



STAFF REPORT

To: Members of the Design Review Board

From: Planning Manager Watrous

Subject: 8 Apollo Road; File Nos. DR2016080/VAR2016021; Site Plan and Architecture Review for Construction of a New Single-Family Dwelling, with a Variance for Excess Lot Coverage (Continued from September 15, 2016)

Reviewed By: _____

BACKGROUND

The applicant is requesting Design Review approval for the construction of additions to an existing one-story single-family dwelling on property located at 8 Apollo Road. As more than 50% of the existing structure would be demolished as part of this application, the project has been deemed to be construction of a new single-family dwelling.

The application was first considered at the August 18, 2016 Design Review Board meeting. At that meeting, several neighboring property owners expressed concerns regarding the height of the rear portion of the house and potential view and light issues from higher portions of proposed windows. The Boardmembers shared these concerns and felt that the height of the rear portion of the house, including the ceiling and window heights, were excessive and would create massing, privacy and light issues for neighbors. The Board also noted that the subject property is situated at a higher elevation than some neighbors, making the building volume and windows more visible above fence lines. The Board continued the application to the September 15, 2016 meeting.

Revised plans were submitted for this project, which included the following changes to the project design:

- The height of the rear portion of the house was lowered. The previous roofline sloped and had a height of 14 feet, 10 inches on the side and 16 feet toward the center of the lot. The new roof was flat and had a height of 13 feet, 10 inches.
- The rear portion of the house was pulled back further from the west side property line, while this wing was 10 inches wider than the previous design. The windows on the rear of this wing were lowered 6 inches.

- The east side of the house was pulled forward approximately 5 feet toward the front.
- One additional skylight was proposed, bringing the total number of skylights to 4.

The floor area of the proposed house was 2,125 square feet, 50 square feet greater than before. The garage was reduced in size by 21 square feet to 375 square feet. The proposed house covered 2,500 square feet (35.7%) of the site, 29 square feet greater than before and in excess of the 30.0% maximum lot coverage permitted in the R-1 zone. A variance was still therefore requested for excess lot coverage.

The Design Review Board reviewed the revised plans at the September 15, 2016 meeting. At that meeting, one neighbor was still concerned about the mass of the proposed house. The Board determined that the changes were insufficient to address the previously raised concerns. The Board felt that the flat roof would be too tall and create excessive building volume, and that the rear windows were too tall for the neighbors. The Board continued the application to the October 6, 2016 meeting, and the applicant later requested an additional continuance to the October 20 meeting.

Revised plans have now been submitted for the project. The height of the rear portion of the house was lowered to a height of 11 feet, 10 inches on the side and 13 feet, 10 inches toward the center of the lot. The rear windows were reduced in height to 8 feet. The footprint and floor plans of the house remain unchanged.

ANALYSIS

Design Issues

The changes to the project design appear to be more responsive to the concerns raised by the neighboring residents and the Design Review Board than the previous revisions. The overall roof height of the rear portion of the house would be substantially lowered. The roof along the side would match the roof height of the rest of the house, with the higher roofline only toward the center of the lot. The rear windows have been reduced in height to lessen light exposure for neighboring homes along Juno Road.

The Design Review Board is encouraged to view the story poles from the homes at 6 Apollo Road and 13 Juno Road and determine whether the revised project design would sufficiently address the massing, privacy and light issues for neighbors.

Zoning

Staff has reviewed the proposal and finds that it is in conformance with the development standards for the R-1 zone, with the exception of the requested variance for excess lot coverage.

As noted in the previous staff report, staff believes that there is sufficient evidence to support the findings for the requested variance.

Public Comment

As of the date of this report, one letter has been received regarding the subject application since the September 15, 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 project be continued with more specific direction given to the applicant to address the previously raised concerns. If the Board wishes to approve the application, it is recommended that the attached conditions of approval be applied.

ATTACHMENTS

1. Conditions of approval
2. Design Review Board staff report dated August 18, 2016
3. Design Review Board staff report dated September 15, 2016
4. Minutes of the August 18, 2016 Design Review Board meeting
5. Minutes of the September 15, 2016 Design Review Board meeting
6. Letter from Todd Davis, dated October 10, 2016
7. Submitted plans

Prepared By: Daniel M. Watrous, Planning Manager

CONDITIONS OF APPROVAL

8 APOLLO ROAD

FILE #DR2016080/VAR2016021

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 June 20, 2016, or as amended by these conditions of approval. Any modifications to the plans of October 6, 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. All skylights shall be bronzed or tinted in a non-reflective manner (minimum 25%) and no lights shall be placed in the wells.
7. 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.
8. 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
9. 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.
 10. A photovoltaic energy system shall be installed in compliance with the requirements of Section 16-40.080 of the Tiburon Zoning Ordinance.
 11. 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.
 12. 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.
 - d. A drainage plan shall be provided prior to issuance of building permits, showing existing and new drainage features and their location of dispersal. No lot-to-lot drainage is allowed except where easements for drainage are provided. No drainage shall discharge across sidewalks.
 13. The final landscape and irrigation plans must comply with the current water efficient landscape requirements of MMWD, including, but not limited to, the following:
 - a. A High Pressure Water Service application shall be completed.
 - b. A copy of the building permit for this project shall be submitted.

- c. Appropriate fees and charges shall be paid.
 - d. The structure's foundation shall be completed within 120 days of the application.
 - e. The project shall comply with all indoor and outdoor requirements of District Code Title 13 (Water Conservation). Plans shall be submitted and reviewed to confirm compliance. The following items are required:
 - 1. Verification of indoor fixtures compliance.
 - 2. Landscape plan.
 - 3. Irrigation plan.
 - 4. Grading plan.
 - f. Compliance with the backflow prevention requirements, if, upon the District's review backflow protection is warranted, including installation, testing and maintenance.
 - g. Compliance with District requirements for installation of gray water recycling systems.
14. 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 an 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 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 and the recommendations of Fire Safe Marin. CFC 304.1.2
 - d. The photovoltaic solar system shall comply with TFPD Policy 423.5, Alternate Power Supplies.
15. The project shall comply with all requirements of the Richardson Bay Sanitary District.
16. A construction staging plan shall be approved by the Building Official prior to issuance of a building permit for this project.
17. The existing shed to the rear of the house shall be removed as part of this project.



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
August 18, 2016
Agenda Item: **3**

STAFF REPORT

To: Members of the Design Review Board
From: Planning Manager Watrous
Subject: 8 Apollo Road; File Nos. DR2016080/VAR2016021; Site Plan and Architecture Review for Construction of a New Single-Family Dwelling, with a Variance for Excess Lot Coverage
Reviewed By: _____

PROJECT DATA

ADDRESS: 8 APOLLO ROAD
OWNER: CEDRIC BARRINGER
APPLICANT: DAVUD ARMOUR ARCHITECTURE
ASSESSOR'S PARCEL: 034-271-04
FILE NUMBERS: DR2016080/VAR2016021
LOT SIZE: 6,995 SQUARE FEET
ZONING: R-1 (SINGLE-FAMILY RESIDENTIAL)
GENERAL PLAN: MH (MEDIUM HIGH DENSITY RESIDENTIAL)
FLOOD ZONE: X
DATE COMPLETE: JULY 13, 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 additions to an existing one-story single-family dwelling on property located at 8 Apollo Road. As more than 50% of the existing structure would be demolished as part of this application, the project has been deemed to be construction of a new single-family dwelling.

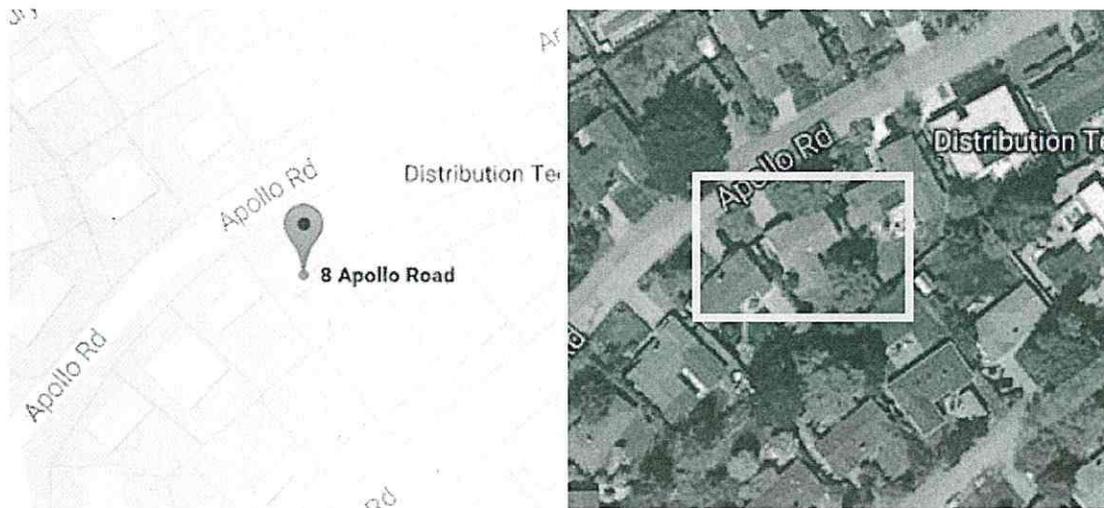
The existing house would be expanded to the front and rear. The new floor plan would include a master bedroom suite, three additional bedrooms and two more bathrooms, a living room, dining

room, kitchen and laundry room, along with a one-car garage. The roof would be changed from a flat roof to flat roof for the front portion of the building, with a raised, slightly sloped roof on the rear. Three skylights would be installed. A 6 foot tall wood fence would connect between the house and existing fencing along the side property lines. An existing cedar tree in the front would be removed and replaced with new trees and landscaping.

The floor area of the proposed house would be 2,075 square feet, with 396 square feet of garage space, which is 373 square feet less than the floor area ratio for a lot of this size. The proposed house would cover 2,471 square feet (35.3%) of the site, which is greater than the 30.0% maximum lot coverage permitted in the R-1 zone. A variance is therefore requested for excess lot coverage.

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 grey colored stucco and brown wood and aluminum trim. The flat roof would have a light grey finish.

PROJECT SETTING



The subject property is situated in the interior portion of the Belveron East neighborhood. The lot is generally flat, but is situated at an elevation slightly above the properties to the rear along Juno Road.

ANALYSIS

Design Issues

The front portion of the proposed home would be lower than the maximum height of the existing house, while the rear would be somewhat taller. The existing house has a pitched roof with a ridgeline height of 14 feet, 6 inches. The front portion of the house would have a flat roof with a height of 11 feet, 10 inches. The raised portion of the roof above the living room, dining room

and kitchen would be slightly sloped, with a height of 14 feet, 10 inches on the side and 16 feet toward the center.

The taller portion of the proposed house would be visible from the rear yard of the home at 13 Juno Road. The story poles indicate that much of this additional building height, including the upper living room windows, would be visually prominent when viewed from the neighboring back yard. Although the existing property line fence and landscaping along the shared property line would limit privacy impacts from the living room, the raised elevation of the subject property, combined with the taller building height and flat plane of the rear of the house, would make this structure appear more massive from this neighboring property. The Design Review Board is encouraged to view the story poles from the home at 13 Juno Road.

The contemporary building design of the proposed house is inconsistent with the architecture of the original homes in the Belveron East neighborhood and most of the remodeled homes in this subdivision. However, there have been other homes in the vicinity that have been remodeled in the recent past with similar updated designs. The Design Review Board should determine whether the proposed house design would be compatible with the prevailing architectural character of the surrounding neighborhood.

There is a small storage shed to the rear of the existing house that has not been calculated into the lot coverage of this property. To comply with the noticed variance for excess lot coverage, this shed shall be removed as part of the construction of the proposed house.

Zoning

Staff has reviewed the proposal and finds that it is in conformance with the development standards for the R-1 zone, with the exception of the requested variance for excess lot coverage.

In order to grant the requested variance, 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.*

The subject property is substantially smaller than the 10,000 square foot minimum lot size required in the R-1 zone and is located in the interior of the Belveron East subdivision where two-story homes have been discouraged. These characteristics are special circumstances applicable to this property whereby the strict application of the maximum lot coverage requirement would deprive the owners of this property of development privileges enjoyed by other properties in the vicinity.

- 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.*

Numerous other properties in the R-1 or similar zones have received variances for excess lot coverage, particularly in areas where a two-story home would be discouraged.

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.*

The strict application of the maximum lot coverage requirement for this property would force the proposed house to add an upper story of living area which would be incompatible with the character of this portion of the surrounding neighborhood, and therefore would create a practical difficulty 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.*

As noted above, the proposed project would not create substantial view or privacy impacts for other homes in the vicinity.

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

Public Comment

As of the date of this report, one letter has been received regarding the subject application from the owners of 13 Juno Road.

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. Letter from Felicia Wolford and Charles Cathey, dated August 7, 2016
4. Submitted plans

Prepared By: Daniel M. Watrous, Planning Manager



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
September 15, 2016

Agenda Item: **I**

STAFF REPORT

To: Members of the Design Review Board

From: Planning Manager Watrous

Subject: 8 Apollo Road; File Nos. DR2016080/VAR2016021; Site Plan and Architecture Review for Construction of a New Single-Family Dwelling, with a Variance for Excess Lot Coverage (Continued from August 18, 2016)

Reviewed By: _____

BACKGROUND

The applicant is requesting Design Review approval for the construction of additions to an existing one-story single-family dwelling on property located at 8 Apollo Road. As more than 50% of the existing structure would be demolished as part of this application, the project has been deemed to be construction of a new single-family dwelling.

The application was first considered at the August 18, 2016 Design Review Board meeting. At that meeting, several neighboring property owners expressed concerns regarding the height of the rear portion of the house and potential view and light issues from higher portions of proposed windows. The Boardmembers shared these concerns and felt that the height of the rear portion of the house, including the ceiling and window heights, were excessive and would create massing, privacy and light issues for neighbors. The Board also noted that the subject property is situated at a higher elevation than some neighbors, making the building volume and windows more visible above fence lines. The Board continued the application to the September 15, 2016 meeting.

Revised plans have now been submitted for this project, which include the following changes to the project design:

- The height of the rear portion of the house has been lowered. The previous roofline sloped and had a height of 14 feet, 10 inches on the side and 16 feet toward the center of the lot. The new roof would be flat and have a height of 13 feet, 10 inches.

- The rear portion of the house has been pulled back further from the west side property line, while this wing would be 10 inches wider than the previous design. The windows on the rear of this wing have been lowered 6 inches.
- The east side of the house has been pulled forward approximately 5 feet toward the front.
- One additional skylight is proposed, bringing the total number of skylights to 4.

The floor area of the proposed house would be 2,125 square feet, 50 square feet greater than before. The garage has been reduced in size by 21 square feet to 375 square feet. The proposed house would cover now 2,500 square feet (35.7%) of the site, 29 square feet greater than before and in excess of the 30.0% maximum lot coverage permitted in the R-1 zone. A variance is still therefore requested for excess lot coverage.

ANALYSIS

Design Issues

The changes to the project design are somewhat responsive to the concerns raised by the neighboring residents and the Design Review Board. Although the rear portion of the house has been lowered and pulled back from the side property line, the reductions are insubstantial. The height of the house viewable from the property at 6 Apollo Road would be reduced by only one foot. Similarly, when viewed from the home at 13 Juno Road the house would be slightly shorter and the tallest portions of the rear-facing windows would still be visible above the fence line.

The Design Review Board is encouraged to view the story poles from the homes at 6 Apollo Road and 13 Juno Road and determine whether the revised project design would sufficiently address the massing, privacy and light issues for neighbors.

Zoning

Staff has reviewed the proposal and finds that it is in conformance with the development standards for the R-1 zone, with the exception of the requested variance for excess lot coverage. As noted in the previous staff report, staff believes that there is sufficient evidence to support the findings for the requested variance.

Public Comment

As of the date of this report, no letters have been received regarding the subject application since the August 18, 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 project be continued with more specific direction given to the applicant to address the previously raised concerns. If the Board wishes to approve the application, it is recommended that the attached conditions of approval be applied.

ATTACHMENTS

1. Conditions of approval
2. Design Review Board staff report dated August 18, 2016
3. Minutes of the August 18, 2016 Design Review Board meeting
4. Submitted plans

Prepared By: Daniel M. Watrous, Planning Manager

Boardmember Tollini said that he also had not changed his opinion and agreed with Boardmember Chong. He noted that this is a substandard lot and felt that the findings for the exception could be easily made because the size and structure was compatible with the pattern of the neighborhood and with the site. He noted that there is no requirement that a request for exception must comply with the lot coverage maximum. He said that this would fit the pattern of two-story homes in the area. He said that nothing about the site suggests that this would be overbuilt and he noted that the changes would reduce the lot coverage. He felt that this proposal would turn the house into a more functional family house and that the bedrooms would be modestly shaped.

Chair Kricensky said that he was in between the two opposing opinions. He felt that it was important to be consistent with the idea that when a lot is over both lot coverage and floor area it is overbuilt. However, he thought that the design works and the revisions helped a great deal.

Boardmember Tollini asked what the other Boardmembers would prefer to see, noting that reducing the size of the second story would limit it to only a master suite and one bedroom.

Boardmember Cousins said the Board needs to draw a line somewhere and there is a reason for the floor area ratio. Boardmember Tollini respectfully disagreed with staff's findings regarding the exception and saw no inconsistency with the proposed structure on the lot. Boardmember Cousins stated that the house would completely fill the lot and be out of scale. Vice Chair Emberson stated that the other lots in the neighborhood feel more spacious. Boardmember Tollini stated that the question was whether the findings can be made, and he believed that the Board can make the findings.

Boardmember Chong said that there is a difficulty for a family with children in bedrooms on a different floor from the master suite and he did not believe that is a good design. Vice Chair Emberson stated that having children or how a family is raised is not relevant to the decisions that should be made regarding an exception and although she liked the design she felt that it would be overbuilt.

Chair Kricensky said that he believed that the argument about how the bedrooms work was a valid point. He said that this project would be only 320 square feet over the FAR and the lot is much smaller than the surrounding properties and the minimum lot size. He believed that it was possible to make the findings for the exception.

<p>ACTION: It was M/S (Tollini/Chong) that the request for 4 Corte Las Casas is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 3-2 (Emberson and Cousins opposed).</p>

E. NEW BUSINESS

- 3. 8 APOLLO ROAD:** File Nos. DR2016080 & VAR2016021; Cedric Barringer, Owner; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with a Variance for excess lot coverage. The floor area and the lot coverage of the house would be increased by 726 square feet for a lot coverage of 35.3%,

which is greater than the 30.0% maximum lot coverage allowed in the R-1 zone.
Assessor's Parcel No. 038-301-14.

The applicant is requesting Design Review approval for the construction of additions to an existing one-story single-family dwelling on property located at 8 Apollo Road. As more than 50% of the existing structure would be demolished as part of this application, the project has been deemed to be construction of a new single-family dwelling.

The existing house would be expanded to the front and rear. The new floor plan would include a master bedroom suite, three additional bedrooms and two more bathrooms, a living room, dining room, kitchen and laundry room, along with a one-car garage. The roof would be changed from a flat roof to flat roof for the front portion of the building, with a raised, slightly sloped roof on the rear. Three skylights would be installed. A 6 foot tall wood fence would connect between the house and existing fencing along the side property lines. An existing cedar tree in the front would be removed and replaced with new trees and landscaping.

The floor area of the proposed house would be 2,075 square feet, with 396 square feet of garage space, which is 373 square feet less than the floor area ratio for a lot of this size. The proposed house would cover 2,471 square feet (35.3%) of the site, which is greater than the 30.0% maximum lot coverage permitted in the R-1 zone. A variance is therefore requested for excess lot coverage.

Cedric Barringer, owner and architect, described the project and said that they proposed to add garage and floor area to extend the house to the north and south. He said that the house would be a contemporary design and that the neighborhood is a mixture of contemporary updated houses so he believed this would fit into the neighborhood. He stated that he spoke with neighbors and addressed some of the items they raised. He stated that there are several homes in the neighborhood that are over 20 feet tall and he therefore did not believe that the 16 foot height was excessive, particularly since only a portion would be at this height and it would be set back from the street. He acknowledged that the ceilings would be high, but he felt that that is necessary since it is a single story structure. He noted that the bedroom windows would go up to the eaves and he intended to install shades on them. He displayed some small changes he was willing to make after discussions with neighbors, including reducing the plate height on the left side to 12 feet, reducing the other plate height to 13.6 feet, and reducing the depth of the eave to 3 feet.

Boardmember Tollini said that the existing house looks like it is built into the setback on the southwest. Mr. Barringer said that the existing house extends into the setback by about 2 feet and the new design includes a stepped design in that area to stay out of the setback.

The public hearing was opened.

Pezh Beykpour said that their primary concern was the great room and the impact of its height. He said that they met with the owner and he agreed to reduce the height by 2 feet, though tonight he said 18 inches. He said that they would like to see new story poles prior to any approval.

Andrew Wisner said that they have similar concerns. He appreciated the applicant discussing the plans and they want to be supportive, but when the story poles went up they felt that this was very vertical and there would be a lot of glass. He appreciated wanting to keep the contemporary style, but they had talked about lowering the height by 2 feet. He stated that most houses in the neighborhood have a gable roof and do not have a 10 foot plate height. He said that the flat roof design would extend the height to the edges of the building. He felt that with a 10 foot plate height there should not also be a pop-up flat roof.

Mr. Barringer said that they had talked about lowering the structure by 2 feet but when he sketched it out it ended up less and he did not intend to be misleading.

The public hearing was closed.

Vice Chair Emberson said she loves the design and believed it would be a great addition to the neighborhood. However, she felt that it would be too large and she noted that shades on the windows are not permanent. She stated that the plate heights were huge and would feel intrusive with the flat roof. She said that the windows would go up to the 11 foot roof height and be visible over the fence. She said that could not support the application.

Boardmember Tollini also complemented the applicant for being proactive with the neighbors, but he believed that the comments of the neighbors were fair. He said that his main concerns were the height of the back volume and the height of the glazing throughout the house. He said that there is a difference in comparing roof heights to a maximum height across a flat roof to a maximum height along a ridge line. He felt that the design would have too much height and volume for the immediate neighbors. He believed that some compromises were in order and that seeing new story poles made sense. He acknowledged that pulling the house out of the setback helps. He thought that the design was very attractive and noted that there are homes on Juno Road with a flat roof, but reducing the roof height and the glazing would make the house fit better with the neighborhood.

Boardmember Chong agreed with Boardmember Tollini. He said that this was a gorgeous design but he had the same concerns as the other Boardmembers. He said that the volume was too present when viewed from 6 Apollo Road and the height was an issue. He suggested some significant changes to reduce the height and perhaps move it further away from the property line to allow room for more mature plantings.

Boardmember Cousins said that increasing the whole house height to 15 feet and bringing it to the setback line would result in a massive increase in building volume. He said that other existing houses typically have a plate height of 8 feet and the other house with a flat roof at 12 Apollo Road still looks pretty tall. He did not believe that a 14 foot height would work with a flat roof because the scale would be too large for this area. He added that the house would have a huge impact on the homes along Juno Road that are set 3 feet below in elevation. He said that he liked the design and materials.

Chair Kricensky agreed with the other Boardmembers. He felt that the height, windows, and flat roof would be too much. He said that it is not appropriate to simply compare the height of a flat

roof to that of a roof ridgeline. He said that the house would place the whole mass of the building, with windows, against the setback line. He stated that fences and landscaping usually cover views of windows and light pollution, but when the windows are pushed that high they create light pollution and perceived intrusion of privacy. He said that the pop-up would be too intrusive on the neighbors.

Vice Chair Emberson noted that an 18 inch height reduction would not be enough. The other Boardmembers agreed. Boardmember Tollini suggested that there might be more tolerance for height in the middle of the site.

ACTION: It was M/S (Chong/Emberson) to continue the request for 8 Apollo Road to the September 15, 2016 meeting. Vote: 5-0.

4. **143 GILMARTIN DRIVE:** File Nos. DR2016081 & FAE2016008; Lynn Pieper and David Lewis, Owners; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with a Floor Area Exception. The project would add to both floors of a two-story home. The floor area of the house would be increased by 1,467 square feet to a total of 6,040 square feet, which is 322 square feet greater than the floor area ratio for this site. Assessor's Parcel No. 039-290-35.

The applicant is requesting design review approval for construction of additions to an existing single-family dwelling, with a floor area exception, on property located at 143 Gilmartin Drive. The property is currently developed with a 4,544 square foot two level, single-family dwelling with an attached 629 square foot two-car garage.

As part of an interior remodel and additions to the existing home, the proposal would add a 437 square foot addition to the main level, which would include an expansion to the kitchen, add a breakfast nook, family room, powder room, mud room, guest room, a bathroom and expand the garage to a three-car garage. A 988 square foot addition on the second level would include three bathrooms, two bedrooms, exercise room, office/au pair room, and laundry room. Other proposed improvements would include modified windows and doors on all sides of the existing home, one (1) new skylight on the roof above the hallway, three new roof decks, a 42 square foot cabana with bathroom and storage, pool, spa, trellises, BBQ island, outdoor shower, new landscaping, and stucco walls with a variety of heights.

The floor area of the property would be increased by 1,467 square feet to a total of 6,040 square feet, which is 322 square feet greater than the 5,718 square foot floor area ratio for this site. The application has therefore requested a floor area exception. The proposed additions would be within the established building envelope, and the precise plan does not include any lot coverage requirements.

David Lewis, owner, said they moved to Tiburon two years ago and designed the plans to minimize the impact to the neighbors.

Ted Bonneau, architect, showed an aerial view of the property and noted the general character of the neighborhood consists of large lots with large single-family homes and generous amounts of

**MINUTES #15
TIBURON DESIGN REVIEW BOARD
MEETING OF SEPTEMBER 15, 2016**

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

A. ROLL CALL

Present: Chair Kricensky, Vice Chair Emberson and Boardmembers Chong, Cousins and Tollini

Absent: None

Ex-Officio: Associate Planner O'Malley

B. PUBLIC COMMENTS - None

C. STAFF BRIEFING - None

D. PUBLIC HEARINGS

1. **8 APOLLO ROAD:** File Nos. DR2016080 & VAR2016021; Cedric Barringer, Owner; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with a Variance for excess lot coverage. The floor area and the lot coverage of the house would be increased by 755 square feet for a lot coverage of 35.7%, which is greater than the 30.0% maximum lot coverage allowed in the R-1 zone. Assessor's Parcel No. 038-301-14.

The applicant is requesting Design Review approval for the construction of additions to an existing one-story single-family dwelling on property located at 8 Apollo Road. As more than 50% of the existing structure would be demolished as part of this application, the project has been deemed to be construction of a new single-family dwelling.

The application was first considered at the August 18, 2016 Design Review Board meeting. At that meeting, several neighboring property owners expressed concerns regarding the height of the rear portion of the house and potential view and light issues from higher portions of proposed windows. The Boardmembers shared these concerns and felt that the height of the rear portion of the house, including the ceiling and window heights, were excessive and would create massing, privacy and light issues for neighbors. The Board also noted that the subject property is situated at a higher elevation than some neighbors, making the building volume and windows more visible above fence lines. The Board continued the application to the September 15, 2016 meeting.

Revised plans were submitted for this project, which included the following changes to the project design:

- The height of the rear portion of the house was lowered. The previous roofline sloped and had a height of 14 feet, 10 inches on the side and 16 feet toward the center of the lot. The new roof would be flat and have a height of 13 feet, 10 inches.
- The rear portion of the house was pulled back further from the west side property line, while this wing would be 10 inches wider than the previous design. The windows on the rear of this wing were lowered 6 inches.
- The east side of the house was pulled forward approximately 5 feet toward the front.
- One additional skylight was proposed, bringing the total number of skylights to 4.

The floor area of the proposed house would be 2,125 square feet, 50 square feet greater than before. The garage has been reduced in size by 21 square feet to 375 square feet. The proposed house would cover now 2,500 square feet (35.7%) of the site, 29 square feet greater than before and in excess of the 30.0% maximum lot coverage permitted in the R-1 zone. A variance is still therefore requested for excess lot coverage.

Cedric Barringer, owner and architect, said that after hearing the Board's feedback about the design being too bulky for the neighborhood, he researched projects in the neighborhood and revised the design to be more consistent. He displayed photographs of similar homes in the neighborhood and pointed out the similarities with his design. He noted other approvals by the Board that were similar to the proposed house, including similar roof heights, setbacks, clerestory windows, and plate heights. He said that the house at 12 Apollo Road is very similar to the proposed design and he did not see any mass issues that would impact the neighborhood.

Mr. Barringer went over the revisions to the design, including reducing the height of the rear volume, with a flat roof and plate heights of 12 feet, which would be 8 inches lower than the existing ridgeline. He said that he pushed back the corner of the structure from the property line to create a better buffer for 6 Apollo Road. He reduced the windows in the bedrooms to 8 feet in height, which would be the same as many of the neighbors. He reduced the height of the windows in the rear to 10 feet 5 inches and reconfigured the interior spaces. He said that the square footage of glazing was reduced by 21% to 202 square feet. He reduced the eave overhangs on the taller portion to reduce the mass and added a third citrus tree to the area between neighboring houses to reduce concerns about light pollution. He believed that he had effectively addressed his neighbors' concerns and that the house would fit in with other projects that have been approved in the neighborhood.

Vice Chair Emberson asked about the overhangs and questioned the purpose of the eaves. Mr. Barringer said that it was a design element and would provide sun shade on the south side. Vice Chair Emberson asked why he did not just reduce the windows. Mr. Barringer said that the windows were part of what he felt was appropriate for the design of this house.

The public hearing was opened.

Melissa Hopps said the project would still be massive in size and block her entire back view. She stated that some of the other houses Mr. Barringer listed were on the outer portion of the neighborhood.

Mr. Barringer said that he understood that the building might look more massive to the neighbors that are lower, but said that he cannot do anything about the grade change. He said that this lot only shares 6 feet of fence with Ms. Hopps' property.

The public hearing was closed.

Boardmember Tollini said that he felt the same about the project because not much was changed. He said that much of the applicant's presentation was about a neighborhood that the Board already knows very well and that many applicants push the envelope in this neighborhood. He felt that not enough was done on this project for him to support it. He stated that some of the larger houses work in their particular locations. He believed that the mass of the house viewed from the street was not an issue, but the issue was solely the back mass that would affect the neighbors in the back and on both sides. He believed that the house was still too tall and that the 10.5 foot tall windows would upset the balance of the neighborhood and could probably be addressed with some screening, but the citrus trees in planters did not address it.

Vice Chair Emberson agreed with Boardmember Tollini's comments. She stated that there is a difference between a maximum height of a flat roof, and a maximum height of a ridgeline. She felt that the 10.5 foot height of the windows was too high. She did not believe that it was appropriate to compare the flat roof height to shed roofs and gabled roofs. She pointed out that the houses the applicant presented are unique situations and locations that are not comparable to the current project. She said that she likes flat roofs, but not when the windows are so tall.

Boardmember Cousins agreed with the other Boardmembers. He said that the view of the house from the street would be fine, but the Board is also concerned about the impact on surrounding neighbors. He did not think that the height reduction was sufficient and that not enough was done to reduce the impact on the neighbors.

Boardmember Chong said that his only concern was the impact on 6 Apollo Road. He said that the changes did not feel substantial enough and that the landscaping had not been fully addressed. He said that if there was mature landscaping around the perimeter of the property, he probably would have a different opinion, but the landscape plan did not address this enough.

Chair Kricensky said that he liked the house and it was a great design, but he did not appreciate the comparison of this house to the others in the neighborhood. He said that the volume created by the continuance of the high flat roof was the problem, as it would create a very different feeling of mass. He stated that all of the houses cited as comparisons have gable roofs. He said that the position of the house in relation to 12 Apollo Road would make the house loom even more and the high windows would add to that feeling. He believed that the design was close in many areas, but it would look very big when viewed from the neighbor's yard and house.

Boardmember Tollini said that he had the same experience standing in the neighbor's backyard in that same location and felt that the house seemed disproportionate to the lot.

Mr. Barringer said that he understood the guidance on the mass and asked if it would make the project acceptable if the plate height was reduced in that area to 10 feet. Chair Kricensky said that that would help but he did not want to dictate the design. Boardmember Tollini said if that area's plate height was brought down to match the rest of the house and the glazing was reduced it would be easier for the Board to support it. Boardmember Chong said that he would like to see the trees in the ground instead of planters, since planters are removable. Boardmember Tollini pointed out that citrus trees generally are not used for screening and suggested more typical screening plantings.

ACTION: It was M/S (Cousins/Emberson) to continue the application for 8 Apollo Road to the October 6, 2016 meeting. Vote: 5-0.

2. **488 WASHINGTON COURT:** File No. DR2016069/VAR2016019; Matthew Mesa, Owner; Site Plan and Architecture Review for construction of a fence for an existing single-family dwelling, with a Variance for excess fence height. A new fence in the rear property would be 8 feet tall, in lieu of the maximum fence height of 6 feet. Assessor's Parcel No. 034-251-29.

The applicant is requesting design review approval for construction of a fence for an existing single-family dwelling, with a variance for excess fence height, on property located at 488 Washington Court in the Belveron West neighborhood. The property is currently developed with a single-family dwelling.

The proposed redwood fence would be located near the rear property line towards Tiburon Boulevard and would have a maximum height of eight feet (8'). The existing 5 foot tall wooden fence would be raised to the proposed height of 8 feet. The existing vegetation along the rear of the property would remain on the inside of the fence. An existing second wooden fence is located on the outside of the existing 5 foot tall fence and it is unclear if that fence would remain or be removed from the property.

The proposed eight foot fence would connect to the remaining perimeter six foot (6') fence along the other property lines with the exception of the proposed 8 foot tall fence would extend a small portion on the east side property line instead of the 6 foot tall wooden fence.

The maximum permitted fence height within a required setback in any zone is six feet (6'). The applicant is therefore requesting a variance for excess fence height, in order to construct an eight foot fence near the rear property line and a small portion on the east side property line.

Arin Mesa, owner, said that they hope to increase the size of the fence of their house from 6 feet to 8 feet. She said that the house is across from Blackie's Pasture and headlights shine into the house. She said that by increasing the size of the fence, that light would be blocked and additional privacy would be provided for the rear of the residence.

Dan Watrous

From: Todd Davis [gurudavis@gmail.com]
Sent: Monday, October 10, 2016 8:48 PM
To: Dan Watrous
Subject: 8 Apollo design

Hello Dan- I attended the last town hall meeting regarding this revision the owner did to the property on 8 Apollo and like the results. The story poles help convey the end result and it matches other completed and approved properties nearby. I'm not going to miss 1% of the old property at all. This looks like it would be fun home to live in when done and seems very fair to all the surrounding neighbors as well. Excited to see more positive change in this awesome neighborhood! I'm looking forward to my two boys hanging out with Cedric's kids as well! Todd Davis. I live at 9 Mercury Ave. Emmy nominated TV show host for five HGTV home improvement shows, General Contractor holding both B and C licenses, Ca. Licensed Landscape Architect, Realtor, and Author of the Handy Dad books series. I love this neighborhood... I know 30 of my neighbors and their kids and am so glad to be able to call this incredible area home!

Dan Watrous

From: Cedric Barringer [Cedric@ArmourArchitecture.com]
Sent: Thursday, October 13, 2016 1:30 PM
To: Dan Watrous; Kyra O'Malley
Subject: 8 Apollo Road: DR3 list of changes

Hi there Dan and Kyra,

I know you and the Design Review Committee have probably already looked at my revised Drawings, but attached is a list of changes that I supplied to the neighbors as I went through the revisions with them.

8 APOLLO ROAD, Design Review 3 October 20th, 2016

List of Revisions from September 15th Design Review Meeting

Hello Neighbors,

Attached are a list of the revisions I have made to my plans in hopes of getting approved at the next Design Review meeting. No changes to the Area have been made. I hope you see that these changes address the key committee concerns about the Roof height of the tall volume, and the Landscaping not providing enough screening. I also hope that you see my changes as fair to you all, and well within the fabric and precedent of other homes in the neighborhood.

-The key change is in the roof height itself. I have lowered the Eave line at the West side of the tall Volume 24" to align with the other eaves throughout the project. This takes the eave line at the entire perimeter of the property--at all setbacks—to 11'-10" high.

-The Tallest point of the tall volume remains at 13'-10", but is roughly at the center of my property (and lower than the Existing ridge by 8"). To pull the high point as far away from my 10 Apollo neighbors, I pushed this volume to the side yard setback (where it was located at the August 18th DR meeting)

-I eliminated the 3 tall Living room windows on the West property line

-I eliminated the transoms on both the Kitchen window, and on the door to the western side yard. The remaining windows match all others at 8'-0" high.

-I eliminated the transoms on the French doors on the South Elevation. The doors match all others at 8'-0" high.

-The two 3-Panel Multi-slide doors on the East Elevation are now designed to be 8' tall doors, with fixed transom windows above. The Top of the transoms would be at 11'-6 above Finish Floor (about 11'-9" above Grade). Just as a comparison point, 12 Apollo's living room transoms start at 11', and go up to about 14'-6.

-I planted a row of Podocarpus Gracilior (Fern Pine) hedge along the East property line, from the corner of my Master Bedroom Volume, all the way back to the Rear Property line. These fast-growing thick screening hedges can grow as tall as 15' if allowed, though I would work with you (Andy & Dora) to keep them trimmed at a mutually desired height—likely somewhere in the 8-10' range. I will buy as close to fully-mature plants as I can get, and plant them as early as reasonable in the construction process.

Please let me know if you have any questions.

Also, if I might ask you guys to send any received letters in opposition or in support of my project, that would be greatly appreciated. You can just do this on the day of the hearing, as I'm sure there will be late-arrivals!

All my best,
Cedric

Cedric Barringer