



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

Action and Approved Minutes - Regular Meeting
Design Review Board
September 2, 2010
7:00 P.M.

ACTION MINUTES #14

TIBURON DESIGN REVIEW BOARD

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

Present: Vice Chairman Kricensky, Boardmembers Emberson & Weller
Absent: Chairman Chong and Boardmember Tollini
Ex-Officio: Planning Manager Watrous and Minutes Clerk Levison

OLD BUSINESS

1. **2312 SPANISH TRAIL:** File No. 710021; Bill and Joy Norris, Owners; Site Plan and Architectural Review for construction of a detached two-family dwelling, with a detached two-family exception. The applicants propose to construct a 1,180 square foot detached dwelling below the existing house on the site. APN: 059-201-32 **Continued to October 7, 2010**
2. **680 HAWTHORNE DRIVE:** File No. 709044; Colleen Mahoney, Owner; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling. The applicants propose to construct a 1,072 square foot second story addition to add a larger master bedroom suite, two bedrooms, one bathroom, a laundry room, and a guest suite for the existing dwelling. Four new skylights would be installed. APN: 055-191-18 **Continued to October 7, 2010**

NEW BUSINESS

3. **1801 MAR WEST STREET:** File No. 710101; Ron Sires, Owner; Site Plan and Architectural Review for construction of a new single-family dwelling with a floor area exception. The applicant proposes to demolish the existing dwelling and reconstruct a new dwelling, as well as remodel the existing detached garage and guest house. The proposed floor area is 3,758 square feet, which would exceed the floor area ratio of 3,085 square feet for this property by 673 square feet. APN 059-061-21 **Approved 3-0**

MINUTES

- 4 Regular Meeting of August 19, 2010 **Approved 3-0**

ADJOURNMENT **At 7:45 PM**

**APPROVED MINUTES #14
TIBURON DESIGN REVIEW BOARD
MEETING OF SEPTEMBER 2, 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

Planning Manager Watrous stated that the items for 2312 Spanish Trail, and 680 Hawthorne Drive have been continued to the October 7, 2010 meeting.

D. OLD BUSINESS BEFORE THE BOARD

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E. NEW BUSINESS BEFORE THE BOARD

3. **1801 MAR WEST STREET:** File No. 710101; Ron Sires; Site Plan and Architectural Review for construction of a new single-family dwelling with a floor area exception. The applicant proposes to demolish the existing dwelling and reconstruct a new dwelling, as well as remodel the existing detached garage and guest house. The proposed floor area is 3,758 square feet, which would exceed the floor area ration of 3,085 for this property by 673 square feet. APN 059-061-21

The applicant is submitting a request to construct a new single-family dwelling and remodel an existing detached two-car garage and guest cottage, with a floor area exception, on property located at 1801 Mar West Street. The proposed structure and existing detached garage and guest cottage would result in a lot coverage of 3,603 square feet (33.2%) which is below the 35.0%

maximum permitted lot coverage in the R-2 zoning district. The proposed structures combined would create a gross floor area of 3,758 square feet, which exceeds the maximum permitted floor area for a parcel of this size (3,085 sq. ft.) by 673 square feet. A floor area exception has therefore been requested as part of this application.

A previous application for Site Plan and Architectural Review and a floor area exception was reviewed at the April 15, June 3 and July 1, 2010 Design Review Board meetings. At the July 1 meeting, the Board determined that although revisions to the project design were beneficial, the house would still result in view impacts on several uphill neighbors. The applicant withdrew the application and subsequently submitted the current application.

Ron Sires, applicant, said he took to heart all the needs expressed at previous hearings and had submitted new plans from a new designer. He said that he followed the advice of Boardmember Chong in rotating the residence to the left and rear of the property. He said that the new design would have a lower roofline than the existing home and would increase the front yard setback by 7 feet. He noted an error in the staff report, and stated that the house width would be the same as the previous project design, although the Planning Manager noted a 3 inch difference. He added that the new design also removed the previously proposed dormers and created a new façade that would be more in line with other homes in the surrounding neighborhood.

Vice-Chair Kricensky opened the public hearing.

Joan Lasden said that she met with the Planning Manager twice to discuss this application and that he agreed with her that there was some ambiguity in the plans. She provided the Board with photos of the subject site viewed from her living room. She questioned the accuracy of the story poles, when compared with plan footnotes, and said that she and her husband were having difficulty in understanding the new roofline. She thanked the applicant for answering the question regarding the width of the house. She acknowledged that the proposed height would be lower than that of the existing residence but asked for that difference to be quantified. She said that the new front yard setback was a material change and not discussed in the staff report. She recalled that Boardmember Chong had advised the applicant to consider moving the dwelling more towards the garage, not back on the site. She stated that the proposed home would be roughly 50% larger than the existing home and that while she did necessarily object to this, she felt that pushing the building mass closer to her property would only magnify the issues discussed at previous hearings. She appreciated many of the changes in this application, but she was distressed to see the home moved closer to her property. She asked that the Board consider this in its determination and that it ensure that the proposed pool, spa, and water feature comply with all applicable noise guidelines.

Jack Bridges said that a neighbor who could not attend the hearing shared his impression that variances are only granted when a hardship is evidence and he did not believe that the applicant had demonstrated that here. Mr. Bridges stated that by repositioning the home and pool further to the rear of the site, the echo created by kids enjoying the pool would increase noise on his property. He said that he did not understand why the home was repositioned, and asked the applicant to comment.

Helen Lindqvist said that one of the primary objections to this project was the bulk of the home. She said that similarly sized homes in the area were built long before the Design Review Board existed. She said that it was unfair to compare new construction, which should comply with all

current guidelines, to older construction that followed a different set of rules. She asked the Board to consider the view impacts such a bulky home would have on neighbors.

Mr. Sires read Chair Chong's comments from the minutes of the July 1, 2010 Board meeting. He said that he had tried to comply with all direction given and in fact combined and rotated the main and guest residences, as advised. He said that he actually preferred the residence at the 11-foot setback and said that he would be happy to move it back to the original location if that was the preference of the Board. He clarified that the proposal was for a pool and spa only, not an additional water feature, and said that all plans, with decibel estimates, are on file with the Planning Division. He also stated the story poles currently in place had been certified.

There was discussion and clarification amongst the Board and public regarding the actual height and location of story poles.

Mr. Bridges asked if there was any reason not to revert to the location of the previous home proposal given that the applicant and public have stated this as their preference. Boardmember Weller cautioned him that to do so would push the front of the home forward and cause further view impediments.

The public hearing was closed.

Vice-Chair Kricensky stated that in working with different designers, which the applicant had done, there can sometimes be confusion regarding the methods of notating dimensions. He noted discrepancies in the way the front setback was expressed on the plans, and clarified that the current proposal would move the home 7 feet back from the existing home, while the previous application showed the proposed house to be in roughly the same location as the existing home.

Boardmember Weller commended the applicant for attempting to respond to the concerns of the Board, and thought that the applicant had accurately interpreted his own comments and those of Chair Chong. He noted that this is 2010 not 1940, and in his view, homes constructed or remodeled on this street in recent years have been similar in scale and design to the proposed house. He said that the changes presented by the applicant were responsive to the view concerns expressed by neighbors. He believed that on balance moving the home back on the site would reduce those view impacts and be overall more positive than negative. He noted that findings needed to be made for the requested floor area exception. He believed that the changes made with regard to siting, design, and other issues had adequately reached a compromise that he was inclined to find acceptable.

Boardmember Emberson noted that she had not been on the Board when the previous project was reviewed. She said that she saw no need for the floor area exception and did not consider it onerous to ask the applicant to reduce the size of the home. She felt that the neighbors would see a huge building mass and that the house design was too big and bulky. She said that she visited the site and saw how the pool could be an issue so far back on the property. She said that the current siting of the proposed home would seem to make mass and view issues worse for the neighbors. She sympathized with the applicant for making such a concerted effort to compromise but said that the Zoning Ordinance outlines what is reasonable for Tiburon and the project should adhere to its requirements.

Vice-Chair Kricensky commended the applicant on lowering the roofline. He believed that the project as design might give the neighbors greater water views than they currently enjoy. He

noted that the Board's comments are meant to assist the applicant, not design the project, and that the applicant may have taken Chair Chong's words a little too strongly. He said that he would not mind a smaller front setback, which would be more consistent with the surrounding neighborhood. He said that reducing the height of the home made a considerable difference, but pushing it to the rear of the property seemed like trying to fit a square peg in a round hole. He said that while there is a variety of architecture in the neighborhood, the proposed mass of the house would be more suitable on a slightly wider site.

Boardmember Weller said the applicant was attempting to construct a home that would be consistent with what has been approved elsewhere in the vicinity. Vice-Chair Kricensky acknowledged that there have been approvals for even larger homes in the area, but he did not believe that size itself was the issue.

Planning Manager Watrous noted that the Zoning Ordinance allows for the front yard setback to be an average of other existing setbacks in the vicinity. He said that in this instance, the required front yard setback would be approximately 11 feet, and the Board could approve a house with that setback without a variance.

Boardmember Weller stated that people who are similarly situated must be treated similarly and that once others have been allowed to do something, it is inappropriate to make an example of an applicant by imposing certain guidelines or refusing to grant exceptions.

The Board discussed the size and placement of other homes along the street.

Boardmember Weller noted that the uphill neighbors have indicated they believe moving the home forward on the site would alleviate their primary concerns. He said that the applicant also seemed amendable to that, and that seemed to be a good compromise.

Mr. Sires, Ms. Lasden, and Mr. Bridges indicated their agreement with moving the house forward to the minimum required front yard setback. ACTION: It was M/S (Emberson/Weller) that the request for 1801 Mar West Street is exempt from the California Environmental Quality Act and approved the project subject to the attached conditions of approval, with the additional condition that the design remain unchanged with the exception of moving the house forward to the minimum front yard setback for this property. Vote: 3-0.

F. APPROVAL OF MINUTES #14 OF THE AUGUST 19, 2010 DESIGN REVIEW BOARD MEETING

ACTION: It was M/S (Weller/Emberson) to approve the minutes of the August 19, 2010 meeting as written. Vote: 3-0.

ADJOURNMENT

The meeting was adjourned at 7:45 p.m.