





# Town of Tiburon

## STAFF REPORT

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### ANALYSIS:

#### Zoning

The Zoning Ordinance states that two off-street parking spaces are required for all single-family dwellings. The applicant is proposing to maintain two off-street parking spaces on the existing driveway. As proposed, the project appears to be in conformance with the development regulations of the R-1-BA zoning district.

#### Garage Conversion

The Town has an administrative policy which states that when an existing garage or carport is proposed to be converted, a replacement garage or carport of equal or greater capacity should be provided on the property. However, a replacement garage or carport may not be required if certain garage conversion 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, instead of being reviewed administratively. The following is a list of the garage conversion criteria, and an explanation of how each one is addressed by the project.

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 existing driveway.

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 and an existing side yard fence 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 is proposing to create a storage area, approximately 70 square feet in size, within a portion of the converted 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.*

There does not appear to be a credible location for the future construction of a garage or carport on the property that would not require a variance. The only conceivable area to locate a replacement garage or carport would be in front of the existing building. Since the existing building is currently 25 feet away from the front property line, it would be



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unlikely that any new construction would comply with the required 20 foot front yard setback.

As evidenced by the discussion above, garage conversion criterion #4 cannot be met; therefore the project has been forwarded to the Design Review Board for review. It is recommended that the Board review the impact of having no covered parking spaces on the property.

The Board has recently reviewed a number of requests for garage conversions in the Bel-Aire neighborhood. In fact, the conversion of garages in the neighborhood is becoming more commonplace. It is recommended that the Board consider this trend in the review of this application. On one hand, garage conversions are becoming part of the neighborhood character. On the other hand, more cars are being parked on driveways or in the street which may be a cumulative detriment to the neighborhood.

### **Public Comment**

The applicant has submitted a statement signed by the four closest neighbors to the subject property which indicates that the neighbors have no objections to the project.

### **RECOMMENDATION:**

It is recommended that the Board review this project with respect to the garage conversion policy and the guiding principles in the review of applications (Section 4.02.07), 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 existing and proposed improvements on the property are consistent with the guiding principles, and the loss of one covered parking stall would not be a detriment to the properties in the vicinity, 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 June 18, 2004.
3. Plans for the project

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### EXHIBIT 1

#### CONDITIONS OF APPROVAL 145 Leland Way FILE #704097

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 to the application and plans dated by the Town of Tiburon on June 18, 2004, or as amended by these conditions of approval. Any modifications to the plans must be reviewed and approved by the Design Review Board.
3. 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.