



Town of Tiburon

STAFF REPORT

ANALYSIS

Design Issues

The changes to the proposed second story area appear to address the concerns raised by the Design Review Board at the previous meeting. By pulling back and reducing the size of the second story area, this addition is less likely to loom over or create privacy concerns for the neighboring home at 18 Noche Vista Lane. The smaller second story area would be more consistent with the overall design of the house, and would better fit the overall scale of this undersized RO-2 lot.

As previously noted, the applicant has attempted to screen the second story addition from view downhill through possible landscaping. The applicant has been working with the downhill neighbor to attempt to determine an appropriate height and location of landscaped screening that would provide additional visual and privacy protection without creating view obstructions for the ground floor living space of the subject home. The Design Review Board is again encouraged to view the location of this potential screening from both the subject and neighboring residences to evaluate these screening options.

Zoning

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the RO-2 zone with the exception of the previously noted variance for excess lot coverage and floor area exception. As noted in the previous Staff report for this application, Staff believes that there is sufficient evidence to support the findings for the requested variance and floor area exception.

Public Comment

As of the date of this report, no additional letters have been received regarding this project.

RECOMMENDATION

The Board should review this project with respect to Zoning Ordinance Sections 4.02.07 (Guiding Principles) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15301. If the Board wishes to approve the project, Staff would recommend that the attached conditions of approval be applied.

ATTACHMENTS

1. Conditions of approval
2. Design Review Board Staff report dated February 1, 2007
3. Minutes of the February 1, 2007 Design Review Board meeting
4. Letter from Gregory Johnson, Architect, dated February 19, 2007
5. Revised plans

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CONDITIONS OF APPROVAL

116 HACIENDA DRIVE

FILE #20702

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 December 20, 2006, or as amended by these conditions of approval. Any modifications to the plans of February 20, 2007, 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 exterior lighting fixtures must be downlight type fixtures.
7. All skylights shall be bronzed or tinted and no lights shall be placed in the wells.
8. All requirements of the Town Engineer shall be met.