

Town of Tiburon STAFF REPORT

AGENDA ITEM E7



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TO: **DESIGN REVIEW BOARD**

FROM: **PLANNING MANAGER WATROUS**

SUBJECT: **100 EAST VIEW AVENUE; FILE #20429
SITE PLAN AND ARCHITECTURAL REVIEW FOR THE
CONSTRUCTION OF A GARAGE AND ENTRY TO AN EXISTING
SINGLE-FAMILY DWELLING, WITH VARIANES FOR REDUCED FRONT
AND REAR YARD SETBACKS AND EXCESS LOT COVERAGE**

MEETING DATE: **SEPTEMBER 2, 2004** _____

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PROJECT DATA:

ADDRESS:	100 EAST VIEW AVENUE
ASSESSOR'S PARCEL:	60-102-32
FILE NUMBER:	20429
PROPERTY OWNERS:	BRYAN CHONG
APPLICANT:	MICHAEL HECKMANN (ARCHITECT)
LOT SIZE:	2,520 SQUARE FEET
ZONING:	R-1 (SINGLE-FAMILY RESIDENTIAL)
GENERAL PLAN:	MEDIUM HIGH DENSITY RESIDENTIAL
FLOOD ZONE:	C
DATE COMPLETE:	AUGUST 13, 2004

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 100 East View Avenue. A new two-car garage would be constructed on an existing parking pad on this site. A new entry to the house would also be constructed. Two new skylights would be installed in the roof of the garage.

The proposed additions would not any floor area to the existing house; the proposed 455 square foot garage would be smaller than the 600 square foot allowance for garage space allowed for a lot of this size. The construction of the garage would not increase the lot coverage on the site, as this structure would be built on top of an existing portion of the house. The proposed 35 square foot entry addition would increase the lot coverage on the site to 2,029 square feet



Town of Tiburon

STAFF REPORT

(80.5%), which is greater than the 30.0% maximum lot coverage permitted in the R-1 zone. Therefore, a variance is requested for excess lot coverage.

The proposed garage would extend to the front and rear property lines. As a 15 foot front yard setback and a 5 foot rear yard setback are required for this property, variances are also requested for reduced front and rear yard setbacks.

A color and materials board has not been submitted, as the proposed garage and entry would match the exterior appearance of the existing house.

ANALYSIS

Design Issues

The subject property is situated on the north side of Corinthian Island, just above Ark Row on Main Street. The property is a very small (2,520 square feet), narrow, steeply sloping, triangular lot, with frontage on the portion of East View Avenue leading down to Main Street. The existing house has a narrow, two-story design that occupies much of the site, extending at spots to both the front and rear property lines.

An existing parking pad is situated near the center of the lot, above the existing lower floor family room, dining room and kitchen. The proposed garage would be built at this pad location.

Views across the proposed garage location are somewhat limited. The lot is situated at a level well below most other homes on Corinthian Island. A partial wall at the rear of the pad already screens some of the view beyond from the street, with trees beyond screening much of the remaining view. Any such views would be primarily noticeable to pedestrians hiking along this portion of the street, as the steepness of East View Avenue at this point would make it inadvisable for motorists to attempt to look out across the site while driving. The enclosed garage would result in a less open visual appearance along this stretch of East View Avenue.

There are concerns about the ability to safely back out of the proposed garage onto the street. The garage door would not be parallel to the street, which would reduce the amount of turning needed to exit onto the street. However, the garage walls would limit the ability of a motorist backing out to see other vehicles coming downhill. The one-way designation of the street would help mitigate this concern, as would the steepness of the street, which causes motorists to drive more slowly toward Main Street. The Design Review Board should carefully evaluate this garage design to determine if the structure would result in unwanted vehicle safety conditions.

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 variances for reduced front and rear yard setbacks and excess lot coverage.



Town of Tiburon

STAFF REPORT

In order to grant the requested variances, the Board must make all of the following findings 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.***

As noted above, the subject property is very small, narrow, steeply sloping, triangular lot. These characteristics are unusual physical conditions on the subject property that create special circumstances that would deprive the owners of this property of development privileges enjoyed by other properties in the vicinity.

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.***

Numerous other properties on Corinthian Island have received variances for reduced setbacks and excess lot coverage, due to the relatively small lot sizes and steep topography in the vicinity. Therefore, the granting of these variances would be consistent with the limitations upon other properties in the same or similar zones.

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

The subject property is only approximately 25 feet deep at the location of the proposed garage, with only marginally greater lot depth elsewhere on the site. At this location, the strict interpretation of the required front and rear yard setbacks would limit any new structure to a depth of only 5 feet. The strict interpretation of the maximum lot coverage requirement would force any new construction to be added only on top of existing portions of the building. These requirements would therefore result in practical difficulty and an unnecessary hardship on the property owner.

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

As described above, the proposed garage and entry would not appear to create any significant view impacts on neighboring homes.

From the evidence provided, Staff believes that there is sufficient evidence to support the findings for the requested variances.

Public Comment

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

Town of Tiburon

STAFF REPORT



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 agrees with Staff's conclusions, Staff would recommend that the attached conditions of approval be applied.

ATTACHMENTS

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

Town of Tiburon

STAFF REPORT



CONDITIONS OF APPROVAL

100 EAST VIEW AVENUE

FILE #20429

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 5, 2004, or as amended by these conditions of approval. Any modifications to the plans of August 5, 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.
6. All skylights shall be bronzed or tinted and no lights shall be placed in the wells.