

ACTION MINUTES #15

**TIBURON DESIGN REVIEW BOARD
THURSDAY, OCTOBER 16, 2008
1505 TIBURON BOULEVARD**

- A. ROLL CALL:** **Present** - Chair Doyle, Boardmembers Chong, Tollini and Wilson
 Absent - Boardmember Glassner
 Ex-Officio - Planning Manager Watrous and Minutes Clerk Rusting
- B. PUBLIC COMMENTS (FOR ITEMS NOT ON THE AGENDA)**
- C. STAFF BRIEFING**
- D. NEW BUSINESS BEFORE THE BOARD**
1. 1 Main Street Caffe Acri Sign Permit **CONTINUED TO 12/4/08**
2. 9 Main Street Servino Ristorante Sign Permit **CONTINUED TO 12/4/08**
- E. OLD BUSINESS BEFORE THE BOARD**
3. 96 Mt. Tiburon Ct 96 Mt. Tiburon LLC New Dwelling **APPROVED**
- F. NEW BUSINESS BEFORE THE BOARD**
4. 2 McCart Court Kaiser Additions/Floor Area Exception **CONTINUED TO 11/6/08**
5. 4 Old Landing Rd. Seeger/Cohen Addition **APPROVED**
6. 325 Taylor Road Gause/Kuhn Addition/Variance **CONTINUED TO 11/6/08**
- G. MINUTES OF THE 10/2/08 DESIGN REVIEW BOARD MEETING – APPROVED**
- H. ADJOURNMENT – 8:10 P.M.**

**MINUTES #15
TIBURON DESIGN REVIEW BOARD
MEETING OF OCTOBER 16, 2008**

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

A. ROLL CALL

Present: Chair Doyle, Boardmembers Chong, Wilson, and Tollini
Absent: Vice-Chair Glassner
Ex-Officio: Planning Manager Watrous and Minutes Clerk Rusting

B. PUBLIC COMMENTS - None

C. STAFF BRIEFING

Planning Manager Watrous reported that the application for 325 Taylor Road was continued to November 6 meeting, and the applications for 1 Main Street and 9 Main Street were continued to the December 4 meeting.

D. CONSENT CALENDAR

1. 1 MAIN STREET CAFFE ACRI, SIGN PERMIT - CONTINUED TO 12/4/08

2. 9 MAIN STREET SERVINO RISTORANTE, SIGN PERMIT - CONTINUED TO 12/4/08

E. OLD BUSINESS BEFORE THE BOARD

3. 96 MT. TIBURON COURT 96 MT. TIBURON LLC, NEW DWELLING

The applicant is requesting Design Review approval for the construction of a new single-family dwelling and detached garage on property located at 96 Mt. Tiburon Court. This application was previously reviewed at the August 21 and September 18, 2008 Design Review Board meetings. At the last meeting, the applicants presented revised plans for the proposed house that pulled the building back from the property at 98 Mt. Tiburon Court and lowered the height of the ramped driveway and the garage elevation. The owners of 98 Mt. Tiburon Court continued to object to potential privacy concerns from the proposed house design. The Design Review Board found the overall design of the house to be acceptable, but felt that the house should be moved away from these neighbors. The application was continued and the applicants have now submitted revised plans for the proposed house. The design of the house has remained essentially unchanged, but the location of the house has been moved uphill approximately 9 feet, 10 inches, encroaching 8 feet into the required rear yard setback. The elevator tower at the rear of the house has also been eliminated. The 6,403 square foot floor area and 9.5% lot coverage of the house remain unchanged from the previously reviewed plans. A variance is now requested for reduced rear yard setback.

Jack Backus, architect, reviewed the changes made since the last Design Review Board meeting, stating they have rotated the building 10 degrees to shield views from the neighboring property around the pool, pushed back the house by 8 feet into the rear setback and have added landscaping to reduce the mass appearance. He said they will work with staff and neighbors to find the appropriate amount of screening to provide in the landscaping and will talk with the Fire Department about preserving some of the existing trees to maintain privacy. From the property line, it is now about 28 feet to the house, and the distance between all neighboring properties is now the same. The elevator machine room has also been removed, as per Mr. Moody's suggestion.

The public hearing was opened.

Bob Gloger confirmed with the applicant that there would be one bathroom window facing his residence. Mr. Gloger acknowledged that there would be a home in the location and noted that the applicant has made a number of changes to address privacy concerns. As a result he removed his objections to the house, but asked if anything more could be done to lower the driveway further.

Chair Doyle asked about the plantings near the entrance that were discussed at the last Design Review Board meeting. Mr. Backus said they added 4 trees near the entrance and also smaller plants adjacent to the deck. Boardmember Wilson asked if there would still be a deck at the upper level. Mr. Backus responded that there would be an upper terrace, but it would be set back further and would not have any views into neighboring properties.

Mr. Gloger asked if it was possible for construction crews to not work on Saturdays and to start work at a reasonable hour during the week. Vernon Bradley, applicant, responded that they usually start at 9 a.m. Chair Doyle said that the Design Review Board cannot make this a condition of approval but the neighbor and applicant can work together on the work schedule.

The public hearing was closed.

Boardmember Chong stated that this is how the process is supposed to work and that the changes in the plans have been for the better. He felt that the landscaping was a missing piece but agreed that the applicant could work with staff on that. He commended the applicant for doing a good job of working with the neighbors.

Boardmember Tollini agreed, adding that he liked the idea of a landscaped buffer for the pool and along the side property line. He said that the changes have been made to help the neighbors, and although the driveway has been substantially lowered, he would still like to see it lowered another foot or two.

Boardmember Wilson stated that this was a challenging site and a successful house design.

Chair Doyle agreed that the applicant had made good changes and listened to the neighbors. He said that the applicant would work with staff on the landscaping along the side property line and he hoped that the applicant would work with the neighbors about construction hours and noise.

ACTION: It was M/S (Wilson/Chong) that the project is exempt from the California Environmental Quality Act and approved the project subject to the attached conditions of approval. Vote: 4-0.
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F. NEW BUSINESS BEFORE THE BOARD

4. 2 MCCART COURT KAISER, ADDITIONS/FLOOR AREA EXCEPTION

The applicant is submitting a request for construction of a new three-story single-family dwelling, with a floor area exception, on the property located at 2 McCart Court. Currently the property is improved with a two-story single-family dwelling. The applicant is requesting to demolish over 50% of the existing walls of the structure through an extensive remodel and addition to the home. By demolishing more than 50% of the structure, the project is therefore classified as “new construction”. The project proposed would maintain much of the existing two-story structure, with a three-story addition on the left side of the home. The existing structure would be slightly expanded and receive an overall interior reconfiguration. An existing secondary dwelling unit within the house would also be reconfigured as part of the proposal.

John Swain, architect, said the lot is large and odd-shaped and there are privacy and noise issues because of its proximity to Tiburon Boulevard. In order to reduce the impact on neighbors across Tiburon Boulevard on Felipa Court, the expansion has been planned at the other side of the house. Mr. Swain noted that the floor area exception is requested primarily for the breezeway, the purpose of which is to gain entrance to the backyard. He said the plan is environmentally friendly and would achieve platinum status as a green building. He said that part of the roof above the three-story addition was designed to hide solar panels and the stair

tower is designed so that windows open to get natural air flowing through the house. Mr. Swain also pointed out that there are other buildings in the area of similar size.

The public hearing was opened.

Peter Kaiser, owner, said the property is surrounded by mature vegetation and it is not particularly visible from Tiburon Boulevard, but only the top portion of the addition would be visible. He said that the house sits lower and the existing second floor level is equal in height to Tiburon Boulevard. He said he does not want to cut the hedges because they currently provide some privacy and also would require removing 6 trees. He said that they have consciously moved the structure 15 feet from the rear so that one neighbor would have a wider view. He acknowledged that another neighbor is concerned about the story poles that indicate that the height of the roof, but the size of the roof needed for the efficiency of the solar panels.

Bruce Lindgren distributed two pictures of the story poles--a close-up and a wider shot. Mr. Lindgren said he has had discussions with Mr. Kaiser about trimming the hedges and Mr. Kaiser asked him to initial the plans as part of that discussion. He said that he did initial them and after about 10 feet was taken off of hedges the story poles were much more visible than he had believed them to be.

Edna Mitchell said that the story poles indicate that the highest portion of the addition would look directly into her garden where she has always had total privacy there. She was also concerned about whether there were enough parking spaces for the house and the secondary dwelling unit.

Beth Logan said that the existing house already blocks her view and the addition would go up higher to block even more of her view.

Margo Zender spoke support of the project, stating that it was beautiful and would blend in with other homes along the bay side.

Mr. Swain responded to the question about parking, stating there are four parking spots altogether: two spots in the garages, one next to the garage, and one in the breezeway.

Boardmember Tollini asked if there was a rationale for the third story for the addition. Mr. Swain responded that they wanted to move the addition to that side of the house and this was the only way to accomplish that. Mr. Kaiser said the site was surveyed by two independent solar companies and both indicated that that was the best spot for the solar panels because there were no trees and the location received the most direct sunlight.

Boardmember Chong asked if there would be solar panels on other roofs besides the third-story roof. Mr. Kaiser said not currently but they may need to put several panels on the bay side if the occasion arose where the efficiencies could not be achieved on the third story roof.

Chair Doyle said he was concerned about the three story addition and asked if the top floor space could be moved instead to an area above the driveway in front of the garage. Mr. Swain said the property is already lower than Tiburon Boulevard and is really a garage with 2 stories above it, but they could move the addition to the other side of the building. Mr. Kaiser presented photos of other three-story houses in the neighborhood and surrounding area, noting that it is common to see three-story houses, but agreed they will work on it if necessary.

Boardmember Chong asked if anything would be lost if the stairwell were lowered by approximately 3 feet. Mr. Swain felt that it was about as low as it could be to still let in light and air.

Chair Doyle asked about ceiling heights, and Mr. Swain answered that both the second and third floors would have ceiling heights of 8 feet, 4 inches.

The public hearing was closed.

Boardmember Wilson said the house appears to be designed around the third floor bedroom and it was out of character with the neighborhood. He noted that there would be power lines very close to the third floor windows. He suggested moving some of the bedroom floor area out over the driveway, eliminating the third story and reducing the height of the tower.

Boardmember Chong believed the addition looked a bit awkward and felt there were other methods of ventilation than the tall stairwell. He said that he viewed the story poles from the Lindgrens' house and suggested lowering the stairwell by 3 or 4 feet and moving the third-story addition.

Boardmember Tollini applauded the green design but stated that the Board needs to make sure the design of the building fits within the context of the neighborhood, and he found this design to be problematic. He said that the space for solar panels and the stairwell ventilation are in conflict with the views from other homes, especially when the additions would push against the 30 foot height limit. He said that a 30 foot tall structure would be more justifiable on a sloping site but would not work on this lot. He suggested modifying the tower and reducing the floor area to closer to the floor area ratio.

Chair Doyle agreed with fellow Boardmembers and requested the applicant explore other possibilities for the third story bedroom, possibly over the garage. He said that additions like this that block views were difficult to justify.

ACTION: It was M/S (Tollini/Doyle) to continue the application for 2 McCart Court to the November 6, 2008 meeting. Vote: 4-0.

5. 4 OLD LANDING ROAD SEEGER/COHEN, ADDITION

The applicant is requesting Design Review approval for the construction of an addition to an existing single-family dwelling on property located at 4 Old Landing Road. The subject property is currently developed with a two-story single-family home. The project would convert an existing covered porch area into a 273 square foot office/library. The project would increase the floor area of the house to 3,773 square feet but would not increase the lot coverage of the house.

Laureen Seeger, owner, said that they have owned the property since March, 2006. She said that the neighborhood is an eclectic mixture of different home styles and they want to enclose a porch area that already exists in the back of the house. She distributed photos showing the houses currently under development on Old Landing Road and provided photos of the house and porch viewed from Paradise Drive and from her neighbor's house. She said that the porch enclosure would not change the bulk, height, or appearance of the house. She discussed the previous review of the house and said that the 2003 proposal included a larger addition and appeared larger from the front of the house. She said she invited all of the neighbors to come view the addition, but nobody came and she interpreted that absence as resounding support for the project.

There were no public comments.

Chair Doyle said that he understood the limitations placed on this house before, but the area looks very

different than it did 5 or 6 years ago. He said that this was a great little addition that only consists of two new walls. Boardmembers Chong, Tollini, and Wilson agreed, noting that the Old Landing Road neighborhood has changed and that this addition would have no impact on neighbors or change the design or character of the house.

ACTION: It was M/S (Chong/Wilson) that the project is exempt from the California Environmental Quality Act and approved the project subject to the attached conditions of approval. Vote: 4-0.

**6. 325 TAYLOR ROAD GAUSE/KUHN, ADDITION/VARIANCE - CONTINUED TO
11/6/08**

G. APPROVAL OF MINUTES #14 OF THE 10/02/08 DESIGN REVIEW BOARD MEETING

No changes were requested by the Board.

ACTION: It was M/S (Chong/Wilson) to approve the minutes of the October 2, 2008 meeting as written. Vote: 4-0.

F. ADJOURNMENT

The meeting was adjourned at 8:10 p.m.