



May 10, 2018

Lemay Normand
1405 Moncado Drive
Glendale, CA 91207

**RE: 1405 MONCADO DRIVE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1805155**

Dear Mr. Normand:

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 an 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 the existing 7'-6" driveway width adjacent to the existing residence (Chapter 30.32.120.C of the Glendale Municipal Code), in conjunction with the expansion of the garage to comply with the two-car garage interior standards and an addition to an existing single-family dwelling on the site. The subject property is located at **1405 Moncado Drive**, in the "R1" - Low Density Residential Zone, Floor Area Ratio District II, described as Lot 23, Block 26, in the Rossmoyne 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 6,637 square-foot, somewhat rectangularly-shaped lot is 42.11 feet wide at the front, and 60 feet wide at the rear, and 130' deep, located on the north side of Moncado Drive in the R1 (FAR District II) zone. The property was originally developed in 1924 with a two-bedroom, single-family home and a detached one-car garage at the rear of the house (Building Permit No. 11490). An addition consisting of a bathroom

and closet at the rear was permitted in 1953 and completed in 1954 (No. 44042), and an attached hobby room was added at the front of the house in 1955 with permits (No. 48599). The applicant is requesting to legalize the conversion of the enclosed patio (enclosed by permit No. 46885 in 1954) at the rear to a bedroom and vestibule, and to also convert the existing hobby room at the front to habitable space for the residence (no change to the exterior and front facade). As part of the proposal, the applicant will enlarge the existing one-car, detached garage to provide the Code-required, two enclosed parking spaces. The current driveway leading to the required parking is 7'-6" wide. Code allows 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 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. The Administrative Exception request is to maintain the existing 7'-6" driveway width.

There are space restrictions on the site that preclude full compliance with the Code requirements. To increase the width of the existing driveway in compliance with zoning regulations would require demolishing a portion of the existing house adjacent to the driveway. Furthermore, removing the existing building wall along the driveway may put the demolition calculation for the expansion project over the 50% threshold. If this occurs, the project would be considered a new house, the development would require Design Review Board (DRB) approval, 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 from the existing driveway. The existing driveway has been used by the residents since 1924 when the house and detached garage were constructed. Over the last 94 years, the subject driveway has provided access to the parking at the rear with no apparent accessibility issues. The applicant submitted photos, showing a hatchback vehicle parked on the subject driveway and having adequate clearance. Furthermore, an online search of standard vehicle widths revealed that many sport utility vehicles (SUVs) feature car widths between 6'-2" and 6'-7". Given such width dimensions, an SUV would still have the required drive aisle clearance on the existing driveway width. As such, the granting of the Administrative Exception to maintain the 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 expanded parking garage at the rear of the lot.

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. Since 1924, 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.

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 of 7'-6", a 9.4% 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 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.

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 **MAY 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>

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.

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.

REVOCAION

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 an Administrative Exception 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,
Philip Lanzafame



Roger Kiesel
Planning Hearing Officer

RK:VZ:sm

cc: City Clerk (K.Cruz); Police Dept. (Lt.S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); 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 (B.Alshanti/B.Ortiz); Parks, Recreation and Community Services Dept. (A.Isayan); Neighborhood Services Division (A.Jimenez); Integrated Waste Management Admin. (D.Hartwell); Maintenance Services/ Street & Field/ Urban Forester. (D.Hardgrove/J.Cawn); Engineering & Environmental Management (C.Chew/R.Villaluna); and case planner (Vilia Zemaitaitis).