

# Town of Tiburon STAFF REPORT

AGENDA ITEM   D1  



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TO:                   **DESIGN REVIEW BOARD**

FROM:               **PLANNING MANAGER WATROUS**

SUBJECT:           **95 MOUNT TIBURON ROAD; FILE #706084**  
**SITE PLAN AND ARCHITECTURAL REVIEW FOR THE CONSTRUCTION**  
**OF ADDITIONS TO AN EXISTING SINGLE-FAMILY DWELLING AND**  
**CONVERSION OF A GARAGE INTO LIVING SPACE**

MEETING DATE:   **JULY 6, 2006** \_\_\_\_\_

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**PROJECT DATA:**

<b>ADDRESS:</b>	<b>95 MOUNT TIBURON ROAD</b>
<b>ASSESSOR'S PARCEL:</b>	<b>058-262-10</b>
<b>FILE NUMBER:</b>	<b>706084</b>
<b>PROPERTY OWNERS:</b>	<b>RONALD AND MELANIE ASH</b>
<b>APPLICANT:</b>	<b>THERESA TAMLEY (ARCHITECT)</b>
<b>LOT SIZE:</b>	<b>29,600 SQUARE FEET</b>
<b>ZONING:</b>	<b>RO-2 (SINGLE-FAMILY RESIDENTIAL-OPEN)</b>
<b>GENERAL PLAN:</b>	<b>MEDIUM LOW DENSITY RESIDENTIAL</b>
<b>FLOOD ZONE:</b>	<b>C</b>
<b>DATE COMPLETE:</b>	<b>JUNE 16, 2006</b>

**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 additions to an existing single-family dwelling on property located at 95 Mt. Tiburon Road. An existing two-car garage would be converted into a family room. A series of small storage rooms would be constructed adjacent to the converted garage, with an 8 foot tall wall extending behind the storage rooms. The wall would not extend into any required setbacks.

The lot coverage on the site would only be increased to 3,420 square feet (11.5%), which is less than the 15.0% maximum lot coverage permitted in the RO-2 zone. The proposed garage conversion would add 520 square feet of floor area to the existing house, resulting in a total floor area for the house of 3,300 square feet, which is less than the floor area ratio for a lot of this size.



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The proposed garage conversion does not meet the standards set within the Town's garage conversion policy. Therefore, in accordance with that policy, this application has been referred to the Design Review Board.

A color and materials board has not been submitted, as the proposed additions would not generally change the exterior appearance of the existing house.

### ANALYSIS

#### Design Issues

The subject property is a flag lot with the bulk of the parcel set well back from Mt. Tiburon Road. The property lines in the vicinity of the existing driveway and garage are well screened by a tall, dense hedge.

The proposed storage rooms and wall would be situated adjacent to the existing driveway and parking area. The hedges along the property lines would prevent any views of the proposed structures from neighboring properties.

#### Zoning

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the RO-2 zone. As noted above, the proposed garage conversion does not comply with the Town's garage conversion policy.

Adopted in 1999, the Town's garage conversion policy states that a garage may be converted into living space without construction a replacement garage if all four of the following criteria are met:

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 existing driveway extends up the "pole" portion of the lot then turns north along the property line before making a u-turn into the garage. Due to the unusual shape of the lot, almost the entire driveway is situated within the required front yard setback for this property.

Although the driveway and adjacent parking area extends into the required setbacks, the turnaround area for the driveway provides adequate space to park at least three vehicles, and another car could likely be parked near the front of the house where the driveway turns to the north.

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 other means.* As noted above, the hedge along the property line screens the driveway and parking area from view from adjacent properties.



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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 proposed storage rooms would provide adequate storage space for these needs.*
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 (i.e. a future garage or carport would conform to all zoning requirements regarding setbacks, lot coverage, height limits, etc.). 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. The location of the house on the site and the unusual shape of the lot would eliminate any credible locations to construct a replacement two-car garage. An area to the front of the house could support a garage of 1½ spaces without encroaching into the required setbacks, but there is not quite enough space for a two-car garage.*

The subject property clearly has adequate space upon which to park a number of vehicles on improved surfaces in areas that are well-screened from neighboring homes. The proposed storage rooms would easily provide space to store equipment and materials that would normally be stored in a garage. The unusual lot configuration creates difficulties in finding a location for replacement garage spaces, resulting in inconsistencies with the Town's garage conversion policy. However, the Design Review Board has approved other applications for garage conversions which would have resulted in much more visible vehicle parking areas than that provided on this site; the resulting outdoor car parking on this property would likely have little or no impact on the surrounding neighborhood.

### **Public Comment**

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

### **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 15301. If the Board agrees with Staff's conclusions, Staff would recommend that the attached conditions of approval be applied.

### **ATTACHMENTS**

1. Conditions of approval
2. Application and supplemental materials
3. Town of Tiburon Garage Conversion Policy
4. Submitted plans

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### CONDITIONS OF APPROVAL

#### 95 MOUNT TIBURON ROAD

#### FILE #706084

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 May 19, 2006, or as amended by these conditions of approval. Any modifications to the plans of May 19, 2006, 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.
6. All exterior lighting fixtures must be down light type fixtures.