

C. STAFF BRIEFING

Planning Manager Watrous noted that the appeal for 77 Round Hill Road is scheduled for the November 2, 2005 Town Council meeting.

D. OLD BUSINESS BEFORE THE BOARD

1. 1911 MAR WEST STREET SARAFAN, NEW DWELLING/VARIANCES

The applicant is requesting design review approval for the construction of a new two-story single-family dwelling on property located at 1911 Mar West Street, with a variance for reduced rear yard setback. The subject property is currently vacant. This application was first reviewed at the June 16, 2005 Design Review Board meeting. At that time, concerns were raised by several nearby property owners about potential view impacts, the visual mass and bulk of the house, and safety concerns over the proposed driveway design. The Design Review Board concluded that the proposed house needed to be redesigned to better step into the hillside and move out of the rear yard setback. The Board raised concerns about the overall visual mass of the house, but was uncertain whether views across the currently-vacant site could be protected due to the property's location in the midst of other homes. The application was originally continued to the August 14 Board meeting with direction given to the applicant to revise the project design. After various redesigns, the applicant has now submitted the latest revisions to the project plans. The location of the house remains generally the same, although the garage and master bedroom have been moved out of the rear yard setback and slightly into the right side yard setback. The house has been lowered into the site, with the ridge at the side facing 100 Las Lomas Lane reduced from a height of approximately 27.5 feet above grade to about 20 feet above grade. As a result, retaining walls with heights up to five feet would be installed behind the house. Variances are requested for reduced side yard setback and excess wall and fence height.

Marty Zwick, representing the owner, described changes made to the design of the house, including lowering the building height to 20 feet, adjusting the entry and reducing the dormer size. He said that they have tried to preserve as much of neighbors' views as they could, and that the house would not block views of well-known landmarks. He said that if all views had to be 100 percent maintained, nothing would be built in Tiburon. He described the view from 110 Las Lomas Lane as a wide panoramic view and distributed a photograph of the story poles taken from the line of sight of that neighboring house.

Ned Lawrence hung a photograph showing the view from his ceremonial room and stated that the structure could not be moved downhill without affecting his view. He said that he had created a computer model of the proposed house that could be moved around the site, and he felt that a location could be found that would receive everyone's approval. He showed a design with a lower 3:12 roof pitch with alternative roofing materials.

Peter Berg stated that he could not find Section BB on the submitted plans and did not understand the proposed fencing. He said that he could live with the swimming pool below him and the driveway coming in front, but felt that the variance request to push the house closer to the roadway would be tight for cars coming down the hill.

Gail Miller stated that she would prefer the Board to look at the photographs she submitted, with a view from her house, rather than the applicant's photos. She said that the proposed house is still very large and the kitchen window would look into her window, therefore resulting in a privacy issue as well as a height issue. She acknowledged that the Hillside Design Guidelines are not written in stone, but felt that the applicant

should not be allowed to circumvent them. She said that there are no special circumstances to justify the requested variances. She said that her view is more than just a slot view. She said that the applicant has not made the changes directed by the Board, and that the house is only slightly different from that initially submitted.

Bill Lukens stated that each submitted plan has blocked the view from 110 Las Lomas Lane. He said that the new plan appears to have moved the house back somewhat and estimated that for each two feet the house is moved back, its height goes up one foot. He said that the house needs to move ten to twelve feet to maintain the neighbors' view. By using the same footprint in the previous plan, he felt that the applicant has not accomplished the desired result.

Helen Lindqvist, Lyford Cove/Old Tiburon Homeowners Association, stated that she sympathizes with the applicant's efforts to slot a house between buildings on this difficult site. She felt that there had not been much improvement to the previous design, as the roof was still steeply gabled and the house was not dug enough into the grade. She supported the neighbors' efforts to retain more of their view, stating that the house would take out a great chunk of that view. She suggested that the applicant dig the house into the ground so the neighbors can protect their San Francisco view and not lose their air and sky.

Michael Balog, owner of the subject property, asked for a definition of a borrowed view. Planning Manager Watrous explained that a borrowed view is a concept the Design Review Board has used to describe views across a vacant but developable lot where those views exist only because the lot has not yet been built upon.

Mr. Balog stated that a fair decision is made when everyone is somewhat unhappy, which he thought would be the case if this design is approved. He felt that compromises have been made throughout the process.

Mr. Zwick stated a fence may or may not be constructed at the top of the lot. Planning Manager Watrous stated that since the fence is not indicated on this application, a separate Design Review application would need to be submitted if a fence is desired.

Mr. Zwick reiterated the changes made to the project. He said that the house at 110 Las Lomas Lane would lose a small portion of their borrowed view. He stated that the Hillside Design Guidelines do not say that nothing can be built.

Boardmember Teiser stated that the applicant seemed to be married to this particular design and noted that it has been suggested that alternatives should be considered, including possible roof changes. Mr. Zwick responded that it is hard to place a house on this site that would not affect someone. He said that he has tried his best to find a compromise. He did not think that redesigning the roof would have the reduction in impact Mr. Lawrence believes it will. He acknowledged that the house would block a portion of the horizon line for the neighbors, but said that the house would not impede the view of the Golden Gate Bridge. He said that the original proposal was a dream house for the applicant, but it has been compromised. He said that the house would be for Mr. Sarafan, who will live there, and who has specific personal needs.

Boardmember Teiser stated that it is immaterial whether this is a spec house or not; the applicant has a right to build on the site. He said that the applicant has not really done much except make minor adjustments to the location of the house. He felt that the applicant has not taken the suggestions of the neighbors and the Board seriously. He said he could not approve this design as submitted. He said that he visited the house at 110 Las Lomas Lane both recently and previously and felt that the project would have a dramatic impact on their prime living area. He said that the Lawrences do not want the house moved down the hill, but theirs also is a

borrowed view. He suggested that perhaps this is not the right design for this lot.

Boardmember Doyle stated that this is the right position for this house given the size and shape of this difficult lot. He said that there really has not been much of a change to the house design to help the neighbors' views except to lower the house into the hill a bit. He said that the house would block out views of Angel Island and the main portion of San Francisco. He said that it looks like more could be done, and that architecturally, there are ways to fix this. He said that he could not support the project until more efforts are made to help the neighbors at 110 Las Lomas Lane.

Boardmember Bird stated that this is a buildable lot with neighbors that have borrowed views across it. She acknowledged that it is often hard for neighbors to accept change. She said that there is room for improvement by lowering the roof, and said that cathedral ceilings may not be appropriate for this house.

Chair O'Donnell stated that this is a difficult lot with an element of a borrowed view. He said that he often considers whether a project would have a major or minor view impingement, and felt that this would be a major view impingement for the neighbors at 110 Las Lomas Lane. He said that the applicant is wedded to this particular design which may not work on this site. He said that it is the responsibility of the Design Review Board to protect the community as best as possible. He said that the applicant did not follow the direction of the Board, which asked to bring the roofline down substantially. He said that the idea posited by Mr. Lawrence may be a sensible solution, and that a hipped roof or a 3:12 pitch may be the perfect compromise. He said that he could not support the project as currently designed.

Chair O'Donnell asked the applicant if they wished to agree to another continuance to redesign the project or would like a decision on the project at this time. Mr. Zwick asked the Board to make its decision.

M/S, Teiser/Bird (passed 4-0) to direct Staff to prepare a resolution of denial for this application.

2. 4 OWLSWOOD ROAD COUSINS/MILES NEW DWELLING/VARIANCE

The applicant is requesting design review approval for the construction of a new two-story single-family dwelling on property located at 4 Owlswood Road. The subject property is currently vacant. This application was first reviewed at the October 6, 2005 meeting. Prior to that meeting, it was discovered that the reduction in the front yard setback requested as part of this application was greater than indicated in the applicant's supplemental materials and in the legal notice published for this variance request. Hence, no action could be taken at the October 6 meeting, and the application was continued to October 20, at which meeting the Design Review Board heard testimony on the subject application from the owners of the adjacent property at 943 Owlswood Lane regarding potential view and privacy impacts from the design of the proposed house. The Board shared some of these concerns and suggested that changes could be made to the proposed house design to mitigate the view impacts. A variance is still requested for reduced front yard setback.

Gordon Cousins and Diane Miles, applicants, described their efforts to work with the neighbors on the design of the project. They stated that the original design was further up the hill, but would have impacted the uphill neighbors. They said that the other neighbors supported the revised plans but the location was worse for the house at 943 Owlswood Lane. They addressed concerns raised by the Board at the previous meeting, explaining how the house was set into the hill and describing the limited view impacts on the Morris residence. They stated that they have since met again with Mr. Morris and have agreed to pull back the corner of the house by more than three feet to clear the view a bit more. The trellis would be replaced by a sunscreen that extends three feet from the house. They said that planting would be added for privacy. They said that the variance request is intended to push the building toward the road to improve Mr. Morris' views. They

indicated that a different exterior color had been submitted.

Charlie Morris stated that he has not seen the revised house design. He felt that the proposed house was optimized for the other neighbors, and that the applicants pitted the neighbors against each other. He asked for more of a compromise, stating that he would have lost other views with the first design.

Chair O'Donnell stated that it appears that the revised design addressed the concerns that Mr. Morris had previously expressed by moving the house back three feet. Mr. Morris responded that he trusted the Design Review Board to do the right thing, as they had more experience in reviewing such plans than he did.

Fred Salinger stated that when story poles were first installed, the five homes uphill from the site responded immediately and intensely. He said the original house location was poor, and would have resulted in views and privacy concerns. He said that the applicants have been very responsive to their neighbors, as they reduced the size and mass of the house, relocated it and now set it back three feet. He said that the neighbors looked at the story poles from Mr. Morris' house and found that he would still have his view of San Francisco. He said that there are two big trees that block the view beyond the proposed residence. He said that all the neighbors have compromised as much as the applicants have and would lose some views with this compromise situation. He submitted letters of approval from two owners.

Jim Mallot stated that the clerestory windows could cause a problem with light pollution for the uphill neighbors. He suggested that the project include two more parking spaces on Owlswood Road. He stated that he owns the tall Monterey pine to which Mr. Salinger referred, but said that is a tree for raptors, and he does not intend to cut it down.

Bill Berry stated that he agrees with Mr. Salinger, and that the applicants have gone out of their way to compromise their project for the neighbors.

Mr. Cousins stated that he had suggested rotating the house but Mr. Morris was not happy with that.

Boardmember Doyle stated that he liked the house a lot, noting that it is a relatively small dwelling and the glass on the first floor helps minimize the bulk of the house. He said that the changes address Mr. Morris' concerns. He agreed that the applicants may want to mitigate the uphill light pollution.

Boardmember Bird stated that this is a beautiful home and a lovely design. She was encouraged by the changes to address Mr. Morris' concerns, including removing the trellis and changing the color.

Boardmember Teiser stated that the applicant had done what the Board directed and responded to Mr. Morris. He said that the color was appropriate, but felt that the uphill clerestory windows should be tinted.

Chair O'Donnell thanked the applicants for their willingness to compromise, which shows a great sense of community spirit.

M/S, Bird/Doyle (passed 4-0), 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; with the additional conditions of approval requiring that the clerestory windows that face uphill be tinted to mitigate upward night light pollution, and approving the revised design as submitted at this meeting.

Chair O'Donnell left the meeting at this point. Vice-Chair Bird presided over the remainder of the meeting.

E. NEW BUSINESS BEFORE THE BOARD

3. 989 TIBURON BOULEVARD KAGIN, WALLS/FENCE/VARIANCE

The applicant is requesting Site Plan and Architectural Review approval to construct a five-foot tall retaining wall with a three-foot guardrail on the property located at 989 Tiburon Boulevard. The property is developed with a single-family home. The subject property is a flag-shaped lot with a 400-foot driveway providing access to Tiburon Boulevard. The property borders the Hilarita Open Space to the south. The proposed retaining walls and railing would be located along the expanded driveway on the southern property line. The overall height of the wall and railing would be eight feet, which exceeds the allowed fence height by two feet; therefore, a variance for excess wall and fence height is requested.

Jim Malott, architect, discussed the project.

There was no public comment.

Boardmember Teiser stated this application is entirely appropriate and that there is a definite need for the parking turnaround.

Boardmember Doyle concurred that the project makes sense and looks like it should have been on the property all along.

M/S, Teiser/Doyle (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. 263 LOMA AVENUE BERNARD, WALLS/FENCES/VARIANCE

The applicant is requesting Site Plan and Architectural Review approval to construct a three-foot fence above an existing four-foot to six-foot retaining wall along the west property line. The property is developed with a single-family home. The applicant submitted a Site Plan and Architectural Review application on April 15, 2005 for a pool and fence. The retaining wall on the west property line was proposed to be replaced and the fence was proposed to be set back three feet from the wall. A Staff-level approval requiring a maximum wall and fence height of no more than six feet was issued for the subject fence on May 12, 2005. During construction, however, the applicant decided to request that the fence be located on top of the retaining wall to provide more space in the yard around the pool. The applicant is therefore requesting a variance for excess wall and fence height.

Rayna Bernard, owner, discussed the project. She stated that the fence on top of the retaining wall would provide more privacy for the neighbor below and allow her to more safely take care of the plants. In response to questions she stated that the railing could be a redwood fence or a metal rail. She said that she preferred a fence but does not want to block a view, and may wish to install some combination of fence and railing.

There was no public comment.

Boardmember Doyle stated that the neighbors seemed happy with the project and it makes sense.

Boardmember Teiser stated that this is another common sense request and that it would have been approved if it was requested at the beginning of the project.

Boardmember Bird stated that she was pleased that the applicants asked for approval before building the structure.

M/S, Doyle/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.

5. 1600 MAR WEST STREET TIBURON PENINSULA CLUB, LOCKER ROOM/EQUIPMENT ENCLOSURE

The applicant is requesting design review approval for the construction of improvements to an existing private recreational facility (the Tiburon Peninsula Club) located at 1600 Mar West Street. A previous Site Plan and Architectural Review application (File #705078) was approved by the Design Review Board on June 16, 2005 for the other expansions of the club. The applicant now wishes to replace the existing 3,000-square-foot locker room building with a new 4,600-square-foot locker room building at the same location on the site. The existing pool equipment would be relocated to a separate enclosure with a covering trellis located east of the south pool.

Bob Austrian, president of the Tiburon Peninsula Club Board of Directors, discussed the project.

Vice-Chair Bird asked if it was always the club's plan to submit this after the original expansion application. Mr. Austrian responded that it took some time to build consensus and approval of funding, and that the need for the locker room replacement came about after the process for the other expansion project had begun.

Vice-Chair Bird stated that the locker room building seemed much more massive than the other buildings, which seem to be lower in scale. She said that this building may have not looked so large in comparison to the other buildings if the story poles for the clubhouse building were still up.

Helen Lindqvist stated that this looks like a nice design, but she hoped that late-night parties would not be allowed on top of the deck. She also hoped that Mar West Street would remain navigable during the construction.

Boardmember Teiser stated that this is an appropriate design and would have been approved if included as part of the overall expansion project. He suggested that the club work with the Town to make the new buildings available as possible shelters in times of disaster.

Boardmember Doyle stated that he understood how long it has taken for the club to arrive at this point in their expansion project. He noted that the locker room building would be inward-facing and felt that the upper deck would have little impact.

Vice-Chair Bird stated that this was a lovely project. She said that the two-story element would fit on the property, as it would be located in the back and provide connection with the tennis courts.

M/S, Teiser/Doyle (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.

6. 29 MERCURY AVENUE MCGUINNESS, NEW DWELLING

The applicant has submitted a request to demolish the existing residence and construct a new single-family dwelling located at 29 Mercury Avenue. The property slopes up in the rear from Mercury Avenue toward Perini Preserve Open Space and Indian Rock Court. The property is currently improved with a single-family dwelling that would be completely demolished. The proposed single-family home would be a one-story structure. The existing 1,019-square-foot residence would be replaced with a new 1,732-square-foot residence in the same location. The floor plan includes a two-car garage and laundry room, kitchen, dining room, living room, three bedrooms and two bathrooms.

Ryan McGuinness, owner, discussed the project, and stated all adjacent neighbors and the neighbor across the street have approved the project. He stated that there have been many remodels in the neighborhood.

There was no public comment.

Boardmember Doyle stated the design fits the neighborhood. He said he likes the smaller house; it is a livable floor plan with a nice design.

Boardmember Teiser stated this is a reasonable modernization for the Belveron community.

Vice-Chair Bird stated the application is reasonable, nicely done and the house will fit nicely into the community.

M/S, Doyle/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.

7. 493 WASHINGTON COURT PAULSEN, NEW DWELLING/VARIANCE

The applicant has submitted a request to construct a new single-family dwelling located at 493 Washington Court with a variance for excess lot coverage. The property is generally flat and located in the Belveron neighborhood. It is currently improved with a 1,030-square-foot single-family dwelling that would be completely demolished. The proposed single-family home would be a significantly larger, single-level structure. The floor plan would include a two-car garage, kitchen, laundry room, family room, dining room, living room, three bedrooms, four bathrooms and a study. A trellis-covered entry would be located in the front and a trellis-covered patio would be located in the rear beyond the living room. A variance is requested for excess lot coverage.

Annette Paulsen, owner, submitted a document with the signatures of approving neighbors of the project.

Paul Ballora, architect, discussed the project, and stated, as a result of maintaining one floor, the standard in Belveron, the lot coverage variance is requested. He said the height is higher because the owners want a ten-foot ceiling in all the rooms and a crawl space under the house to have the ability to make changes to the piping in the future. He stated that the pitch is 3:12 to keep the height down and this results in 6.5 feet lower than a 4:12 pitch. He stated the total height is nineteen feet and the house is in scale and the mass is not overpowering. He said the modern design will bring diversity to the community.

Boardmember Bird clarified that the height of the house is a result of creating space under the house.

Mr. Ballora responded the space below the house raises the house fourteen inches higher than if it were a slab on grade.

Debbie Warren stated she approves the project. She said it will be a nice addition to the neighborhood and it will increase property values. However, she objects that the house is a bit massive from her patio and pool, which currently has an open feeling. She believes the house comes close to her patio and pool, and is intrusive. She said the pitch of this new house would be in her view line if she builds a second floor in the future. She stated she would like the house to be a little lower.

Dan Hunt stated he concurs with Ms. Warren and asked if Staff has a global view of the neighborhood.

Vice-Chair Bird responded that Boardmembers visit the project site and try to visit the surrounding properties when there is a concern raised. But she said they may not visit each surrounding property if there were no concerns raised by surrounding property owners.

Mr. Hunt added the house is three times the size of the existing house. He feels that neighboring houses cascade down the hill toward his property. He noted that there is a sewer lateral down Irving, and given the aspects of the bowl, backs up in a bad storm and their houses get backflow. He said the subdivision was built under county auspices and he understands there is a drainage easement along their common fence line. He wants to know if the drainage requirements are being taken into account of the whole area. He believes this large house will bring greater drainage needs. He asked that Boardmembers look at the story poles and the proposed house from his and the Warrens' house.

Robin Sedarro stated the plans are fine. He said the proposed house is not intrusive to him.

Mrs. Paulsen responded that she showed plans to Mr. Warren two weeks ago. Regarding the view, she said that the top ridgeline for all houses in Belveron is about fourteen feet.

Boardmember Teiser stated the height is higher than the neighbors next door. He believes the ten-foot ceilings create a high ridgeline and feels that what the neighbors are asking for is reasonable. He stated the setback and closeness to the pool are not an issue for the project.

Vice-Chair Bird stated the applicants should work out the reduction in height with the neighbors.

Mr. Ballora clarified that the neighbors were asking for a maximum height of sixteen feet. He said since his clients want ten-foot ceilings, it would be a flat roof house, which would lower the house considerably. He mentioned it would have to be a built-up roof, not a shingled roof. He said a flat roof would be compatible with the modern style.

Mr. Warren suggested applicants meet with him and they can determine the reduction needed.

Mr. Ballora stated he assumes this issue is based on a hypothetical case that the neighbor's potential second-story addition is approved by the neighbors.

Boardmember Teiser stated he questioned the higher ridgeline and the neighbor's potential second story is not relevant.

Vice-Chair Bird stated any changes made to this project with the neighbors will have to be submitted to Staff.

Boardmember Teiser stated that he has concerns with the high ridgeline, however the neighbors' potential second story was not relevant. He said he would deny the application and recommended that the applicant work this out with neighbors.

Boardmember Doyle stated the size is all right. He said it is larger than others, but acceptable because of the way the lots are laid out. He said the rooms on the side appear to be lower than ten feet, with the ridge in the center. He said the materials are good and the design is nice.

Vice-Chair Bird stated she concurred with the others. She stated the house is not in character with the neighborhood. She said it is a huge block of a house and will stand out. She believes more can be done to mitigate concerns of the neighbors.

M/S, Teiser/Doyle (passed 3-0) to continue this item to the November 17, 2005 meeting.

G. APPROVAL OF MINUTES #17 OF THE 10/06/05 DESIGN REVIEW BOARD MEETING

Amendments include:

Page 2, 6th paragraph, last line, insert "still" before "reduce."

M/S, Bird/Teiser (passed 3-0) to approve the minutes as amended.

H. ADJOURNMENT

The meeting was adjourned at 9:15 p.m.