



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

Action and Approved Minutes - Regular Meeting
Design Review Board
July 21, 2011
7:00 P.M.

ACTION MINUTES #12 TIBURON DESIGN REVIEW BOARD

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

Present: Vice Chair Emberson and Boardmembers Chong and Tollini
Absent: Chairman Kricensky
Ex-Officio: Planning Manager Watrous, Associate Planner Tyler and Minutes Clerk Rusting

OLD BUSINESS

1. **1915 STRAITS VIEW DRIVE:** File No. 21101; John Jiang & Ning Lang, Owners; Site Plan and Architectural Review for construction of a new single-family dwelling, with a Variance for excess lot coverage. The applicants propose to construct a 4,099 square foot house with a 3,612 square foot basement, along with an attached two-car garage, swimming pool, spa and new retaining walls and landscaping. The proposed lot coverage of 4,151 square feet (19.1%) would be greater than the 15.0% maximum lot coverage permitted in the RO-2 zone. APN 038-301-35 **Withdrawn**

PUBLIC HEARINGS AND NEW BUSINESS

2. **42-46 MAIN STREET:** File No. 711072; Abrams Trust, Owners; Site Plan and Architectural Review for construction of exterior alterations to an existing commercial building. The applicant proposes changes to the exterior siding and awnings of a commercial building. Assessor's Parcel No. 059-102-27. **Approved 2-0-1 (Chong recused)**
3. **36 LINDA VISTA AVENUE:** File No. 21110; David and Jayne Love, Owners; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with Variances for reduced side yard setback and excess building height and a Floor Area Exception. The applicants propose to reconstruct the top floor of the house, with a new entry addition and expanded living and dining rooms, adding 237 square feet of floor area. The existing pitched roof would be replaced with a new flat roof. The project would extend to within 3 feet, 6 inches of the side property line, which is less than the 8 foot minimum side yard setback required in the R-2 zone. The project would also include additions that would have a maximum height of 36 feet, 4 inches, which is greater than the maximum building height of 30 feet permitted in the R-2 zone. The proposed total floor area of 3,545 square feet would be 1,212 square feet greater than the floor area ratio for a lot of this size. Assessor's Parcel No. 059-193-21. **Approved 3-0**

4. **10 APOLLO ROAD:** File No. 21111; Natasha Hawkins and John Minty, Owners; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with Variances for reduced rear yard setback and excess lot coverage. The applicants propose to construct family room, master bedroom suite and a fourth bedroom to the rear of the house and a new garage to the front of the building assign 1,228 square feet of floor area to the residence. The project would extend to within 13 feet, 5 inches of the rear property line, which is less than the 18 foot minimum rear yard setback required for this lot. The project would also have a maximum lot coverage of 36.7%, which is greater than the 30.0% maximum lot coverage permitted in the R-1 zone. Assessor's Parcel No. 034-271-05. **Withdrawn**

5. **9 BURRELL COURT:** File No. 21112; Firuze Hariri, Owner; 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 a new second story and additions to the garage, entry and rear of the house on the ground level, adding 1,734 square feet to the residence. The project would extend to within 19 feet, 2 inches of the front property line, which is less than the 30 foot minimum front yard setback required in the RO-2 zone. The project would also have a maximum lot coverage of 22.1%, which is greater than the 15.0% maximum lot coverage permitted in the RO-2 zone. Assessor's Parcel No. 034-271-05. **Approved 2-1 (Emberson against)**

6. **98 SUGARLOAF DRIVE:** File No. 21113; Jolynn Hardiman, Owner; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with a Variance for reduced front yard setback. The applicants propose to construct 535 square feet of additions to the rear of the house and replace the existing flat roof with a new pitched roof. A portion of the new roofline would encroach to within 13 feet, 4 inches of the front property line, which is less than the 30 foot minimum front yard setback required in the RO-2 zone. Assessor's Parcel No. 058-281-02. **Continued to 8/4/11**

MINUTES

7. Regular Meeting of July 7, 2011 **Approved 3-0**

ADJOURNMENT **At 9:00 PM**

**APPROVED MINUTES #12
TIBURON DESIGN REVIEW BOARD
MEETING OF JULY 21, 2011**

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

A. ROLL CALL

Present: Vice-Chair Emberson; Boardmembers Chong and Tollini
Absent: Chair Kricensky
Ex-Officio: Planning Manager Watrous, Associate Planner Tyler, and Minutes Clerk Rusting

B. PUBLIC COMMENTS - None

C. STAFF BRIEFING

Planning Manager Watrous announced that the applications for 1915 Straits View Drive and 10 Apollo Road had been withdrawn. He stated that the appeal for 65 Reed Ranch Road was continued to the August 3, 2011 Town Council meeting, and a DRB member was not requested to attend that meeting.

D. OLD BUSINESS

1. **1915 STRAITS VIEWDRIVE:** File No. 21101; John Jiang & Ning Lang, Owners; Site Plan and Architectural Review for construction of a new single-family dwelling, with a variance for excess lot coverage. The applicants propose to construct a 4,099 square foot house with a 3,612 square foot basement, along with an attached two-car garage, swimming pool, spa and new retaining walls and landscaping. The proposed lot coverage of 4,151 square feet (19.1%) would be greater than the 15.0% maximum lot coverage permitted in the RO-2 zone. APN 038-301-35
WITHDRAWN

E. PUBLIC HEARINGS AND NEW BUSINESS

2. **42-46 MAIN STREET:** File No. 711072; Abrams Trust, Owners; Site Plan and Architectural Review for construction of exterior alterations to an existing commercial building. The applicant proposes changes to the exterior siding and awnings of a commercial building. Assessor's Parcel No. 059-102-27.

The applicant is requesting Design Review approval for the construction of exterior alterations to an existing commercial building on property located at 42-46 Main Street. The commercial building on the subject site has been previously occupied by various different retail establishments and is currently vacant.

The project would replace the existing horizontal and vertical wood siding and shingled walls with new horizontal and vertical wood siding. The existing shingled and cloth awnings along the front of the building would be replaced with a metal roof on the eastern (right) side of the building frontage and an extended cloth awning on the western (right) side of the frontage. Existing cloth awnings on the rear and west side of the building would be replaced with awnings of the same size and location. Railings for the stairway at the rear of the building would be modified. The proposed project would not increase the floor area or lot coverage or the existing building.

A color and materials board for the project has been submitted and will be present at the meeting for the Board to review. The siding would be light yellow, with brown and reddish brown trim and black trimmed windows. The metal roof would be blue-grey and the cloth awnings would be olive green.

Marty Zwick, architect, said that he and the property owners agreed with the staff report. He said that the building is stepped back in the front and rear and looks like two buildings. They would like to keep the building massing to a minimum by wrapping the left side facing to the front and keep the siding vertical in back. He said that they chose one color for the exterior and trim for each building and asked the Board to consider the color palette that would break up the building into two masses when in fact it is one. He distributed a photograph showing the color palette of the building.

Boardmember Tollini asked if Mr. Zwick could explain more about the siding. Mr. Zwick said that the original building had vertical siding, which he believed were used to break up the building. Boardmember Tollini asked staff why there is a preference to change the siding to horizontal on the back. Planning Manager Watrous said it is not a matter of choosing vertical or horizontal siding, but rather that the Downtown Guidelines state that siding should be the same direction on all sides.

Boardmember Tollini asked how long the vertical siding has been in the location. Mr. Zwick said it was in photos from the historical society and at one point was replaced by shingles, but he felt it was not a good idea to keep the shingles.

There were no public comments.

Boardmember Tollini said that the Downtown Building Guidelines are a meaningful point of reference and this property is unique because it is designed to look like three different units, with contrasting roof heights and varying depth in the front. He thought that there are enough distinguishing characteristics that delineate the property as more than one building. He supported the use of five colors instead of three and the overall project as proposed.

Boardmember Chong recused himself from the discussion because he lives very near the property. Planning Manager Watrous said the Board had a majority to continue with the meeting and therefore Boardmember Tollini and Vice-Chair Emberson could continue the discussion.

Vice-Chair Emberson said that she liked the colors, the siding, and the look of the building. She said that the enhanced windows would bring the building up to date. She confirmed with Boardmember Tollini that he liked the awning in front and the window design and thought that they would unify the design.

<p>ACTION: It was M/S (Tollini/Emberson) that the request for 42-46 Main Street is exempt from the California Environmental Quality Act and approved the request, subject to the attached conditions of approval. Vote: 2-0-1 (Chong recused).</p>

- 3. 36 LINDA VISTA AVENUE:** File No. 21110; David and Jayne Love, Owners; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with Variances for reduced side yard setback and excess building height and a Floor Area Exception. The applicants propose to reconstruct the top floor of the house, with a new entry addition and expanded living and dining rooms, adding 237 square feet of floor area. The existing pitched roof would be replaced with a new flat roof. The project would extend to within 3 feet, 6 inches of the side property line, which is less than the 8 foot minimum side yard setback required in the R-2 zone. The project would also include additions that would have a maximum height of 36 feet, 4 inches, which is greater than the maximum building height of 30 feet permitted in the R-2 zone. The proposed total floor area of 3,545 square feet would be 1,212 square feet greater than the floor area ratio for a lot of this size. Assessor's Parcel No. 059-193-21.

The applicant is requesting Design Review approval for the construction of additions to an existing three-story single-family dwelling on property located at 36 Linda Vista Avenue. The upper level of the house would be demolished and reconstructed with expansions to the living room and dining room, a new entry and an expanded deck to the rear. The interior of the middle floor would be reconfigured and the deck to the rear would be widened. The lower floor interior would also be reconfigured with existing partial height window seats replaced by full height additions and the deck widened on this level as well. The existing wood siding on the house would be replaced with a combination of stucco and wood siding. The existing pitched roof would be removed and replaced with a new flat roof system on several planes. The front portion of the roof would extend at a higher plane, with clerestory windows on the sides and rear.

The proposed additions would increase the calculated lot coverage on the site by 181 square feet to a total of 2,244 square feet (33.7%), which is less than the 35.0% maximum lot coverage allowed in the R-2 zone. The proposed additions would increase the floor area of the house by 237 square feet to a total of 3,545 square feet, which is 1,212 square feet greater than the floor area ratio for a lot of this size. A floor area exception is therefore requested.

The proposed entry addition would extend to within 3 feet, 6 inches of the west (right) side property line. As an 8 foot side yard setback is required in the R-2 zone, a variance is requested for reduced side yard setback. The existing house has a maximum building height of 35 feet. The highest portion of the proposed new roofline would be 36 feet, 4 inches tall. As the maximum building height in the R-2 zone is 30 feet, a variance is also requested for excess building height.

Christian Oberhauser, designer, gave an overview of the project. He said that his clients wanted to add space to the building because the rooms are small, and wanted 14-foot ceilings and incorporate bi-folding

doors toward the view to incorporate outdoor space as much as possible. He said that he contacted all of the neighbors and offered to show them the plans and meet with them. He said that two neighbors had some issues with view blockage and height which he incorporated into the plans. He stated that the house entrance is currently off the parking deck and when two cars are parked there they block the entry to the house. He said that it is also an awkward entrance because it enters above the top floor. He stated that they tried to reduce the height and move the entrance to the side for better access, to gain a better flow and update the floor plan to the home. He said that they worked with the neighbor to the left quite a bit to address privacy concerns by adding frosted glass to the windows. He said that he tried to reduce the bulk and mass of the building by using different exterior materials.

Boardmember Tollini asked for elaboration of the steps on the adjacent property. Mr. Oberhauser said that there were steps in that location created by the previous owner that are falling apart and new steps are proposed that would hug the driveway and lead down to the entrance. Mr. Oberhauser noted some of the existing stairs are off of the property and they do not plan to do anything with those. Planning Manager Watrous noted that that this adjacent space is a Town-owned pathway.

Boardmember Tollini questioned and confirmed with Mr. Oberhauser they are not planning for a gate, and Mr. Watrous also noted that what the applicant is proposing should not create any access issues for the public right-of-way.

Vice-Chair Emberson asked which neighbors they have spoken to. Mr. Oberhauser said that he spoke to one of the neighbors below and they had no issues. He said that they also spoke in more detail to one of the neighbors to the left, on the east side, and they came to a solution she is happy with. He said that they also spoke with the neighbor on the right who was happy with the proposal because it would improve his property value. He stated that they spoke with two neighbors across the street and said that they removed anything from the design to reduce view blockage, and he did not believe that the building would affect current views. He shared a photograph of the story poles showing that the project would not encroach into the view.

The public hearing was opened.

Phil Bartlett said that he lives directly behind the house, to the north. He disagreed with people who thought that the height of the building would be excessive or block the view. He said that his house would be the one that would be most affected, but his main concern was the surface of the roof. He wanted to be sure that there would be no skylights, reflective items, or solar panels. He was concerned with the clerestory windows above the entrance because if lit up at night, it would interfere with his view of the bay, and asked that those windows be deleted on the west and east sides. He indicated that the Paseo Walk stairs are public land and if built upon, would not be legal. Lastly, he accepted the proposed roofline and thought that this would be a nice dwelling which would enhance their community.

Pam Bartlett distributed photos of the project from her property and said that it looked like the roofline would be coming down. In looking at the end story pole, she could not tell whether the roof will intrude into her water view, but she guessed that it would be pretty close to a 'wash.'

Mr. Oberhauser said that the roofing material would not be reflective and would be a medium to dark grey that would blend in with the water. He said that they did not propose any skylights. He said that he purposely did not propose any clerestory windows on the north side and did not believe anybody would notice those windows on the sides. He said that the only light fixtures in that area would be downlights to light up the kitchen below. He felt that the clerestory windows would not create any light pollution issues. He said that the peak of the roof would be lower than the existing roof and there may be some people who would gain some view.

Boardmember Tollini asked if the clerestory windows were fundamental to the design, noting some sensitivity to the neighbors to the sides. Mr. Oberhauser said that those windows were not vitally important but he felt that it would look nicer from the exterior instead of having a piece of wall.

The public hearing was closed.

Boardmember Chong said that he visited the site and he liked the modern design of the project. He agreed that the way the roof would be stepped down would not affect the views of the neighbors and might, in fact, improve the view, but that any view obstruction would be very minimal. He thought that there would be adequate glass on the southern side bringing light into the home, and removing the two side clerestory windows would not substantially reduce the light. He supported removing the western side windows and keeping the two on the eastern side. He said that any view impact would be in an area that is already screened by vegetation and therefore the roof changes would not affect the view much.

Boardmember Tollini agreed with everything stated by Boardmember Chong. He thought that the design was very attractive, crisp, and said that high quality modern design would be a nice contrast with the older homes in the area. He said that the structure would have many windows on the south side. He suggested a condition of approval to remove the clerestory windows on the west and east sides. Aside from this, he thanked the neighbors for their reasonableness regarding the potential view impact and concluded that there would be no view impact other than the night impact of lighting.

Vice-Chair Emberson agreed with the other Boardmembers. She felt that the project would be a wonderful addition and the modern design was spectacular. She also agreed with the removal of the windows as a way of keeping neighbors happy. She agreed with staff's findings regarding the variances.

Planning Manager Watrous asked if there were any comments on the exterior stucco color, which would be white. Boardmember Tollini said that there would be cedar on the majority of the façade. He also pointed out there is a good deal of foliage and trees and only the top floor would be seen. Vice-Chair Emberson said she that she liked the contrast in colors and materials. Boardmember Tollini agreed and said that he supported the colors as proposed.

ACTION: It was M/S (Chong/Tollini) that the request for 36 Linda Vista Avenue is exempt from the California Environmental Quality Act and approved the request, subject to the attached conditions of approval, and the additional condition of approval that the clerestory windows be removed on the west and east side. Vote: 3-0.

4. **10 APOLLO ROAD:** File No. 21111; Natasha Hawkins and John Minty, Owners; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with Variances for reduced rear yard setback and excess lot coverage. The applicants propose to construct family room, master bedroom suite and a fourth bedroom to the rear of the house and a new garage to the front of the building assign 1,228 square feet of floor area to the residence. The project would extend to within 13 feet, 5 inches of the rear property line, which is less than the 18 foot minimum rear yard setback required for this lot. The project would also have a maximum lot coverage of 36.7%, which is greater than the 30.0% maximum lot coverage permitted in the R-1 zone. Assessor's Parcel No. 034-271-05. **WITHDRAWN**
5. **9 BURRELL COURT:** File No. 21112; Firuze Hariri, Owner; 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 a new second story and additions to the garage, entry and rear of the house on the ground level, adding 1,734 square feet to the residence. The project would extend to within 19 feet, 2 inches of the front property line, which is less than the 30 foot minimum front yard setback required in the RO-2 zone. The project would also have a maximum lot coverage of 22.1%, which is greater than the 15.0% maximum lot coverage permitted in the RO-2 zone. Assessor's Parcel No. 034-271-05.

The applicant is requesting to construct additions to an existing single-family dwelling with variances for reduced front yard setback and excess lot coverage, on property located at 9 Burrell Court. Currently, the property is improved with a single-story dwelling. The existing dwelling includes three bedrooms, a living room, dining room, kitchen, and a two-car garage. The proposal would include expansion of the living area of the home at the rear of the dwelling, and conversion of the existing garage into an additional

bedroom, bathroom, and laundry area. A new two-car garage would be constructed at the front of the existing garage. Additionally, a partial second story is proposed to be constructed at the center of the dwelling, which would include a master bedroom terrace and an extra bedroom and bathroom. The interior of the home would be slightly reconfigured with the proposed improvements, as well as expanded decks at the rear of the home, and construction of an additional terrace off the family room.

The proposed additions would result in a gross floor area of 3,344 square feet which is below the maximum permitted gross floor area for a property of this size (3,473 square feet). The proposed additions would increase the lot coverage to 3,257 square feet (22.1%) which exceeds the maximum permitted lot coverage in the RO-2 zone (15.0%). Therefore, the applicant has requested a variance for excess lot coverage.

The proposed expansion would encroach into the front yard setback and result in an approximately 19 foot 2 inch reduced front yard setback. As the required minimum front yard setback in the RO-2 zone is 30 feet, the applicant has requested a variance for reduced front yard setback.

Michael Heckmann, architect, said that they were applying to have the original design review approval from 2008 reaffirmed. He said that the original approval included a condition of approval regarding the size of the second story that required a two-foot reduction in both directions, which has been accomplished with the current application. He said that none of the circumstances have changed in the project, and therefore, he only discussed the revision involving the reduction of the upper story.

Vice-Chair Emberson pointed out that because the approval had expired, the Board may choose to look at the project as a totally new submission.

Mr. Heckmann said that the home is an older tract house that they wish to update and improve. He reviewed the upper level design that had been previously approved. He said that they had removed two feet on the side facing Reed Ranch Road and another two feet on the northern side of the building. He said that they also carved back the mass of the upper story on the back of the building but had to keep intact the flue for the fireplace.

The public hearing was opened.

Christopher Wand said that he wrote a letter asking to clarify whether this was a new application or a carryover of the previous application. He asked for the meeting to be rescheduled so the neighbors most affected by the project would be able to attend, as they are currently out of the country. He said that since three walls would be demolished the project should be considered a new structure. He said that the second floor was still an issue on a predominantly single story cul-de-sac. He asked the Board to consider an excavation option for the project, stating that five of eight other homes on the cul-de-sac have been excavated and he questioned why the current project could not be remodeled similarly. He said that the house right next door has a very similar downslope and involved excavation. He agreed that excavation would be more expensive, but stated that it would yield savings in heating and cooling. He said that none of the circumstances had changed since the previous review except that the Town Council and DRB include new members, and he felt that that should require a fresh review of the project.

Ray Truman said that he lives on Reed Ranch Road directly across the street, and that this was the third time he had addressed this proposal. He said that the second story would look right down on his property. He said that he and his neighbors felt the project was intrusive and out of character with all of the other houses in the neighborhood. He was disappointed that this was still dragging on and he said that he would like to see it resolved. He had no objections to anything else other than the height of the second story.

Eric Tepper said that he lives across the street from the project. He asked the Board to wait until the Beaumont family returned from out of the country to review the project as a brand new submission.

Mr. Heckmann disagreed with the notion that a project that had been property noticed and scrutinized needed to be delayed because a neighbor who had not contacted him or the Planning Department was out

of town. He said that they have reduced the size of the upper floor and there are no view or privacy issues. He said that they went to great pains to be sure they did not obstruct views, which would be obstructed by a down-slope addition. He believed that the project should be approved as submitted.

The public hearing was closed.

Vice-Chair Emberson asked if the DRB should take past history into account or review the project as a brand new application. Planning Manager Watrous said the DRB is not bound by past decisions and this is a new application, but past information is provided as assistance to making a decision. He stated that the Town Council voted unanimously at the time that the second story was justified and two of the five Councilmembers are still on the Town Council. He said that for a project that had gone through that level of scrutiny, the general past practice of the Board has been to be hesitant to revisit the previous decision unless there had been a change in the philosophical approach to such projects. However, he said that this did not legally bind the DRB to rubber stamp the project, as this is a new application.

Boardmember Tollini said that he visited the site and he had no trouble seeing that this was a difficult decision. He thought that there was responsibility at some level to look at the project and be fair to the applicant who had an approval of the project in the past. He said that in the three years since this had been approved he did not think that this area of the Town had evolved much, and the only thing that had changed in the circumstances was the different membership of the DRB and Town Council. He said that if this had been approved ten years ago, then they might reach a different outcome because things would have changed more in the Town. He felt that it would be grossly unfair to put the applicant through a completely new review. He reviewed the minutes from prior meetings, which stated that the project was denied by the Board, appealed to the Town Council, and sent back to the DRB for specific changes, with nine people voting to approve what was now before the Board. He said that he would not overturn the previous decision without Town Council otherwise. He felt it would be grossly unfair to drag it out further. He understood why the project is contentious but he did not see anything fundamentally wrong with the project.

Boardmember Chong recalled several previous DRB decisions that involved prior decisions, one of which was later overturned. He said that he respected the opinions of the Town Councilmembers and Design Review Boardmembers who previously reviewed and approved this project. He felt that it would be unfair to put the applicant completely through the process again after such a short period of time. He said that there was nothing to make him think that the situation of this project had changed enough to deny this application.

Vice-Chair Emberson said that she usually agrees with the other Boardmembers, but did not agree with them in this case. She understood that it might be unfair to have the applicant go through the process again. However, she felt that the project would be too big for the neighborhood. She characterized the project as huge, and she was concerned why no one on the previous DRB felt the same way. She asked if anyone noticed the tile roof of a nearby house in the neighborhood, stating that the proposed roof would be similar and an eyesore. She said that she was amazed that this project was approved before.

Boardmember Tollini said that he had not focused on the roof but said that it would be broken up and would not be visible unless one is looking down on it. Boardmember Tollini noted that Vice-Chair Emberson was not the first to be dissatisfied with the size of the project.

Vice-Chair Emberson stated that the project would increase 6% in lot coverage and she believed that was substantial. She said that the rear elevation that would look onto Reed Ranch Road would be massive.

Boardmember Tollini said that he did not disagree with the staff's findings in terms of lot coverage.

Boardmember Chong said that he was unwilling to open up scrutinizing every aspect of the project when it had already gone through the process. Boardmember Tollini said that the people who reviewed the project in the past represented a variety of viewpoints, yet they reached the same conclusion on this

project, and he could not support a continuance on this project when so many people involved in the Town had already reviewed it.

Vice-Chair Emberson reiterated that she was strongly opposed to this project. She said that if the application was brought to the current DRB they would have a very different take on the project and possibly a different outcome.

ACTION: It was M/S (Chong/Emberson) that the request for 9 Burrell Court is exempt from the California Environmental Quality Act and approved the request, subject to the attached conditions of approval. Vote: 2-1 (Emberson opposed).

- 6. 98 SUGARLOAF DRIVE:** File No. 21113; Jolynn Hardiman, Owner; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with a Variance for reduced front yard setback. The applicants propose to construct 535 square feet of additions to the rear of the house and replace the existing flat roof with a new pitched roof. A portion of the new roofline would encroach to within 13 feet, 4 inches of the front property line, which is less than the 30 foot minimum front yard setback required in the RO-2 zone. Assessor's Parcel No. 058-281-02.

The applicant is requesting Design Review approval for the construction of additions to an existing single-family dwelling on property located at 98 Sugarloaf Drive. The lower level of the house would be reconfigured from an existing family room, library and bedroom into a living room, dining room kitchen and family room, with the lower level expanded to the rear. One existing garage space on the lower level would be expanded to the west to accommodate the new family room. A new deck and spa would be added to the lower level. The upper level of the house would also be reconfigured, with the existing kitchen, dining room and living room converted into a master bedroom suite and den. A small addition to the rear would expand the area of the master bathroom. The existing upper level deck would be removed and replaced with a new balcony. The existing flat roof and mansard would be removed and replaced with a new pitched roof. The ridgeline of the proposed roof would be 2.5 to 4.25 feet taller than the top of the existing mansard.

The proposed additions would increase the floor area of the house from the existing 3,093 square feet of living space and 735 square feet of garage to 3,679 square feet of living space and 684 square feet of garage, which is less than the floor area ratio for a lot of this size. The proposed additions would increase the calculated lot coverage on the site by 223 square feet to a total of 2,623 square feet (13.9%), which is less than the 15.0% maximum lot coverage allowed in the RO-2 zone.

The existing house is situated within the required 15 foot front yard setback for this property. The proposed roof changes would increase the building volume within a portion of the required front yard and would extend to within 13 feet, 4 inches of the front property line. A variance is therefore requested for reduced front yard setback.

Bryan Murdock, architect, said that he was in agreement with everything in the staff report. He clarified that the intent of the design was to renew the house and update it from a 1960s style house to a Mediterranean style home and one of the key elements of that was the roof. He stated that this house had previously been approved for a third story, but they felt that was too much for the house and moved the addition to the lower floor. He said that all of the expansions were consistent with the design guidelines and setbacks other than the new roof. He said that the new roof within the setback would be 3 feet 4 inches higher than the existing roof. He distributed photographs of the story poles to show the height of the roof. He said that they discussed lowering the roof, but it would appear as a flattened roof at the point of entry.

Vice-Chair Emberson asked for the height of the room with the existing roof, and Mr. Murdock stated that it would have eight-foot ceilings. He said that pushing the roof down would involve using a different roofing system and they would also lose the opportunity for the Mediterranean style of the home. Vice-

Chair Emberson asked how high the highest point of the ceiling in the room will be, and Mr. Murdock replied 9'6" and only in that one room.

The public hearing was opened.

Yvonne Martens said that she would like to welcome their new neighbors but regretted that they opposed the new roof on the structure because it would obliterate their view. She quoted the Hillside Design Guideline principle that states that the horizon view is the most sensitive part of the view, and the new roof would block the horizon view from their living room window. She said that the variance has been requested in order to have an elevated roof and the elevated roof was being used as justification for the variance. She said that they discussed this with their architect and believe that a lower roof should be possible. She said that the applicant was trying to gain interior space with trusses at the expense of her own view. She said that flat roofs are often used in Tiburon in consideration of preserving neighbors' views and she did not feel that the applicants had demonstrated an unnecessary hardship to justify the new roofline. She said that granting the variance would be injurious to her property. She said that their 300 degree view is more valuable than a view with an obstruction. She said that they worked very hard to find a property with a view to enjoy their retirement and they would like to enjoy the view. She shared photographs of the view from their kitchen window, other windows showing the horizon, and the story poles and the views the roof would block. She asked if the front yard setback was changed because she saw no story poles. Planning Manager Watrous said that the walls of the building would not extend out into the front setback, only the roof.

Mr. Murdock said that the portion of the roof that would increase in height by 4 feet is the highest part of the roof and it all slopes away from that point. He felt that the 4 foot tall portion was minimal, and said that changes could be made to lower the roof height, but this would limit the design and have some interior ramifications. He said that this would also ruin the front portion of the entry, which they were trying to emphasize and would compromise the Mediterranean style. He said that the roof would be very similar to other Mediterranean style roofs in the neighborhood. He partially disagreed with the idea that the roof would block a huge portion of their 300 degree view, and stated that it would be within the 10% range of blockage.

The public hearing was closed.

Boardmember Chong said that the project would definitely be an improvement on the current house. He agreed with staff on the design aspects of the house. He said that he stood on the front steps of the neighboring property and said that the roof would clearly eliminate a view of the East Bay. He said that Principle 7A of the Hillside Design Guidelines includes decks, and he thought that a patio could be interpreted as a deck. He said that he looks at the tradeoff between the potential view impacts and what is gained by a project, and the project would gain about one foot of interior space. He felt something could be done to bring the roofline down to protect the view.

Boardmember Tollini said that he struggled with this project. He thought that it would add curb appeal and improve the property. He said that he was unable to gain access to the inside of the neighboring property, but the 4 foot change in roof height would completely block the horizon from any point on the main floor facing the north and East Bay. He said he would like to see what could be done to lower the roof to preserve the view at various points in the home.

Boardmember Chong stated Sugarloaf is one of the few ridgelines on the Tiburon peninsula where one can have views of both the north and east bays. He felt that that is one of the reasons people live in that area and therefore, views should be preserved. He said that the project would wipe out a substantial portion of the East Bay views and there was a less than compelling reason to do so.

Vice-Chair Emberson said that she found it hard to marginalize one view over the other and that the homeowners should be entitled to views of different areas.

Boardmember Tollini said that he appreciated that this puts the applicant in a tough spot because to the extent they want something with a sloped roof, it may not be possible. He said that having a Mediterranean style home might require a complete teardown, and he suggested going in another direction with another style with less impact on neighbors' views.

Vice-Chair Emberson said many of the roofs in the area are flat or have modest pitch. Boardmember Tollini said that this was an attractive design, but the roof pitch was too high for the area. He suggested that there might be a way to reduce the pitch of the roof, and Vice-Chair Emberson asked that the applicant consider options that will allow the neighbors to keep their view.

ACTION: It was M/S (Chong/Emberson) to continue 98 Sugarloaf Drive to the August 4, 2011 meeting.
Vote: 3-0-1 (Kricensky absent).

F. APPROVAL OF MINUTES #11 OF THE 7/7/11 DESIGN REVIEW BOARD MEETING

ACTION: It was M/S (Chong/Emberson) to approve the minutes of the July 7, 2011 meeting, as written.
Vote: 3-0.

G. ADJOURNMENT

The meeting was adjourned at 9:00 p.m.