



Town of Tiburon

STAFF REPORT

The proposed additions would increase the lot coverage by 336.5 square feet to 5,923 square feet (16.9%). The proposed addition would also increase the floor area of the house by 1,275 square feet, and would result in a total floor area of 6,690 square feet, which exceeds the allowable floor area for the property by 1,175 square feet. A floor area exception for 1,175 square feet is therefore required.

ANALYSIS

Design Issues

The subject property is located within the Del Madera Subdivision. The Del Madera Precise Plan established building envelopes for each lot within the subdivision. The proposed additions would remain within the required building envelope. As previously mentioned, the total floor area would exceed the amount permitted by the Town's Floor Area Ratio guidelines. Since the excess floor area is within the current building footprint, the additional space would not be visible from the exterior of the building.

The exterior façade of the residence would not be altered. The area below the proposed decks would be enclosed with stucco to match the existing residence. New windows and doors would be added to the west side of the lower level, and two new windows would be added to the north elevation. The deck additions would match the painted stucco and railings of the existing residence.

The upper level of the existing structure would not change. The most significant changes would be visible from the left side and rear of the structure where the decks are proposed. Since the residence is bordered on these sides by open space, the proposed project does not appear to interfere with the views from any neighboring residences.

The corner of the proposed game room deck would be located ten feet from the entrance to the guest cabana, minimizing the existing visual separation between the two structures. The proposed rear deck and spa could be visible from the property at 141 Gilmartin; however, sufficient screening exists to mitigate any privacy impacts. Staff does not foresee any other design issues with this project.

Zoning

As previously mentioned, the proposed dwelling would not comply with the Town's floor area regulations. In order to grant the requested floor area exception, the Board must make the following findings as required by Section 4.02.08 of the Tiburon Zoning Ordinance:

- 1. The applicant has demonstrated that the visual size and scale of the proposed structure is compatible with the predominant pattern established by existing structures in the surrounding neighborhood.**

The proposed addition would be consistent with the development of properties in the vicinity. Numerous homes in the Del Madera Subdivision significantly exceed the floor

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area requirements, and this project would not be incompatible with structures in the surrounding neighborhood.

- 2. The applicant has demonstrated that the proposed structure is compatible with the physical characteristics of the site. The characteristics include, but are not limited to, the scale of trees, rock outcroppings, stream courses, land forms, and the dimensions of the lot.**

The applicant has stated the proposed project would be compatible with the physical characteristics of the site because due to the lot orientation, topography, and adjacent open space, the additions would not be visible from surrounding properties or the street. The topography of the lot would reduce the visual impact of the large structure on the property.

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

Public Comment

To date, no public comment has been received regarding this project.

RECOMMENDATION

It is recommended that the Board review this project with respect to Zoning Ordinance Section 4.02.07 and 4.02.08 (Guiding Principles for Design Review and Floor Area Ratio Guidelines) 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 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. Submitted plans

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CONDITIONS OF APPROVAL

139 GILMARTIN DRIVE

FILE #705025

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 February 22, 2005, or as amended by these conditions of approval. Any modifications to the plans of February 28, 2005, 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 shielded, down light type fixtures.