



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

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 June 22, 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.



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 SIL FANUYS DRIVE BLDG
CONCORD CA 94904
PHONE/FAX NUMBER: 415-272-9900 E-MAIL: JR.BEGG@GMAIL.COM

APPLICANT (Other than Property Owner): MARK LABOURDENE
MAILING ADDRESS: _____

PHONE/FAX NUMBER: _____ E-MAIL: _____

ARCHITECT/DESIGNER/ENGINEER DESIGN BUILD SPECIALISTS, INC
MAILING ADDRESS: 394 BEL MARIN KEYS TRCUD, SUITE 5
NOVATO CA. 94949
PHONE/FAX NUMBER: 415-892-3932 E-MAIL: MARK@GGHR.COM
415-883-7475 (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*

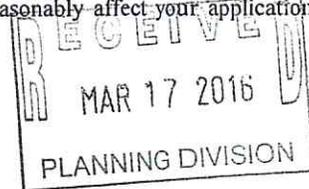
NOTICE TO APPLICANTS

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



DO NOT WRITE BELOW THIS LINE

DEPARTMENTAL PROCESSING INFORMATION

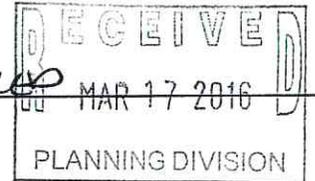
Application No.: DR2016-032	GP Designation:	Fee Deposit: \$945
Date Received: 3/17/2016	Received By: LS	Receipt #: R2602
Date Deemed Complete: 4/15/16	Action:	By: DW
Acting Body:	Date:	Resolution or Ordinance #
Conditions of Approval or Comments:		

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 MANICURED
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



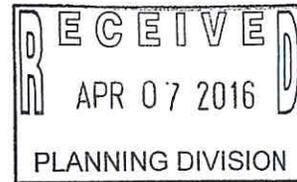
TO BE COMPLETED BY APPLICANT				STAFF USE ONLY	
ITEM	EXISTING	PROPOSED ADDITION AND/OR ALTERATION	PROPOSED	CALCULATED	PER ZONE
Yards (Setbacks from property line) (Section 16-100.020(Y))* Front	15 ft.	15 ft.	ft.	ft.	20 ft.
Rear	20 ft.	28 ft.	ft.	ft.	20-25 ft.
Right Side	6 ft.	6 ft.	ft.	ft.	6 ft.
Left Side	6 ft.	6 ft.	ft.	ft.	6 ft.
Maximum Height (Section 16-30.050)*	30 ft.	22'-11" ft.	ft.	ft.	30 ft.
Lot Coverage (Section 16-30.120(B))*	1571 sq.ft.	2181 sq.ft.	610 sq.ft.	2650 sq.ft.	2121 sq.ft.
Lot Coverage as Percent of Lot Area	17.3%	24%	6.7%	29.2%	30%
Gross Floor Area (Section 16-100.020(F))*	1571 sq.ft.	2650 (INC. GARAGE) sq.ft.	1079 sq.ft.	2181 469 sq.ft.	2907 800 sq.ft.

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

garage - 22' x 20'

April 4,2016

Tiburon Planning Department
1505 Tiburon Blvd.
Tiburon, CA 94920

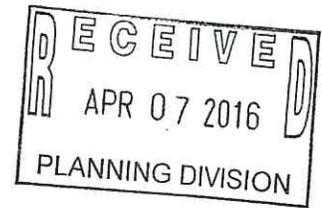


To whom it may concern,

My husband and I are strongly opposing an application to remodel 65 Harriet Way in the Bel Air Sub Division in Tiburon. To judge by the height of the story poles it appears to be a two story home. We have lived in Bel Air since 1972 and have vigorously opposed two story building applications. We now have wonderfully restored houses in our neighborhood and there is no need to go to two stories. We vote "NO".

Respectfully,
Wilma and Werner Schneider
90 Claire Way
Tiburon

April 4, 2016



Tiburon Planning Department
1505 Tiburon Blvd.
Tiburon, CA 94920

To whom it may concern,

Since the early 80's, I have owned 94 Claire Way, Tiburon. I have lived in the neighborhood since age 4, and went to all the local schools. I have appreciated the privacy that my homes have given to me over all these years. The single story homes in this neighborhood has lent us this type of privacy due to all the wonderful designs that we see today. Please do not approve 65 Harriet Way in the Bel Air Sub Division.

Respectfully,
Barbara Schneider
94 Claire Way
Tiburon

Dan Watrous

From: Murray Dunn [murray_dunn@me.com]
Sent: Monday, June 27, 2016 9:50 PM
To: Dan Watrous
Cc: Tiffany Vasilik
Subject: Design Review Board meeting for Proposed Construction at 65 Harriet Way, Tiburon.

Dear Mr. Watrous,

RE: Design Review for Proposed Construction at 65 Harriet Way, Tiburon.

We are the owners and residents next door to the aforementioned property. We have reviewed the plans for the proposed construction of additions at 65 Harriet Way, Tiburon. We have two concerns with this design, although we understand from a conversation with the new owner that the second item has been addressed:

Concern 1 - Proposed Height of the Construction Additions

The concern is the proposed height of the construction additions at 22 feet 11 inches. The concern we have regarding the proposed height of new construction additions at 65 Harriet Way can be summarized as follows:

- 1. The proposed height is inconsistent and out-of-character with new constructions, and the construction of additions, in Harriet Way & the Bel Aire neighborhood in general.** By comparison, the two highest construction projects in Harriet Way - at 290 Celia Way and 100 Harriet Way - are 14' 8" and 14' 10" respectively. At 22' 11", the proposed construction addition is 8' 1" higher than the highest home in the street.
- 2. This would set a new precedent for projects in the Bel-Aire neighborhood.** If this construction was to be approved, we are concerned it would set a new precedent for construction additions and new construction, including multi-story dwellings in the Bel Aire neighborhood.
- 3. Afternoon sun in the Harriet Way cul-de-sac.** The height of the project will reduce the sunlight in the cul-de-sac in the afternoons in this quiet, largely traffic free area, frequented by young children and families during this time.

We would encourage the Design Review Board to request changes to this application, and recommend to the owners that a construction height, consistent with the other properties in the cul-de-sac would be the advised path to approval by the board.

Concern 2 - Proposed Master Bedroom Window Facing our Master Bedroom and Open Living Space.

Ref: Plans Submitted June 22nd, 2016, Sheet 8 in the PROPOSED - FACING THE FRONT OF THE HOUSE - LEFT SIDE

Mr Begg advised us that he is not proceeding with this proposed window in their master bedroom, prior to us raising our concern about privacy for both parties. However, as the window still appears on the plans, we'll document our concern for this part of the design to ensure it's recorded. Our concern is that the window faces directly into our master bedroom and open living space, impacting the privacy of both parties. There is no window on that side of the house in the current construction.

We support all other aspects of the proposed design, and look forward to welcoming the Beggs to the neighborhood.

Yours Sincerely,

Murray and Tiffany Dunn
50 Harriet Way
Tiburon CA 94920

Dan Watrous

From: Jason Washing [jwash99@gmail.com]
Sent: Monday, June 27, 2016 11:31 PM
To: Dan Watrous
Subject: Greetings from the Washings / Note of objection RE: 65 Harriet Way

Greetings Dan,

I hope this finds you doing well.

You assisted my wife and me to a great extent during the construction of the new home we built ~2 years ago at 290 Cecilia Way, in the Bel Aire neighborhood of Tiburon. We are thrilled with the home and can't thank you enough for all that you did to coach and assist us throughout the building process.

I am also writing to **express my objection** to specific aspects of the proposed remodel / reconstruction of the home located at **65 Harriet Way**, a home three doors down from ours in the Harriet Way Cul de Sac. A few thoughts follow:

- In particular my concern is the proposed height of the highest roof line, which according to plans submitted to the town, show a peak roof height of more than 22' feet.
- As a comparable point of reference, our roof height is several inches under 15'.
- When considering the height of our home during the planning process, we closely mapped (with great intent, and out of respect for our neighbors) our structure's height to the height of the home at 100 Harriet Way.
- 100 Harriet Way is immediately across the street from our own home, and was a new construction project completed approximately 6 years prior to ours.
- 100 Harriet Way also has a roof height slightly less than 15'.
- We made a very conscious decision at the time of planning to make sure our home was / is as unobtrusive to others around us as possible.
- Enabling the height of the home at 65 Harriet to proceed as planned will set a dramatic new precedent for the height of homes in our unique neighborhood that is not positive in any sense.

I wanted to share these thoughts in advance of the design review meeting being held later this week where 65 Harriet Way will be reviewed, as I will not be able to attend that meeting in person.

I hope my feedback will be taken with consideration.

Thank you,

Jason

Jason Washing
290 Cecilia Way
Tiburon, CA 94920
415 596 6583 (Mobile)
415 736 5309 (Work)
jwash99@gmail.com

Dan Watrous

From: Maura Thurman [mauralela@gmail.com]
Sent: Tuesday, June 28, 2016 1:23 PM
To: Dan Watrous; Thom Calandra
Subject: re 65 Harriet Way

RE: Design Review for Project at 65 Harriet Way, Tiburon.

Dear Mr. Watrous,

We are the owners and residents at 80 Harriet Way, viewing the property at 65 Harriet Way from across the cul-de-sac. We have seen the plans for proposed construction at 65 Harriet Way, which were shared with us by Mr. Begg.

We have a major concern about the height proposed for the remodeled home. With a roofline of more than 22 feet in height, the design is out of character with the neighborhood, both on our little street and in the larger Bel Aire community. The story poles clearly show the discrepancy between the height proposed and the height of surrounding homes.

As we know, it's not just about one design proposal but also about the precedent set for the neighborhood. In this case, it seems the proposed height could set a new upper limit. We are not in favor of such a departure. The preponderance of single-level homes gives Bel Aire a human scale and livability that we believe is part of the neighborhood's value and the height proposed does not support those qualities.

We have no opposition to the remainder of the proposal and will be happy to see the home occupied by our new neighbors.

Best wishes,

Maura Thurman and Thom Calandra