



January 10, 2018

Suvanna Patana
846 Norton Avenue
Glendale, CA 91202

**RE: 846 NORTON AVENUE
VARIANCE CASE NO. PVAR 1621149**

Dear Ms. Patana:

On January 10, 2018, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.43, on your application for a Variance to allow the construction of an approximately 335 square-foot addition without providing two covered and enclosed parking spaces, located at **846 Norton Avenue**, in the "R1" - Floor Area Ration District I Zone, described as Lot 152, Tract No. 11040, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

- (1) Upon a change or enlargement of a building which creates additional floor area, additional parking spaces shall be provided for such new floor area unless said parking exceeds the requirements of the parking chapter (30.32.030.B.1)

APPLICANT'S PROPOSAL

- (1) To allow the construction of a 335 square foot addition to an existing single-family residence without providing two covered and enclosed parking spaces.

ENVIRONMENTAL DETERMINATION

The project is exempt from environmental review per State CEQA Guidelines Section 15303, Class 3 "New Construction or Conversion of Small Structures" because the project is an addition to an existing single family house.

REQUIRED/MANDATED FINDINGS

After consideration of the staff report, public testimony and review of the proposal, the Planning Hearing Officer determined that findings for the requested variance can be made. Therefore, the variance is **APPROVED SUBJECT TO FOLLOWING FINDINGS AND CONDITIONS:**

- A. That the strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance.**

That the strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance because of the location of the existing garage. The existing garage is approximately 17.5 feet deep and 15 feet wide with a 13.5-foot

wide garage door. The garage is located on the eastern interior property line and shares a common wall with the living room of the residence on the west. The floor level of the living room is approximately 18 inches above the floor level of the garage and a fireplace is located along the common garage/living room wall. Widening the existing garage would be practically difficult. As previously mentioned, the garage is built on the eastern property line and thus cannot be expanded in this direction. Expanding the garage in a westerly direction would require removal of the existing fireplace and demolishing and lowering a portion of the living room foundation to make it the same floor level as the garage.

The garage is set back approximately 28 feet from the front property line. No changes to the front of the residence are proposed as a result of the request. While the garage could be lengthened to comply with garage depth standards, it would be an unnecessary hardship to do so. Because the existing garage is currently located on the eastern property line, any increase in garage depth would exacerbate an already non-conforming situation, since attached garages cannot be located on interior property lines. Additionally, lengthening the garage toward the street would require alterations to the roof of the residence in an area of the house without any proposed changes.

B. There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood because the garage on the subject site is both attached to the residence and located on the eastern interior property line. Immediately west of the existing garage, the living room is approximately 18 inches higher than the floor level of the garage. While it is not unusual that the floor levels of the garage and living areas of the residence are different (as they are in the current situation), it is an exceptional circumstance that the garage was constructed on the property line and, in particular, that it was attached to the residence when it was built in 1936, an era where modest single-family homes were developed with detached garages. Given this circumstance, it would be impossible to lengthen or widen the garage to comply with current development standards without exacerbating the current non-conforming interior setback or substantially altering the front of the residence.

C. The granting of the variance 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 granting of the variance 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 because of the modest size and bedroom count of the residence. The subject site was developed in 1936 as an approximately 1,100 square-foot single-family residence with an attached garage. The family room "addition" is approximately 280 square feet. With the family room, the house would be approximately 1,380 square feet. The size of the subject house is modest by today's standards, where the average single-family residence is approximately 2,100 square

feet. Additionally, it would remain a two-bedroom house. According to the present owner of the property, the family room and covered porch existed when they purchased the property in 1987. These features were constructed without a permit along with enclosure of the covered porch which was completed by the present property owners. While these features of the residence were not permitted, they have not proven to be injurious to the property as the house has existed in its present state for approximately 30 years without incident or neighborhood services violation (aside from the present unpermitted addition) and do not appear to have negatively impacted on-site or adjacent neighborhood parking.

D. The granting of the variance will not be contrary to the objective of the ordinance.

The granting of the variance will not be contrary to the objective of the ordinance because an objective of the Zoning Ordinance is to accommodate reasonable development and the objective of the parking standards is to ensure sufficient off-street parking for various uses and lessening traffic congestion on public streets. The house with the proposed addition will be just under 1,400 square feet of living area, which is modest by present standards and will remain a two-bedroom house; the project will not increase the demand for on-site parking. The garage cannot be expanded without exacerbating the existing non-conforming interior setback and requiring approval of a variance for this or without substantially demolishing part of the residence due to floor level differences and the location of the existing fireplace. Norton Avenue is a local street in the City's Circulation Element of the General Plan. The lack of required minimum number of parking spaces at the subject site will not negatively impact traffic congestion on this street. Further, as mentioned, the proposed addition should not generate additional parking need, as no bedrooms are proposed and the addition, while not legally permitted, has existed for a significant period of time.

CONDITIONS OF APPROVAL

APPROVAL of this Variance shall be subject to the following conditions:

1. That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for 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 licenses (i.e. building, fire, engineering, etc.) shall be obtained from the Building and Safety section and Public Works Department and all construction shall be in compliance with the Glendale Building Code UBC (Universal Building Code) and all other applicable regulations.
3. A grading/drainage plan shall be submitted for the Engineering Division's review and approval and shall be made a part of the building plans submitted with the building permit application.
4. Separate permits are required for all work within the public right-of-way. The applicant shall bear all fees for the necessary permits and construction inspection for work within the public right-of-way.

5. The project shall comply with all National Pollutant Discharge Elimination System (NPDES) requirements, including filing a Notice of Intent with the Los Angeles Regional Water Quality Control Board, and the submittal and certification of plans and details showing preconstruction, during construction and post-construction Best Management Practices (BMPs) that are integrated into the design of the project. In addition, the applicant shall submit an approved Standard Urban Stormwater Mitigation Plan (SUSMP) to be integrated into the design of the project.
6. That a building permit shall be obtained for all work enabled by this variance.
7. That Design Review approval shall be obtained prior to the issuance of a building permit.
8. That if any buildings, sidewalks, curb or gutter, fencing or landscape areas, etc., adjacent to the site are damaged during the course of construction on public or private property, the damage shall be repaired to the satisfaction of the Planning Hearing Officer for private property and the Director of Public Works for public property.

APPEAL PERIOD

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 **JANUARY 25, 2018**, 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.

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

TRANSFERABILITY

This authorization runs with the land for which it was intended for and approved. In the event the property is to be 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, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, Administrative Use Permits, and Conditional Use Permits (individual cases heard and decided upon by the Planning Hearing Officer). To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a variance at least ten (10) days' notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Planning Hearing Officer, with concurrence by the Director of Community Development.

GMC CHAPTER 30.41 PROVIDES FOR

Termination

Every right or privilege authorized by a Variance 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.

Extension

An extension of the Variance 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 Variance

Cessation

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

NOTICE – subsequent contacts with this office

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the case planner. 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.

846 NORTON AVENUE
VARIANCE CASE NO. PVAR 1621149

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Roger Kiesel at 818-937-8152 or rkiesel@glendaleca.gov

Sincerely,



Laura Stotler
Planning Hearing Officer

LS:RK:sm

CC: City Clerk (K. Cruz); City Attorney's Dept. (G. an Muyden/Y. Neukian); Fire Prevention Engineering Section (J. Halpert); Dir. Of Public Works (R. Golanian); Building and Safety (S. Hairapetian); Design Review and Historic (J. Platt); Housing (P. Zovak); (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 (B. Alshanti/B. Ortiz); Community Services and Parks Dept. (T. Aleksanian); Neighborhood Services Division (S. Sardarian/J. Jouharian); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (R. Villaluna); D. Stephens-neighbor; and case planner Roger Kiesel.