



Town of Tiburon

STAFF REPORT

The applicant is now requesting approval for additional alterations including new windows on the south and east elevation, and the reconfiguration of the wood deck at the rear of the residence. The applicant is also requesting approval for a new entryway, stairway, and canopy. The elements of the project that are now subject to the Board's review are labeled change #3 and change #4 on the submitted plans

The proposed entryway, stairway, and canopy would be located approximately 14 feet from the front property line. Since the required front yard setback is 30 feet, the applicant is requesting a variance for reduced front yard setback.

ANALYSIS:

Zoning

Except for the above mentioned variance for reduced front yard setback, the project appears to be in conformance with the remaining development regulations of the RO-2 zoning district.

Design Issues

The applicant has stated that the primary purpose of the proposed improvements is to create reasonable access to the entry to the home while increasing architectural interest and reducing the southern exposure. Currently the access to the front door is obtained via a side stairway to the front deck. The new entryway would create a much more standard route of access from the street. The entryway would also add architectural interest by breaking up the visual mass of the front elevation of the home, and create more human scale. The gabled feature of the canopy would compliment the existing large dormer feature on the second level. The canopy would also provide protection from weather for the front of the home.

More subtle design changes would be a reconfiguration of windows on the east elevation. The existing sunroom feature would be replaced with a standard wall and ceiling and large fixed windows. The new windows on the upper level of the north elevation would add much needed light into this level of the home, and would create more symmetry in the design of the home.

Although not indicated on the submitted plans, the applicant is proposing to change the exterior finish from plywood siding to cedar shingles. Staff foresees no design issues with the proposed project.

Variance

In order to grant the requested variance, the Board must make the following findings as required by Section 4.03.05 of the Tiburon Zoning Ordinance:

- 1. Because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of this Ordinance will deprive the applicant of privileges enjoyed by other properties in the vicinity and in the same or similar zones.**

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The applicant has stated that the building was originally constructed so the front porch and a significant portion of the house itself lie within the front yard setback. The configuration of the home, with a wide dormer and short eaves, leaves the building vulnerable to bad weather conditions. Because of this unusual characteristic and the location of the home on the property, any modest changes to improve the situation would require a variance.

2. The variance will not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and in the same or similar zones.

There are several homes in the vicinity that have features located within the front yard setback including but not limited to the following properties: 23 Sonora Court, 526 Comstock Drive, 534 Comstock Drive, 528 Silverado Drive, 7 Sierra Court, and 11 Sierra Court. The proposed entryway would not be inconsistent with the development in the vicinity, therefore the variance would not grant a special privilege to the applicant.

3. The strict application of this Ordinance would result in practical difficulty or unnecessary hardship.

The applicant has stated that the south elevation of the home has suffered severe weather damage throughout the years, which is one of the main reasons of remodeling the home. The strict application of the Ordinance would result in the applicant having to endure the southern exposure without protection which would be an unnecessary hardship for the owners of the property.

4. The granting of the variance will not be detrimental to the public welfare or injurious to other properties in the vicinity.

As proposed, the variance would not appear to have an adverse impact on views privacy, or otherwise on the properties in the vicinity.

Public Comment

The applicant has submitted signatures from the adjacent neighbors indicating their support of the proposed window changes and siding change only. A letter submitted by Christian Steindl, 116 Howard Drive, has been submitted indicating his support of the proposed variance.

RECOMMENDATION:

It is recommended that the Board review this project with respect to Zoning Ordinance Sections 4.02.07 and 4.03.05 (Guiding Principles, and Variance Findings by Acting Body) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15303. If the Board finds that the design of the project is consistent with the Guiding Principles for Site Plan and Architectural Review, and all necessary findings can be made for the variance for reduced front yard setback, then it is recommended that the project be approved with the attached Conditions of Approval.

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EXHIBITS:

1. Conditions of Approval.
2. Application and supplemental materials dated July 25, 2003.
3. Applicant's findings for the variance.
4. Signatures from adjacent property owners.
5. Letter from Christian Steindl, 116 Howard Drive.
6. Plans for the proposed project.

EXHIBIT 1

CONDITIONS OF APPROVAL 11 Roseville Court FILE #20326

1. This approval shall be used within 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 to the application received by the Town of Tiburon on September 17, 2003, or as amended by these conditions of approval. Any modifications to the approved plans must receive further design review and approvals.
3. All exterior lighting fixtures other than those approved by the Design Review Board must be down-light type fixtures.
4. Plans submitted to the Building Department 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 Department 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 Design Review 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 Design Review approval is not valid and shall be subject to stop work orders and may require removal.