



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board
June 7, 2007
Agenda Item: **E4**

STAFF REPORT

To: **Design Review Board**

From: **Assistant Planner, Scott Phillips**

Subject: **173 Avenida Miraflores; File #707037
Appeal of a Planning Division Decision to Deny Site Plan and
Architectural Review for Alterations to an Existing Single-Family
Dwelling**

Reviewed By: _____

PROJECT DATA

ADDRESS: 173 AVENIDA MIRAFLORES
OWNER/APPELLANTS: ROBERT & DANI ROACH
APPLICANT: MICAEL HECKMANN
ASSESSOR'S PARCEL: 039-271-02
FILE NUMBER: 707037
LOT SIZE: 11,500 SQUARE FEET
ZONING: RPD (RESIDENTIAL PLANNED DEVELOPMENT)
PRECISE PLAN: MIRAFLORES (PD #21)
GENERAL PLAN: MEDIUM DENSITY RESIDENTIAL
FLOOD ZONE: C

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 15303.

BACKGROUND

On January 4, 2007, the Tiburon Planning Division denied a Site Plan and Architectural Review application for minor alterations to an existing single-family dwelling, on property located at 173 Avenida Miraflores. The owners of the property at 173 Avenida Miraflores have now appealed this decision to the Design Review Board

PROJECT DESCRIPTION

An application was filed for a Staff-level Design Review approval for exterior alterations to an existing single-family dwelling on property located at 173 Avenida Miraflores. The property is currently developed with a multi-story residence.

The applicant requested Design Review approval to change the entire exterior finish of the home from wood siding to grey colored stucco. No other changes were associated with this proposal.

REVIEW BY THE TIBURON PLANNING DIVISION

The Tiburon Planning Division reviewed the project as a Staff-level Design Review application. During the normal 10 day review period, the property owner at 8 Miraflores Lane objected to the proposal. The homeowner was concerned that the proposed stucco finish would be inconsistent with the neighborhood and that the use of stucco as an exterior material is not allowed within the Miraflores Covenants, Conditions and Restrictions. (C.C. and R.'s)

Staff visited the site on several occasions to evaluate the concerns raised by the neighbor and to determine the consistency of stucco as a single exterior material within the neighborhood. Staff observed that no other homes containing stucco as an exterior material exist within the Miraflores Residential Planned Development in which the subject home is located.

The following portions of the Tiburon Municipal Code and Tiburon Hillside Design Guidelines were used to evaluate the hillside design of the alteration as proposed:

Tiburon Municipal Code

Section 16-4.2.7 (Guiding principles in the review of applications) of the Tiburon Zoning Ordinance states that *“in reviewing applications for site plan and architectural review, the acting body shall consider the following principles as they may apply:”*

“(c) Neighborhood character. The height, size, and/or bulk of the proposed project bears a reasonable relationship to the character of existing buildings in the vicinity. A good relationship of a building to its surroundings is important. For example, in neighborhoods consisting primarily of one-story homes, second-story additions shall be discouraged, or permitted with increased setbacks or other design features to minimize the intrusion on the neighborhood.” The area in which the subject home is located wood as an exterior material is widely used. Stucco as an exterior material would not blend to the existing neighborhood character.

“(f) Compatibility of architectural style and exterior finish. The architectural style and exterior finish are harmonious with existing development in the vicinity and will not be in stark contrast with its surroundings.” As stated by the homeowners, stucco as an exterior material would be compatible with the existing deco design of the home. No other deco homes exist within the subdivision. The subject home, in its current state is incompatible with the existing development in the vicinity.

Hillside Design Guidelines

Goal 2, Principle 1 states, “Do not use colors, textures, materials and forms which will attract attention by not relating to other elements in the neighborhood. Remember, the hillside is seen as a texture made up of dwellings, trees, and open spaces. No one dwelling should stand out.” The proposed new exterior of gray stucco would not relate to other elements in the neighborhood.

Goal 2, Principle 2 states, “Do not use large expanses of a single material on the walls, roofs, or paving areas.” The proposal to replace the exterior wood siding with stucco does not comply with this principal. A variety of exterior material could be used to more closely comply with this principal.

Upon visiting the site, it became apparent to staff that stucco as a single exterior material did not comply with these zoning principles and Hillside Guidelines, as the exterior appearance would be inconsistent with the character of the surrounding Miraflores neighborhood. The proposal was subsequently denied by Staff on April 4, 2007. On January 8, 2007, the applicants filed a timely appeal of this decision.

BASIS FOR THE APPEAL

There is one ground upon which the appeal (**Exhibit 1**) is based:

Ground #1 **The proposed replacement of all exterior wood material siding with stucco would be in conformity with the deco style of the existing home.**

Staff Response: The subject home is located in an area in which all of the homes have wood siding. As noted above, Staff determined that a home with stucco siding in its entirety would be inconsistent with the principles in the review of Site Plan and Architectural Review applications set forth in the zoning ordinance and Goal 2 of the Hillside Design Guidelines, as such an exterior design would not be compatible with the existing neighborhood character.

Staff was unaware of the deco design until the appellant brought it to our attention after the decision was made to deny the application. It should be noted that a stucco exterior finish is usually associated with deco home designs. Although no other homes within the subdivision have a deco design, the appellants contend that changing the exterior materials of the house would not alter the design character of this building or its relationship to other residences in this neighborhood.

CONCLUSION

The Tiburon Planning Staff followed the Hillside Design Guidelines and the guidelines for Site Plan and Architectural Review in its review of this project and deemed the use of stucco as an exterior material to be inconsistent with the character of the surrounding Miraflores neighborhood. However, a stucco exterior finish would be more consistent with the existing deco architecture of the subject house and may not necessarily substantially change the compatibility of this house design with that of others in the neighborhood.

RECOMMENDATION

It is recommended that the Design Review Board either:

- 1) Indicate its intention to deny the appeal and direct Staff to return with a resolution denying the appeal, for adoption at the next meeting; or
- 2) Indicate its intention to grant the appeal and direct Staff to return with a resolution granting the appeal for adoption at the next meeting.

EXHIBITS

1. Notice of Appeal
2. Application and supplemental materials
3. Staff-level Courtesy Notice
4. Letter from Michael J. Scianamblo, dated April 23 and May 3, 2007
5. Letter from Robert & Dani Roach, dated May 7, 2006
6. Letter from Ronald & Eva Lackenbacher dated May 30, 2007
7. Letter from Michael Heckmann dated May 30, 2007
8. Notice of action
9. Submitted plans