

ACTION MINUTES #2

**TIBURON DESIGN REVIEW BOARD
THURSDAY, FEBRUARY 1, 2007
1505 TIBURON BOULEVARD**

- 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. OLD BUSINESS BEFORE THE BOARD**
1. 1896 Mountain View Beaudan/Kawawa New Dwelling/Variance **APPROVED**
- E. NEW BUSINESS BEFORE THE BOARD**
2. 14 Sutter Court Singh/Dab Additions/Appeal **PARTIALLY GRANTED**
3. 4639 Paradise Drive Rhodes Additions **APPROVED**
4. 116 Hacienda Drive Maier Additions/Var./Floor Area Exception **CONTINUED TO 3/1/07**
5. 34 Mercury Avenue Parche New Dwelling **APPROVED**
- F. MINUTES OF THE 1/18/07 D.R.B. MEETING - APPROVED AS AMENDED**
- G. ADJOURNMENT - 8:35 PM**

**MINUTES #2
TIBURON DESIGN REVIEW BOARD
MEETING OF FEBRUARY 1, 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, Associate Planner Tyler, Assistant Planner Phillips and Minutes Clerk Hennessy

B. PUBLIC COMMENTS

There were none.

C. STAFF BRIEFING

There was none.

D. OLD BUSINESS

1. 1896 MOUNTAIN VIEW DRIVE BEAUDAN/KAWAWA, NEW DWELLING/VARIANCE

On December 7, 2006 the Design Review Board reviewed a proposal and took public testimony for construction of a new single-family dwelling with variances for reduced rear yard setback and excess lot coverage, and a floor area exception for the property located at 1896 Mountain View Drive. The Board determined that the proposed home should be redesigned so that it would not result in any privacy impacts for the downhill neighbors, and not be located within any of the setbacks. The Board could not make the findings for a hardship for the requested setback variance, and felt that not every room in the home was entitled to a “view”. In addition, it was determined that the proposed rooftop deck would cause potential view obstructions and noise impacts for the uphill neighbors, and should be eliminated from the proposal. The application was continued to allow the applicant time to address these concerns. Revised plans have now been submitted which still require a variance for excess lot coverage.

Mohamad Sadrieh, architect, stated after the last Board meeting and meetings with the neighbors, his clients agreed to reduce square footage, relocate the house, remove the large deck, reduce the second story and redesign the interior layout of the house.

The Chair opened the public hearing.

John Posin, downhill neighbor, stated the applicant and architect did a phenomenal job of addressing their concerns, and asked staff to address a few of his questions in a previously submitted letter. He said that he is now a strong supporter of the current proposal.

Arnold Pierce stated that he and his neighbors had reviewed the revised plans and all believe it is a very attractive house and had no objections. They felt it would be an asset to their community.

Emmett O’Donnell stated that he is also very supportive of the proposal, adding that the applicant has been very solicitous and helpful.

Rolf Eiselin echoed his neighbors’ opinions, stating that he is also very supportive of the proposal.

The Chair closed the public hearing.

Boardmember Beales commended the architect and applicant for coming up with a satisfactory solution. He stated that the downhill neighbor misunderstood the railing and wanted to make sure that the roof will not be converted to a deck. He noted that any landscaping damaged during construction would be replaced.

Boardmember Teiser noted that he was not at the previous meeting, but it looks like all the issues have been resolved and the neighbors support the project as redesigned.

Boardmember Frymier stated she thought the applicant and architect went overboard on doing what was asked and she complimented them for listening to and addressing the neighbors' concerns.

Chairman Doyle noted that he did not have that many objections to the last design and the changes have only made the project better.

M/S, Beales/Frymier (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 and amendments reflected on the plans presented February 1, 2007

E. NEW BUSINESS BEFORE THE BOARD

2. 14 SUTTER COURT SINGH/DAB, ADDITIONS/APPEAL

An application for Staff-level Site Plan and Architectural Review has been approved to construct additions to an existing single-family dwelling on property located at 14 Sutter Court. The application included a new master bedroom deck with sliding glass doors above the lower floor addition and the reconstruction of an existing rear deck. The neighboring property owners at 20 Sutter Court have appealed the approval of the deck and sliding glass doors for this project.

Susan Dab, appellant, stated that the proposed new deck would bring the neighbors' outdoor living space close to theirs. She said that all other decks in the neighborhood are screened from the neighbors. She asked that the new deck be denied.

Daniel Del Rio, representing Satpal Singh, applicant, stated that he did not think the deck protruded into the neighbors privacy. He said that the applicant wanted to create a modern deck with railings and that there was never an intention of invading anyone's privacy. He stated that they may wish to request an extension of the other deck at some point.

Mr. Singh suggested the neighbors install trees to preserve privacy. In response to Boardmember Beales, Mr. Singh stated that the new deck would be outside the master bedroom, and there is currently no access from the master bedroom to the existing deck.

Boardmember Teiser stated the staff report states the new deck would not be used very much. Planning Manager Watrous noted that decks off bedrooms are generally not used as often as decks off living rooms or other primary living areas.

The Chair opened the public hearing.

David Joyner stated that although the new deck would not impact him directly, having lived in the area 5-6

years, he knew that the slope of the property would allow the Sings to look down onto the Dabs' property from the new deck. Mr. Joyner also expressed frustration with the Town's process because he got a notice for this application just before Christmas and then Town offices were closed for a period of time. He asked the Town to look at its timeline for applications during the holidays.

The Chair closed the public hearing.

Boardmember Teiser stated that he was unsure why the extension of the existing deck was denied by the Planning Division. Planning Manager Watrous responded that the extension of the deck was not part of the original plans or described in the application, but the applicant can request that at another time.

Boardmember Teiser stated that he did not think that the new deck was necessary, as it would impinge on the neighbors' privacy and would not enhance the applicant's property. He said that he would rather see them revise the application to enlarge the existing deck, and suggested changing the existing bedroom window facing the deck to a sliding glass door to create access from the master bedroom. He stated that he supported the appeal.

Boardmember Beales agreed with Boardmember Teiser's comments, adding that he did not see any purpose for the deck over the extension, as it would look right down on the neighbors. He noted that the applicants have a large deck already, and the extension of the deck is not up for consideration at this time. He said that he could find no basis for the new deck.

Boardmember Frymier stated that she supported the appeal and did not see why the applicant did not work with their neighbors.

Chair Doyle stated that the new deck did not make sense from an architectural point of view. He agreed that it would be easier to install a sliding glass door from the master bedroom onto the existing deck.

M/S, Beales/Frymier (passed 4-0) to direct staff to prepare a resolution partially granting the appeal to deny the new rooftop deck and sliding glass door from the master bedroom.

3. 4639 PARADISE DRIVE RHODES, ADDITIONS

An application has been submitted to request construction of additions to an existing single-family dwelling, located at 4639 Paradise Drive. The project as proposed would convert the existing garage into a game room and construct a new three car garage at the lower level. The major addition would be located above the new garage, in which a new master bedroom and bathroom would be constructed, as well as an extra bedroom and additional decking.

Jeff Pedersen, architect, described the proposed project.

The Chair opened the public hearing. There being no comments, the Chair closed the public hearing.

Boardmember Frymier stated she visited the property and the neighbors had no objections to the project. She noted that one of the neighbors wanted to save a tree and the applicant had agreed to do so, and another neighbor had asked that the fence not be located along the road.

Boardmember Teiser stated he thought it was a great design on a secluded property that would not impact the neighbors.

Boardmember Beales stated that he visited the uphill neighbor who had no problem with the project.

M/S, Frymier/Teiser (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.

4. 116 HACIENDA DRIVE MAIER, ADDITIONS/VARIANCE/FLOOR AREA EXCEPTION

An application has been submitted to request construction of additions to an existing single-family dwelling located at 116 Hacienda Drive. The application consists of a proposed new upper story; small additions would also be made to the main floor of the house, including and expanded entry and foyer, bay windows to be added to three bedrooms and the rear family room, and a new deck and fireplace for the front family room. A variance is requested for excess lot coverage, along with a floor area exception.

Greg Johnson, architect, noted that he tried to minimize the roof volume and the addition would only be 8 feet higher than the existing house. He said that the adjacent properties have primary views in the opposite direction from the addition and an existing hedge also helps screen the property. In response to Boardmember Beales, Mr. Johnson stated that the downhill neighbors asked them to put up a line representing a possible screening hedge and they had agreed to install screening. He answered questions from the Board regarding the articulated roofline.

The Chair opened the public hearing.

Janella Maggette, representing the Spatz family, stated that they submitted a letter in the afternoon asking the applicant to reduce the size of the addition, noting that it would result in a home bigger than the Spatz house, which is on a larger lot. She stated the Spatz's have a secondary view of Mt. Tam from their office and noted there is a window in the proposed master bedroom which they felt would look into their master bedroom. Ms. Maggette emphasized they were not objecting to the concept of a second story addition but asked it be reduced in size and moved forward towards the street to protect their view.

Carol Breen felt the proposal would have a negative impact on her property and make them feel overwhelmed. She suspected if the top of their house can be seen, then they could see into their house. She said that the Spatz addition had such a negative impact, and asked the Board to look at this request seriously. She stated she thought the plan was lovely, but if granted would affect her privacy.

Michael Bass stated the plan would impact the patio off his kitchen and he was concerned about loss of light. He said that he would like the applicant to install and maintain a line of trees that would obscure the second story and he would split the cost of planting more trees.

In response to Mr. Bass, Mr. Johnson noted that the story poles for the second story cannot be seen from his property and studies showed there would be no decrease in light. With regard to the Spatz residence, Mr. Johnson noted that the lot is smaller but the proposal does not appear bulky and massive. He also noted that

one would have to be 8 feet tall to see over the hedge.

The Chair closed the public hearing.

Boardmember Teiser stated that he remembered the Spatz application and the concerns were about building so close to the property line. He said that he was concerned about the lot coverage variance and floor area exception and suggested that the addition be reduced in size and pulled back. He noted that this would also help the Breens. He thought that the design and location of second story were fine but if the west side could be pulled back and reduced in size it would address other issues and reduce variance requests.

Boardmember Beales stated that the original plan for the Spatz addition was a massive two-story wall and it was pulled back. He said that he visited the Breens' home and noted that a hedge would do very little to provide privacy screening. He suggested that the solution would be to pull back the forward edge of the upstairs addition. He noted that they were asking for a den upstairs as well as a floor area exception. He said that there was room to pull back the face of the addition, possibly up about 9 feet, which would be a big help for the neighbors. He said that the Breens definitely have a privacy issue and that the addition would loom over them.

Boardmember Frymier stated that the applicants were being penalized for what happened with the Spatz project. She said that she supported the project but liked what her colleagues had said about the issues for the downhill neighbors.

Chair Doyle stated that he had not seen some of the issues his colleagues had brought up when he visited the site. He noted that the bedroom is set back from the roofline and did not seem looming to him. He said that there are not a lot of other options given the house location except pulling the addition back towards the street. He characterized the addition as modest, and said that it would only block a side view from an office of the Spatz's home. He said that he could support the application, but felt that the privacy concern brought up by other Boardmembers were valid.

Boardmember Teiser stated he probably would have approved the design except they are asking for both a floor area exception and a lot coverage variance, which often indicates overbuilding. He said that he would like them to pull the addition back and decrease some of the area to help the neighbor.

M/S, Teiser/Frymier (passed 4-0) to continue the application to the March 1, 2007 meeting.

5. 34 MERCURY AVENUE PARCHE, NEW DWELLING

An application has been submitted to request construction of a new single-family dwelling on property located at 34 Mercury Avenue. As more than 50% of the existing structure would be demolished, the project is therefore classified as "new construction". The existing dwelling is single-story and contains a two-car garage, two bedrooms, living room, dining room and kitchen. The proposal seeks to increase the size of the home by expanding the garage and adding two new bedrooms to the front of the dwelling. A small front entry porch would also be added. The interior of the home would be remodeled to create a more functional home with the inclusion of the additions.

Stefan Parche, owner, described the proposed project.

John Swain, architect, noted that nine neighbors signed a letter of support.

The Chair opened the public hearing. There being no comments, the public hearing was closed.

Boardmember Frymier stated that she thought it was a beautiful project. She suggested the green color of the exterior be toned down to a more earthy shade.

Boardmember Teiser complemented the applicant for working with the neighbors, and noted that the Belveron neighborhood has been working together to enhance everyone's property.

Chair Doyle stated that he appreciated the design of the building.

M/S, Frymier/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.

F. APPROVAL OF MINUTES #22 OF THE 12/18/06 DESIGN REVIEW BOARD MEETING

Page 1 & 2, change the architect's name to "Avilla."

Page 2, 4th sentence to read: "...window on the door of the garage."

Page 3, 5th paragraph to read: "...he felt it was a trade-off for removing the deck encroachment which was closer to the neighbors."

M/S, Beales/Teiser (passed 4-0) to approve the minutes of the January 18, 2007 meeting as amended.

G. ADJOURNMENT

The meeting was adjourned at 8:35 P.M.