



## **C. STAFF BRIEFING**

Planning Manager Watrous noted that this was the last meeting that Associate Planner Lynch would attend as he will be leaving Tiburon to pursue further education. He wished Brian well and thanked him for his service to the Town. Boardmember Teiser expressed sentiments of appreciation from himself and the Board to Associate Planner Lynch.

## **D. NEW BUSINESS BEFORE THE BOARD**

### **1. 222 ROUND HILL ROAD GRANT, ADDITIONS/VARIANCE**

The applicant has submitted a request to construct a detached garage on the property located at 222 Round Hill Road. The property is located on the east side of Round Hill Road and the property slopes relatively gently from north to south. The property is currently improved with a single-family residence and an attached garage. The new garage would be located on the north side of the property. The garage would be approximately 814 square feet in size and could accommodate four cars parked in tandem. The area around the garage would be excavated to create a level area. A retaining wall would be installed adjacent to this excavation. The project would also include the conversion of the existing garage to living space. Other improvements would include the creation of a new driveway for access to the detached garage, replacement of windows throughout the existing residence, installation of new siding on a portion of the building, addition of screening trellises, addition of a new deck on the south side of the residence, and a new skylight on the east side of the roof. A new fence and entry monuments would be installed along the front property line, and new fencing would be installed along a portion of the side property lines.

Michael Grant, owner, stated that his objective is to add living space and to build a new garage. He said that his intention was to respect the character of the structure and enhance it with additional light and outdoor spaces. He said that he had spoken with all of his neighbors and that the project would have no negative impacts on them. He said that a second story would have had better views, but he hoped to maintain his views from the first story by working with his neighbors. In response to questions, he described his proposed fencing; he said that portions of the fence would be solid wood and part would be wood and wire, in response to concerns from his neighbor.

Chair Beales asked if Staff understands the fencing plan. Associate Planner Lynch responded that he understood that wood and wire fencing would be installed everywhere that a new fence is indicated on the plans.

Doug Gray, the northern neighbor, stated that he supported the applicant's efforts.

Boardmember Teiser stated that this was a nice project and felt that the applicant had done a good job of working with the neighbors to come up with a good solution.

Boardmember Figour stated that he supported the project and could make the findings for the variance, as the applicant is staying away from a second-story addition.

**M/S, Teiser/Figour (passed 3-0-2), 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.**

**2. 94 MT. TIBURON COURT SHEKOU, ADDITIONS/VARIANCE**

The applicant is requesting Design Review approval to construct an addition to an existing single-family dwelling located at 94 Mt. Tiburon Court. An expanded kitchen and new breakfast room would be added to the main floor, with a new bedroom and bathroom added to the lower level of the house. The existing deck to the rear of the middle level would be expanded. A variance is requested for excess building height.

Robert Symons, architect, discussed the project and noted that the roof of the proposed addition would be lower than the current roof of the house. He noted that the only issue was the height of the building. He noted that the colors and materials of the addition would be the same as that of the existing house, and that the architecture would also closely match the rest of the residence.

There was no public comment.

Boardmember Figour stated that he could support the application. He said that the addition would fit well with the existing building. He stated that the variance for building height is a product of the existing building height, and noted that the addition would be unseen by the neighbors.

Chair Beales stated that the addition would blend in because the house design is stepped.

**M/S, Figour/Teiser (passed 3-0-2), 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. 138 LYFORD DRIVE LONDON, ADDITIONS/VARIANCE/FLOOR AREA EXCEPTION**

The applicant has submitted a request to construct an addition to a single-family dwelling on the property located at 138 Lyford Drive. The existing building is a three-level structure on the south side of Lyford Drive, near the intersection of Sugarloaf Drive. There recently was an application approved for the exterior modifications to the building and landscaping improvements. The final phases of this previous permit are currently being completed. The proposed addition would be located at the southeast side of the building, in the area of an existing greenhouse. The greenhouse would be removed and an *au pair* bedroom would be constructed in its place. The project would also include the conversion of a portion of under-floor space into living space, to be incorporated into the

*au pair* bedroom. The roof of the addition would be used as a terrace for the existing bedroom above. Variances are requested for excess building height and reduced side yard setback, along with a floor area exception.

Associate Planner Lynch clarified that he and the architect had concluded that a variance is still required for excess building height, but that the height requested would be 32 feet, not 34'6".

Linda London, owner, stated that the last stage of her home improvements would be to remove the greenhouse in the back, which is not visible from the house but is an eyesore for the neighbors across the street. She said that the greenhouse was a great space but was not worth redoing, so she proposed to replace it with the subject addition. She stated that the immediate neighbors support the project.

Michael Heckmann, architect, discussed the project and noted that there were a few areas where the roof would exceed the allowable height. He said that the proposed addition would encroach into the required side yard setback less than the greenhouse. He said that most of the excess floor area would be located in the existing crawl space. He stated that the existing greenhouse was out of character with the Mediterranean architecture of the house.

There was no public comment.

Boardmember Teiser stated, while the Board does not like to see creeping floor area increases, the proposed addition would address an unattractive feature of the house. He noted that the neighbors support the project, and he commended the architect for doing a good job of filling in this area of the house.

Boardmember Figour stated that this would be a nice addition to the building. He said that he was somewhat concerned with the excess lot coverage and floor area exception. He felt that this was a stealth floor area exception, but would get rid of the unattractive greenhouse. He noted that the Design Review Board reviews each request on a case-by-case basis, and that the neighbors support this application. He felt that the amount of the exception would likely be brought to the attention of the Board at a later date.

Chair Beales stated that this was a nice design and would fit in well. However, he had a serious problem with the lot coverage and floor area exception. He noted that the house is already well over the lot coverage and floor area ratio, and that this is not an undersized lot. He said that he could not support the application.

Boardmember Figour stated that while the numbers of the project seemed excessive, the design of the project did not. While he acknowledged that the decision may come back to haunt the Design Review Board, the design was superior enough for him to support. He felt that if the Board can give the citizens what they want, and what the owners want does not impact the neighbors, it is acceptable.

Boardmember Teiser stated the excess floor area was the fallout of a design solution to make the building more attractive.

Chair Beales stated that an option to make the building more attractive would be to remove the greenhouse and do nothing else.

**M/S, Figour/Teiser (passed 2-1-2, Beales dissented) 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. 100 LYFORD DRIVE SOOFER, ADDITIONS/VARIANCE**

The applicant is requesting Design Review approval for the modification of previously-approved plans to legalize construction of an as-built addition to an existing single-family dwelling on property located at 100 Lyford Drive. The property is developed with a two-story residence. A new bedroom, bathroom and storage area have been constructed on the lower level of the house. The current application would not change the approved lot coverage for the site. The requested 265-square-foot addition would bring the total floor area of this property to 5,726 square feet, which is 598 square feet greater than the floor area ratio for a lot of this size. A floor area exception is therefore requested.

There was no applicant present and no public comment.

Boardmember Teiser stated that this application is inappropriate in that applicants knowingly flaunted the Town's design review process even after being advised by Staff that the design review approval was required. Irrespective of any variance requests, he said that he would deny the application.

Boardmember Figour stated that he cannot tell if this was a deception or misunderstanding on the part of the applicant. He concurred with Boardmember Teiser, stating that the applicant showed little interest in the process. He stated that the addition was an unattractive extension to the house, and that he could not support the application.

Chair Beales stated that the project has been going on for five years and that this was the sixth design review request for the project and yet another increase in area. He felt that the applicant was flaunting the process. He said that the applicant was not naïve and had been before the Board previously. He stated that there was no justification for the request, as there were other design alternatives to the structural problems described by the applicant.

**M/S, Teiser/Figour (passed 3-0-2) to direct Staff to prepare a resolution denying the application.**

**5. SOUTH OF KNOLL PARK TOWN OF TIBURON, RESTROOM BUILDING**

The Town has planned to install a permanent restroom at the South of Knoll Park for the past several years. The project has been approved in concept by the Town Council and is part of the Town's Capital Improvement Program. The restroom will replace the existing portable facility, the location of which was rejected because of the significant extra costs to excavate/construct a large retaining wall and additional utility line trenching. The restroom would be located approximately ten feet to the south of the multi-use path near the South of Knoll playground. The location was chosen because of its close proximity to necessary utility connections and minimal grading requirements.

Planning Manager Watrous noted that this was a courtesy review by the Design Review Board to provide input to the Town Council about the location and design of the proposed restroom building.

Virginia Brunini stated that she owns a house on Pine Terrace that would be the most impacted by this installation. She said that the location of the restroom was the issue. She said that when the current temporary restroom was originally approved, the location was the least objectionable to the adjacent neighbors. She stated that the proposed restroom location looks directly into her bedrooms. She distributed photographs of the area. She stated that the restroom should be where the portable is located.

Bill Tiedje stated that the proposed restroom would cause safety, view and odor problems. He said that a pine tree would block his view of the restroom, but said that if the tree came down he would have the same exposure as Mrs. Brunini. He said that prevailing winds would blow odor to his house. He felt that no one had looked at this project from his viewpoint. He said that a retaining wall and utilities would cost the Town, but the current location would come at a negative cost to the neighbors. He said that the Town should locate the restroom elsewhere.

Boardmember Teiser said that he was sympathetic to the comments of the neighbors. He stated that this was an unusual location, and that the restroom would stick out in a very nice view of the park area. He did not understand the reasons for moving the restroom from the location of the temporary restroom, which people have accepted. He said that this was a very unattractive location for the building, and that the Town Engineer should reexamine the location and try to make the current location work.

Planning Manager Watrous noted that, given the steepness of the slope, a tall and expensive retaining wall would be required to construct the restroom at the location of the temporary restroom.

Chair Beales stated that the ideal location would be on the water side of the park, though he understood why the restroom would be kept by the Multi-use Path. He said that the location of the building should be reconsidered, and placed in the location of the existing portable restroom.

Boardmember Figour stated that the design was incredibly unattractive. He felt that the Town could come up with a more rustic design, with wood siding, arbor and a trellis. He felt that the current design looked like something out of the Soviet Union in the 1950's

Chair Beales added that the restroom by the sewer plant came with a landscape plan, which helps to screen it. He noted that this project shows no landscaping.

Boardmember Teiser said that the restroom could be built into the hillside, and the retaining wall could be part of the structure.

Planning Manager Watrous asked if the Board's concerns could be remedied by moving the restroom slightly to one side or the other. Chair Beales replied that the restroom should be where the temporary restroom is located.

#### **E. APPROVAL OF MINUTES #11 OF THE 06/17/04 DESIGN REVIEW BOARD MEETING**

Changes include:

Page 1, Item 1, 1<sup>st</sup> paragraph, 2<sup>nd</sup> line, change "t" to "at."

Page 3, 4<sup>th</sup> paragraph, 2<sup>nd</sup> line to state, "...facing the side. All garage on the street..."

Page 4, 6<sup>th</sup> paragraph, 4<sup>th</sup> line, add "increased" before "floor."

Page 10, 1<sup>st</sup> paragraph, 1<sup>st</sup> line, change "considerate for" to "considerate of." 2<sup>nd</sup> line delete "what." 7<sup>th</sup> line, change "prevent" to "protect."

Page 10, 4<sup>th</sup> paragraph, last line, change "this" to "3,500 square feet."

Page 12, 2<sup>nd</sup> paragraph, 5<sup>th</sup> line, insert "and" after "views."

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

#### **H. ADJOURNMENT**

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