

Town of Tiburon STAFF REPORT

AGENDA ITEM F6



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TO: **DESIGN REVIEW BOARD**

FROM: **PLANNING MANAGER WATROUS**

SUBJECT: **4 HEATHCLIFF DRIVE; FILE #20626
SITE PLAN AND ARCHITECTURAL REVIEW FOR CONSTRUCTION OF
ADDITIONS TO AN EXISTING SINGLE-FAMILY RESIDENCE, WITH A
VARIANCE FOR EXCESS LOT COVERAGE**

MEETING DATE: **OCTOBER 5, 2006** _____

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PROJECT DATA:

ADDRESS:	4 HEATHCLIFF DRIVE
ASSESSOR'S PARCEL:	058-283-02
FILE NUMBER:	20626
PROPERTY OWNERS:	NICK AND GABRIELLA CULLEN
APPLICANT:	BERGER DETMER ENNIS ARCHITECTS
LOT SIZE:	25,467 SQUARE FEET
ZONING:	RO-2 (SINGLE-FAMILY RESIDENTIAL-OPEN)
GENERAL PLAN:	MEDIUM DENSITY RESIDENTIAL
FLOOD ZONE:	C
DATE COMPLETE:	SEPTEMBER 1, 2006

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 two-story single-family dwelling located at 4 Heathcliff Drive. A new great room would be added to the first level of the house, along with an addition to the front of the building which includes an exercise room, master bedroom closet, study and expanded stairway. A new bathroom and several small bedroom additions would be constructed on the second level. A new basement level would be added, which would include a family room and bathroom. Several existing skylights would be removed and replaced with three new skylights. Several areas of the existing roofline would be converted from pitched roofs to flat roofs, slightly increasing the overall height of the existing house.

The proposed project would add 1,379 square feet of floor area to the existing house, resulting in a total floor area of 4,545 square feet, which is two square feet less than the floor area ratio



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for a lot of this size. The proposed additions would also increase the lot coverage of this property by 1,445 square feet to a total of 4,245 square feet (16.7%), which is greater than the 15.0% maximum lot coverage permitted in the RO-2 zone. A variance is therefore requested for excess lot coverage.

A color and materials board has been submitted, and will be present at the meeting for review by the Board. The house would be finished in light yellow colored stucco with medium and dark brown wood and stone trim. A dark grey metal roof is proposed to be installed.

ANALYSIS

Design Issues

The subject property is situated generally below the level of Heathcliff Drive and adjacent to the Old St. Hilary open space. The proposed roof changes would appear to increase the ridgeline height of the house by one foot. This minor height increase should not intrude into the views of the homes across the street at 5 & 7 Heathcliff Drive, both of which are situated at substantially higher elevations.

Substantial mature landscaping currently exists between the subject house and the adjacent residence to the west at 2 Heathcliff Drive. This neighboring home has panoramic views from the Old St. Hilary open space and San Francisco through to Mt. Tamalpais, with only peripheral views toward the subject house. The proposed additions to the rear of the house would not appear to intrude into any currently open views from this neighboring home, and should not result in any substantial privacy impacts.

The rear addition would be visible from the adjacent home at 86 Sugarloaf Drive. The owner of this neighboring residence has raised concerns about potential privacy impacts from windows of the first level great room addition into his living room and adjacent deck. The applicant and neighbor have indicated that they are working together to make modifications to one or more windows to address this issue.

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.

Variance

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***

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

The subject property is situated on the Tiburon Ridgeline adjacent to several other homes which have important views across the site, in a neighborhood of larger residences. The strict application of the lot coverage requirement for a property with these physical circumstances would deprive the applicant of the ability to add on to the existing house in a manner consistent with other homes in the neighborhood without creating view or visual impacts on nearby residences.

- 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 same or similar zones have received variances for excess lot coverage, particularly to avoid adding visual mass to upper story areas which could result in view or visual impacts on neighboring homes.

- 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 place an unnecessary hardship on the applicant by forcing more of the proposed additions to be placed on the upper level of the house, increasing the potential for view or visual impacts on neighboring homes.

- 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 changes would not appear to create any significant visual or privacy impacts on neighboring homes.

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

Public Comment

To date, no letters have been received regarding the subject application. The applicant has submitted letters from the owners of the nearby homes at 5 Heathcliff Drive, 82 Sugarloaf Drive and 141 Lyford Drive supporting the proposed project. As noted above, the owner of 86 Sugarloaf Drive has indicated concerns regarding potential privacy impacts from the proposed great room windows.

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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, it is recommended 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

4 HEATHCLIFF DRIVE

FILE #20626

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 August 23, 2006, or as amended by these conditions of approval. Any modifications to the plans of September 12, 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. 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.
5. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
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.