

**MINUTES #6  
TIBURON DESIGN REVIEW BOARD  
MEETING OF APRIL 21, 2016**

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

**A. ROLL CALL**

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

Absent: None

Ex-Officio: Associate Planner O'Malley

**B. PUBLIC COMMENTS - None**

**C. STAFF BRIEFING**

Associate Planner O'Malley stated the item for 2225 Vistazo East Street has been continued to the May 5, 2016 Design Review Board meeting.

**D. OLD BUSINESS**

2. **2225 VISTAZO EAST STREET:** File No. DR2015145; Shor Capital, LLC, Owner; Site Plan and Architectural Review for construction of a new single-family dwelling. The applicant proposes to construct a new 5,730 square foot house. Assessor's Parcel No. 059-091-55. **CONTINUED TO MAY 5, 2016**

**E. NEW BUSINESS**

2. **4000 PARADISE DRIVE:** File Nos. DR2016017/VAR2016005; Bruce and Donna Block, Owners; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with a Variance for reduced front setback. The addition would extend to within 20 feet of the front property line, which is less than the 30 foot minimum front setback required in the RO-2 zone. Assessor's Parcel No. 039-091-09.

The applicant is requesting design review approval for construction of additions to an existing single-family dwelling, with a variance for reduced front setback, on property located at 4000 Paradise Drive. The property is currently developed with a 2,649 square foot two level, single-family dwelling with a detached 480 square foot carport.

As part of an interior remodel and additions to the existing home, the proposal would add a 534 square foot addition to the main level, which would include an expansion to the kitchen, dining room, and master bedroom closet, and add a sunroom. A 34 square foot minor addition on the lower level would include an office expansion. Other proposed improvements would include

modified windows and doors on the west, east and south sides of the existing home, five (5) new skylights on the roof above the kitchen and sunroom, a new ramp from the carport to the existing bridge, and a new entry door and entry canopy.

The proposal would result in a floor area of 3,415 square feet, which is below the maximum permitted floor area for the property (3,920 square feet). The proposal would result in lot coverage of 2,774 square feet (14.4%), which is below the maximum permitted lot coverage in RO-2 zones (15.0%).

The existing nonconforming single-family house currently is situated 22 feet to the front property line. The proposed addition would be within the same footprint as the existing house and also be approximately 20 feet to the front property. As the minimum front setback in RO-2 zone is 30 feet, the applicant has request a variance for reduced front setback.

Scott Fleming, architect, said that the house is located on a narrow portion of the site and one of the reasons for the variance is because the location makes it extremely difficult to site an addition. He described the additions and said that since the existing front elevation is fairly plain, they would like to improve its appearance with an entry structure with a new door, transom windows, and stone pillars. He said that they also would like to add a ramp from the existing carport to the wooden entryway bridge to provide more access from the carport to the home.

Chair Tollini asked if the existing fence is built on the lot line. Mr. Fleming said he thought that the fence might be in the right-of-way.

There were no public comments.

Boardmember Emberson said that the changes were incremental and the house would be nicer. She felt that the access was necessary. She said that no one will see it and the additional two feet into the setback did not bother her, so she supported the project.

Vice Chair Kricensky agreed with Boardmember Emberson and said that this was an intelligent design that will enhance the house.

Boardmember Chong agreed with the other Boardmembers. He said that when he visited the site it was clear that the project would not impact any of the neighbors.

Boardmembers Cousins and Chair Tollini also agreed that this was a modest request and would make the house more usable.

<p><b>ACTION:</b> It was M/S (Chong/Emberson) that the request for 4000 Paradise Drive is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 5-0.</p>
---

3. **2 AUDREY COURT:** File Nos. DR2015139/VAR2015021/FAE2015013; Arvand Sabetian, Owner; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling and secondary dwelling unit, with a Variance for excess

lot coverage and a Floor Area Exception. The applicant proposes to add 1,649 square feet of additions to an existing single-family dwelling and secondary dwelling unit for a total of 5,279 square feet, which is 1,421 square feet greater than the 3,858 square foot floor area ratio for this lot. The project would result in 3,835.5 square feet (20.6%) of lot coverage, which is greater than the 15.0% maximum lot coverage permitted in the RO-2 zone. Assessor's Parcel No. 058-231-10.

The applicant is requesting Design Review approval for the construction of additions to an existing single-family dwelling on property located at 2 Audrey Court. The existing three-story building includes a single-family dwelling and a secondary dwelling unit.

The project would make changes to all three levels of the house. On the main level, the existing garage and secondary dwelling unit would be converted into a master bedroom suite with an adjacent deck, the existing kitchen and living room and adjacent deck would be expanded, and a new two-car garage would be constructed. On the lower level, the existing living area would be converted into the secondary dwelling unit and expanded, with two bedrooms, a kitchen, living room and two bathrooms. A new second master bedroom suite would be added on the upper level above the main level master suite.

The floor area of the property would be increased by 1,649 square feet to a total of 5,279 square feet, which is 1,421 square feet greater than the 3,858 square foot floor area ratio for this site. The applicant has therefore requested a floor area exception. The proposal would increase the lot coverage on the site by 1,374.5 square feet to a total of 3,835.5 square feet (20.6%), which is greater than the 15.0 % maximum lot coverage permitted in the RO-2 zone. As a result, a variance is requested for excess lot coverage.

Arvand Sabetian, applicant, acknowledged that there have been many issues with the proposed upstairs addition and that they thought about postponing this meeting, but after speaking with Planning Manager Watrous decided they would come to the meeting to communicate their thoughts and come back with revisions at a later meeting. He said that they became aware of the impact on the views after the story poles went up, so they therefore plan on completely removing the upstairs addition to avoid impacting their neighbors. He described other aspects of the project design and said that without the upper level addition the floor area exception would be reduced to 737 square feet. He spoke of the 2006 approval for an exception on this property and said that they hoped for a similar exception when they purchased the property. He stated that there are only two usable rooms in the house, one of which is the master bedroom and the other of which is on the main floor. He said that the house does not have any rooms on the same floor, and therefore one of their goals was to fix that problem and make it into a main residence with a very small in-law unit. He said that they originally wanted to put the rooms on the same floor on the upper floor, but because of view impacts, the other option was to convert the garage and add a new garage. He said that they wanted to make the second unit a small self-contained unit with an extra bedroom and kitchen. He researched the sizes of other lots in the vicinity and said that compared to the others, this lot is substandard. He said that the 700 square foot addition would solve their problems and the house would still be smaller than most of the houses in the neighborhood.

Boardmember Cousins asked if they had plans of the revised proposals. Mr. Sabetian said that they did not have time to prepare them for this meeting, but the entire upper story addition would be eliminated.

The public hearing was opened.

Mark Groody, representing Mike and Kathy King, said they do not want to deny anything reasonable and support the homeowner's desire to improve their property. He said that they could support an addition on top of the existing garage if the higher existing roofline was removed. He also questioned whether there might be two master suites in the house, in addition to the in-law unit.

Mark Casillas said that it was highly unlikely that the existing house would be approved today because of its impact on views, which are important to residents of Tiburon. He said that he was impressed with Mr. Sabetian's responses and promptness, and he understood how difficult this process can be. He stated that many projects in the area have been improved by using excavation as a possible way to add floor area. He was concerned about exterior lighting and landscaping, and asked if that could be taken into consideration.

Elona Baum thanked Mr. Sabetian for taking the initiative to eliminate the additional floor. She said that they also built lower for their renovation and she noted that they are careful to keep trees trimmed to protect everyone's views and be able to live harmoniously. She suggested that the Board consider not just the height, but also the bulk of the house.

Nancy Todes-Taylor agreed with Ms. Baum's comments and said that she appreciated the reduction of the height. She stated that the roof of the house went up in 2006 with no warning. She said that when the story poles went up this time it was clear that this would impact their views of the Golden Gate Bridge, city and a good portion of their bay view.

Jonathan Taylor said that story poles were massive and jut into the view that he grew up with. He said that they were not notified until the story poles went up. He said that they love the neighborhood and this would be detrimental to their well-being.

Ms. Todes-Taylor stated that when big structures go out horizontally it affects their property tremendously.

Mike Perozzi said that this project would affect the Kings most but would also affect his own views, including blocking water views and views of Belvedere. He said that the project would have less impact without the upper story and he looked forward to seeing the new plans. He said that he did not see how they can expand this house in a way that does not affect the Kings because the properties are so close to each other.

Tom Ollendorff said that they share a common boundary with the applicant's property and that their objections were not view-related, but rather privacy issues. He said that this house looks down upon their deck, master bedroom, other bedroom, and kitchen and that the proposed expansion would put more mass into that area and reduce their privacy further. He was

concerned that the plans show a deck area that would extend into the setback. He stated that the 1984 Planning Commission resolution for the secondary dwelling unit had conditions of approval that limited its size and he would like that taken into account. He said that they had not had any dialogue with the applicant until noon today, and he found that unusual.

Mr. Sabetian said in 2006 there was an approval that was never constructed. Chair Tollini asked if the new deck goes into the setback, and Mr. Sabetian said the intent was to not overstep the setback but get close to it. He said that they had a survey done to be sure they were within the setback.

The public hearing was closed.

Boardmember Chong appreciated the applicant's willingness to work with the neighbors and design a project that would be more fitting. He noted that the area is relatively well-developed and the houses have negotiated views, so any second stories have the potential to impact multiple properties. He said that he could only support a project in this neighborhood if it had little to no impact on the other homes. He said that this is a relatively large home and this would be one of the largest homes in the area. He said he could support an exception if it had little or no view impact. He would like to see the applicant be more involved with the neighbors and understand the impacts on them before the next meeting, as the current project design was not close to getting his support.

Boardmember Cousins said that the initial project design was a nonstarter because it had such a huge impact on the neighbors. He said that he could not comment on the project without seeing new floor plans. He said that the garage design looked very impractical and he was unsure whether it would be a usable space. He said that there is potential in excavating the crawl spaces under the building to add area without any impact on the neighbors.

Boardmember Emberson suggested talking with the neighbors and showing them the new set of plans to get a close approximation of something acceptable to them. She said she would like to see a landscape plan with existing trees, including those they intend to remove and those they intend to plant. She said that she could not support an addition to the second story, and she could not see how they can expand without excavation. She acknowledged that this is a difficult site.

Vice Chair Kricensky said that it is unlikely that the current Board would approve the current house because there are other architectural solutions. He suggested that the proposed garage was awkward and would encroach more into the visual space of the neighbor. He said that requests that exceed the floor area ratio and lot coverage requirements are usually considered to be overbuilt. He said that the architecture of the house also made it feel overbuilt and would exacerbate the problem. He was unsure how much he could approve over the FAR when the house was so close to its maximum size. He noted that the permit for the secondary dwelling unit limited its size to 689 square feet and the application proposed increasing that to 824 square feet. He appreciated that the applicant recognized the problem and started talking with neighbors to come up with another solution.

Chair Tollini agreed with the other Boardmembers. He felt that the original application for this project was far from being acceptable. He agreed that the existing house would never be approved today because it is awkward and top-heavy and this application would make that worse by making it bigger. He felt that any expansion needs to conform to the Hillside Design Guidelines and mitigate the top-heaviness of the structure. He thought that the revised plans should emphasize design and more function. He said that the Assessor's records of floor area do not tell the whole story and each house is reviewed on an individual basis. He encouraged the applicant to gather the neighbors when the new plans are completed.

Boardmember Chong asked that additional detail needed to be incorporated into the plans.

Vice Chair Kricensky stated that the design made the house look even bigger than its floor area.

The applicant agreed to an extension of the Permit Streamlining Act deadline for this application.

ACTION: It was M/S (Emberson/Kricensky) to continue the application for 2 Audrey Court to the May 19, 2016 meeting. Vote: 5-0.
--

**F. APPROVAL OF MINUTES #5 OF THE APRIL 7, 2016 DESIGN REVIEW BOARD MEETING**

ACTION: It was M/S (Emberson/Kricensky) to approve the minutes of the April 7, meeting, as written. Vote: 5-0.
--

**G. ADJOURNMENT**

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