



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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glendaleca.gov

May 20, 2021

Revised

Alen Malekian
2255 Honolulu Avenue, # 1A
Montrose, CA 91020

**RE: 1039 WEST MOUNTAIN STREET
ADMINISTRATIVE EXCEPTION CASE NO. PAE 2019143**

Dear Mr. Malekian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, 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 attached carport to be converted (legalized) to an enclosed two-car garage with 19'-0" depth, which is a five percent deviation from the minimum required 20-foot garage depth per Chapter 30.32.180 Chart I of the Glendale Municipal Code, in conjunction with a proposed approximately 700 square-foot addition to an existing two-story single-family residence, located at 1039 West Mountain Street, in the R1R – I HD Zone (Restricted Residential, Floor Area Ratio District I, North Cumberland Heights Historic District Overlay Zone) and described as Lots 34 and 35, Tract No. 8381, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 ("existing facilities") exemption and a Class 31 ("Historical Resource Restoration/Rehabilitation") exemption pursuant to Sections 15301 and 15331 of the State CEQA Guidelines, because the proposed work is additions to an existing structure and is consistent with the Secretary of the Interior's Standards for Rehabilitation.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, all of the required three findings can be made in support of the application. The Director of Community Development 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 Administration Exception to allow the maintenance of an existing permitted carport (converted to a two-car garage without building permit(s)) with a nonconforming interior dimension (depth), in conjunction with first and second floor additions at the front of an existing single-family

residence, will result in design improvements with additional functionality of the property and avoid unnecessary hardship onto the property owner constructing a new garage. In addition, there are space restrictions on the site that preclude full compliance with the zoning code requirements without hardship.

The subject property is a 32,452 square-foot irregularly-shaped, interior lot developed in 1925 with an existing 4,278 square-foot, two-story single-family residence and with an attached two-space carport built in 1970. The carport is facing the street and converted to a two-car garage at unknown date without obtaining required building permit(s) by previous owner(s). The agent of the current owner (applicant) is requesting an Administrative Exception for a five percent deviation from the Zoning Code requirement of 20'-0" minimum interior dimension (depth) as required for a standard two-car garage in accordance with Chapter 30.32.180 Chart I of the Glendale Municipal Code to maintain the existing carport with a substandard depth (19 feet) in order for the applicant to legalize the carport conversion to a two-car garage. The request is in conjunction with construction of a new 123 square-foot floor area addition to the first floor, a total of 992 square-foot addition to the second floor, removal of 179 square-foot floor area from the first floor (west, rear), and removal of 218 square-foot floor area from the second floor (rear). The total of the floor area addition after the proposed floor area removals is approximately 700 square feet. The first floor addition (123 square feet) will infill a portion of the existing front porch to expand the existing dining room and the second story additions will be built over a flat-roofed area at the sides (west and east) facing the street, but further away from the front facades. The second story additions will create a new master suite (854 square feet) at the west side and a new bedroom at the east side (138 square feet). The proposed project also includes interior remodeling, a new circular driveway, conversion of the existing porte-cochere to a new one-car garage, window replacements, and rear yard improvements including new landscaping. In accordance with Chapter 30.32.050 of the Zoning Code, three parking spaces are required for a dwelling unit located in the R1R zone with a gross floor area between 3,500 to 5,999 square feet. Providing the required three covered and enclosed garage spaces to meet the parking standards in the present case will require construction of a new three-car garage or conversion of the existing spaces within the dwelling to new three enclosed parking spaces. In order to meet the zoning code requirements, the applicant is proposing to convert the existing porte-cochere to a new code-compliant, one-car garage with clear interior dimensions of 14'-5 5/8" (width) by 20'-0" (depth); and obtain required building permit(s) for conversion of the existing carport to a two-car garage with two new code-compliant garage doors and with interior dimensions of 21'-8 5/8" in width and a reduced garage depth of 19'-0" (instead of not less than 20 feet).

There are space restrictions on the site that preclude the applicant from building a new two-car garage or expanding the existing attached carport to meet the zoning code requirements for a minimum depth of 20 feet.

Building a new two-car garage at the rear yard is not feasible because there is no adequate space on the sides of the house to build a new code-compliant driveway access. There are also space restrictions on the front of the house for construction of a new two-car garage or expansion of the existing carport towards the street due to the street front setback regulations and existence of two indigenous protected trees (oak tree) on the lot and on the adjacent lot, near the subject carport. Any new building or construction to expand the existing carport towards the street may negatively impact the oak trees. The expansion of the existing carport to the rear is also not feasible because the existing carport is attached to a permitted cabana to the rear which restricts the carport expansion. There are a total of three protected oak trees located on the subject site and five oak trees located near the site (within 20 feet). Per comments received from the Maintenance Services/Urban Forestry section, the proposed project would not have any negative impact on the existing street trees or the oak trees on or within 20 feet of the site. Therefore, the requested

exception would allow the reasonable use and improvement of the property without creating hardship or any possible damage to the existing oak trees on the site or adjacent to the site because the proposed additions and enclosed parking spaces will be located in already developed areas of the property.

Granting the administrative exception will result in design improvements because with the proposed additions, the existing front façade and site plan will remain almost unchanged. The proposed additions will infill the existing flat roofs below (terraces) at the second floor and a portion of the front porch at the first floor without substantially changing the site planning. The additions are architecturally consistent with the style of the existing Spanish Colonial Revival Style residence, which has been somewhat altered over the years but retains the principles of its design and style. Moreover, the new garage doors are consistent with and complement the architecture of the residence which will result in design improvement over the existing condition.

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 the administrative exception to maintain the non-conforming interior dimension (depth) of the existing carport for conversion to a two-car garage, in conjunction with an approximately 700 square-foot addition to the existing residence will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood.

The existing carport which has been converted to a two-car garage at unknown date, has been already used as a two-car garage with 19'-0" depth and will continue to provide enclosed parking spaces for the residence. Additionally, the proposed modifications to provide three enclosed, covered parking spaces bring the property in conformance with the Zoning Code for required parking in this zone. The proposed floor area additions and rear yard improvements will result in the reasonable improvement of the site while the design concept will be in keeping with the architectural style of the residence, in the adopted historic district. The design, mass, and details of the addition will require separate review and approval by the Historic Preservation Commission.

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

The proposed addition complies with the remaining code requirements of the R1R-I HD zone. 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 an administrative exception for one-foot reduction from the minimum required garage depth of 20 feet will allow reasonable development of the site that meets other zoning regulations without a significant change to the site layout. The legalization of the conversion of the existing attached carport to a garage will continue to provide enclosed two parking spaces after legalization and the proposed circular driveway will also provide temporary parking spaces. Therefore, granting the exception 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:

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- 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 Planning 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 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.
- 4) That Historic Preservation Commission (HPC) approval/exemption shall be obtained prior to issuance of a building permit.

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. Appeals must be filed prior to expiration of the 15-day period, on or before **June 4, 2021**. Information regarding appeals, appeal forms and fees may be obtained by calling the Community Development Department (CDD) staff at 818-548-2140, or the case planner at 818-937-8157. APPEAL FORM is also available on-line:

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

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 June 4, 2021 deadline (mailed to Community Development Department – Planning Division, Attention Aileen Babakhani, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Aileen Babakhani at ababakhani@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 Aileen Babakhani at 818-937-8331 to make arrangements with the cashier. Note: The standard 2.5% fee for credit card payment applies.

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.

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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 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 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.

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 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 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.

You may contact the case planner, Aileen Babakhani during normal business hours at her direct line (818) 937-8331 or ababakhani@glendaleca.gov, between 8:30 a.m. to 5:30 p.m. weekdays.

Sincerely,



Erik Krause
Planning Hearing Officer

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EK:AB: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); Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin/C.Babakhanlou/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); and case planner – Aileen Babakhani.