

**ACTION MINUTES #18**

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

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- A. ROLL CALL: Present:** Chair Doyle, Boardmembers Corcoran, Frymier and Teiser  
**Absent:** Boardmember Glassner  
**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. OLD BUSINESS BEFORE THE BOARD**
1. 490 Ridge Road Dunphy New Dwelling/Variences **APPROVED**
  2. 78 Red Hill Circle Lanyadoo Decks/Variences **APPROVED**
- E. NEW BUSINESS BEFORE THE BOARD**
3. 102 Via Los Altos Ockner Addition/Variance **APPROVED**
  4. 64 Reed Ranch Road Clothier Additions **APPROVED**
  5. 695 Hawthorne Drive Chan New Dwelling/Variance **CONTINUED TO 11/1/07**
- F. MINUTES OF THE 10/4/07 D.R.B. MEETING - APPROVED AS AMENDED**
- G. ADJOURNMENT – 7:55 P.M.**

**MINUTES #18  
TIBURON DESIGN REVIEW BOARD  
MEETING OF OCTOBER 18, 2007**

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

**A. ROLL CALL**

**Present:** Chair Doyle, Vice-Chair Frymier, Boardmembers Corcoran and Teiser  
**Absent:** Boardmember Glassner  
**Ex-Officio:** Planning Manager Watrous, Associate Planner Tyler, Assistant Planner Phillips, and Minute-Taker Harper

**B. PUBLIC COMMENTS - None**

## **C. STAFF BRIEFING**

Planning Manager Watrous stated that the item for 695 Hawthorne Drive was continued to the November 1, 2007 meeting. He reminded the Board that the appeal for 9 Burrell Court has been scheduled for the November 7, 2007 Council meeting. He added that Staff will contact the Board about setting up a special meeting for the Kol Shofar Synagogue Design Review application.

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

### **1. 490 RIDGE ROAD DUNPHY, NEW DWELLING/VARIANCES**

The applicant was not yet present and the item was tabled until later in the meeting.

### **2. 78 RED HILL CIRCLE LANYADOO, DECKS/VARIANCES**

The applicant is requesting Design Review approval to expand the upper level deck and add a staircase between the main level deck and the ground level, within the rear of the existing single family home located at 78 Red Hill Circle. The proposed deck expansion and additional staircase would be situated within the required side yard setbacks up to the property lines, in lieu of the required 8 foot side yard setback. In order to expand a non-conforming condition, a variance is required. The applicant has requested variances for reduced side yard setbacks.

This application was first reviewed at the September 6, 2007 Design Review Board meeting. At that meeting, various neighboring property owners along Red Hill Circle raised concerns regarding potential privacy impacts that would be caused by the proposed expansion of the main level deck in the rear of the subject property. The Board reviewed the proposal, but continued the project to give the applicant time to rethink the deck expansion and to allow for additional dialogue between the neighbors. Several Board members expressed the need for more detail on the plans as well. Since the previous meeting, the applicant has scaled back the project. The triangular expansion of the main level deck has been eliminated and a stairway accessing the ground level has been added.

Joe Lanyadoo described the changes to the project design, which he felt were consistent with other additions to homes in the vicinity and would not affect his neighbors.

The Chair opened the public hearing.

Beverlee Kell stated that her neighbors, Ned Stephens and Jim Morton, could not be present but both have submitted letters and adamantly oppose the applicant extending beyond the side walls. She distributed drawings to the Board that showed the relationship of the surrounding properties. She said that her stairwell is 10 feet below on a lower floor and not at a view level. She felt the applicant's drawing was distorted and did not give a clear sense of how their view and privacy would be impacted. In response to questions from the Board, Mrs. Kell stated that people standing on the 20 square foot landing would be able to look into her living room windows. She said all four units were designed to have protected privacy and views. She said they have lived in their home for 15 years and have a beautiful view and she does not want to look at a

stairway. She was concerned that construction would cause the hill to erode.

Vice-Chair Frymier asked Mrs. Kell what could be done in her mind that would make the project approvable. Mrs. Kell requested that the applicant stay within the original parameters that everyone else respected. She said they would be doing a renovation in the future, but they would never consider infringing on their neighbor's views or privacy.

Mr. Lanyadoo said he took the neighbors' concerns to heart, but he felt it was unfair for the Board not to approve his request for something smaller than what neighbors had. He noted that the Kells had enclosed their entire deck.

The Chair closed the public hearing.

Boardmember Teiser said that the privacy impact was due to the fact that the neighbor had built out, so now anything that that goes further out for the applicant would look back at the neighbors. He believed people do not tend to stand on the stairs and look back into other people's units and there would be little traffic going up and down the stairs. He stated that the design was not overly intrusive and thought that the applicant took the Board's and neighbors' concerns into consideration.

Vice-Chair Frymier felt the applicant had made significant improvement, based upon what she read in the minutes. She stated that there are a variety of homes and designs in this area and felt that if this had been a subject to the CC&R's of a homeowners' association, the project might be viewed differently. She noted that the Kell's staircase also projects outward. She supported the revised design and felt the applicant was asking for what was fair.

Boardmember Corcoran said he was surprised with the design and thought that a compromise design to the original proposal would involve pulling the deck back. He felt that the design looks like a high set of stairs and he did not see any other homes that have this feature. He said that he did not see as much diversity of design as Vice-Chair Frymier, but noted that there were some enclosed patios and stairways. He said there were no CC&R's to prevent changes. He agreed with Boardmember Teiser that the fact that the Kells had enclosed their deck was unfair to the other neighbors, as this extends their privacy needs another 10 feet out. He noted the receipt of a couple of letters and a neighbor who spoke in opposition and he is concerned that the project would look like a one-and-a-half story set of stairs that would cause privacy impacts. He said he could not support the request, as it does not fit the character of the complex.

Boardmember Teiser asked if the steepness of the stairs complied with the Building Code. Planning Manager Watrous said this would be something the building official would have to determine.

Chair Doyle said he believed the addition to the neighbors' home was completed prior to the current owners moving in. He felt the deck on the second floor was fine and noted that the Kells also have stairs extending beyond their walls. He said that right now, the neighbors' view is toward a wall, not the Golden Gate Bridge. He wondered if it might be better to install a circular stairway. He said that the stairs would stick out a little bit but it was only 11 feet high and it felt like it would not be a long stairway.

Boardmember Teiser said he felt it was not so much an issue of aesthetics and did not feel the proposal would

violate privacy. Boardmember Corcoran agreed that the privacy concern was not that big of an issue, however he believed the proposal is not the right design and not a compromise.

**ACTION: It was M/S (Teiser/Frymier) that the project is exempt from the provisions of the California Environmental Quality Act and approving the project with the attached conditions of approval. Vote: 3-1 (Corcoran voted no).**

**1. 490 RIDGE ROAD DUNPHY, NEW DWELLING/VARIANCES**

The applicant is requesting Design Review approval for the construction of a new two-story single-family dwelling on property located at 490 Ridge Road. The subject property was previously developed with a two-story single-family residence which has been demolished. The applicant therefore submitted an application for construction of a new residence with variances for reduced side yard setback and excess lot coverage. The application was reviewed by the Design Review Board on August 16, 2007. At that time, it was noted that several changes had been made to the previously approved plans, including an increase in the roof height of up to 3 feet. Several neighbors with views across the property objected to the revised plans, citing intrusion into their views toward San Francisco Bay and the Golden Gate Bridge. The Design Review Board shared these concerns and continued the request, with direction to the applicant to work with the neighbors and consider alternative designs for the house. A new architect was hired for the project and revised plans have been discussed with the affected neighbors. The revised plans indicate that the house would be placed in generally the same location as the previous structure on the site. Variances are no longer requested for the project as the lot coverage has been reduced and the house has also been pulled out of the northern side yard setback. The height of the house has also been reduced, particularly along the northern side of the house where the previously submitted plans indicated a 3 foot height increase.

Colleen Mahoney, architect, described the changes to the project design. She said that they had met with the neighbors who appeared to support the revised plans.

The Chair opened the public hearing.

Richard Dwyer said he and neighbor Pam Peterson met with the architect to discuss their concerns. He appreciated the cooperation by the owner to revise the project, and thanked the Board and staff who he felt have been considerate of their concerns. He asked that the owner clean up the debris around the house as he is in the process of showing his home for rental purposes.

Dan Dunphy, owner, said he has been waiting for permission to clean up the site. He stated that he has worked on the project over the last two years and it has been a long, painful and costly experience, but he was glad that the architect's talent had turned it around.

The Chair closed the public hearing.

Vice-Chair Frymier felt the home was gorgeous and that the applicant and owner have gone overboard in trying to appease the neighbor's concerns. Her only comment was that the house had a lot of windows, particularly along the east elevation. She said that she was not worried so much about light pollution, but that all these windows would let in a lot of light, sun and heat.

Boardmember Corcoran agreed that the project would have many windows. He said that there had been a remarkable turnaround since the last review and that the owners had made considerable effort to please the neighbors. He recognized the good spirit of cooperation between the applicant and the neighbors.

Vice-Chair Frymier complimented the architect on the diversity of exterior features, which help articulate the project design.

Boardmember Teiser complimented the architect and said her work has made the project much better. He said that this provided another example that the Design Review process works, as the applicant and architect worked with the neighbors to come up with a beautiful design.

Chair Doyle agreed that it was wonderful when people work together and end up with a great design.

**ACTION: It was M/S (Frymier/Corcoran) that the project is exempt from the provisions of the California Environmental Quality Act and approving the project with attached conditions of approval. Vote: 4-0.**

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

### **3. 102 VIA LOS ALTOS OCKNER, ADDITION/VARIANCE**

The applicant is submitting a request to construct an extension of the second floor on an existing single-family dwelling, on the property located at 102 Via Los Altos. The proposed addition would expand the existing upper level with a third bedroom and bathroom, adjacent to the existing two bedrooms. A variance is requested for excess building height

Hank Bruce, architect, noted that the neighbor fully supports the project. He briefly discussed the proposal as being a modest addition.

There was no public comment.

Boardmember Corcoran said he visited the site and stated that neighbor's home was on the far side from the addition and would not be impacted.

Boardmember Teiser stated that he visited the next door neighbor's home and felt it was a modest addition.

Boardmember Corcoran added that he could make the finding for a variance because the addition would not impact the neighbors.

**ACTION: It was M/S (Corcoran/Frymier) that the project is exempt from the California Environmental Quality Act and approving the project subject to the attached conditions of approval.**

**Vote: 4-0.**

**4. 64 REED RANCH ROAD**

**CLOTHIER, ADDITIONS**

The applicant is requesting Design Review approval for the construction of an addition and alterations to an existing single-family home located at 64 Reed Ranch Road. The addition would include a multi-purpose room over the existing garage and a new deck and stairs to connect the new living space to the yard. A new driveway access gate is also included with the proposal as well as converting the existing sun room off of the master bedroom into living space.

David Kotzebue, architect, briefly described the project.

There was no public comment.

Boardmember Teiser felt the design was appropriate. He said that this is an isolated location which faces the open space. He felt that the project would not impact neighbors either below or closer to Reed Ranch Road.

Boardmember Corcoran stated that he frequently walks on the open space near the site and agreed that no neighbors would be impacted.

Chair Doyle said he particularly liked the design of the gate.

**ACTION: It was M/S (Teiser/Frymier) that the project is exempt from the provisions of the California Environmental Quality Act and approving the project with attached conditions of approval. Vote: 4-0.**

**5. 695 HAWTHORNE DRIVE**

**CHAN, NEW DWELLING/VARIANCE  
CONTINUED TO 11/1/07**

**F. APPROVAL OF MINUTES #17 OF THE 10/4/07 DESIGN REVIEW BOARD MEETING**

Boardmember Teiser requested the following amendments:

Page 4, 2<sup>nd</sup> paragraph, add “right to retain”;

Page 4, 5<sup>th</sup> paragraph; “...spoke to the ~~tenant~~ and property owner...”

Page 13, 4<sup>th</sup> paragraph; Insert a period after the word, “character” and delete the remainder of the sentence.

Page 5, 6<sup>th</sup> paragraph; “...lowered view, and felt it seemed...”

Page 6, 1<sup>st</sup> paragraph; “...world class views and maintain this view...”

Page 7, 3<sup>rd</sup> paragraph; “...proposed ~~to be~~”

Page 7, 3<sup>rd</sup> paragraph; “He said the path connects to ~~the~~ downtown.”

Page 8, 4<sup>th</sup> paragraph; Insert a period after the word, “reason” and delete “>”

Page 8, 5<sup>th</sup> paragraph; “...public path has not been...”

Page 8, 7<sup>th</sup> paragraph; “...must be addressed.”

Page 9, 1<sup>st</sup> paragraph; add “values will be somewhat affected.”

Page 9, 3<sup>rd</sup> paragraph; “...that the mass of it was”

Page 9, 3<sup>rd</sup> paragraph; “has been lowered.”  
Page 9, 3<sup>rd</sup> paragraph; “stair stepped the house”

Boardmember Corcoran had the following amendments:

Page 4, 3<sup>rd</sup> paragraph from the bottom; “...and complies with the Town’s design and height guidelines.”

Page 8, 1<sup>st</sup> full paragraph; “Boardmember Corcoran felt the houses’ massive appearance would be obstructed by trees.”

Page 8, 4<sup>th</sup> paragraph; “...a public path has not been legally established.”

Page 9, 1<sup>st</sup> paragraph; “He was unclear about the pathway and felt it would be helpful for the Town staff or Town Attorney Council to provide guidance on the matter.”

Page 13, top of the page; “He noted the number of variances....keep gross area under the FAR allowed for the size of the lot.”

Page 13, last sentence; “...drag out like the 18 Centro West project.”

Chair Doyle had the following amendments:

Page 13, 4<sup>th</sup> line down; “Chair Doyle would not be imposing ~~form~~ from...”

Page 13, “Chair Doyle said the ~~answer~~ question is to reduce the bulk of the house.”

<b>ACTION: It was M/S (Teiser/Corcoran) to approve the Minutes of the 10/4/07 Design Review Board Meeting, as amended. Vote: 4-0.</b>
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## G. ADJOURNMENT

The meeting was adjourned at 7:55 p.m.