



# Town of Tiburon

## STAFF REPORT

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The following principles of the Hillside Design Guidelines can be used in the evaluation of the proposed house from this adjacent residence:

- *Goal 3, Principle 7 (a) states that “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 story poles for the proposed house are visible from the edge of a deck adjacent to the living room on the upper floor, and from a bedroom, office and adjacent deck on the lower floor. The house would not be visible from any windows in the living room.*
- *Goal 3, Principle 7 (b) states that the “horizon line is [the] most sensitive part of [the] view, then foreground, then middleground. If possible, avoid cutting horizon line of a neighbor’s view. The proposed house would cut into a portion of the horizon view from the edge of the upper floor deck, and would block much of the horizon view from the lower level area.*
- *Goal 3, Principle 7 (c) states that “blockage of [the] center of [a] view [is] more damaging than blockage of [the] side of [a] view. The proposed house is visible at the far right side of the view from the upper floor deck. The lower level deck wraps around the house, with the proposed house visible on the side of the view. The center of the view is only blocked from the lower floor bedroom and office windows.*
- *Goal 3, Principle 7 (d) 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 upper lower floor decks have views of the Golden Gate Bridge, Sausalito and San Francisco that would not be blocked by the proposed house. Views toward Belvedere would be blocked for both the upper floor deck and the lower level*
- *Goal 3, Principle 7 (e) states that “a wide panoramic view can accept more view blockage than the smaller slot view. The upper floor deck has a wide panoramic view to the south, of which a small portion on the side would be blocked by the proposed house. The lower floor deck has a slightly smaller view, with a considerable portion to the side that would be blocked by the proposed house. The adjacent bedroom and office have small, slot views that would be substantially blocked by the proposed house.*
- *Goal 3, Principle 7 (f) states that “in measuring a view for blockage purposes, the entire panorama should be considered. The home at 1891 Centro West Street enjoys a wide, panoramic view to the south that would remain untouched by the proposed house. Certain views to the side of the house would be more substantially impacted by the proposed house.*



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To summarize, the proposed house would block only a side portion of a panoramic view from any primary living areas of the adjacent residence. The proposed structure would block a substantial part of the center of the view from a downstairs bedroom and office, and most of the side of the view from an adjacent deck that would still have unimpeded views to the south. The Design Review Board is encouraged to view the revised story poles from these different vantage points of the home at 1891 Centro West Street.

### **Zoning**

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the R-2 zone with the exception of the previously noted variance for reduced front yard setback. From the evidence previously provided, Staff believes that there is sufficient evidence to support the findings for the requested variance.

### **Public Comment**

As of the date of this report, no additional letters have been received regarding the subject application since the last meeting.

### **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 Board should review this project with respect to Zoning Ordinance Sections 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 wishes to approve the project, Staff would recommend that the attached conditions of approval be applied.

### **ATTACHMENTS**

1. Conditions of approval
2. Design Review Board Staff report dated February 3, 2005
3. Minutes of the February 3, 2005 Design Review Board meeting
4. Submitted plans

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### CONDITIONS OF APPROVAL

1887 CENTRO WEST STREET

FILE #20445

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 December 15, 2004, or as amended by these conditions of approval. Any modifications to the plans of March 25, 2005, 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 must be down light type fixtures.
7. 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.
8. 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 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.

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9. 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-R. 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).
10. 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.
11. All requirements of the Town Engineer shall be met.