



Town of Tiburon

STAFF REPORT

view of Corinthian Island and the bay for the neighbors at 2151 Vistazo East, this would significantly impact the Japanese architectural theme. The applicant has stressed the desire to maintain the Japanese style of the home and would like to keep the roof pitched at 6:12.

ANALYSIS:

Design Issues

As noted above, the discussion at the previous hearing revolved around the potential view obstruction for the neighbor at 2151 Vistazo East. Since the proposal has not changed from the previous hearing, it is recommended that the Board re-visit the subject property and 2151 Vistazo East and determine if the proposed roof ridge would significantly impact views.

Zoning

With the exception of the requested variance for reduced side yard setback, the project appears to be in conformance with the remaining development regulations of the RO-2 zoning district. As indicated in the attached staff report prepared for the previous meeting, staff has determined that there is sufficient evidence to support the findings for the requested variance.

Public Comment

As of the date of this report, e-mails have been received from Mary O'Donovan and Joe Quirk regarding this project since the last Board meeting.

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 agrees with Staff's conclusions, Staff would recommend that the attached conditions of approval be applied.

EXHIBITS:

1. Conditions of Approval
2. Application and supplemental materials dated September 6, 2006
3. Staff Report of the October 5, 2006 Design Review Board Meeting
4. Minutes of the October 5, 2006 Design Review Board meeting
5. Email from Mary O'Donovan dated October 12, 2006
6. Email from Joe Quirk dated October 17, 2006

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EXHIBIT 1

CONDITIONS OF APPROVAL

2131 Vistazo East

FILE #20628

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, 2006, or as amended by these conditions of approval. Any modifications to the plans of November 2, 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. 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.
10. 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).
 - c. All vegetation, existing and new, shall comply with the recommendations of Fire Safe Marin, and the requirements of UFC 1103.
11. 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.
12. All requirements of the Town Engineer shall be met.
13. All guardrails shall be vertical railings and not horizontal.