



December 21, 2018

Arthur Israelyan
635 West Colorado Street, #102
Glendale, CA 91204

**RE: 314 EAST CYPRESS STREET
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1828517**

Dear Mr. Israelyan:

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.44, the Community Development Department has processed your application for an Administrative Exception to allow a new 554 square-foot tandem garage attached to an existing unit at the rear of the property without both vehicles being directly accessible and without providing the minimum depth, as required by Chapter 30.32.050 of the Glendale Municipal Code, located at **314 East Cypress Street**, in the "R 3050" – Moderate Density Residential Zone, Lot 2, Tract No. 73, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 3 "New Construction or Conversion of Small Structures" exemption, pursuant to Section 15303 of the State CEQA Guidelines because the proposal would result in a new garage.

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 site is a 5,310 square-foot lot developed with an 864 square-foot, one-story, two-bedroom single-family residence, and a 348 square-foot residential unit at the rear. The 1925 and 1950 Sanborn Maps also show a garage on the subject site; this was demolished at some point after 1950 and no garage currently exists on the site. The City has no record of a demolition permit to demolish the garage. The applicant is proposing to build a new 554 square-foot two-car tandem garage attached to the rear unit of the property.

Section 30.44.020.H of the Zoning Code permits demolition of an existing garage along with construction of a new garage, to increase the number of parking spaces, where a facility is non-conforming with regard to the number of parking spaces serving an on-site use, and where said alteration may exacerbate a non-conformity regarding parking design standards, when the benefits of the increased number of parking spaces outweighs the impacts of the non-conformity regarding parking design standards. The new garage will bring the property more into conformance with current Zoning Code but will not comply with all development standards related to garages. However, the benefit of two additional parking spaces on the site outweighs the impacts of the non-conforming parking design.

The proposed two-car tandem garage, located at the southern portion of the property is 14'-6" wide and 36'-0" deep (interior clear), located 5'-0" away from the south interior property line and 5'-10" from the east property line. The Zoning Code requires a 20'-0" wide by 20'-0" deep two-car garage. This size cannot be accommodated due to existing development and lot constraints. Pushing the garage forward four feet, results in less than the minimum 25' turning radius, making it difficult to back out of the lot. The proposed garage cannot be constructed further south without encroaching into a required minimum interior setback. There is not adequate space on the site to accommodate a larger two-car tandem garage without unnecessary hardship.

Construction of a new code compliant two-car garage could not be built without demolishing a large portion of the existing, permitted 348 square foot unit and/or reducing or eliminating the minimum required interior setback. Given these constraints, the applicant chose to propose a garage in a tandem arrangement with 14'-6" x 36'-0" dimensions. Providing a code compliant garage as required by the Zoning Code would require impractical changes to the existing site and to deny the construction of the garage would unduly restrict the flexibility for reasonable use and development of the property. A code compliant two-car garage would result in unnecessary hardships for the applicant due to the site constraints on the property.

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 proposed tandem garage will result in an increase in parking spaces on the property. The two-car tandem parking garage will be built 5'-0" away from the south interior property line and 5'-10" from the east property line in compliance with the required minimum setback of 5 feet. With no increase in the intensity of the use, additional parking demand is not expected, and as such, the proposed garage will not be detrimental to the public welfare, injurious to the property, or improvements in the zone. The proposed garage, located at the rear of the property, will still allow for adequate open space, light and ventilation for the residences on the subject site as well as adjacent residences.

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

The proposed project meets all other zoning code requirements of the "R-3050" Zoning Code standards, such as lot coverage, floor area ratio, and landscaping. 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 two-car tandem parking garage will provide a parking facility on a site where there is currently not one. The property will become more in conformance with current Zoning Code by providing on-site parking spaces. Granting of this exception 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 Director of Community Development.
- 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 the premises be maintained in a clean orderly condition, free of weeds, trash, and graffiti.
- 4) That any expansion or modification of the garage which is different than what is represented as part of this Administrative Exception application, shall require a new application as determined by the Director of Community Development.
- 5) That Design Review Board (DRB) approval/exemption shall be obtained prior to issuance of a building permit.

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 Building and Safety Division upon request and must be filed with the prescribed fee **prior to expiration of the 15-day period, on or before January 7, 2019**, in the Building and Safety Division, 633 E. Broadway, Room 101.

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.

REVOCAION

Section 30.64.020 – Revocation – The Planning Division shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions (individual cases heard and decided upon by the Hearing Officer). To consider the revocation, the Hearing Officer 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, Danny Manasserian, during normal business hours at his direct line (818) 937-8159 or office line (818) 548-2115 or by e-mail at dmanasserian@glendaleca.gov, between 8:00 a.m. to 5:00 p.m. weekdays.

Sincerely,



Roger Kiesel
Senior Planner

RK:DM: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); case planner Danny Manasserian.