



TOWN OF TIBURON
Tiburon Town Hall
1505 Tiburon Boulevard
Tiburon, CA 94920

Action and Approved Minutes - Regular Meeting
Design Review Board
August 19, 2010
7:00 P.M.

ACTION MINUTES #13

TIBURON DESIGN REVIEW BOARD

CALL TO ORDER AND ROLL CALL **At 7:00 PM**

Present: Chairman Chong, Boardmembers Emberson, Kricensky & Weller
Absent: Vice Chairman Tollini
Ex-Officio: Planning Manager Watrous

CONSENT CALENDAR

1. **55 MT. TIBURON ROAD:** File No. 710062; Zach and Annette Faidi, Owners; Walter and Betsy Menzel, Appellants; Adoption of Resolution Denying Appeal of Planning Staff's decision to approve a Site Plan and Architectural Review application for construction of a six foot high (6') deer fence. **Resolution Adopted 3-0**

NEW BUSINESS

2. **47 UPPER NORTH TERRACE:** File No. 21013; John Harrington and Ida Baugh, Owners; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with variances for reduced front yard setback and excess lot coverage. The applicants propose to construct 187 square feet of additions to expand the existing living and dining rooms of the house. The additions would extend to within 14 feet, 6 inches of the front property line in lieu of the minimum 30 foot front yard setback for this property. The additions would cover 28.9% of the site, in lieu of the maximum 15.0% lot coverage for this property. **Approved 3-0**
3. **490 RIDGE ROAD:** File No. 21015; Stephen and Honey Schwartz, Owners; Site Plan and Architectural Review for construction of a new spa and landscape improvements, with a variance for reduced side yard setback. The new spa would have a reduced side yard setback of 3 feet, 6 inches in lieu of the minimum 15 feet. **Approved 4-0**

MINUTES

- 4 Regular Meeting of August 5, 2010 **Approved 3-0**

ADJOURNMENT **At 7:40 PM**

**MINUTES #13
TIBURON DESIGN REVIEW BOARD
MEETING OF AUGUST 19, 2010**

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

A. ROLL CALL

Present: Vice Chairman Kricensky, Boardmembers Emberson & Weller

Absent: Chairman Tollini, Boardmember Chong

Ex-Officio: Planning Manager Watrous

B. PUBLIC COMMENTS - None

C. STAFF BRIEFING - None

D. CONSENT CALENDAR

1. **55 MT. TIBURON ROAD:** File No. 710062; Zach and Annette Faidi, Owners; Walter and Betsy Menzel, Appellants; Adoption of Resolution Denying Appeal of Planning Staff's decision to approve a Site Plan and Architectural Review for application for construction of a six foot high (6') deer fence

Planning Manager Watrous advised that unless the Board has questions or comments on the resolution itself, Staff would recommend adoption of the draft resolution at this time.

ACTION: It was M/S (Emberson/Weller) to adopt the Resolution Denying Appeal of Planning Staff's decision to approve a Site Plan and Architectural Review for application for construction of a six foot high (6') deer fence. Vote: 3-0.

Boardmember Weller noted for the record that the Town received a late mail item from the appellant, which reiterates the points made in their presentation, and in his view did not provide new information sufficient to change the Board's position.

E. NEW BUSINESS BEFORE THE BOARD

2. **47 UPPER NORTH TERRACE:** File No. 21013; John Harrington and Ida Baugh, Owners; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with variances for reduced front yard setback and excess lot coverage. The applicants propose to construct 187 square feet of additions to expand the existing living and dining rooms of the house. The additions would extend to within 14 feet, 6 inches of the front property line in lieu of the minimum 30 foot front yard setback for this property. The additions would cover 28.9% of the site, in lieu of the maximum 15.0% lot coverage for this property.

The applicant desires to construct additions to an existing single-family dwelling, with variances for reduced front yard setback and excess lot coverage, on property located at 47 Upper North Terrace. The proposal would expand the existing living room and dining rooms toward the front of the house. An existing above-ground deck to the rear of the house would be expanded to the side. The roofline above the main level of the house would be modified to have a flatter pitch without increasing the ridgeline height. A 6-foot tall wall would surround a patio area in front of the house.

Miles Berger, architect, said they agree with the Staff recommendation. He briefly reviewed the project, stressing that the ridgeline would not encroach on the view of residents behind the subject property. He said that the variances requested were necessary due to the unusual shape of the site and a result of attempts to minimize vertical additions. He stated that the Cassou family had asked that they refrain from installing the metal chimney cap and the applicant has agreed to simply install the required spark arrestor on the chimney instead. He noted another modification to the submitted plans that involves slight relocation and reconfiguration of a proposed skylight.

Vice-Chair Kricensky opened the hearing.

April Cassou stated that she lives directly opposite and above the subject site. She thanked Mr. Berger for his complete cooperation and said that her family was more than satisfied with the project.

Vice-Chair Kricensky inquired about roofing material. Mr. Berger stated that two options have been called out: 1) a dark metal roof for the upward angled portion, or 2) a composition roof identical to existing roofing material.

The public hearing was closed.

Boardmember Emberson said that she visited the site and believed this to be a wonderful way to spruce up a somewhat dated home. Her only concern was the spark arrestor but she was satisfied with the applicant's amendment. She stated a preference for the metal roof, although she said that she would be happy to support the project with either roof material.

Boardmember Weller concurred, adding that the findings could be made to support the requested variances. He said that he visited the site as well and saw no reason not to support the project.

Vice-Chair Kricensky concurred. He said that he visited the site and did not believe that the requested variances would anyone. He commended Mr. Berger and the applicants for working so closely with neighbors to make this happen in such a compatible manner.

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| ACTION: It was M/S (Weller/Emberson) to find that the request for 47 Upper North Terrace is exempt from the California Environmental Quality Act and approved the application subject to the attached conditions of approval. Vote: 3-0. |
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F. APPROVAL OF MINUTES #12 OF THE AUGUST 5, 2010 DESIGN REVIEW BOARD MEETING

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| ACTION: It was M/S (Weller/Emberson) to approve the minutes of the August 5, 2010 meeting as written. Vote: 3-0. |
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E. NEW BUSINESS BEFORE THE BOARD

3. **490 RIDGE ROAD:** File No. 21015; Stephen and Honey Schwartz, Owners; Site Plan and Architectural Review for construction of a new spa and landscape improvements, with a variance for reduced side yard setback. The new spa would have a reduced side yard setback of 3 feet, 6 inches in lieu of the minimum 15 feet.

The applicant is requesting Design Review approval for the construction of a spa and landscape improvements on a site currently developed with a two-story single-family dwelling on property located at 490 Ridge Road. The spa would be situated along the northeastern (left) side of the property. A 6 foot tall wood and wire vine trellis would extend along the side property line in the area of the spa. A 6 foot tall wooden fence would extend along the front property line, with a pedestrian gate and entry columns in the middle. A new at-grade wood deck would extend to the rear of the house. Several 4 foot tall retaining walls would be used to the rear of the deck to create terraced spaces. The spa would be situated within 3 feet, 6 inches of the northeastern side property line.

Jim Bradanini, landscape architect, said that the new owners are requesting a variance to the side yard setback as it relates to a proposed spa. He said that the desire was to renovate the existing garden area by placing a new spa along the edge of the side property line to leave ample space for circulating through the property's outdoor space. He said that they spoke with the adjacent neighbor at 500 Ridge Road to discuss the project, at which time the neighbor indicated his full support. He reviewed the proposed landscape improvements and diagrams and said that they feel this to be a significant enhancement over the previous design, despite the required variance.

There were no public comments.

Boardmember Emberson referred to the Staff report and inquired after alternative locations on the site for the spa that would not encroach on existing setbacks. She said that she visited the site and did not personally envision another obvious location. Planning Manager Watrous said that no specific locations have been identified, although there may be other general options. He noted that relocation of the spa could create some of the pedestrian circulation problems that the applicant has referred to.

Vice-Chair Kricensky said that it seemed that the area between the two fences would be sort of a "no man's land." Mr. Bradanini said that he anticipated a hedgerow of shrubs would fill that corridor. He noted that the wire deer fence would be well shrouded by shrubbery, and that there would be a vine trellis to provide vertical layers of color and greenery along the property line.

Vice-Chair Kricensky said in visiting the site, it was clear that there are limited options for placement of the spa without breaking up any kind of area for outdoor entertainment. He asked if the neighbor was aware of the combination of the deer fence and 10 foot tall trellis. Mr. Bradanini said that he showed the neighbor these plans, although was not certain that they understand the subtlety of the vines, hedgerow and planting. He did not anticipate the 10 foot vine trellis to be an obvious visual element. He understood that the neighbors have no views in that direction and are primarily interested in increased screening from the spa. Planning Manager Watrous referred to Attachment 3, a letter from Mr. Dwyer, the adjacent neighbor, which indicates that he looked at both sheets L-1 and L-2 and supported the project.

Noted Present:

Boardmember Chong joined the meeting and was noted present.

Boardmember Emberson reiterated that she did not believe there to be any other reasonable location for the spa. She supported the proposed setback and said she believed all parties would benefit from additional screening. She stated that the lack of a credible alternate location for the spa would create an unnecessary hardship for the applicant.

Boardmember Weller concurred. He said that Staff raised a legitimate point regarding the findings, but he was satisfied that the proposed location was the only reasonable and functional location for the spa, which supported the finding of a practical difficulty or unnecessary hardship for the applicant. He added that the previous pool was in this location and defined the way the space on this property has been used and the spa would not change the status quo.

Boardmember Chong said that he visited the site. He said that he did not necessarily believe that new features should be constructed in the same location as something else that was removed, but he reached the conclusion that placing the spa anywhere else would be impractical. He said that he also could make the findings for practical difficulty or unnecessary hardship.

Vice-Chair Kricensky said he also tried to identify alternative locations for the spa and, given that the applicant had no other real outdoor entertaining space, this was the logical site. He believed that the spa have fewer noise impacts than the pool. He reiterated how close the two homes are and said that the proposed landscaping and trellis would be preferable to looking at one's neighbors. He said that moving the spa out of the setback would likely dominate the entire space. He believed that the design would be an overall improvement for the applicant and neighbors and offered his support for the project.

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| <p>ACTION: It was M/S (Chong/Emberson) that the request for 490 Ridge Road is exempt from the California Environmental Quality Act and approved the project subject to the attached conditions of approval. Vote: 4-0.</p> |
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ADJOURNMENT

The meeting was adjourned at 7:40 p.m.