

# Town of Tiburon STAFF REPORT

AGENDA ITEM F4



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TO: **DESIGN REVIEW BOARD**

FROM: **PLANNING MANAGER WATROUS**

SUBJECT: **118 HACIENDA DRIVE; FILE # 704051  
SITE PLAN AND ARCHITECTURAL REVIEW FOR MODIFICATION OF A  
GARAGE AND DRIVEWAY DESIGN**

MEETING DATE: **JUNE 3, 2004** \_\_\_\_\_

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## **PROJECT DATA:**

<b>ADDRESS:</b>	<b>118 HACIENDA DRIVE</b>
<b>ASSESSOR'S PARCEL:</b>	<b>39-070-15</b>
<b>FILE NUMBER:</b>	<b>704051</b>
<b>PROPERTY OWNERS:</b>	<b>DAVID AND ANYI SPATZ</b>
<b>APPLICANT:</b>	<b>MICHAEL HECKMANN (ARCHITECT)</b>
<b>LOT SIZE:</b>	<b>13,880 SQUARE FEET</b>
<b>ZONING:</b>	<b>RO-2 (SINGLE-FAMILY RESIDENTIAL)</b>
<b>GENERAL PLAN:</b>	<b>MEDIUM DENSITY RESIDENTIAL</b>
<b>FLOOD ZONE:</b>	<b>C</b>
<b>DATE COMPLETE:</b>	<b>APRIL 20, 2004</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 to modify the design for an existing garage and driveway for the property located at 118 Hacienda Drive. The site is developed with a single-family dwelling. An application to construct additions to this house, with variances for reduced side yard setback and excess lot coverage and a floor area exception, was approved by the Design Review Board on October 16, 2003.

The existing garage and driveway provide access to the front of the site onto Hacienda Drive. The proposed project would move the garage door to the southeast side, with a new driveway leading to Noche Vista Lane. The existing driveway would be removed.

The project was originally submitted for review as a Staff-level Site Plan and Architectural Review application. During the review of this application, objections to the project were



# Town of Tiburon

## STAFF REPORT

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received from two neighboring property owners. In accordance with Town policy, the application has therefore been referred to the Design Review Board.

A color and materials board has not been submitted, as the proposed building modifications would match the colors and materials of the existing house.

### **BACKGROUND**

The recently approved plans for the additions to the subject house originally included a request to expand the existing two-car attached garage into a three car garage. The expanded garage would have extended into the required front yard setback, necessitating a variance request for reduced front yard setback. The modified garage would have been accessed from Noche Vista Lane, with the existing driveway leading to Hacienda Drive removed.

At the July 3, 2003 Design Review Board meeting, concerns were raised by the owner of the property directly to the south at 17 Noche Vista Lane regarding the proposed garage configuration. The neighbor was concerned about the revised driveway location, due to the limited parking in the area. The Design Review Board shared these concerns, and continued the request to the September 4, 2003 meeting.

Subsequently, the applicant modified the plans to eliminate any modification to the garage and driveway. The modified plans were approved by the Design Review Board on October 16, 2003.

### **ANALYSIS**

#### **Zoning**

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the RO-2 zone. As noted above, the previous approval for the property included variances for reduced side yard setback and excess lot coverage, and a floor area exception.

#### **Design Issues**

The subject property is located on a relatively level site at the southern corner of Hacienda Drive and Noche Vista Lane. A dense hedge extends along the side property along Noche Vista Lane. A portion of the hedge would be removed to install the proposed driveway.

The proposed driveway would intersect with Noche Vista Lane opposite the front yard of the home across the street at 17 Noche Vista Lane. This adjacent front yard is developed with a tennis court. The driveway for this neighboring property is situated further down the street; the proposed driveway should therefore not interfere with any turning movements for vehicles entering or leaving this other driveway.

Objections raised by the owner of several nearby homes on 30 Noche Vista Lane center on the lack of parking in the vicinity, and the potential for added congestions as a result of the project.



# Town of Tiburon

## STAFF REPORT

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Noche Vista Lane is a private roadway, with limited on-street parking available. The proposed driveway modification would not eliminate any existing on-street parking spaces, although two parking spaces on the opposite side of Noche Vista Lane would be eliminated as a practical matter, as residents would not park opposite the new driveway. The project could result in one additional street parking space along Hacienda Drive where the current driveway would be removed, resulting in a net reduction of on-street parking in the vicinity.

The removal of a portion of the hedge would make the garage and other portions of the subject house more visible to the neighboring home. However, it does not appear that any living areas of the adjacent residence would suffer significant privacy impacts as a result of this change, due to the relative locations of the two homes and the remaining vegetation on the subject site. If the remainder of the hedge is removed south of the driveway along Noche Vista Lane, the home on the subject site would become substantially more visible to the residence across the street at 30 Noche Vista Lane. The Design Review Board should carefully evaluate the removal of any additional portions of this hedge due to the potential for increased privacy impacts on neighboring residents.

Neighboring property owners have also voiced objections to the proposed driveway alignment based on the adequacy of the existing driveway configuration. The Design Review Board should determine whether any advantage gained by the applicant by the proposed driveway alignment would be offset by unwanted parking, privacy and visual impacts on other properties in the vicinity.

### **Public Comment**

Letters of objection have been received from the owners of the neighboring properties at 17, 19 and 30 Noche Vista Lane.

### **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. Application and supplemental materials
3. Minutes of the July 3, 2003 Design Review Board meeting
4. Letter from Kevin Mostyn, dated March 30, 2004
5. Letter from Ruth Sandine, dated April 3, 2004
6. Letter from Kevin Mostyn, dated May 12, 2004
7. Letter from Charles and Lois Epstein, dated May 17, 2004
8. Submitted plans (included in previous packet)

# Town of Tiburon

## STAFF REPORT

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### CONDITIONS OF APPROVAL

#### 118 HACIENDA DRIVE

#### FILE #704051

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 March 31, 2004, or as amended by these conditions of approval. Any modifications to the plans of March 31, 2004, 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.