

# Town of Tiburon STAFF REPORT

AGENDA ITEM E6



.....

TO: **DESIGN REVIEW BOARD**

FROM: **PLANNING MANAGER WATROUS**

SUBJECT: **2309 SPANISH TRAIL; FILE #20715  
SITE PLAN AND ARCHITECTURAL REVIEW FOR THE  
CONSTRUCTION OF ADDITIONS TO AN EXISTING SINGLE-FAMILY  
DWELLING, WITH VARIANCES FOR REDUCED FRONT AND SIDE  
YARD SETBACKS AND EXCESS LOT COVERAGE**

MEETING DATE: **MAY 3, 2007** \_\_\_\_\_

.....

## PROJECT DATA:

<b>ADDRESS:</b>	<b>2309 SPANISH TRAIL</b>
<b>ASSESSOR'S PARCEL:</b>	<b>059-091-48</b>
<b>FILE NUMBER:</b>	<b>20715</b>
<b>PROPERTY OWNER:</b>	<b>RONALD STAFFORD</b>
<b>APPLICANT:</b>	<b>MOHAMAD SADRIEH (ARCHITECT)</b>
<b>LOT SIZE:</b>	<b>13,500 SQUARE FEET</b>
<b>ZONING:</b>	<b>RO-2 (SINGLE-FAMILY RESIDENTIAL-OPEN)</b>
<b>GENERAL PLAN:</b>	<b>MEDIUM DENSITY RESIDENTIAL</b>
<b>FLOOD ZONE:</b>	<b>C</b>
<b>DATE COMPLETE:</b>	<b>FEBRUARY 23, 2007</b>

## **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 for the construction of additions to an existing single-family dwelling on property located at 2309 Spanish Trail. A new living room, master bedroom suite and study would be added to the upper floor of the house. The lower floor of the addition would include a two-car garage and storage area. An existing detached garage on the site would be demolished.

The proposed additions would add 1,250 square feet of floor area to the house, resulting in a total floor area of 3,375 square feet, which is 9 square feet less than the floor area ratio for a lot of this size. The proposed project would add 1,180 square feet of lot coverage to the site, resulting in total lot coverage of 19.2%, 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.



# Town of Tiburon

## STAFF REPORT

---

The proposed addition would extend to within 15 feet of the front property line and 8 feet of the side property line. As a 30 foot front yard setback and a 15 foot side yard setback are required in the RO-2 zone, variances are also requested for reduced front and side yard setbacks.

A color and materials board has not been submitted at this time. The submitted plans indicate that the proposed addition would utilize stained shingle siding and a copper colored metal roof.

### ANALYSIS

#### Design Issues

In 2005, the applicant submitted a request to legalize as-built construction of a detached garage on the northern end of the site, with reduced front and side yard setbacks. The Design Review Board approved this request on August 18, 2005. As noted above, the applicant proposes to demolish this structure as part of the proposed project.

The subject property is situated along a winding, steeply sloped portion of Spanish Trail. The existing house is located well below the nearest uphill home at 2311 Spanish Trail, and further below the homes above along Straits View Drive. Other homes along Spanish Trail do not have any views across the site.

A series of mature pine trees are situated in the area of the proposed addition. These trees currently intrude substantially into the water views for the nearby home at 2311 Spanish Trail. The removal of these trees would open up these water views, but would also make the house and proposed addition much more visible.

The proposed addition would be situated uphill from the existing residence on the site. The two-story addition would have a roofline 14 feet higher than the roofline of the existing house. Once the trees have been removed, this higher roofline could intrude slightly into the lower water views of the overall panoramic views of the home at 2311 Spanish Trail. However, the removal of the pine trees would result in an overall improvement of the views for this nearby residence.

The proposed addition does not appear to be architecturally well integrated with the existing house on the site. The addition would utilize wood shingle siding, in contrast to the stucco exterior of the existing house. From the side, the new addition almost appears to be a second house, attached to the existing structure only by the enclosed stairway leading from the existing home to the new addition. The two-story addition would have a height of nearly 30 feet, with plate heights of 10 feet or more on both floors. This building mass contributes to the architectural disconnect between the house and the addition. The Design Review Board may wish to encourage a more cohesive design for such a substantial addition to the existing residence.



# Town of Tiburon

## STAFF REPORT

---

### 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 reduced front and side yard setbacks and excess lot coverage.

In order to grant the requested variances, 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 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 substantially smaller than the 20,000 square foot minimum lot size required in the RO-2 zone and is situated along a winding portion of Spanish Trail. The curving front property line is different than most other lots located in this area of Old Tiburon. These physical characteristics are special circumstances that would deprive the owners of this property of privileges enjoyed by other properties in the vicinity if the subject variances are not granted.

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 vicinity and in the RO-2 zone have received variances for reduced setbacks and/or excess lot coverage.

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

The strict application of the front and side yard setback requirements would not allow practical locations on the site for development of an addition which would be consistent with the siting of the existing house. The strict application of the lot coverage requirements for a lot of this size would require even more of the additions to the existing structure to be placed on a second story, which would exacerbate possible issues with the mass and bulk of the proposed addition. The imposition of these requirements would severely limit the size and placement of improvements on the site, creating a practical difficulty and an unnecessary hardship on the applicants.

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 additions would not result in substantial view or other impacts on homes in the vicinity.

# Town of Tiburon

## STAFF REPORT

---



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

### **Public Comment**

As of the date of this report, 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 wishes to approve the project, Staff would recommend 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

#### 2309 SPANISH TRAIL

#### FILE #20715

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 20, 2007, or as amended by these conditions of approval. Any modifications to the plans of April 6, 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. 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 downlight type fixtures.
7. All skylights shall be bronzed or tinted and no lights shall be placed in the wells.
8. All requirements of the Town Engineer shall be met.