



Town of Tiburon

STAFF REPORT

square feet; therefore a variance for excess lot coverage remains (24.9% in lieu of the allowed 15%). The proposed addition would also increase the floor area of the house by 1,134 square feet, and would still result in a total floor area of 3,388 square feet, which exceeds the allowable floor area for a property of this size; therefore the floor area exception request for 377 square feet remains.

The proposed garage expansion with bedroom additions above would remain unchanged. The proposed master suit, however, has been reconfigured by relocating the master closet from the north side to the east side. The width of the upper level element would therefore be reduced from 25 feet to 17 feet. The roofline of the master suite has also changed from a single ridge to a double ridge, which better accommodates the relocated closet and reduces the roof height by 1 foot 4 inches. The proposed roof height is now 28 feet, one inch.

The Board is encouraged to revisit the property at 144 Avenida Miraflores and view the updated story poles with the landscape trimmed. The Board should again consider whether the requested master bedroom second story addition justifies the potential view impact from the master bedroom at 144 Avenida Miraflores.

Public Comment

Since the last meeting about the subject project, two letters were received from the Greene's at 144 Avenida Miraflores regarding the view revealed from tree trimming. The applicant's architect, Michael Heckmann also submitted a letter explaining the proposed design changes. No other comments have been received since the previous hearing on this application.

RECOMMENDATION:

It is recommended that the Board review this project with respect to Zoning Ordinance Section 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 wishes to approve the project, Staff would recommend that the attached conditions of approval be applied.

EXHIBITS:

1. Conditions of Approval
2. Letter from Michael Heckmann, received December 7, 2005
3. Letter from Richard Greene, received November 22, 2005
4. Letter received from Richard Greene, received November 29, 2005
5. Minutes from the November 17, 2005 Design Review Board meeting
6. Design Review Board staff report dated November 17, 2005

Town of Tiburon

STAFF REPORT



CONDITIONS OF APPROVAL

12 FRANCISCO VISTA COURT

FILE #20543

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 October 20, 2005, or as amended by these conditions of approval. Any modifications to the plans of November 28, 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 exterior lighting fixtures must be down light type fixtures.
6. 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.