

C. STAFF BRIEFING

Planning Manager Watrous reported that the Town Council hearing on the appeal for 77 Round Hill Road resulted in a vote to deny the appeal and uphold the Design Review Board's decision. He announced that the item for 96 East View Avenue was continued to the December 15, 2005 meeting and that the item for 1925 Straits View Drive was continued to the November 17, 2005 meeting.

D. CONSENT CALENDAR

1. 1911 MAR WEST STREET SARAFIN, RESOLUTION OF DENIAL

On October 20, 2005, the Design Review Board considered a request for design review approval for the construction of a new single-family dwelling on property located at 1911 Mar West Street, with variances for reduced side yard setback and excess wall and fence height. After considering the application and considering public testimony regarding this request, the Board directed Staff to prepare a resolution denying this appeal.

M/S Teiser/Doyle (passed 3-0) to adopt the resolution of denial

E. NEW BUSINESS BEFORE THE BOARD

2. 1970 STRAITS VIEW DRIVE CUMMINGS, PARKING DECK/VARIANCES

The applicant is requesting design review approval for the construction of a new detached parking deck and storage building on property located at 1970 Straits View Drive. The proposed structure would replace an existing parking deck on the site. Variances are requested for reduced front and side yard setbacks and excess accessory structure height.

Tom Telfor, architect, discussed the project.

There was no public comment.

Boardmember Teiser stated that this is a very appropriate and would not impact the neighbors. He said that the requested variances were needed only for a structure similar to the existing parking deck.

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.

3. 4 MCCART COURT LAVINE, GARAGE CONVERSION

The applicant is requesting Site Plan and Architectural Review approval to legalize a previously-constructed garage conversion located at 4 McCart Court. The Town's policy for garage conversion states that an application to convert a garage into living space may be approved by Staff when certain criteria are met. If these criteria cannot be met, the application must be forwarded to the Design Review Board for review. In this case, the applicant cannot meet the criteria that there is adequate space on the property to provide an improved but uncovered parking area of equal or greater capacity than that being converted while meeting all setback requirements. The converted space was previously a two-car garage and there is currently a parking pad for two cars on the property, but it is located in the side yard setback; therefore, Design Review Board

approval is required.

Jack D'Amato, representing Bruce Lavine who purchased the property 30 days ago, stated that there is adequate parking in front for five cars on the driveway. He said that the project stays within the existing footprint on the site.

Edna Mitchell asked if the Board referred to and distributed copies of a letter she submitted last week to Staff. She stated that there have been many problems with tenants of this building, and was forced to put in a security alarm. She said that she was concerned about the parking, as there is not enough room for five spaces on the driveway, which is downslope. She said that a garage should be provided so as not to exacerbate the existing parking situation in the area.

In response to questions, Associate Planner Krasnove stated that Town policy requires the owner to prove there is space on the lot for two spaces to build a carport or garage without needing a variance; if not, the request is referred to the Design Review Board for review.

Mr. D'Amato stated the applicants have two children and bought the house because it is across from the school.

Boardmember Doyle stated he has no issues with keeping the garage as it is. He understood that this small area has many cars, and stated that there is a concern on how to ensure cars are not parked on the street, with the driveway becoming a play area.

Vice Chair Bird stated this will be a nice improvement. She acknowledged that this court is a difficult area. She said that she could make the findings for a variance if the applicant wanted to construct a two-car garage within the side yard setback.

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. 2 AUDREY COURT PHILLIPS, ADDITIONS/VARIANCE/FLOOR AREA EXCEPTION

The applicant has submitted a request for an addition to an existing single-family dwelling with an existing legal secondary dwelling unit located at 2 Audrey Court with a variance for excess lot coverage. The property slopes from east to west and has views toward Richardson Bay to the west. The property is currently improved with a 3,684-square-foot single-family dwelling. The applicant is asking to demolish the southwest corner of the existing structure, which currently consists of a deck, a one-car garage and a carport. The west side of the residence would be expanded into the demolished area to provide for an enlarged bedroom and bathroom. An in-ground lap pool would be installed in the rear yard where the driveway is currently located. A variance is requested for excess lot coverage, along with a floor area exception

Tyler Phillips, owner, discussed the project, and stated that he will maintain the legal second unit. He discussed changes that had been made per neighbors' requests.

Boardmember Teiser asked about the ceiling height in the area expanded with the flat roof. Mr. Phillips responded that the ceiling height in that area would be increased from the current 8 foot height to 9.5 feet. He said that he could lower and slope the roof if so desired. In response to questions, he stated the balcony that overlooks the neighbor would be a three foot deep architectural feature.

Boardmember Doyle asked about the number of windows being added to the uphill side, and stated there would be a lot of light going upward. Mr. Phillips responded that the existing windows are in bedrooms that is high usage and there is a skylight above the foyer. He said that the proposed project includes no skylights and that the windows open to an office and a closet. He said that a window would be converted to a French door over a small balcony and another window would be converted to a French door with two sidelights.

Michael King distributed before and after photographs of his view, and stated that one was of the existing condition and the other was of the original house. He asked about the front patio and stated there are no story poles and he does not know the impact to his view. He stated that two weeks' notice from the Town for this ambitious plan did not give him adequate time to review the project. He said the house has been remodeled four times. With this addition, Mr. King calculates the owner is asking to expand the house more than 25 percent of the allowable coverage and floor area ratio. Mr. King said he asked for a thirteen percent increase in a remodel of his own house, and was told it was too large, so he reduced it to ten percent. He said the window areas and two balconies and a deck are a concern, as well as privacy and the luminary effect to his house. He said a number of neighbors are affected by the high roof. Mr. King recommended a six-foot reduction and a flat mansard roof. He said the roof over the garage was previously denied and the height had to remain at its current height. He believes nothing is to be built on the site higher than the flat roof. Mr. King asked for story poles in the front yard where his prime views would be impacted. He said the two-foot addition on the garage has no functional value and was previously denied by the Design Review Board. He said the northwest corner is not as depicted. He believes roof eaves have an impact on the view. He said there were no story poles installed for the upper deck off the master bedroom. He would like the existing main roof lowered. Mr. King stated trees that grow to 20 feet would take away his view and the proposed plantings should be altered. He said there is potential for a lot of noise from the proposed facilities in the front of the property.

Patricia Wova stated she submitted a letter, and added that the story poles are not clear. She said the front corner poles facing Acela Drive that face Mt. Tamalpais would take away 20 feet of her view, as mentioned in her letter. She asked whether the poles represent a balustrade or walls. She asked where the roof will be. She stated it appears that this will be a huge and busy façade on a small lot. She said it already blocks her City view and she asked what color the roof and house will be.

Bruce Portner stated the house was built 35 years ago. Mr. King has had story poles up for 2.5 years and nothing has happened. He said it seems that a house that has been there for 35 years with Town approval of the roof height has established a precedent that it is allowed.

Tom Olindoff, 8 Acela Drive, stated he first met with the applicant four hours ago. He said he did not receive a copy of the late mail. His concerns have to do with the privacy issue. He said Mr. Jim Deets also has problem with privacy. He believes the lap pool and pool area in the northwest portion of the property are a concern. He said the applicant has not asked for a variance for setbacks and on the plans, and there is intrusion on all four sides with the pool, parking and the front patio. He said the retaining wall that supports the pool is not mentioned on the existing drawings. He stated the height, type and the timer of fountain are a concern because the fountain is above his property, and there would be adverse effects if it were on 24 hours a day. He said the deer fence on the western side of the property is a concern and he would like to learn its height, type and wire because it directly impacts his house.

Ms. Wova added she called the owner of 4 Bartel who is out of town, and she believes two weeks is not enough time to respond to this application.

Mr. Phillips stated Drawing A-2.1 shows the wing toward the garage for which the footprint remains the same.

He said where it lines with the main part of the house, a portion of the deck will be converted to family space. He said there is a supporting story pole that is not a line of the building. He stated the building has not been extended and the front patio is six feet below the driveway. He said from the lower garden, one walks up to it, but from the driveway and entry to the house, one walks down. He said he will limit plant material to an eight-foot maturity, which should give back to the Kings their view of the yacht club. He believes he understood what the Kings wanted and their water view was not to be changed.

Boardmember Teiser asked if he would consider changing the existing roof to a mansard roof to match the design of the new roof.

Mr. Phillips responded he will keep the footprint and use the garage and carport space and below the house for the expansion. He plans on keeping the roof as it is. He said will change the proposed color of the house. He will also work with changing the windows. He will check to ensure the chimney is to code. He said he could convert both fireplaces to gas and the chimney could be lower.

Boardmember Teiser stated he recommends a continuance because there is enough redesign in the lap pool area to warrant additional review. He would like to learn where the pool area will be. He would also like a clarification of fence and wall elevations, and the retaining wall for the pool should be clarified. The height of the deer fence and items in the setbacks should be clarified. He believes there is enough change to require new drawings.

Boardmember Doyle stated the Design Review Board has had less than a week to look at the project. He said would like to know about many things. He stated the design is beautiful, but he wants more time to visit affected neighbors and look at the project.

Boardmember Teiser added, outdoor parking spaces are entitled for guests and there is no restriction for people parking on a fairly permanent basis on the outside. He said the Board cannot deal with what happened 25 years ago, only with what exists and what is proposed. He would propose an alternate color.

Vice Chair Bird stated this will be a great improvement to the neighborhood, a nice home. She said she also needs more time to see what the result will be with the concessions Mr. Phillips addressed and the future addressing of neighbors' issues.

M/S, Teiser/Doyle (passed 3-0) to continue this item to the December 1, 2005 meeting.

5. 96 EAST VIEW AVENUE BAUCH/BILLE, GARAGE/VARIANCES: CONTINUED TO DECEMBER 15, 2005

6. 1925 STRAITS VIEW DRIVE LACROUTE, DWELLING/VARIANCES/FLOOR AREA EXCEPTION: CONTINUED TO NOVEMBER 17, 2005

7. APPROVAL OF MINUTES #18 OF THE 10/20/05 DESIGN REVIEW BOARD MEETING

Amendments include:

Page 2, 4th paragraph, last line to state, "...house is only slightly different from that initially submitted."

Page 3, 5th paragraph, 2nd line, to state, "...suggested that alternatives should be considered, including..."

Page 12, 3rd paragraph, 1st line to state, "...stated he has concerns with the higher ridgeline; however, the neighbor's potential second story is not relevant."

Page 12, 10th paragraph, last line, change "recommend" to "recommended."

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

H. ADJOURNMENT

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