



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

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glendaleca.gov

February 15, 2019

Artur Amirkhanyan  
8350 Burnet Avenue, #23  
North Hills, CA 91343

**RE: 341 SPENCER STREET  
REASONABLE ACCOMMODATION NO. PRACCOM 1829518**

Dear Mr. Amirkhanyan:

On February 15, 2019, the Director of Community Development, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.52, **APPROVED WITH CONDITIONS** your application for a Reasonable Accommodation to extend the width of an existing driveway in the street front setback and to improve the existing walkway adjacent to the driveway with a landing area. The requested accommodation is to extend the driveway by an additional five-feet (total width of 12-feet, six-inches) beyond the required driveway width limit and also create a nine-foot by 13-foot wide landing area without providing a two-foot wide landscaped barrier, on a lot located at **341 Spencer Street**, in the "R1- I" Low Density Residential Zone, Floor Area District I, described as "Lot 3 of Tract No. 6683", in the City of Glendale, County of Los Angeles.

After considering the evidence presented with respect to this application, the Director of Community Development has granted, with conditions, your application based on the following findings:

- A. The dwelling is occupied by a person with a disability, as defined under the Federal Fair Housing Amendments Act of 1988 and California's Fair Employment and Housing Act, herein known as the "Acts". The disabled individual currently lives in the existing single-family residence and meets the definition of disabled under the Acts. She suffers from residual paralysis of her bilateral extremities from multiple back surgeries for progressing spinal tumor and resection, which interferes with a major daily living activity, walking. The disabled individual has to use a walker to ambulate and needs human assistance.
- B. The requested accommodations are necessary to make the dwelling/property available to an individual with a disability protected under the Acts. As noted in Finding A, a disabled individual currently resides at the subject property and suffers from the effects of multiple back surgeries that heavily affect the individual's ability to walk, making it unable for her to walk without a walker and human assistance. The requests are to extend the width of an existing seven-foot, six-inch wide driveway by an additional five-foot (total width of 12-feet six-inches) beyond the driveway width limit and to improve the existing walkway adjacent to the driveway with a nine-foot by 13-foot wide landing area without providing the required two-foot wide

landscaped barrier. The request will provide a safer and more efficient way of ingress to and egress from the residence for the individual through providing enough space and landing area that will help the individual unload and load from a vehicle, closer to the entryway of the residence. Additionally, the request will provide the disabled individual with relief from the steep one-foot in eight-foot slope of the existing driveway and walkway and lessen the amount of time and pain involved when leaving and entering the residence.

- C. The requested accommodations of extending the driveway width beyond the driveway width limit and providing a landing area to the existing walkway without providing the required two-foot wide landscaped barrier are directly and reasonably related to the individual's disability, as described in Finding B. The accommodations will provide safer and more efficient ingress and egress for the disabled individual.
- D. The requested accommodations will not impose an undue financial or administrative burden on the City. The applicant will be required to obtain permits from the Public Works Department for the widening of the driveway apron in the right-of-way. The applicant will pay for all construction work, materials and permits and will impose no financial or administrative burden on the City.
- E. The requested accommodations will not require a fundamental alteration in the nature of the City's overall land use and zoning program. The subject lot is located in the "R1 I" Low Density Residential Zone, Floor Area District I, and is improved with a two-story, 1,828 square-foot, single-family residence.

According to GMC 30.11.070 (A) (1) (a), driveways are permitted in street front setback areas, provided that a driveway shall be limited to that area reasonably necessary to provide safe and efficient ingress to and egress from off-street parking spaces located behind a set-back area. One of the requested accommodations is to extend the existing seven-foot six-inch driveway width by five-foot, creating a total 12-foot, six-inch wide driveway. While the requested accommodation will create a portion of the driveway that does not lead to required parking spaces behind the street front setback area, it will provide a safer and more efficient ingress and egress to the residence by allowing the disabled individual to load and unload closer to the residence. In addition, the request will not only comply with the 45% paved driveway limit for front yard setback areas of single family residential zones, but also comply with the 52% driveway curb opening limit for street front property lines of single family residential properties. The driveway will occupy 25% of the front yard setback area and its curb opening width will occupy 25% of the total length of the street front property line.

Additionally, according to GMC 30.32.130 (G) (7), walkways adjacent to the driveways at the width must be separated from the driveway by two feet of width of plant material. While the proposed nine-foot by 13-foot landing area will not provide the required barrier, this request will complement the widened driveway width and provide a safer way of ingress and egress to the residence for the disabled individual because it will connect the driveway to the residence without any obstruction and eliminate the need to utilize the narrow walkway with steps that currently lead up to the residence. The landing area would not encroach into the required front setback of 25-feet that is required per code for single family residential zones.

The land use will remain single-family residential and as a result, the requests will not require fundamental alterations in the overall land use and zoning program for the City.

- F. The requested accommodations in forms of extending the existing driveway width and improving the existing walkway with a landing area, considered singly and the project in total, would be in keeping with and not detrimental to the neighborhood character and would not result in a substantial increase in traffic. Traffic on Spencer Street will remain unaffected, as the requests are only to enhance the vehicular accessibility of a property for a disabled individual by providing enough space to load and unload off of a vehicle closer to the driveway of the residence without encountering the steep slope and narrow stairs that lead up to the residence.

In addition, the requested accommodations do not propose any changes to the existing 1,828 square-single-family dwelling and detached garage and will continue to maintain its existing appearance. The detached garage will continue to serve its purpose as required parking space, as the extended driveway width will not be utilized for parking. Therefore, the requested accommodations will neither alter the neighborhood character nor will it increase the demand for parking or traffic to the single-family residence.

- G. The requested accommodations shall not run with the land. The extended portion of the driveway and the improved landing area must be removed once the disabled individual no longer lives on the property or upon sale of the property. A covenant is required to provide notice to future owners that reasonable accommodation has been granted and that such approval shall terminate when the disabled individual vacates the premises or no longer requires the accommodation, or upon sale of the property.

**APPROVAL** of this Reasonable Accommodation shall be subject to the following conditions:

1. That the reasonable accommodation of extending the existing driveway width and improving the existing walkway with a landing area shall continue to be used and maintained by the individual with a disability for the duration of his or her tenancy in the dwelling. This approval shall be terminated at such time as the individual for whom the permit was granted no longer resides at the property, or no longer requires the reasonable accommodation. The reasonable accommodation shall be removed within 60 days of the termination of the tenancy, in accordance with GMC 30.41.070.
2. 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 Community Development Department.
3. That all necessary permits for the widening of the driveway apron shall be obtained from the Public Works Department and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
4. Prior to any issuance of any permits relative to this approved reasonable accommodation (PRACCOM 1829518), the applicant shall record a covenant in the County Recorder's Office acknowledging and agreeing to comply with the terms and conditions established in the decision, including the widened driveway not leading to required parking spaces upon the sale of the property, or when the individual no longer resides at the property, or if the accommodation is no longer essential for the individual.

5. That the reasonable accommodation permit may be terminated by the review authority upon any interruption or cessation of the reasonable accommodation use for one year or more in the continuous exercise in good faith or such right or privilege.

#### **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 and Ordinance No. 5582, 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 and 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 **March 4, 2019**, 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

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

#### **GMC CHAPTER 30.4 PROVIDES FOR**

The rights and privileges granted by this Reasonable Accommodation will expire two years from the date of this grant unless exercised in good faith prior to such time.

#### **REVOCAION, CONTINUING JURISDICTION**

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Reasonable Accommodation (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 Reasonable Accommodation 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.

#### **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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Minjee Hahm at (818) 937-8178 or [mham@glendaleca.gov](mailto:mham@glendaleca.gov)

Sincerely,  
Philip Lanzafame  
Director of Community Development



Bradley Collin  
Senior Planner

BC:MH: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. Alshanti/B.Ortiz/E.Olsen); 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/J.Cawn); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner – Minjee Hahm.