



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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glendaleca.gov

February 27, 2020

Hamlet Zohrabians
3467 Ocean View Boulevard, Unit B
Glendale, CA 91208

**RE: 3516 BUENA VISTA AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1924967**

Dear Mr. Zohrabians:

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, instead of the required five-foot minimum (20% deviation), and to allow a new detached, two-car garage to have an interior width of 18'-0", where a minimum 20'-0" interior width is required (9% deviation), in conjunction with a 22 square-foot (SF) addition to the first floor and a new 1,090 SF second floor addition to an existing 1,486 SF, single-story house, built in 1931. The subject property is located at **3516 Buena Vista Avenue**, in the "R1" (Low Density Residential) Zone, Floor Area Ratio District II and described as Lot 12 of the Sparr Heights Tract, 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 15301 (e)(1) of the State CEQA Guidelines, because the proposed addition to the existing structure will not result in an increase of more than 2,500 square feet of floor area.

REQUIRED/MANDATED FINDINGS

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

Granting the exception to maintain the existing interior setback while adding a new 1,090 square-foot, second story and a 22 square-foot addition on the ground floor (total proposed addition 1,112 square feet) to the 1,486 square-foot, one-story single-family residence (built in 1931) would result in practical design improvements. The property is an existing 6,500 square-foot, rectangular-shaped lot with 50'-0" of frontage on Buena Vista Avenue. Presently, the house has three bedrooms and two bathrooms. The addition on the second floor consists of a master bedroom (with a bathroom and closet), two bedrooms, and a bathroom. The addition on the first floor consists of enlarging an existing bedroom by 22 SF. 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 24'-8". The administrative exception is to maintain the existing four-foot interior setback along the north side of the property.

The second-story addition is set back 10'-9" from the front of the existing building, and approximately two feet from the existing, northerly building wall. As proposed, the house addition will not create new non-conforming situations for the front setback, lot coverage, FAR, or landscaping, and will comply with the required five-foot interior setback. The proposed addition will be recessed from the north 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 one foot of the entire length of the house along the north side (approximately 45'-5") would need to be demolished. Removal of the subject north 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, thus causing this proposal to be considered a new house. If considered a new house, all interior setbacks would be increased to six feet, requiring additional demolition and loss of floor area. Overall, the exception to deviate one foot from the required five-foot setback is minimal and will help preserve the existing house and site conditions along the north side. As such, allowing the existing 4'-0" interior setback to be maintained would ultimately be a design improvement for the project.

There are space restrictions on the site that preclude full compliance with the Code requirements for garage width without hardship. The existing garage is being modified to the point that it triggers the new construction requirements. Current Code requires that new garages have minimum interior garage dimensions of 20'-0" by 20'-0" with a minimum 16'-0" garage door width (GMC Chapter 30.32). Section 30.60.040.G provides that a parking space that is non-conforming in terms of size may continue to be recognized as a parking space, provided that the smallest two-car garage must have minimum interior dimensions of 16 feet wide by 18 feet deep with a minimum 16-foot

wide garage door opening. The modified garage will be 18'-0" wide by 25'-8" deep, with a garage door width of 16'-5". Therefore, the interior clear of the length and garage door width will be met, but the width would be less than required for new garages. The applicant is requesting approval of an administrative exception to allow a 9% deviation from a numeric code standard (garage width) to maintain a garage width of 18'-0" instead of the minimum 20-foot width.

There is an existing spa and pool to the north of the garage that precludes the garage from fully complying with the required 20'-0" interior width. If built to code, the garage would have a distance of 1'-0" from the spa and adjacent pool, causing the walkway between to garage and spa/pool to lose its functionality since the proposed three-foot walkway is narrow already. Thus, the Zoning Code requirement of a 20'-0" interior width will have significant negative impacts on the circulation around the existing spa and pool and granting approval of the Administrative Exception to allow the existing garage to maintain an 18'-0" width appears justifiable. Therefore, requiring a larger width of the garage for this minimal deviation unduly restricts the flexibility for reasonable use and improvement of the property for a reasonable addition.

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'-0" interior setback and a reduced garage width 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 R1 zoning designation, and the requested exceptions do not change these parameters, nor do they affect the surrounding single family residential neighborhood. The new 1,090 square-foot, second story addition will be set back greater than five feet along the north side and the existing 4'-0" interior setback on the first floor will remain. The height increase to 24'-8" while maintaining the existing 4'-0" interior setback along the north side on the first floor 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 meet the Code required five-foot interior setback. Moreover, the proposed 22 square-foot addition on the first floor and a 1,090 square-foot second story addition for purposes of adding new bedrooms and bathrooms to the existing 1,486 square-foot house will not increase traffic or parking demand. The total area for the expanded house will be 2,598 SF.

The property currently features a detached, two-car parking garage with an attached storage (620 SF total). This garage will be modified, resulting in a 500 square-foot, detached garage that maintains an interior width of 18'-0". The modified garage will still provide two enclosed parking spaces. Therefore, approval of this exception will not be detrimental to the public welfare.

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.

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 24'-8" for the house, while maintaining the existing 4'-0" setback along the north portion of the existing house on the ground level; the second story addition will meet with minimum interior setback standard. These setbacks will 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, and landscaping. Granting of the exception to allow a garage width of 18'-0" will allow reasonable development of the site and expansion of the existing house, while still providing the off-street parking. The modified garage would still provide enclosed parking for two cars, although with less door width than what would be required for new garages. Therefore, granting the minor exceptions to maintain the interior width at the ground floor (20% deviation) and to maintain the existing garage door width (9% deviation) 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 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 13, 2020**, 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 (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

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 <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.

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.

REVOCAION

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

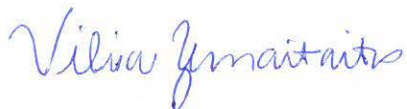
hold a public hearing after giving notice by the same procedure as for consideration of a variance at least ten (10) days' notice by mail to the applicant or permittee.

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 (818) 937-8159, between 7:30 a.m. to 3:30 p.m.

Sincerely,
Philip Lanzafame
Director of Community Development Department



Vilia Zemaitaitis, AICP
Planning Hearing Officer

VZ: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); and case planner – Danny Manasserian.