





# Town of Tiburon

## STAFF REPORT

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The proposed house would cover 3,218 square feet (15.0%) of the site, which is the maximum lot coverage permitted in the RO-2 zone. The floor area of the proposed house would be 3,956 square feet, which is less than the maximum floor area permitted for a lot of this size.

A color and materials board has been submitted, and will be present at the meeting for the Board to review. The structure would be finished with light brown cedar shingle siding, with light and darker brown colored stucco and metal trim and windows. Dark brown composition shingle roofing is proposed for the house.

### ANALYSIS

#### Zoning

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the RO-2 zone.

#### Design Issues

The subject property is one of four vacant lots lying south and west of Round Hill Road. Access is provided to the site by a private roadway that also serves the existing homes at 75, 85 & 95 Round Hill Road. A single-family home on the westernmost of these lots (87 Round Hill Road, File #20402) was approved earlier this year. The applicant intends to construct a new driveway leading off this private roadway to serve the four vacant lots. The previous application also included improvements for a small portion of the roadway near the entrance to Round Hill Road that is currently within the Town right-of-way.

The subject property slopes down from northern property line to the south. A series of oak trees is situated along the eastern side of the site.

The proposed house would be situated toward the lower portion of the site. The lower elevation afforded by this location would eliminate most potential view impacts on the home above at 85 Round Hill Road; the story poles indicate that the proposed house would only block a small portion of middleground view toward the Belvedere Lagoon from the primary living areas of this neighboring residence.

The nearby home to the east at 75 Round Hill Road currently has some views toward the Belvedere Lagoon and Richardson Bay across the site that would be blocked by the proposed house. This view is filtered by a stand of oak trees along the eastern side of the subject property. The applicant has indicated that, until recently, these trees blocked almost all such views across the site; however, the owner of the home at 75 Round Hill Road apparently trespassed onto the applicant's property and significantly trimmed the trees to create the view that now exists. Although the Town's Hillside Design Guidelines are silent regarding the manner in which a view is obtained, the Design Review Board may wish to consider that the views from the neighboring residence that could be impeded by the proposed house did not exist until this recent unpermitted tree trimming.



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The views from the home at 75 Round Hill Road could be improved somewhat if the proposed house was moved further toward the front of the site. However, a house in that location would be situated at a higher elevation and would have a substantially greater visual impact on the residence at 85 Round Hill Road.

The following portions of the Tiburon Hillside Design Guidelines should be used to evaluate the potential view impacts of the house in its currently proposed location for the home at 75 Round Hill Road, and for the house in an alternate uphill location for the home at 85 Round Hill Road:

- Goal 3, Principle 7 (A) of the Hillside Design Guidelines states that “view protection is more important for the primary living areas of a dwelling... than for the less actively used areas of a dwelling.” The currently proposed house would block views from the primary living areas of the home at 75 Round Hill Road. The relocated house would block views from the primary living areas of the home at 85 Round Hill Road.
- Goal 3, Principle 7 (B) of the Guidelines states that the “horizon line is [the] most sensitive part of [the] view, then foreground, then middleground.” The currently proposed house would be in the middleground views from the home at 75 Round Hill Road. The relocated house would be in the foreground views from the home at 85 Round Hill Road.
- Goal 3, Principle 7 (C) of the Guidelines states that “blockage of [the] center of view [is] more damaging than blockage of [the] side of view.” The currently proposed house would block the center of a small view from the home at 75 Round Hill Road. The relocated house would block the center of a somewhat larger view from the home at 85 Round Hill Road.
- Goal 3, Principle 7 (D) of the Guidelines states 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.” The currently proposed house would block views of the Belvedere Lagoon from the home at 75 Round Hill Road. The relocated house would block views of the Belvedere Lagoon from the home at 85 Round Hill Road.
- Goal 3, Principle 7 (E) of the Guidelines states that “a wide panoramic view can accept more view blockage than the smaller slot view.” The currently proposed house would block most of a slot view from the home at 75 Round Hill Road. The relocated house would block a portion of a moderately sized view from the home at 85 Round Hill Road.

Although the Design Review Board is not generally encouraged to speculate on alternative building locations to that applied for, it is recommended that the Board view the story poles for the project as proposed from the homes at 75 and 85 Round Hill Road, and to evaluate the potential view impacts for both the current proposed house location and an alternative location closer to the front of the site.



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### Public Comment

As of the date of this report, no letters have been received regarding this project.

### 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. Application and supplemental materials
3. Goal 3, Principle 7 (A) of the Hillside Design Guidelines
4. Goal 3, Principles 7 (B & C) of the Hillside Design Guidelines
5. Goal 3, Principles 7 (D & E) of the Hillside Design Guidelines
6. Submitted plans

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### CONDITIONS OF APPROVAL

#### 79 ROUND HILL ROAD

#### FILE #704119

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 July 22, 2004, or as amended by these conditions of approval. Any modifications to the plans of July 22, 2004, 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. Prior to the issuance of building permits, the applicant shall submit verification from a licensed landscape architect that the proposed landscape plan conforms to M.M.W.D. landscape regulations, as required by Town Council Ordinance.
8. Prior to the issuance of final building inspection approval, all landscaping and irrigation shall be installed in accordance with approved plans. The installation of plantings and irrigation shall be verified by a Planning Division field inspection prior to the issuance of occupancy permits.
9. Prior to underfloor inspection, a certified survey of the structure foundation will be required. Required documents shall include graphic documentation locating the building on a site plan and including specific dimensions from property lines and other reference

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points as appropriate, and elevations relative to sea level of the foundation walls and slabs. No inspections will be provided until the survey results have been verified.

10. The project shall comply with the following requirements of the Tiburon Fire Protection District:
  - a. The structure shall have installed throughout an automatic fire sprinkler system in accordance with NFPA standard 13-D. The system design, installation and final testing shall be approved by the District Fire Prevention Officer (UFC 1003).
  - b. Approved smoke alarms shall be installed to provide protection to all sleeping areas (UBC 1210).
  - c. Approved spark arresters shall be installed on chimneys (UFC 1101).
  - d. A greenbelt shall be provided by cutting and clearing all combustible vegetation within 30 feet of the structure (UFC 1103).
  - e. A "Jones" model 3740 fire hydrant shall be located on the street within 350 feet of the project along the fire apparatus access route. The final location of the hydrant shall be approved by the Fire District. The fire hydrant shall be capable of flowing a minimum of 1,000 gallons per minute at 20 psi residual pressure for a duration of two hours (UFC 903).
  - f. The access road shown on the improvement plans is not of adequate width to allow for any parking outside of the designated parking spaces. Appropriate signage shall be installed indicating that parking is prohibited along the main traveled roadway, and enforceable CC&R's or deed restrictions shall be placed to maintain the area free for emergency vehicle access at all times.
  
11. The following requirements of the Marin Municipal Water District shall be met:
  - a. A High Water Pressure Water Service application shall be completed.
  - b. A copy of the building permit shall be submitted.
  - c. Appropriate fees shall be paid.
  - d. The structure's foundation shall be completed within 120 days of the date of application.
  - e. The applicant shall comply with the District's rules and regulations in effect at the time service is requested.

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12. The applicants shall obtain a sewer permit from the Sanitary District No. 5 and pay all applicable fees prior to construction of a side sewer and connection to the sewer main. After connection to the sewer main but prior to commencement of discharge and prior to covering of the pipe, the District shall be contacted and allowed to inspect the connection for conformance to standards.
13. All requirements of the Town Engineer shall be met.
14. A tree protection plan shall be filed with the Planning Division prior to issuance of a building permit for this project. The plan shall indicate any trees that are to be removed on the site, and include detailed measures to protect remaining trees on the site during and after construction.