

**ACTION MINUTES #17**

**TIBURON DESIGN REVIEW BOARD  
THURSDAY, OCTOBER 5, 2006  
1505 TIBURON BOULEVARD**

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- A. ROLL CALL: Present:** Chair Bird, Boardmembers Beales, Frymier and Teiser  
**Absent:** Boardmember Doyle  
**Ex-Officio:** Planning Manager Watrous, Associate Planner Tyler, Assistant Planner Phillips and Minutes Clerk Ashworth
- B. PUBLIC COMMENTS (FOR ITEMS NOT ON THE AGENDA)**
- C. STAFF BRIEFING**
- D. CONSENT CALENDAR**
1. 43 Main Street      Corinthian Yacht Club      Sign **APPROVED**
- E. OLD BUSINESS BEFORE THE BOARD**
2. 8 Acela Drive      Ollendorff      New Dwelling/Variations/Floor Area Exception  
**APPROVED**
3. 71 East View Avenue James      Additions/Variations/Floor Area Exception  
**APPROVED**
- F. NEW BUSINESS BEFORE THE BOARD**
4. 5 Rolling Hills Road      Western Liability Insurance      Additions/Variance/Floor Area Exception  
**CONTINUED TO 11/16/06**
5. 170 Hacienda Drive      Vogelheim/Hansen      Pool/Variance **APPROVED**
6. 4 Heathcliff Drive      Cullen      Additions/Variance **APPROVED**
7. 280 Round Hill Road      Anolik      Addition/Variations/Floor Area Exception  
**APPROVED**
8. 2131 Vistazo East      O'Donovan      New Dwelling/Variance  
**CONTINUED TO 11/2/06**
9. 1885 Mountain View      O'Donnell      New Dwelling/Variations/Floor Area Exception  
**CONTINUED TO 10/19/06**
- G. MINUTES OF THE 9/7/06 D.R.B. MEETING – APPROVED AS WRITTEN**
- H. MINUTES OF THE 9/21/06 D.R.B. MEETING - APPROVED AS AMENDED**
- I. ADJOURNMENT - 9:15 PM**

**APPROVED MINUTES #17  
TIBURON DESIGN REVIEW BOARD  
MEETING OF OCTOBER 5, 2006**

The meeting was opened at 7:00 p.m. by Chair Bird

**A. ROLL CALL**

**Present:** Chair Bird, Boardmembers Frymier, Beales, and Teiser  
**Absent:** Boardmember Doyle  
**Ex-Officio:** Planning Manager Watrous, Associate Planner Tyler, Assistant Planner Phillips and Minutes Clerk Ashworth

**B. PUBLIC COMMENTS**

There were none.

**C. STAFF BRIEFING**

Planning Manager Watrous announced that the project for 5 Rolling Hills Road has been continued to the December 7, 2006 meeting, and the project for 1885 Mountain View Drive has been continued to October 19, 2006 meeting. He introduced the new Town Manager, Peggy Curran, who was visiting this Board meeting tonight.

**D. CONSENT CALENDAR**

**1. 43 MAIN STREET CORINTHIAN YACHT CLUB, SIGN**

On August 3, 2006, the Design Review Board reviewed an application and considered public testimony for a sign for the Corinthian Yacht Club, located at 43 Main Street in downtown Tiburon. The applicant had proposed an arched entry sign for the purpose of identifying the Corinthian Yacht Club. The Board continued the application to the October 5, 2006 meeting to allow the applicant time to address concerns raised by the owner of 55 Main Street about view blockage and issues related to the size and usefulness of the sign. The applicant has now submitted revised drawings, which indicate a wood banner sign attached to an existing light post, which would be attached to the existing arm control box at the entrance to the club. The sign would be in the shape of a sail from a sailboat, which would compliment the theme of the Corinthian Yacht Club. No illumination is proposed.

Andre Klein, Club Captain, described the revised sign design. He stated that the proposed sign would be in the shape of a sail and much smaller.

Mary Sutcliffe stated that she believed that the sign would block views of the bay from the office building at 55 Main Street. She characterized the sign as a vanity sign, and stated that there are too many signs at the Yacht Club. She questioned the accuracy of the plans and suggested placing the sign on a pedestal that is already there where it would not harm anyone's views.

Mr. Klein stated that the club would be willing to remove some of the other signs if they are a problem. He stated that the club holds quite a few public functions, and that this sign would assist people find the club.

Boardmember Frymier stated that the area around the club entrance is already cluttered, and that adding this sign would create more clutter. She agreed that a sign is needed, but felt that this sign would not be that visible from Main Street and therefore this sign would not serve the club's purpose. She suggested perhaps eliminating some of the existing signs and mounting the sign on the entry gate. She also recommended consulting with the neighboring property owners.

Boardmember Beales stated that he visited the office at 55 Main Street. He said that from the conference room, the sign would block the left side of a view of Angel Island. He stated that the sign would not have a serious view impact as currently proposed. He stated that he spoke to Mr. Goldman before the August 3 meeting and asked if the sign could be mounted on his building and Mr. Goldman refused. Boardmember Beales stated that this was a reasonable application which would be less massive than the previously requested sign.

Chair Bird stated she liked the sign and felt that the sail shape helps represent the Yacht Club. She stated that the sign was tastefully done and smaller than before. She noted that the view out the windows from 55 Main Street is cluttered anyway, and the sign would be consistent with its surroundings.

Boardmember Teiser agreed that the sign is very attractive and an improvement over the previous sign. He characterized the sign as a vanity sign which does not achieve the club's stated purpose, but he had no problem with the sign. He stated that the sign would not be in the main view from the conference room or lobby of the adjacent office building.

**M/S Boardmember Teiser/Beales (passed 3-1, Boardmember Frymier dissenting) to determine that this project is exempt from the provisions of CEQA and approve the application subject to the conditions of approval as set forth in the Staff report.**

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

##### **2. 8 ACELA DRIVE OLLENDORFF, NEW DWELLING/VARIANCES/ FLOOR AREA EXCEPTION**

On August 17, 2006 the Design Review Board reviewed an application and took public testimony for construction of a new single-family dwelling, with variances for reduced front yard setback and excess lot coverage, and a floor area exception, located at 8 Acela Drive. The Board and several neighboring property owners raised issues regarding potential view impacts that would be caused by the house design. The application was continued to allow the applicant to address these issues. The applicant has now submitted revised drawings for the project. The proposed floor plan layout has not changed extensively from the previous submittal. The structure proposed would create a lot coverage of 3,767 square feet (20.5%) which is 5.5% over the maximum permitted lot coverage in the RO-2 zoning district (15%). The proposed structure would create a gross floor area of 4,679 square feet, which is 842 square feet over the maximum permitted floor area coverage and a 160 square foot reduction in floor area, from the previous submittal. The applicant is again requesting a variance for excess lot coverage and a floor area exception, along with a variance for

reduced front yard setback.

Ron Sutton, architect, described the changes made to the house design, including lowering the roof, eliminating chimneys, reducing the size of decks and revising the landscaping. He stated that about 10-15% of the mass of the house has been eliminated. He stated that the applicant has worked with the neighbors to alter the design they have received no objections.

Jim Dietz commented that even though this proposal would come a little closer to his house, he believes that it would enhance their neighborhood and he supports the project.

Boardmember Beales noted that previously two homes on Bartel Court had objected to the project, but the revised story poles cannot be seen from either home. He added that the previous view issues have been eliminated.

Boardmember Teiser stated that the previous house design was beautiful, and the house design was more beautiful now. He complimented the owner and architect for being responsive to the neighbors' concerns. He stated that he visited the homes on Bartel Court and there are no issues from there, and there would no longer be any impact on the home at 2 Audrey Court.

Boardmember Frymier stated that she supported the project as it is redesigned. She stated that the architect had done a fantastic job with the changes and believed that the problems with the massiveness of the structure had been solved.

Chair Bird stated that this will be a beautiful house and commended the architect and applicant for their work with the changes.

Planning Manager Watrous asked the Board to address the need for findings for the requested front yard setback variance. Chair Bird stated that the house is situated at the corner of a corner lot amid rock outcrops and would not impact any neighbors. Boardmember Beales added that the combination of a lot coverage variance and a floor area exception are modest. Boardmember Teiser noted that the Board had granted similar exceptions in the area, adding that this is a restrictive lot and that only a corner of the roof would encroach into only a corner of the setback.

**M/S Boardmember Beales/Teiser (passed 4-0) to determine that the project be 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. 71 EAST VIEW AVENUE JAMES, ADDITIONS/VARIANCES/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 71 East View Avenue. Variances are requested for reduced front and rear yard setbacks, excess lot coverage and excess building height, along with a floor area exception. The application was continued from the September 21 meeting due to issues with the noticing of the application.

Mohamad Sadrieh, architect, stated that the applicant had met with the downhill neighbor and had entered into

an agreement to eliminate a portion of the addition to the rear of the house and replace it with smaller additions closer to the bulk of the house. He submitted revised plans indicating these changes. In addition, he noted that two of the rear columns would be eliminated.

Joan Lombardo stated that she and the applicant have reached a compromise. She noted that there would still be some encroachment into the setback, but in the spirit of moving forward, she agreed to the changes.

Boardmember Teiser stated that this project would be an improvement to the appearance of the house. He stated that the additions would be fairly modest and the modifications had addressed the issue of closeness to the neighbors. He noted that the lots on Corinthian Island are very small and the project would be consistent with other properties in the neighborhood.

Boardmember Beales stated that the issue with the neighbor had been resolved, so he could support the project.

Chair Bird stated that she was happy to see changes made to the project to affect a compromise.

Boardmember Frymier stated that she feels comfortable supporting the project having seen the property, and felt that the design is not over the top.

**Boardmember M/S Teiser/Beales (passed 4-0) to determine that the project be 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 that changes to the room additions be approved as shown on plans submitted at the meeting, and that the two leftmost rear columns be eliminated.**

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

#### **4. 5 ROLLING HILLS ROAD WESTERN LIABILITY INSURANCE, ADDITIONS/VARIANCE/FLOOR AREA EXCEPTION – CONTINUED TO 11/16/06**

#### **5. 170 HACIENDA DRIVE VOGELHEIM/HANSEN, POOL/VARIANCE**

The applicant has submitted a request for Site Plan and Architectural Review for improvements to the property at 170 Hacienda Drive. The subject property is developed with a single-family dwelling. The proposed additions include renovation of the existing landscaping, addition of a trellis, patio, retaining walls, swimming pool and spa as part of this application. The proposed swimming pool would be located within 6 feet of the front property line, necessitating a variance for reduced front yard setback.

Brent McPherson, landscape architect described the project and stated that none of the improvements would be visible to the neighbors. He noted that many of nearby properties have been granted variances for reduced front yard setbacks.

Boardmember Frymier stated that this is a beautiful property. She stated that it would be a hardship to develop the rear yard and the pool would not encroach into the appearance of the front yard.

Boardmember Beales stated that there is no alternative location for the pool given the hillside on the lot. He said that the pool would have no impact on neighbors and would be barely visible through the trees.

Boardmember Teiser stated that this is a spectacular property and that the roadway is elevated way above the pool, limiting its visibility.

Chair Bird stated that this is a very private and secluded property and the pool would be situated at a secluded portion of the lot.

**M/S Boardmember Teiser/Frymier (passed 4-0) to determine that the project be 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. 4 HEATHCLIFF DRIVE CULLEN, ADDITIONS/VARIANCE**

The applicant is requesting Design Review approval to construct additions to an existing two-story single-family dwelling located at 4 Heathcliff Drive. A new great room would be added to the first level of the house, along with an addition to the front of the building, which includes an exercise room, master bedroom closet, study and expanded stairway. A new bathroom and several small bedroom additions would be constructed on the second level. A new basement level would be added, which would include a family room and bathroom. Several existing skylights would be removed and replaced with three new skylights. Several areas of the existing roofline would be converted from pitched roofs, slightly increasing the overall height of the existing house. A variance is requested for excess lot coverage.

Nick Cullen, owner, presented the project design. He stated that he had met with his neighbors, most of whom supported the project. He acknowledged that one neighbor had a concern with privacy issues from a proposed kitchen window on the west elevation, so they have agreed to remove that window. He stated that one of their objectives was to make the rear yard more accessible to the house. He said that he had obtained a copy of Hillside Design Guidelines and hoped that his design adhered to the spirit of that document.

Boardmember Beales stated that he visited the property and the neighbors appear to be happy with the revised proposal.

Boardmember Teiser stated that this is a minor variance request and a beautiful design that is sensitive to its surroundings.

Boardmember Frymier commends the applicant for working with their neighbors. She said that the variance was not an issue and felt that the applicant had done a fabulous job of integrating the house with its environment.

Chair Boardmember Bird complimented how the house responds to the site and felt that this would be a wonderful addition to the neighborhood.

**M/S Boardmembers Frymier/Teiser (passed 4-0) to determine that the project be 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 that the northeastern kitchen window on the west elevation be removed.**

**6. 280 ROUND HILL ROAD ANOLIK, ADDITIONS/VARIANCE/FLOOR AREA EXCEPTION**

The applicant is requesting Design Review approval for the construction of additions to an existing single-family dwelling located at 280 Round Hill Road. The addition would include a new master bathroom and extending the master bedroom on the northeast corner of the upper level of the existing house. A variance is requested for reduced side yard setback.

Michael Heckmann, architect, presented the project design. He stated that the intent of the addition is to upgrade an older home and construct an addition in proportion to the rest of the house. He noted that the house is skewed on the lot, so the addition would need a variance for a minor encroachment into the side yard.

Len Yaffee stated that he and his wife believe this design is beautiful. He said that his concerns are for his view corridor and ultimate privacy. He stated that trees on the site have grown significantly higher and are now hampering their view. He added that he did not want the proposed addition to create a potential privacy problem that could only be solved by letting the trees keep growing. Chair Bird stated that the Board does not rule on view ordinance issues related to trees.

Alexander Anolik, owner, responded that the bathroom in the house is 40 years old and badly in need of remodeling. He stated that he would be glad to trim the eucalyptus trees.

Boardmember Beales stated that he visited the Yaffees' home and their tree concerns are not an issue. He felt that there would be a practical difficulty in complying with the required setback and it would be illogical to modify the project design.

Boardmember Frymier agreed with Boardmember Beales that there would be a hardship to change the project design.

Chair Bird stated that the variance is reasonable. She stated that the addition would be in keeping with the rest of the house. She added that she hoped that the neighbors can work something out about the trees.

**M/S Boardmembers Beales/Frymier (passed 4-0) to determine that the project be 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. 2131 VISTAZO EAST O'DONOVAN, NEW DWELLING/VARIANCE**

The applicant has submitted a request for construction of a new single-family dwelling, located at 2131 Vistazo East. The project as proposed would demolish the existing structure over a partial basement down to the sub-floor. The proposed house would close off the garage at the basement level, and create two outside

parking spaces at the top of the driveway. The upper level would be constructed in a more functional manner, with two bedrooms, one bathroom adjoining each bedroom, a kitchen and a great room. Decking would surround the home at the upper level, with three access points off the great room. The laundry room would be relocated to the upper level as a small closet, so that interior stairs are not needed to access the lower level. The roof would be pitched, instead of flat, which would result in a higher roof. Additionally, two skylights are proposed on the east side of the structure, located over the kitchen/great room. A variance is requested for a reduced side yard setback for the right side (east) of the property.

Mary O'Donovan, owner, presented the project. She stated that the intent of the design was to create a little Japanese house that would blend into the landscape. She said that the original goal was to maintain the size of the home, but it has been expanded by 284 square feet in this design. She stated that she had communicated with the neighbors to make sure that they would not be impacted. She believed that her architect had designed the roofline so that it would not intrude into the neighbors' views.

Thayer Hopkins, architect, further explained the design of the house, expanding on the rationale for the Japanese influence in the house design. In response to questions from the Board, he stated that the roof design would result in higher ceilings in the living room and attic space toward the rear of the house.

Jerry Reynolds, speaking for his mother, Katherine Halpern, stated that their only issue was with the height of the roofline. He stated that they would lose their view of Corinthian Cove with the increased roof height proposed and suggested that the roof height be decreased by half. He stated that he and his mother had no other objections to the house.

Fani Hansen stated that she and her sister also objected to the roof height, stating that the roof would block part of their water view from their home on Ridge Road. She submitted a photo indicating the view of the story poles.

Angela Danadjieva stated that the trees on the site were also interfering with her view. Chair Bird reminded her that the Board could not rule on issues related to the view ordinance.

Ms. O'Donovan stated that she had designed this house after looking at the designs of the homes around her. She understood that views were important, but noted that every home in the vicinity blocks some portion of the views for other homes. She said that she had read the Hillside Design Guidelines and felt that people should have the right to build their homes unless it would result in a substantial view impact on the neighbors. She believed that the neighbors' view concerns were not justified, as the house would affect only a small portion of their view.

Boardmember Teiser stated that the house on Ridge Road is not severely impacted by this house, as you have to walk out to the edge of their patio just to see the story poles. He stated that the neighboring house at 2151 Vistazo East could be impacted, but he was unable to visit that home.

Boardmember Beales stated that the photo submitted from Ridge Road is misleading, and the house would not block their views. He stated that he visited the house at 2151 Vistazo East, and a portion of their views on the periphery would be impacted. He felt that the 6:12 roofline pitch was somewhat steep and could easily be changed without significantly hurting the applicant.

Boardmember Frymier agreed that the roof slope should be lowered. She said that the proposed house would be an enormous improvement, but she had a hard time approving a house that would block views if the roof could be lowered.

Chair Bird disagreed with her fellow Boardmembers, stating that this was a completely reasonable house on a half acre lot that could have been developed with a substantially larger house. She stated that the house at 2151 Vistazo East has extensive views and that the roof of the proposed house would intrude into a tiny portion of one part of their view. She felt that the view impact would not be an unreasonable view blockage on a panoramic view from this neighboring home. She felt that the neighbors on Ridge Road were trying to punish the applicant for the past sins of previous property owners regarding tree growth. She said that she could support the application as submitted.

Boardmember Teiser stated that the house would take out some of the water view from 2151 Vistazo East, and felt that it is not unreasonable to require a lower roof slope when the function of the house and its interior would not be affected.

In response to questions from the Board, Ms. O'Donovan stated that she was unwilling to lower the roof of the house, as she felt that it was unnecessary given the minimal impact on the neighbors' views and the character of the homes in the surrounding neighborhood.

The Board discussed whether it would be appropriate to continue, deny or conditionally approve the application. Planning Manager Watrous stated that it would not be appropriate to deny the application, as the consensus of the Board seemed to be that the general design of the house was acceptable. He recommended either continuing the application to allow the applicant time to consider options or approving the application with a condition of approval requiring that the roof height be lowered.

Mr. Hopkins pointed out that the lowering of the roof would take away the "Japanese" styling, which the owner wishes to achieve.

**M/S Boardmembers Beales/Teiser (passed 4-0) to continue the application to the November 2, 2006 meeting.**

#### **G. APPROVAL OF MINUTES OF THE 9/7/06 MEETING**

**M/S, Beales/Teiser (passed 4-0) to approve the minutes as written.**

#### **H. APPROVAL OF MINUTES OF THE 9/21/06 MEETING**

Amendments include:

Page 4, 6<sup>th</sup> paragraph, 3rd line, change to "...the garage have ~~not~~ created..."

Page 7, 6<sup>th</sup> paragraph, 3rd line, change to "...a hardship *not to* have additional garage spaces, even though..."

M/S, Beales/Teiser (passed 4-0) to approve the minutes as amended

**G. ADJOURNMENT:** The meeting was adjourned at 9:15 p.m.