

**MINUTES #16  
TIBURON DESIGN REVIEW BOARD  
MEETING OF OCTOBER 6, 2016**

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

**A. ROLL CALL**

Present: Chair Kricensky, Vice Chair Emberson and Boardmember Cousins

Absent: Boardmembers Chong and Tollini

Ex-Officio: Planning Manager Watrous, Associate Planner O'Malley and Minutes Clerk Rusting

**B. PUBLIC COMMENTS - None**

**C. STAFF BRIEFING**

Planning Manager Watrous stated that the item for 8 Apollo Road was continued to the October 20, 2016 meeting.

**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. **CONTINUED TO OCTOBER 20, 2016**
  
2. **3 SAN RAFAEL AVENUE:** File Nos. DR2016071/VAR2016022; Kim Ming Lam, Owner; Site Plan and Architecture Review to legalize as-built improvements for an existing single-family dwelling, with a Variance for reduced side setback. A shed and trash enclosure have been constructed on the site. The structures are located adjacent to the side property line, in lieu of the required 8 foot side setback. Assessor's Parcel No. 055-262-09.

The applicant is requesting design review approval to legalize as-built improvements for an existing single-family dwelling, with a variance for reduced side setback, on property located at 3 San Rafael Avenue. The property is currently developed with a single-family dwelling with an attached garage.

There would be no modifications to the existing single-family dwelling and garage. The as-built improvements include a new 4 foot, 10 inch tall trash enclosure and an 8 foot tall shed on the north side of the existing driveway and garage. A new 6 foot tall wooden fence would replace an

existing wooden fence along the north side property line and would connect to an existing fence along the property line.

The two accessory structures are situated inches from the north side property line. As the minimum side setback in R-1 zone is 8 feet, the applicant has requested a variance for reduced side setback.

Casper Curto, applicant, said that they removed and replaced a shed that had been built over 20 years ago which was in disrepair, and they replaced it with a newer shed and garbage container. He said that it was suggested that it could be located in other places, but the entire property is landscaped and the area behind the garage is limited without enough space in that location for these structures. He stated that the Fire Marshall said that the trees should be trimmed in the driveway and the fence may not be over 6 feet, and they have met all of those requirements.

There were no public comments.

Vice Chair Emberson stated that there was no other place to locate the shed. She believed that the eight foot height of the shed in the back was high and makes it stand out.

Boardmember Cousins said that he had no problem at all with the trash enclosure. He said that his only concern was the eight foot height of the shed which sticks up above the six foot fence. He noted that the property is set down about three feet below the level of the trail and six feet below Tiburon Boulevard. He said that lattice on top of the fence would screen the shed and make it not as noticeable.

Chair Kricensky agreed with the other Boardmembers' comments. He believed that the trash enclosure was in the most logical place and act as essentially a three dimensional fence, and that higher fences often get variances.

**ACTION:** It was M/S (Cousins/Emberson) that the request 3 San Rafael Avenue is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval, and the additional condition of approval that the shed be reduced in height to a maximum of seven feet. Vote: 3-0.

3. **6 VIA CAPISTRANO:** File Nos. DR2016105/VAR2016036; Top Tier Group, Inc., Owner; Site Plan and Architecture Review for construction of additions to an existing single-family dwelling, with a Variance for reduced side setback. The project would increase the floor area of the house by 661 square feet to a total of 4,026 square feet and would increase the lot coverage on the site by 108 square feet to a total of 2,281 square feet (11.1%). A portion of one addition would extend to within 10 feet, 1 inch of the west (left) side property line, in lieu of the minimum side setback of 15 feet. Assessor's Parcel No. 038-312-02.

The applicant is requesting Design Review approval for the construction of additions to an existing two-story single-family dwelling on property located at 6 Via Capistrano. Two additions to the rear of the second floor would add an additional bedroom and two bathrooms, and expand

the existing master bedroom suite. A bicycle storage room would be added on the first floor behind the garage and below the new bedroom. An outside stairway would be added along the side of the house leading to the new second floor bedroom. The exterior materials of the house would be modified on different elevations.

The floor area of the house would be increased by 661 square feet to a total of 4,026 square feet, which is 21 square feet less than the 4,047 square foot floor area ratio for this site. The proposal would increase the lot coverage on the site by 108 square feet to a total of 2,281 square feet (11.1%), which is less than the 15.0 % maximum lot coverage permitted in the RO-2 zone.

The existing house extends to within 10 feet, 1 inch of the west (left) side property line. One of the proposed additions would follow the alignment of the existing house and would also extend to within 10 feet, 1 inch of the property line. As a 15 foot side setback is required in the RO-2 zone, a variance is requested for reduced side setback.

Jay Sherlock, architect, said that they read the concerns of the planning staff and listened to the concerns of the neighbors. He said that after listening to the feedback, they revised the proposal so that the addition would not go into the setback and the variance would no longer be needed. He addressed the other concern on the east side concerning a window in the master bathroom by noting that there are many trees screening this window and he said that they would like to keep it as proposed, but could use opaque glass for the window if necessary. He said that they plan to provide a set of revised plans complying with the setback.

Chair Kricensky said that the elevation drawings did not show one of the proposed windows. Mr. Sherlock said that they would clean up the drawings to more clearly show the window.

Chair Kricensky asked about the stucco and wood siding, and asked if there is a planar difference. Mr. Sherlock presented 3D images to show how the wood and stucco would connect.

The public hearing was opened.

Scott Hochstrasser, planning consultant, asked the Board to consider the items that he addressed in his letter regarding the project's inconsistency with General Plan land use policies requiring neighborhood compatibility and with the Hillside Design Guidelines. He stated that there was no landscape plan and the plans were inconsistent regarding existing and proposed landscaping. He felt that the project was not very well thought out and would be bulky and massive. He said that the floor plan was unusual and looked like two units. He suggested that the best course of action was to deny the application rather than continue it for revision so the applicant could start over with more of a collaborative project with neighbors.

Lynn Barr said she met the owner of the property about one and a half weeks ago. She stated that some trees were recently cut down and she could then see the story poles and would see two of the three windows looking into the bathroom. She stated that the project would involve about 200% more window area than existing and she would like more privacy. She said that she does not like the existing trees between the two homes and would like to see better trees. She also said that at least three other homes would be able to see into the bathroom windows. She thought that

three big windows around a bathtub were not usually seen in Tiburon, especially in a family oriented neighborhood with children. She thought that the drawings were impressive, but suggested that the bowl shape of land in this area would also create a noise problem.

Larry Morell invited the Boardmembers to visit his property to see views of the project from their home. He described efforts to work with the previous and current owners regarding tree trimming and stated that the redwoods had grown about 20 feet and obscured much of their views. He agreed that the home is in need of remodeling but said that they had had no discussion about additions. He showed a photograph depicting the location of the roofline and stated that this would be a dramatic change from the current architecture. He said that he was afraid of glare in their night view coming from the windows of the additions.

Mr. Sherlock said that he was unaware of the tree issues and that they focused on the design of the building, where no dramatic changes were proposed. He stated that the project would be within the floor area ratio and lot coverage requirements. He said that if there is an issue with the bathroom windows they can raise the sill height.

The public hearing was closed.

Boardmember Cousins said that it was difficult to comment on the proposed changes until the Board receives a revised set of plans and sees new story poles. He said that he would like to see the impact from some of the neighbors' houses and that there should be a better landscape plan.

Vice Chair Emberson agreed, and stated that the Hillside Design Guidelines do not really apply in this case because this house is not on a hillside. She did not think that the applicant made a good faith effort to talk with the neighbors and do something about the trees. She said that the amount of glazing in the bathroom was a problem and that there were many things that could be done to make it less onerous on the next door neighbor. She noted that the wood and stucco exterior materials would make the house look better articulated. She said that she could not support any exterior stairs or the amount of glazing in the bathroom and wanted to see a landscape plan.

Chair Kricensky agreed with the other boardmembers that they need to see the revised plans and that a landscape plan is needed. The Board cannot make a decision about the trees. He said he does not like the mass of the building as it is currently but acknowledged that they are under floor area ratio and lot coverage. The amount of glass in the master bedroom is excessive given the proximity of the other houses.

Boardmember Cousins noted the glass is not needed in that location because the window is not looking out at a view. He also stated that these additions would not necessarily look out of place in this neighborhood of two-story homes.

Chair Kricensky agreed that the Board needed to see new plans, elevations and a landscape plan. He said that the Board cannot get involved with tree trimming issues. He said that this is not a hillside lot and although he did not think much of the existing building mass, the additions to the

rear would not add dramatically to the mass. He said that amount of glass in the master bedroom was excessive and needed to be more appropriate relative to the location and the neighbors.

**ACTION:** It was M/S (Emberson/Cousins) to continue the application for 6 Via Capistrano to the November 3, 2016 meeting. Vote: 3-0.

4. **132 HACIENDA DRIVE:** File Nos. DR2016110/VAR2016037; Roger Milano, Owner; Site Plan and Architecture Review for construction of additions to an existing single-family dwelling, with a Variance for excess building height. The addition would modify the existing roofline above an entry foyer. The proposed building height would be 36 feet, in lieu of the maximum building height of 30 feet. Assessor's Parcel No. 039-070-28.

The applicant is requesting design review approval for the construction of additions to an existing single-family dwelling, with a variance for excess building height, on property located at 132 Hacienda Drive. The property is currently developed with a single-family dwelling.

The addition would modify the existing sloped roof over an entry foyer to a flat roof, which would increase the roof height and ceiling height on the upper level portion of the home. The existing ceiling height is 9 feet, 6 inches and would increase to 11 feet, 4 inches in the existing foyer. Other improvements include modifying windows on the upper level and new roofing material for the flat roof portion.

The maximum height of the existing home is 31 feet. The new roof would extend the height of the home to a maximum height of 36 feet. As the maximum building height for the RO-2 zone is 30 feet, a variance is requested for excess building height.

Michael Heckmann, architect, said that the project was very modest but was serious to the owners of the property. He said that the entryway and foyer has a slight level change and was originally constructed with an extreme slope that they have wanted to correct for 25 years. He said that the proposed would be minimal on the exterior, but would make a huge difference in the interior of the house. He said that the project involves replacing the current slope ceiling with a flat ceiling and replacing the red roofing with a darker bronze color.

Boardmember Cousins asked why they did not remove the sloped ceiling and just continue it. Mr. Heckmann said that the ceiling actually slopes down and is not horizontal. He said that he was not opposed to adjusting it down if the Board thought that was a more acceptable solution.

There were no public comments.

Vice Chair Emberson said that she usually agrees with staff, but she did not see a problem with this project. She felt that the change would be de minimis and it made complete sense to not see that roof in front. She supported the request.

Boardmember Cousins said that the existing house is the antithesis of the Hillside Design Guidelines and he thought that allowing the variance for increased height was difficult in

principal. He agreed with the change but suggested keeping it the same level as the existing ceiling instead of going up higher.

Chair Kricensky said that it made sense to remove the slope, which he characterized as an unfortunate mistake. He supported the change because it would add architecturally to the building and be a much better solution than the sloping roof.

**ACTION:** It was M/S (Emberson/Cousins) that the request for 132 Hacienda Drive is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 3-0.

5. **MINUTES:** Consider adoption of minutes of meeting of September 15, 2016

**ACTION:** It was M/S (Cousins/Emberson) to approve the minutes of the September 15, 2016, meeting, as written. Vote: 3-0.

#### **E. ADJOURNMENT**

The meeting was adjourned at 8:00 p.m.