

Planning Manager Watrous reported the approval of 689 Hilary Drive was appealed to the Town Council and will be heard on June 29, 2005. He also noted that the Council had not yet filled the Design Review Board vacancy.

D. OLD BUSINESS BEFORE THE BOARD

2. 696 HAWTHORNE DRIVE ARBAB, NEW DWELLING/VARIANCE

The applicant is requesting design review approval for the construction of additions to an existing single-family dwelling on property located at 696 Hawthorne Drive. As more than 50 percent of the existing residence on the site would be demolished, the subject application is considered to be for a new single-family dwelling on the property. The house would continue to have a one-story design. The existing living room would be converted into a family room, and the existing kitchen would be expanded. A new dining room and a new living room would be added to the front of the house. The existing three bedrooms and two bathrooms to the rear of the house would be expanded, resulting in four bedrooms and three bathrooms. A variance was requested for excess lot coverage.

In response to questions, Planning Manager Watrous stated the revised plans were submitted after the report was written.

Mohamad Sadrieh, architect, discussed changes made since the last Design Review Board meeting. He said that he had met with Mrs Cannistraci, and did not see view blockage from the Shannahans' deck. He said that the project was now well below the floor area ratio and had lessened the excess lot coverage to 37 percent. He said that the changes would give breathing room to the magnolia tree on the site.

Alice Cannistraci stated that she appreciated the reduction of the house and lowering of the roof. However, she felt that the house is still too large for the neighborhood. She said that most other homes in the neighborhood are 1,500 to 1,600 square feet and this house would be much larger. She was concerned that this would start a trend of large houses in the area.

Mr. Sadrieh responded that this would be a modest home by current Tiburon standards. In response to questions, he stated that the only variance requested was for lot coverage, and this was to prevent view blockage for the neighbors.

Boardmember Teiser stated that he appreciated Ms. Cannistraci's concern, but neighborhoods in Tiburon are evolving. He said that the changes were made in accordance with the recommendations of the Board. He said that the house would not appear overly large when viewed from the street. He said that there was sufficient clearance between the two neighbors, and any view blockage has been improved.

Boardmember Bird stated that this would still be a large home for such a small lot, but she appreciated the changes to reduce the height and cut back the size of the house. She described the variance request as modest.

Vice Chair O'Donnell stated that the architect has done a good job of following the direction of the Board to reduce the size and height of the house. He said that the variance request was sizeable, but he could make the findings as the design keeps the house at a one story height and keeps the lot more open when looking from the street. He also appreciated that the Magnolia tree would be protected.

M/S, Teiser/Bird (passed 3-0) 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.

E. NEW BUSINESS BEFORE THE BOARD

2. 2108-2110 MAR EAST STREET L'HEUREUX, FENCE/ VARIANCE

The applicant is requesting design review approval for the construction of a new wooden fence on the property located at 2108-2110 Mar East Street. A two-family dwelling is currently situated on the site. The proposed fence would extend along the south side property line and would have a maximum height of seventeen feet. As the maximum fence height within a required setback is six feet, a variance is requested for excess fence height.

Sandra L'Heureux, owner, discussed the project and noted the neighbors agree that the fence should be replaced

Wendy Barbaria, the neighboring property owner, stated that she supports the application.

Boardmember Bird stated this is a reasonable proposal. She said that the fence will continue to provide privacy for both neighbors.

Boardmember Teiser noted that both neighbors support the request and agreed that the fence would help provide privacy.

M/S, Bird/Teiser (passed 3-0) 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.

3. 20 SOUTHRIDGE DRIVE EAST COLEMAN, NEW DWELLING/ VARIANCES

The applicant is requesting design review approval for the construction of additions to an existing single-family dwelling on property located at 20 Southridge Drive West. As more than 50 percent of the existing house would be demolished as part of this project, an application has been filed for construction of a new residence. The proposed project would involve the construction of several additions to the main floor of the existing house as well as the construction of a new second story. The main floor would be reconfigured to add a new family room and office, remove two bedrooms, and relocate the living room and dining room. The proposed second story would include a new master bedroom suite, two additional bedrooms and bathrooms, and a new playroom/laundry room. New decks would be constructed off the main floor family room and living room, and off the upstairs master bedroom. Variances are requested for reduced front and side yard setbacks and excess lot coverage.

In response to questions, Planning Manager Watrous noted Staff encourages applicants to apply for construction of a new residence as an insurance policy if there may be a chance that demolition will exceed 50 percent of the existing house. He said such approvals help avoid occasions where inferior construction is made rather than an application for a new building when it is discovered during the construction process that walls that should be taken down.

David Holscher, architect, discussed the project and stated that he wants to ensure the project is not stopped in case demolition is over the 50 percent level. In response to questions, he stated if a wall has to be taken down, the new wall would be the same. He said that the previous design has not been changed.

There was no public comment.

Boardmember Bird stated that this was still a very reasonable project and she can still make the necessary findings for the variances. She said that she appreciated the applicant being on the up and up with this application.

Boardmember Teiser concurred and noted that that applicant had previously made changes at the direction of the Board which were supported by the neighbors.

M/S, Teiser/Bird (passed 3-0) 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.

4. 170 RANCHO ROAD TRIPOLI/BOYADIAN APPEAL/ ADDITIONS

On March 3, 2005, the applicants submitted a Staff-level design review application to modify a previously-approved application for a deck addition on the upper level of 170 Ranch Road. The modification included an additional 76 square feet of deck space on the upper level and a new lower level deck area with spa. New French doors would replace the windows on both levels to provide access to the decks. Following the mailing of the required notices, Staff met with the neighbor at 180 Rancho Drive to evaluate the impacts of the proposed project. The resident at 180 Rancho drive submitted a letter in opposition to the project. Staff reviewed these concerns and visited the property at 180 Rancho Drive to evaluate the impacts from the subject application. Staff determined that the proposed modification was in conformance with the zoning regulations, in conformance with the Guiding Principles of Design Review and would not have a significant impact on properties in the vicinity. The application was conditionally approved on April 12, 2005. The conditions of approval stated that sufficient landscaping would be installed and maintained to mitigate privacy impacts. The neighboring property owner has now appealed this decision to the Design Review Board.

In response to questions, Assistant Planner Krasnove stated what has been appealed is the 76 square foot deck extension, not the original design.

Linda Tripoli, appellant, stated that she misunderstood the original project, and now realizes that the owners think she is saying that they intentionally misled her, but she wanted the Board to understand that this is not what she meant. She stated that the applicants are good neighbors who have worked hard in the context of this project. She reiterated that she had not understood the original project, and felt that if the original project been subject to Board approval, it may not have been approved. She said that she disagreed with Staff that the project would not have adverse impacts on surrounding properties. She said that Staff should have reviewed the subject project and any potential privacy concerns in the context of the whole project, including the previous approval. She felt that it did not make sense to only review the 76 square foot extension, and said that this extra deck area would block her view of vegetation. Ms. Tripoli said that the houses and decks are close together and landscaping is in between them. She stated that the separation between the homes is not sixteen feet; rather, she said that it is 5.5 feet from her house to the fence and she believed the same distance on the other side. She said that if the deck was going to be expanded, the circular staircase should be relocated.

Boardmember Teiser asked Ms. Tripoli if she believed that the additional square footage of the deck would impact her privacy. Ms. Tripoli agreed that this was her belief.

In response to questions, Assistant Planner Krasnove stated that the previous deck project went through appropriate Staff Level Design Review.

Mark Boyadjian, applicant, stated that he wanted to see an amicable resolution but he and the appellants would have to agree to disagree. He said that the 76 square foot area would help fill in the L-shape of the deck. He said that he would not alter the previously approved plans, partly for financial reasons. He said that he was willing to work with the appellants but not to alter the existing plans.

Boardmember Bird asked Mr. Boyadjian what he had done to show his neighbors willingness to compromise. Mr. Boyadjian stated that he did not know they were objecting. Up to receiving the email from Ms. Tripoli, he said that everything was on the table for discussion. He felt that this was a misunderstanding. Boardmember Bird noted that with this attitude, their good neighbor relationship would not survive, and that compromise can pave the way for a better relationship.

Vice Chair O'Donnell asked Mr. Boyadjian if he intended to enclose the area below the upper deck. Mr. Boyadjian responded that he did not intend to do so. He said that there would be a sauna and decking material there.

Ms. Tripoli stated that the series of emails was unfortunate. She said until she read the packet last night, she did not know Mr. Boyadjian felt this way. She said that they discussed the size of the deck, their concerns about privacy and the option of moving the staircase at their second meeting. She said that a six-foot diameter staircase should be made smaller and would not push the deck so close to her property. She said that communication had then broken down and the staircase was not further discussed.

Boardmember Teiser stated that this problem could have been resolved, as there appear to have been alternatives. However, he said that the Design Review Board can only rule on the small deck addition. He said that he visited both properties and did not feel that the small addition would have adverse privacy impacts. He said that there is not a lot of visibility between the two properties due to the vegetation, although in the winter there may be.

Boardmember Bird stated that she saw this as compounding of the existing problem that the neighbor had with the original applications, and that it was not just a privacy issue. She said the additional footage would increase the amount of elevated living space, resulting in more activity and noise that would affect the neighbor. For these reasons Boardmember Bird stated that she would not support the additional deck area.

Vice Chair O'Donnell agreed that the breakdown in communication and the lack of compromise were unfortunate. However, he said that the applicants should not be penalized for Ms. Tripoli's not understanding the original scope of the project. He said that the applicants have gone through all the proper channels. He said that when a deck is added, privacy concerns can occur, but the expectations for privacy in this and similar neighborhoods are small. He felt that the deck addition would not constitute a major change from the already-approved deck. He encouraged the two parties to work on a compromise before the building permit is approved.

M/S, Teiser/O'Connell (passed 2-1, Bird dissented) to direct Staff to prepare a resolution denying the appeal.

4. 19 TARA HILL ROAD PHILLIPS, MINOR ALTERATIONS

The applicant is requesting Site Plan and Architectural Review approval for an addition to an existing single-family dwelling located at 19 Tara Hill Road. The applicant has made numerous revisions to the project during the last year. Although the subject project would qualify as a Staff-level review, the combination of past revisions would have been considered a major addition requiring Design Review Board approval; thus,

Staff has forwarded this revision to the Board for review.

Tyler Phillips, owner, discussed the project and noted that Staff told him the accumulation of revisions requires Board review. He said that the current request is for the conversion of 120 square feet of garage space into living room space to accommodate the needs of the family wanting to purchase the property.

There was no public comment.

Boardmember Bird stated that this seems like a reasonable change to accommodate the new owners. She said that the house is in an isolated area and tucked in. She noted that the size of the house would not increase and the only exterior change is the lower deck, which would improve the house.

M/S, Bird/Teiser (passed 3-0) 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. ADJOURNMENT

The meeting was adjourned at 7:55 p.m.