



There were none.

### **C. STAFF BRIEFING**

Planning Manager Watrous reported that agenda item #6 (2288 Spanish Trail) was continued until March 16, 2006. He also reported that Chair O'Donnell was appointed to fill a vacancy on the Planning Commission and will be leaving soon.

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

#### **1. 2 AUDREY COURT PHILLIPS ADDITIONS/VARIANCE/ FLOOR AREA EXCEPTION**

The applicant is requesting Design Review approval for the construction of additions to an existing single-family dwelling on property located at 2 Audrey Court. The proposed project involves the renovation of the existing structure, construction of additions to the existing house, and various landscape improvements. The property is currently improved with a 3,684 single-family residence and a legal secondary dwelling unit. A variance is requested for excess lot coverage, along with a floor area exception.

Tyler Phillips, owner, discussed the recommendations made by the Town Council and noted that he did not agree with the Town Attorney's ruling that the roof could be included in the design consideration. Mr. Phillips noted that an eight-foot high oleander hedge would be left in place and will completely screen the lower pool deck from Bartel Court. Mr. Phillips also noted that the proposed lower floor windows cannot be seen from the uphill neighbor, the living room windows are sunk down, and there would be a decorative wall and fountain between the driveway and entryway courtyard that would hide the windows from being viewed uphill. The uphill windows have been reduced and in direct response to Town Council, the door, sidelight and deck have been eliminated leaving only a roof and balustrade. Blackout shades have been specified for the remaining windows that automatically come down at dusk. Mr. Phillips also noted that after meeting with the Kings, he agreed to eliminate two windows in the master bedroom walk-in closet. Mr. Phillips finally noted that the revised design being proposed calls for lowering the roof by four feet, reducing the depth of the deck off the master bedroom and moving the existing chimney three feet toward the street as the Kings have requested.

Boardmember Beales asked Mr. Tyler to further explain the window design. Mr. Phillips responded that the Design Review Board asked for a thirty percent reduction of windows and the Town Council felt there were still too many windows as well as being especially concerned with the deck. Mr. Phillips noted that the new proposal includes replacing a French door with a window.

Mark Casillas stated that he was concerned about the five proposed exterior lights facing his property.

Michael King stated that he was pleased with the elimination of windows but would like more removed, but noted that the moved chimney, balcony and roof would impact some views of the lagoon. Mr. King also noted that he was not pleased with size of the proposed existing chimney or the addition of another chimney. He said that he would also like the roof as low as possible. Mr. King also requested a covenant that states there

will be no blockage of views from the front yard.

Boardmember Doyle asked if the trees that neighbors had previously complained about are in question and Mr. Phillips responded no.

Boardmember Bird stated that she visited the King property and felt that the proposed plan has come a long way in addressing the concerns of the Kings. She also noted that the Kings still have a great view and this project would be a win with Mr. Phillips lowering the roof. She stated that this is a reasonable house and lots of concessions have been made.

Boardmember Beales agreed with Boardmember Bird and that the applicant has worked hard to accommodate the concerns of the neighbors and supports the project. He felt that the concessions have been one-sided and that the variances would not create significant impacts. Boardmember Beales felt that there were no circumstances that would require corrective action on an existing roof. He stated that Mr. Phillips has bent over backwards to appease the neighbors.

Boardmember Doyle noted that Mr. Phillips is not required to lower roof and that lowering it is a gift to the Kings and a huge win for all uphill neighbors. Boardmember Doyle also noted that a lot of concessions have been made and will result in a beautiful house. He supported the project.

Chair O'Donnell noted that he agreed with his colleagues and unequivocally supports the project. He thought at the previous Board meeting that lowering the roof would be the compromise, and he cannot believe that the Kings would object to this design. Chair O'Donnell stated that compromise is also about both parties going away unhappy.

**M/S Beales/Bird (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 amended conditions of approval to reflect the revised plans that move the existing chimney, remove the second story windows on the right side by the closet and pull the balcony west out of the view line.**

## **2. 735 HAWTHORNE DRIVE SHELHART/COFFIN, NEW DWELLING /VARIANCES**

The applicant is requesting Design Review approval for the construction of a new single-family dwelling on property located at 735 Hawthorne Drive. Approvals had previously been granted for construction of additions to the single-family dwelling on the property. However, as more than 50% of the existing house has now been demolished as part of the construction of this project, an application has now been filed for construction of a new residence. Variances are requested for reduced side and rear yard setbacks. The application had been continued from the February 16 meeting to allow the applicants time to prepare a complete set of revised plans.

Suzanne Shelhart, owner, discussed the project and presented revised plans showing window removals, changed hipped roof and frosted glass where necessary.

Boardmember Beales asked if Ms. Shelhart had seen the letter submitted by Ms. Barriere and she responded

that Ms. Barriere's concerns had been addressed in January.

Jeff Carlin felt that the variance being granted deals with a privacy issue. He noted that he has worked with Ms. Shelhart extensively and all other concerns have been met.

Boardmember Beales noted that the project is basically identical to the previously approved application. He thought that there have been a lot of misconceptions on the part of the neighbors and that the applicants have done a lot to address the neighbors' concerns.

Boardmember Doyle agreed with Boardmember Beales that the applicant has done a lot to help the neighbors.

Boardmember Bird supports the project and noted that this would be a nice house that would be consistent with the one-story character of the neighborhood.

Chair O'Donnell agreed with Boardmember Beales in respect to the concessions that have been made and supported the application as it stands.

Boardmember Beales noted a few corrections that needed to be made regarding the conditions of approval for the Fire District and Sewer District. Planning Manager Watrous noted that several of the conditions do not apply to the project and would be corrected.

**M/S Beales/Bird (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 revised plans submitted, including the changes to the driveway design and privacy glass on south-facing windows, and corrections to conditions 12 and 13 regarding Fire and Sewer District requirements.**

### **3. 604 RIDGE ROAD COHAN, ADDITIONS/FLOOR AREA EXCEPTION**

Chair O'Donnell recused himself.

On February 16, 2006, the Design Review Board reviewed an application for the construction of additions to an existing single-family dwelling located at 604 Ridge Road with a floor area exception. The hearing was continued with the applicant directed to prepare more detailed landscaping plans and to address the issue of the proposed roof deck.

Jamie Cohan, owner discussed the revised plans regarding the roof deck and the tree schedule.

John Winder, architect, discussed the project.

Penny Magrane, landscape architect, presented the tree schedule, which includes trees that will not grow taller than 18 feet.

Boardmember Doyle asked about the hedge at the entryway and Ms. Magrane responded that the hedge would stay.

Boardmember Bird asked if the hedge was in the Town right-of-way or in an easement, and Ms. Magrane replied that the hedge is within an easement on the Cohans' property.

Chris Craiker, architect for the Beckers, objected to the roof deck and the proposed wall around the deck and asked that the proposed olive trees be more ornamental in size. He also asked the board to look carefully at the floor area exception request.

Boardmember Doyle asked Mr. Craiker to describe what immediate impact the roof deck would have on the Beckers. Mr. Craiker responded that the height was objectionable.

Suzanne Reissen expressed concern about three Italian Cypress trees being replaced with Thuja Plicata trees, and noted that she would prefer Emerald Green Thuja Plicata trees.

Jerry Reissen expressed concern about the lighting on the roof deck.

James Bradanini, landscape architect representing Bruce Breitman, voiced his observations and concerns with tree placement, drainage and privacy issues.

Michael Tyler stated that the revised plan is worse than the originally proposed plan, as it would break the ridgeline and be an intrusion of privacy that would allow an unimpeded view of at least six or seven backyards.

Bob Becker stated that his only objection is to the roof deck as he thinks it will be an intrusion as it is three stories from the ground.

Jeff Fletcher felt that the proposed wall around the roof deck has dealt with their privacy issue. Mr. Fletcher also noted that he spoke with Cohans and they have come to an agreement about lighting and one tree.

Mr. Cohan noted that the wall was put up as a compromise to address the Fletchers' concerns.

Boardmember Beales noted that he is pleased to see the plant list and thought the plants will be fine. He noted that Mr. Breitman was concerned about looking up at neighbors, but that is a fact of life in Tiburon. Boardmember Beales said that although lighting was not addressed, fixture will need to be positioned to not shine downhill on neighbors. He stated that he does not like the roof terrace due to the floor area exception being requested. Boardmember Beales noted that most roof decks do not add to the mass of the building, but the proposed stair tower and roof deck would. He also noted that most other decks in the area are adjacent to living spaces. Boardmember Beales summarized that he was opposed to the deck and supported the rest of the application.

Boardmember Doyle noted that he was pleased with placement of trees but felt that the original roof deck plans were a lot more graceful. Boardmember Doyle noted that the deck seems so hidden that only the Fletchers would be affected. He also stated that once vegetation grows in the pergola would not seem so enormous. Boardmember Doyle also suggested maybe pulling the deck back so that it does not seem to loom over the Fletcher's property. He said that he really did not have any issues with the roof deck.

Boardmember Bird noted that she thinks the landscape plan is beautiful and applauded the applicant for addressing the tree concerns. She said that she had no issue with the pergola as it will have greenery around it and also noted that the responsibility for screening falls on both neighbors. Boardmember Bird stated that the roof deck would be hidden, but looks like a blot on the silhouette of the house. She noted that a floor area exception is being requested, and the deck would add mass to the house. Boardmember Bird also noted that it is important to consider the life of the deck, for example, heat lamps and people walking around.

**M/S Beales/Bird (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, with the revised plans and the additional condition of approval requiring that the roof deck be eliminated.**

Chair O'Donnell returned to the meeting.

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

##### **4. 124 LELAND WAY RICHARDS, ADDITIONS/VARIANCE**

The applicant is requesting Design Review approval to construct additions to an existing single-family dwelling located at 124 Leland Way. The addition would consist of a one-story structure to be extended from the front and rear of the existing residence. The proposed structure would extend 6 feet into the required front yard setback (14 feet in lieu of the minimum 20 feet), therefore a variance for reduced front yard setback is required.

Ray Welter, project designer, discussed the project.

Boardmember Beales asked if a new skylight would be added. Mr. Welter responded that two new skylights would be added.

There was no public comment.

Boardmember Bird noted that the project design was a very nice improvement and takes into account that this is a neighborhood that likes to keep homes one-story.

Boardmember Doyle noted that the design fits in well, is modest and looks very nice.

Boardmember Beales agreed with Boardmember Doyle and supported the project.

**M/S, Bird/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, with the additional condition of approval requiring that all skylights be tinted and have no lights installed in the wells.**

**5. 747 TIBURON BOULEVARD SWEENEY, FENCE/VARIANCE**

Construction of a new single-family dwelling has recently been completed on property located at 747 Tiburon Boulevard. A fence with a maximum height of 9 feet was constructed at that time. As the maximum fence height within the required side yard setback is 6 feet, a variance is requested to legalize the as-built construction of a fence and wall of excess height.

John Sweeny, owner discussed the project. Mr. Sweeny noted that the fence is actually eight feet tall instead of nine feet.

Boardmember Beales asked if original fence height was over six feet and Mr. Sweeny explained that the lot was graded down four feet.

Chair O'Donnell asked if the garage was excavated and Mr. Sweeny replied yes.

Ann Seabury, neighbor on the other side of the fence, asked the Design Review Board to please grant the variance and noted that if the variance is not granted the applicant would be able to see into her bathroom.

Boardmember Bird stated that the fence is doing what it is supposed to do.

**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.**

**6. 2288 SPANISH TRAIL PEARCE, ADDITIONS/VARIANCES**

The application was continued until the March 16, 2006 Design Review Board meeting.

**7. 33 TERRACE COURT YODER, ADDITIONS/VARIANCES**

Boardmember Beales recused himself.

The applicant is requesting Design Review approval to construct additions to an existing single-family dwelling located at 33 Terrace Court. The same proposal was approved in 2001 and has since expired. The addition would consist of a one-story structure to be extended from the rear of the existing residence. The proposed additions would increase the lot coverage by 289 square feet to 2,696 square feet (26%), which exceeds the maximum permitted lot coverage in the RO-2 zoning district; therefore a variance for excess lot coverage is requested (26% in lieu of the allowed 15%). A variance is also requested for reduced rear yard setback.

Malo Winkel, architect, discussed the project. She noted that the project was approved in 2001 and slight modifications have been made to original plan.

There was no public comment.

Boardmember Bird stated that the project was fine before and nothing has been done to make it less approvable. She felt that the addition would not affect anyone.

Boardmember Doyle stated that this was a nice project that had already been approved.

**M/S, Bird/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.**

Boardmember Beales returned to the meeting.

**F. APPROVAL OF MINUTES #3 OF THE 2/16/06 DESIGN REVIEW BOARD MEETING**

Amendments include:

Page 2, 2<sup>nd</sup> Paragraph, second to last sentence, change “hit” to “hipped.”

Page 2, 7<sup>th</sup> Paragraph, 1<sup>st</sup> line, change “yard” to “second floor.”

**M/S, Beales/Bird (passed 2-0-2, O’Donnell and Bird recused) to approve the minutes as amended.**

**G. ADJOURNMENT**

The meeting was adjourned at 9:00 p.m.