



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

633 E. Broadway, Suite 103
Glendale, CA 91206-4311
Tel. (818) 548-2140 Fax (818) 240-0392
glendaleca.gov

August 18, 2021

Kelly Sutherlin
Kelly Sutherlin McLeod Architecture, Inc.
3827 Long Beach Blvd.
Long Beach, CA 90807

**RE: 1622 ARD EEVIN AVENUE
ADMINISTRATIVE EXCEPTION NO. PAE 2104358**

Ms. Sutherlin:

The Community Development Department has processed your application for an Administrative Exception pursuant to the provisions of the Glendale Municipal Code (GMC), Title 30, Chapter 30.44.020(E), to allow up to a 20% deviation from the interior setback standard (GMC 30.11.030) to allow a four-foot, one and a half inch (4'-1½") interior setback (existing) for a new two-story addition when Code requires a minimum five-foot setback for buildings greater than 20 feet in height (17.5% deviation).

The subject property is located at **1622 Ard Eevin Avenue**, in the Ard Eevin Highlands Historic District and "R1-I HD" Zone (Residential Zone, Floor Area Ratio District I with a Historic District Overlay Zone), and described as Tract Number 5861, Lot 5, in the City of Glendale, County of Los Angeles as per Map Recorded in Book 62, Page 93 of Maps in the Office of the County Recorder.

ENVIRONMENTAL DETERMINATION

This project is exempt from environmental review as a Class 1 "Existing Facilities" project per Section 15301 of the State CEQA Guidelines, since the project involves an addition that will not result in an increase of more than 50% of the floor area of the structure before the addition, or 2,500 square feet (SF), and as a Class 31 "Historic Restoration or Rehabilitation" exemption pursuant to Section 15331 of the State CEQA Guidelines because the project meets the Secretary of the Interior's Standards for Rehabilitation and the Historic District Design Guidelines.

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.

The granting of the exception will result in design improvements, since setting the addition back further to meet the required setback would result in wall and roof jogs not consistent with the architectural style of this historic house.

The existing house is a 2,150 square-foot, two-story building in a Mediterranean Revival style, built in 1926 and recognized as a contributor to the Ard Eevin Highlands Historic District. The project involves a 428 SF two-story addition at the south-east corner of the building. The addition encroaches 10.5 inches into the required five-foot interior setback on the first story for a length of 11.5 feet and on the second story for a length of 6.5 feet, and includes a 198 SF second-floor deck on top of the first-floor addition. The addition and deck are located at the rear of the house and are only somewhat visible at the south façade. The south façade features a two-story wall, faced with smooth stucco and a mansard-style Spanish tile roof. If the addition were to be stepped back 10.5 inches from the existing façade to meet the required five-foot setback, instead of continuing the existing 4'-1½" setback, it would result in a jog in both the wall and roof that would appear unusual and inconsistent with the style of this house, which is important to maintain since it is a contributor to a historic district.

B. The granting of the exception, with any conditions imposed, 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 exception to allow a 4'-1½" setback, instead of a five-foot (5'-0") setback (10.5 inches or 17.5% deviation), for a two-story addition and second-floor deck, 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 for the following reasons: 1) Preserving the existing setback to continue the wall surface and roof line of the existing building helps maintain the rectangular volume of the existing house which is characteristic of the Mediterranean Revival style; 2) The vertical reglet at the joint between the existing house and the addition represents the transition point between the two eras of construction; 3) The first floor addition involves removal of one window and reduction in size of a second window at the south-facing façade, which would reduce potential privacy impact to the neighbor and the proposed new window has been carefully designed to maintain the architectural features of the existing window; and 4) The second-story addition contains no windows, which prevents any related privacy issue in that area.

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

Approval of the Administrative Exception to allow a minor, 17.5% deviation in the interior setback standard for the two-story addition and second-floor deck will not be contrary to the objectives of the applicable regulation, which is to restrict the location of buildings, structures and land to protect residential areas from harmful encroachment by incompatible uses, and to provide adequate open spaces for light and air, etc. (GMC 30.01.020). The second floor addition encroaches 10.5 inches into the required five-foot setback for a distance of 6.5 feet; however, it contains no window openings, which prevents any encroachment by an incompatible activity and prevents privacy issues. Further, it is a minor extension of the existing building location which results in an insignificant change to the site's current configuration of open space that allows for light and air. The second floor deck, located on top of the first-floor addition, extends into the required setback 10.5 inches for a distance of five feet. Since the open wrought-iron railing along the edge of the deck is the only massing associated with it, it still allows light and air and minimizes the physical intrusion into the setback. Additionally, the deck handrail is set in from the building façade an additional 5.5 inches, further increasing the area between any deck activity and the required setback. For these reasons, 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:

- 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 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 expansion or modification of the dwelling unit which is different than what is represented as part of this Administrative Exception approval shall require a new application as determined by the 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 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 **SEPTEMBER 2, 2021**, 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.

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 **SEPTEMBER 2, 2021**, deadline (mailed to Community Development Department – Planning Division, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to zoning@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 Cassandra Pruet 818-937-8186 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>

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.

REVOCAION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over 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.

You may contact the case planner, Cassandra Pruett, during normal business hours at (818) 937-8186 or via e-mail at cpruett@glendaleca.gov.

Sincerely,
Phillip Lanzafame
Director of Community Development



Erik Krause
Planning Hearing Officer

EK:CP: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 (Mark Young); 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 (Cassandra Pruett).