



CITY OF GLENDALE, CALIFORNIA
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

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April 11, 2013

Mike Geragos
2155 Verdugo Boulevard, #614
Glendale, CA 91020

**RE: 1129 NEWBY STREET
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1304913**

Dear Mr. Geragos:

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.44.020 (D), the Community Development Department has processed your application for an Administrative Exception to allow a 100 square-foot addition to an existing single family residence without providing two covered and enclosed parking spaces, as required by Chapter 30.32.050 of the Glendale Municipal Code. The subject property is located at **1129 Newby Street**, in the "R-2250" - (Medium Density Residential) Zone, and described as Portion of Lot 3, Tract 9946, 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 considering the evidence presented with respect to this application, the plans submitted therewith, the Planning Hearing Officer has **GRANTED WITH CONDITIONS**, your application based on the following findings:

- 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 a 5,000 square-foot lot developed in 1928. An existing 1,605 square-foot one-story single family house is located toward the front of the subject property and a one-car detached garage behind it. The proposal is to add 100 square feet to the rear of the house without providing a two-car garage.

While meeting minimum setback requirements, the house occupies the majority of the lot with a 21-foot street front setback and 23-foot average. The house is separated from the garage by approximately six feet, seven-inches. The existing garage is 10 feet wide by 20 feet deep and approximately one foot from the rear property line. The Zoning Code requires that a one-car garage be expanded to meet the minimum parking requirement upon any addition to the existing residence. Meeting the minimum parking standards would require expansion of the existing garage or demolition of the existing garage and construction of a new code compliant garage. The site would not be able to accommodate any additional parking spaces that are fully enclosed without unnecessary hardship and without changing the existing site conditions.

Due to the location of the existing residence, expansion of the existing garage or construction of a new two car garage could not be built without violating the required 25-foot turning radius for back-up. Providing a second covered and enclosed parking space as required by the Zoning code would require impractical changes to the existing site and to deny the 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.

This proposed 100 square-foot expansion will be located at the rear of the residence. The changes to the floor plan will create a new bathroom, making the house more functional since the existing house only has one bathroom. The proposed addition would not create additional bedrooms and will not intensify the use. Therefore, additional parking demand is not expected, and as such will not be detrimental to the public welfare, injurious to the property, or improvements in the zone. The addition will not be visible from the street and will still allow for adequate open space, light, and ventilation for the subject residence as well as adjacent residences.

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, such as lot coverage, floor area ratio, landscaping, and setback distances. The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from Code standards. These standards have been developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare. The existing garage will provide an enclosed parking facility for the sole purpose of parking vehicles. Additionally, the 79-foot plus long driveway also provides temporary parking. Granting an exception for a 100 square-foot addition will allow reasonable development of the site that meets all other zoning regulations. Therefore, maintaining the existing one-car garage while allowing a 100 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. That the development shall be in substantial accord with the plans submitted with the application except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Hearing Officer.
2. That all necessary permits shall be obtained from the Building and Safety Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. That design review approval or exemption shall be obtained prior to the issuance of a building permit.
4. That the two metal sheds located in the rear yard be legalized to meet current zoning code standards.
5. That 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 as determined by the Hearing Officer.

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 Building and Safety Division upon request and must be filed with the prescribed fee **prior to expiration of the 15-day period, on or before APRIL 26, 2013**, in the Building and Safety Division, 633 East Broadway, Room 101.

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 for.

CESSATION: An Administrative Exception may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative Exception for one year or more in the continuous exercise in good faith of such right and privilege.

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://www.ci.glendale.ca.us/planning/SubmittingAProject.asp>

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.

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, any person convicted of a misdemeanor shall be punished by 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. 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 Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a variance 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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Bradley Collin during normal business hours at (818) 548-3210, between 7:30 a.m. to 3:30 p.m.

Sincerely,



Kristen Asp
Senior Planner

KA:BCOLLIN:sm

cc: City Clerk; City Attorney's Dept. (G. van Muyden); Fire Prevention Engineering Section-(D.Nickles); Community Development Dept. (H.Malis); City Engineer; Dir. of Public Works Dept.; GWP-Water Section (R.Takidin); GWP-Electric Section (Belinda Ortiz); Dir. of Parks, Recreation and Community Services Dept.; Neighborhood Services Admin. (A.Jimenez); Integrated Waste Management Admin. (D.Hartwell); Maintenance Services Section Admin. (D.Hardgrove); Street and Field Services Admin.; Environmental Management (M.Oillataguerra); Traffic & Transportation Division; and case planner Brad Collin.