



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

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June 29, 2022

John Deenihan  
217 W. Alameda Avenue, Suite 203  
Burbank, CA 91502

**RE: 3035 EDGEWICK ROAD  
REASONABLE ACCOMMODATION NO. PRACCOM2209090  
(ALSO SEE: PAE2209089)**

Dear Mr. Deenihan:

On June 29, 2022, the Director of Community Development, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.52, **APPROVED WITH CONDITIONS** your application for a Reasonable Accommodation to allow the construction of a new single-family house with an internal residential elevator providing reasonable access between the lower level garage and the residential floors above. The requested accommodation would connect the garage at the lower level to the main residential floors above, resulting in a three-story house located on an 8,531 square-foot lot in the "R1R II" Restricted Residential Zone, Floor Area District II, addressed at **3035 Edgewick Road**, in the City of Glendale, County of Los Angeles.

After considering the evidence presented with respect to this application, the Director of Community Development has granted, with conditions, your application based on the following findings:

- A. The proposed development of the new house on the project site will be occupied with persons with disabilities, as defined under the Federal Fair Housing Amendments Act of 1988 and California's Fair Employment and Housing Act, herein known as the "Acts". The occupant's disabilities interfere with daily living activities that hinder reasonable access and circulation between the lower level garage and the residential floors above. The property owner's elderly mother will be living in the residence proposed to be developed on the subject property.
  
- B. The requested accommodation is necessary to make the dwelling/property available to an individual with a disability protected under the Acts. As noted in Finding A, once the new house is developed, the property owner's elderly, disabled mother, Nvart Mordkhan, will reside on the subject property. This individual is unable to ascend and descend stairs, and according to her Doctor's note, she "needs to use an elevator

every time and should avoid using stairways because of danger of falling.” Thus, in order to reasonably accommodate this disabled individual who will be residing on the property, the applicant is requesting to accommodate an elevator inside the new residence. The elevator will provide the disabled individual reasonable access and circulation between the lower level garage and the residential floors above; the accommodation request will connect the garage at the lower level to the main residential floors above, resulting in a three-story house. This connection provides the disabled person a safer and more efficient way of circulating between the garage and the upper residential floors. The request will provide the disabled individual with relief from ascending and descending approximately 36 stairs leading from the driveway/street level to the residence located further up the hill, and avoid a potential hazardous situation.

- C. The requested accommodation proposes an elevator at the lower level, adjacent to the garage, and provides access to the residential floors above. The elevator will connect the garage with the residence above, which results in a three-story house (maximum two stories allowed by Code). The three-story accommodation for the new house is directly and reasonably related to the individual’s disability, as described in Finding B. The accommodation will provide the disabled individual safer and more efficient access and circulation between the garage at the lower level and the upper (residential) floors.
- D. The requested accommodations will not impose an undue financial or administrative burden on the City. The applicant will be required to secure building permits and pay the required building permit fees associated with the new proposed project. The applicant will pay for all construction work, materials and permits and will impose no financial or administrative burden on the City.
- E. The requested accommodations will not require a fundamental alteration in the nature of the City’s overall land use and zoning program. The 8,531 square-foot lot is located in the “R1R-II” (Restricted Residential, Floor Area District II) zone, and will be improved with a three-story, single-family residence and garage.

A single-family house is a permitted land use in the R1R-II zone. According to GMC 30.11.040 E, no primary building in the R1R zone shall exceed two stories in height on a lot where the building is located on a portion of a lot having an average current slope less than 40 percent. Due to the lot’s uphill sloping topography, the garage will be constructed at the lower level and the house will be located further up the hill. The request would accommodate the disabled individual with an internal residential elevator for purposes of safely accessing and circulating between the garage and the two residential floors above. This accommodation would internally connect the main house to the garage at the lower level resulting a three-story home. However, the home’s exterior is designed as a two story structure, visually separated from the

garage to provide appropriate massing relief as viewed from the street. The overall height of the main house will be 24 feet, 6 inches, which is under the 32-foot height limit per zoning regulations. The land use will be single-family residential and as a result, the request will not require fundamental alterations in the overall land use and zoning program for the City.

- F. The request to accommodate a residential elevator inside the building will provide appropriate and safe circulation between the garage/lower level and the two residential floors above. While the request will result in a three-story house, as a result of connecting the garage and residence with the addition of the elevator, it provides the disabled individual safe and efficient access and circulation. The accommodation would be in keeping with and not detrimental to the neighborhood character and would not result in a substantial increase in traffic. Traffic on Edgewick Road would not significantly increase as a result of the three-story house. A single-family residential use is allowed in the R1R-II zone and consistent with the surrounding land uses. The proposed garage at the lower level will provide Code required parking spaces for two vehicles. The requested accommodation will neither alter the neighborhood character nor will it increase the demand for parking. Further, the request would not substantially increase traffic in the existing residential neighborhood.
  
- G. The accommodation request will run with the land. The modification is designed to have the elevator integrated into the three-story house, and cannot be easily removed or altered to comply with Zoning Code regulations. The elevator will provide internal access and circulation between the garage/lower level to the upper residential floors. A covenant will be required to provide notice to future owners that a reasonable accommodation has been granted.

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

1. That the reasonable accommodation shall be to allow the construction of an elevator inside a new single-family house for purposes of providing reasonable access between the garage at the lower level and the residential floors above resulting in a three-story house. This approval shall not be terminated even if the individual for whom the permit was granted no longer resides at the property.
  
2. That the development shall be in substantial accord with the plans submitted with the application except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Community Development Department.
  
3. 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.

4. Prior to any issuance of any permits relative to this approved reasonable accommodation (PRACCOM2209090), the applicant shall record a covenant in the County Recorder's Office acknowledging and agreeing to comply with the terms and conditions established in the decision.
5. That the reasonable accommodation permit may be terminated by the review authority upon any interruption or cessation of the reasonable accommodation use for one year or more in the continuous exercise in good faith or such right or privilege.
6. That the premises be maintained in a clean orderly condition, free of weeds, trash, and graffiti.
7. That any required Design Review approval shall be obtained prior to the issuance of a building permit.
8. That the premises, including landscaping areas, be maintained in a clean orderly condition, free of weeds, trash, and graffiti.
9. That the premises shall be made available to any authorized City personnel (Fire, Planning and Neighborhood Services, etc.), for inspection to ascertain that all conditions of approval of this Reasonable Accommodation 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 and Ordinance No. 5582, 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. Any appeal must be filed within fifteen (15) days following the actual date of the decision. Information regarding appeals and appeal forms will be provided by the Permit Services Section upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **JULY 14, 2022**, in the Permit Services Section, 633 East Broadway, Room 101.

APPEAL FORM is also available on-line:

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

#### **GMC CHAPTER 30.4 PROVIDES FOR**

The rights and privileges granted by this Reasonable Accommodation will expire two years from the date of this grant unless exercised in good faith prior to such time.

## REVOCAION, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Reasonable Accommodation (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 Reasonable Accommodation 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 contact with this office regarding this determination must be with the case planner. 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, Milca Toledo at 818.937.8181 or [mitoledo@glendaleca.gov](mailto:mitoledo@glendaleca.gov)

Sincerely,  
John Takhtalian  
Interim Director of Community Development



Erik Krause  
Deputy Director of Community Development

EK:MT: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-( F. McLean/S. Partamian; Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (M.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.Mardians); 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 – and case planner Milca Toledo.