

**MINUTES #17  
TIBURON DESIGN REVIEW BOARD  
MEETING OF OCTOBER 20, 2016**

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

**A. ROLL CALL**

Present: Chair Kricensky, Vice Chair Emberson, Boardmember Tollini

Absent: Boardmembers Chong and Cousins

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

**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 previously considered at the August 18 and September 15, 2016 Design Review Board meetings. At the most recent 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.

Cedric Barringer, owner and designer, said that the footprint and FAR of the design remained unchanged. He described changes to the building volume, roof height and windows. He reviewed the landscape plan and noted that a fast growing, thick screening hedge would be planted between the house and 10 Apollo Road along the entire property line. He stated that only the tops of the fixed windows would be visible above the hedge, but he agreed to grow the hedge higher if needed. He stated that this design would be less intrusive to the neighbors, respect the setbacks, and respect the privacy of all of his neighbors, and he believed that the house would add value to the neighborhood.

There were no public comments.

Boardmember Tollini said that the project initially started out too large and did not fit proportionally within the constraints of the lot and neighborhood and the second revision was a modest improvement. After visiting the site again, he believed that the third revision worked. He noted that there were no objections to the project, which demonstrated that the concerns were satisfied. He said that his only concern was the height of the east-facing glazing, but he noted that it would face into the center of the lot and be screened by landscaping. He felt that the architect did a great job responding to the directions of the Board, and he fully supported the project.

Vice Chair Emberson stated that she also supported the project. She asked about relation of the deck height to the finished grade and Mr. Barringer said that the existing slab is 6 inches above the current grade, and after removing the deck the slab would be about 3 inches lower than the existing deck.

Chair Kricensky agreed with the other Boardmembers. He said that the project was reasonable and his only concern was the height of the windows on the east side. He stated that the windows might have recessed lights that would be visible through the top windows. Boardmember Tollini said that the angle of the roof would not be severe enough for those lights to be seen directly. Chair Kricensky acknowledged that the lights might be far away. Vice Chair Emberson stated that the lights would not be too visible with the landscape screening.

<p><b>ACTION:</b> It was M/S (Emberson/Tollini) that the request for 8 Apollo Road is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 3-0.</p>
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- 2. 77 EAST VIEW AVENUE:** File Nos. DR2016104, VAR2016033, VAR2016034, VAR2016035 & FAE2016011; Clinton Yee, Owner; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with Variances for reduced front and side setbacks and excess building height, and a Floor Area Exception. The applicant proposes to construct 1,603 square feet additions to an existing three-story house, which would result in a floor area ratio of 59.7%, which is greater than the 35.0% maximum for a lot of this size. The front setback would be 2 feet, 6 inches in lieu of the minimum 15 feet. The east side setback would be 6 feet, 3 inches in lieu of the minimum 8 feet. The house would be 37 feet tall, in lieu of the maximum building height of 30 feet. Assessor's Parcel No. 060-105-92.

The applicant is requesting Design Review approval for the construction of additions to an existing three-story single-family dwelling on property located at 77 East View Avenue. On the upper level, the existing great room would be expanded and converted into a living room, kitchen and dining room, along with a new two-car garage and a large deck to the rear. On the middle level, the existing living room, kitchen and dining room would be expanded and converted into a master bedroom suite, laundry room and storage, while also expanding another existing bedroom and adding a bathroom and a deck to the rear of the master bedroom. On the lower level, the existing master bedroom suite would be expanded and converted into two bedrooms and bathrooms, with a deck off one bedroom. Seven skylights would be installed.

The lot coverage of the site would increase by 769 square feet to 1,536 square feet (29.1%), which is less than the 30.0% maximum lot coverage permitted in the R-1 zone. The floor area of the house would more than double, increasing from the current size of 1,546 square feet by 1,603 square feet to a total of 3,149 square feet (59.7%), which is greater than the 35.0% maximum floor area permitted for a lot of this size. A floor area exception is therefore requested.

In addition, the following variances would be required for the proposed house:

- The proposed house would extend to within 2 feet, 6 inches of the front property line, which would be less than the 15 foot front setback required in the R-1 zone.
- The proposed house would extend to within 6 feet, 3 inches of the east (right) side property line, which would be less than the 8 foot side setback required in the R-1 zone.
- The height of the proposed house would be 37 feet, which is greater than the 30 foot maximum building height in the R-1 zone.

Michael Heckmann, architect, Described the project and said that they started with a design concept that was meant to be a clean, uncluttered, traditional style and would capture views toward Angel Island. He said that the project would not obstruct the views from neighboring homes. He believed that they have responded positively to any issues between neighbors. He said that there would be a sizable distance between the buildings, which would be a reasonable distance between houses on this street given the predominant development pattern in the vicinity. He stated that the neighbors' views that would be impacted are not from primary living spaces, but were views across a mostly vacant lot. He presented photographs of the various properties that are impacted and he stated that the critical views of all of these properties would be preserved. He noted the floor area ratios of many houses in the neighborhood are similar to what was proposed, with some lower and some higher. He said that he communicated with the owners of 81 and 75 East View Avenue, but only met with the Welters yesterday due to their travel schedule. He said that they were respectful of the neighbors and that their views and privacy would be preserved by this design.

Vice Chair Emberson said that the location of the wood deck for the home at 81 East View Avenue is on the property and she felt that that raised questions about the location of the

property line is. She asked to see a certified copy of the survey. Mr. Heckmann said that a boundary survey was recorded with the County, and he shared the content of what was filed.

Boardmember Tollini asked if the topography was extracted from the survey. Mr. Heckmann said that all of the design was done with information from the survey and all of the boundary lines matched what was filed with the county.

The public hearing was opened.

Ken Welter said that they were not aware of any filing of the boundary survey with the county. He said that his home was built on the same footprint as it was originally constructed. He characterized the project design as a large mass, vertical, and plain. He said that the middle level of their house is their main living area which includes their kitchen, dining, and living room. He displayed photographs showing how much of the view would be blocked by the project from various rooms. He said that they were disputing the boundary on the survey and stated that the original boundary was respected for 50 years. He said that the landscaping is completely overgrown and they have not seen a proposal for landscaping other than removing trees. He felt that the house would be too large for the neighborhood. He said that the story poles did not appear to be accurate or detailed enough. He said that he spoke with Mr. Heckmann about moving the house toward the street to reduce impacts.

Andrea Welter said that they have big concerns over the project, including losing views. She said that the house would double in size and add a garage and would look monstrous on the hillside. She said that they would like a home that did not feel like it was on top of theirs and more in keeping with the size of other homes in the area. She said that they would like to get another opinion from another surveyor and she was concerned that the project was basing the setback and including part of their floor area based on this other survey.

Ulrik Binzer stated that they went through a similar situation with the house at 85 East View Avenue and he thought that it would be prudent to take some time now to explore issues regarding the survey. He stated that the house design seemed plain and would not terrace in accordance with the Hillside Design Guidelines. He suggested using the space closer to the road for expansion rather than pushing the house out into neighbors' views.

David Sparks said that he purchased a home designed by a renowned architect, with multiple levels and it is relatively small. He said that it was very important to carefully consider the impact of anything to be built in the neighborhood that would destroy the area and compromise views. He felt that the existing home needed to be renovated, but these issues need to be addressed in a way that would respect and enhance the existing neighborhood.

Mr. Heckmann stated that he believed that the house design was well articulated and would be a nice, straightforward home with traditional themes. He believed that that this would be a great asset to the neighborhood. He described discussions with the Welters regarding surveys and topographic maps. He stated that no view corridors have been recorded across this site and said that the views that would be blocked from the Welters' house were secondary rooms and they would preserve views from the primary rooms.

Vice Chair Emberson said she did not see a story pole that matched the main ridgeline and asked whether the story poles were correct. Mr. Heckmann said that they could add a story pole showing the ridge. He stated that several trees would be removed, which would help the neighbors' views.

The public hearing was closed.

Vice Chair Emberson pointed out that this would be the biggest house in the neighborhood on one of the largest lots, and that the other large lot has a 2,800 square foot house. She believed that the house would be too big for the lot and she is worried that the recorded map was different than the survey. She said that she could not possibly make an informed decision without knowing the property boundaries. She believed that the house would be too big for the lot, too big for the neighborhood, and she characterized the east elevation of the design as underwhelming.

Boardmember Tollini agreed with Vice Chair Emberson. He stated that he visited the house at 75 East View Avenue. He said that the views that would be impacted for the home at 81 East View Avenue were primarily secondary views from bedrooms, but he felt that the project was too impactful. He said that the project felt too close to the home at 81 East View Avenue. He said that the western windows would resemble a light well. He stated that the house would be very wide and inconsistent with the pattern of development for the neighborhood of narrower homes. He said that additional floor area was requested to make the house wider and if more area was needed it should step down the hillside. He said that the privacy of the master bedroom at 81 East View Avenue would also be significantly impacted by the proposed deck and any deck at that level needed to be on the eastern side of the property. He said that it would be great if the neighbors could agree on the facts of the surveys. He said that this larger lot should not have such a disproportionately high floor area exception.

Chair Kricensky agreed with the other Boardmembers. He stated that the structure had to be wide to avoid building down the hillside and blocking views, but because it would be so wide, it would appear massive. He did not believe that the Board would even consider encroaching on the setback with a lot this size. He said that there needed to be more breathing space between the homes. He said that the use of the deck would not be compatible with the neighbors' bedroom. He suggested moving the house back towards the road, but understood that engineering it might not be feasible. He suggested making the house narrower and giving the applicant time to talk with their neighbors and see their rooms. He said that there has to be some give and take, and the house could be expanded to some extent.

Boardmember Tollini said that it was reasonable to expect some redevelopment of the property and some impacts, and he did not think there were borrowed views, but he felt that the proposed project was not close to being acceptable.

<p><b>ACTION:</b> It was M/S (Tollini/Emberson) to continue the application for 77 East View Avenue to the December 1, 2016 meeting. Vote: 3-0.</p>
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**E. ACTION ITEMS**

3. **1900-1916 MAR WEST STREET:** File No. DR2016112; Point Tiburon Bayside Homeowners Association, Owners; Site Plan and Architecture Review to construct a fence along the Mar West Street side of a condominium project. Assessor's Parcel No. 059-380-34

The applicant is requesting design review approval for construction of a wooden fence along Mar West Street side for an existing condominium project near properties located between 1900-1916 Mar West Street. The wooden lattice fence would replace a 187 foot portion of an existing wire fence. The proposed fence would appear to be in the same location as the previous existing fence. The proposed fence would have a maximum height of six feet (6') from grade.

Hank McWhinney, representing the Bayside Homeowners Association, said they would like to build 185 feet of fencing along Mar West Street where the residences are closest to the street. He stated that the purpose of the fence was to screen views of the street and the parked cars and provide some sound mitigation and privacy protection. He said that the lattice design of the fence would echo the lattice on the building. He said that the current vegetation along the street would remain, which would partially block views of the fence from the street. He stated that this would be a major improvement for the quality of life for the people who live there and have little impact on the neighborhood.

There were no public comments.

Vice Chair Emberson said that she liked the idea of an open fence but felt that the vegetation would eventually grow over it. She said that a lattice fence would be a big change from the wire fence and she expressed concern that the fence would eventually be built all the way around the property. She thought that perhaps it would be better to have an open mesh fence instead of a lattice fence that would make the area feel more closed off.

Boardmember Tollini said that he understood the need for privacy and was sympathetic to the desire to provide a visual barrier, but also felt that Pt. Tiburon already has a pretty good buffer from the street. He said that he would like to see something grow over the lattice, such as ivy. He agreed that the lattice carried over the materials from the condo buildings. He said that the lattice would feel a little open, but not as open as the wire fence. He said that he could support the fence, but agreed that he would not like to see a similar fence surround the property.

Chair Kricensky stated that he generally preferred open fences, but after visiting the area, he understood the desire for the lattice fence in this area. He questioned whether approving this fence would set a precedent that would cause any future requests for this type of fence in another location to be automatically approved. Planning Manager Watrous said that that would not necessarily happen and noted that the minutes would reflect this discussion.

<p><b>ACTION:</b> It was M/S (Emberson/Tollini) that the request for 1900-1916 Mar West Street is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 3-0.</p>
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4. **MINUTES:** Consider adoption of minutes of meeting of October 6, 2016

<p><b>ACTION:</b> It was M/S (Emberson/Tollini) to approve the minutes of the October 6, 2016, meeting, as written. Vote: 3-0.</p>
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**F. ADJOURNMENT**

The meeting was adjourned at 8:35 p.m.