



Town of Tiburon

STAFF REPORT

variances for side yard setbacks remains; however, the encroachment is no longer located at the front of the property. The request for a variance for excess fence height remains.

The floor plan has not been altered and would still consist of a living room, kitchen, dining room, master suite, office, two bedrooms, two and ½ bathrooms, and a one-car garage. The gross floor area and lot coverage have not been altered and remain in compliance with the regulations of the R-1 zoning district.

This redesign addresses the issue of the garage encroachment into the required side yard setback. As the previous plans indicated, the proposed dining room would still encroach three feet into the required left side yard setback, and the proposed master suite and office would still encroach three feet into the required right side yard setback toward the rear of the property.

Zoning

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the R-1 zoning district with the exception of the previously noted variances for reduced side yard setbacks and excess fence height. As noted on the previous report for this application, Staff believes there is sufficient evidence to support the findings for the requested variances.

Public Comment

To date, no additional public comment has been received since the previous hearing on this application. However, the applicant has submitted an updated list of neighbors' signatures. Ten nearby property owners have given approval to the revised plans, including the adjacent neighbors at 18 and 22 Juno Road. The neighbors at 18 Juno Road who initially objected to the right side yard setback variance have provided signatures in support of the relocated garage

RECOMMENDATION:

It is recommended that the Board review this project with respect to Zoning Ordinance Sections 4.02.07, and 4.03.05(Guiding Principles and Variance Findings) 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 agrees with the conclusions of Staff, then it is recommended that the project be approved with the attached Conditions of Approval.

EXHIBITS:

1. Conditions of Approval
2. Design Review Board Staff report dated February 3, 2005
3. Minutes from the February 3, 2005 Board meeting
4. Updated list of neighbors' signatures
5. Plans for the project

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EXHIBIT 1

CONDITIONS OF APPROVAL 20 JUNO ROAD FILE #20325

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 to the application dated by the Town of Tiburon on December 14, 2004 and the plans dated February 22, 2005, or as amended by these conditions of approval. Any modifications to the plans dated February 22, 2005 must be reviewed and approved by the Design Review Board.
3. Plans submitted to the Building Department 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 Department 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 Design Review 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 Design Review 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 exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures.
6. No lighting shall be installed in the wells of the skylights, and the skylights shall be tinted in a non-reflective manner.
7. 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 310).

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- c. Approved spark arresters shall be installed on chimneys (UFC 1109).
 - d. A greenbelt shall be provided by cutting and clearing all combustible vegetation within 30 feet of the structure (UFC 1103).
8. The following requirements of the Marin Municipal Water District shall be met:
 - a. A copy of the building permit shall be submitted.
 - b. Appropriate fees shall be paid.
 - c. The applicant shall comply with the District's rules and regulations in effect at the time service is requested.
9. All requirements of the Town Engineer shall be met.
10. A revised parking plan shall be submitted indicating at least three (3) off-street parking spaces for the property.