

# Town of Tiburon STAFF REPORT

AGENDA ITEM   E6  



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TO:                   **DESIGN REVIEW BOARD**

FROM:               **PLANNING MANAGER WATROUS**

SUBJECT:           **81 EAST VIEW AVENUE; FILE #703121**  
**SITE PLAN AND ARCHITECTURAL REVIEW FOR THE**  
**CONSTRUCTION OF ADDITIONS TO AN EXISTING SINGLE-FAMILY**  
**DWELLING, WITH A FLOOR AREA EXCEPTION**

MEETING DATE:   **SEPTEMBER 18, 2003** \_\_\_\_\_

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## **PROJECT DATA:**

<b>ADDRESS:</b>	<b>81 EAST VIEW AVENUE</b>
<b>ASSESSOR'S PARCEL:</b>	<b>60-105-51</b>
<b>FILE NUMBER:</b>	<b>703121</b>
<b>PROPERTY OWNERS:</b>	<b>JEFFREY KAISER</b>
<b>APPLICANT:</b>	<b>MOHAMAD SADRIEH (ARCHITECT)</b>
<b>LOT SIZE:</b>	<b>3,881 SQUARE FEET</b>
<b>ZONING:</b>	<b>R-1 (SINGLE-FAMILY RESIDENTIAL)</b>
<b>GENERAL PLAN:</b>	<b>MEDIUM HIGH DENSITY RESIDENTIAL</b>
<b>FLOOD ZONE:</b>	<b>C</b>
<b>DATE COMPLETE:</b>	<b>SEPTEMBER 2, 2003</b>

## **PRELIMINARY ENVIRONMENTAL DETERMINATION**

Town Planning Division Staff has made a preliminary determination that this proposal would be exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15301

## **PROPOSAL**

The applicant is requesting Design Review approval for the construction of additions to an existing single-family dwelling on property located at 81 East View Avenue. Substantial additions to this house were been approved in 1997 under a previous Site Plan and Architectural Review application (File #297009), which also included approval of variances for reduced front, side and rear yard setbacks, excess building height and excess lot coverage, and a floor area exception.

The applicant now wishes to develop previously approved crawl space within the existing volume of the house into living area. The crawl space would be converted into a media room, adjacent to a previously approved guest bedroom and bathroom.



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The proposed additions would add 245 square feet of floor area to the existing house, resulting in a total floor area for the house of 2,369 square feet. As the floor area ratio for a lot of this size is 1,358 square feet (35.0%), a floor area exception is requested for the proposed addition. Due to the long-term ongoing nature of the construction on this property and the need for a floor area exception, this application has been referred to the Design Review Board for review.

A color and materials board has not been submitted, as the proposed addition would not change the exterior appearance of the existing house, with the exception of one additional window facing the rear of the property.

### ANALYSIS

#### Design Issues

As noted above, the additions to the residence on this property were first approved by the Design Review Board in 1997. Since that time, construction on the project has continued on an irregular basis, imposing a very long construction period on the neighboring property owners. The current property has made recent efforts to move the project through to completion. However, these efforts have included two separate Site Plan and Architectural Review requests for changes to the project. In addition to the current application, a Staff-level Design Review application (File #703063) was approved earlier this year for the construction of piers to support the existing deck at the rear of the residence; construction of a new six foot tall retaining wall beneath the deck; and modifications to an existing retaining wall at the front of the property to create a larger turnout area.

At least one neighboring property owner has raised concerns regarding both the length of time required for the construction of this project and the seemingly piecemeal approach to modifications to the project. These concerns also include the removal of vegetation between the subject house and the adjacent home at 83 East View Avenue. The original Design Review approval for this project requires replacement planting of any vegetation removed in this area; completion of such a requirement is usually not required by the Town until a request for an occupancy permit has been made. Review of on-site landscaping is not part of the subject application.

The proposed crawl space conversion would have minimal visual or privacy effects on other properties in the vicinity. As previously noted, the only exterior change proposed as part of this application is the installation of a single window facing the rear of the property. This window would face to the east, across Main Street. There are no nearby residences that would be impacted by this window.

#### Zoning

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the R-1 zone with the exception of the previously noted request for a floor area exception.



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Section 4.02.08 of the Tiburon Zoning Code states that the Design Review Board may grant exceptions to the required floor area ratio requirements if it makes the following two findings:

1. The applicant has demonstrated that the visual size and scale of the proposed structure is compatible with the predominant pattern established by existing structures in the surrounding neighborhood; and
2. The applicant has demonstrated that the proposed structure is compatible with the physical layout of the site. The characteristics include, but are not limited to, the scale of trees, rock outcroppings, stream courses, land forms, and the dimensions of the lot.

The proposed conversion of crawl space into living area would not involve any exterior modifications, with the exception of the installation of one window. Therefore, this addition would not alter the visual size and scale of the existing residence, or change the relationship of the structure to the physical layout of the site.

The proposed addition would increase the floor area to 61.0% of the lot size, which is substantially larger than the 35.0% floor area ratio for a lot of this size. Although the addition would not have any visual impact on other homes in the vicinity, the marginal intensification of the use of this property that would result from this addition would further the inconsistency with the intended goal of the floor area ratio requirements to establish a reasonable relationship between the size of a house and its lot. The proposed floor area would be more than 1,000 square feet over the floor area ratio for this lot. In an area such as Corinthian Island where homes and lots are generally smaller, such an overage in the amount of floor area is significant, and would be inconsistent with the character of the surrounding neighborhood.

### **Public Comment**

To date, no letters have been received regarding the subject application.

### **RECOMMENDATION**

The Board should review this project with respect to Zoning Ordinance Sections 4.02.07 (Guiding Principles) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15301.

It is recommended that the Design Review Board:

1. Direct Staff to prepare a resolution denying this application;
2. Direct the applicant to return with modified drawings that mitigate the concerns raised within this report; or
3. Approve the project as proposed, subject to the attached conditions of approval.

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### ATTACHMENTS

1. Conditions of approval
2. Application and supplemental materials
3. Submitted plans

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### CONDITIONS OF APPROVAL

#### 81 EAST VIEW AVENUE

#### FILE #703121

1. This approval shall be used within three (3) years of the approval date, and shall become null and void unless a building permit has been issued.
2. The development of this project shall conform with the application dated by the Town of Tiburon on August 7, 2003, or as amended by these conditions of approval. Any modifications to the plans of August 7, 2003, must be reviewed and approved by the Design Review Board.
3. Plans submitted to the Building Division for plan check shall be identical to those approved by the Design Review Board. If any changes are made to the approved Design Review plans, the permit holder is responsible for clearly identifying all such changes when submitted to the Building Division for plan check. Such changes must be clearly highlighted (with a "bubble" or "cloud") on the submitted plans. A list describing in detail all such changes shall be submitted and attached to the building plans, with a signature block to be signed by the Planning Division Staff member indicating that these changes have been reviewed and are approved, or require additional Design Review. All changes that have not been explicitly approved by Staff as part of the Building Plan Check process are not approved. Construction that does not have Planning Division approval is not valid and shall be subject to stop work orders and may require removal.
4. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
5. All exterior lighting fixtures must be down light type fixtures.