



CITY OF GLENDALE, CALIFORNIA
Community Development
Planning

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glendaleca.gov

July 25, 2019

Art Barsegian
409 West Broadway
Glendale, CA 91204

**RE: 1154 ROSEDALE AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1901505**

Dear Mr. Barsegian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30 Chapter 30.44 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 a driveway to maintain an eight-foot, four-inch width which results in a 17% deviation from the minimum required ten-foot wide driveway; to have a 24-foot, 2-inch turning radius and back-up where 25 feet is required (a 3% deviation), and to have a four-foot interior setback for a garage where five feet is required (a 20% deviation). The Administrative Exception application is required due to a new residential unit proposed at the rear of the property. The subject property is located at **1154 Rosedale Avenue**, in the "R-2250" - (Medium Density Residential) Zone, described as the southwest 50 feet of Lot 188, Tract No. 7498, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

The project is exempt from environmental review as a Class 3 "New Construction or Conversion of Small Structures" exemption (Section 15303(a) of the State CEQA Guidelines) because a new second unit is proposed to be added to the rear of the subject lot.

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 regulations contained in the Zoning Code. The subject 7,929 square-foot lot is developed with a

1,540 square-foot, one-story, three-bedroom single-family residence and a detached one-car garage. The applicant is proposing to demolish the existing one-car garage and construct a new two-car garage attached to the existing residence and also construct a new 1,297 square-foot, two-story residence with an attached two-car garage. The property is 46 feet wide, which is narrower than the typical 50-foot wide properties in Glendale. Due to the narrowness of the lot, compliance with certain code requirements is difficult. The existing one-story home has a nonconforming driveway width of 8-feet, 5-inches, where ten feet is required, since pedestrian passage to the proposed unit is provided along the driveway.

The driveway cannot be widened at the south side since this feature is located between the existing dwelling and the south interior property line. Widening the driveway on the north side would require demolishing approximately 39 square feet (1.5 ft. x 26 ft.) of the existing residence to enable the minimum ten-foot driveway width required. While this could be accomplished, the benefits of doing so are minor (the existing driveway is functional) when compared with demolishing a portion (albeit small) of the modest existing residence. There is an existing driveway gate located in line with the front of the residence that further reduces the driveway width to 8-feet, 3-inches. This gate shall either be removed from the site or relocated on the site such that the minimum driveway width is at least 8 feet, 5 inches.

The new garage for the front house is accessed with a 90 degree turn and since the lot is less than 50 feet wide, an 18-foot garage depth is permitted (instead of 20 foot normally required). The new garage has a clear depth of 18 feet, 7 inches and complies with this development standard. However, due to the 46-foot width of the lot, the minimum 5-foot interior setback in combination with the 25-foot turning radius/back up cannot physically be met. The proposed four-foot setback for the garage is consistent with the existing, legal non-conforming three-foot, nine-inch interior setback of the existing residence and allows for more room to navigate cars into and out of the new garage.

The proposed 24-foot, 3-inch turning radius/back up is de minimis compared with the 25-foot turning radius/back-up distance required. However, a condition will be added to the approval of the project to reduce the depth of the garage by the "extra" seven inches, which will then be "added" to the non-conforming turning radius/back-up dimensions. These dimensions for turning radius /back-up will become closer to minimum standards. Additionally, the location and 18-foot width of the garage door and the design of development on the site is such that there will be significant maneuverability for vehicles entering and exiting the proposed 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 will not be detrimental to the surrounding neighborhood or to the subject property. The existing driveway, while narrower than required, is not reduced in width from its present situation as a result of the project and is still accessible for

vehicles to access the lot. Additionally, as conditioned, the driveway gate will either be removed or relocated such that the driveway opening is at least 8-feet, 5-inches (and not further reduced as presently the case). The proposed 4-foot interior setback for the garage is consistent with the existing 3-foot, 9-inch interior setback on the front house and will buffer the garage from the property to the north. The turning radius/backup for the garage is proposed approximately nine inches less than the minimum requirement. However, as conditioned, the garage depth will be reduced by seven inches and allows for an increased turning radius/back up (although still not in compliance). This garage is approximately five feet wider than the minimum interior width and this, along with the location and 18-foot width of the garage door, allows vehicles more maneuverability to make the required backup.

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

The objective of the minimum interior setback is to ensure sufficient light and air between properties. The objective of minimum driveway width and turning radius/back-up requirements is to provide adequate access to required off-street parking. Additionally, the objective of the R-2250 zone is to provide medium density garden type residential development. The granting of the administrative exception will not be contrary to these objectives. While the driveway width is substandard, it is not being reduced as a result of the project and will continue to adequately allow vehicles to access the rear garages. Given the location and width of the garage attached to the existing residence and the site design of the project, the slightly reduced backup width will not impede access to this garage. The four-foot interior setback for this garage is consistent with the existing setback of the house and will afford an adequate buffer for the neighboring property to the north, which at this location includes a garage with minimal interior setback.

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 separate permits are required for all work in the public right-of-way. The applicant shall bear all fees for the necessary permits and construction inspections for work within the public right-of-way.
4. That design review approval or exemption shall be obtained prior to the issuance of a building permit.

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 Planning Hearing Officer.
6. That the existing driveway gate shall either be removed from the site or relocated such that the minimum driveway width is at least 8 feet, 5 inches. Any relocation of the gate shall be reviewed and approved by the Planning Hearing Officer.
7. The garage shall be reduced in depth from 18-feet, 7-inches to 18 feet clear. The resulting additional seven inches shall be used to increase the turning radius/back-up dimensions to bring these dimensions closer to the 25-foot minimum standard.

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 **August 9, 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/appeals>

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

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.

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 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 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 his direct line (818) 548-3210

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

Sincerely,



Roger Kiesel
Planning Hearing Officer

RK:BC:sm

CC: Rene Sada (Neighborhood Services); 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 - Brad Collin.