



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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glendaleca.gov

November 21, 2019

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

**RE: 3202 EAST CHEVY CHASE DRIVE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1804053**

Dear Mr. Geragos:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.070 (E), for a maximum 20 percent deviation from one or more numeric standards in this Title, the Community Development Department has processed your application for an Administrative Exception to maintain an interior setback of four feet, eight inches, instead of the required five-foot minimum (6% deviation), described in section 30.11.030, Table 30.11-B of the Glendale Municipal Code in conjunction with the construction of a 1,644 square-foot, first- and second-story floor area addition to an existing one-story, single-family residence without providing the required five-foot interior setback at the northeast side of the subject property, located at **3202 East Chevy Chase Drive**, in the "R1R" (Restricted Residential) Zone, Floor Area Ratio District II and described as Lot 2, Tract No. 9327, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

This project is exempt from environmental review as a Class 1 "Existing Facility" pursuant to Section 15301 of the State CEQA Guidelines because the proposed floor area addition to the existing house will not result in an increase of more than 10,000 square feet and the project is in an area where all public services and facilities are available and is not in an environmentally sensitive area.

REQUIRED MANDATED FINDINGS

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department 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.

Granting the exception to maintain an existing interior setback while adding a new 607 square-foot, second story and a 702 square-foot addition on the ground floor (total proposed addition 1,309 square feet) to the 1,685 square-foot, one-story single-family residence (built in 1938) and a detached 361 square-foot garage, would result in design improvements. Located on an 8,640 square-foot, irregularly-shaped, dual-frontage lot, the front of the house faces Chevy Chase Drive, while the rear of the house and the existing two-car, detached garage face Charing Cross Road. Presently, the house has three bedrooms and two bathrooms. The addition consists of a master bedroom suite with a bathroom and closet on the second floor and secondary bedrooms, bathrooms and a family room on the first floor. The house has an existing interior setback ranging from four-foot, eight-inch to five feet along its northeast side. According to the Zoning Code, a five-foot interior setback is required for the entire building (first and second floors) when the overall height exceeds 20 feet. With the second story addition, the overall height of the house will be 30 feet. The administrative exception is to maintain the existing four-foot, eight-inch foot interior setback along the northeast side of the property.

The bulk of the second-story addition is located towards the northeast portion of the house above the ground floor. Additionally, a new 474 square-foot, attached garage is proposed at the rear of the new second story with a new driveway accessed from Charing Cross Road. With the construction of the garage, the total combined area for both the existing (361 SF) and new (474 SF) garage will be 835 SF. According to the Code, floor area ratio (FAR) shall not include up to 500 SF of garage area; the remainder 335 square feet must be included in the total 0.38 FAR calculation. As proposed, the house addition and garage will not create new non-conforming situations for the front setback, lot coverage, FAR, parking, and landscaping, and will exceed the required five-foot interior setback for the new addition. The proposed addition is also recessed from the west elevation to allow massing relief in this area and to be architecturally integrated with the existing house.

If the applicant were to comply with the minimum five-foot interior setback requirement, approximately four inches of the entire length (approximately 29'-1") of the house along the east side would need to be demolished. This would create an odd and unbalanced exterior design, especially at the front of the house. Furthermore, providing a five-foot setback would negatively affect the functionality of the house by reducing the circulation of the existing kitchen and "study" room. The

existing house has a galley kitchen along the eastern side, with a clear width (wall to wall) of approximately nine feet, ten-inches (9'-10"); the "study" area has a similar

width. The proposed addition on the first floor does not propose to alter the size or location of the existing kitchen. To reduce the kitchen and study room by approximately four inches would cause an unnecessary hardship such that the existing kitchen sink, plumbing fixtures, counter, cabinets, etc., would have to be removed and reconstructed. Furthermore, removal of the subject east wall in conjunction with other proposed demolition work would result in the removal of more than 50 percent of the existing exterior walls and roof, therefore, causing this proposal to be considered a new house. If considered a new house, all interior setbacks would be increased to 10 feet which would result in additional loss of floor area. As such, allowing the existing 4'-8" interior setback to be maintained would ultimately be a design improvement for the project.

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 administrative exception to allow the property to maintain the existing 4'-8" interior setback will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood. The single-family home is a permitted land use and appropriate in the underlying R1R zoning designation, and the requested exception does not change these parameters, nor does it affect the surrounding single family residential neighborhood. The new 607 square-foot, second story addition will be setback more than the required five-foot interior setback along the east side and the existing 4'8" to 5'-0" interior setback on the first floor will remain. The height increase to 30 feet while maintaining the existing 4'-8" interior setback along the northeast side will not compromise the existing home's nor the neighboring properties' open space, light and ventilation as a result of the second story addition, given that the second floor will exceed the Code required five-foot interior setback by providing a six-foot, five-inch setback. Moreover, the proposed 607 square-foot addition on the first floor and a 702 square-foot second story addition for purposes of adding new bedrooms, bathrooms and a family room to the existing 1,685 square-foot house will not increase traffic or parking demand. The property currently features a detached, two-car parking garage located off Charing Cross, while a new 474 square-foot, attached garage is proposed as part of the second floor addition and facing Charing Cross Road.

The project will require Design Review approval, which will ensure the project's site plan, mass and scale and design are compatible with the existing house and the neighborhood. Overall, the exception to deviate approximately four inches from the required five-foot setback is minimal and will help preserve the existing house and site conditions along the northeast side. By granting this administrative exception,

the project will allow for an improvement of the property while the first and second story addition meets the other zoning and development standards.

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

Granting of the exception will not be contrary to the objectives of the Zoning Code regulations. The intent of the interior setback requirement is to achieve privacy, light and air circulation between residences. In the case of the subject property, the applicant is requesting a new second story addition, with an overall height of 30 feet for the house, while maintaining the existing 4'-8" setback along the northeast portion of the existing house; the addition will exceed the minimum interior setback standard. These setbacks would provide for adequate open space, light and ventilation between the neighboring properties. The proposed addition meets all other zoning code requirements of the R1R Zoning, including height, FAR, lot coverage, parking, 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. Granting of this exception for a second story addition to the existing one-story, single-family residence while maintaining the existing 4'-8" interior setback along the northeast side of the property will allow reasonable development of the site. As noted in Findings A and B, to deny the request for a 6% deviation from Code would unduly restrict the flexibility for such use. Therefore, granting the exemption 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 Community Development Department.
- 2) That all necessary permits (i.e., building, fire, engineering, etc.) 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 Design Review approval shall be obtained prior to issuance of a building permit.

- 4) That the premises be maintained in a clean orderly condition, free of weeds, trash, and graffiti, and that landscape areas shall be maintained in good condition with live plants.
- 5) That if any buildings, sidewalks, curb or gutter, fencing or landscape areas etc. adjacent to the site are damaged during the course of construction on public or private property, the damage shall be repaired to the satisfaction of the Planning Hearing Officer for private property and the Director of Public Works for public property.
- 6) That the premises shall be made available to any authorized City personnel (Fire, Police, neighborhood Services, etc.) for inspection to ascertain that all conditions of approval of this Administrative Exception are complied with.

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 December 6, 2019**, in the Building and Safety Division, 633 East Broadway, Room 101.

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.

APPEAL FORMS available on-line <httpS://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.

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.

REVOCACTION

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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Milca Toledo during normal business hours at (818) 937-8181, between 7:30 a.m. to 3:30 p.m.

Sincerely,



Vilia Zemaitaitis, AICP
Planning Hearing Officer

VZ:MT:sm

cc: City Clerk (K.Cruz); Police Dept. (J.Newton/Z.Avila); City Attorney's Dept. (G. Van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Dir of Public Works (Y.Emrani);Traffic & Transportation Section (P.Casanova); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove/T.Dodson); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); 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); and case planner – Milca Toledo.