



Town of Tiburon

STAFF REPORT

the rear of the converted garage, and a window was installed on the right side of the structure. The front of the subject residence would remain unchanged.

The subject residence is a two-story 2,056 square foot structure. The proposed legalization of the garage conversion would increase the floor area of the house by 583 square feet, and would result in a total floor area of 2,650 square feet, which is less than the allowed floor area for a lot of this size. The project would not change the lot coverage from 2,650 square feet (19%), which is less than the 30% allowed for a property in the R-1 zone

ANALYSIS

Design Issues

The subject property is one of three properties located on McCart Court. The property contains a water easement, drainage easement, and sewer easement, making expansion of the current structure difficult.

The subject space was converted into a living room with two closets. The space is located on the right side of the steps and front entry to the residence. The current parking area is located in the right side yard setback; however, the property is sufficiently screened on the right side by a fence and substantial landscaping. The parking area is partially located within the water easement running across the front yard.

In order for a 2-car garage or carport to be constructed on the property, a variance for reduced front and side yard setback would be required. A 2-car garage could be constructed on the south corner of the property without encroaching onto the utility easement or on the north side if permission to encroach on the utility easement was granted by the utility company. Variances for reduced setbacks for garages in the R-1 zone have been granted on numerous occasions when a unique lot configuration exists.

The exterior façade of the subject garage space matches the materials of the residence, and it would not be altered.

Zoning

Besides the requested relief from the parking standards for a single-family dwelling, the project appears to be in conformance with the remaining development regulations of the R-1 zoning district.

Public Comment

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

RECOMMENDATION

It is recommended that the Board review this project with respect to Zoning Ordinance Section 4.02.07 (Guiding Principles for Design Review) and the Town Policy regarding Garage/Carport



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Conversions 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 wishes to approve the project, Staff would recommend that the attached conditions of approval be applied.

ATTACHMENTS

1. Conditions of approval
2. Application and supplemental materials
3. Town Policy Regarding Garage/Carport Conversions
4. Submitted plans

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CONDITIONS OF APPROVAL

4 MCCART COURT

FILE #705170

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 14, 2005, 2005, or as amended by these conditions of approval. Any modifications to the plans of September 14, 2005, 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. 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.