



Town of Tiburon

STAFF REPORT

addition would add 1,041 square feet of floor area to the existing house, resulting in a total floor area for the house of 5,248 square feet, which is 670 square feet greater than the floor area ratio for a lot of this size. Therefore a floor area exception is requested.

A color and materials board has not been submitted, as the proposed additions would not generally change the exterior appearance of the existing house.

ANALYSIS

Design Issues

The subject property is situated at the end of a private driveway off Blackfield Drive which serves two lots. The rear of the property extends down to Via Capistrano. This lot is governed by the Ring Mountain Precise Plan.

The subject property is situated at an elevation well below that of the homes above on Blackfield Drive and Buckwheat Court. As a result, the proposed third story addition would not intrude into the views of any nearby residences, and should not result in any unwanted privacy impacts.

Zoning

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the Ring Mountain Precise Plan, with the exception of the previously noted request for a floor area exception.

Section 4.02.08 of the Tiburon Zoning Code states that the Design Review Board may grant exceptions to the required floor area ratio requirements if it makes the following two findings:

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; and
2. The applicant has demonstrated that the proposed structure is compatible with the physical layout 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.

Many of the homes in the immediate vicinity of the subject property have been developed with three levels of living area similar to that which would result from the proposed upper level addition. This addition would also not substantially change the relationship of the structure to the physical layout of the property.

During the 2005 review of an application for a floor area exception for the nearby home at 8 Mariposa Court, a comparison was conducted of the floor areas of a number of other homes in the vicinity. The total floor area requested as part of this application would be over 1,700 square



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feet less than that approved for the home at 8 Mariposa Court, and would be generally consistent with the pattern of floor areas for other homes in the vicinity.

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 letters have been received regarding the subject application.

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

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CONDITIONS OF APPROVAL

334 BLACKFIELD DRIVE

FILE #706021

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 17, 2006, or as amended by these conditions of approval. Any modifications to the plans of February 17, 2006, 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.