



CITY OF GLENDALE, CALIFORNIA
COMMUNITY DEVELOPMENT DEPARTMENT
Director of Community Development

633 East Broadway, Room 103
Glendale, California 91206-4386
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www.ci.glendale.ca.us

March 22, 2013

Joe Vinci
22413 Laurel Place
Saugus, CA 91390

**RE: 4004 HAMILTON LANE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1302221**

Dear Mr. Vinci:

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.44.020 (E), the Community Development Department has processed your application for an Administrative Exception to permit the installation of rooftop equipment on the flat portion of the roof as required by Chapter 30.32.050 of the Glendale Municipal. The subject property is located at **4004 Hamilton Lane**, in the "R1"-Low Density Residential Zone, Floor Area Ratio District II, and described as Portion of Lots 8, Block P, Crescenta Canada Tract, in the City of Glendale, County of Los Angeles.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, the plans submitted therewith, the Planning Hearing Officer has **DENIED** your application based on the following findings:

- A. The granting of the exception would not result in design improvements and there are no space restrictions on the site that would preclude full compliance with Code requirements without hardship.**

The proposed location for the air conditioning unit is on the flat portion of the roof. However, a review of permit records from 1960 indicates that the area at the back of the house was only a porch and there are no records indicating that the enclosure of the porch was permitted. Even if the addition were to be legalized,

the submitted site plan indicates at least a 28-foot wide by 14-foot wide patio at the rear of the house. Pictures and plans submitted indicate a water softener unit located within this patio area at the west side of the property. Landscaped planter beds are located along the edge of the house walls. Even with these planters, there appears to be a generous area to locate an air conditioner unit with a 31 inch by 31 inch footprint as proposed on the roof. No structures or other obstructions would prevent the unit from being located on the ground in this area and comply with zoning standards. Furthermore, the unit can be placed in several other locations within the west side of the property without great impact to the backyard.

B. The granting of the exception will 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.

Although there is photographic evidence that an air conditioning unit was located on a flat portion of the roof, there is no record of a HVAC permit granting such a unit on the roof. Although it does not appear that the proposed air conditioning unit would be visible from the street, as stated above, no physical constraints preclude the installation of a new unit from complying with current development standards applicable to all single family residential properties.

C. The granting of the exception will be contrary to the objectives of the applicable regulations.

With no records indicating that the enclosure of the porch was permitted, granting approval of rooftop equipment would be contrary to the objectives of the Code standards. Furthermore, this is the location of the only flat portion of the residence eligible for an administrative exception. Even if the enclosure of the porch was legalized, there is no justification as to why the equipment cannot be accommodated on the ground which would also be contrary to the standards of the "R-1"– Low Density Residential Zone. While the proposed unit location on the roof may not create significant adverse impacts on the surrounding area, there are no space constraints that would prevent it from being located on the ground, as required by the Zoning Code.

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

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 8, 2013**, in the Building and Safety Division, 633 East Broadway, Room 101.

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.

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.