

July 15, 2014

Mohammad Diab
1123 Spazier Avenue
Glendale, CA 91201

**RE: 1123 SPAZIER AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1416815**

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.44.020 (B), the Community Development Department has processed your application for an Administrative Exception to allow the continuation of a five-foot interior setback for a minor addition to the house where a six-foot setback is required. The subject property is located at **1123 Spazier Avenue**, in the "R 2250" - (Medium Density Residential) Zone, and described as Lot 5, Tract 6121, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL RECOMMENDATION: This project is exempt from environmental review as a Class 1 "Existing Facility" exemption (Section 15301 (e) (1) of the State CEQA Guidelines).

REQUIRED/MANDATED FINDINGS:

After thorough consideration of the statements contained in the application and the plans submitted, the Hearing Officer has **GRANTED WITH CONDITIONS** your application based on the following:

- A. The granting of the exception will result in design improvements, or there are space restrictions on the site that preclude full compliance with the Code requirements without hardship.**

The subject property is 7,784 square feet developed in 1926 with a 756 square foot house and 386 square foot two-car garage. The proposed project would add 6 feet 11 inches to the front of the house to enlarge a bedroom and the living room. The house is approximately 36 feet deep, so the addition increases the depth approximately 16 percent. The proposed 330 square foot addition will make the house more functional and will not add bedrooms to the unit. The proposed addition will be constructed in a way that will match the existing style of the residence. Rather than change the design to provide a six-foot setback, continuing the setback at five-feet for the small addition results in a design improvement by creating a more rational and coherent design. To deny the small addition would unduly restrict the flexibility for reasonable use and development of the property.

- B. The granting of the exception will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.**

The new porch and front of the house will be closer to the street but will meet the front setback. The addition will also project towards the driveway but will also comply with the interior setback on the west side of the house. No other floor plan alterations are proposed. The addition does not result in an increase in the number of existing bedrooms. The addition will result in a small amount of increased floor area with no increase in the intensity of the use. Continuing the interior setback at five-feet will make the addition consistent with the east side of the house, resulting in a more coherent and rational design. Since additional parking demand is not expected and the addition simply continues an existing setback, the addition will not be detrimental to the public welfare, injurious to the property, or improvements in the zone.

- C. The granting of the exception will not be contrary to the objectives of the applicable regulations.**

The proposed addition complies with the remaining R 2250 Zoning Code standards. The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from the code standards. These standards were developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare. A two-car garage serves the house. The proposed 6-foot 11-inch addition continues an existing non-conforming five-foot setback. The addition does not add any rooms to the house. After the work is done, the house will be more functional and the addition will result in a coherent and unified appearance. Therefore, continuing the existing five-foot setback while allowing the 330 square-foot addition to the house will not be contrary to the objectives of the applicable regulations.

CONDITIONS OF APPROVAL:

APPROVAL of this Administrative Exception shall be subject to the following conditions:

1. The development shall be in substantial accord with the plans presented in conjunction with the application for the Administrative Exception, except any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Hearing Officer.
2. All necessary permits shall be obtained from the Building and Safety Section and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. The premises shall be maintained in a clean orderly condition, free of weeds, trash, and graffiti.
4. Any expansion or modification of the dwelling, which is different than what is represented as part of this Administrative Exception application, shall require a new application and constitute adding of additional floor area or physical change as determined by the Hearing Officer.

5. No exterior changes shall be allowed other than what is proposed under this application and no additional floor area expansion in this unit will be granted in the future without the garage meeting code standards or, in lieu of that, approval of a variance or parking reduction permit.
6. The project shall obtain either a Design Review Board (DRB) exemption or DRB approval.

APPEAL PERIOD, TIME LIMITS, LAPSE OF PRIVILEGES, TIME EXTENSIONS:

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper City and public agency.

Under the provisions of the Glendale Municipal Code, Title 30, Chapter 30.62, any person affected by the above decision has the right to appeal said decision to the Planning Commission if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms within fifteen (15) days following the actual date of the decision. Information regarding appeals and appeal forms will be provided by the Permit Services Center (PSC) or the Community Development Department (CDD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **July 30, 2014** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

GMC CHAPTER 30.41 PROVIDES FOR:

TERMINATION: Every right or privilege authorized by an Administrative Exception shall terminate two (2) years after the granting of such, unless the exercise of such right or privilege has commenced in good faith prior to such time, except as otherwise provided in the GMC.

EXTENSION: Permits granted by such right or privilege may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of the administrative exception.

APPEAL FORMS available on-line: <http://glendaleca.gov/appeals>

To save you time and a trip - please note that some of our FORMS are available on line and may be downloaded. AGENDAS and other NOTICES are also posted on our website. Visit us.

TRANSFERABILITY:

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be sold, leased, rented, or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

VIOLATIONS OF THESE CONDITIONS:

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is provided, a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment shall punish any person convicted of a misdemeanor. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation.

Violations of conditions required by this determination may be grounds for a revocation.

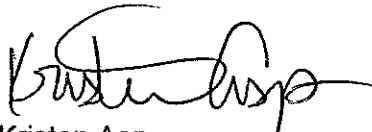
REVOCAION:

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits, and administrative exceptions. To consider the revocation, the Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a variance and at least 10 days notice by mail to the applicant or permittee.

NOTICE – subsequent contacts with this office:

The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then the Hearing Officer who acted on this case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **By Appointment Only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

Sincerely,



Kristen Asp
Hearing Officer

KA:JH:sm

CC: City Clerk (K.Cruz); Police Dept. (Lt.S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(D.Nickles); City Engineer and Traffic & Transportation Section (R.Golianian/G.Tom); Director of Public Works and General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (R.Takidin); Glendale Water & Power--Electric Section (M.Kelley/M.Jackson); Parks, Recreation and Community Services Dept. (E.Tatevosian); Neighborhood Services Division (A.Jimenez); Integrated Waste Management Admin. (D.Hartwell); Maintenance Services Section Admin. (D.Hardgrove); Street and Field Services Admin.; Environmental Management (M.Oillataguerra); and case planner Jeff Hamilton.