

C. STAFF BRIEFING

Planning Manager Watrous stated that the application for 63 Paseo Mirasol has been withdrawn and that the January 3, 2008 Board meeting has been canceled. He noted that the Town Council will hear the appeal for 78 Red Hill Circle on January 16, 2008, the appeal for 275 Diviso on February 6, 2008, and the Kol Shofar appeal on February 20, 2008.

D. OLD BUSINESS BEFORE THE BOARD

1. 3 SOUTHRIDGE DRIVE PEITZ, NEW DWELLING

Boardmember Corcoran said he would need to recuse himself as he lives within 500 feet of the subject property. It was the consensus of the Board to table the item until later in the meeting in the hope that Chair Doyle would arrive. The applicant agreed and the item was tabled.

E. NEW BUSINESS BEFORE THE BOARD

2. 132 HACIENDA DRIVE MILANO, ADDITIONS/VARIANCE

A request has been submitted for the construction of an addition to an existing single-family dwelling with a variance for reduced side yard setback on the property located at 132 Hacienda Drive. The area of expansion proposed is located on the lower level of the home, in which the applicant seeks to expand the existing master bedroom. The area of expansion would also create a new deck for the level above, accessible through the existing dining room. A variance is requested for reduced side yard setback.

Mohamad Sadrieh, architect, described the proposed addition as modest and said the two reasons for the addition are that the current master bedroom is very long and narrow and there is no location to put a barbeque outside of the house. He felt that the findings could be made to approve the variance due to the narrow configuration that would result for the master bedroom if they had to comply with the setback.

Boardmember Teiser opened the public hearing, and there were no comments.

Boardmember Corcoran stated that this was a modest proposal that would be easy to approve if no variance was requested. He felt that it would be hard to find an unnecessary hardship because of the area for a barbeque and the narrowness of the master bedroom.

Boardmember Glassner stated that a deep encroachment was requested and agreed that a lack of an area for a barbeque did not qualify as a hardship.

Boardmember Teiser said he believed that the required setback created a practical difficulty in expanding the bedroom due to its current design and he could make this finding. He noted that no neighbors would be affected by the addition. Boardmembers Corcoran and Glassner agreed that the finding for practical difficulty could be made.

chimney would be moved to the center of the home which would be directly in line with Ms. Logan's view of the water. He stated that during the years he served the Town, efforts were made to ensure that the existing views of the water were not negatively impacted, especially when people were trying to gain a view through the design review process that they did not have originally. He said that Ms. Logan's home was built to ensure the homes uphill would retain their water views and if the Board approves the proposal, other homes in the area may eventually try to request to extend into other water views.

Boardmember Corcoran confirmed that the photographs represented Ms. Logan's principle views from her living room, dining room and adjacent family room. Mr. Logan added that the applicant is proposing to install a series of 25-foot trees which could also intrude into water views. Mr. Logan stated that the applicant had indicated that the height of the roof could be reduced by 24 inches, but this would still result in an unreasonable impact on views.

Beth Logan stated that she spoke on behalf of April Court and Karen Lindgren, and said that if the trees and hedge were trimmed, the proposed house would also affect these neighbors' views.

Mr. Grove displayed additional photos showing views toward his house. He described his discussions with Ms. Logan. He said that he had gone to her house and asked if she would support the two-story house proposal. After she expressed concerns about her view of the second story, he said that he proposed an elevated one-story house which would be high enough for him to see the bay without affecting her view. He said that she voiced no objection but then, but again recently said that she had second thoughts and asked him to take another look at her view. He said that trees that now block Ms. Logan's view were much lower in the older photos presented and he assumed she was not as concerned with her view until he discussed his proposed plans. He said he has lived in Pine Terrace for 19 years and Ms. Logan has never asked him to cut any trees until this year, and only after he mentioned the plans for his new home. He said that Felipa Court is over 300 feet from his house and his home appears very small when viewed from that distance.

The public hearing was closed.

Boardmember Glassner said he thinks the plan has gone through its genesis. He felt the view blockages are not as egregious as presented in the photos submitted by Mr. Logan. He said that the house is near the end of its effective life. He said that the house design is not overly complex and takes advantage of its site. He felt that the applicant has made diplomatic attempts to work with the neighbors and he could support the project.

Boardmember Corcoran said he was somewhat bothered by how close the house would be to the rear property line, although the 3 foot setback represented only one corner of the house. He acknowledged that the applicant had gone above and beyond in reaching out to neighbors and noted that the story poles were up for a long time. He said that he was sympathetic to some loss of water views, but he noted that these homes were built next to a railroad in a completely different era. He believed that Pine Terrace residents should be able to raise their homes and take advantage of the water view. He said that there would be not much difference in the impact on water views if the house was raised 2 feet instead of 5 feet.

Boardmember Teiser said he felt it was immaterial whether or not Ms. Logan asked for trees or hedges to be trimmed over the years. He stated that the Hillside Guidelines state that foreground views are not as important as broad distant views and this project would have a minimal impact to a foreground view. He said that the

house would block only a small portion of water views and would be a minimal intrusion for the neighbors.

ACTION: It was M/S (Corcoran/Glassner) that the project is exempt from the California Environmental Quality Act and approving the project with the attached conditions of approval. Vote: 3-0.

5. 65 ROLLING HILLS ROAD TARANTINO, NEW DWELLING/VARIANCE

A request has been made to construct additions to an existing one-story single-family dwelling on property located at 65 Rolling Hills Road. The subject property is currently developed with a single-family dwelling. As more than 50 percent of the existing structure would be demolished as part of the project, the application is being processed as a new single-family dwelling. The main level the existing house would be substantially reconfigured. The existing master bedroom suite would be expanded and converted into a new bedroom, bathroom and laundry room. The living room, kitchen and dining room would be reconfigured, with a two-story height ceiling above the living room. The west wing would be modified from three bedrooms, two bathrooms and an exercise room into two bedrooms and bathrooms. A new second story master bedroom suite would be constructed above the western wing of the house. The existing swimming pool in the front yard would be replaced with a new pool and a 5 foot tall wire fence would be installed for safety purposes. One new skylight would be installed on the roof of the house. Variances are requested for reduced front and side yard setbacks.

Nick Noyes, architect, said he met with Ms. Fisher and Mr. and Ms. Berry; the two most affected property owners. In response to their concerns he presented both the submitted plans and a new proposal. He said that they would pull the second floor out of the setback, and break up the mass with horizontal and vertical elements. They changed materials to a stained cedar and incorporated glass, cedar, and stucco to create articulation. He noted a minor error in the staff report which should indicate, "Given the uphill location the house will not interfere with views."

The public hearing was opened.

Robin Fisher said she lives next door to the proposed house and their main concern is the corner of the house. She said that it was difficult to understand the difference was between the current and previous proposals.

Kevin Fisher said he appreciated the applicant's efforts, but was still trying to understand the impact the proposal's second story, the extent of the overhang and roofline, and what the story poles represented.

Boardmember Teiser said he visited the Fisher's home and it seemed that most of the impact would not be noticeable from their interior space but from recreational space on the deck. Mr. Fisher said that having a second-story hanging over the area would impact their deck, pool and spa area. He said that he can see the top of the story poles while standing in their living room looking out south and he felt this impact their view to the city and the water from their living room, as well as from their upper and lower decks.

Bill Berry said he is a downhill neighbor, said they sent a letter regarding the mass of the structure and its overhanging effect on their privacy. He commended the applicant and owner in taking this into account but felt the roofline would still loom over their property. He said the corner of the house would be straight uphill from their garage. He requested that the roofline be moved back a few feet and have the building mass broken

up with planting. He said that he would much rather see the entire second story on the other wing of the house where it would not bother any of the neighbors, but he was not sure this could be done.

Boardmember Corcoran asked if the Fishers could look up and view the home from any interior spaces. Mr. Berry said they have skylights in the kitchen and master bathroom where they can see the story poles very clearly, and he thought moving the roofline back a few feet might help.

Boardmember Teiser said his impression when visiting Mr. Berry's home was that the issue was more one of privacy in the back yard. Mr. Berry agreed and said their house is configured for the views, and not toward uphill. He said that they worked with the original owner of the house to grow a hedge at the right height to add privacy, but the proposed second story would make the hedge irrelevant.

Rita Burgess said the proposal would not affect their home much and asked about the roof height. She stated that the Hillside Design Guidelines address concerns with continuous mass, and that the story poles can be seen from Tiburon Boulevard. She thanked the applicants for addressing the building mass but said that she wanted a better understanding of the roof height, materials, and to further break up the building mass.

Mr. Noyes clarified the location of the story poles. He said that to address concerns about the extensive roof overhangs, they have cut the roof back 2'8", leaving only an 8" overhang. He said the corner of the interior space has been also changed and hopefully would not loom over the Burgess' property at all. He said the deck railing would also help introduce new material and create a visual screen. In response to a question from Boardmember Corcoran, Mr. Noyes indicated windows that would have opaque glass, ribbed glass or frosted windows to alleviate privacy concerns. He stated that building the two-story structure on the opposite side of the house would create an eyesore.

The public hearing was closed.

Boardmember Glassner believed that the project is a work in progress, with the applicant trying to work things through with the neighbors. He said that although the owner and architect are making great efforts, he found it difficult to understand the revisions. He suggested that the applicant and owner continue to work with the neighbors and return with a plan that is more complete.

Boardmember Corcoran stated that it would be helpful to have more detailed and accurate story poles. He stated that moving the addition back 3 feet without pulling back the roofline would not create the stepping effect recommended by the Hillside Guidelines. He felt that there were a lot of vertical planes and glass that would appear massive from the Berrys' property. He also noted that the Hillside Guidelines discourage windows that go from floor to ceiling. He felt the design was beautiful, but he did not feel the proposal complied with the Hillside Guidelines or other Town guidelines. He thought the proposal would appear very massive and he suggested pushing the proposal back. He understood that the applicant wants to keep the proposal on the same foundation, but the site has a beautiful view regardless. He therefore asked the applicant to step the entire structure back into the hillside to minimize impacts to those living above and below.

Boardmember Teiser echoed Boardmember Glassner's comment that the project is a work in progress and should be continued. He requested that the applicant submit formal plans for the proposal. He appreciated the revisions, but stated that there is an opportunity for more work to be done with the neighbors. He felt that

more of the house could encroach into the pool area and the house design could be better articulated so that it would be less imposing from the Berrys' property. He said that the landscape plan was unclear, particularly about which trees were new and proposed. He suggested that the applicant not try to maintain everything on the exact same foundation and to pull the proposal to the east and the second floor away from the Berrys.

Boardmember Corcoran said he did not want to make the project economically unfeasible, but that some tradeoffs come with requests for second story construction.

Mr. Noyes asked if the shadow cast by a 3 foot overhang was a positive thing to help break up the mass. Boardmember Corcoran said it is a nice aesthetic feature but it does not comply with the Hillside Guidelines.

**ACTION: It was M/S (Corcoran/Glassner) to continue the application to the January 17, 2008 meeting.
Vote: 3-0.**

1. 3 SOUTHRIDGE DRIVE PEITZ, NEW DWELLING

Boardmember Corcoran recused himself from this item.

The applicant is requesting Design Review approval for the construction of a new two-story single-family dwelling on property located at 3 Southridge Drive. The subject property is currently vacant. This application was reviewed at the November 1, 2007 Design Review Board meeting. At that meeting, objections were raised by several neighboring property owners regarding the height, roofing materials, parking, drainage and potential view impacts that could be caused by the proposed house. The Design Review Board recognized the difficulty of building on the last vacant lot in this subdivision and felt that the house should be lowered and possibly stepped down on the property. The application was continued to the December 6 meeting. The applicant subsequently requested a further continuance to the December 20 meeting. Revised plans have now been submitted plans which lower the house to a maximum building height of 25 feet, 10 inches, and an overall reduction in the ridgeline elevation of 4 feet, 5 inches. The trellis would be moved to the center of the rear of the house and additional shrubs would be planted along the southern property line facing the homes at 1 & 3 Cayford Drive. The footprint, floor area and exterior colors and materials of the house would remain the same as the previously submitted plans.

Planning Manager Watrous confirmed that if the Design Review Board begins the meeting with a quorum, it can continue with less than a quorum with two members. He recommended the Board ask the applicant whether or not he wished to proceed with two Boardmembers present or continue the matter without a hearing. The applicant agreed to proceed with the hearing.

Ron Wager, architect, said that in response to comments from the last meeting, they stepped the house downhill, lowered the garage to step down to the main level, pulled the upper level down and changed the slope of the roof. He stated that they also put in heavy landscaping to mitigate view and privacy issues, revised the drainage plan and also moved the trellis out of view.

Susan Peitz said that their primary objective is to get along with all of the neighbors and that they have met with them four times as a group and many times one-on-one. She said that they have spent a lot of time and some expense compromising and making changes. She said that the compromises have changed the livability

of the house, such as decreasing the height of the children's bedrooms and removing a play area to the back. She said that the size of the home would be similar to the average size and height of the other houses in the cul-de-sac and on Cayford Drive. She said that lower the house an additional 2.5 feet would require immense expense, time, and a complete redesign. She stated that the revised project has been carefully considered and approved by the Architectural Control Committee of the homeowner's association.

The public hearing was opened.

Chris Ventris said that he feels bad that the Architectural Control Committee approved the project yet the neighbors are continuing in opposing the design. He said the owners did not approach him about the design and did not take preservation of his views into consideration. He presented pictures of the story poles and said that their objection is the blockage of the main vista view from their primary living area. He suggested that the house take advantage of the remainder of the building envelope to avoid impacting their views.

Arthur Gimmy, member of the Architectural Control Committee, said he is a former member of the Design Review Board and Planning Commission, a real estate consultant, and member of the American Planning Association for over 25 years. He stated that he reviewed the various houses within the cul-de-sac and believed that the proposed house should be pushed back to the west by about 10 feet which would add more parking area, provide a better appearance to the cul-de-sac and reduce the visual massiveness of the house.

Diane Nhuch said she lives in a house that is set further back from the street. She said that the story poles make the proposal appear to be very close to the cul-de-sac. She said that it is impossible to park in the cul-de-sac and that the mass of the proposed house would close off the appearance of the cul-de-sac. She asked that the house be pushed back to give a better look and feel from the street.

Rob Margolin said he sold the lot to the Speitz's and agreed that the issue of where it sits on the cul-de-sac is controversial. He said that having the house closer to the street would help his view. He was concerned that other neighbors would be affected if the house was moved. He commended the applicants for lowering the house, felt the bulk had been reduced and supported the proposal as is.

Boardmember Glassner asked what has been done for overflow and guest parking in the area. Mr. Margolin said there is no parking in the cul-de-sac, but there is a fair amount of parking on the street past the cul-de-sac and he has never experienced problems or issues involving parking.

Cindy Fenner stated that reducing the house height by 4.5 feet was a good start. She said that a review of the topography and historical maps reveals that the lot is 2 feet higher than when the subdivision was originally approved. She stated grading down the lot 2 feet might help with potential view impacts. She stated that the Peitz's agreed to consider a lighter roof color at the Architectural Control Committee meeting and asked if the roof color had been revised. She was not sure if the hedges to be planted were going to be high enough to address landscaping and privacy issues and asked that the Planning Division review the final landscape plans. She questioned the dates of the submitted plans and wanted to make sure the plans were the same as those reviewed by the Architectural Control Committee.

Barbara Linn thanked Boardmember Teiser for visiting her property and viewing the story poles from her backyard and living areas. She stated that despite the changes she still believed that the house was too large

and would not fit the lot well. She suggested further reducing the elevation and height of the house. She said that there may be a better use of the lot by spreading the house out on the site and she felt that either solution would mitigate neighbor concerns. She continued to be concerned about the windows on the south-facing side of the house, stating that all other homes in the area are at angles so no windows look into other neighbors' windows. She said that the windows would look directly into her backyard, her kitchen, family room, dining room, master bedroom and bath and an upstairs bedroom. She said that each of the rooms has east or west facing windows and felt the windows could be reduced or modified to provide adequate ventilation and lighting. She asked to reduce the impact on privacy by reducing the number of windows, raising the sills, or rotating the bedroom windows horizontally. She asked that if the project is approved, that the hedge materials be reviewed by the Planning Divisions. Lastly, she understood that the Design Review Board does not address grading or drainage issues and she said that she will follow up with the Building Division on those concerns.

John Van Hooser said his concern has been the impact on his views which were well laid out in the initial staff report. He acknowledged that the Peitz's have agreed to move the trellis to the west which will help. He was concerned that other changes to the house design, such as the placement of the house or landscaping, could further impact their view. He said that the trees that were added at Ms. Fenner's request would be directly in his view corridor of Mt. Tamalpais.

Dan Weiss, contractor for the applicant, stated that they have listened very carefully to the Board and neighbors and they have done their utmost to try to satisfy as many as concerns as possible knowing they could not solve 100% of everyone's concerns. He said the plans are the exact same drawings approved by the Architectural Control Committee. He said that a lot of grading to the site is required in order to lower the house 4.5 feet. He said that they redesigned the entryway of the house and lowered the garage to get the drainage from the garage onto the cul-de-sac. He stated that the front porch area and the entrance inside the house would have a step of two risers to get down to the main floor area and that they needed to put the house on a slab to lower the floor elevation. He said that dirt would be moved to the lower portion of the site, as suggested at the previous meeting.

Mr. Weiss stated that the siting of the house is tricky. He said that moving the house further back on the site would cause neighbors to lose their views of Mt. Tamalpais whether the house is a single- or two-story design. He said that moving the house back on the site would also bring the house much closer to the downhill neighbors. He said that the proposed house would be sited similar to almost all homes in the subdivision except those on flat lots. He agreed to work with staff regarding landscaping. He said that they have proposed a hip roof because it slopes down on the sides. He stated that the major views of Mt. Tamalpais would be preserved and there is only a tip of an area that would block any view of the horizon. He said that the house would be up against the building envelope at two points and they believed that they have done as much as they can to address siting of the house. He said that excavating the site more would require a tremendous amount of site work, cost and retaining walls. He felt they have taken suggestions from the Board and incorporated those into the plan. In his opinion, the house would step back well when viewed from the street. He stated that trees were first introduced in order to satisfy the owners at 1 Cayford Drive because of privacy and could be trimmed at a height that could prevent blockage of views from all neighbors. He stated that the house would have three second story windows facing Ms. Linn's house, including one bathroom window and one toilet window, and the two children's bedroom windows have been reduced in size by 25%.

The public hearing was closed.

Boardmember Glassner said he believed that there will be no way to make all the neighbors happy and that siting the house on this property was very difficult. He said that the primary issues before were the height of the home, the number of windows, and the trellis, and that all of these issues have been addressed. He said that there is no way to move the house one way or the other without affecting other neighbors. He said that the trees and landscaping could be reviewed by Planning staff. Lastly, he went back through his notes and felt that every one of the issues brought up by the Design Review Board had been addressed and he could support the project.

Boardmember Teiser said he could not support the project. He thought the lot cries for a one-story house and that the owners are not using the space available on the lot. He stated that the lot was built up by the previous owner to be a play area and if the whole lot was brought down to the original grade, a one-story home would only block some of the view of the Margolins and eliminate all issues for the homes on Cayford Drive. He felt that the house was designed to protect the previous owner's views, and he believed that there are options that have not yet been explored. He said that the applicant only went part way toward filling the rear yard. He also suggested making the windows facing Cayford Drive smaller. He said that he did not want to vote on the application due to a stalemate (which would result in denial of the application) and because of the full Board not being present.

Boardmember Glassner recommended a continuance but asked that the Board to be consistent with the direction the Board has already given the applicant such as the height reduction. He recommended continuance if the Board could not reach consensus.

Boardmember Teiser said that he did not suggest going to a one-story design at the last meeting but he had thought about it. He thinks there is more opportunity to work with the property because it is a large lot.

ACTION: It was M/S (Glassner/Teiser) to continue the item to the January 17, 2008 meeting. Vote: 2-0-1. (Corcoran recused).
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F. APPROVAL OF MINUTES #21 OF THE 12/6/07 DESIGN REVIEW BOARD MEETING

Boardmember Corcoran requested the following amendments:

- Page 4, 6th paragraph; “..more of a view privacy...”
- Page 5, 3rd paragraph; “...presence of a pool cover.”
- Page 9, 6th paragraph; “...was beautiful, but did not...”
- Page 9, 6th paragraph; ...”job of reaching out to...”

Boardmember Teiser requested the following amendments:

- Page 6, 3rd sentence; “He felt the pool was too large and would prefer to see the pool located in the area below the existing pool area. He said that they could build the cabana into the hillside which would reduce noise for the neighbors, and the current pool area could be used as a play area for children.”

- Page 6, last sentence; “He supported the idea of a taller acoustical wall along the side property line, which the Board would be inclined to grant for a variance.”
- Page 10, add the following after the first sentence; “Boardmember Teiser said he could make the findings, noting that the Board looks at projects on a case-by-case basis. He noted that the 13’6” fence was not a solid wall and that it contained a gate which had open grating.”

ACTION: It was M/S (Glassner/Teiser) to approve the Minutes of the December 6, 2007 meeting, as amended. Vote: 2-0.

G. ADJOURNMENT

The meeting was adjourned at 9:35 p.m.