Boardmember Beales stated he concurred and the amount of variance is not excessive.

Vice-Chair Teiser concurred and stated that it is commendable that owners are attempting to get additional floor area while maintaining a one story design.

M/S, Beales/Figour ((passed 3-0-2, Comstock and Kunzweiler absent) to determine that the project is categorically exempt from the provisions of CEQA and approve the application subject to the conditions of approval as set forth in the Staff report

6. 2201 CENTRO EAST STREET MURATA, ADDITIONS/ VARIANCES

Boardmember Figour recused himself from this item.

The applicant is requesting Design Review approval to construct additions to an existing two-story single-family dwelling and detached garage located at 2201 Centro East Street. A new bedroom and bathroom would be added to the western (left) side of the house, and a new den would be added to the eastern (right) side of the house. The kitchen would be expanded toward the front. Three new skylights would be installed, along with a trellis and glass covers above a porch. The existing detached carport would be modified, with the existing flat roof also changed into a pitched roof design. The proposed additions would add 638 square feet of floor area to the existing house, resulting in a total floor area of 2,180 square feet, which is less than the floor area ratio for a lot of this size. The proposed additions would increase the lot coverage of this property by 637 square feet to a total of 2,094 square feet (25.1%) which is less than the 35.0% maximum lot coverage permitted in the R-2 zone. The carport modifications would extend into the required front and side yard setbacks, requiring variances for reduced front and side yard setbacks.

Lee Moulton, consulting architect, described the project. He noted that the carport would not be converted into a garage as described in the Staff report, but would remain a carport with slight wing walls added.

Boardmember Beales stated that the project is terrific, and the proposed siding is unusually pretty. He supports the project.

Vice-Chair Teiser stated that he also supports the project. He said that this is a charming house, and these would be appropriate additions to the house.

M/S, Beales/Teiser (passed 2-0-3, Figour recused and Comstock and Kunzweiler absent) to determine that the project is categorically exempt from the provisions of CEQA and approve the application subject to the conditions of approval as set forth in the Staff report

Boardmember Figour returned to the meeting..

7. 322 KAREN WAY MORRISON, FENCE/VARIANCE

The applicant has submitted an application for the “as built” review of fences and retaining wall around a property and other minor exterior modifications to the residence located at 322 Karen Way. The subject fences and retaining wall are located along the side property lines and across the front yard of the property. The tallest point of the subject fences reaches a height of ten feet. According to the Zoning Ordinance, the maximum height for fences located within setback areas is six feet; therefore, a variance is requested. The other modification is the new bay window at the front of the residence. During an inspection of the property, the Building Division found that the above-referenced work, in addition to some interior construction, was done without the benefit of a permit.

Mr. Morrison, applicant, stated the stair-step construction was required so that the fence could provide adequate privacy. He noted that in some places the side yard fence is higher than six feet because of a post on top of the fence.

Boardmember Figour stated the front fence looks higher than six feet. Associate Planner Lynch confirmed that the fence is six feet tall.

Boardmember Beales stated that the stair-step fence construction is necessary in this neighborhood to avoid privacy problems. He noted that the neighbors approve of this fence. He supports the application.

Boardmember Figour stated that the front fence puzzles him, as there are few front yard fences in this neighborhood. He said that the installation of the fence was attractive, but he would be concerned if many Bel Aire property owners built similar fences. He said that he could see the advantages of the fence for privacy purposes, and noted that no one from the neighborhood disputes the fence. He said he could support the request.

Vice-Chair Teiser stated that he had the same impression and he would not want to see this become a walled neighborhood. He noted that there are several similar fences nearby, and that this is the back side of the neighborhood. He said that he did not want to see this pattern continued elsewhere in the neighborhood. He said that he could support the project.

Mr. Morrison stated that all of his neighbors encouraged him to build this fence for privacy.

Boardmember Figour noted that the record should show that this type of fence would not necessarily be approved in the future. He thought that it will be interesting how the Board would determine which home needs privacy from a fence and which does not.

M/S, Beales/Figour (passed 3-0-2, Comstock and Kunzweiler absent) to determine that the project is categorically exempt from the provisions of CEQA and approve the application subject to the conditions of approval as set forth in the Staff report

F. APPROVAL OF MINUTES #13 OF THE 07/17/03 DESIGN REVIEW BOARD MEETING

Changes include:

Page 2, 3rd paragraph, last line to state, "The roof of the house will stand two feet above the current grade."

Page 2, 5th paragraph, 2nd sentence, delete the first "also."

Page 2, 5th paragraph, 1st sentence, add "geotechnical" before "reports." Delete the 4th sentence. 6th sentence, add "retaining" after "concrete." Last sentence, add "it" before "has."

Page 2, 7th paragraph, add "retaining" before "wall."

Page 2, last paragraph, last sentence, change "and" to "which."

Page 3, 3rd paragraph, change "Town" to "Design Review Board."

Page 3, 7th paragraph, 2nd line, change "of" to "to."

Page 3, 7th paragraph, change "R-2" to "R-O."

Page 5, 2nd paragraph, 2nd second line, add "square" after "seven" and "six." Add the sentence to this paragraph that it is self-contained.

Page 5, 4th paragraph, 2nd line to state, "...relatively close to the fence and jettied..."

Page 7, 2nd paragraph, 1st line, change "middle" to "interior." Next sentence, delete "to gable up the front end."

Page 7, 5th paragraph, last line to read, "...neighborhood. A hip roof at the rear..."

Page 7, 6th paragraph, to read, "He does not see the ugliness of an alternative garage design...but it is an unnecessary hardship."

M/S, Beales/Figour (passed 3-0-2, Comstock and Kunzweiler absent), to approve the minutes as amended.

G. POTENTIAL CANCELLATION OF AUGUST 21, 2003 MEETING

Planning Manager Watrous indicated that no items have been scheduled for the August 21, 2003 Board meeting, and that Planning Staff would not be available for that meeting due to a Town Staff retreat.

M/S, Beales/Figour, (passed 3-0-2, Comstock and Kunzweiler absent), to cancel the August 21, 2003 meeting.

H. ADJOURNMENT

The meeting was adjourned at 8:10 p.m.