

April 5, 2018

Matthew Kasparian  
717 Portola Avenue  
Glendale, CA 91206

**RE: 717 PORTOLA AVENUE  
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1803893**

Dear Mr. Kasparian:

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.44.020 (J) non-conforming driveways less than eight (8) feet in width on properties with an existing single family residential use where an addition to the building is proposed may maintain a width less than eight (8) feet, as long as the non-conformity 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 allow a driveway to have a width of seven feet, five inches, (7'-5") which is less than eight (8) feet. The subject property is located at **717 Portola Avenue**, in the "R1" - (Low Density Residential) Zone, described as Lot 5, block 5 of the Rossmoyne 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(e) (1) of the State CEQA Guidelines) because this application is for the maintenance of an existing nonconforming driveway width in conjunction with a 152 square foot addition at the rear of the house.

**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.**

There are space restrictions on the site that preclude full compliance with Code. The subject site is a 6,500 square foot rectangular lot with a 1,642 square foot, one-story, three-bedroom single-family residence. The property slopes up from the street level, such that the floor level of the house is raised about two feet above the ground level. The applicant is requesting to maintain an existing nonconforming driveway width of seven feet, five inches, (7'-5"), for a portion of the driveway, where a minimum of eight (8) feet is

required. While some of the existing driveway is code compliant at nine feet, three inches, (9'-3") in width, there is a landing with stairs that protrudes from the side of the house, approximately one foot, ten inches, (1'-10") (and a length of five feet, six inches, (5'-6"), as well as improved planter areas, which causes the driveway width to be reduced to seven feet, five inches, (7'-5"). Due to the height of the floor level above the ground, the landing and stairs are necessary to be able to safely exit the house to the side or driveway level. The landing stairway and planter are part of the original house, which was built in 1924. The applicant is proposing to add a modest 152 square-foot bathroom at the rear of the house. There are no proposals for modification to the driveway side of the house. A car will be able to utilize the driveway and access the garage, in the same manner as it does today.

**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 of the exception will not be detrimental to the surrounding neighborhood. The applicant will be maintaining the existing driveway width of seven feet, five inches (7'-5"), where a minimum eight (8) feet is required. A portion of the driveway is at least nine feet, three inches, (9'-3") wide, which complies with the zoning code. Only a portion of the driveway is substandard, due to the aforementioned exterior landing and stairs and improved planter. After implementation of the project, a car will be able to utilize the existing driveway and access the garage in the same manner as it is done today. The house is about two (2) feet above the driveway level and this stairway provides a safe access from the house to the ground level. This stairway and landing are not visible from the street. The applicant is proposing to add a bathroom to the rear of the house. There are no modifications to the driveway side of the house. Therefore, the existing nonconforming driveway will not be materially detrimental to the public welfare in which the property is located.

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

The granting of the administrative exception will not be contrary to the objectives of the ordinance in that the subject property will be developed with a 152 square-foot addition at the rear of the house while maintaining a nonconforming driveway width of seven feet, five (7'-5") inches. The objective of minimum driveway width standards is to ensure the driveways are usable and provide access to garages. Nothing regarding this project impacts the width of the on-site driveway. Vehicles can still utilize the driveway and access the garage as they do today. For this reason, the granting of the exception will not be contrary to the objectives of the Zoning Code.

**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 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

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 (COD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **April 20, 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 (COD), 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/appeal>

## 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.

## **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**

Administrative Exception 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 such Administrative Exception.

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 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.

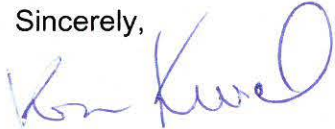
## **NOTICE – subsequent contacts with this office**

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) 548-2140 or office line (818) 548-2115 or [bcollin@glendaleca.gov](mailto:bcollin@glendaleca.gov) , between 7:30 a.m. to 5:00 p.m. weekdays.

Sincerely,



Roger Kiesel  
Planning Hearing Officer

BC:sm

CC: City Clerk (K.Cruz); Police Dept. (A.Jenks/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (P.Casanova); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian/); 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 – Brad Collin.