



**TOWN OF TIBURON**  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Design Review Board Meeting  
June 21, 2007

Agenda Item: **F5**

### **STAFF REPORT**

To: **Members of the Design Review Board**

From: **Associate Planner Tyler**

Subject: **442 Greenwood Beach Road; File # 20717  
Site Plan and Architectural Review for Construction of an Addition to  
an Existing Single-Family Dwelling With a Variance for Reduced Front  
Yard Setback**

Reviewed By: \_\_\_\_\_

### **PROJECT DATA:**

<b>OWNER:</b>	<b>SIMON AND PAMELA SNELLGROVE</b>
<b>APPLICANT/ARCHITECT:</b>	<b>KENNETH HOLDER</b>
<b>ADDRESS:</b>	<b>442 GREENWOOD BEACH ROAD</b>
<b>ASSESSOR PARCEL NUMBER:</b>	<b>055-031-12</b>
<b>FILE NUMBER:</b>	<b>20717</b>
<b>LOT SIZE:</b>	<b>9,954 SQUARE FEET</b>
<b>ZONING:</b>	<b>R-1 (SINGLE-FAMILY RESIDENTIAL)</b>
<b>GENERAL PLAN:</b>	<b>MH (MEDIUM HIGH DENSITY RESIDENTIAL)</b>
<b>FLOOD ZONE:</b>	<b>C</b>
<b>DATE COMPLETE:</b>	<b>MAY 31, 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 has submitted a request for construction of an addition to the existing single-family dwelling on the property located at 442 Greenwood Beach Road. Currently the property is improved with a single-family dwelling, detached secondary unit and detached garage.

The addition consists of a 56 square foot expansion of the home which would become a second bathroom. An interior remodel adjacent to the proposed addition would contain a vanity area and toilet, to coincide with the addition, which would contain the shower and bathtub. The existing

dwelling currently has only one bathroom. The addition would also include a large skylight over the area containing the bathtub.

The proposed structure would result in a gross floor area of 2,086 square feet, which is below the maximum permitted floor area for a parcel of this size (2,995 sq. ft.). The proposed structure would create lot coverage of 2,067 square feet (21%), which is below the maximum permitted lot coverage in the R-1 zoning district (30%).

The proposed addition would result in a 6 foot 7 inch front yard setback. As the minimum required setback in the R-1 zone is 15 feet, the applicant has requested a front yard setback variance.

In addition, the small expansion would match the exterior siding, roof and color of the existing structure. A color/materials board will not be available for review at the meeting.

## ANALYSIS

### Design Issues

The property is located on the south-facing side of Greenwood Beach Road and is situated well below the street level. A large stone-faced retaining wall, covered with ivy, runs along the front of the property, helping to block the view of the home and detached secondary unit from the street.

The area of addition would be located between the home and detached secondary dwelling unit. Currently, a mature Japanese maple tree exists in the location of the proposed addition. The property owner has indicated that they would like to re-locate the tree to another area of the property, if it can be done without destroying the tree.

The addition would not pose any privacy issues, as it would not be seen from the street level. It may be seen from the beach, but an existing outdoor deck/patio would be located in front to help block the view from people walking along the beach. Overall the addition would appear to work well with the existing layout of the home and detached secondary dwelling unit.

### Zoning

With the exception of the requested variance for reduced front yard setback, the project appears to be in conformance with the remaining development regulations of the R-1 zoning district.

### Variance

In order to grant the requested variance, the Board must make all of the following findings required by Section 16-4.3 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.**

Most of the properties along Greenwood Beach Road contain structures within the front yard setback, and therefore do not conform to the current front yard setback standard for the R-1 zone of 15 feet. Additionally, properties along the south-west side of the street back up to the bay, which also creates a difficult site to build upon, as structures are required to be a minimum distance away from the mean high tide line.

- 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.**

Other properties along Greenwood Beach Road are currently built within the front yard setback and those that have added on or built new homes have been granted variances for reduced front yard setbacks.

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

The proposed addition is only 56 square feet and, if pushed back to meet the front yard setback standard of 15 feet, would not line up with the remodel of the interior of the home as a bathroom, adjacent to the proposed addition. This would also eliminate the existing outdoor deck/patio between the home and detached secondary dwelling unit.

- 4. The granting of the variance will not be detrimental to the public welfare or injurious to other properties in the vicinity.**

The addition is small, and would not be very visible from the street as the home sits well below Greenwood Beach Road. The expansion would also match the existing materials and colors of the dwelling, to blend with the existing structure, and would therefore not be injurious to other properties in the vicinity.

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

#### Public Comment

As of the date of this report, one letter has been received in support of the project from the neighbor at 444 Greenwood Beach Road.

#### **RECOMMENDATION**

It is recommended that the Board review this project with respect to Zoning Ordinance Section 4.02.07 (Guiding Principles), 16-4.3 (Variances), 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.

- Exhibits:
1. Conditions of Approval
  2. Application and Supplemental Materials
  3. Letter from Greg Moore and Nancy Peterson dated June 11, 2007
  4. Submitted Plans

Prepared By: **Laurie Tyler, Associate Planner**

EXHIBIT 1

**CONDITIONS OF APPROVAL**

**442 GREENWOOD BEACH ROAD**

**FILE NO. 20717**

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 May 22, 2007, or as amended by these conditions of approval. Any modifications to the plans of May 22, 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 skylights shall be bronzed or tinted and no lights shall be placed in the wells.
7. All exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures.
8. All requirements of the Town Engineer shall be met.