



## STAFF REPORT

**To:** Members of the Design Review Board  
**From:** Community Development Department  
**Subject:** 65 Harriet Way; File No. DR2016032; Site Plan and Architectural Review for Construction of Additions to an Existing Single-Family Dwelling.  
*Continued from July 21, 2016*

### BACKGROUND

At the July 21, 2016 Design Review Board meeting, the Board considered an application for the construction of additions to an existing single-family dwelling, on property located at 65 Harriet Way in the Bel Aire neighborhood. During the meeting, the neighbors at 50 Harriet Way voiced their opposition to the higher rooflines of the addition because the proposed roofline would be out of character with the other homes in the cul-de-sac and in the neighborhood and would have the appearance of a two-story design.

The Design Review Board determined that the roofline needed to be reduced in height to maintain the same scale as the other homes in the Bel Aire neighborhood and the Board and neighbors needed to see the revised story poles before a final decision can be made on the application. The Board provided direction to the applicant to design the home with modifications and continued the project to the August 4, 2016 Design Review Board meeting.

The applicant has submitted revised plans for the project which include the reduction of the overall height from 22 feet, 11 inches to 16 feet, 3 inches. All other improvements would remain the same as the previous submitted plans.

### ANALYSIS

#### Design Issues

The modifications made by the application would appear to respond to the issues raised by the Design Review Board. The height of the proposed home would be reduced by approximately 6 feet, 6 inches. The design of proposed roofline would be similar to the existing roofline from the front elevation and would be consistent with the other homes in the neighborhood.

The existing story poles remain, but the revised roof pitch is shown with a string. The Design Review Board is encouraged to view the revised story poles to determine if the proposed roofline would create any visual impact on the adjacent homes.

As mentioned in the previous staff report, an existing shed is currently located on the southeast side of the property and it is unclear if the shed would remain or be removed from the property. Staff added a condition of approval for the property owner to remove the shed from the property.

### **Zoning**

Staff has reviewed the proposal and finds that it is in conformance with the development standards for the R-1-B-A zone.

### **Public Comment**

As of the date of this report, no letters have been received regarding the subject application since the July 21, 2016 meeting.

### **RECOMMENDATION**

Staff recommends that the Board:

The Board should review this project with respect to Zoning Ordinance Section 16-52.020 (H) [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 Design Review Board wishes to approve the application, it is recommended that the attached conditions of approval be applied.

Attachments:	1.	Draft Conditions of Approval
	2.	Application and Supplemental Materials
	3.	Design Review Staff Report dated July 21, 2016
	4.	Draft minutes from the July 21, 2016 Design Review Board Meeting
	5.	Submitted Plans

Prepared By: Kyra O'Malley, Associate Planner

**ATTACHMENT 1**

**DRAFT CONDITIONS OF APPROVAL  
65 HARRIET WAY  
FILE NO. DR2016032**

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. Construction shall conform to the application and plans dated by the Town of Tiburon on March 17, 2016 as amended by these conditions of approval. Any modifications to the plans dated July 25, 2016 must receive Design Review approval.
3. Project elements shown on construction drawings submitted to the Building Division for plan check shall be essentially identical to those project elements shown on drawings approved by the Design Review Board. The permit holder is responsible for clearly identifying on construction drawings any and all changes to project elements. Such changes must be clearly highlighted (with a “bubble” or “cloud”) on the construction drawings. A list describing in detail all such changes shall be submitted and attached to the construction drawings, with a signature block to be signed by the Planning Division Staff member indicating whether these changes have been reviewed and are approved, or will require additional Design Review approval. All such changes that have not been explicitly approved by the Town are not “deemed approved” if not highlighted and listed on construction drawings. Construction of any such un-approved project elements is in violation of permit approvals and shall be subject to Stop Work Orders and removal.
4. If this approval is challenged by a third party, the property owner/applicant will be responsible for defending against this challenge, with defense counsel subject to the Town’s approval. 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 other than those approved by the Design Review Board must be down-light-type fixtures.
7. The project shall comply with the requirements of the California Fire Code and the Southern Marin Fire Protection District prior to issuance of a building permit.
8. All requirements of the Marin Municipal Water District shall be met prior to issuances of a building permit.
9. All requirements of the Richardson Bay Sanitary District shall be met prior to issuances of a building permit.

10. A construction sign shall be posted on the site during construction of the project, in a location plainly visible to the public. The sign shall be 24" x 24" in size and shall be made of durable, weather-resistant materials intended to survive the life of the construction period. The sign shall contain the following information: job street address; work hours allowed per Chapter 13 of the Tiburon Municipal Code; builder (company name, city, state, ZIP code); project manager (name and phone number); and emergency contact (name and phone number reachable at all times). The sign shall be posted at the commencement of work and shall remain posted until the contractor has vacated the site.
11. A copy of the Planning Division's "Notice of Action" including the attached "Conditions of Approval" for this project shall be copied onto a plan sheet at the beginning of the plan set(s) submitted for building permits.
12. The shed in the backyard shall be removed prior to issuances of building permits.



RECEIVED  
MAR 17 2016  
PLANNING DIVISION

# TOWN OF TIBURON LAND DEVELOPMENT APPLICATION

## TYPE OF APPLICATION

- Conditional Use Permit
- Precise Development Plan
- Secondary Dwelling Unit
- Zoning Text Amendment
- Rezoning or Prezoning
- General Plan Amendment
- Temporary Use Permit
- Design Review (DRB)
- Design Review (Staff Level)
- Variance(s) \_\_\_\_\_ #
- Floor Area Exception
- Tidelands Permit
- Sign Permit
- Tree Permit
- Tentative Subdivision Map
- Final Subdivision Map
- Parcel Map
- Lot Line Adjustment
- Condominium Use Permit
- Seasonal Rental Unit Permit
- Other \_\_\_\_\_

## APPLICANT REQUIRED INFORMATION

SITE ADDRESS: 65 HARRIET WAY PROPERTY SIZE: 9072 SQ FT  
 PARCEL NUMBER: 034-212-12 ZONING: R-1

PROPERTY OWNER: JR BEGG  
 MAILING ADDRESS: 925 SIR FRANKS DRIVE BLDG

KENTWOOD CA 94904  
 PHONE/FAX NUMBER: 415-272-9900 E-MAIL: JR.BEGG@GMAIL.COM

APPLICANT (Other than Property Owner): MARIL LABOURDENE  
 MAILING ADDRESS: \_\_\_\_\_

PHONE/FAX NUMBER: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

ARCHITECT/DESIGNER/ENGINEER DESIGN BUILD SPECIALISTS, INC  
 MAILING ADDRESS: 394 BEL MARIN KEYS BLDG, SUITE 5

NOVA CA. 94949 SUITE 5  
 PHONE/FAX NUMBER: 415-892-3932 E-MAIL: MARIL@GGHR.COM  
415-883-24754 (F)

*Please indicate with an asterisk (\*) persons to whom Town correspondence should be sent.*

### **BRIEF DESCRIPTION OF PROPOSED PROJECT (attach separate sheet if needed):**

BUILD NEW GARAGE  
ADD ONTO MASTER BEDROOM / ADD MASTER BATH  
ENLARGE WING ROOM + KITCHEN  
ADD MUD ROOM  
ALL NEW ELECTRICAL SYSTEM

I, the undersigned owner (or authorized agent) of the property herein described, hereby make application for approval of the plans submitted and made a part of this application in accordance with the provisions of the Town Municipal Code, and I hereby certify that the information given is true and correct to the best of my knowledge and belief.

I understand that the requested approval is for my benefit (or that of my principal). Therefore, if the Town grants the approval, with or without conditions, and that action is challenged by a third party, I will be responsible for defending against this challenge, with the defense counsel subject to the Town's approval. I therefore agree to accept this responsibility for defense at the request of the Town and also agree to defend, indemnify and hold the Town harmless from any costs, claims or liabilities arising from the approval, including, without limitation, any award of attorney's fees that might result from the third party challenge.

Signature:\* [Handwritten Signature] Date: 3/17/16

The property involving this permit request may be subject to deed restrictions called Covenants, Conditions and Restrictions (CC&Rs), which may restrict the property's use and development. These deed restrictions are private agreements and are NOT enforced by the Town of Tiburon. Consequently, development standards specified in such restrictions are NOT considered by the Town when granting permits.

You are advised to determine if the property is subject to deed restrictions and, if so, contact the appropriate homeowners association and adjacent neighbors about your project prior to proceeding with construction. Following this procedure will minimize the potential for disagreement among neighbors and possible litigation.

Signature:\* [Handwritten Signature] Date: 3/17/16

*\*If other than owner, must have an authorization letter from the owner or evidence of de facto control of the property or premises for purposes of filing this application*

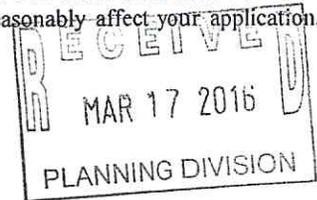
**NOTICE TO APPLICANTS**

Pursuant to California Government Code Section 65945, applicants may request to receive notice from the Town of Tiburon of any general (non-parcel-specific), proposals to adopt or amend the General Plan, Zoning Ordinance, Specific Plans, or an ordinance affecting building or grading permits.

If you wish to receive such notice, then you may make a written request to the Director of Community Development to be included on a mailing list for such purposes, and must specify which types of proposals you wish to receive notice upon. The written request must also specify the length of time you wish to receive such notices (s), and you must provide to the Town a supply of stamped, self-addressed envelopes to facilitate notification. Applicants shall be responsible for maintaining the supply of such envelopes to the Town for the duration of the time period requested for receiving such notices.

The notice will also provide the status of the proposal and the date of any public hearings thereon which have been set. The Town will determine whether a proposal is reasonably related to your pending application, and send the notice on that basis. Such notice shall be updated at least every six weeks unless there is no change to the contents of the notice that would reasonably affect your application. Requests should be mailed to:

Town of Tiburon  
Community Development Department  
Planning Division  
1505 Tiburon Boulevard  
Tiburon, CA 94920  
(415) 435-7390 (Tel) (415) 435-2438(Fax)  
[www.townoftiburon.org](http://www.townoftiburon.org)



**DO NOT WRITE BELOW THIS LINE**

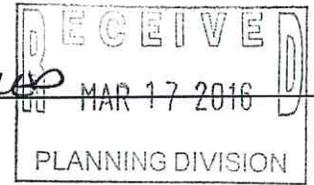
**DEPARTMENTAL PROCESSING INFORMATION**

Application No.: <u>DR2016-032</u>	GP Designation:	Fee Deposit: <u>\$945</u>
Date Received: <u>3/17/2016</u>	Received By: <u>LS</u>	Receipt #: <u>R862</u>
Date Deemed Complete: <u>6/15/16</u>	Action:	By: <u>DW</u>
Acting Body:	Resolution or Ordinance # _____	Date:
Conditions of Approval or Comments: _____		

## DESIGN REVIEW SUPPLEMENTAL APPLICATION FORM

Please fill in the information requested below (attach separate sheet as needed):

1. Briefly describe the proposed project: ADD NEW GARAGE, MUDROOM  
ENLARGE MASTER BEDROOM AND LIVINGROOM + KITCHEN  
ADD MASTER BATH  
REMODEL HALL BATH  
ALL NEW ELECTRICAL SYSTEM
  
2. Lot area in square feet (Section 16-100.020(L)): 9072
3. Square footage of Landscape Area: ENTIRE LOT IS MAINTAINED
4. Proposed use of site (example: single family residential, commercial, etc.):  
 Existing SINGLE FAMILY  
 Proposed SINGLE FAMILY
5. Describe any changes to parking areas including number of parking spaces, turnaround or maneuvering areas.  
ADDING A NEW GARAGE



TO BE COMPLETED BY APPLICANT				STAFF USE ONLY	
ITEM	EXISTING	PROPOSED ADDITION AND/OR ALTERATION	PROPOSED	CALCULATED	PER ZONE
<b>Yards</b> (Setbacks from property line) (Section 16-100.020(Y))* <b>Front</b>	15 ft.	15 ft.	ft.	ft.	20 ft.
<b>Rear</b>	20 ft.	28 ft.	ft.	ft.	20-25 ft.
<b>Right Side</b>	6 ft.	6 ft.	ft.	ft.	6 ft.
<b>Left Side</b>	6 ft.	6 ft.	ft.	ft.	6 ft.
<b>Maximum Height</b> (Section 16-30.050)*	30 ft.	22'-11" ft.	ft.	16'3" ft.	30 ft.
<b>Lot Coverage</b> (Section 16-30.120(B))*	1571 sq.ft.	2181 sq.ft.	610 sq.ft.	2650 sq.ft.	2721 sq.ft.
<b>Lot Coverage as Percent of Lot Area</b>	17.3 %	24 %	6.7 %	29.2 %	30 %
<b>Gross Floor Area</b> (Section 16-100.020(F))*	1571 sq.ft.	2650 (INC. GARAGE) sq.ft.	1079 sq.ft.	2181 469 sq.ft.	2707 800 sq.ft.

\*Section numbers refer to specific provisions or definitions in the Tiburon Municipal Code Chapter 16 (Zoning)

garage - 22' x 20'



TOWN OF TIBURON  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Design Review Board Meeting  
July 21, 2016  
Agenda Item: **4**

## STAFF REPORT

**To:** Members of the Design Review Board  
**From:** Community Development Department  
**Subject:** 65 Harriet Way; File No. DR2016032; Site Plan and Architectural Review for Construction of Additions to an Existing Single-Family Dwelling

### PROJECT DATA

**ADDRESS:** 65 HARRIET WAY  
**OWNER:** J.R. BEGG  
**APPLICANT:** DESIGN BUILD SPECIALISTS, INC  
**ASSESSOR'S PARCEL:** 034-212-12  
**FILE NUMBER:** DR2016032  
**LOT SIZE:** 9,072 SQUARE FEET  
**ZONING:** R-1-B-A (BEL AIRE SINGLE-FAMILY RESIDENTIAL)  
**GENERAL PLAN:** MH (MEDIUM HIGH DENSITY RESIDENTIAL)  
**FLOOD ZONE:** X  
**DATE COMPLETE:** JUNE 15, 2016

### PROPOSAL

The applicant is requesting to construct additions to an existing single-family dwelling, on property located at 65 Harriet Way in the Bel Aire Neighborhood. The property is currently developed with a 1,571 square foot single-family dwelling.

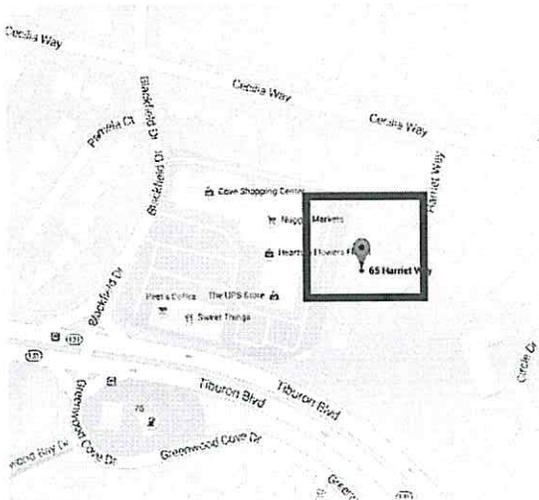
The proposal would add 1,079 square feet to the rear of the existing dwelling, which would include 610 square feet of living space and a 469 square foot two-car garage. The additions would include a mud room, expanded kitchen, living room, and a master bedroom suite.

Other proposed improvements would include modified windows and doors on all sides of the existing home, and reducing the size of the existing rear deck. The existing landscaping and fencing would remain throughout the property. The existing driveway would be expanded to accommodate the proposed garage.

The proposal would result in a gross floor area of 2,181 square feet, which is below the maximum permitted gross floor area for the property (2,907 square feet). The proposal would result in lot coverage of 2,650 square feet (29.2%), which is below the 30.0% maximum permitted lot coverage in the R-1-B-A zone.

The exterior colors and materials of the proposed additions would match those of the existing house.

## PROJECT SETTING



The subject property is located at the end of a cul-de-sac on Harriet Way in the Bel Aire neighborhood, which is a predominantly single-story neighborhood. The lot is reasonably level, and abuts the Cove Shopping Center.

## ANALYSIS

### Design Issues

The submitted plans show the overall height of the new additions would be twenty-two feet, eleven inches (22' 11"), which would not be consistent with the height of other updated homes in the neighborhood. A broken up roofline between the garage and house would reduce the massing of the home when viewed from the back as the height of the garage addition would be 18 feet. However, the massing visible from the front would still be extensive as the majority of the front elevation would consist of views of a roof. Even with the variety of rooflines on the entire house, the proposed design would be inconsistent with the single-story character of the neighborhood as the height of the proposed addition would be approximately 6 feet taller than the majority of the updated homes in the Bel Aire neighborhood. The proposed height would be more consistent with that of the adjacent grocery store than homes in the surrounding residential neighborhood.

An existing shed is currently located on the southeast side of the property and it is unclear if the shed would remain or be removed from the property. If the shed remains, this structure would need to be added to the lot coverage calculation.

The Design Review Board is encouraged to view the story poles from the neighboring residences to determine if the proposed additions would create any visual or privacy impacts on the adjacent homes.

## **Zoning**

Staff has reviewed the proposal and finds that it is in conformance with the development standards for the R-1-B-A zone.

## **PUBLIC COMMENT**

As of the date of this report, five letters in opposition have been received regarding the subject application.

## **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.

## **RECOMMENDATION**

The Design Review Board should review this project with respect to Zoning Ordinance Sections 16-52.020 (H) (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 Design Review agrees with the staff's conclusion, it is recommended that the applicant be directed to reduce the height of the residence to comply with the character of the neighborhood. If the Design Review Board wishes to approve the application, it is recommended that the attached conditions of approval be applied.

## **ATTACHMENTS**

1. Conditions of Approval
2. Application and Supplemental Materials
3. Letter dated April 4, 2016 from Wilma and Werner Schneider
4. Letter dated April 4, 2016 from Barbara Schneider
5. Email dated June 27, 2016 from Murray and Tiffany Dunn
6. Email dated June 27, 2016 from Jason Washing
7. Email dated June 28, 2016 from Maura Thurman and Thom Calandra
8. Submitted Plans

unit toward the front, to relocate the tankless water heater away from the side of the house, and to pull the front of the garage back from the street by three feet. Vote: 3-2 (Cousins and Kricensky opposed).

#### **E. NEW BUSINESS**

4. **65 HARRIET WAY:** File Nos. DR2016032; J.R. Begg, Owner; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling. The floor area of the proposed house would be 2,181 square feet and the house would cover 2,650 square feet (29.2%) of the site. Assessor's Parcel No. 034-212-12.

The applicant is requesting to construct additions to an existing single-family dwelling, on property located at 65 Harriet Way in the Bel Aire Neighborhood. The proposal would add 1,079 square feet to the rear of the existing dwelling, which would include 610 square feet of living space and a 469 square foot two-car garage. The additions would include a mud room, expanded kitchen, living room, and a master bedroom suite. Other proposed improvements would include modified windows and doors on all sides of the existing home, and reducing the size of the existing rear deck.

The proposal would result in a gross floor area of 2,181 square feet, which is below the maximum permitted gross floor area for the property (2,907 square feet). The proposal would result in lot coverage of 2,650 square feet (29.2%), which is below the 30.0% maximum permitted lot coverage in the R-1-B-A zone.

Mark Labourdette, architect, said that they are planning to expand the home and noted issues that came up regarding the taller roofline and windows.

The public hearing was opened.

Tiffany Dunn said that she was excited about a remodel for the house, but had concerns about the height of the roof. She said that the roof would look like a second story and be higher than any other structure on the cul-de-sac and 4½ feet taller than the house constructed last year in the area. She requested that the roof be lowered in line with the last house that was constructed.

Mr. Labourdette said that the rest of the homes have very low roofs that he believed are actually too low. He said that this house is at the end of a cul-de-sac and would not affect anyone's view. He believed that a 5:12 pitch roof was reasonable and normal.

The public hearing was closed.

Boardmember Tollini said that there was no reasonable explanation for the roof height, which would be way out of proportion with the neighborhood. He said that 10 feet of space is not needed for the insulation. He said that he would like to see the project come back with something more in line with the scale of the neighborhood.

Vice Chair Emberson and Boardmember Cousins agreed with Boardmember Tollini's comments.

Boardmember Chong agreed that the design was a nonstarter, but said that he was more on the cusp because of its location in the back of the cul-de-sac.

Chair Kricensky also agreed that the roof would be too high and felt that it was mainly because of the length of the span. He suggested that the roof could be more articulated. Vice Chair Emberson and Boardmember agreed about the need for articulation.

Mr. Labourdette said if the Board can provide a height they would approve, he would be willing to design the house to that height. Chair Kricensky said that the Board and the neighbors need to see the story poles and the other Boardmembers agreed.

**ACTION:** It was M/S (Tollini/Chong) continue the application for 65 Harriet Way to the August 4, 2016 meeting. Vote: 5-0.

5. **9 AUDREY COURT:** File Nos. DR2016050 & FAE2016004; John Pfeister, Owner; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with a Floor Area Exception. The floor area of the house would be increased by 497 square feet to a total of 4,939 square feet. Assessor's Parcel No. 058-231-07.

The applicant is requesting design review approval for construction of additions to an existing single-family dwelling on property located at 9 Audrey Court (formally known as 4 Audrey Court). The property is currently developed with a single-family dwelling with an attached 414 square foot two-car garage. The existing 4,442 square foot home includes a library, kitchen, dining room, formal entry, living room, family room, powder room, two bathrooms, laundry room, two bedrooms, and a master bedroom suite.

As part of an interior remodel and additions to the existing home, the proposal would partially convert 497 square feet of the existing crawlspace into living space for a bathroom, bedroom, and laundry room. The interior remodel would include adding a bathroom and stairway to the main level. Other proposed improvements would include modified windows and doors on south and east sides of the existing home.

The floor area of the property would be increased by 497 square feet to a total of 4,939 square feet, which is 731 square feet greater than the 4,208 square foot floor area ratio for this site. The application has therefore requested a floor area exception. The proposal would result in no change to the lot coverage of 5,179 square feet (23.4%), which currently is above the maximum permitted lot coverage in the RO-2 zone (15.0%).

Marshall Schneider, architect, said that they proposed to add about 500 square feet, all within the existing footprint of the building. He said that they propose to add new windows on the south half of the east wall. He said that the biggest window opening would be in a stairwell and therefore no one will ever be standing at that window. He stated that there is also quite a bit of vegetative screening in the area of the proposed windows.