





# Town of Tiburon

## STAFF REPORT

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would create a gross floor area of 5,484 square feet, which is below the maximum permitted floor area for a parcel of this size (7,179.2 sq. ft.).

The façade of the home is not proposed to change, and the proposed additions would match the existing color and materials.

### ANALYSIS:

#### Design Issues

The existing structure is designed to take advantage of views to the east of the Richmond/San Rafael Bridge and also to the south of the East Bay and portions of Tiburon. The site is sloped west to east as well as to the south, creating a steep slope for the proposed improvements. The homes adjacent to the site are all located on very large lots. Dense vegetation surrounds the site, creating natural privacy barriers between the neighboring homes.

The proposal indicates the extension of the existing driveway out to the east and around to the north to meet the proposed garage. Two new guest parking spaces would also be constructed adjacent (south) to the existing driveway. In order to accomplish the driveway extension and new addition, portions would be cut into the hillside and a certain amount of fill would need to be brought in to bring the improvements up to grade. It should be noted that the height of the addition would be approximately at the same elevation as the existing structure.

Improvements also include a new automatic iron entry gate and call box, as well as six foot high deer fencing. An exterior motorized privacy screen is proposed for the master bathroom shower window on the east side (right) of the structure. While the downhill residence at this side is located far below in elevation, and dense vegetation exists between the dwellings, privacy concerns may still be a possibility. The master bathroom windows facing the front of the home may also result in privacy concerns since the bathtub is proposed at that location.

The landscape plan indicates Paperbark Tree (*Melaleuca quinquenervia*), which is considered an undesirable tree by the Town of Tiburon Tree Ordinance standards. A condition of approval has been included requiring that an alternative species be used.

Staff viewed the story poles from the living area and rear yard of the neighbor located above the subject site, and determined that a minor view blockage would result from the addition, but would not obstruct any major views or important objects. The property owner seemed to be accepting of the proposed improvements.

#### 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 1 of the Hillside Design Guidelines states that a building should be cut into the hillside to reduce effective visual bulk.* The area of the driveway extension and building addition would be located on a portion of the steep slope to the east of the



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existing dwelling. Most of the proposed improvements would be cut into the hillside, with fill used in a few areas to keep the additions at relatively the same elevation as the existing structure. The east elevation shown on Sheet A-4 of the plan set submitted for review best depicts the amount of cut into the hillside.

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

### **Zoning**

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

### **Public Comment**

To date, no letters have been received regarding the subject application.

### **RECOMMENDATION:**

The Board should review this project with respect to Zoning Ordinance Section 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 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
3. Goal 1, Principle 1 of the Tiburon Hillside Design Guidelines
4. Submitted plans

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### EXHIBIT 1

#### CONDITIONS OF APPROVAL

**4639 Paradise Drive**

**FILE #707003**

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 4, 2007, or as amended by these conditions of approval. Any modifications to the plans of February 1, 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 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.



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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. 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.
11. 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. Approved spark arresters shall be installed on chimneys (UFC 1109).
  - d. All vegetation, existing and new, shall comply with the recommendations of Fire Safe Marin, and the requirements of UFC 1103.
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. The proposed Paperbark tree (*Melaleuca quinquenervia*) shall be replaced with an appropriate alternative tree species, to be reviewed and approved by Staff during plan check.