



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
April 16, 2009
Agenda Item: **D1**

STAFF REPORT

To: Members of the Design Review Board

From: Planning Manager Watrous

**Subject: NOTICE OF WITHDRAWAL
22 Mercury Avenue; File #708189
Site Plan and Architectural Review for the Construction of A New
Single-Family Dwelling**

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:
- Other: **The application has been deemed to be withdrawn.**



TOWN OF TIBURON
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Design Review Board
April 16, 2009
Agenda Item: **E2**

STAFF REPORT

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

From: **Assistant Planner Phillips**

Subject: **16 Mark Terrace; File #709023
Site Plan and Architectural Review to Construct Additions to an
Existing Single-Family Dwelling, with a Floor Area Exception**

Reviewed By: _____

PROJECT DATA

ADDRESS: 16 MARK TERRACE
OWNER: RICHARD & PATRICIA SINGER
APPLICANT: PATRICIA SOLIS (ARCHITECT)
ASSESSOR'S PARCEL: 039-141-12
FILE NUMBER: 709023
LOT SIZE: 15,040 SQUARE FEET
ZONING: RO-2 (SINGLE-FAMILY RESIDENTIAL OPEN)
GENERAL PLAN: MEDIUM DENSITY RESIDENTIAL
FLOOD ZONE: C
DATE COMPLETE: MARCH 25, 2009

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 15303.

PROPOSAL

The applicant is requesting Design Review approval for the construction of additions and alterations to an existing single-family dwelling located at 16 Mark Terrace. The addition would include converting a portion of the garage into living space for the purpose of a relocated laundry room, addition of an enclosed staircase from the upper level to the lower level, and conversion of the existing lower level crawlspace into a family room, wine cellar and bathroom.

The existing exterior wood stairway would be removed and various wood railings would be replaced with glass railings. The existing pool deck would be replaced and expanded towards the

rear property line. Renovations to the detached pool cabana were approved under a separate “Staff Level” application

The floor area on the site would increase by 996 square feet to a total of 3,692 square feet. The maximum allowed floor area is 3,040 square feet. The proposed total square footage exceeds the maximum allowed floor area therefore; a floor area exception is requested. The lot coverage on the site would remain unchanged.

ANALYSIS

Design Issues

The subject property is located on the corner of Geldert Drive and Mark Terrace. The subject property is a sloping, rectangular lot and is densely vegetated with mature landscaping.

The crawlspace proposed for the addition of the lower level family room and wine cellar is slightly below natural grade. Various new windows and sliding glass doors would be added to the lower level that would open into the existing fenced backyard.

The covered stairway addition is rectangular and would project towards the side (north) property line in the area of an existing exterior landing. The stairway would allow for internal access to the new lower level addition and would fill in an existing lower level jog in the side elevation. The additions do not appear to impact the views or privacy of the adjacent neighbors.

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 floor area exception.

Floor Area Exception

Section 4.02.08 of the Tiburon Zoning Code states that the Design Review Board may grant exceptions to the required floor area ratio requirements if it makes the following two findings:

- 1. The applicant has demonstrated that the visual size and scale of the proposed structure is compatible with the predominant pattern established by existing structures in the surrounding neighborhood; and***
- 2. The applicant has demonstrated that the proposed structure is compatible with the physical layout of the site. The characteristics include, but are not limited to, the scale of trees, rock outcroppings, stream courses, land forms, and the dimensions of the lot.***

Many of the homes in the surrounding neighborhood have two or more floor levels with relatively vertical house designs. Most of the proposed addition would be within the existing shell of the building and below the grade of the site, further limiting the visual mass and bulk of the structure.

The proposed additions are compatible with the surrounding land as the heights of the proposed additions are less than the height of the existing home.

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

Public Comment

As of the date of this report, no letters have been submitted. The owners of the subject property encourage the Board to contact them before visiting the site.

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

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

CONDITIONS OF APPROVAL

16 MARK TERRACE

FILE #709023

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. Construction shall conform with the application and plans dated by the Town of Tiburon on February 24, 2009, or as amended by these conditions of approval and plans of February 24, 2009. Any modifications to the plans must receive Design Review approval.
3. Project elements shown on construction drawings submitted to the Building Division for plan check shall be essentially identical to those project elements shown on drawings approved by the Design Review Board. The permit holder is responsible for clearly identifying on construction drawings any and all changes to project elements. Such changes must be clearly highlighted (with a “bubble” or “cloud”) on the construction drawings. A list describing in detail all such changes shall be submitted and attached to the construction drawings, with a signature block to be signed by the Planning Division Staff member indicating whether these changes have been reviewed and are approved, or will require additional Design Review approval. All such changes that have not been explicitly approved by the Town are not “deemed approved” if not highlighted and listed on construction drawings. Construction of any such unapproved project elements is in violation of permit approvals and shall be subject to Stop Work Orders and 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.

8. 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.
9. All requirements of the Director of Public Works/Town Engineer shall be met. An encroachment permit shall be filed and issued with the Town of Tiburon Public Works Department, for all work to be conducted within Town right-of-way, or Town-owned land, as defined in Chapter 19 of the Tiburon Municipal Code.
10. The project shall comply with the applicable green building standard for compliance as set forth by resolution of the Town Council. Failure to explicitly impose the condition on an approval shall not release a project from otherwise meeting applicable requirements of section 16-8 et seq. of this article.



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Design Review Board Meeting
April 16, 2009
Agenda Item: **E3**

STAFF REPORT

To: Members of the Design Review Board

From: Planning Manager Watrous

**Subject: NOTICE OF CONTINUANCE
1887 Centro West Street; File #20901
Site Plan and Architectural Review for the Construction of A New
Single-Family Dwelling with a Variance for Reduced Front Yard
Setback**

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: **May 7, 2009**
- Other: