



Town of Tiburon

STAFF REPORT

The home is proposed to contain a living room, dining room, kitchen, and family room, as well as the master bedroom and bathroom, two (2) offices, den, gym, laundry room, mechanical room, storage room, carport and two-car garage on the lower level. The upper level would contain three (3) bedrooms and two (2) bathrooms, with access to a rooftop deck above the carport.

The proposed structure would result in a lot coverage of 7,712 square feet (15%) which is the maximum permitted lot coverage in the RO-1 zoning district. The proposed structure would result in a floor area of 7,144 square feet, which is below the maximum floor area allowed for a lot of this size (7,157 square feet).

The home is proposed to be ecologically sensitive by utilizing solar power as a primary means to power the dwelling, and also designed to be passively cooled. The integration of wood brises-soleil on the surface of the home, combined with deep roof overhangs will aid in passive cooling, and also alleviate glare from the abundance of windows surrounding the structure.

The façade of the home would include plaster and wood siding, mahogany wood window and door frames, copper fascia, and a decomposed granite roof. Concrete walls and wood slat screens would surround the property at various locations to maintain privacy and keep glare from the windows to a minimum. The applicant has selected these materials based on the natural palette of the existing landscape, and with the intention of them aging to mesh well with the landscape. A color/materials board will be available at the Board meeting for review.

ANALYSIS:

Design Issues

The subject property is surrounded by single-family dwellings designed to take advantage of views spanning from San Francisco to Mt. Tamalpais. The site currently has a similar panoramic view, which the proposed dwelling aims to preserve.

The project is proposed to mimic the existing structure with the majority of the home at the lower level, and designed in a U-shape. The second story bedrooms are proposed over the laundry room, mechanical room, and storage area. A one-car carport is proposed adjacent to the garage with a roof top deck above, which would be accessible by the upper story bedrooms. The carport appears to be within the side yard setback, however, staff has made a determination that the structural supports of the carport are outside of the setback and only the overhang is within the setback, which is allowable.

Additionally, the proposed shower located adjacent to the proposed gym on the left side (south) of the structure, appears to be within the side yard setback. Staff has determined that only the overhang of the structure is within the setback, and therefore a variance is not required.

The proposed dwelling would be located much closer to the west edge of the site than where the home currently sits. This presents a mass and bulk issue for the residence below the site, located at 60 Mt. Tiburon Road (west). The owner of this adjacent home is concerned that the



Town of Tiburon

STAFF REPORT

proposed home would appear to be close to their side yard property and would loom over their courtyard area.

The residence located at 102 Mt. Tiburon Road (northeast) has a similar viewshed and appears to look directly down upon the subject property. Staff was unable to visit this residence to determine if there would be a potential view blockage of the lagoon from the proposed second story on the right side (north) of the structure. A number of mature trees and shrubs are currently located adjacent to this side of the structure and are proposed to remain, which may already block a portion of the view from 102 Mt. Tiburon Road.

The property owner of 88 Mt. Tiburon Road (south) has expressed concerns over a view blockage of Mt. Tamalpais from their living room window, which faces north. The proposed living room of the new dwelling pops up into their slot view of the mountain. The owner also expressed concerns with the amount of deer fencing proposed for the property, and would like to see the wood cap on the fencing removed, to aid in disguising the fence from their property.

Overall, the structure is proposed much closer to the western edge of the site, most likely to gain an enhanced view, and to create additional courtyard area. The applicant has expressed that the proposed location of the structure was chosen to minimize the disruption of the existing terrain; however, staff recommends that the Board consider requiring the applicant to push the structure back (east), to remedy the mass and bulk issue from the residents below at 60 Mt. Tiburon Road (west), and to maintain the view of Mt. Tamalpais from 88 Mt. Tiburon Road (south).

Tiburon Hillside Design Guidelines

The following portions of the Tiburon Hillside Design Guidelines should be used to evaluate the hillside design of the house as proposed:

- *Goal 1, Principle 6 of the Guidelines states that to reduce bulk “avoid massive roof overhangs and cantilevers on downhill faces of buildings.”* The proposed dwelling has been pushed forward (west) on the site. When paired with the roof overhangs to aid in cooling the home, this creates a mass and bulk issue for the residents below at 60 Mt. Tiburon Road. The home would loom over their courtyard area and infringe on their sense of space and privacy. This could be remedied by moving the structure back (east) on the site.
- *Goal 3, Principle 7 (A) of the Hillside Design Guidelines 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 living room on the northwest corner of the proposed dwelling are visible from the living room of the adjacent dwelling to the south at 88 Mt. Tiburon Road.



Town of Tiburon

STAFF REPORT

The Design Review Board is encouraged to visit the site and surrounding neighbors' homes to view the story poles to better understand the extent of this proposal.

Zoning

The project appears to be in conformance with the remaining development regulations of the RO-1 zoning district.

Public Comment

To date, a letter has been received regarding the subject application from the property owner of 60 Mt. Tiburon Road.

RECOMMENDATION:

It is recommended that the Board review this project with respect to Zoning Ordinance Section 4.02.07 (Guiding Principles) and the Tiburon Hillside Design Guidelines, 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, the application should be continued with the applicant encouraged to return with a revised project design. If the Board wishes to approve the project, findings should be articulated for the requested approval, and Staff would recommend that the attached conditions of approval be applied.

EXHIBITS:

1. Conditions of Approval
2. Application and supplemental materials dated July 31, 2006
3. Letter from Al Aguirre, dated September 12, 2006
4. Plans for the project

Town of Tiburon

STAFF REPORT



EXHIBIT 1

CONDITIONS OF APPROVAL

80 Mt. Tiburon Road

FILE #706124

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 July 31, 2006, or as amended by these conditions of approval. Any modifications to the plans of September 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. 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.

Town of Tiburon

STAFF REPORT



9. 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.
10. All requirements of the Tiburon Fire Protection District shall be met.
11. 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.
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.
 - 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. All requirements of the Town Engineer shall be met.
14. All exterior landscape up-lighting fixtures shall be removed, prior to final inspection by the Planning Division.
15. All structural support elements of the proposed carport shall be located outside of the side yard setback.