



STAFF REPORT

To: Members of the Design Review Board
From: Planning Manager Watrous
Subject: 2370 Paradise Drive; File No. VAR2015023/DR2015148; Site Plan and Architecture Review for Construction of a New Single-Family Dwelling, with Variances for Excess Lot Coverage and Excess Fence Height
Reviewed By: _____

BACKGROUND

The applicant is requesting Design Review approval for the construction of a new single-family dwelling on property located at 2370 Paradise Drive. The subject property is currently developed with a single-family dwelling, which would be demolished.

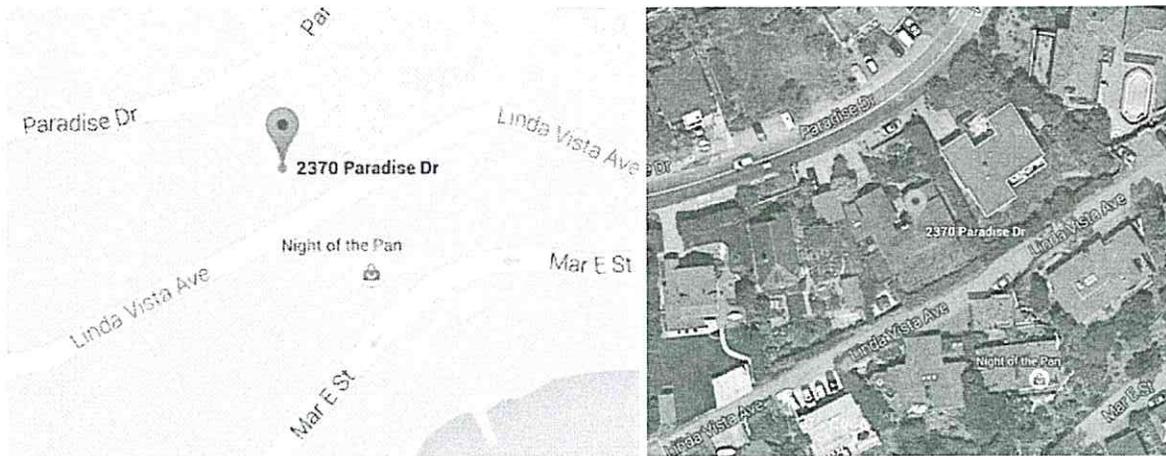
This application was first reviewed at the February 4, 2016 Design Review Board meeting. At that meeting, the owners of the adjacent home to the east at 2380 Paradise Drive raised concerns about potential view impacts from their kitchen and dining room, the size of a potential on-street parking pad and possible impacts on existing property line landscaping. The Design Review Board shared these concerns and determined that the roofline of the proposed house would extend too far into the Golden Gate Bridge views from the neighboring dwelling. The Board also directed that the parking pad be reduced in size, an east-facing living room window be reduced in height and that efforts be made to ensure that the neighbors' property line vegetation not be disturbed during construction. The application was then continued to the March 3, 2016 meeting.

The applicant has now submitted revised plans for the project. The following changes have been made to the project design:

1. The roof overhang above the southern portion of the living room has been shortened from 3 feet, 8 inches to 2 feet.
2. The height of the east-facing living room window has been shortened to 8 feet.
3. The parking pad on paradise Drive has been shortened to accommodate only two vehicles.
4. The landscaping to be planted along the eastern side property line has been changed to a species of *pittosporum* that grows to a lower height than previously proposed vegetation.

Other elements of the proposed house design, including the floor plan, floor area, lot coverage and other building elevations, remain unchanged from the previously submitted plans.

PROJECT SETTING



ANALYSIS

Design Issues

The revised project design appears to be generally responsive to the direction from the Design Review Board. The shortened living room window height and reconfigured parking pad have been redesigned as requested by the Board.

Staff viewed the revised story poles from the adjacent home at 2380 Paradise Drive. Although the roof overhang above the living room has been reduced, it would still project somewhat into the Golden Gate Bridge views from the kitchen of the neighboring residence. The Design Review Board is encouraged to view the story poles from this dwelling to evaluate any remaining potential view concerns.

The *pittosporum* species proposed to be planted along the eastern side of the lot has different cultivars (or subspecies) that grow to different heights. While some species grow as low as 3 to 4 feet tall, others can grow from 8 to 12 feet and others from 15 to 20 feet. Staff recommends that the Design Review Board specify an approximate maximum height for planting in this area that will be reflected in the conditions of approval for this application.

Zoning

Staff has reviewed the proposal and finds that it is in general conformance with the development standards for the R-2 zone, with the exception of the requested variances for excess lot coverage and excess fence height. As noted in the February 4, 2016 staff report for this application, Staff believes that there is sufficient evidence to support the findings for the requested variances.

Public Comment

As of the date of this report, no letters have been received regarding the subject application since the February 4, 2016 meeting.

RECOMMENDATION

The Design Review Board should review this project with respect to Zoning Ordinance Sections 16-52.020 (H) (Guiding Principles) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15303. If the Board agrees with staff's conclusions, it is recommended that the attached conditions of approval be applied.

ATTACHMENTS

1. Conditions of approval
2. Supplemental application materials
3. Design Review Board staff report dated February 4, 2016
4. Minutes of the February 4, 2016 Design Review Board meeting
5. Submitted plans

Prepared By: Daniel M. Watrous, Planning Manager

CONDITIONS OF APPROVAL

2370 PARADISE DRIVE

FILE #VAR2015023/DR2015148

1. This approval shall be used within three (3) years of the approval date, and shall become null and void unless a building permit has been issued.
2. Construction shall conform with the application dated by the Town of Tiburon on December 3, 2015, or as amended by these conditions of approval. Any modifications to the plans of February 22, 2016 must be reviewed and approved by the Design Review Board.
3. Project elements shown on construction drawings submitted to the Building Division for plan check shall be essentially identical to those project elements shown on drawings approved by the Design Review Board. The permit holder is responsible for clearly identifying on construction drawings any and all changes to project elements. Such changes must be clearly highlighted (with a “bubble” or “cloud”) on the construction drawings. A list describing in detail all such changes shall be submitted and attached to the construction drawings, with a signature block to be signed by the Planning Division Staff member indicating whether these changes have been reviewed and are approved, or will require additional Design Review approval. All such changes that have not been explicitly approved by the Town are not “deemed approved” if not highlighted and listed on construction drawings. Construction of any such unapproved project elements is in violation of permit approvals and shall be subject to Stop Work Orders and removal.
4. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
5. All exterior lighting fixtures other than those approved by the Design Review Board must be down-light-type fixtures.
6. If this approval is challenged by a third party, the property owner/applicant will be responsible for defending against this challenge. The property owner/applicant agrees to defend, indemnify and hold the Town of Tiburon harmless from any costs, claims or liabilities arising from the approval, including, without limitations, any award of attorney’s fees that might result from the third party challenge.
7. A construction sign shall be posted on the site during construction of the project, in a location plainly visible to the public. The sign shall be 24” x 24” in size and shall be made of durable, weather-resistant materials intended to survive the life of the construction period. The sign shall contain the following information: job street address; work hours allowed per Chapter 13 of the Tiburon Municipal Code; builder (company name, city, state, ZIP code); project manager (name and phone number); and emergency contact (name and phone number reachable at all times). The sign shall be posted at the

commencement of work and shall remain posted until the contractor has vacated the site

8. A copy of the Planning Division's "Notice of Action" including the attached "Conditions of Approval" for this project shall be copied onto a plan sheet at the beginning of the plan set(s) submitted for building permits.
9. A photovoltaic energy system shall be installed in compliance with the requirements of Section 16-40.080 of the Tiburon Zoning Ordinance.
10. Prior to issuing a grading or building permit the applicant shall implement measures for site design, source control, run-off reduction and stormwater treatment as found in the Bay Area Stormwater Management Agency Association (BASMAA) Post-Construction Manual available at the Planning Division or online at the Marin County Stormwater Pollution Prevention Program (MCSTOPPP) website at www.mcstoppp.org.
11. All requirements of the Town Engineer shall be met, including, but not limited to, the following, which shall be noted on building plan check plans:
 - a. The public right-of-way shall be protected from damage during construction, or repairs shall be made to the satisfaction of the Tiburon Public Works Department.
 - b. Any proposal that would encroach onto the public right-of-way is not permitted. This would include fences, retaining walls and other structures.
 - c. Typical encroachments, such as driveway approaches, walkways, drainage facilities, and short-height landscaping, need to be processed through a standard Public Works encroachment permit application with plans for review.
10. The final landscape and irrigation plans must comply with the current water efficient landscape requirements of MMWD.
11. The project shall comply with the requirements of the California Fire Code and the Tiburon Fire Protection District, including, but not limited to, the following:
 - a. The structure shall have installed throughout a NFPA 13R automatic fire sprinkler system. The system design, installation and final testing shall be approved by the District Fire Prevention Officer. CFC 903.2
 - b. Approved carbon monoxide and smoke alarms shall be installed to provide protection to all sleeping areas. CFC 907.2.10
 - c. The vegetation on this parcel shall comply with the requirements of TFPD. CFC 304.1.2
 - d. The pedestrian access gate shall be operable using the Fire District's "Knox" key system. CFC 503.6.2

12. The project shall comply with all requirements of Sanitary District No. 5.

2370 Paradise Drive – Design Revisions

In response to the Design Review Board hearing held on February 4, 2016, we have incorporated the following design changes into revised application drawings dated February 22, 2016:

Reduced Roof Overhang:

We have reduced the roof overhang from 3'-8" to 2'-0" at the south eave of the proposed living room. This change is intended to further minimize the impact on views toward the Golden Gate Bridge from the kitchen at 2380 Paradise. The story pole mock-up of the relevant corner has been modified to illustrate the profile of the reduced eave.

Lowered East Living Room Window:

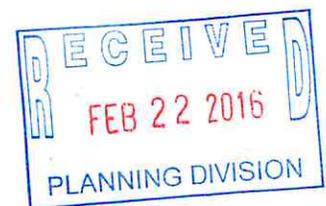
We have reduced the head height of the proposed east facing living room window to 8'-0" in response to the privacy and view concerns of the neighbors at 2380 Paradise. In addition to the height reduction, we believe that the overhang of the low roof above, which extends across the full width of the window, will serve to minimize the visibility of the window from 2380 Paradise Drive.

Reconfigured Parking at Paradise Drive:

In response to the request of the neighbors at 2380 Paradise Drive, we have modified the proposed public parking configuration along Paradise Drive to accommodate two parallel parking spaces instead of three. We have also added a bulb-out or buffer zone composed of one or more large rocks adjacent to the side yard fence and driveway at 2380 Paradise. This change is intended to improve visibility from the driveway at 2380 Paradise Drive by preventing vehicles from parking closer than six to eight feet from that side-yard fence line. We recognize that any work in the public way will be done under a separate encroachment permit and will be subject to separate Tiburon review and approval.

Landscape Clarification:

The plants proposed to provide screening along the sideyard fences are *Pittosporum tenuifolium* Kohuhu, a cultivar of the *Pittosporum tenuifolium*. This cultivar does not grow as tall as the straight species and does not produce the berries referenced in the general description of the genus.





TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
February 4, 2016
Agenda Item: **3**

STAFF REPORT

To: Members of the Design Review Board
From: Planning Manager Watrous
Subject: 2370 Paradise Drive; File No. VAR2015023/DR2015148; Site Plan and Architecture Review for Construction of a New Single-Family Dwelling, with Variances for Excess Lot Coverage and Excess Fence Height
Reviewed By: _____

PROJECT DATA

ADDRESS: 2370 PARADISE DRIVE
ASSESSOR'S PARCEL: 059-191-05
FILE NUMBER: VAR2015023/DR2015148
PROPERTY OWNERS: RICHARD GREY
APPLICANT: TURNBULL GRIFFIN HAESLOOPARCHITECTS
LOT SIZE: 8,535 SQUARE FEET
ZONING: R-2 (TWO-FAMILY RESIDENTIAL)
GENERAL PLAN: HIGH DENSITY RESIDENTIAL
FLOOD ZONE: X
DATE COMPLETE: JANUARY 28, 2016

PRELIMINARY ENVIRONMENTAL DETERMINATION

Town Planning Division Staff has made a preliminary determination that this proposal would be exempt from the provisions of the California Environmental Quality Act (CEQA), as specified in Section 15303.

PROJECT DESCRIPTION

The applicant is requesting Design Review approval for the construction of a new single-family dwelling on property located at 2370 Paradise Drive. The subject property is currently developed with a single-family dwelling, which would be demolished.

The proposed house would include one main level that would include a living room, kitchen, dining room, a master bedroom suite, one additional bedroom, a bathroom, powder room, pantry and a study. Parking would be provided by an attached two-car garage below the main level, with a driveway leading to the rear and accessed from Linda Vista Avenue. A series of fences and retaining walls would be installed or reconstructed on the site.

The floor area of the proposed house would be 2,838 square feet, which is 16 square feet less than the floor area ratio for a lot of this size. The proposed house would cover 3,182 square feet (37.3%) of the site, which is greater than the 35.0% maximum lot coverage permitted in the R-2 zone. A variance is therefore requested for excess lot coverage.

A new wooden fence is proposed to be constructed near the front property line. The fence would have a maximum height of 7 feet, which is taller than the 6 foot maximum fence height in the R-2 zone. A variance is therefore also requested for excess fence height.

A color and materials board has been submitted, and will be present at the meeting for the Board to review. The structure would be finished with cedar and concrete siding with light grey trim. The roof would utilize grey standing seam metal and grey membrane materials.

BACKGROUND

In 2012, the previous owner of this property submitted a Site Plan and Architectural Review application (File #712109) for construction of a new single-family dwelling on this site. The project design complied with all R-2 zoning requirements, but included a second story master bedroom suite.

The application was reviewed by the Design Review Board at the August 1, 2013 meeting. At that meeting, the owners of the adjacent home to the east at 2380 Paradise Drive raised concerns about the visual mass and bulk of the proposed second story addition. The Board agreed that the second story addition would have impacted the primary living areas of this neighboring residence and could have affected the views of other nearby homes. The application was continued to allow the applicant to redesign the project. The applicant subsequently withdrew the application without submitting a revised project design.

In 2014, the same previous owner submitted a Site Plan and Architectural Review application (File #21411) for construction of additions to the existing single-family dwelling on the site, with a variance for excess lot coverage. The one-story structure would have added 1,352 square feet of floor area, resulting in a living area of 2,853 square feet, with a 542 square foot garage, and a total lot coverage of 4,026 square feet (47.2%).

The Design Review Board reviewed the application at the May 15, 2014 meeting. Prior to the meeting, the owners of 2360 & 2380 Paradise Drive raised concerns about possible view impacts, and owner of 2380 Paradise Drive spoke at the meeting. The Board determined that the project design was an improvement upon the 2012 project design and conditionally approved the application. The applicant subsequently sold the property to the current applicant.

ANALYSIS

Design Issues

The subject property is roughly rectangular in shape and slopes gently down from Paradise Drive. The side property lines are not parallel to each other. The existing property includes a nonconforming 248 square foot shed between the existing garage and the western side property line, which would be removed as part of this project.

The profile of the proposed house would be similar to that of the existing house on the site. Most of the roofline would not exceed the height of the existing house and the proposed dwelling would not extend beyond the footprint of the existing structure in locations that would affect views from neighboring properties. The roofline would not appear to intrude into views from any homes uphill from the site. The lot directly across the street from the subject property is currently vacant, but future development of this site would likely be similar to that of other homes on this side of Paradise Drive, which have been designed to capture views at higher floor levels above the homes across the street.

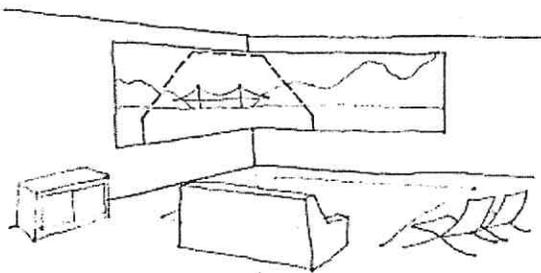
The existing house on the site is situated roughly parallel to the eastern (left) side property line. The proposed dwelling would be slightly rotated and sited parallel to the western (right) side property line. As a result, the proposed building footprint would not further intrude into the viewline to the east from the adjacent residence at 2360 Paradise Drive.

The proposed house design would include an angled roof over the living room, dining room and kitchen that would be raised above the height of the remaining roofline at the rear. This raised angled roof would be most visible from the neighboring home to the east at 2380 Paradise Drive. The following principles of the Hillside Design Guidelines should be used in evaluating the potential view impacts from this neighboring home:

Goal 3, Principle 7 (A) of the Hillside Design Guidelines states that “view protection is more important for the primary living areas of a dwelling (e.g. living room, dining room, family room, great room, kitchen, and decks associated with these rooms) than for less actively used areas of a dwelling (e.g. bedroom, bathroom, study, office, den).” The raised roofline would intrude into the views from the kitchen and dining room of the home at 2380 Paradise Drive.

NO

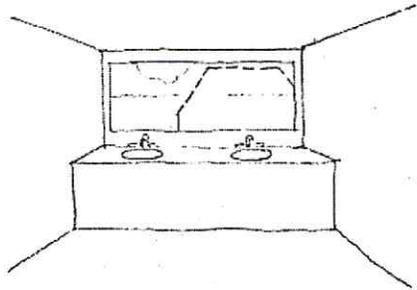
• PROPOSED STRUCTURE
BLOCKS LIVING ROOM VIEW -



• GREAT IMPACT ON
LIVABILITY

YES

• PROPOSED STRUCTURE
BLOCKS BATHROOM VIEW



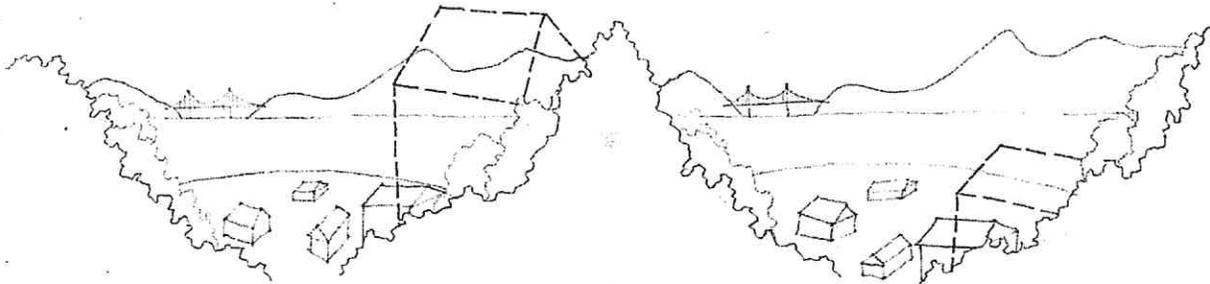
• LITTLE IMPACT ON
LIVABILITY

Goal 3, Principle 7 (C) of the Hillside Design Guidelines states that “horizon line is [the] most sensitive part of [a] view, then foreground, then middleground. If possible, avoid cutting [the] horizon line of a neighbor’s view.” The proposed raised roofline would cut

into the horizon line of the Marin Headlands and below the Golden Gate Bridge for the home at 2380 Paradise Drive.

NO

YES

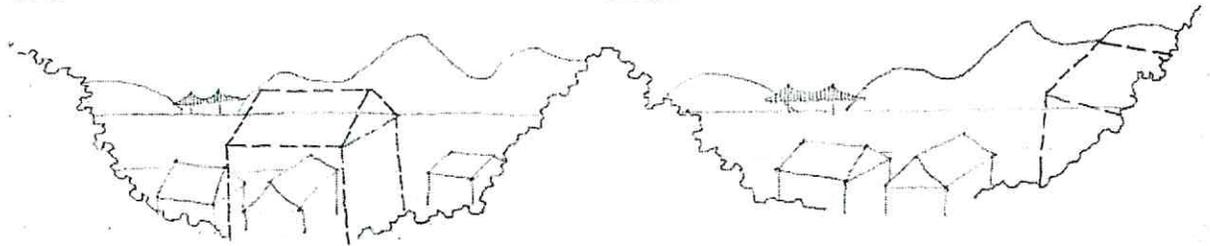


Goal 3, Principle 7 (C) of the Hillside Design Guidelines states that “blockage of center of [the] view [are] more damaging than blockage of [the] side of [the] view.” The raised roofline would intrude into the far right side of the view from the home at 2380 Paradise Drive.

C. BLOCKAGE OF CENTER OF VIEW MORE DAMAGING THAN BLOCKAGE OF SIDE OF VIEW.

NO

YES



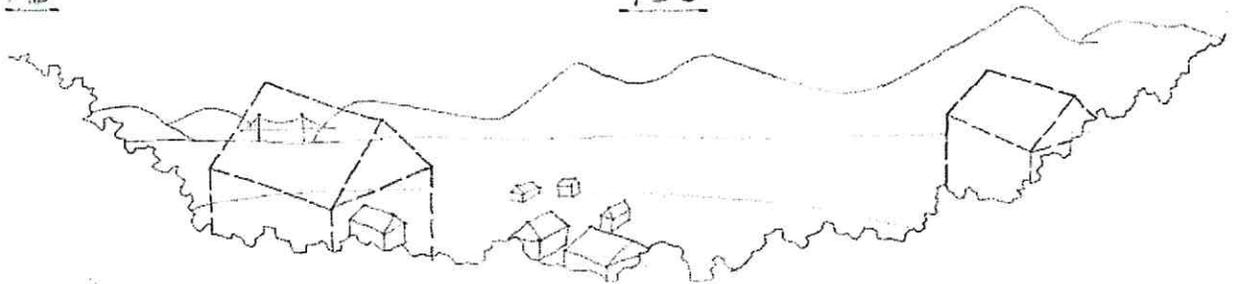
• PROPOSED STRUCTURE
BLOCKS CENTER OF VIEW

• PROPOSED STRUCTURE
BLOCKS SIDE OF VIEW

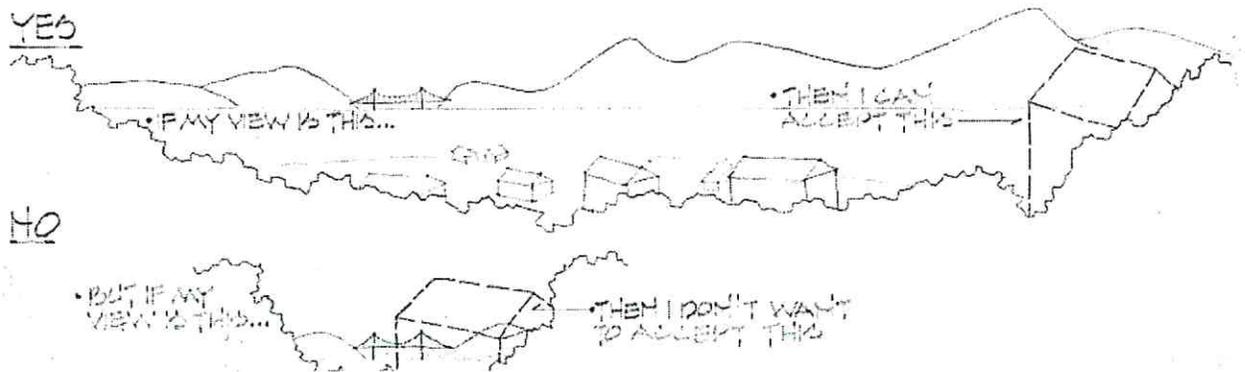
Goal 3, Principle 7 (D) of the Hillside Design Guidelines states that “blockage of important object in the view (Golden Gate Bridge, Belvedere Lagoon, Sausalito, Angel Island) is more difficult to accept than blockage of other, less well-known landmarks.” The raised roofline would intrude into the views of the Golden Gate Bridge from the kitchen of the neighboring home.

NO

YES



Goal 3, Principle 7 (E) of the Hillside Design Guidelines states that “a wide panoramic view can accept more view blockage than the smaller slot view.” The home at 2380 Paradise Drive has a wide panoramic view from the East Bay through Angel Island and San Francisco. The raised roofline would block only a small portion of the larger views from this neighboring residence. However, the roofline would intrude into almost the entire view from the kitchen of the home at 2380 Paradise Drive.



The lower portion of the roof of the proposed house would not appear to create the same view issues as the raised roofline. The story pole representing the lower roof above the proposed study would be similar to the profile of the existing house. Reducing the roofline above the living room, dining room and kitchen would likely alleviate this view concern.

The front yard of the property is situated below the level of Paradise Drive. An open parking space with a gravel surface is currently situated within the Town right-of-way adjacent to the roadway. The application proposes to formalize this parking space by replacing an existing retaining wall and fence with a new low retaining wall and a 7 foot tall fence behind the wall. The intent of the additional fence height is to provide privacy screening for the front of the home from traffic on Paradise Drive.

Zoning

Staff has reviewed the proposal and finds that it is in general conformance with the development standards for the R-2 zone, with the exception of the requested variances for excess lot coverage and excess fence height.

In order to grant the requested variances, the Board must make all of the following findings required by Section 16-52.030 (E) of the Tiburon Zoning Ordinance:

- 1. Because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of this Ordinance will deprive the applicant of privileges enjoyed by other properties in the vicinity and in the same or similar zones.***

Excess lot coverage

The subject property is roughly rectangular in shape and is larger than the minimum lot size in the R-2 zone, but is surrounded by other homes in a tightly clustered portion of the Old Tiburon neighborhood with nearby homes that have important views across the site that could be impeded by home with two stories of living space. The physical surroundings of the site are physical characteristics that create a special circumstance that would deprive the owners of this property of development privileges for a home design similar to those enjoyed by other properties in the vicinity if the subject variance is not granted.

Excess fence height

Most of the subject property is situated at a level below Paradise Drive. This elevation change and the location of the lot adjacent to a heavily traveled roadway are special circumstances that would deprive the owners of this property of privacy for a home design similar to that enjoyed by other properties in the vicinity if the subject variance is not granted.

2. ***The Variance will not constitute a grant of special privileges, inconsistent with the limitations upon other properties in the vicinity and in the same or substantially the same zone.***

Excess lot coverage

Numerous other properties in the R-2 and similar zones have been granted variances for excess lot coverage, particularly in instances where a home design with two floors of living area would result in substantial view blockage for other homes in the vicinity.

Excess fence height

Numerous other properties in the R-2 and similar zones have been granted variances for excess fence height to provide privacy protection from adjacent heavily traveled roadways such as Paradise Drive.

3. ***The strict application of this Zoning Ordinance would result in practical difficulty or unnecessary physical hardship. Self-created hardships may not be considered among the factors that might constitute special circumstances. A self-created hardship results from actions taken by present or prior owners of the property that consciously create the very difficulties or hardships claimed as the basis for an application for a Variance.***

Excess lot coverage

The strict application of the maximum lot coverage requirement for this property would force the proposed house to adopt a design with two stories of living area which would potentially intrude into the viewlines for other homes in the vicinity, and therefore would create a practical difficulty for the applicant.

Excess fence height

The strict application of the maximum fence height requirement for this property would expose the front of the proposed house to sight from vehicles, bicycles and pedestrians using Paradise Drive, resulting in an unnecessary hardship for the applicant.

4. *The granting of the variance will not be detrimental to the public welfare or injurious to other properties in the vicinity.*

Excess lot coverage

As described above, a portion of the roofline of the proposed house would project into the views of the adjacent home at 2380 Paradise Drive. However, this roofline can be modified without changing the requested lot coverage for the proposed dwelling.

Excess fence height

The lower elevation at the base of the proposed fence would give this fence the appearance of a six foot tall structure. The fence would not intrude into views for any other properties in the vicinity.

From the evidence provided, Staff believes that there is sufficient evidence to support the findings for the requested variances.

Public Comment

As of the date of this report, one letter has been received regarding the subject application from the owners of the property at 2380 Paradise Drive.

RECOMMENDATION

The Design Review Board should review this project with respect to Zoning Ordinance Sections 16-52.020 (H) (Guiding Principles) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15303. If the Board agrees with staff's conclusions, it is recommended that the attached conditions of approval be applied.

ATTACHMENTS

1. Conditions of approval
2. Application and supplemental materials
3. Minutes of the August 1, 2013 Design Review Board meeting
4. Minutes of the May 15, 2014 Design Review Board meeting
5. Letter from Peter and Jeanne Tymstra, dated January 14, 2016
6. Submitted plans

Prepared By: Daniel M. Watrous, Planning Manager

E. NEW BUSINESS

3. **2370 PARADISE DRIVE:** File No. VAR2015023/DR2015148; Richard Grey, Owner; Site Plan and Architectural Review for construction of a new single-family dwelling, with Variances for excess lot coverage and excess fence height. The applicant proposes to construct a new 2,838 square foot house. The lot coverage of the house would be 3,182 square feet (37.3%), which is greater than the 35.0% maximum lot coverage permitted in the R-2 zone. A new fence in the front yard would be 7 feet tall, in lieu of the maximum fence height of 6 feet. Assessor's Parcel No. 059-191-05.

The applicant is requesting Design Review approval for the construction of a new single-family dwelling on property located at 2370 Paradise Drive. The subject property is currently developed with a single-family dwelling, which would be demolished.

The proposed house would include one main level that would include a living room, kitchen, dining room, a master bedroom suite, one additional bedroom, a bathroom, powder room, pantry and a study. Parking would be provided by an attached two-car garage below the main level, with a driveway leading to the rear and accessed from Linda Vista Avenue. A series of fences and retaining walls would be installed or reconstructed on the site.

The floor area of the proposed house would be 2,838 square feet, which is 16 square feet less than the floor area ratio for a lot of this size. The proposed house would cover 3,182 square feet (37.3%) of the site, which is greater than the 35.0% maximum lot coverage permitted in the R-2 zone. A variance is therefore requested for excess lot coverage.

A new wooden fence is proposed to be constructed near the front property line. The fence would have a maximum height of 7 feet, which is taller than the 6 foot maximum fence height in the R-2 zone. A variance is therefore also requested for excess fence height.

Mary Griffin, architect, stated that most of the houses in the area are two stories and the current house is one of the only one-story structures. She said that there is a public utility easement with parking at the front of the lot and the driveway down into the property is quite steep. She described the current house location, which has a nonconforming structure in the side yard setback and said that the existing house does not take advantage of the views, is in poor condition and is older. She showed photographs of views across the site from neighboring houses. She stated that they propose to move the driveway to the garden location and hope to preserve the large screening hedge as much as possible. She stated that the existing house aligns with the house to its east and they propose to angle the house toward the west. She said that the proposed house would be 6 inches below the elevation of the existing house. She said that the driveway off Paradise Drive would be eliminated and access would be from Linda Vista Avenue below. She displayed a depiction of the orientation of the new house relative to the old house, and noted that it would increase the distance between both neighbors on either side. She said that the roof would tip up slightly to the north on the Paradise Drive side where the solar panels are located and also tips up to the south over the living room. She said that the garage would be under the house, with an elevator and stairs connecting it to the main level.

Stefan Hastrup, architect, displayed the site plan and noted that the house would hug the setback line toward the west but exceed the setbacks on the other three sides. He stated that the existing wood retaining wall on Paradise Drive is failing, and they propose to rebuild it. He noted that this application included a small variance for lot coverage, which was significantly less than the lot coverage of the previously approved application and mainly due to the deck. He added that they have also applied for a variance for a 1.5 foot height increase to the fence to provide privacy for the house. He showed the materials palette, which was intended to be consistent with the feeling of a beach cottage. He said that the proposed house would remove a large section of roof bulk in the middle compared to the existing building.

Ms. Griffin said they reached out and met with neighbors and the main topic was that the neighboring homes look over the property from their side windows. She showed their initial proposal and stated that it was revised after viewing the site from the neighboring house to pull the house back and move it away from that view. She said that they considered a flat roof to lower the profile toward the sensitive view and erected story poles so the neighbors could see the impact of the project on view. She said that based on that feedback they then revised the proposal before submitting it. She showed views of the proposed property from several angles and said that the proposed house would be smaller than the neighboring house on the uphill side.

Richard Grey, owner, said that they have tried hard to be sensitive to the concerns of others by making changes over a series of meetings with neighbors and they believe that this proposal was a reasonable accommodation and would be a good addition to the neighborhood.

Boardmember Cousins asked about the lack of a railing for the deck above the garage. Ms. Griffin stated the deck was designed with a garden bench which meets the code by being more than 3 feet out from the deck. Boardmember Cousins questioned whether that is allowed since one could easily fall over from the bench.

Vice-Chair Kricensky noted that the hedges may be an issue because they can grow tall. Ms. Griffin noted they would have to be maintained so they do not grow up to block views.

Vice-Chair Kricensky asked about the new fencing along the property line with the neighbors, and questioned whether some of the screening shrubs would also be removed along with it. Ms. Griffin said that the fences are in bad shape but they would work to preserve as much of the shrubbery as they can. Mr. Hastrup said that they did not consider this to be a central feature of the design and they would replant anything needed, but they want to preserve the vertical ivy hedge as much as possible.

The public hearing was opened.

Pete Tymstra said he is the neighbor to the east of the proposed property and he welcomed the owners to the neighborhood. He said that the applicant has been very gracious and communicative with their plans. He stated that his letter focused on privacy for him and for them.

Tyler Bartlett said that he had some minor concerns, including the fence and hedges between the properties. He was also concerned about the large window above the staircase and the overhang over that window.

Theresa Harrelson welcomed the owners and said that their drawings were beautiful. She said that she lives below Linda Vista Avenue near the new garage location and stated that this is a private road that is very narrow. She was concerned about increasing traffic on the street and asked what would happen to the existing landscaping facing the street. She wanted to know how the project would look on the garage side, stating that she currently has total privacy in her garden and that she could not tell if they will be able to see into her property from the deck.

Ms. Griffin said that they were very happy to work with all neighbors on any conditions that might affect their properties. She said that the deck would be 6 inches lower than the existing deck and would impact privacy less. She said that they would work with neighbors regarding the fences and landscaping.

Boardmember Emberson suggested that the revised parking area on Paradise Drive would make it harder for the neighbor to get in and out of their driveway because of the eventual height of the proposed pittosporum. Mr. Griffin said that they would be happy to adjust the plantings and the driveway to maintain privacy yet not have such an impact on the neighbors.

Boardmember Cousins noted that the retaining wall in the street right-of-way would require a separate permit process. Planning Manager Watrous stated that the Public Works Department has generally encouraged improvements to add parking spaces. He said that he heard two suggestions in Boardmember Emberson's comments: 1) to reduce landscaping to reduce view blockage, and 2) to pull back the retaining wall. Ms. Griffin said that they would be happy to work with the Town on the parking spaces.

The public hearing was closed.

Boardmember Cousins said that this was a handsome design. He felt that rotating the house made a lot of sense and would open up views for the neighbors. He said that the one-story design was beneficial and that creating access and parking off Linda Vista Avenue rather than Paradise Drive was appropriate. He said that the roof overhang would be very close to the view of the Golden Gate Bridge from the neighbor's kitchen. He stated that the overhang would not provide much shading and suggested that the corner be revised so the overhang would not affect the Golden Gate Bridge view. He said that the fences would look the same and he had no objection to the increased fence height.

Vice-Chair Kricensky agreed with Boardmember Cousins. He pointed out that the Golden Gate Bridge is the most iconic view in the bay area and he shared Boardmember Cousins' concern that the overhang would extend into that view. He suggested that the height of the wraparound portion of the living room window needed to be reduced because the top of it would be visible at night time and impede the neighbor's view. He felt that the garage design would work well. He did not think that the deck would impact the downhill neighbor. He appreciated the work the applicant did to accommodate the neighbors. He said that he was hesitant to approve the fence

and shrub removal if there was not a resolution about its location on the eastern property line and due to potential disruption of the neighbors' landscaping.

Planning Manager Watrous noted that the fence goes in and out of the property line at that location. Boardmember Cousins added that the fence is mostly inside the property line and that the issue was the disruption to existing plantings and suggested a condition that the plantings be maintained. Chair Tollini stated that if the existing plantings are destroyed then they need to be replaced to the satisfaction of the neighbors. Boardmember Emberson suggested pittosporum would be inappropriate because it grows too tall. Chair Tollini said that that was not his experience with pittosporum in this area and suggested this should be deferred to staff to work with the applicant on a species that would not grow more than 15 feet. Planning Manager Watrous said that pittosporum is used commonly as a thick screen on the peninsula but usually does not grow more than 10-15 feet tall in Tiburon.

Boardmember Emberson said that this was a handsome design. She said that she had issues with the size of the skylights and the roof eaves. She said that the skylight appeared to be 8 feet long, which she felt was very big for a skylight and could be reduced in size. Boardmember Cousins pointed out that the roof would be flat in that area and the skylights would be behind the sloping roof and would not be visible because the neighbors would look straight across from eye level. Boardmember Emberson agreed that bringing the roof overhang back would make the neighbors happy, and she agreed with Boardmember Cousins and Vice Chair Kricensky that this was worth revising because of the impact on the view of the Golden Gate Bridge.

Chair Tollini agreed with the other Boardmembers and stated that the house was thoughtfully designed. He liked the idea of placing the garage off Linda Vista Avenue because it would improve circulation and the doors would be well set back. He appreciated that the solar panels would be thoughtfully concealed. He believed that the skylight requests were modest given the amount of roof and there less visible location on a flat portion of the roof. He said that he was less concerned about the fence, but more concerned about loss of screening when the fence is removed, and he would like to see a condition of approval requiring any screening damaged during construction be replaced as soon as possible. He agreed with staff's findings regarding the variances. He agreed with Boardmember Kricensky's suggestion to reduce the height of the living room window to avoid light issues. He said that he was torn about the eave near the neighbor's view of the Golden Gate Bridge, acknowledging that this would be a real impact, but since the eave was aesthetic and not functional he felt that it should be pulled back. He encouraged the applicant to look at that area and diminish the impact of the eave on the neighbor's view of the Golden Gate Bridge.

Planning Manager Watrous noted another issue that was mentioned was reducing the size of the Paradise Drive parking area to 2 spaces instead of 3. The consensus of the Board was that should be done.

Ms. Griffin presented a drawing pulling back the overhang by 2 feet. Chair Tollini suggested that this was a good place to start, but felt that story poles were needed. Planning Manager Watrous said that therefore the item would need to be continued.

ACTION: It was M/S (Emberson/Kricensky) to continue the application for 2370 Paradise Drive to the March 3, 2016 meeting. Vote: 4-0.

F. APPROVAL OF MINUTES #21 OF THE DECEMBER 17, 2015 DESIGN REVIEW BOARD MEETING

ACTION: It was M/S (Emberson/Cousins) to approve the minutes of the December 17, 2015 meeting, as written. Vote: 3-1 (Kricensky abstained).

G. ADJOURNMENT

The meeting was adjourned at 8:05 p.m.