





# Town of Tiburon

## STAFF REPORT

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exception. The application was again continued to allow the applicant time to revise the project design.

Revised project plans have again been submitted by the applicant. The proposed second story addition and the existing lower floor of the house would be moved back 4 feet to comply with the required side yard setback. This modification, along with the previous removal of the proposed garage addition within the front yard setback, eliminates the previously requested variances for reduced front and side yard setbacks.

The size of the proposed second story addition has been reduced from 1,447 square feet to 1,099 square feet, which would result in a total floor area of 3,509 square feet. As previously noted, the floor area ratio for a lot of this size is 3,388 square feet; therefore, a floor area exception is still requested, but the proposed design is now only 120 square feet over the floor area ratio for this property.

The additional lot coverage that would be created by the proposed project has been decreased from 202 square feet to 37 square feet, resulting in a total lot coverage of 2,844 square feet (20.4%), or an increase of 0.2%. Although the maximum lot coverage permitted in the RO-2 zone is 15.0%, it has been Town policy to not require a variance for excess lot coverage for applications in which the lot coverage is increased by less than 1.0%. Therefore, a variance for excess lot coverage would no longer be required for this application.

### ANALYSIS

#### Design Issues

The revised design for the existing lower floor and proposed second story addition would pull the mass of this part of the house four feet further away from the adjoining property to the west at 116 Hacienda Drive. The peaked roofs at both ends of the second story area would leave a flat roof area in between. Wood shingle siding is proposed for the second story area, in contrast to the existing horizontal wood siding on the first floor of the house. The varied rooflines and contrasting siding would help to break up the visual mass of this side of the house. The Design Review Board is encouraged to view the revised story poles for this project from the adjacent property to determine if the revised design, along with proposed landscaping in this area, would be sufficient to adequately mitigate the mass and bulk of the proposed additions.

The proposed second story addition would include west-facing windows for the master bedroom, bathroom and studio. The Design Review Board should also evaluate these windows to determine if modifications need to be made (such as requiring raised window sill heights) to mitigate any potential privacy impacts on the adjacent property at 116 Hacienda Drive.

#### Zoning

Staff has reviewed the revised proposal and finds it to now be in conformance with the development standards for the RO-2 zone, with the exception of the requested floor area exception.



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The findings for the requested floor area exception were reviewed in detail in the previous Staff report for this application. As previously noted, the necessary findings can be made to support the requested floor area exception. Although the proposed house size would still be larger than many of the other homes in the vicinity, the proposed floor area is now more closely related to the size of the subject lot than has previously been requested. The minor increase in lot coverage and smaller requested floor area exception also address the previously raised concern that the prior designs represented an overbuilding of the property.

### **Public Comment**

As of the date of this report, no additional letters have been received regarding the subject application since the last hearing. Staff has spoken with the owner of the neighboring residence at 116 Hacienda Drive, who continues to raise concerns about potential privacy and mass and bulk impacts that could be caused by the proposed second story addition.

### **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.

### **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. If the Board wishes to approve the project, Staff would recommend that the attached conditions of approval be applied.

### **ATTACHMENTS**

1. Conditions of approval
2. Supplemental materials for revised application
3. Design Review Board Staff report, dated July 3, 2003
4. Design Review Board Staff report, dated September 4, 2003
5. Minutes of the July 3, 2003 Design Review Board meeting
6. Minutes of the September 4, 2003 Design Review Board meeting
7. Revised plans

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### CONDITIONS OF APPROVAL

#### 118 HACIENDA DRIVE

#### FILE #20311

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 October 3, 2003, or as amended by these conditions of approval. Any modifications to the plans of October 3, 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 skylights shall be bronzed or tinted and no lights shall be placed in the wells.
6. All exterior lighting fixtures must be down light type fixtures.