

# Town of Tiburon

## STAFF REPORT

AGENDA ITEM \_\_\_\_\_ **E.6.**



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**TO: DESIGN REVIEW BOARD**

**FROM: KRISTIN KRASNOVE, ASSISTANT PLANNER**

**SUBJECT: 9 APOLLO ROAD; FILE # 20430**  
**SITE PLAN AND ARCHITECTURAL REVIEW FOR AN ADDITION TO AN**  
**EXISTING SINGLE-FAMILY DWELLING, WITH A VARIANCE FOR**  
**EXCESS LOT COVERAGE**

**MEETING DATE: SEPTEMBER 2, 2004** \_\_\_\_\_

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### PROJECT DATA:

<b>OWNER:</b>	<b>MR. AND MRS. JEFFREY BARNES</b>
<b>APPLICANT/ARCHITECT:</b>	<b>PAUL BALORA</b>
<b>ADDRESS:</b>	<b>9 APOLLO ROAD</b>
<b>ASSESSOR PARCEL NUMBER:</b>	<b>034-262-27</b>
<b>FILE NUMBER:</b>	<b>20430</b>
<b>LOT SIZE:</b>	<b>7,350 SQUARE FEET</b>
<b>ZONING:</b>	<b>R-1 (SINGLE-FAMILY RESIDENTIAL</b>
<b>GENERAL PLAN:</b>	<b>MH (MEDIUM-HIGH DENSITY RESIDENTIAL)</b>
<b>FLOOD ZONE:</b>	<b>C</b>
<b>DATE COMPLETE:</b>	<b>AUGUST 20, 2004</b>
<b>CEQA EXEMPTION:</b>	<b>15301</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 has submitted a request to construct an addition to an existing single-family dwelling on a property located at 9 Apollo Road. The proposal includes a front addition to the residence to bring out the garage in order to provide more living space behind the garage. A 100 square foot shed is also proposed to be removed from the property.

The project would increase the total floor area by 280 square feet to a total of 2,867 square feet, which would be less than the floor area ratio for a lot of this size. The total lot coverage would be increased by three percent (3%) to a total of 39%, and the maximum allowable lot coverage



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is 30%. A previous variance was approved for a master bedroom addition on February 20, 2003 for 36% lot coverage in lieu of the allowable 30%. The applicant is now requesting a second variance to increase the lot coverage from 36% to 39%.

### ANALYSIS:

#### Zoning

Except for the above mentioned variance request for excess lot coverage, the project appears to be in conformance with the remaining development regulations of the R-1 zoning district.

#### Design Issues

The addition would maintain the existing architectural style of the residence which is compatible with the surrounding area. The addition is proposed to go out instead of up to minimize neighborhood impacts. Two clerestory windows would be located above the new garage door along with two new light fixtures which would contribute detailing to the new front façade.

The proposed addition would bring the garage out to the same distance as the approved master bedroom addition, providing a more balanced appearance with more interior living space. There have been similar projects approved previously in the Belveron neighborhood, and the proposed addition would not intrude into the front or side yard setbacks.

The siding along the west elevation would remain cement plaster with the existing window and door being replaced with one 2' X 4' window and one 6' X 4' window. The door would be moved to access the new garage location. The roof would remain composition shingles. Staff does not foresee any concerns with the design of the 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.**

Adding a second story in this neighborhood has been discouraged in the past, so in an attempt to avoid building a second story while still constructing additional living space, the applicant proposed to exceed the lot coverage by bringing the garage closer to the street. The subject parcel is zoned R-1, which is geared towards lots that are 10,000 square feet or more. The subject parcel is only 7,350 square feet, which is 25% smaller than then the minimum lot size required for this zone. The size of the home, and the amount of property it covers, is consistent with properties in the R-1 zoning district that are over 10,000 square feet in size.

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- 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.**

According to the Town's records, several properties in the immediate vicinity have been granted similar or greater variances for excess lot coverage. Approving the requested variance would therefore not constitute a grant of special privilege to the applicant.

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

The lot coverage variance is requested because of the small size of the lot and potential difficulty to build a second story. The owner's desire is to enlarge their house without the need for a second story element. A second story is not the standard in the neighborhood, and would be more intrusive than the proposed ground floor addition. Because a second story element would not likely be approved, it would be a hardship to strictly apply the Ordinance in this case.

- 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 addition would not result in significant impacts detrimental to the public welfare or injurious to other properties in the vicinity.

### **Public Comment**

No public comment has been received regarding the subject application.

### **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 agrees with staff's conclusions, then it is recommended that the project be approved with the attached Conditions of Approval.

### **EXHIBITS:**

1. Conditions of Approval
2. Application and supplemental materials dated August 10, 2004.
3. Plans for the proposed project.

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### EXHIBIT 1

#### CONDITIONS OF APPROVAL 9 APOLLO ROAD FILE #20430

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 August 10, 2004, 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.