

Town of Tiburon STAFF REPORT

AGENDA ITEM E1



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TO: **DESIGN REVIEW BOARD**

FROM: **PLANNING MANAGER WATROUS**

SUBJECT: **951 OWLSWOOD LANE; FILE # 706047**
APPEAL OF STAFF-LEVEL DECISION TO DENY AN APPLICATION
FOR SITE PLAN AND ARCHITECTURAL REVIEW FOR AS-BUILT
INSTALLATION OF A ROOF FOR AN EXISTING SINGLE-FAMILY
DWELLING

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

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PROJECT DATA

ADDRESS: **951 OWLSWOOD LANE**
OWNER: **ANNE MARIE MEAGHER**
APPELLANT: **DINYARI CONSTRUCTION**
ASSESSOR'S PARCEL: **058-121-13**
FILE NUMBER: **706047**
LOT SIZE: **14,364 SQUARE FEET**
ZONING: **R-1 (SINGLE-FAMILY RESIDENTIAL)**
GENERAL PLAN: **MEDIUM HIGH DENSITY RESIDENTIAL**
FLOOD ZONE: **C**
DATE COMPLETE: **APRIL 19, 2006**

PRELIMINARY ENVIRONMENTAL DETERMINATION

Town Planning Division Staff has made a preliminary determination that this proposal would be exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15301.

PROJECT DESCRIPTION

The applicant has submitted an application for a Staff-level Site Plan and Architectural Review for as-built approval of a new roof for an existing single-family dwelling on property located at 95 Owlswood Lane. On June 5, 2006, this application was denied. The applicant has now appealed this decision to the Design Review Board.



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REVIEW BY STAFF

On May 16, 2005, an application was filed for a roofing permit to re-roof an existing single-family dwelling located at 951 Owlswood Lane. On May 18, 2005, the roofing permit was issued, with the notation that "no change in color or materials from [the] existing" roof was permitted.

On September 19, 2005, an inspection of the new roof revealed that the original off-white colored foam roof had been replaced with a bright white colored membrane roof. The contractor was notified that the change in color and material required Site Plan and Architectural Review approval. Staff asked the contractor if the color of the roof could be made darker and was informed by the contractor that this was not possible.

On March 27, 2006, an application for a Staff-level Site Plan and Architectural Review application was filed to legalize the as-built roof condition. The Associate Planner reviewed the application and made a determination that since the roof as installed was inconsistent with Town policies and guidelines, the application should be denied without need to send out courtesy notices to surrounding property owners. The decision to deny this application was made on May 15, 2006. The contractor who installed the roof subsequently filed a timely appeal of this decision on May 22, 2006.

Shortly thereafter, Planning Division Staff determined that courtesy notices should be sent to surrounding property owners before a decision is made on the application and on May 23 rescinded the denial of the application. Notices were mailed out that day and the appellant subsequently submitted several letters from nearby property owners indicating support for the installed roof.

After reviewing the application and making observations of the roof from various uphill vantage points, Staff formally denied the application on June 5, 2006. The previously submitted appeal was recognized and a hearing on the appeal was scheduled before the Design Review Board.

BASIS FOR APPEAL

The appellants contend that the color and reflectivity of the installed roof are no different than the previous roof. Color photographs of the previous roof indicate that the foam roofing had weathered to a flat, off-white color, with patches of older, grey-colored roofing showing through, resulting in a mottled appearance. Variations in the surface of the foam roof broke up the surface texture, further reducing the potential reflectivity of the material. The newly installed membrane roofing creates a more uniform, smooth surface with a bright white color which substantially increases the visibility and potential reflectivity of the roof when viewed from above.

The appellants also contend that the uphill neighbors with views of the installed roof have no issue with its appearance. The appellants submitted letters signed by the owners of the uphill properties at 941, 943, 945 and 953 Owlswood Lane and 1, 4, 6 and 9 Owlswood Road indicating approval of the installed roof. Staff has viewed the roof from a variety of vantage



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points above the site and found that the roof is clearly visible from numerous homes and points along Owlswood Lane and Owlswood Road, including from the front of the home at 7 Owlswood Road.

Goal 2, Principle 1 of the Hillside Design Guidelines states that projects should “not use colors, textures, materials and forms which will attract attention by note relating to other elements in the neighborhood. Remember, the hillside, seen as a whole, is a texture made up of dwellings, trees and open spaces. No one dwelling should stand out.” When viewed from above the subject property, the installed white membrane roof uses a color and material that stands out noticeably from the surrounding wooded hillside.

Goal 2, Principle 3 of the Hillside Guidelines states that projects should “use native and natural materials which blend with the hillside where possible. Use synthetic or compound materials (concrete, stucco, metal, plastics, glass) with moderation and care.” The synthetic membrane material used for the entire roof is inconsistent with this principle.

Section 4.02.07 (g) of the Tiburon Zoning Ordinance (Guiding Principles in the Review of Applications - Compatibility of Architectural Style and Exterior Finish) states that the Design Review Board shall consider whether “the architectural style and exterior finish are harmonious with existing development in the vicinity and will not be in stark contrast with its surroundings.” The installed white roof would be in stark contrast to the darker colored roofs composed of shingles and tiles found not only on other homes in the immediate vicinity, but throughout Tiburon as a whole.

Bright, synthetic roof surfaces have been actively discouraged by Planning Staff and the Design Review Board due to potential problems with visibility and reflectivity. Although most of the homeowners in the vicinity of this home have expressed approval for the installed roof, its visibility from other properties could either result in unwanted visual impacts for these other homes or could encourage other homeowners to use similar roofing materials that would be inconsistent with the Hillside Guidelines and zoning ordinance.

PUBLIC COMMENT

As noted above, the appellants has submitted letters of support from eight (8) nearby property owners.

RECOMMENDATION

It is recommended:

- 1) That the Design Review Board indicate its intention to deny the appeal; and
- 2) That the Design Review Board direct Staff to return with a Resolution denying the appeal for adoption at the next meeting.

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ATTACHMENTS:

1. Application and supplemental materials
2. Letters of support from Owlswood Lane and Owlswood Road property owners
3. Goal 2, Principles 1 & 3 of the Hillside Design Guidelines
4. Submitted photos of previous and existing roof