





# Town of Tiburon

## STAFF REPORT

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The home at 18 Southridge East would have the most direct view of the additions to the upper floor and the expansion of the bedroom on the main floor in the front of the existing home. The story poles indicate that the proposed addition would intrude into the lower portion of the Richardson Bay water views of a much larger panoramic view of San Francisco, the Golden Gate Bridge and the bay from the primary living areas of this neighboring residence. Potential view impacts exist from other portions of this residence as well.

The following portions of the Tiburon Hillside Design Guidelines should be used to evaluate the hillside design of the house as proposed:

- Goal 3, Principle 7 (A) that the “view protection is more important for the primary living areas of a dwelling (e.g. living room, dining room, family room, great room, kitchen, and decks associated with these rooms) than for less actively used areas of a dwelling (e.g. bedroom, bathroom, study, office, den).” The proposed upper level addition would potentially affect views from bedrooms of the home at 18 Southridge East. It should be noted that the Design Review Board has often discouraged projects that would gain views for a secondary portion of a house, such as a bedroom or study, at the expense of views from bedrooms of other neighboring homes.
- Goal 3, Principle 7 (B) that the “horizon line is the most sensitive part of a view, then foreground, then middle ground.” The proposed addition would be situated generally in the foreground views of the home at 18 Southridge East.
- Goal 3, Principle 7 (C) of the Hillside Design Guidelines that “blockage of [the] center of a view is more damaging than blockage of the side of a view.” The proposed addition would intrude into the lower portion of the center of the views for the neighboring home at 18 Southridge East.
- Goal 3, Principle 7 (D) that “blockage of important objects in the view (Golden Gate Bridge, Belvedere lagoon, Sausalito, Angel Island) is more difficult to accept than blockage of other, less well-known landmarks.” No views of important objects would be blocked by the proposed addition.
- Goal 3, Principle 7 (E) of the Hillside Design Guidelines that “a wide panoramic view can accept more view blockage than the smaller slot view.” The proposed addition would intrude into a relatively small portion of the panoramic views currently enjoyed by the nearby home.

The neighbors below the subject home at 9 Reed Ranch Road have raised concerns of potential privacy impacts by the proposed addition. The neighbors have submitted a letter dated April 16, 2007. The privacy impact concerns are limited to the proposed additions to the rear of the property. The additions include the deck expansion and the lower level guest suite.



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### **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 variances for excess lot coverage and reduced side and rear yard setbacks. As noted, in order to grant the requested variances of increased lot coverage and reduced side and rear yard setbacks, the Board must make all of the findings required by Section 4.03.05 of the Tiburon Zoning Ordinance:

Staff believes that there is sufficient evidence to support the findings for the requested variances.

### **Public Comment**

Since last meeting, letters have been submitted to Staff from the owners at 9 Reed Ranch Road in regard to impacts concerning noise and privacy issues. As noted above, these concerns are related to the proposed additions in the rear of the home. One letter has been submitted from the owners at 18 Southridge East in regard to potential view impacts from the proposed addition. Homeowners at 11 Reed Ranch Road and many residents on Southridge East have submitted letters expressing approval of the project.

### **RECOMMENDATION**

The Board should review this project with respect to Zoning Ordinance Section 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 15303. If the Board finds the design to be acceptable and in conformance with the Town's Design Guidelines, Staff recommends that the attached conditions of approval be applied.

### **ATTACHMENTS:**

1. Conditions of approval
2. Application and supplemental materials
3. Staff Report dated April 5, 2007
4. Minutes from Design Review Board Meeting of April 5, 2007
5. Letter from Diane and Robert Marotta, dated April 16, 2007
6. Letter from Samuel Leung & Margaret Leung, dated April 9, 2007
7. Letters of approval from Southridge East and 11 Reed Ranch Road
8. Submitted plans

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### CONDITIONS OF APPROVAL

#### 16 SOUTHRIDGE EAST

#### FILE #20706

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 13, 2007, or as amended by these conditions of approval. Any modifications to the plans of April 25, 2007, 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 skylights shall be bronzed or tinted and no lights shall be placed in the wells.
6. All exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures.
7. 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.