

# Town of Tiburon STAFF REPORT

AGENDA ITEM   F6  



.....

TO:                   **DESIGN REVIEW BOARD**

FROM:               **PLANNING MANAGER WATROUS**

SUBJECT:           **1835 MOUNTAIN VIEW DRIVE; FILE #20517**  
**SITE PLAN AND ARCHITECTURAL REVIEW FOR CONSTRUCTION OF**  
**ADDITIONS TO AN EXISTING SINGLE-FAMILY RESIDENCE, WITH A**  
**VARIANCE FOR EXCESS LOT COVERAGE**

MEETING DATE:   **AUGUST 18, 2005** \_\_\_\_\_

.....

## **PROJECT DATA:**

**ADDRESS:**                               **1835 MOUNTAIN VIEW DRIVE**  
**ASSESSOR'S PARCEL:**               **059-013-04**  
**FILE NUMBER:**                       **20517**  
**PROPERTY OWNERS:**               **DAVID SRETEVAN AND JACKIE LEUNG**  
**APPLICANT:**                         **ROBERT ZINKHAN (ARCHITECT)**  
**LOT SIZE:**                            **23,656 SQUARE FEET**  
**ZONING:**                              **RO-2 (SINGLE-FAMILY RESIDENTIAL- OPEN)**  
**GENERAL PLAN:**                    **MEDIUM DENSITY RESIDENTIAL**  
**FLOOD ZONE:**                        **C**  
**DATE COMPLETE:**                   **JULY 29, 2005**

## **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 construct additions to an existing one-story single-family dwelling located at 1835 Mountain View Drive. A second story master bedroom suite would be added over the northern end of the house, with some of the addition sitting above an unconditioned swimming pool enclosure. In addition to several interior modifications to the main level, a one-car garage space would be added adjacent to the existing attached two-car garage.

The proposed project would add 1,065 square feet of floor area and 157 square feet of garage space to the existing house, resulting in a total calculated floor area of 4,085 square feet, which is less than the floor area ratio for a lot of this size. The proposed additions would also increase the lot coverage of this property by 564 square feet to a total of 4,027 square feet (17.0%),



# Town of Tiburon

## STAFF REPORT

---

which is greater than the 15.0% maximum lot coverage permitted in the RO-2 zone. Therefore, a variance is requested for excess lot coverage.

A color and materials board has not been submitted, as the proposed exterior siding and roofing would match those of the existing building. Some portions of the proposed additions would utilize dark grey colored stucco siding, for which a sample has been submitted.

### ANALYSIS

#### Design Issues

The proposed second story addition would be generally consistent with the two-story design approach used by other homes in the Hillhaven subdivision. The second story area would be most visible from the second story of the adjacent home to the north at 1825 Mountain View Drive. The proposed addition would be in line with the two-story home to the south at 1845 Mountain View Drive; the addition would only be viewed against the backdrop of this other house, and therefore should not result in any view impacts on the residence at 1825 Mountain View Drive.

The proposed second story addition would only be visible from uphill from the home to the rear at 623 Ridge Road. Although the addition would be visible from the kitchen and living room of this adjacent residence, the addition would only block views of other development downhill, and would not interfere with the panoramic views of San Francisco, the Golden Gate Bridge, Richardson Bay and Sausalito seen from this home.

The bathroom of the proposed upper floor addition has a large number of windows facing uphill. These windows would be visible from the home at 623 Ridge road could result in unwanted privacy impacts on these uphill neighbors. It is recommended that these windows be required to be frosted or otherwise made more opaque to mitigate this concern.

The proposed garage addition would add one additional garage space to the two existing garage spaces on this property. The garage addition would be appropriately sited adjacent to the existing driveway, with a considerable setback from the adjacent home to the south.

#### Zoning

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the RO-2 zone with the exception of the previously noted variance for excess lot coverage.

In order to grant the requested variance, 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***

# Town of Tiburon

## STAFF REPORT

---



***this Ordinance will deprive the applicant of privileges enjoyed by other properties in the vicinity and in the same or similar zones.***

The current configuration of the house on the subject property has already maximized the lot coverage on the site, while the residence is well under the maximum floor area for a lot of this size. The alignment of this house with other homes in the vicinity means that in order to avoid unwanted view impacts on neighboring residences, any future additions would need to be situated in locations that would result in increased lot coverage. These physical conditions 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 in the RO-2 zone have received variances for excess lot coverage, often with a larger percentage than that requested by this application. Therefore, the granting of this variance would be consistent with the limitations upon other properties in the vicinity and in the same or similar zones.

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

The strict interpretation of the maximum lot coverage requirement would force the proposed addition to be stacked more directly on top of existing floor area of the house, which would have create a more visually massive appearance and would have the potential to result in unwanted view impacts for the neighboring home at 1825 Mountain View Drive. This forced redesign would place an unnecessary hardship on the applicant.

- 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 addition would not appear to create any significant visual or privacy impacts on neighboring homes, if the rear-facing bathroom windows are made to be more opaque.

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

### **Public Comment**

As of the date of this report, 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 wishes to approve the project, it is recommended 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

#### 1835 MOUNTAIN VIEW DRIVE

#### FILE #20517

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 June 23, 2005, or as amended by these conditions of approval. Any modifications to the plans of June 23, 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. If this approval is challenged by a third party, the property owner/applicant will be responsible for defending against this challenge. The property owner/applicant agrees to defend, indemnify and hold the Town of Tiburon harmless from any costs, claims or liabilities arising from the approval, including, without limitations, any award of attorney's fees that might result from the third party challenge.
6. All exterior lighting fixtures must be down light type fixtures.
7. All skylights shall be bronzed or tinted and no lights shall be placed in the wells.
8. Rear-facing bathroom windows for the subject addition shall be frosted or otherwise made more opaque to the satisfaction of Planning Division Staff.