

**ACTION MINUTES #1**

**TIBURON DESIGN REVIEW BOARD  
THURSDAY, JANUARY 18, 2007  
1505 TIBURON BOULEVARD**

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- A. ROLL CALL: Present:** Chair Doyle, Boardmembers Beales, Frymier and Teiser  
**Absent:** None  
**Ex-Officio:** Planning Manager Watrous, Associate Planner Tyler,  
Assistant Planner Phillips and Minutes Clerk Hennessy
- B. PUBLIC COMMENTS (FOR ITEMS NOT ON THE AGENDA)**
- C. STAFF BRIEFING**
- D. ELECTION OF VICE-CHAIR – BOARDMEMBER FRYMIER ELECTED VICE-CHAIR**
- E. NEW BUSINESS BEFORE THE BOARD**
1. 4 Bartel Court      Konstin      New Dwelling/Floor Area Exception **APPROVED**
  2. 26 Redding Court      Birer      Additions/Variance **APPROVED**
- F. MINUTES OF THE 12/7/06 D.R.B. MEETING - APPROVED AS AMENDED**
- G. ADJOURNMENT - 8:00 PM**

**APPROVED MINUTES #1  
TIBURON DESIGN REVIEW BOARD  
MEETING OF JANUARY 18, 2007**

The meeting was opened at 7:00 P.M. by Chair Doyle.

**A. ROLL CALL**

**Present:** Chair Doyle, Boardmembers Beales, Frymier and Teiser  
**Absent:** None  
**Ex-Officio:** Planning Manager Watrous, Assistant Planner Phillips, Associate Planner Tyler and Minutes Clerk Hennessy

**B. PUBLIC COMMENTS**

There were none.

## **C. STAFF BRIEFING**

Planning Manager Watrous stated that the Town Council has begun advertising for one current vacancy and one future vacancy on the Board and hopes to have appointments next month.

## **D. ELECTION OF VICE-CHAIR**

**M/S, Teiser/Beales (passed 4-0) to elect Cathy Frymier as Vice-Chair.**

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

### **1. 4 BARTEL COURT KONSTIN, NEW DWELLING/FLOOR AREA EXCEPTION**

The request is to demolish over 50% of the existing single family dwelling; maintain a two story structure; convert 1,171 square feet of the existing under floor area into additional living space; and the façade would remain cedar shingle siding, off-white trim and composition shingle roofing. The proposed changes would increase the lot coverage to 27% which is over the maximum permitted lot coverage in the RO-2 zoning district (15%), and the gross floor area of 4,824 square feet, which exceeds the maximum permitted floor area for a parcel of this size (3,653 sq.ft.) so a floor area exception has been requested.

Merle Avilla, architect, stated that he met with the neighbors and has revised the previously submitted drawings.

The Chair opened the public hearing.

Donald Baum commended the applicant and architect for listening to their comments. He asked that the boards of the redwood fence face their property. He expressed concern about lighting from garage and questioned privacy from their house to the proposed additions. He also requested that the footing for the retaining wall be located on the applicant's property and not on the property line.

Elona Baum asked if there is a regulation on the height of vegetation and asked that it not exceed height of the house.

Gary Balcerak, landscape architect, stated he was available to answer questions.

Mr. Avilla stated that the applicant was willing to remove the window in the door on the side of the garage.

The Chair closed the public hearing.

Boardmember Frymier stated she thought it was a beautiful structure and was impressed with the willingness of the applicant to make changes. She said that she did not have a problem with the exception requested because the lot is difficult to build on and noted that they could have built a much more massive structure.

Boardmember Beales supported the application, noting that the previous design would have resulted in a battle. He said that he had no problem with the side garage window, as the neighbor looks over this house and not down.

Boardmember Teiser stated he too supported the application and could make the findings for the exception. He noted that the applicant is willing to accommodate the neighbors. He suggested limiting the height of the uphill vegetation to the height of the home.

Chair Doyle agreed with his colleagues, adding that the project would work well and would fit in with the neighborhood.

**M/S, Teiser/Beales (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 condition of approval that plantings on the uphill side of the house be limited to those with growth characteristics that would not exceed the height of the house.**

## **2. 26 REDDING COURT BIRER, ADDITIONS/VARIANCE**

The application has been made for construction and reconfiguration of a new cantilevered deck and exterior stairs to an existing single-family dwelling with a replacement of a window in the kitchen and relocation of an existing fence along the property line. A variance is requested for reduced rear yard setback.

Michael Heckman, architect, explained a recent survey indicated the deck on the north side of the property is 1/18 inch over the property line and the fence also extends into the neighbor's property. The applicant proposed removing that portion of the deck which is encroaching on the neighbor's property and moving the fence. They also proposed to widen the stairs. Mr. Heckman stated they wanted to do whatever they can to make sure the shrubs and mature trees are protected.

Steven Birer stressed the beautiful views off the master bedroom and their desire to utilize the new deck area.

The Chair opened the public hearing.

Bert Gershbein stated the two houses are very close to each other and the proposed deck addition would face their living area. He said that his family can hear conversations from the deck and the irrigation system going on at 6 a.m. He requested that they build their own fence on their side of the property line.

Catherine Gershbein emphasized how close the houses are situated and shared photographs with the Board. She expressed concerns about privacy and objected to the addition of the deck extension, noting that her master bedroom had a bay window and the extension would bring the deck closer to it. She thanked Assistant Planner Phillips for helping her understanding the design review process.

Mr. Heckman stated if landscaping is necessary it will be incorporated to make sure that both houses have privacy. In response to the Chair, Mr. Heckman stated if they moved the deck extension down to the left, it would not be accessible from the master bedroom.

The Chair closed the public hearing.

Boardmember Teiser stated that he visited both properties and found it hard to see the neighbors' master bedroom from the deck. He thought this was a modest deck extension which was a tradeoff for removing the deck encroachment which was closer to the neighbors, and thought the change to the stairs was a practical issue. He said that it was unfortunate that the houses are very close, but he felt that the neighbors are getting an improvement to what is there.

Boardmember Beales noted that there is an extensive amount of existing amount of foliage between the two homes and the deck would still be some distance away from the other dwelling.

Boardmember Frymier thought that the application was a good compromise and she had no objections to the new deck.

Chair Doyle stated that he liked getting the property line issue squared away. He agreed that the decks would not be used that often, but he also understood the privacy concerns of the neighbor.

**M/S, Beales/Frymier (passed 3-1, Doyle dissenting) 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.**

**F. APPROVAL OF MINUTES #21 OF THE 12/7/06 DESIGN REVIEW BOARD MEETING**

Boardmember Beales requested that there should be a sentence on page 2 indicating that the branch manager for Tamalpais Bank agreed to a timer on their sign in response to a suggestion from the Board.

**M/S, Frymier/Beales (passed 3-0-1, Teiser abstain) to approve the minutes of the December 7, 2006 meeting as amended.**

**G. ADJOURNMENT**

The meeting was adjourned at 8:00 p.m.