

Town of Tiburon STAFF REPORT

AGENDA ITEM _____ E5



.....

TO: **DESIGN REVIEW BOARD**

FROM: **KRISTIN KRASNOVE, ASSISTANT PLANNER**

SUBJECT: **20 JUNO ROAD; FILE #20443
SITE PLAN AND ARCHITECTURAL REVIEW FOR THE
CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING WITH
VARIANCES FOR REDUCED SIDE YARD SETBACKS AND EXCESS
FENCE HEIGHT.**

MEETING DATE: **FEBRUARY 3, 2005** _____

.....

PROJECT DATA:

OWNER/APPLICANT:	DANNY GALLAGHER
ARCHITECT:	MSR DESIGN
ADDRESS:	20 JUNO ROAD
ASSESSOR PARCEL NUMBER:	034-272-11
FILE NUMBER:	20443
LOT SIZE:	7,355 SQUARE FEET
ZONING:	R-1 (SINGLE-FAMILY RESIDENTIAL OPEN)
GENERAL PLAN:	M (MEDIUM DENSITY RESIDENTIAL)
FLOOD ZONE:	C
DATE COMPLETE:	DECEMBER 20, 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 15303.

PROPOSAL:

The applicant has submitted a request to construct a new single-family dwelling located at 20 Juno Road. The property slopes up from Juno Road towards Trestle Glen Road Boulevard. The property is currently improved with a single-family dwelling that would be substantially demolished. The proposed single-family home would be a one story structure. The existing one bedroom, one bathroom residence would be expanded to include two additional bedrooms, expansion of the master bedroom, and addition of a master bath and closet. The project would also include an expanded area off of the kitchen for a new dining room and new single car attached garage.



Town of Tiburon

STAFF REPORT

The façade of the home would contain a combination of smooth stucco and wood siding with asphalt shingle roofing. A ridge skylight would be located above the foyer and hallway and four additional skylights would be installed over the bedrooms and kitchen. A color and material palette will be available for review at the Board meeting.

The gross floor area of the residence would be 1,840 square feet which complies with the floor area limit of 2,574 square feet. The lot coverage on the property would increase by 1,044 square feet to a total of 2,200 square feet (29.9%), which is less than the 30% maximum lot coverage permitted in the R-1 zoning district.

The proposed garage, office, and master bathroom room would encroach three feet into the side yard setback on the right side, and the proposed dining room and living room would encroach 3' and 2' respectively into the left side yard. Therefore a variance for reduced side yard setbacks is requested (5 feet in lieu of the minimum 8 feet).

ANALYSIS:

Design Issues

The proposed residence would maintain the architectural style of the existing residence which is compatible with the surrounding area. The project is proposed to go out instead of up to minimize neighborhood impacts. The proposed garage doors, stone columns, and entry canopy would contribute detail to the front façade. The roof would be gabled and open wood beams would be located above the master bedroom addition. There would be larger windows located on the front and rear elevations, and smaller windows would be located on both sides of the residence. The maximum height of the structure would be 14'6".

The proposed residence would be nearly double the size of the existing residence, and the floor plan would be basically square with the garage extending out to 15' from the front property line. The existing driveway would be removed and relocated to the right side of the front yard. A natural stone pathway would be installed along the driveway toward the new entryway of the residence. The 6" Cypress tree, 22" Elm tree, and 6" Plum tree would be removed from the front yard, and new 10'-15' flowering specimens with native ground cover would be used for replacement. Slate patio would be installed at the proposed front entryway, side yard courtyard, and at the rear of the residence. The existing deck and hot tub in the rear yard would remain, and a new 6' high stucco wall would be installed along the right side property line at the location of the new courtyard. Staff does not foresee any concerns with the design of the project.



Town of Tiburon

STAFF REPORT

Zoning

As previously mentioned, the proposed dwelling would not comply with the side yard setbacks and fence height regulations of the R-1 zoning district. Besides the requested variances, the project would be in compliance with all other zoning district requirements.

Variance

In order to grant the requested variances, 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.**

Fence Height

Because of the adjacency of the lot to Trestle Glen Boulevard, a fence taller than six feet is necessary to create an acceptable level of privacy and to block car lights into the subject residence and rear yard.

Reduced Side Yards

The site is restrictive in width with tapered side property lines that narrow the lot to the rear. If the applicant were to construct the new residence while complying with the setback requirements, a second story would be an option. However, an addition on the second story would not be compatible with the surrounding neighborhood. Since most of the surrounding neighborhood is single story buildings, the physical characteristics of the site deprive the applicant of 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.**

Fence Height

The variance for excess fence height would not constitute a special privilege because other properties in the vicinity adjacent to Trestle Glen Boulevard have received variances for excess fence height; including 22 Juno Road and 30 Juno Road (Files # 20031 & 20416).

Reduced Side Yards

Numerous other properties in the vicinity have received variances for reduced setbacks; including the properties at 31 Juno Road and 32 Mercury Avenue (Files #20325 & 20045). Variances for reduced setbacks for properties in the Belveron neighborhood have been granted on numerous occasions. Therefore, the granting of these variances would be consistent with the limitations upon other properties in the vicinity and in the same or similar zones.

Town of Tiburon

STAFF REPORT



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

Fence Height

Requiring a fence less than 9' that is not effective in screening the roadway would be an unnecessary hardship.

Reduced Side Yards

The existing structure encroaches into the left side yard, and the strict interpretation of the Ordinance would require relocating an exterior wall on the left side and would not allow for the construction of a garage on the right side, causing an unnecessary hardship on the property owners.

- 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 project would not result in significant view, privacy or other impacts detrimental to the public welfare or injurious to other properties in the vicinity.

Public Comment

No public comment has been received regarding this application.

RECOMMENDATION:

It is recommended that the Board review this project with respect to Zoning Ordinance Sections 4.02.07, 4.03.05 (Guiding Principles, and Variance Findings) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15303 and take the following action:

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 variances for reduced side setbacks and excess fence height, 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 December 20, 2004.
3. Applicant's findings for the variances.
4. Plans for the project

Town of Tiburon

STAFF REPORT



EXHIBIT 1

CONDITIONS OF APPROVAL 20 Juno Road FILE #20443

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 to the application and plans dated by the Town of Tiburon on December 14, 2004, or as amended by these conditions of approval. Any modifications to the plans must be reviewed and approved by the Design Review Board.
3. All exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures.
4. No lighting shall be installed in the wells of the skylights, and the skylights shall be tinted in a non-reflective manner.
5. 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.