



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

633 E. Broadway, Suite 103
Glendale, CA 91206-4311
Tel. (818) 548-2140 Fax (818) 240-0392
glendaleca.gov

April 2, 2019

Mike Geragos
2155 Verdugo Boulevard, #614
Montrose, CA 91020

**RE: 1328 JUSTIN AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1900372**

Dear Mr. Geragos:

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.44.020 (E) for a maximum 20% deviation from one or more numeric standards in this Title, the Community Development Department has processed your application for an Administrative Exception to allow an existing garage to be maintained with a 17-foot, eight-inch depth (approximate 11.6% deviation) which is less than the required 20 foot garage depth per Section 30.32.090.B of the Glendale Municipal Code, and to allow a four-foot wide interior setback where five feet is required (a 20% deviation) per Section 30.11.030.B of the Glendale Municipal Code in conjunction with a 270 square foot addition. The subject property is located at **1328 Justin Avenue**, in the "R1" - (Low Density Residential) Zone, described as Lot 10, Tract No. 4244, 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 the proposed project involves adding 270 square feet at the rear of the existing single family residence.

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 6,523 square-foot lot with a 1,282 square-foot, one-story single-family residence built in a Tudor style of architecture. The existing roof has various pitches that range from 6:12 to 13:12, which is typical for a Tudor style home. In addition, the lot slopes down from north to south by approximately two feet. Due to the slope of the lot and the steep slopes of the roof, the existing house has an overall height of 21 feet as measured from the low point where the house comes out of the ground to the peak of the roof. Per Code, because the height currently exceeds 20 feet, the required interior

setback would be five feet. The applicant is requesting to add a one-story, 270 square-foot addition to the rear of the house with a four-foot setback, instead of the required five-foot setback, in order to maximize the addition while also addressing the existing site constraints of an Oak tree and pool in the rear yard. There is an existing oak tree located in the rear of the lot, approximately seven feet from the rear of the house, as well as an existing swimming pool which takes up a greater portion of the rear north-east corner of the lot. The presence of the oak tree and swimming pool limits the location for an addition at the rear of the property. The applicant is requesting to add the 270 square-foot addition outside the drip line of the Oak tree and three feet from the swimming pool. To permit a four-foot interior setback along the northerly property line, instead of the required five feet, provides the applicant an opportunity to improve the house which is otherwise constrained by the existing Oak tree and swimming pool.

The applicant is proposing to add 270 square feet to the back of the existing house, while maintaining the nonconforming garage depth of 17'-8". The existing garage dimensions are 17'-9" (wide) by 17'-8" (deep); Code requires 20 feet by 20 feet interior clear space for new garages, per Chapter 30.32, Chart I, and 16 feet by 18 feet for existing, legal nonconforming two-car garages, per GMC 30.60.040.G. However, due to the existing swimming pool location to the north side of the garage (approximately two feet away), as well as the seven foot interior setback from the rear property line to the garage, it would be difficult to increase the depth or width of the garage.

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 exceptions for a four-foot interior setback and maintaining the existing garage dimensions in conjunction with a minor addition will not be detrimental to the surrounding neighborhood. The proposed four-foot setback for the addition still provides adequate separation from the adjacent neighbor and access to air and sunlight, as intended by the setback regulation; this northerly, interior elevation also varies from the existing 3'-10" setback at the front to six feet at the middle portion of the façade, so the undulation from the relatively small addition at the rear also complies with the design guidelines that recommend changes in plane. The existing garage dimensions of 17'-9" (wide) by 17'-8" (deep), while considered substandard by Code, still provide enclosed parking to two cars. This depth is still accessible for two cars and within 20% of the minimum depth requirement; maintaining the substandard depth would not impact the existing parking situation on-site for the subject property or off-site in regards to the neighbors. For these reasons, the granting of the exception will not result in detrimental or injurious impacts to the property or improvements in the zone or neighborhood.

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

The granting of the administrative exception to allow a four-foot interior setback and maintain an existing garage depth of 17'-8" will not be contrary to the objectives of the ordinances. The objective of parking standards is to ensure sufficient parking is provided on-site to accommodate occupants of the building and to not impact the surrounding neighborhood. The objective of interior setbacks is to provide a buffer between neighboring properties as well as provide for light and air circulation. While the existing garage depth is substandard, the garage door dimensions and garage width allow two

vehicles to access and park in the garage. Allowing a four-foot interior setback, in lieu of the required five feet, will not be contrary to the objectives of the standard due to the addition still providing a buffer between the subject property and the neighbor to the north, while also being consistent with the existing Tudor architectural style. The purpose of the administrative exception procedure is to provide a simplified means for considering minor deviations from code standards and to allow for reasonable development. Aside from the two requested administrative exceptions, the proposed project will comply with the remaining Zoning Code standards. For these reasons, the granting of the exceptions 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 review and approval shall be obtained from Public Works Maintenance Services Urban Forestry Division prior to Plan Check submittal.
- 5) 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 17, 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 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 variance. 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, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over administrative exceptions (individual cases heard and decided upon by the Planning Hearing Officer).

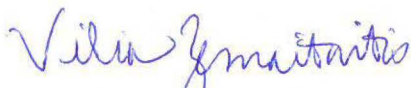
To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of an Administrative Exception at least ten (10) days' notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview 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 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, Brad Collin during normal business hours at his direct line (818) 548-3210 or office line (818) 548-2115 or bcollin@glendaleca.gov , between 7:30 a.m. to 5:00 p.m. weekdays.

Sincerely,



Vilia Zemaitaitis, AICP
Planning Hearing Officer

VZ: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.