



August 22, 2017

Nareg Khodadadi
213 North Orange Street, Suite 'E'
Glendale, CA 91203

RE: **3459 SIERRA VISTA AVENUE**
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1718346

Dear Mr. Khodadadi:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.020 (J), for nonconforming driveways less than eight (8) feet in width on properties with an existing single family residential use where an addition to the building, or expanded or new garage is proposed to maintain a width less than eight (8) feet, as long as the nonconformity regarding driveway width is not increased, and the driveway can reasonably provide access to the garage, the Community Development Department has processed your application for an Administrative Exception to maintain a portion of the existing driveway width ranging from 7'-5" to 7'-7" adjacent to the existing residence (Chapter 30.32.120.C of the Glendale Municipal Code), in conjunction with the construction of a new detached two-car garage and an addition to an existing single-family dwelling on the site. The subject property is located at **3459 Sierra Vista Avenue**, in the "R1" - Low Density Residential Zone, Floor Area Ratio District II, described as Lot 9, Block 22, in the Sparr Heights Tract, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

This project is exempt from environmental review as a Class 1 "Existing Structures", per Section 15301 of the State CEQA Guidelines because the project involves maintaining a portion of the existing substandard driveway width in conjunction with an addition less than 2,500 square feet to the existing house and construction of a new garage.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department 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.**

There are space restrictions on the subject site that bar full compliance with the driveway width standard without hardship. The 6,561 square-foot, rectangular shape lot is

approximately 50' wide by 130' deep, located on the west side of Sierra Vista Avenue in the R1 (FAR District II) zone. The property was originally developed in 1939 with a two-bedroom, one-bath, 1,086 square-foot single-family home and an attached two-car garage at the rear of the house. On April 11, 2017, an Administrative Design Review application (Case No. PDR 1781231) was approved to allow a 953 square-foot, single-story addition to the rear of an existing 1,086 square-foot, single-story residence, including the conversion of the existing two-car garage as part of the 953 square-foot addition, and the construction of a new detached, two-car garage on the north-west corner of the lot. The plans submitted with the Design Review application showed an eight-foot driveway, which is the minimum driveway width for existing single-family residences per GMC Chapter 30.32.120.C; nonconforming driveways less than eight (8) feet in width on properties with an existing single family residential use where an addition to the building, or expanded or new garage is proposed may maintain a width less than eight (8) feet with an approved Administrative Exception, as long as the nonconformity regarding driveway width is not increased, and the driveway can reasonably provide access to the garage. During construction, a survey was requested by the City's Building inspection staff. The survey revealed that the existing driveway width varied from 7'-8" to 7'-10" from the interior property line along a portion of the driveway adjacent to house. Given the existing, six-inch wide, low block wall along the northerly property line, the actual driveway clearance is reduced, ranging from 7'-5" to 7'-7". The Administrative Exception request is to maintain the existing reduced driveway width described herein.

There are space restrictions on the site that preclude full compliance with the Code requirements. To require increasing the width of the existing driveway in compliance with zoning regulations would result in demolishing a portion of the existing house adjacent to the driveway. Furthermore, removing the existing building wall along the driveway would put the demolition calculation for the expansion project over the 50% threshold. If this occurs, the project would constitute as a "rebuild" according to the GMC 30.60.040.B (Nonconforming Buildings, Structures,...) and the development would require Design Review Board (DRB) approval. The DRB entitlement request would be processed as "new construction" and require compliance with all current R1-II (low density residential, floor area ratio district II) zoning standards. Approval of this Administrative Exception allows the building wall adjacent to the driveway to remain in its present location and the residents will continue to use the existing driveway providing access to the required parking garage at the rear of the lot.

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.

Granting approval of the Administrative Exception will not be detrimental or injurious to the surrounding properties because adequate access to the required two-car garage parking at the rear of the lot will continue to be provided on the existing driveway. The existing driveway has been used by the residents since 1939 when the house and attached garage were constructed. The neighboring house to the north adjacent to the existing driveway was constructed in 1940, and the building pad is slightly elevated from the subject property (the street slopes gently up towards the north); there is a landscaped buffer between the property line and the adjacent residence. Over the last 77 years, the subject driveway has provided access to the parking at the rear with no apparent accessibility issues. As noted in the vehicle information sheet submitted with the application, many sport utility vehicles (SUVs) feature car widths between 6'-2" and 6'-7". Given their width dimension, an SUV would still have the required drive aisle clearance on the existing driveway width that varies

from 7'-5" to 7'-7". As such, the granting of the Administrative Exception to maintain the reduced driveway width will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located because the existing driveway will continue to provide the necessary access to the required parking garage at the rear of the lot without conflicting with its current circulation. Moreover, with the exception of the new floor area addition proposed at the rear of the existing house, the existing house and adjacent properties will not be negatively impacted as a result of maintaining the existing reduced driveway width.

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

Approval of the Administrative Exception to maintain the existing driveway width for the portion along the existing house will not be contrary to the objectives of the driveway standards. The objective of the minimum driveway width is to provide sufficient space to access required garage parking. For over 70 years, the existing driveway width has provided adequate vehicle circulation and access (ingress and egress) to required parking for the project site. In addition, supplemental information submitted by the applicant regarding vehicle sizes indicates that adequate clearance exists for many of today's vehicle models, including SUV's.

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. Therefore, granting the request of an Administrative Exception to allow a portion of the existing driveway next to the house to remain with its current width ranging from 7'-5" to 7'-8", an 8% deviation from the required minimum driveway width of 8'-0", as required by GMC 30.32.090, in conjunction with the construction of a new detached garage and an addition to the existing single-family house, will not be contrary to the objectives of the applicable regulations. In addition, the granting of the exception will allow reasonable development of the subject property in accordance with the General Plan Land Use Element designation, Single Family Residential, and the R1 zoning designation. The proposed development meets all other Zoning Code requirements for the R1 (FAR District II) zone, such as lot coverage, floor area ratio, landscaping, setbacks, and parking.

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 Community Development Department.
- 2) That 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) That any expansion or modification of the dwelling unit which is different than what is represented as part of this Administrative Exception approval shall require a new application as determined by the Hearing Officer.
- 4) That the existing low (8 to 18 inches in height) block wall along the interior property line (shared boundary line wall) shall remain a low wall along that portion of the driveway featuring the reduced 7'-5" to 7'-7" width, and shall not be increased in height, thereby impacting the minimal driveway clearance. If this existing low wall is removed and replaced with a new fence or wall, the new fence or wall shall not be installed on the subject property along the affected reduced portion of the driveway.

APPEAL PERIOD

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 **September 6, 2017**, 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 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.glendaleca.gov/appeals>

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.

REVOCATION

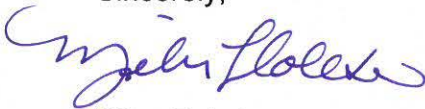
Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same 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.

You may contact the case planner, Vilia Zemaitaitis, during normal business hours at (818) 937-8154 or via e-mail at vzemaitaitis@glendaleca.gov.

Sincerely,



Milca Toledo
Planning Hearing Officer

MT:VZ:sm

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 (P.Casanova); 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 Vilia Zemaitaitis.