

December 1, 2016

Richard Diradourian
3786 La Crescenta Ave., #207
Glendale, CA 91208

**RE: 1816 MELWOOD DRIVE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1625941**

Dear Mr. Diradourian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44, Subsection 30.44.020 (B) for an extension into a setback area to permit the continuation of an existing building line for minor additions or building modifications, the Community Development Department has processed your application for an Administrative Exception to maintain an existing three-foot interior setback where a minimum five-foot interior setback is required in accordance with Section 30.11.030, Table 30.11-B of the Glendale Municipal Code in conjunction with an approximately 53 square-foot addition to an existing single-family residence located at **1816 Melwood Drive**, in the "R1R" (Restricted Residential) Zone, Floor Area Ratio District II and described as Portion of Lot 245, Bellehurst Hillslopes Tract, in the City of Glendale, County of Los Angeles.

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

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, all of the required three findings can be made in support of the application. The Director of Community Development has **APPROVED 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 5,885 square-foot lot with frontages on Melwood Drive and Bohlig Road. It was developed in 1964 with the existing 1,528 square-foot, two-story single-family residence and the 401 square-foot attached two-car garage. The two-bedroom residence was built on the east side of the down sloped lot on the Melwood Drive frontage, with a 3'-6" interior setback on the north side and 3'-0" interior setback on the south side of the residence. The applicant is proposing to extend the southerly wall of the first floor towards the west side of the property to add an approximately 53 square-foot bathroom addition to

the existing bedroom on the first floor and maintain the existing non-conforming three-foot interior setback where, in accordance with Section 30.11.030 Table 30.11-B of the Zoning Code, a minimum five-foot interior setback is required. Providing a minimum five-foot interior setback to meet the setback requirement in the present case will require reduction of the existing bedroom size in order to fit a decent sized bathroom by moving the western or southern exterior bedroom walls to fit a bathroom, resulting in substantial building changes. Furthermore, the steep downhill topography of the site makes an expansion of the footprint of the house difficult.

The proposed addition will convert an existing closet of the bedroom and extend the southern wall of the house to infill an existing notch on the balcony. The area of the proposed addition is within the footprint of the house and is already covered by the second floor. Therefore, no expansion of the existing building footprint or its roof is required to build the proposed addition. Additionally, the proposed bathroom addition will not be directly visible from the public right-of-way and it will not substantially change the overall design or site planning of the house. Allowing an exception to extend the existing southern wall of the house and maintain the three-foot interior setback for the 53 square-foot addition will result in converting an unusable space within the house to a more functional space without creating a hardship.

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 addition encloses an approximately 53 square-foot area within the existing footprint of the house while maintaining the existing non-conforming interior setback of three feet. The proposed addition will not increase the footprint of the house. There will be no change or expansion of the existing house in terms of its setting on the lot or the distance from the adjacent neighbors. The minor addition will convert an existing closet and a part of the first-floor balcony to a new bathroom in order to create a more functional bedroom to fulfill the residents' needs. Additionally, the addition will not be directly visible from the public right-of-way. The addition allows the development on the site to continue to provide the separation from the neighboring development as well as provide light, privacy, and ventilation as intended by the Zoning Code. Therefore, the addition will not be materially detrimental to the public welfare, or injurious to the property, or improvements in this zone.

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

The proposed addition complies with the all code requirements of the R1R-II zone, except setback requirements. 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 proposed 53 square-foot addition continues an existing non-conforming three-foot building setback. Additionally, the addition will be within the existing footprint of the house without creating a new roof or projecting elements. Therefore, granting of this exception for a small addition to maintain the existing non-conforming three-foot interior setback will allow reasonable development of the site and 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 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 Planning 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 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.
- 4) That Design Review Board (DRB) approval/exemption shall be obtained prior to issuance of a building permit.
- 5) That the premises be maintained in a clean orderly condition, free of weeds, trash, and graffiti.

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 **December 16, 2016** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 am to 12:00 pm, or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 pm to 5 pm.

GMC Chapter 30.41 provides for:

TERMINATION: Every right or privilege authorized by an Administrative Exception shall terminate two 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 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 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 www.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.

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 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.

REVOCACTION

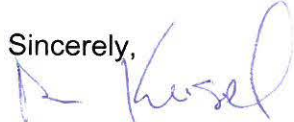
Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same 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, Aileen Babakhani during normal business hours at her direct line (818) 937-8331 or ababakhani@glendaleca.gov, between 8:00 a.m. to 5:00 p.m. weekdays.

Sincerely,



Roger Kiesel,
Planning Hearing Officer

RK:ab

cc: City Clerk (K. Cruz); City Attorney's Dept. (G. van Muyden); Fire Prevention Engineering Section-(J. Halpert); Dir. Of Public Works (R.Golanian); Traffic & Transportation Section (W. Ko/S. Vartanian); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian); Glendale Water & Power--Electric Section (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (S. Mirzaians); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner Aileen Babakhani.