

ACTION MINUTES #10

**TIBURON DESIGN REVIEW BOARD
THURSDAY, JUNE 3, 2004
1505 TIBURON BOULEVARD**

- A. ROLL CALL:** **Present** - Chair Teiser, Boardmembers Beales, Bird, Figour and O'Donnell
 Absent - None
 Ex-Officio – Planning Manager Watrous, Associate Planner Lynch and
 Minutes Clerk Flanagan
- B. PUBLIC COMMENTS (FOR ITEMS NOT ON THE AGENDA)**
- C. STAFF BRIEFING**
- D. ELECTION OF CHAIR AND VICE-CHAIR**
- BEALES ELECTED CHAIR; FIGOUR ELECTED VICE-CHAIR**
- E. OLD BUSINESS BEFORE THE BOARD**
1. 141 Lyford Drive Ham Additions/Variance **CONTINUED TO 6/17/04**
- F. NEW BUSINESS BEFORE THE BOARD**
2. 19 Via Capistrano Harband Addition/Variance **APPROVED**
3. 4 Rolling Hills Road Lee Garage Conversion **APPROVED**
4. 118 Hacienda Drive Spatz Garage/Driveway **DENIED**
5. 18 Place Moulin Alm Deck/Retaining Wall **CONTINUED TO 6/17/04**
- F. MINUTES OF THE 5/20/04 D.R.B. MEETING – APPROVED AS AMENDED**
- G. ADJOURNMENT – 8:45**

**MINUTES #10
TIBURON DESIGN REVIEW BOARD
MEETING OF JUNE 3, 2004**

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

A. ROLL CALL

Present: Chair Teiser, Boardmembers Beales, Bird, Figour and O'Donnell
Absent: None
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 reported that Item 5, 18 Place Moulin, was continued to the June 17, 2004 meeting. He noted that the appeal for 5047 Paradise Drive will be held at the June 16 Town Council meeting. He expanded on the memo that had been sent to the Board regarding speakers' addresses, reiterating that the Board should not ask all people speaking at the meetings to state their address for the record; he said that addresses given at the meeting will not be included in the minutes of the meeting, which are placed on the website and are public information.

D. ELECTION OF CHAIR AND VICE-CHAIR

M/S, Figour/Bird (carried unanimously) to elect Kirk Beales Chair.

M/S, O'Donnell/Bird (carried unanimously) to elect Mike Figour as Vice-Chair.

Chair Beales took over the role of Chair for the remainder of the meeting.

D. OLD BUSINESS BEFORE THE BOARD

1. 141 LYFORD DRIVE HAM, ADDITIONS/VARIANCE

On May 6, 2004, the Design Review Board reviewed an application for the construction of additions to a single-family dwelling on the property located at 141 Lyford Drive. The additions were proposed to be located on both the first and second levels of the building. On the upper level, 522 square feet would be added for an additional bedroom and game room. On the lower level, 75 square feet would be added off the master bedroom and 158 square feet would be added to the garage. The garage currently has the capacity for two cars, and the addition would add capacity for a third car. The floor area of the residence would be increased by approximately 700 square feet

Michael Moyer, architect, reviewed the project and stated that the addition would now comply with the side yard setback. He explained the differences in the floor area calculations. He said that he would move the hot tub so it complies with the side yard setback.

Chair Beales stated the requested lot coverage variance was not correctly identified in the public notice; hence, the Board cannot take action on this application at this meeting.

Associate Planner Lynch noted that the updated calculations for floor area and lot coverage are different than that in the Staff report, and that the architect's figures are more accurate than those contained in the report.

Michael London voiced his support for the project. He stated that the project is in good taste, would be good for the neighborhood, and affects few houses.

Boardmember Teiser stated that he spoke to Mr. Landau, the next-door neighbor, who supports the project.

Boardmember Figour stated that he was a little concerned about the amount of floor area, but it would not be noticeable from the street. He said that the neighbors seem to favor the project, and the proposed fence seems to be in keeping with others in the neighborhood.

Boardmember Bird asked for more information on the front patio, particularly since the house across the street is for sale. She asked that this information be available at the next hearing.

Boardmember O'Donnell stated that the improvements would be nice and tastefully done. He had objected at the last hearing to the side yard setback and is happy that this has been respected.

Chair Beales stated he is troubled by the variances requested, particularly involving the three-car garage.

M/S, Figour/Bird (carried unanimously) to continue this item to the June 17, 2004 meeting.

E. NEW BUSINESS BEFORE THE BOARD

2. 19 VIA CAPISTRANO HARBAND, ADDITION/VARIANCE

The applicant is requesting design review approval to construct an addition to an existing single-family dwelling located at 19 Via Capistrano. The addition to the front of the house would result in a new family room and an expanded two car garage. The proposed project would add 260 square feet of floor area to the existing house, resulting in a total floor area of 3,253 square feet, which is less than the floor area ratio for a lot of this size. The proposed additions would also increase the lot coverage of this property by 291 square feet to a total of 2,520 square feet (12.2%), which is less than the 15.0% maximum lot coverage permitted in the RO-2 zone. A variance is requested for reduced front yard setback.

David Holscher, architect, discussed the project.

There was no public comment.

Boardmember Bird stated this is a nice way to add a family room to this house. She noted that a neighbor had also added on to the front of their house. She said that the addition would not bother anyone above the house, and she could understand not pushing the house down the hillside.

Boardmember O'Donnell stated that the project is in keeping with neighborhood, particularly for the neighbor to the east. He said that this was a nice design and would make a nice improvement to the house.

Boardmember Figour stated that he could make the findings for the variance. He cautioned that reducing the length of the driveway apron would have a positive effect.

Chair Beales noted that the standard condition of approval for skylights was not included in the draft Conditions of Approval. Planning Manager Watrous stated that this was an oversight and would be added.

M/S, Teiser/Bird (carried unanimously) 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, with the added standard condition of approval for skylights.

3. 4 ROLLING HILLS ROAD LEE, GARAGE CONVERSION

The applicant has submitted an application for the "as-built" review of the conversion of a garage to living space on the property at 4 Rolling Hills Road. Through a recent Report of Residential Building Record (RBR), it was found that a portion of the two-car garage on the property was converted to an office without the benefit of permits; therefore, the project is being reviewed on an as-built basis. The area of the garage that

was converted is approximately 160 square feet in size. One parking stall in the garage remains. The garage conversion increases the total floor area for the property to 3,718 square feet, which complies with the maximum floor area of 4,328 square feet. No additional charges to the garage are proposed.

George Lee, owner, stated he purchased the house in April, and during the closing process, he learned the garage had been converted into an office. He acknowledged that another garage would exceed the lot coverage for his property. He said that there is sufficient flat space for parking cars that would be accessible and out of view of the neighbors.

Chair Beales asked if the applicants plan to construct the increased parking indicated on the submitted plans. Renate Lee, owner, described the potential for more off-street parking, but said that they did not want to create the additional parking if they did not have to.

Boardmember O'Donnell stated that it is very admirable the Lees have disclosed this problem and the application should be supported.

Boardmember Bird stated she also is glad the owners want a clean slate for their home, and supported the request.

Boardmember Figour stated the as-built condition should be approved, rather than the parking proposed on the submitted plans.

M/S, Figour/Teiser (carried unanimously) 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 with the additional condition of approval that the as-built conditions are approved.

4. 118 HACIENDA DRIVE SPATZ, GARAGE,/DRIVEWAY

The applicant is requesting Design Review to modify the design for an existing garage and driveway for the property located at 118 Hacienda Drive. The site is developed with a single-family dwelling. An application to construct additions to this house, with variances for reduced side yard setback and excess lot coverage and a floor area exception, was approved by the Design Review Board on October 16, 2003. The existing garage and driveway provide access to the front of the site onto Hacienda Drive. The proposed project would move the garage door to the southeast side, with a new driveway leading to Noche Vista Lane. The existing driveway would be removed. The project was originally submitted for review as a Staff-level Site Plan and Architectural Review application. During the review of this application, objections to the project were received from two neighboring property owners. In accordance with Town policy, the application has therefore been referred to the Design Review Board.

David Spatz, owner, distributed a handout and photographs, and discussed moving the driveway. He said that the driveway currently is 20 feet wide and 18 feet deep, and moving it would allow more area in the garage and still have width for two cars. He said that this would also allow him to landscape more of the area along Hacienda Drive. He stated that he has rarely seen cars parked on Noche Vista Lane in fifteen years. He said that a parked car there would only leave twelve feet of roadway, which is not wide enough for a fire truck to pass. He said that project would eliminate, at most, one parking space.

Boardmember O'Donnell asked if his purpose of the change to the garage is aesthetics or functionality. Mr. Spatz responded that both are factors; he wanted to improve the aesthetics from the street by creating nicer landscaping, and he said that the garage would work better because of the increased depth.

Boardmember Teiser stated that the requested driveway was not approved as part of the previous project for this property, and asked the justification for requesting this change again. Mr. Spatz responded that the original application called for a three-car garage, which was modified and approved as a two-car garage. He said that he would not be enlarging or changing the garage.

Michael Heckmann, architect, stated adding more lot coverage was a sticking point in the previous project. He said that this application was about what makes good sense and what looks best. He said that the proposed project would look better from both streets, and that the line of sight would be improved at the intersection of Hacienda Drive and Noche Vista Lane. He said that he had only seen workmen and guests park on Noche Vista Lane near the proposed driveway, but noted that people park further down the street. He said that the neighbors would not see much of this project. He said that the Town Engineer had reviewed and approved of the proposed design,

Jahangir Sedaghatfar stated that if there were a compelling reason for this project, he would do the same thing if he were in applicant's shoes, and even though it would affect his property, he would not oppose the project. However, he did not see a compelling reason for this request. He said that he has lived on Noche Vista Lane for 25 years and a lot of cars park along the street. He said that if a car is parked ten feet away from Mr. Mostyn's driveway, there is no safe way for a car to safely back out of the proposed driveway affecting the parked car.

Ruth Hull-Sandine stated that hers was the first house on Noche Vista Lane, and that parking has been a concern for a long time. She said that people do not park on Mr. Spatz's side of the road because the overgrown, large shrubs prevent a car from parking there. She did not understand why another driveway is needed on the street. She noted that there are no streetlights on Noche Vista Lane and it can be dark and foggy, and if Mr. Spatz backed out from the new driveway he would be unable to see a car traveling southbound on Hacienda Drive. She said that young children live along the street and extra cars on the street increase safety concerns.

Kevin Mostyn noted that Mr. Spatz's home was a rental property for many years, and therefore the applicant would have been unaware of parking conditions on Noche Vista Lane. He said that at least one car is parked there daily. He noted that Noche Vista Lane is a private roadway which acts as an extended driveway for the people who live there. He said that he has suffered a loss of privacy from the construction of the second story addition on the subject property, and felt that the requested change would diminish his property even more by the increased traffic and the view of a garage. He said that he did not want to lose the privacy provided by the hedge. He stated that Hacienda Drive is much wider than Noche Vista Lane and has many on-street parking spaces. He said that this project would remove two parking spaces on Noche Vista Lane. He said that numerous tradesmen park in the area.

Mr. Spatz stated that the view from Mr. Mostyn's breakfast nook is toward trees and landscaping, and he felt that the project would not affect Mr. Mostyn. He said that he can see when someone parks on Noche Vista Lane, but said that this only happened rarely. He said that some neighbors want him to keep the landscaping and some want him to remove it. He stated that the project would not eliminate any parking.

Mr. Heckmann stated there are no real parking spaces on Noche Vista, as it is not legal or safe to park on an eighteen-foot roadway. He said that residents should park on Hacienda Drive.

Boardmember Teiser stated that he saw no justification for this application, which would create more congestion for cars on Noche Vista Lane even if no cars are parked there. In contrast, he noted that Hacienda

Drive is an open, wide street.

Boardmember Figour stated he saw no compelling reason for the change. He said that the Board worked hard with the neighbors on the previous application and there was a lot of give and take. He said that the approved project has had impacts on the neighbors, who are adamant about keeping the driveway on Hacienda Drive.

Boardmember O'Donnell stated that he was newly appointed to the Board when the previous project was approved, and he also saw no compelling reason to change the configuration of the driveway. He felt that there was no hardship to keep the driveway on Hacienda Drive. He said that the applicant should take a neighborly, common sense approach. He said that this issue was really resolved at an earlier hearing.

Boardmember Bird stated that this appears to be mainly an aesthetic issue for the applicant. She said that this would impact the neighbors, who have had to adjust to other changes from this property. She also felt that this had previously been resolved after thorough review and discussion.

M/S, O'Donnell/Teiser (carried unanimously), to direct Staff to return with a resolution denying the application.

5. 18 PLACE MOULIN ALM, DECK/RETAINING WALL: CONTINUED TO 6/17/04

F. APPROVAL OF MINUTES #9 OF THE 05/20/04 DESIGN REVIEW BOARD MEETING

Changes include:

Page 4, third line, insert "positive" before "changes."

Page 7, 3rd paragraph to state, "...about the space created by the overhang in the master bedroom and stated she was concerned whether a future owner would develop the space."

Page 7, 4th paragraph, change "deck" to "master bedroom"

Page 7, 6th paragraph, 4th line to state, "...applicant has designed a house within the allowable amount..."

Page 8, 1st paragraph, 3rd line to state, "...and the residence at 5 Mercury Avenue and the house at 5 Mercury has a second story."

Page 8, 2nd paragraph, 2nd line, change "neighbor's" to "owners of 5 Mercury Avenue." 3rd line to state, "...is not in their primary view..." 6th line, change "of the" to "next to." 7th and 8th lines to state, "by tucking in the study upstairs or relocating it downstairs would reduce..."

M/S, Teiser/Bird (carried unanimously) to approve the minutes as amended.

G. ADJOURNMENT

The meeting was adjourned at 8:05 p.m.