

Town of Tiburon STAFF REPORT

AGENDA ITEM D2



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TO: **DESIGN REVIEW BOARD**

FROM: **PLANNING MANAGER WATROUS**

SUBJECT: **4 OWLSWOOD ROAD; FILE # 20529**
SITE PLAN AND ARCHITECTURAL REVIEW FOR CONSTRUCTION OF A
NEW SINGLE-FAMILY DWELLING, WITH A VARIANCE FOR REDUCED
FRONT YARD SETBACK

MEETING DATE: **OCTOBER 20, 2005** _____

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BACKGROUND

The applicant is requesting Design Review approval for the construction of a new two-story single-family dwelling on property located at 4 Owlswood Road. The subject property is currently vacant.

This application was first reviewed at the October 6, 2005 Design Review Board meeting. Prior to that meeting, it was discovered that the reduction in the front yard setback requested as part of this application was greater than indicated in the applicant's supplemental materials and in the legal notice published for this variance request. As a result, no action could be taken at the October 6 meeting, and the application was continued to October 20.

The Design Review Board heard testimony on the subject application from the owners of the adjacent property at 943 Owlswood Lane regarding potential view and privacy impacts from the design of the proposed house. The Board shared some of these concerns, and suggested that changes could be made to the proposed house design to mitigate the view impacts.

ANALYSIS

Design Issues

The applicant has not submitted revised plans for this project. However, additional information has been submitted providing further analysis of the potential view impacts on the house at 943 Owlswood Lane and other design alternatives that the applicant has previously explored for this property. The applicant contends that the other project designs would have moved the house closer to Owlswood Road, resulting in unwanted view impacts on the homes uphill from the site at 5, 7 & 9 Owlswood Road.

The applicant has also submitted a revised color sample which will be available at the meeting for the Board to review. The previously proposed blue-green color for the horizontal siding would be replaced with a medium grey color.



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As the design of the proposed house has not been changed, the analysis contained within the previous Staff report for this application remains generally unchanged. The goals and principles of the Hillside Design Guidelines should be used in the analysis of the potential view and visual impacts of the proposed house. It is recommended that the Design Review Board review the supplemental materials presented by the applicant and visit the surrounding properties to determine if additional changes need to be made to the project design.

Public Comment

As of the date of this report, no letters have been received regarding this project since the last Design Review Board meeting.

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. Supplemental application materials
3. Goal 1, Principles 3 & 4, and Goal 3, Principles 7 (B, C, D & E) of the Hillside Design Guidelines
4. Design Review Board Staff report dated October 6, 2005

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CONDITIONS OF APPROVAL

4 OWLSWOOD ROAD

FILE #20529

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 September 6, 2005, or as amended by these conditions of approval. Any modifications to the plans of September 6, 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. If this approval is challenged by a third party, the property owner/applicant will be responsible for defending against this challenge. 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 skylights shall be bronzed or tinted and no lights shall be placed in the wells.
7. All exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures.
8. 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.
9. Prior to the issuance of final building inspection approval, all landscaping and irrigation

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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.

10. 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.
11. 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. If this is to be a public road then appropriate signs shall be installed to indicate the parking restrictions. If this is to remain a private access then enforceable CC&R's or deed restrictions shall be placed to maintain the area free for emergency vehicle access at all times.
12. 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.

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- 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.
13. 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.
14. All requirements of the Town Engineer shall be met.
15. 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.