

**MINUTES #13  
TIBURON DESIGN REVIEW BOARD  
MEETING OF AUGUST 18, 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: Planning Manager Watrous, Associate Planner O'Malley and Minutes Clerk Rusting

**B. PUBLIC COMMENTS - None**

**C. STAFF BRIEFING**

Planning Manager Watrous noted that the item for 173 Stewart Drive was continued to the September 1, 2016 meeting.

**D. OLD BUSINESS**

1. **173 STEWART DRIVE:** File No. DR2016036; Afie Royo, Owner; Site Plan and Architectural Review for construction of a new single-family dwelling. The applicant proposes to construct a new two-story, 2,723 square foot house with a 510 square foot garage. Assessor's Parcel No. 055-101-21. **CONTINUED TO SEPTEMBER 1, 2016**
2. **4 CORTE LAS CASAS:** File Nos. DR2016063, VAR2016016 & FAE2016006; Ben and Kristine Dollard, Owners; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with a Variance for reduced front setback and a Floor Area Exception. The floor area of the house would be 3,355 square feet, which is 320 square feet greater than the 3,035 square foot floor area ratio for this site of the site. The addition would extend to within 28 feet of the front property line, which is less than the 30 foot front setback required in the RO-2 zone. Assessor's Parcel No. 038-301-14.

The applicant is requesting Design Review approval for the construction of additions to an existing two-story single-family dwelling on property located at 4 Corte Las Casas. The project involves a request for a variance for excess lot coverage and a floor area exception.

The application was first reviewed at the July 21, 2016 Design Review Board meeting. At that meeting, the Board was split on supporting the application. The majority of the Board felt that the project would be too large for this lot and suggested reducing the size of the addition

substantially to bring the request as close as possible to the floor area ratio for this lot. Two Boardmembers disagreed, noting the sizes and designs of other homes in the vicinity. The application was continued to the August 18, 2016 meeting to allow the applicant to address these issues.

Revised plans have now been submitted for this project. The upper level has been reduced in size by 133 square feet by reducing the depth of the addition. The existing family room and guest bedroom on the lower level would be pulled back closer to the rear setback line and a portion of the existing living room would be pulled out of the side setback and converted into a covered porch, resulting in a size reduction of 152 square feet on the lower level.

The proposal would now decrease the existing lot coverage on the site by 62 square feet to a total of 2,652 square feet (25.6%), which is greater than the 15.0 % maximum lot coverage permitted in the RO-2 zone. The floor area of the house would now be increased by 621 square feet to a total of 3,355 square feet, which is 320 square feet greater than the 3,035 square foot floor area ratio for this site, but 285 square feet less than the previous proposal. A floor area exception is still therefore required for this application. A portion of one proposed upper level bedroom would no longer extend into the front setback so a variance is not longer requested for reduced front setback.

Christie Tyreus, designer, stated that they reduced the project to only 320 square feet over the FAR. She said that moving the master bedroom down to the first story did not seem to be a viable solution, so they kept the bedrooms on the second story but reduced their size. She stated that the addition would now sit completely within the existing first story, which also increased the distance between the addition and the neighbor. She described changes made to reduce existing area on the first story, which would decrease the existing lot coverage and decrease the house footprint in the rear and right side.

There were no public comments.

Boardmember Cousins complimented the applicant and architect for the steps they took to reduce the bulk of the house. He thought that a second story was fine, but noted that the zoning ordinance says that the house must be proportional to the size of the lot and the house would exceed both its lot coverage and FAR requirements, so he struggled with the floor area exception. He stated that the second floor could be redesigned to make the bedrooms smaller and fit within the floor area ratio.

Vice Chair Emberson agreed with Boardmember Cousins and said that the design was nice, but the house exceeds its lot coverage and that made it difficult for her to support the floor area exception. She stated that the zoning ordinance and floor area ratio were established for a reason, in part as a way to keep things suburban and open. She said that she could not support the exception.

Boardmember Chong said that his opinion had not changed and he still supported the project. He said that the neighborhood would benefit from the project and it was a gorgeous design.

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.

**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).

## **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 ridgeline. 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.

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

open space. He said that the existing house is the smallest of the four surrounding homes, and after the remodel it would still have the smallest floor area ratio of the houses. He stated that the additions would not affect neighbors' privacy or views and that the neighbors at 145 Gilmartin Drive reviewed and approved of the design. He stated that they wanted the structure to step up gradually from the street to avoid two-story expanses. He said that they proposed to paint or whitewash the existing brick, paint the stucco, and modernize the structure with materials and details. He said that the only place the addition would be visible was from the street right in front of the gate. He said that the site has some of the densest vegetation in the neighborhood and that the addition would have the least amount of impact on neighbors.

Vice Chair Emberson asked about a condition of approval regarding roof overhangs and walls beyond the building envelope. Mr. Bonneau said that they worked with staff on that and understand that it is a condition of approval.

There were no public comments.

Boardmember Tollini said that his only difficulty with this project was with the findings for the floor area exception, but he believed that this project was compatible with the neighborhood and the site. He said that a number of homes in the area have a more massive appearance from the street. He thought that the whitewashed brick and other proposed changes would look great. He supported the project and believed it would work with the neighborhood and the site.

Vice Chair Emberson agreed and said that the house appears smaller than it is and she liked its Georgian style, so she was sad to see it go. However, she could make the exception findings and could approve the project.

Boardmember Chong said that the homes along Gilmartin Drive appear very large from the street. He believed that the house would fit well with the character of the area and he supported the project.

Boardmember Cousins also agreed that the project would be in scale with other houses in the neighborhood.

Chair Kricensky agreed with the other Boardmembers. He said that the view from the street would not be too vertical because of the way the addition is set back and that the dormers would help.

**ACTION:** It was M/S (Tollini/Emberson) that the request for 143 Gilmartin Drive is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 5-0.

**F. APPROVAL OF MINUTES #12 OF THE AUGUST 4, 2016 DESIGN REVIEW BOARD MEETING**

**ACTION:** It was M/S (Chong/Emberson) to approve the minutes of the August 4, 2016, meeting, as written. Vote: 4-0-1 (Tollini abstained).

**G. ADJOURNMENT**

The meeting was adjourned at 8:30 p.m.