



**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

June 18, 2021

Demery Matthews  
3404 Buena Vista Avenue  
Glendale, CA 91208

**RE: 3416 EL CAMINITO STREET  
VARIANCE CASE NO. PVAR 2101724**

Dear Ms. Matthews:

On June 16, 2021, 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 maintain an existing 3 feet, zero inches, interior setback along the northwest side of an existing 1,162 square-foot one-story, single-family residence with an existing detached two (2)-car garage, on a 5,382 square-foot lot, zoned "R1" (Low Density Residential Zone), Floor Area Ratio District II, in conjunction with the proposed 822 square-foot second story addition with an overall height of 26 feet, 9 inches, in the "R1"-(Low Density Residential) Zone - Floor Area Ratio District II, located at **3416 El Caminito Street**, described as Lot 18, Tract No. 13310 in the City of Glendale, County of Los Angeles.

**CODE REQUIRES**

- (1) A minimum of 5'-0" interior setback for buildings and structures over 20 feet and equal to or less than 30 feet in height (GMC 30.11.030 - Table 30.11 B).

**APPLICANT'S PROPOSAL**

- (1) To maintain an existing non-conforming interior setback of 3'-0" along the northwest side of an existing one-story, single-family residence in conjunction with a proposed second story addition with the overall height of 26'-9".

**ENVIRONMENTAL DETERMINATION**

Exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to Section 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 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 **APPROVED WITH CONDITIONS** your application based on the following:

**A. That 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.**

The project site is an existing 5,382 square-foot interior lot, which slopes down gradually from the street frontage to the rear of the lot. The lot was developed in 1947 with an existing 1,162 square-foot single-family residence and an existing detached two-car garage. The applicant is proposing to maintain the existing non-conforming interior setback of 3'-0" along the northwest side of the existing house in conjunction with the proposed two-story addition at the rear. No changes are proposed to the footprint of the existing house or to its exterior walls except the southwest portion (rear) of the house, which is the area of the proposed addition. The proposed addition meets the 5'-0" minimum required interior setback.

Strict application of the provisions of the zoning ordinance would result in an unnecessary hardship inconsistent with the intent of the code. If the applicant were to provide the minimum five-foot interior setback, two feet of the entire side of the existing house (northwest), which includes two bedroom walls, would need to be demolished and be relocated to meet the interior setback requirement. This would reduce the size of the bedrooms in a way that they would become too small and no longer functional. This would create a practical difficulty and unnecessary hardship.

**B. That 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.**

The size of the lot and the location of the existing garage and driveway limit the available area for a reasonably-sized addition. The zoning regulations are intended to allow reasonable additions to properties, and to deny the requested variance would be unreasonable because it would unduly restrict the property owner from constructing a second story addition to the house where there is a very limited area on the lot to expand the house on the first level only.

**C. That 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.**

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. The existing house is a permitted use and consistent with the zoning designation. The project will not conflict with adjacent residential uses to the north, east, and west as well as the public school to the south with an abutting parking area. The project will not adversely affect them because the existing residence will remain as a single-family house. The proposed 822 square-foot addition, which includes a new family room at the first floor and a new master suite at the second floor, will be setback 5'-0" from the interior (side) property line and will have a significant setback from the street front property line and an approximate interior (rear) setback of 20 feet. The two-story addition and the proposed new height of 26'-9" while maintaining the existing three-foot interior setback and one-story height of the existing portion of the house, will not compromise the existing house or the neighboring properties' open space, light and ventilation, because the second floor will meet the code required minimum interior setback. In addition, the project will require Design Review approval, which will ensure the project is compatible with the surrounding properties. Furthermore, the floor area addition of a new family room and master suite will not increase traffic or parking demand. The property contains an existing, enclosed two-car garage and the total floor area including the addition will be 1,984 square feet, under the threshold for requiring an enclosed three-car parking garage.

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

The objective of the Zoning Code is to protect the character of the neighborhood and ensure sensible development. The granting of the variance will allow a reasonable use of the existing property for the proposed single-family residence without changing the existing building footprint while extending the house to meet the family's needs. Granting of the variance will also be consistent with the objectives of the ordinance because all other Zoning Code regulations will be complied with, including but not limited to, floor area ratio, lot coverage, height, landscaped open space, and parking.

## CONDITIONS OF APPROVAL

**APPROVAL** of this Variance shall be subject to the following conditions:

1. That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for 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 any expansion or modification of the facility or use shall require a new variance application. Expansion shall constitute adding of additional floor area or any physical change as determined by the Planning Hearing Officer, with concurrence from the Director of Community Development.
  3. That all necessary permits (i.e., building, fire, engineering, etc.) 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.
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4. That the premises shall be made available and accessible to any authorized City personnel (Building, Fire, Police, Neighborhood Services, Planning, etc.), for inspection to ascertain that all conditions of approval of this conditional use permit are complied with.
  5. That Design Review Board approval shall be obtained prior to the issuance of a building permit.
  6. 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.
  7. That landscaping areas shall be maintained in good condition with live plants and free of weeds and trash.
  8. That the applicant shall comply with all requirements of the Glendale Fire Department to the satisfaction of the Glendale Fire Department.
  9. That the applicant shall comply with all requirements of the Glendale Building and Safety Division, as specified in their memo dated March 19, 2021 to the satisfaction of the Department Director.

## APPEAL PERIOD

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 **JULY 6, 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, Aileen Babakhani at (818) 937 -8331 (email: [ababakhani@glendaleca.gov](mailto:ababakhani@glendaleca.gov))

**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 JULY 6, 2021 deadline (mailed to Aileen Babakhani, Community Development Department – Planning Division, Attention: Aileen Babakhani, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner Aileen Babakhani ([ababakhani@glendaleca.gov](mailto: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.

## 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.

## GMC CHAPTER 30.41 PROVIDES FOR

### Termination

Every right or privilege authorized by a 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.



### Cessation

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

### Extension

Variances 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 such variance. 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, CONTINUING JURISDICTION**

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

## **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 Aileen Babakhani at 818-937-8331)

first and then, the Planning 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.

Sincerely,  
Philip Lanzafame  
Director of Community Development



Roger Kiesel  
Planning Hearing Officer

RK: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); 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; 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); Anita Regmi and Pradeep Upadhyaya – owners; Mary Lynne-Fisher; and case planner Aileen Babakhani.

**INTER-DEPARTMENTAL COMMUNICATION  
PROJECT CONDITIONS AND COMMENTS**

**Project  
Address: 3416 EL CAMINITO**

**Project  
Case No.: PVAR2101724**

***If project comments are not received by the due date, it will be assumed that your department has no comments.***

***NOTE: Your comments should address, within your area of authority, concerns and potentially significant adverse physical changes to the environment regarding the project. You may also identify code requirements specific to the project, above and beyond your normal requirements. Applicant will be informed early in the development process. You may review complete plans, maps and exhibits in our office, MSB Room 103. We appreciate your consideration and look forward to your timely comments. Please do not recommend APPROVAL or DENIAL. For any questions, please contact the Case Planner ASAP, so as not to delay the case processing.***

**COMMENTS: See below.**

This office **DOES NOT** have any comment.

This office **HAS** the following comments/conditions.  (See attached Dept. Master List)

**Date: 3/22/21**

**Print Name: Foster McLean**

**Title: Asst. Fire Marshal Dept. Fire Tel.: 7706**

**a. ADDITIONAL COMMENTS:**

1. **Fire sprinkler system.** Additions and remodels: Installation of an automatic fire sprinkler system will be required if valuation increase is greater than or equal to 50%; alteration of existing system is required regardless.
2. **Emergency escape.** Sleeping rooms below the fourth story above grade plane shall have at least one exterior emergency escape and rescue opening in accordance with the CBC.
3. **Emergency access walkway.** Ensure an emergency access walkway leading from fire apparatus access road to exterior openings per the CFC. Landings shall be provided beneath bedroom rescue windows or doors to provide fire department access around the home. All architectural and landscape plans shall be designed to avoid any present or future obstructions that may hinder access and placement of fire department ladders.

**b. CASE SPECIFIC CODE REQUIREMENTS:** (these are not standard code requirements)

- 1.

**c. SUGGESTED CONDITIONS:** (may or may not be adopted by the Hearing Officer)



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**COMMENTS:**

- This office **DOES NOT** have any comment.
- This office **HAS** the following comments/conditions.  (See attached Dept. Master List)

**Date:03-19-2021**

**Print Name: Sarkis Hairapetian  
Title: Pr. BCS. Dept. B&S. Tel.: X-3209**

**Conditions:**

- 1. That all necessary permits (i.e., building, fire, engineering, grading, etc.) 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.  
A. Separate application is required for separate detached structures, demolition, retaining walls, fences and swimming pool.
- 2. That the premises shall be made available and accessible to any authorized City personnel (Building, Fire, Police, Neighborhood Services, Planning, etc.), for inspection to ascertain that all conditions of approval of this conditional use permit are complied with.
- 3. That Structure or building on hillside with slope greater than 33% shall comply with The Section 1615 special hillside design requirements.
- 4. That additional or other building code requirements or specific code requirements (i.e. CA Green Building Code, etc.) will be required upon submittal of plans for building plan check and permit.
- 5. Geological/Full Soil's Report is required for proposed work .
- 6. Site grading shall be limited to 50 cubic yard or less for the excavations of the proposed footings and grade slabs. Greater than 50 cubic yard will require grading application and grading permit.
- 7. The proposed improvements shall not increase the amount of storm water runoff to the properties downstream. Hydrology and hydraulic calculations shall be submitted to the City for review and approval.
- 8. Any proposed drainage infrastructures shall be constructed per City standards.