



Town of Tiburon

STAFF REPORT

The property owner has subsequently submitted an application for the “as-built” review of the garage conversion for the property at 21 Apollo Road. The area of the garage that was converted is approximately 270 square feet. The space was converted to a bedroom and full bathroom. The square footage of the residence, including the garage conversion and the additions approved by the Board on September 18, 2003, would be 2,100 square feet. The residence would be in compliance with the floor area limits for the property.

ANALYSIS:

Garage Conversion

The Town has a written policy for reviewing garage conversions at the administrative level. The policy states that when an existing garage or carport is proposed to be converted, a replacement garage or carport of equal or greater capacity must be provided on the property. However, a replacement garage or carport may not be required if certain criteria are met. It is also a policy that when a project does not meet all of the garage conversion criteria the application is forwarded to the Design Review Board for review. The following is a list of the garage conversion criteria, and an explanation of how each one is addressed by the applicant.

1. *There is adequate space on the property to provide an improved but uncovered parking area of equal or greater capacity than that being converted, while meeting all setback requirements.*

The applicant has demonstrated that two uncovered, full size, off-street parking spaces could be created on the property. However, the spaces would be partially located within the front yard setback area, which does not meet the above criteria.

2. *There is adequate screening of that parking area provided as part of the proposal, either by a structure, trellis, existing and/or proposed landscaping, lattice or any other means.*

The applicant has demonstrated that the proposed parking area would be adequately screened by the existing vegetation on the site.

3. *There is an adequate, screened storage area provided for items typically stored in a garage or carport (i.e. gardening equipment, bicycles, etc.).*

The applicant has demonstrated that the utility room/laundry room behind the former garage would be adequate for the storage of materials that would normally be stored in a garage.

4. *The proposal allows for the future construction of a replacement garage or carport in a credible location on the property without the need for a variance. The term “credible” is used to describe a location that is compatible with the layout of the site and provides safe, convenient, and legal vehicular access to the property.*



Town of Tiburon

STAFF REPORT

The applicant has not demonstrated that there is a credible location for the future construction of a garage or carport that would not require a variance.

As noted above, it does not appear that all of the garage conversion criteria are satisfied by the proposed plan; therefore the project has been forwarded to the Design Review Board for review. One of the issues the Board should consider in the review of this application is the impact on the surrounding neighborhood of having the parking for the property located within the front yard setback area.

It should be noted, however, that many garage conversions have occurred in the Belveron neighborhood. Several other properties in the vicinity have received approval from the Design Review Board for garage conversions since the Town's garage conversion policy was adopted, even though the projects did not meet the above listed criteria. Each project was reviewed on its own merits, and each project's potential impacts on the properties in the vicinity were reviewed independently.

Design Issues

Staff foresees no design issues with the proposed project.

Public Comment

To this date, no public comment has been received regarding this application.

RECOMMENDATION:

It is recommended that the Board review this project with respect to Zoning Ordinance Sections 4.02.07 and 4.02.08 (guiding principles in the review of applications) 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 that the design of the project is consistent with the Guiding Principles for Site Plan and Architectural Review, then it is recommended that the project be approved with the attached Conditions of Approval.

EXHIBITS:

1. Conditions of Approval.
2. Application and supplemental materials dated November 11, 2003.
3. Plans for the proposed project.

Town of Tiburon

STAFF REPORT



EXHIBIT 1

CONDITIONS OF APPROVAL 21 Apollo Road FILE #703172

1. This approval shall be used within 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 to the plans received by the Town of Tiburon on November 21, 2003, or as amended by these conditions of approval. Any modifications to the approved plans must receive further design review and approvals.
3. All exterior lighting fixtures other than those approved by the Design Review Board must be down-light type fixtures.
4. Plans submitted to the Building Department 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 Department 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 Design Review 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 Design Review approval is not valid and shall be subject to stop work orders and may require removal.