

**MINUTES #20
TIBURON DESIGN REVIEW BOARD
MEETING OF DECEMBER 15, 2016**

The meeting was opened at 7:05 p.m. by Chair Kricensky.

A. ROLL CALL

Present: Chair Kricensky, Boardmembers Cousins and Tollini

Absent: Vice Chair Emberson and Boardmember Chong

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

B. PUBLIC COMMENTS - None

C. STAFF BRIEFING

Planning Manager Watrous noted the first meeting in January will go live online, which means people will be able to watch meetings live as they occur. He also noted that the regularly scheduled meeting on January 5, 2017 will be canceled, and the next DRB meeting will therefore be on January 19, 2017.

D. PUBLIC HEARINGS

1. **65 MERCURY AVENUE:** File Nos. DR2016096 & VAR2016031; Emir Keye and Karen Ripenburg, Owners; Site Plan and Architecture Review for construction of additions to an existing single-family dwelling. The project would add 990 square feet to the existing house, resulting in a total floor area and lot coverage of 2,002 square feet (26.0%). The front setback would be 9 feet, 9 inches in lieu of the minimum 15 feet. Assessor's Parcel No. 034-281-33.

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. An addition to the front of the house would create a new master bedroom suite. The existing porch would be enclosed to create a new great room. The existing garage would be converted to living space to expand the existing kitchen and dining room and create a new guest room and bathroom. A 6 foot tall wood fence would extend along the front and left side property lines.

The floor area of the house would increase by 990 square feet to a total of 2,002 square feet, which is 768 square feet less than the floor area ratio for a lot of this size. The proposed house would cover 2,002 square feet (26.0%) of the site, which is less than the 30.0% maximum lot coverage permitted in the R-1 zone.

The proposed addition would extend to within 9 feet, 9 inches of the front property line. As a 15 foot front setback is required in the R-1 zone, a variance is therefore requested for reduced front setback.

Emir Keye, owner, said they are proposing to convert the 400 square foot garage into finished space and add a 500 square foot addition to the left front of their existing house, with a variance to extend to within 9 feet 9 inches of the front property line. He said that the house next door at 63 Mercury Avenue has a similar configuration coming out to the exact same location. He said that the ridgeline of the extension would be 14 feet 1 inch tall including the slab, which is consistent with the new construction at 31 Juno Road directly across the street.

There were no public comments.

Boardmember Cousins said that the gable would be very similar to that of the adjacent home. He said that this was a reasonable extension and a new garage would be intrusive, so he had no objections to the project.

Boardmember Tollini stated that the practice of garage conversions is flexible in this neighborhood. He said that a later garage would not be infeasible at a later date and noted that the neighbor has a similar extension. He added that the lot line is a full 10 feet off of the curb, which creates an additional buffer that helps it appear further from the street.

Chair Kricensky agreed with the other Boardmembers. He said that this was a modest addition on an undersized lot and that would mirror the house next door. He agreed with staff that the fence should be limited to 42 inches, as that is more consistent with the neighborhood.

Boardmember Cousins agreed about limiting the fence height and noted that higher barriers in the area consist of hedges.

<p>ACTION: It was M/S (Cousins/Tollini) that the request for 65 Mercury Avenue 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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E. ACTION ITEMS

- 138 STEWART DRIVE:** File Nos. DR2016130 & FAE2016014; The Quadratura Living Trust, Owner; Site Plan and Architecture Review for construction of a new single-family dwelling, with a Floor Area Exception. The floor area of the proposed house would be 3,773 square feet, which would be 462 square feet greater than the maximum floor area allowed for a lot of this size. Assessor's Parcel No. 055-091-16.

The applicant is requesting to construct additions to an existing three-story single-family dwelling. As more than 50% of the house would be demolished as part of the project, the application has been classified as the construction of a new single-family dwelling.

The main level floor of the house would be expanded slightly in the front and rear, with portions removed from the existing kitchen as well, reconfiguring the rooms of the floor plan. The existing second floor office on the north side of the house would be demolished and a new second floor master bedroom suite and terrace would be constructed above the southern portion of the house. The existing basement level would be reconfigured into a den/game room with wet bar, bedroom and bathroom. A new wooden fence would extend along portions of the front and south side property lines. Two new exterior HVAC units would be installed.

The proposal would decrease the floor area on the site by 69 square feet to a total of 3,773 square feet with a 545 square foot garage, which would be 462 square feet greater than the maximum floor area allowed for a lot of this size. A floor area exception is therefore required. The proposal would increase the lot coverage by 67 square feet to a total of 2,821 square feet (36.8%), which is greater than the 30.0% maximum lot coverage permitted in the R-1 zone. However, as the lot coverage would increase by less than 1.0%, a variance is not required for excess lot coverage.

Jared Polsky, architect, said that the house is in poor condition and had a haphazard addition in the past and their task was to make it a family home, update it, and take advantage of the views. He stated that the proposal would reduce the floor area of the house by 69 square feet and the only reason they asked for a floor area exception was because of the floor area of the dark lower level, which is not as usable as the upper levels. He said that they propose to build on the existing footprint and he identified the three areas where they would make minor changes. He displayed the existing and proposed floor plans and reviewed what they proposed to change. He said that they met with some of the neighbors who seemed happy and accepted the design. He believed that this would be a handsome addition to the streetscape and will step up the hill.

The public hearing was opened.

Teresa Aronoff said that she did not receive a notification of the open house. She said that the entire project would really impact her water view and some mountain views from her living room, master bedroom, and veranda. She stated that homes do not need to impact neighbors' views to increase floor area. She said that people in the neighborhood buy homes because of the views and she felt that it is not right when people move in and take away portions of those views. She said that she was concerned about taking away property values and she contrasted the project to another recent remodel that did not involve change anything instead of rebuilding.

Audrey Fancy said that they live just below the property and were also not invited to the open house. She said that the design did not adhere to the CC&Rs of the neighborhood because it encroaches on views. She asked the Board to consider the privacy impact of the design on her property, as she felt that moving the second level on the other side of the house would make the structure loom over their master bedroom, master bath, and back yard. She asked the Board to explore the issues brought up by other neighbors' in their letters.

Bernie Curley said that he is a licensed real estate broker and that there is a 22 foot height limit in Reed Heights and that the proposed structure would be 28-30 feet tall. He said that other homes in the neighborhood stay within that limit and he asked that the project be modified to reduce its height. He was concerned that a taller house would lessen the effectiveness of the CC&Rs and

others will develop taller homes. He said that he wanted to find a solution that works for the owners and the rest of the neighborhood.

Boardmember Tollini asked for a reminder of the Board's role regarding CC&Rs. Planning Manager Watrous said they are not Town regulations and the Town does not enforce them. He said that CC&Rs are information for the Board to consider, but any enforcement must be handled by the property owners.

Jerome Chin said that they just completed a 3-year remodel and did not change the size, footprint, or roofline purposely to avoid obstructing views and to create harmony in the neighborhood. He objected to the addition because he felt that it would obstruct his views and set a precedent for other houses to do the same in the future, which could completely obstruct views for the entire neighborhood.

Carol Korenbrot said she lives next door and felt that the project had been very well handled and she was impressed with the modest scale of the additions. She stated that the remodel across the street was a major change and a beautiful addition and she felt that the current project would modernize the house and fit into the neighborhood. She suggested that bushes could be grown to protect privacy looking down on Virginia Drive. She believed that if the applicant and neighbors work together the views can be saved and privacy can be preserved.

Robert Aronoff said that the design was nice but he would like to see the project stay within the existing building footprint to avoid obstruct anyone's views. He was concerned that this would set a precedent for other houses to build up and block views.

Raul Nagar said that they live just below the property and are concerned about the impact of the house on privacy. He believed that the owners took precautions but he wanted to be sure that the house would not affect their privacy.

David Haines said that he saw the design and reviewed it and spoke to the owner and is delighted by the design of the home. He said that he would gain a view straight down to the water and that the addition would be below the roofline of the house next door. He said he cares most about the aesthetics of the home and he thought that the design was beautiful. He fully supported the changes to the house and stated that he would be most potentially affected by the changes, which he felt would be de minimis.

Pete Pederson, landscape architect, said that the CC&Rs limit home heights to 22 feet in Unit 2 of the Little Reed Heights subdivision, but this house is in Unit 4 and the CC&Rs therefore do not apply to this parcel.

Mr. Polsky said that the Town is pretty clear about its definition of major view blockage. He agreed that a small portion of shoreline view would be blocked, but he believed that this would not rise to the level of major view blockage.

The public hearing was closed.

Boardmember Cousins stated that the amount of remodeling was so substantial that the project should be treated as a new building, and he therefore commenting on it from that perspective. He said that it was a stretch to call the bottom floor a basement. He said that looking uphill from below this would actually be a 3½ story house at the full 30 foot height which did not come near to complying with the Hillside Design Guidelines. He said that replacing the existing house with a new structure with a third full floor would be a huge increase to the mass of the building. He liked the design and materials and acknowledged that the house would not look particularly tall when viewed from the street, but when viewed from below it would be massive. He said that if the applicant would like to go with this approach, the house needed to be smaller and comply with the design guidelines. He felt that the top floor was too large.

Boardmember Tollini agreed that the west elevation looked massive, but he suggested that it might look worse on paper than when actually built. He thought that the house was somewhat terraced and that the large deck roughly matched the existing deck, so when viewed from below, the upper floor did not bother him. He thought that the changes to the view were relatively insignificant, with a fairly positive change when viewed from the most affected residence at 135 Stewart Drive. He said that he was sensitive to setting a height precedent with the upper story, but he noted that the existing home is 28 feet tall and he questioned whether that is an issue with the CC&Rs.

Boardmember Cousins noted that the floor level of the second floor would go up 2 feet, 8 inches, and the high point would go up 6 feet, and he noted that this would be over the entire width of the building. He was most concerned by the building sections where the entire structure would push the height limit as a new building.

Chair Kricensky said that he had a similar reaction and agreed that the house would like a 3½ story home when viewed from below even though it would be set back. He noted that this would be a new contemporary design with a flat roof and raised plate heights. He said that he was concerned about swapping views. He liked the architecture, but though that the large mass in the center of the building would be insensitive to neighbors' views. He was concerned that screening would not be possible for the high deck.

Boardmember Cousins said that his issues had more to do with the mass of the building rather than effects on the homes below, as he felt that the volume of the building would increase tremendously. He was also concerned that the house would be much taller, have higher floor levels and eaves and increased deck size.

Mr. Polsky said that he would appreciate more direction from the Board. He said that it sounded like the Board would rather see a two-story house, but his client cannot use the dark, lower floor. He said that it would be very difficult to remove the lower floor and the main level is at street level. He said that they can make the upper floor smaller but they need to know if they cannot make the upper level the bedroom level. He stated that the decks have been there for 40 years.

Boardmember Cousins said he believed that the house needed to be smaller and taking away or reducing the deck would be desirable. Mr. Polsky suggested they could visit the neighbors' houses to evaluate the view impacts. Boardmember Cousins said that he visited those houses and it was the mass of the building that would have the most impact.

ACTION: It was M/S (Cousins/Tollini) to continue the application for 138 Stewart Drive to February 2, 2017 meeting. Vote: 3-0.

3. **262 CECILIA WAY:** File No. DR2016143; Gerard Suyderhoud and Elizabeth Cha, Owners; Site Plan and Architecture Review for conversion of a garage into living space for an existing single-family dwelling. The project would convert an existing 241 square foot garage into living space, resulting in a total floor area of 2,140 square feet. Assessor's Parcel No. 034-212-05.

The applicant is requesting design review approval to convert an existing attached garage into living space for an existing single-family dwelling, on property located at 262 Cecilia Way in the Bel Aire neighborhood. The property is currently developed with a 1,899 square foot one-story single-family dwelling.

As part of an interior remodel, the proposal consists of converting a 241 square foot one-car garage into living space, which would include a master bedroom expansion and storage space. No modifications would be made to the existing exterior. The existing garage door would provide exterior access to the storage space. The proposed garage conversion does not meet the standards set forth within the Town's garage/carport conversion policy. Therefore, this application has been referred to the Design Review Board for review.

The proposal would result in a floor area of 2,140 square feet, which is below the maximum floor area ratio for the property (2,765 square feet). The proposal would result in no change to the existing lot coverage of 2,140 square feet (27.9%).

Jesus Velasquez, project manager, said that they are proposing to expand the master closet into the garage and the exterior of the house will also be improved. He said that there is plenty of parking, including one space in the driveway and one or two spaces in the street.

There were no public comments.

Boardmember Tollini said that the project seemed acceptable and there would be no perceptible change from the outside. He felt that since the garage space is not currently being used for parking there was not a concern about losing enclosed parking with the expansion.

Boardmember Cousins said that the application seemed relatively straightforward and a small car could still be parked in what is left of the garage. He noted that such conversions are common in this neighborhood.

Chair Kricensky agreed and noted that the existing garage is so small that a car cannot be parked in it. He thought that it was wise to keep what would remain as storage space.

ACTION: It was M/S (Cousins/Tollini) that the request for 262 Cecelia Way is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 3-0.

4. **MINUTES:** Consider adoption of minutes of meeting of December 1, 2016

Boardmember Cousins requested adjustment to the last paragraph on page 11, noting that he did not say “single stories are much more beautiful.”

Chair Kricensky requested removing the word “correctly” on page 5, second paragraph, second sentence.

ACTION: It was M/S (Cousins/Tollini) to approve the minutes of the December 1, 2016, meeting, as amended. Vote: 3-0.
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F. ADJOURNMENT

The meeting was adjourned at 8:15 p.m.