



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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glendaleca.gov

July 29, 2020

Debora Gloria
1550 Randall Street
Glendale, CA 91201

**RE: 1550 RANDALL STREET
STANDARDS VARIANCE CASE NO. PVAR 2005617**

Dear Ms. Gloria:

On July 29, 2020 the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.43, on your application for a Standards Variance to allow a 133 square-foot addition (expansion of an existing bedroom) to a 1,418 SF single-family house located in the "R1-II" Zone (Low-Density Residential, FAR District II), without providing the required parking in accordance with Glendale Municipal Code ("Code") Section 30.32.030(B). Code requires an existing two-car garage with interior dimensions of 16 feet wide by 18 feet deep (16' x 18') with a 16-foot wide garage door, or a new two-car garage with interior dimensions of 20 feet by 20 feet, either of which must also have a twenty-five foot (25') turning radius. The applicant proposes to maintain their existing garage with interior dimensions of 15'-3" wide and 19'-2" deep with a 14'-11" wide garage door, and a 23'-1" turning radius., located at **1550 Randall Street**, described as portion of Lot 2, Block E, Tract 7267 in the City of Glendale, County of Los Angeles

APPLICANT'S PROPOSAL

- (1) To allow a 133 square foot addition while maintaining a 15'-3" wide by 19'-2" deep garage with a 14'-11" wide by 7' high garage door and 23'-1" turning radius.

CODE REQUIRES

- (1) With any floor are a addition, a garage that is 16' wide by 18' deep with a 16' by 7' garage door and a 25' turning radius is required or a new 20' by 20' interior clear garage with a 16' wide by 7' high garage door.

ENVIRONMENTAL DETERMINATION

This project is exempt from environmental review as a Class 1 “Existing Structure,” per Section 15301(e)(1) of the State CEQA Guidelines because the project involves a minor addition to an existing single-family residence.

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Community Development Department staff thereon, and the statements made at the public hearing with respect to this application, the Planning Hearing Officer has **GRANTED WITH CONDITIONS** your application based on the following:

A. The strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance;

For the applicant to expand their garage to be Code-compliant, they would need to relocate three walls and replace the roof, which would require the garage to be rebuilt. The resulting space between the new garage and house would be insufficient to allow the required 25-foot turning radius in order to ensure adequate access to the garage. In order for the 25-foot turning radius to be provided, a portion of the house would need to be removed. To remove that floor area from the house would compromise the existing building, including removing a bedroom, and relocating equipment necessary for the existing photovoltaic solar panels (“PV”), and would significantly reduce the allowable size of the addition. The following factors contribute to this situation:

- 1) The existing garage, built in 1930, is actually located sixteen feet (16’) from the house, whereas the original building permit shows that distance to be twenty feet (20’). This resulted in a turning radius to the garage that is nearly two feet (2’) shorter than the required 25’ radius. This condition was recently brought to light when a site survey was conducted.
- 2) The existing garage is also located 16 inches (or 1’-4”) outside of the subject property. This condition was also recently brought to light with the same site survey. The encroachment of a structure into the adjacent property is the responsibility of the property owner(s) and resolution of it is a civil matter between neighbors, per Legal staff.¹
- 3) In 2008, a permit was issued to allow an equipment shed to be attached to the rear of the house, between the garage and the house. The permit’s site

¹ Possible solutions include the grant of an easement to construct and/or maintain the garage, or a lot line adjustment. If a dispute between the property owners arises in the future and the property owners cannot agree to a solution to the issue of the encroachment of the garage, and thus, litigation ensues, it is difficult to predict how a court-ordered resolution may affect the garage. If the applicant is ordered to remove the encroachment, the garage would become smaller than it is currently by 16 inches. If this variance is granted, it will run with the land.

plan indicated the 25' turning radius was to be maintained, as presented on the applicant's plan submittal. Although the shed was constructed outside of the existing turning radius between the house and the garage, the turning radius was assumed to be 25' and in fact is only 23'.

- 4) Code requires an upgraded garage to measure 20' x 20', interior wall to interior wall. Rebuilding and expanding the garage would require its width to be expanded by approximately five feet, and its length to be expanded by approximately one foot. However, the garage location on the adjacent property would also need to be corrected by moving the garage sixteen inches over. The resulting garage would reduce the space between it and the house by approximately two feet. This would exacerbate the existing deficiency of space between the garage and house that prevents a sufficient turning radius in order to ensure adequate access to the garage.

To remedy the shortage and achieve a full 25' turning radius, the existing equipment shed would need to be relocated, and 36 square feet of the south corner of the house would need to be removed. More specifically, the equipment shed is a permanent structure attached to the house, with fully framed and finished walls. It houses plumbing and electrical equipment, and acts as the point of attachment for the PV system inverter, which is adjacent to the electrical meter and main panel. Relocating the shed would require re-piping of supply and drain plumbing, electrical rewiring, and relocation of the PV inverter. Removal of 36 square feet of the south corner of the building would result in the bedroom in that location being less than seven feet in length and width, which would disqualify it for use as a bedroom per the building code. Lastly, the addition of the new, larger garage would add to the site lot coverage, with only 47 square feet remaining for an addition in compliance with the maximum 40% lot coverage, for which it may be difficult to justify the extensive scope of work required to upgrade the garage.

As a side note, it would not be possible to reorient the garage 90-degrees in order to achieve a 25' turning radius, because the resulting landscaping would only amount to 34%, while Code requires 40%. Furthermore, the garage configuration would not comply with the Comprehensive Design Guidelines since it would be inconsistent with the neighborhood pattern and architectural style of the house, and the garage location would severely compromise available open space on the site.

The general purpose and intent of the ordinance is to ensure sufficient off-street parking in order to minimize parking congestion on public streets. The proposed addition is an expansion to an existing bedroom, and therefore is not anticipated to significantly increase building occupancy or parking demand. As such, the numerous practical difficulties described, in order to meet the strict application of the provisions of the ordinance, are inconsistent with the general purpose and intent of the ordinance.

B. There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood;

In this case, the subject lot size is unusually small. At 4,937 square feet, it is the fifth smallest lot out of 22 lots located within 300 feet. It is also 46.24 feet wide, whereas many of the other interior lots in the neighborhood are 50 feet wide. This condition results in it being more challenging to achieve zoning standards on this site compared to other properties in the neighborhood and zone. Further, the existing garage that was built in 1930 was constructed not fully on the subject property, and without the required distance between it and the house, as determined by a recent survey. The current garage location is an additional exceptional circumstance that does not apply generally to other property in the neighborhood/zone. Although the permit may have been issued or finalized in error, the garage was built nearly 100 years ago and the permit was lawfully issued at that time. It is not clear whether the error was made by City staff or the permit applicant/property owner. Generally, the City has a policy of not revoking a permit issued in error or finalized in error when the error is attributable to the City and/or is not attributed to the permit applicant or property owner, particularly for a building constructed 90 years ago, where there is no life, health or safety concern, and where the current owner is not the original owner who created the non-conformity.

C. The granting of the variance 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; and

As previously mentioned, the proposed addition is an expansion to an existing bedroom and therefore is not anticipated to significantly increase building occupancy or parking demand. The site also has a long, approximately 80-foot driveway, with 40 feet of it being located outside of the driveway gate and accessible to about three cars. This driveway is available for temporary guest parking to minimize on-street parking for the site. Therefore, the granting of a variance to allow a 133 square-foot addition without providing the Code-required parking is not anticipated to result in a detrimental or injurious impact to the neighborhood, particularly in terms of parking.

D. The granting of the variance will not be contrary to the objectives of the ordinance.

The objective of the ordinance is to ensure sufficient off-street parking in order to minimize congestion on public streets. As previously described, the expansion of an existing bedroom is not anticipated to significantly increase parking demand for the site, and the site has sufficient off-street parking for temporary guest

parking; therefore, granting of the variance will not be contrary to the objectives of the ordinance.

APPROVAL of the Standards Variance 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, 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 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 or exemption shall be obtained prior to the issuance of a building permit.
- 4) That any window replacements shall comply with the Window Replacement Design Guidelines.
- 5) That any expansion or modification of the dwelling unit which is different than what is represented as part of this Variance approval shall require a new application as determined by the Planning 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 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, appeal forms and fees will be provided by the Community Development Department (CDD) staff upon request by calling 818-548-2140.

Due to the current COVID-19 social distancing and work from home orders issued by federal, state and local governmental agencies, in order for any appeal to be considered timely, **the appeal must be postmarked by the August 10, 2020, deadline (mailed to Community Development Department – Planning Division, Attention: Cassandra Pruett, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Cassandra Pruett at cpruett@glendaleca.gov) prior to the close of said business day.** The prescribed fee must be included along with the

appeal application and may be submitted either in the form of a check or credit card payment. For credit card payment, please contact the case planner to make arrangements with the cashier. Note: The standard 2.5% fee for credit card payment applies.

APPEAL FORMS available on-line

<https://www.glendaleca.gov/home/showdocument?id=11926>.

If you have any questions, please do not hesitate to email or call the case planner, Cassandra Pruet, at cpruett@glendaleca.gov or (818) 937-8186.

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 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, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Standards Variances (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 Standards Variance 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.

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by a Standards Variance 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.

EXTENSION

An extension of the Variance 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 Standards Variance.

CESSATION

A Standards Variance may be terminated by the review authority upon any interruption or cessation of the use permitted by the Standards Variance for one year or more in the continuous exercise in good faith of such right and privilege.

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 who acted on this case. This would include clarification and 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.

Sincerely,
Phil Lanzafame
Director of Community Development



Bradley M. Collin
Planning Hearing Officer

BC:CP: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/M.Bueno); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin/CBabakhanlou/D.Scorza); 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); D.Gokcen; L.Lederma; F.Mitchell; and case planner – Cassandra Pruett