





# Town of Tiburon

## STAFF REPORT

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detached garage) to 3,698 square feet (15.17%), which meets the 15% maximum permitted lot coverage in the RO-2 zoning district. The proposed addition would also increase the floor area of the house by 393 square feet, and would result in a total floor area of 5,035 square feet, which exceeds the maximum floor area ratio permitted for a lot of this size. Therefore a Floor Area Exception of 599 square feet is still requested (5,035 square feet in lieu of the maximum 4,436 square feet).

The proposed roof terrace remains. Option one includes a wall five feet in height on the west elevation with a railing three feet in height on the east elevation. Option two includes a wall five feet in height on the west elevation and a wall three feet in height, instead of a railing, on the east elevation.

The landscape changes include the planting of trees (Crape Myrtles, Crab Apples, Sour Cherries, Flowering Plums, Princess Trees, and Fruiting Apples) no higher than 18 feet in height around the driveway entrance. Olive Trees and Italian Cypress are now proposed along the eastern property line. Olive Trees, Pomegranate trees, and Wild Lilacs are proposed for the southern property line. To enhance screening along the western property line, Carolina Laurels, Olive Trees, and Red Dracaena are proposed.

The maximum height of the tallest proposed tree is 20 feet (Red Dracaena and American Arborvitae). The revised landscape plan addresses the concern of the Board and the neighbors as related to plantings. The proposed plantings should mitigate the privacy impacts of the proposed outdoor living areas as well as preserve views for surrounding neighbors.

The revised project design addresses the planting issue but the addition of a roof terrace to a structure that is already over the floor area ratio requirements has not been addressed. Although the proposed wall on the roof terrace would reduce privacy impacts, the visual impact may not be positive for the neighborhood. The Board should visit the property at 612 Ridge Road to determine whether the impact of the proposed roof terrace and wall is justified.

### **Public Comment**

To date, no additional public comment has 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 4.03.06 (Guiding Principles for Design Review, and floor area exceptions) 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 that the design of the project is consistent with the Guiding Principles for Site Plan and Architectural Review and the findings for variances for excess lot coverage can be made, then it is recommended that the project be continued for approval with the attached Conditions of Approval.

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### EXHIBITS:

1. Conditions of Approval
2. Design Review Board Staff Report dated February 16, 2006
3. Revised plans for the project

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### CONDITIONS OF APPROVAL

#### 604 RIDGE ROAD

#### FILE #706005

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 January 24, 2006, or as amended by these conditions of approval. Any modifications to the plans of February 21, 2006, 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 shielded, 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.