

ACTION MINUTES #12

**TIBURON DESIGN REVIEW BOARD
THURSDAY, JULY 19, 2007
1505 TIBURON BOULEVARD**

- A. ROLL CALL: Present:** Chair Doyle, Boardmembers Frymier, Glassner and Teiser
Absent: Boardmember Corcoran
Ex-Officio: Planning Manager Watrous, Associate Planner Tyler, Assistant Planner Phillips and Minutes Clerk Harper
- B. PUBLIC COMMENTS (FOR ITEMS NOT ON THE AGENDA)**
- C. STAFF BRIEFING**
- D. ELECTION OF CHAIR AND VICE-CHAIR - DOYLE RE-ELECTED CHAIR AND FRYMIER RE-ELECTED VICE-CHAIR**
- E. CONSENT CALENDAR**
1. 86 B Main Street Zelinsky/Claiborne Sign Permit **APPROVED**
- F. OLD BUSINESS BEFORE THE BOARD**
2. 1893 Centro West Street Harb New Dwelling/Variance/Floor Area Exception
CONTINUED TO 8/16/07
3. 2309 Spanish Trail Stafford Addition/Variations **APPROVED**
- G. NEW BUSINESS BEFORE THE BOARD**
4. 430 Ridge Road Hannahs/Garay Minor Alterations/Appeal **APPEAL GRANTED**
5. 313 Karen Way Duncan Additions **APPROVED**
6. 1 Reserva Lane Levinson Addition/Variations **APPROVED**
7. 23 Old Landing Road Harle New Dwelling **CONTINUED TO 8/16/07**
8. 42 Claire Way Clawson New Dwelling **CONTINUED TO 8/2/07**
- H. MINUTES OF THE 6/21/07 D.R.B. MEETING - APPROVED AS WRITTEN**
- I. ADJOURNMENT – 8:45 P.M.**

**MINUTES #12
TIBURON DESIGN REVIEW BOARD
MEETING OF JULY 19, 2007**

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

A. ROLL CALL

Present: Chair Doyle, Vice-Chair Frymier, Boardmembers Glassner and Teiser

Absent: Boardmember Corcoran

Ex-Officio: Planning Manager Watrous, Associate Planner Tyler, Assistant Planner Phillips and Minutes Clerk Harper

B. PUBLIC COMMENTS - None

C. STAFF BRIEFING

Planning Manager Watrous gave the following report:

- The application for 1893 Centro West is continued to August 16, 2007;
- The application for 42 Claire Way is continued to August 2, 2007;
- Staff received an appeal for 2130 Mar East, which has been tentatively scheduled for a hearing before the Town Council on August 15, 2007.

D. ELECTION OF CHAIR AND VICE-CHAIR

ACTION: It was M/S (Teiser/Glassner) to re-elect Frank Doyle as Chair. Vote: 4-0.

ACTION: It was M/S (Glassner/Teiser) to re-elect Cathy Frymier as Vice-Chair. Vote: 4-0.

E. CONSENT CALENDAR

1. 86 B MAIN STREET ZELINSKY/CLAIBORNE, SIGN PERMIT

Boardmembers voiced support for the sign permit stating it met all Town guidelines, and Chair Doyle confirmed there was no public comment.

ACTION: It was M/S (Frymier/Glassner) that the project is exempt from the provisions of the California Environmental Quality Act, and approve the application subject to the conditions of approval as set forth in the Staff report. Vote: 4-0.

F. OLD BUSINESS BEFORE THE BOARD

- 2. 1893 CENTRO WEST STREET HARB, NEW DWELLING/VARIANCE/ FLOOR AREA EXCEPTION CONTINUED TO 8/16/07**
- 3. 2309 SPANISH TRAIL STAFFORD, ADDITION/VARIANCES**

Board member Frymier recused herself from this item.

The applicant is requesting Design Review approval for the construction of additions to an existing single-family dwelling on property located at 2309 Spanish Trail. A new living room, master bedroom suite and study would be added to the upper floor of the house. The lower floor of the addition would include a two-car garage and storage area. An existing detached garage on the site would be demolished. Variances are requested for reduced front and side yard setbacks and excess lot coverage. The application was first reviewed at the May 3, 2007 Design Review Board meeting. The application was continued to allow the applicant to modify the plans to address issues related to architectural integration and the overall building massing. The applicant has now submitted revised plans for the proposed additions.

Mohamad Sadrieh, architect, said at the previous hearing the Board asked to provide more integration with massing of the addition, provide more continuity with materials and architectural detailing, and eliminate additional square footage. He said that the rooflines have been simplified to compliment the existing roof, the garage was twisted to run parallel with the roof and the entry was located in the intersection to provide greater continuity between the existing building and addition. He said that the addition would utilize the same materials as the existing house, tying the two segments in terms of materials, details and coloring. He said that they also moved the study from the upper floor to the lower floor in order to eliminate the floor area under the storage overhang.

Mr. Sadrieh said they became aware of the Town's policy for a 15 foot setback from the base of the garage to the roadway and were amenable to moving the garage back 2 feet. He said that the plans have been presented to neighbors who were supportive of the addition.

There were no public comments.

Boardmember Glassner stated that the applicant had done a great job of addressing the issues and the plan now works better with the site.

Boardmember Teiser thanked the architect and the applicant for a great design that was well integrated with the house. He recommended approval of the project with the additional condition of approval requiring the garage to be set back two feet further from the roadway.

ACTION: It was M/S (Teiser/Glassner) that the application is exempt from the provisions of the California Environmental Quality Act, and approve the application subject to the conditions of approval as set forth in the Staff report, and with the additional condition of approval that the garage be set back two feet further from the roadway to comply with the Fire District requirements and Town policy. Vote: 3-0-1 (Frymier recused).

Vice Chair Frymier returned to the meeting.

G. NEW BUSINESS BEFORE THE BOARD

4. 430 RIDGE ROAD HANNAHS/GARAY, MINOR ALTERATIONS/APPEAL

An application was filed for a Staff-level Design Review approval on June 1, 2007, for the construction of exterior modifications to an existing single-family dwelling, located at 430 Ridge Road. The applicant requested approval to raise several stone veneer panels at the front of the home (north elevation) fifteen inches in height, which would result in a design feature that was more architecturally integrated into the home. The raised panels would also aid in concealing several skylights along the rooftop, which were previously approved with shrouds around them. On June 19, 2007, the Tiburon Planning Division approved the application and the owner of the neighboring property at 440 Ridge Road has now appealed this decision to the Design Review Board.

Fred Hannahs, appellant, voiced frustration regarding the procedures of administrative approval and the review process for previous Design Review applications for this property. He was concerned about impacts from removing the skylight shrouds, and said that it was unclear what the shrouds would look like. He distributed a summary of the history of work to the home which dated back to 1998. He felt the Town was being manipulated by the applicant and suggested an ordinance be developed which would restrict piecemeal construction.

Mark Garay, applicant, said the only issue before the Board was consideration of the appeal for raising the stone panels in front of the house. He said that drawings for the design of the shrouds were available, and he presented a sample of the stone material for the panels. He felt the critical question that should have been raised in the appeal was whether or not the raising of the panels would impede the Hannahs' view. He said Town Staff took photographs of the Hannahs' home which shows no intrusion to their views, and he felt the panels would result in a better building design. He said that during the course of the Town Council hearing on a previous appeal, Councilmember Berger had made suggestions regarding the skylight designs.

Boardmember Glassner asked about the intended purpose of the shrouds and panels. Mr. Garay said their house sits low and the driveway is high, and that as one drives down the driveway the view is one of an unsightly roof with the shrouds. He felt the panels would create a cleaner roofline.

Boardmember Teiser confirmed that Mr. Garay had been heard before the DRB 7 or 8 times with revisions on the original design. Mr. Garay noted that in each instance the Board and/or Town Council approved every application.

The Chair opened the public hearing.

Miles Berger stated that he had made suggestions regarding the skylight design during the Town Council review of a previous appeal and had discussed the proposed panel extensions with the applicant's architect. However, he said that there had been no discussion regarding removal of the shrouds. He said the far edge of the roof is the area that bounds the Hannahs' views, and the question he felt that was before the Board is

whether the raising of the panels would further block or interfere with the views. He said there were gaps between the panel extension and he felt the skylights could be visible from the Hannahs' house, and such light pollution would be unacceptable. He suggested the shrouds should remain.

Paula Little said she had never appealed any application of the Garays to the Town Council or Design Review Board. She spoke about many of the changes that have gone on with this project over the years, and agreed with Staff that the raised panels would do nothing but improve the appearance. She asked that any future changes be referred to the Board because of the fact there have been so many project modifications.

Mr. Hannahs reiterated that he believed the Town was being used and manipulated and discussed the impacts to neighbors from the ongoing construction and the history of previous applications for this property.

The Chair closed the public hearing.

Boardmember Teiser felt the stopping and starting of construction and constant revisions since 1998 were the true aggravation for the neighbors. He said that the Town Council has discussed sequential designs and how applicants return over and over with revisions and design changes, although he did not know what should be done about the process. He agreed that the shrouds should not be removed, as there was too much opportunity for light to filter through the panels. He said that he was unsure whether the panels were much of an architectural issue.

Boardmember Glassner stated that the work on the property had been approved over time within the guidelines of the Town, and was an improvement to the property. He said that the applicant has done a great job with their design, but he felt that there were technical issues with the shrouds. He stated that the panels would not effectively block the view of the skylights and not prevent light pollution. He felt the stone was beautiful, but he could not approve the project if the shrouds were removed.

Vice-Chair Frymier agreed that the shrouds should not be removed, but supported the panels. She empathized with the neighbors having endured constant work over the last 10 years and agreed that the process for situations where the project goes on and on should be reviewed.

Planning Manager Watrous noted the condition of approval could be amended to say the shrouds cannot be removed by having the Board direct Staff to prepare a resolution partially granting the appeal with the change in the condition of approval. He said if the appeal were granted, the panels would not be approved.

Boardmember Glassner felt the project had gone on for some time and he encouraged completion of the construction. He indicated that he did not want to see any more changes to this project.

Chair Doyle stated that he was tired of this project the first time he reviewed it on the Board. He said that the panels would look better for the Hannahs and agreed the shrouds should not be removed. He likened the ongoing construction to a form of water torture for the neighborhood and did not think it was fair for neighbors to have to live in a construction zone for so long.

Boardmember Teiser added that he did not see justification for the panels, as the color of the stone materials would be too light and reflective. He confirmed with Mr. Hannahs that he objected to the panels, and

suggested approving the appeal without any changes in the conditions. Boardmember Glassner and Vice Chair Frymier agreed and acknowledged that the Hannahs did not support the panels.

ACTION: It was M/S (Teiser/Glassner) to direct staff to prepare a resolution granting the appeal. Vote: 4-0.

5. 313 KAREN WAY DUNCAN, ADDITIONS

The applicant is requesting Design Review approval for the construction of additions to an existing single-family dwelling located at 313 Karen Way. The additions would include two extensions to the rear of the home and a concrete patio in between. The new living space would include a new master bedroom suite and expansion to the family room / dinning room. The proposal also calls for the addition of five new skylights and the reconfiguration of windows and doors throughout the home. The chimney would also be relocated and changed to a narrower flue style chimney.

Laura Conte, architect, said the proposal was a modest one-story addition extended to the rear of the house, would include a new master bedroom suite and expansion of the family/dining room. She said the addition was within all zoning requirements, the maximum ridge height would be no higher than the existing hill and the original garage would also be maintained. She said there was no effect on the neighbors, as they concentrated most of the windows toward the back of the lot to face uphill or towards the courtyard. She said that they are proposing skylights which would cause less impact to one neighbor and no light pollution.

There was no public comment.

Vice-Chair Frymier said her only concern was with the skylights because of the uphill neighbor, but she felt windows would be more invasive. She commended the architect, and said this was the third project Ms. Conte has worked on where such consideration had been extended to neighbors.

Boardmember Glassner supported the efforts to work with the neighbors and felt the design was pleasing and unobtrusive.

Boardmember Teiser felt it was an attractive design that was considerate of the Bel Aire neighborhood. He noted that the neighbor facing the skylight has windows that shine light toward this home.

ACTION: It was M/S (Glassner/Teiser) that the project is exempt from provisions of the California Environmental Quality Act and approve the application subject to the conditions of approval as set forth in the Staff report. Vote: 4-0.

6. 1 RESERVA LANE LEVINSON, ADDITION/VARIANCES

The applicant is requesting Design Review approval for the construction of additions and alterations to an existing single-family dwelling located at 1 Reserva Lane. The addition would include expanding and reconfiguring the roofline of the existing garage. Two additional skylights would be added over the breezeway. The plans indicate that the asphalt shingle roof material of the addition would match that of the existing roof. A variance is requested for reduced side yard setback.

Monika Levinson, owner, said their request is to turn the roof on the garage to create a more energy efficient house and install solar panels. She said that in order to get the highest possible sun exposure they needed to turn the roof to obtain the best and most efficient angle.

Colleen Mahoney, architect, felt the change would also help to unify the house, as the odd intersection of the two rooflines at the breezeway connection was not good architecture. She said that they had met with the uphill neighbor who had no objections to what was being proposed.

Boardmember Glassner said he was supportive of the design and the environmental benefits of the project. He agreed that the revised roofline would pull the house design together better.

ACTION: It was M/S (Frymier/Teiser) that the project is exempt from the provisions of the California Environmental Quality Act and approve the application subject to the conditions of approval as set forth in the Staff report. Vote: 4-0.

7. 23 OLD LANDING ROAD HARLE, NEW DWELLING

The applicant is requesting Design Review approval for the construction of a new two-story single-family dwelling on property located at 23 Old Landing Road. The first floor of the proposed house would include three bedrooms, three bathrooms and a study. The second floor would include a living room, family room, kitchen, dining room, and a master bedroom suite. A two-car garage and workshop would be situated on the first floor of the house. The floor area of the proposed house would be 3,853 square feet, which is less than the maximum floor area permitted for a lot of this size. The proposed house would cover 3,014 square feet (14.2%) of the site, which is less than the 15.0% maximum lot coverage permitted in the RO-2 zone.

James Rizzo, architect, said the primary design was done after thorough review of a previous application for this property. He said that homes in the neighborhood range from 3,600 to 6,600 square feet with one to three-story buildings. Because there was such a diverse style of architecture, he said that they chose a rural feel with a low pitch roof and some gables, which is consistent with other local homes. He said that the house was sited in line with the adjacent homes, stretched the mass along the topography of the hillside, and with the upper floor set back in order to terrace the house more effectively. He said if they built a single-story home, the house would require extensive grading, and the mass would appear similar to that of a two-story home from the street. He felt a single-story solution would trigger a lot coverage variance. He said that the main windows were placed to take full advantage of the water views and the side windows were reduced to maximize privacy.

Mr. Rizzo acknowledged correspondence received from the residents of Old Landing Road addressing the massing from the street. He felt a very small amount of the home would be visible from adjacent neighbors' homes or yards and once landscaping is done, the home would have even less of a presence, visible only from the front. He stated that the upslope side of the street is traditionally where two-story homes could be built with little impact on surrounding views and privacy. He said there were many examples of two- and three-story upslope structures in the neighborhood which are close to the street, while their proposed front door would be close to 80 feet from the street. He said that they have worked hard to design a home that complies with all zoning requirements and made every effort to tailor the design to appeal to the neighborhood.

Boardmember Teiser questioned if a landscape plan was included with the application. Mr. Rizzo replied that they would not be doing any significant landscaping to the property, with existing mature trees in the rear and a hedge of landscaping proposed in the front. He said that the owners have children and would like space for a front yard.

Chair Doyle said it looked as though the entire building was being proposed as board and batten siding. Mr. Rizzo said this was what is requested, but he was amenable to discussing other finishes. Chair Doyle felt that sometimes changing the material on the two floors helps break up the mass of a building.

Vice-Chair Frymier noted that the applicant requests a 3,800 square foot house and that the Fire Marshal has required it be reduced to 3,600 square feet. Mr. Rizzo said he met with the Fire Marshall and there was an issue for certain water pressure and fire flow calculations given the type of building materials. He said the Fire Marshal may require them to go to a fire resistant type of siding or a mixture of materials, like a hardy board or hardy plank. Planning Manager Watrous agreed that this was consistent with his discussions with the Fire Marshal and said the 200 square foot difference could be met in trade-offs using building materials.

Mr. Rizzo distributed photographs taken of houses on Old Landing Road.

The Chair opened the public hearing.

Susan Bolle welcomed the Harle's to the neighborhood and confirmed that the Board received and reviewed the letter signed by the majority of the neighborhood. She said they appreciate the process the applicants took with approaching the neighbors. She felt the house was attractive on paper, however, the mass of the house relative to its surroundings became much more apparent once story poles were erected. She said the second story extends the entire length of the house to maximize bay views, said there were no other 3,800 square foot homes on the west side of Old Landing Road. She believed that a smaller design was in the long-term best interest of the neighborhood and said that the Town had promised the neighbors once the area was annexed to the Town the neighborhood character would be maintained. She asked that the design be modified with a single-story design, or at most a partial second-story.

Jeff Chanin said there had been tremendous opposition to bringing in the sewer system because it was felt that it would open the flood gates of development, and now there are larger homes in the neighborhood. He noted the reason the neighbors did not protest the 3,600 square foot home under construction at 36 Old Landing Road was because it was one-story design. He voiced concern about the character of the neighborhood and felt if approved the home would encourage other larger homes. He noted the second story would have 2,200 square feet of side by side rooms with a long ridgeline that would be visible from the front, particularly on the north end. He suggested the Board direct the applicants to take a different direction and revise the plans for a one-story or partial two-story home design.

Harold Sogard said the roof of the house would be clearly visible from the south edge of their property. He asked for a design which better fit the character of the neighborhood and requested a landscape plan be required with additional screening.

Terry Kessler asked the Board to deny the application, noting the vast majority of residents and the Board had

worked hard to maintain the charming and rural character of the neighborhood and felt the home would set a precedent. He asked to support the existing neighborhood character, stating that all homes on that side of the street were single story. He said a petition of opposition has been signed by nearby and surrounding neighbors and asked the Board to support a favorable precedent for the neighborhood.

Margaret Billings and Erminio Petrini echoed the comments of previous speakers.

Mr. Rizzo noted the Staff report indicates that the proposed home would be set in line with the existing homes, with no view impacts other than a few windows of the neighboring homes facing the house. He said that not all of neighbors had signed the petition opposing the application, and he felt that the neighborhood was slowly becoming a two-story neighborhood. He said that his clients deserved to have a view, and welcomed the chance to meet with the neighbors to determine what can be designed for this property, which may be a partial second story if that is the direction of the Board.

The Chair closed the public hearing.

Board member Teiser said that the structure was nice but imposing, and inconsistent with the character of the neighborhood. He noted that the floor area ratio is not a guarantee of house size. He agreed with the need for a landscape plan. He said that the DRB has granted lot coverage variances to spread out house designs and that there may be an opportunity for that with this property. He felt that the second story was monolithic and suggested the architect and owner meet with the neighbors and come up with ideas to revise the design.

Vice-Chair Frymier stated that most of the homes along Old Landing Road are very secluded. She said that the proposed house would be very large, but this beautiful neighborhood is changing. She said that the size of the house was not necessarily too big, but the design should be spread out, or possibly include only a partial second story. She suggested the architect and owner work with the neighbors and gave examples of recently approved projects that she felt seemed to work well at 2, 28 & 30 Old Landing Road. She suggested stonework be used on the front or sides to soften the edges of the house and requested a landscape plan be submitted.

Boardmember Glassner stated that the house would loom a bit. He noted other homes at 2 & 4 Old Landing Road included partial second stories and worked well. He stated that the applicants should be able to capture some of the view. He added that he would be supportive of a lot coverage variance and encouraged the architect to return with a formal landscape plan.

Chair Doyle felt the neighborhood was not so secluded and quaint as one would believe, noting the existence of some large homes with gates and fences. He felt the design was nice but did feel a bit large. He said that there was a good opportunity to work with the neighbors and recommended the item be continued.

ACTION: It was M/S (Teiser/Frymier) to continue the item to the August 16, 2007 meeting. Vote: 4-0.

8. 42 CLAIRE WAY CLAWSON, NEW DWELLING - CONTINUED TO 8/2/07

H. APPROVAL OF MINUTES #11 OF THE 6/21/07 DESIGN REVIEW BOARD MEETING

ACTION: It was M/S (Frymier/Glassner) to approve the minutes of the 6/21/07 Design Review Board meeting as written. Vote: 4-0.

I. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.