



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board
June 7, 2007
Agenda Item: **D3**

STAFF REPORT

To: **Design Review Board**

From: **Assistant Planner, Scott Phillips**

Subject: **673 Hawthorne Drive; File #20711
Site Plan and Architectural Review to Construct Additions to an
Existing Single-family Dwelling, with Variances for Reduced Rear
Yard Setback and Excess Lot Coverage**

Reviewed By: _____

BACKGROUND

The applicant is requesting Design Review approval for the construction of additions to an existing single-family dwelling located at 673 Hawthorne Drive. The addition would include a new lower level bedroom and family room and a new den, entry foyer and deck on the existing upper level. Also included in the proposal is a spa within the rear yard setback.

This application was first reviewed at the May 3, 2007 Design Review Board meeting. At that meeting, the neighboring property owner behind the subject home at 666 Hillary Drive raised concerns regarding potential view impacts that would be caused by the proposed addition above the main level. The neighboring property owner at 675 Hawthorne Drive had concerns of the additional windows that would face their property from the proposed addition. The Board reviewed the proposal, but continued the project to give the applicant time to create perspective drawings and photographs from 666 Hilary Drive. The Board also encouraged increased dialogue between the neighbors.

ANALYSIS

Design Issues

The proposal was continued at the meeting of May 3, 2007 to give the applicant a chance to meet with the concerned neighbors and to create a digital overlay on photographs of the proposed addition. While creating the digital overlay of the proposed addition, the applicant made numerous changes to the plans in order to address some of the concerns of the adjacent neighbors. The location of the chimney has been moved to the inside of the wall plane of the proposed

addition and the overall bulk of the chimney has been decreased. By doing so, the mass of the proposed addition has been diminished. Water views from the lower level of the adjacent home at 666 Hilary Drive have been increased. The spa within the rear yard setback has also been removed from the proposal.

Windows on the east elevation have been changed in order to address the concerns of the neighbors at 675 Hawthorne Drive. All windows above the proposed French doors have been removed. One other selected window on the east elevation has been decreased in size.

The following portions of the Tiburon Hillside Design Guidelines should be used to evaluate the hillside design of the addition 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 additions would potentially affect views from lower level study of the home at 666 Hilary Drive. As previously noted, the Design Review Board has often discouraged projects that would gain views for a secondary portion of a home, such as a bedroom or study, at the expense of views from less actively used areas 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 neighboring home.
- 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.
- 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 from the primary living space.
- 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 lower level of the nearby home.

Zoning

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the R-1 zone with the exception of the previously noted variances for excess lot coverage and reduced rear yard setback. As noted in the previous staff report, Staff believes that there is sufficient evidence to support the findings for the requested variances.

Public Comment

Since last meeting, one letter has been submitted from the owners at 665 and 655 Hilary Drive concerning potential view impacts from Hilary Drive.

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. Design Review Board Staff Report dated May 3, 2007
3. Minutes from Design Review Board Meeting of May 3, 2007
4. Letter from Gerald & Barbara Romain and Saburo & Joyce Kami, dated May 11, 2007
5. Letter from David Eklund dated May 30, 2007
6. Submitted plans

CONDITIONS OF APPROVAL

673 HAWTHORNE DRIVE

FILE #20711

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 March 19, 2007, or as amended by these conditions of approval. Any modifications to the plans of May 17, 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.