

ACTION MINUTES #3

**TIBURON DESIGN REVIEW BOARD
THURSDAY, FEBRUARY 15, 2007
1505 TIBURON BOULEVARD**

- A. ROLL CALL: Present:** Chair Doyle, Boardmembers 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. CONSENT CALENDAR**
1. 14 Sutter Court Singh/Dab Resolution Partially Granting Appeal **ADOPTED**
- E. NEW BUSINESS BEFORE THE BOARD**
2. 30 Old Landing Road Edington Additions/Variance/Floor Area Exception **APPROVED**
3. 9 Burrell Court Hariri Additions/Variations **CONTINUED TO 3/15/07**
4. 1 San Rafael Avenue Lam New Dwelling **CONTINUED TO 3/15/07**
5. 2135 Vistazo East Quirk New Dwelling/Variations **CONTINUED TO 3/1/07**
- F. MINUTES OF THE 2/1/07 D.R.B. MEETING - APPROVED AS WRITTEN**
- G. ADJOURNMENT - 9:20 PM**

**MINUTES #3
TIBURON DESIGN REVIEW BOARD
MEETING OF FEBRUARY 15, 2007**

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

A. ROLL CALL

Present: Chair Doyle, Boardmembers 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

Planning Manager Watrous announced that the applicant for 9 Burrell Court had requested a continuance to the March 15, 2007 meeting.

D. CONSENT CALENDAR

1. 14 SUTTER COURT SINGH/DAB, RESOLUTION PARTIALLY GRANTING APPEAL

Chair Doyle explained that comments were only to be made on the language in the resolution.

Boardmember Teiser requested a sentence be added to state the sliding glass door leading to the upper deck was not approved since the upper deck was not approved.

Chair Doyle opened the discussion to the public.

Daniel Del Rio, representing Satpal Singh, applicant, asked about including a condition of approval to allow inserting lattice at the end of the deck to preserve privacy. The Board explained that further discussion about the merits of the appeal was not on the agenda.

M/S, Teiser/Frymier (passed 3-0) to determine that the project is categorically exempt from the provisions of CEQA and approve the resolution as amended partially granting the appeal.

E. NEW BUSINESS BEFORE THE BOARD

2. 30 OLD LANDING ROAD EDINGTON, ADDITIONS/VARIANCE/ FLOOR AREA EXCEPTION

The applicant is requesting Design Review approval for the construction of an addition to an existing single-family dwelling which includes three additional skylights on the existing home, various new windows, and replacement of the existing chimney with one that is 2 feet taller. The total lot coverage increases by less than 1% of the lot area, however the total floor area for the home including the expansion would be 4,275 square feet, which is 302 square feet greater than the maximum floor area permitted for a lot of this size. Therefore, a floor area exception is requested. A variance is also requested for a reduced side yard setback.

Chris Chapek, designer, presented an overview of the application.

The Chair opened the public hearing.

In response to Boardmember Teiser, Mr. Chapek explained that the three existing skylights would be replaced

with smaller skylights.

The Chair closed the public hearing.

Boardmember Teiser noted that this was a very modest and appropriate modification and would have no impact on the neighbors.

Boardmembers Frymier and Chair Doyle agreed that it was an appropriate addition.

M/S, Teiser/Frymier (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.

3. 9 BURRELL COURT HARIRI, ADDITIONS/VARIANCES

This item was continued to the March 15, 2007 meeting.

4. 1 SAN RAFAEL AVENUE LAM, NEW DWELLING

The applicant is requesting Design Review approval for the construction of a new single-family dwelling on property located at 1 San Rafael Avenue. The subject property is currently developed with a single-family residence which would be demolished.

The proposed house would utilize a single-story design. The house would include a living room, family room, kitchen, dining room, a master bedroom suite, two additional bedrooms and bathrooms and a laundry room. A one-car garage and a trellised one-car carport would be attached to the front of the house, with two open guest parking spaces in the front yard. A spa would be situated to the rear (west) of the house.

August Strotz, architect, reviewed the history of 1 and 3 San Rafael Avenue properties which were the subject of a community effort to purchase the properties 20 years ago. Mr. Strotz stated that this application was for a single-story building so that it would have no impact on the neighborhood. He stated he wrote letters to four neighbors and two responded. Mr. Strotz stated that there is a driveway from 3 San Rafael Avenue to 1 San Rafael Avenue. Due to traffic noise, he said that he did not want to locate the bedrooms along Tiburon Boulevard and he explained the internal layout of the application. He stated that the proposed color of the house was similar to that of 3 San Rafael Avenue and the hedges along Tiburon Boulevard are higher than the house. He believed the most important view of the neighbors across the street was over the house and through the cypress trees which will be maintained. He stated the dome in the living room was to give the appearance of height.

The Chair opened the public hearing.

Peter McClintock, also representing his wife Nicole, stated that they live directly across the street from the proposed house and that the story poles are visible from Tiburon Boulevard, San Rafael Avenue as well as from the hillside homes. He stated they will be sad to see the demolition of the 100 year old cottage, and noted that the proposed structure is twice the volume and much bulkier than the existing house. He said that the proposed house would impede central and foreground water views of the bird sanctuary from their living room, dining room, kitchen and master bedroom. He felt that the story poles did not accurately indicate the outline of the new structure, especially the edges of the dome which he stated is 20 feet above grade and 25

feet in diameter, thereby exceeding the height of the current home by about 5 feet. He said that the dome would block views towards Belvedere and they are concerned with reflectivity and how the copper will react to tree debris that will accumulate on the roof. He felt that the dome would be out of character with the neighborhood. He also noted the proposed roofline would be higher than the lower rooflines at 3 San Rafael Avenue. He concluded by stating that from their perspective the proposal did not meet the goals and principles in the Hillside Design Guidelines.

Planning Manager Watrous stated the Town also received a letter from the City of Belvedere which made specific recommendations. He stated that the recommendations for obtaining an encroachment permit, as well as coordination with work on San Rafael Avenue, and establishing tree protection plan should be added as conditions of approval. He stated that the recommendation for a less reflective dome material should be discussed by the Board.

Mr. Strotz stated the trees shading the hot tub would be low growing and not block views. He described the public path along the shoreline and an adjacent public seating area, but noted that there is no access from the public right of way to the Multi-Use Path.

In response to questions from the Board members, Mr. Strotz stated the color scheme was a mixture of intended to match the contemporary look of the house, and he was trying to keep the house as low as possible.

In response to a question from Chair Doyle, Mr. Strotz indicated he felt the dome was necessary as a focal point. He stated that the landscape plan was very simple, but he wanted to keep the terrace and lawn on the water's edge. He noted that the lower part of the Cypress trees had recently been trimmed.

In response to a question from Mr. Watrous, Mr. Strotz stated that the contemporary aspects of the house design are the clean and simple lines without adornment, which would need maintenance. He indicated that there would be 8 feet between the edge of the driveway to the entry steps, and said that he would work out details regarding access to prevent a side mirror hitting the edge of the house.

Mr. Strotz admitted that past maintenance of the landscaping along the driveway has not been the best because 3 San Rafael Avenue has not been occupied, which will change and they will have proper maintenance and landscaping.

In response to Boardmember Teiser, Mr. Watrous stated he did not believe the Fire Department was concerned about access to 3 San Rafael Avenue because they could access that house from the Multi-Use Path.

The Chair closed the public hearing.

Boardmember Frymier stated that this was a tough house upon which to make a decision, but she could not support the project. She said that she liked the single story design and the volume did not bother her because the lot is big enough. She said that she likes contemporary houses but the proposed design felt too contemporary for this location. She felt that the color is wrong and the dome was massive, with nothing structurally leading to it. She was concerned that the copper roofing on the dome would be reflective. She wanted to see more differentiation in the house design. She stated that she viewed the story pole from the McClintocks' property and believed their view would be somewhat obstructed.

Boardmember Teiser stated that he was also conflicted. He felt that the size of the house was acceptable, but

thought that the dome does not fit in with anything and sort of just appears. He said that style and color looked different than at 3 San Rafael Avenue. He agreed that the house would interfere with the McClintocks' foreground views, which he characterized as important. He did not think the height was excessive but had a problem with the foreground views being taken away. He agreed that the dome would be nice for the people inside the house by providing a higher ceiling, but he did not believe that the dome was attractive or fit with the rest of the house.

Chair Doyle stated that he liked modern and contemporary houses and liked this house, but thought that it does not fit at this location, and the dome seemed out of place. He said that the design does not have to be a beach house, and acknowledged that although this is a tough lot, it is not that visible. He disliked the color and compared it to homes on Strawberry Point. Given the surroundings, including the Art and Garden Center, he thought that the house did not fit in. He admired the floor plan, and thought that the house fits into the space and the trees would hide a lot of it. With one long roof plane, he felt that lowering the height even a foot would help with views. He said that although bushes will shield the house from view from the Multi-Use Path, from the bay side the house would look strange.

Boardmember Teiser suggested instead of shingle roof perhaps a flatter roof that would reduce the height a foot or two, which would open up views from McClintocks' property. He stated that he would like to see the dome disappear, a lower, flatter roof and the color to be more earthtone.

M/S, Teiser/Frymier (passed 3-0) to continue the application to the March 15, 2007 meeting.

5. 2135 VISTAZO EAST STREET QUIRK, NEW DWELLING/VARIANCES

The applicant is requesting Design Review approval for the construction of a new single-family dwelling and guest house. The project would result in a three-story dwelling and a detached guest house. The lower level of the main home would include a two-car garage and an au pair bedroom and bath. The main level would include a formal dining and living area, as well as two offices, a family room, breakfast nook, kitchen, laundry area, wine storage and a butler's pantry. The upper level would contain the master bedroom and bathroom, three bedrooms, a sitting area and a large master bedroom terrace. An elevator would service the lower two floors and an interior stairway would service all three floors. The guest house would include a bedroom, bathroom, living area and a kitchenette. Variances are requested for reduced front and side yard setbacks and excess lot coverage.

Jared Polsky, architect, presented an overview of the application and presented photographs to the Board showing views of the story poles. He noted because of the topography and height limit, he could not locate the garage anywhere else on the site. He stated there had been concerns expressed about the roof deck, however, the deck would be hidden from view of the neighbors. He stated that he had worked with the Fire Marshall regarding access.

The Chair opened the public hearing.

Jerry Reynolds, also speaking for Catherine Halpern, presented pictures to the Board of the story poles from their neighboring home. He stated that he had met with the architect on three occasions and felt the house needed to be reduced a little more in height. He stated that would be a view blockage problem from the downstairs room where the family spends a lot of time. He stated there is a view of the Golden Gate Bridge from this room and through a 22" x 68" window in a side door. He noted that Staff had not been inside his

home, nor had several Boardmembers. He did not think the proposed design fit into the neighborhood and was not in accordance with the setting. He asked about uncertainties with regard to fire equipment access to the guest cottage. He asked the Boardmembers to view the project from inside his home.

Angela Danadjieva and Fani Hansen put up photographs which included picture of an existing fence on the site. Chair Doyle and Planning Manager Watrous indicated that unless there is change in the fence which is related to the design of the house, the Town does not have the authority to make any changes to the existing fence as part of this application. Ms. Hansen stated that the plans were unclear as to whether a new fence was proposed along the rear property line. Mr. Watrous asked the applicant to state if a new fence was proposed along the rear property line. Mr. Polsky stated that no changes were proposed to the existing fence along the rear property line. Ms. Hansen stated that the drawings show there would be a change in the fence and she would put the issue aside at their request, but she wanted the record to reflect her objections.

Ms. Danadjieva stated that 60% of her water view is gone and she felt that the entire design creates a barrier. Ms. Hansen asked Board to maintain the open appearance of the rear of the site. She recommended turning the guest house 90 degrees to reduce the number of steps. She objected to the proposed grove of trees which could affect views for all the neighbors.

Ms. Hanson stated that she had spoken to Fire District officials who had expressed concerns about the project. Planning Manager Watrous confirmed that the Town had received a letter from the Fire Marshall approving the project design.

Boardmember Teiser stated the existing fences along the rear property line are not to be changed and it would be made a condition of approval.

Mary O'Donovan stated she thought the applicants had done a fine job of designing the project.

Lark Halpern stated that their window faces the proposed bathroom and asked that the window be obscure glass.

Mr. Polsky and Rick Perlstein, landscape architect, stated that they had met with the Halperns and agreed if it is a problem they would frost the windows in the mater bathroom. He also stated that the proposed olive and fruit trees were not intended to block any views.

In response to Boardmember Teiser, Mr. Perlstein agreed that the fruit trees could be moved closer to the front of the property. He stated that the maximum height of these trees would be 15 feet at maturity. Mr. Polsky stated that the guest house needs to be perpendicular to the main house due to the slope of the site.

In response to Boardmember Teiser, Mr. Polsky stated that the buildings would be pushed into the hillside, so to bring any light into the bathroom they proposed to install skylights which he did not believe would be visible.

The Chair closed the public hearing.

Boardmember Teiser stated that this is an interesting house. He said that although the Halperns' view from the lower floor is not their main view, the view impact could be an issue. He said that he did not see a major view obstruction when he was in the Halperns' house. He said that if the trees on the upper hillside were not necessary they should be moved down lower and closer to the residence. He felt that the guest house is

properly situated and noted that the Fire Marshall has approved this design. He suggested a condition of approval that the existing fence along the rear property line not be changed.

Boardmember Frymier stated she struggled with the view issue from the Halperns' home. She said that the photos appeared to be inaccurate, but she has not had the chance to see the view for herself, as she gone to the neighbor's property three times and has not gained entrance because of dogs on the property. She supported the project, but could also support a continuance to view the story poles herself. She agreed the trees at the rear of the site could obstruct views. She thought that the house design was beautiful and not massive, and that she did not have a problem with the variance requests.

Chair Doyle stated that people often move to Tiburon for the open space and views, but then plant trees and build fences. He thought that the house design was very nice and he liked the idea of moving the trees downhill. He said that the master bathroom skylight should be changed and noted that the window frosting was already agreed to. He said that he did not know what to change to address possible view impacts for the Halperns' home, adding that one cannot maintain all views.

M/S, Teiser/Frymier (passed 3-0) to continue the application to the March 1, 2007 meeting.

F. APPROVAL OF MINUTES #2 OF THE 2/1/07 DESIGN REVIEW BOARD MEETING

M/S, Teiser/Frymier (passed 3-0) to approve the Minutes of February 1, 2007 as written.

G. ADJOURNMENT

The meeting was adjourned at 9:20 P.M.