



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 29, 2022

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

**RE: 3035 EDGEWICK ROAD
ADMINISTRATIVE EXCEPTION CASE NO. PAE2209089
(ALSO SEE: PRACCOM2209090)**

Dear Mr. Deenihan:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44 an Administrative Exception has been processed to allow maximum 20 percent deviation from the required; 1) minimum 40 percent of ungraded open space, and 2) minimum 18-foot driveway depth. The project proposes 38.7 percent of the site to be ungraded open space (approximately four percent deviation) where a minimum of 40 percent is required, and proposes a 15-foot driveway depth (17 percent deviation) where 18 feet is required by Chapters 30.11.040 F and 30.30.32.130 G 4 of the Glendale Municipal Code in conjunction with the construction of a new two-story, 3,260 square foot (SF) single-family house and 580 square-foot two-car garage at the lower level of the 8,531 square-foot lot. The subject property is located at **3035 Edgewick Road**, in the "R1R-II" – (Restricted Residential, Floor Area Ratio District II) Zone, and described as Lot 21, Block 3, Tract No. 9041, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL RECOMMENDATION

This project is exempt from environmental review as a Class 3 "New construction or Conversion of Small Structures" exemption pursuant to Section 15303 of the State CEQA Guidelines because the project is the construction of one new single-family house.

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 proposed project involves the construction of a new 3,260 SF single-family house and 580 SF two-car garage. The 8,531 SF property is a vacant hillside lot characterized by its irregular shape with an average current slope of 32.5 percent. The topography of the site is up sloping with the steepest portion of the lot located adjacent to the street front property line where the grade rises 10 to 12 feet from the toe of the slope. The upper portion of the lot is less steep, gradually sloping uphill. The front of the lot along Edgewick Road is 79.65 feet wide and the rear property line is 58 feet wide. The new house is proposed on a portion of a lot with an average current slope of 28.9 percent.

A distinguishable characteristic of the site is its steep dramatic slope at the front of the lot immediately adjacent to the street. There are other lots along the north side of Edgewick Road which have a similar steep uphill topography. In an effort to address the existing hillside conditions, the applicant designed the building with the garage proposed at the lower street level and the main living areas setback further up the hill, away from the garage and street. The garage roof is designed as a structural slab that allows for mature landscaping between the house and garage. To account for this separation, the approval of an Administrative Exception for two minor deviations from the zoning code including reducing the length of the driveway to 15 feet and reducing the required ungraded open space to 38.7 percent are necessary. Granting the requested exceptions would result in design improvements because it would allow the garage to be constructed at the lower (street) level, nestled into the hillside and the house constructed further up the hill, away from the garage and the street front property line thereby reducing the mass and scale of the project.

The applicant explored several design options to address the conditions of approval and concerns raised by the Design Review Board (DRB) as well as the concerns of the neighborhood regarding the building's tall, vertical appearance. However, none of the options properly address site planning including mass and scale, without the need for significant variances. In an effort to address the conditions and concerns, the applicant has redesigned the overall mass and scale of the project by separating the house from the garage. In doing so, the entire house has been pushed/setback further up the hill by an additional eight feet and the garage moved four feet closer to the street. Approval of the requested Administrative Exception application allowing for these changes, results in a much better design that addresses both the concerns and conditions of DRB and the neighborhood.

The design revisions to the building and the site plan are intended to effectively address the existing hillside topography. As proposed, the project will result in two

minor deviations from the zoning code in which the applicant is requesting two Administrative Exceptions, 1) to reduce the driveway length to 15 feet from the street front property line instead of 18 feet as required by the Zoning Code (three-foot deviation); and 2) reduce the required ungraded open space to 38.7 (minimum 40 percent is required by Code). Granting the exceptions would allow the garage to be built into the hillside at the lower street level and allow the house to be pushed and built further up the hill resulting in an overall better design approach for the site and the neighborhood as it properly addresses existing site constraints including the extreme sloping topography at the street front. The requested exceptions to reduce ungraded open space and the length of the driveway provides flexibility in site planning and building design, and allows for a reasonable development of the site with a new home.

The garage will be built into the hillside at the lower elevation, setback 15 feet from the street front property line. The garage will be accessed by a new 15-foot long driveway adjacent to the street. To comply with the Zoning Code, the length of the driveway would need to be 18 feet, which would require the garage to be pushed further into the hillside resulting in additional grading of the existing hillside. This is not a viable or suitable option because additional hillside grading could significantly alter the existing hillside, and potentially require additional retaining walls on the site, adding to the mass and scale of the development on the site. Further, increasing the amount of grading could potentially require additional variances from the zoning code. This would not be a practical solution for this project and contrary to the intent of the Hillside Ordinance and Comprehensive Design Guidelines. Based on the above, to comply with the Zoning Code would not enhance the site nor facilitate a better building design. In fact, it would preclude the project from complying with the Hillside Ordinance and the Comprehensive Design Guidelines. Therefore, to strictly apply and comply with Code is an impractical difficulty and inconsistent with the intent of the ordinance.

To deny the exception request for a minor reduction in minimum 40 percent ungraded open space would unduly restrict the flexibility for reasonable use and improvement of the property. As previously mentioned, the applicant has explored other design options in an effort to comply with the Zoning Code. However, these were not viable options for the project since it would increase the building's mass, require additional grading and the need for additional variances. The current design appropriately breaks up the mass and scale of the building from the street front by visually separating the garage from the main house. This design approach addresses the existing hillside conditions and provides a better building design with massing relief.

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.

The granting of the Administrative Exception to allow the construction of a new, 3,260 SF single-family residence and 580 SF two-car garage will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood, in which the property is located. The property will remain a single-family dwelling, consistent with the intended residential land use of the R1R zone. The proposal will not be detrimental to the public welfare since construction of a new single-family house will remain similar to existing residential uses in the area. A single family home is a permitted use and appropriate for the underlying zoning designation. The new house will be located at a higher elevation on the site and two-car garage is proposed to be built into the hillside at the lower street level.

The exception request to allow the construction of the new house on a hillside lot while providing a 15-foot driveway depth where 18 feet is required and slightly reduce ungraded open space to 38.7 percent where a minimum 40 percent is required are not significant deviations from the Zoning Code. The purpose of the ungraded open space is to preserve the hillside (open space) by minimizing grading on a property. The proposed deviation of 113 SF is not significant and will not be injurious to the property nor detrimental to the public welfare since the majority of the hillside at the rear (approximately 3,299 SF) will remain ungraded. Similarly, the exception to reduce the driveway length to 15 feet is not significant nor unreasonable. There are other homes on Edgewick Road with similar sloped (uphill or downhill) conditions, with a garage situated close to the street with shallow driveways. Although, a 15-foot deep driveway is not shallow compared to other hillside driveways, the R1R zone requires 18 feet to avoid vehicles in the driveway from encroaching into the public right-of-way. As indicated in finding A above, a unique characteristic of the site is its steep dramatic slope at the front of the lot immediately adjacent to the street. Here the grade rises 10 to 12 feet from the toe of the slope, which is approximately six to seven feet from the street front property line. This means that the length of the driveway, after the three-foot reduction, would be 21 feet from the street. Thus, the exception request to reduce the driveway length by three feet is not out of character with the neighborhood. It is possible to park a vehicle in the driveway without the use of on-street parking, and the garage will provide adequate, Code required parking (minimum 20 feet by 20 feet) interior dimensions, which would serve as required parking for the new house. To ensure the project complies with all Code and regulations, it will be required to be reviewed by other City Departments including, but not limited to Building and Safety, Zoning, Fire, Glendale Water and Power, Public Works Engineering and Traffic during the plan check process.

The revised design will be reviewed by the City Council since the original design that was approved by the Design Review Board was appealed by a neighbor. The City

Council will review the new design of the project to ensure compatibility with other homes in neighborhood in terms of its use, site planning, open space, landscaping mass and scale, architecture (design details). The administrative exception requests to allow reduced ungraded open space and reduced driveway length in conjunction with the construction of a 3,260 SF single-family house and a 580 SF two-car garage, will not be detrimental to the public welfare, injurious to the property, or improvements in the zone.

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

The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from zoning code standards. These standards have been developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare. As noted in finding B above, the purpose of regulating ungraded open space is to minimize grading on hillside properties. While the project does not comply with the minimum 40 percent ungraded open space requirement, the request for a minor deviation to reduce this requirement by 113 SF (project proposes 38.7 ungraded open space) is not a significant nor unreasonable given the slope of the property at the street front and efforts made to design the project to minimize massing.

As noted in Finding B above, the new garage will be located at the street level, setback a minimum 15 feet from the street front property line as required by the zoning code. The garage will provide covered and enclosed parking for two vehicles with minimum interior dimensions of 20'-1" (wide) by 22'-9" (deep) - slightly exceeding the dimensions required by the zoning code. Access to these parking spaces will be via a new 15-foot long driveway. Approval of the subject Administrative Exception will allow reasonable development of a new two-story single-family house and garage. The proposed house addition meets all other Zoning Code requirements for the R1R zone, such as interior setbacks, height, lot coverage, floor area ratio and landscaping, and will allow reasonable development of the site. Granting the exemptions 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 Planning Hearing Officer.

- 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 any expansion or modification of the dwelling which is different than what is represented as part of this Administrative Exception approval shall require a new application. Expansion shall constitute additional floor area, or any physical change as determined by the Planning Hearing Officer.
- 4) That the premises be maintained in a clean orderly condition, free of weeds, trash, and graffiti.
- 5) That any required Design Review approval shall be obtained prior to the issuance of a building permit.
- 6) That the premises, including landscaping areas, be maintained in a clean orderly condition, free of weeds, trash, and graffiti.
- 7) 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 administrative exception 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, 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 **JULY 14, 2022**, 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, or the case planner at 818-937-8181.

**APPEAL FORM is also available on
line:<https://www.glendaleca.gov/home/showdocument?id=11926>**

The appeal must be postmarked by the **JULY 14, 2022** deadline (mailed to Community Development Department – Planning Division, Attention Milca Toledo, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Milca Toledo at MiToledo@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 Milca Toledo at 818-937-8181 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.

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.

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 (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.

REVOCAATION

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 an Administrative Exception at least ten (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, Milca Toledo, during normal business hours at (818) 937-8181 or via e-mail at 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); 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/and case planner – Milca Toledo.