



**TOWN OF TIBURON**  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Design Review Board Meeting  
October 18, 2007

Agenda Item: **D1**

## **STAFF REPORT**

To: **Members of the Design Review Board**

From: **Community Development Department**

Subject: **490 Ridge Road; File #20727  
Site Plan and Architectural Review for the Construction of  
A New Single-Family Dwelling (Continued from August 16, 2007)**

## **BACKGROUND**

The applicant is requesting Design Review approval for the construction of a new two-story single-family dwelling on property located at 490 Ridge Road. The subject property was previously developed with a two-story single-family residence which has been demolished.

Previous plans (approved in 2006 with a Variance for reduced side yard setback) had indicated that less than 50% of the perimeter of the existing house would be demolished as part of the construction of this project. A building permit was issued on April 13, 2007 for construction of additions to the existing house. On July 19, 2007, a Stop Work Order was issued by the Building Official after it was discovered that almost the entire house had been demolished. The applicant therefore submitted a Site Plan and Architectural Review application for construction of a new residence. As new construction, the increased lot coverage also required approval of a variance for excess lot coverage.

The application for construction of a new residence was reviewed by the Design Review Board on August 16, 2007. At that time, it was noted that several changes had been made to the previously approved plans, including an increase in the roof height of up to 3 feet. Several neighbors with views across the property objected to the revised plans, citing intrusion into their views toward San Francisco Bay and the Golden Gate Bridge. The Design Review Board shared these concerns and continued the request, with direction to the applicant to work with the neighbors and consider alternative designs for the house. A new architect has been hired for the project and revised plans have been discussed with the affected neighbors.

## **ANALYSIS**

### **Design Issues**

The revised plans indicate that the house would be placed in generally the same location as the previous structure on the site. The floor area of the proposed house and pool cabin has increased slightly from 4,032 to 4,159 square feet, but is still less than the maximum floor area permitted for a lot of this size. The proposed house would now cover 3,245 square feet (15.0%) of the site,

and therefore a variance is no longer requested for excess lot coverage. The house has also been pulled out of the northern side yard setback, and would no longer require a variance for reduced side yard setback.

The height of the house has also been reduced, particularly along the northern side of the house where the previously submitted plans indicated a 3 foot height increase. The revised plans have eliminated the previously requested height increase and dropped the roof an additional foot in this area. As a result, the house would have a lower overall profile and would be situated further from the northern property line than the previous house on the site.

These revisions appear to be directly responsive to the concerns raised by the neighboring property owners and the Design Review Board at the August 16 meeting. The new architect has met on several occasions with these neighbors, who have indicated preliminary support for the revised plans. The Design Review Board is encouraged to view the revised story poles from the nearby homes at 500 & 510 Ridge Road to evaluate the revised house design.

### **Zoning**

Staff has reviewed the proposal and now finds it to be in conformance with the development standards for the RO-2 zone.

### **Public Comment**

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

### **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 15303. If the Design Review 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 August 16, 2007
3. Minutes of the August 16, 2007 Design Review Board meeting
4. Submitted plans

Prepared by: **Daniel M. Watrous, Planning Manager**

## CONDITIONS OF APPROVAL

### 490 RIDGE ROAD

#### FILE #20727

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 25, 2007, or as amended by these conditions of approval. Any modifications to the plans of September 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 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 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. A construction sign shall be posted on the site during construction of the project, in a location plainly visible to the public. The sign shall be 24" x 24" in size and shall be made of durable, weather-resistant materials intended to survive the life of the construction period. The sign shall contain the following information: job street address; work hours allowed per Chapter 13 of the Tiburon Municipal Code; builder (company name, city, state, ZIP code); project manager (name and phone number); and emergency contact (name and phone number reachable at all times). The sign shall be posted at the commencement of work and shall remain posted until the contractor has vacated the site.
12. 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-R. 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 1210).
  - c. Approved spark arresters shall be installed on chimneys (UFC 1101).
  - d. A "green belt" shall be provided by cutting and clearing all combustible vegetation within 30 feet of the structure. All vegetation within 100 feet of the structure or to the property line shall comply with the requirements of Fire Safe Marin, and the Tiburon Fire Protection District Guidelines (UFC 1103).
13. 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.

14. The applicants shall obtain a sewer permit from the Sanitary District No. 5 and pay all applicable fees prior to construction of a side sewer and connection to the sewer main. After connection to the sewer main but prior to commencement of discharge and prior to covering of the pipe, the District shall be contacted and allowed to inspect the connection for conformance to standards.
15. All requirements of the Town Engineer shall be met.



**TOWN OF TIBURON**  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Design Review Board  
October 18, 2007  
Agenda Item: **D2**

## **STAFF REPORT**

To: **Members of the Design Review Board**

From: **Assistant Planner Phillips**

Subject: **78 Red Hill Circle; File #20728  
Site Plan and Architectural Review to Construct Exterior  
Alterations to an Existing Single-Family Dwelling,  
with Variances for Reduced Side Yard Setbacks  
(Continued from September 6, 2007)**

Reviewed By: \_\_\_\_\_

## **BACKGROUND**

The applicant is requesting Design Review approval to expand the upper level deck and add a staircase between the main level deck and the ground level, within the rear of the existing single-family home located at 78 Red Hill Circle. The proposed deck expansion and additional staircase are situated within the required side yard setbacks up to the property lines, in lieu of the required 8 foot side yard setback. In order to expand a non-conforming condition, a variance is required. The applicant has requested variances for reduced side yard setbacks.

This application was first reviewed at the September 6, 2007 Design Review Board meeting. At that meeting, various neighboring property owners along Red Hill Circle raised concerns regarding potential privacy impacts that would be caused by the proposed expansion of the main level deck in the rear of the subject property. The Board reviewed the proposal, but continued the project to give the applicant time to rethink the deck expansion and to allow for additional dialogue between the neighbors. Several Board members expressed the need for more detail on the plans as well.

## **ANALYSIS**

### **Design Issues**

Since the previous meeting, the applicant has scaled back the project. The triangular expansion of the main level deck has been eliminated and a stairway accessing the ground level has been added. The proposed stairs would be outside of where the recently demolished deck existed.

The subject property is one of a series of lots along Red Hill Circle developed in a similar fashion. The lots are very narrow, are slightly offset from one another and are developed with a

single-family dwelling built up to the side property lines. Although the homes have the appearance of attached dwellings, each is actually a separate structure. Decks along the rear frontage of the units are also situated at or near the side property lines, with walls along the sides providing screening between homes. The decks vary in length, adding to the articulation of the rear façade.

The decks would not extend beyond the side property line screening walls and would therefore not result in any privacy concerns for neighboring residents. The proposed deck expansion and stairway would mirror others within the development. Board members are encouraged to view and evaluate the revised project from adjacent homes.

### **Zoning**

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the R-3 zone with the exception of the previously noted variances for reduced side yard setbacks. As described in the previous report for this application, Staff believes that there is sufficient evidence to support the findings for the requested variance.

### **Public Comment**

Since last meeting, letters have been submitted from the owners at 82 and 84 Hilary Drive concerning potential privacy impacts from the proposed exterior alterations at 78 Red Hill Circle.

### **RECOMMENDATION**

The Board should review this project with respect to Zoning Ordinance Section 4.02.07 (Guiding Principles), 16-4.3 (Variances) 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 finds the design to be acceptable and in conformance with the Town's Design Guidelines, Staff recommends that the attached conditions of approval be applied.

### **ATTACHMENTS:**

1. Conditions of approval
2. Design Review Board Staff Report dated September 6, 2007
3. Minutes of the September 6, 2007 Design Review Board Meeting
4. Letter from James R. Morton, dated September 11, 2007
5. Letter from Edward Stephens, dated September 26, 2007
6. Submitted plans

Prepared By: **Scott Phillips, Assistant Planner**

**EXHIBIT 1**

**CONDITIONS OF APPROVAL**

**78 RED HILL CIRCLE**

**FILE #20728**

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 24, 2007, or as amended by these conditions of approval. Any modifications to the plans of October 9, 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. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
5. Guardrails approved as part of this application shall contain no horizontal elements other than the top and bottom rails.
6. All exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures.
7. 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.



**TOWN OF TIBURON**  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Design Review Board Meeting  
October 18, 2007  
Agenda Item: **E3**

## **STAFF REPORT**

To: **Members of the Design Review Board**

From: **Associate Planner Tyler**

Subject: **102 Via Los Altos; File No. 20733  
Site Plan and Architectural Review to Construct Additions to an  
Existing Single Family Dwelling with a Variance for Excess Building  
Height**

Reviewed By: \_\_\_\_\_

## **PROJECT DATA**

OWNER: MATT & KASSY OCKNER  
APPLICANT/ARCHITECT: HANK BRUCE  
ADDRESS: 102 VIA LOS ALTOS  
ASSESSOR'S PARCEL NUMBER: 034-330-53  
FILE NUMBER: 20733  
LOT SIZE: 11,340 SQUARE FEET  
ZONING: RPD (RESIDENTIAL PLANNED DEVELOPMENT)  
PRECISE PLAN: LA CRESTA (PD #11)  
GENERAL PLAN: M (MEDIUM DENSITY RESIDENTIAL)  
FLOOD ZONE: C  
DATE COMPLETE: SEPTEMBER 13, 2007

## **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.

## **PROPOSAL**

The applicant is submitting a request to construct an extension of the second floor on an existing single-family dwelling, with a variance for excess building height on the property located at 102 Via Los Altos. The property is located within the La Cresta Residential Planned Development.

The existing home includes a media room at the basement level, and a family room, living room, sitting room, kitchen, nook, study and laundry room on the lower level. The upper level includes

the master bedroom suite, and two bedrooms with corresponding bathrooms. The proposed addition would expand the existing upper level with a third bedroom and bathroom, adjacent to the existing two bedrooms. The color and materials of the addition would match the existing structure.

The proposed addition would not increase the existing lot coverage for the property, as the addition is proposed on the upper level of the home. The proposed addition would result in a gross floor area of 5,506 square feet. As the maximum building size limit for this particular lot within the La Cresta Precise Development Plan is 6,500 square feet, the proposal is below the maximum building size and would not require a floor area exception.

The proposal indicates that the height of the structure would be 34 feet, 6 inches, which exceeds the maximum height for all zoning designations (30'). The applicant is requesting a variance for excess building height.

## **ANALYSIS**

### **Design Issues**

The home is situated at the end of a cul-de-sac, bordered by open space to the north and to the west. The home is designed to take advantage of views mostly to the south of San Francisco, Belvedere, and Sausalito, but also has views to the northwest of Mt. Tamalpais. The site is steeply sloped downward towards the open space to the northwest. A large flat area exists at the south end of the site as a usable yard for the home.

The proposed addition would be located at the rear of the home, facing both north and west towards the open space and Mt. Tamalpais. None of the surrounding neighbors would appear to be affected by the proposal in terms of potential view blockages.

### **Hillside Design Guidelines**

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

- *Goal 2, Principle 13 states that limits for heights of dwellings above grade are strictly adhered to.* The existing structure is 28 feet in height and within the maximum height limit established for all zoning designations (30'). The proposed addition would extend an additional 6 feet 6 inches, exceeding the maximum height by 4 feet 6 inches.

### **Zoning**

The project conforms to the remaining development regulations for the La Cresta Precise Development Plan, with the exception of the requested variance for excess building height.

In order to grant the requested variance, the Board must make all of the following findings required by Section 16-4.3 of the Tiburon Zoning Ordinance.

- 1. Because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of this Ordinance will deprive the applicant of privileges enjoyed by other properties in the vicinity and in the same or similar zones.**

The home is governed by the La Cresta Precise Development Plan which established building envelopes for each parcel. The building envelope is the only area within the site that a structure can be built upon. In addition, the subject site is bordered by open space to the west and to the north of the property, and slopes steeply downward into the open space, creating a difficult site to build upon. Over half of the lot is bordered by open space. The established building envelope, steep topography of the site and location in proximity to open space are special circumstances applicable to the property.

- 2. The variance will not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and in the same or similar zones.**

Excess building height variances are not commonly requested; however, requests for an addition to an existing structure which would exceed the maximum height limit have been approved more frequently, than construction of a new structure which exceeds the height limits.

- 3. The strict application of this Ordinance would result in practical difficulty or unnecessary hardship.**

If the proposed expansion were built at the lower level of the home, eliminating the need for excess building height, the addition would possibly encroach over the established building envelope towards the open space, requiring an amendment to the precise plan to increase the size of the building envelope.

- 4. The granting of the variance will not be detrimental to the public welfare or injurious to other properties in the vicinity.**

The increase in height of the structure would not be readily visible or block views for the adjacent dwelling to the east (right), which is the only adjacent dwelling that would have the potential to be affected.

From the evidence provided, Staff believes that there is sufficient evidence to support the findings for the requested variance.

## **PUBLIC COMMENT**

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

## **RECOMMENDATION**

Staff recommends that the Board:

1. Review this project with respect to Zoning Ordinance Section 4.02.07 (Guiding Principles), Section 16-4.3 (Variances), and the Hillside Design Guidelines; and
2. Determine that the project is exempt from the California Environmental Quality Act (CEQA) as specified in Section 15301; and
3. Approve the project subject to the attached conditions of approval.

Exhibits:

1. Conditions of Approval
2. Application and Supplemental Materials
3. Submitted Plans

Prepared By: Associate Planner Tyler

EXHIBIT 1

**CONDITIONS OF APPROVAL**

**102 VIA LOS ALTOS**

**FILE NO. 20733**

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 August 27, 2007, or as amended by these conditions of approval. Any modifications to the plans of August 27, 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 shall be "down-light" type fixtures.
8. All requirements of the Town Engineer shall be met.



**TOWN OF TIBURON**  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Design Review Board  
October 18, 2007  
Agenda Item: **E4**

## **STAFF REPORT**

To: **Members of the Design Review Board**

From: **Assistant Planner Phillips**

Subject: **64 Reed Ranch Road; File #707134  
Site Plan and Architectural Review for Construction of  
Additions and Alterations to an Existing Single-Family Home**

Reviewed By: \_\_\_\_\_

## **PROJECT DATA**

**ADDRESS: 64 REED RANCH ROAD**  
**OWNER: ERIC & MARIA CLOTHIER**  
**APPLICANT: DAVID KOTZEBUE (ARCHITECT)**  
**ASSESSOR'S PARCEL: 038-400-14 & 15**  
**FILE NUMBER: 707134**  
**LOT SIZE: 57,958 SQUARE FEET**  
**ZONING: RPD (RESIDENTIAL PLANNED DEVELOPMENT)**  
**PRECISE PLAN: PRESERVE (PD #16)**  
**GENERAL PLAN: MEDIUM-LOW DENSITY RESIDENTIAL**  
**FLOOD ZONE: C**  
**DATE COMPLETE: SEPTEMBER 28, 2007**

## **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.

## **PROPOSAL**

The applicant is requesting Design Review approval for the construction of an addition and alterations to an existing single-family home located at 64 Reed Ranch Road. The addition would include a multi-purpose room over the existing garage and a new deck and stairs to connect the new living space to the yard. A new driveway access gate is also included with the proposal as well as converting the existing sun room off of the master bedroom into living space.

The lot coverage on the site would increase by 120 square feet (.2%) to a total of 4,614 square feet (8.2%). The floor area on the site would increase by 626 square feet to a total of 5,361 square feet, which is 2,434 square feet less than the maximum allowed floor area of 7,795 square feet.

The submitted plans note that the proposed shingle roof and wood shingle siding of the addition would match the existing exterior walls and roof of the primary structure.

## **ANALYSIS**

### **Zoning**

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the Preserve Precise Development Plan.

### **Design Issues**

The subject property is a flag shaped lot located approximately half the way up Reed Ranch Road and on the uphill side. Ring Mountain open space and the property at 66 Reed Ranch Road surround the subject property on all sides.

The addition is proposed above the existing garage with a new deck and stairs extending into the rear yard. The proposed addition would be marginally visible from any neighboring property or the public right-of-way on Reed Ranch Road. The proposed conversion of the sun room would not increase the mass of the existing structure.

The nearest home to the addition is at 66 Reed Ranch Road. The proposed addition would not be visible from this residence however; the existing sun room faces the rear yard at 66 Reed Ranch Road. The conversion would result in fewer windows than what exists in the sunroom, therefore the conversion would be less intrusive to the neighboring property owners than what is existing.

### **Public Comment**

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

## **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 finds the design to be acceptable and in conformance with the Town's Design Guidelines, Staff recommends that the attached conditions of approval be applied.

## **ATTACHMENTS:**

1. Conditions of approval
2. Application and supplemental material

3. Submitted plans  
**EXHIBIT 1**

**CONDITIONS OF APPROVAL**

**64 REED RANCH ROAD**

**FILE #707134**

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 18, 2007, or as amended by these conditions of approval. Any modifications to the plans of September 18, 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. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
5. Guardrails approved as part of this application shall contain no horizontal elements other than the top and bottom rails.
6. All exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures.
7. 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.



**TOWN OF TIBURON**  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Design Review Board Meeting  
October 18, 2007  
Agenda Item: **E5**

**STAFF REPORT**

To: **Members of the Design Review Board**

From: **Associate Planner Tyler**

Subject: **NOTICE OF CONTINUANCE**  
**695 HAWTHORNE DRIVE; FILE NO. 20737**  
**Site Plan and Architectural Review for Construction of a New**  
**Single-Family Dwelling with Variances for Reduced Rear Yard**  
**Setback and Excess Lot Coverage**

Reviewed By: \_\_\_\_\_

Staff recommends that this item be continued for the following reason(s):

- \_\_\_\_\_ No story poles have been erected/no certification received
- \_\_\_\_\_ Requested information has not been received
- Item not properly advertised
- The applicant has requested a continuance to: **November 1, 2007**
- \_\_\_\_\_ Other:

Prepared By: **Laurie Tyler, Associate Planner**