



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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November 2, 2022

Ned Kalantar
5315 Palm Drive
La Canada, CA 91011

**RE: 3636 GLENWOOD AVENUE
PVAR 2205681**

Dear Sirs:

On October 12, 2022, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Section 30.43, Variances, requesting to construct a 795 square-foot addition to an existing one-story, 1,483 square-foot single-family house built in 1938 without providing the required two-car garage. There is an existing covered and enclosed (substandard) one-car, 237 square-foot attached garage on the property which will remain on a 10,875 square-foot lot in the "R1-II" - (Low Density Residential, Floor Area Ratio District II) zone, located at **3636 Glenwood Avenue**, described as Lot 6, Tract No. 11306 / APN: 5617-002-013

CODE REQUIRES

- (1) A two-car, covered and enclosed parking garage with interior dimensions of 20 feet (wide) by 20 feet (length/depth) is required in conjunction with additional floor area to an existing single-family dwelling (G.M.C. 30.32.180 Chart I).

APPLICANT'S PROPOSAL

- (1) To construct a 795 square-foot floor area addition to an existing one-story, 1,483 square-foot single-family house without providing the required two-car (20 feet (wide) by 20 feet (length/depth) interior dimensions parking garage.

ENVIRONMENTAL DETERMINATION

The project is exempt from environmental review as a Class 1 "Existing Facility" pursuant to Section 15301 of the State CEQA Guidelines because the proposed addition to the existing house will not result in an increase of more than 10,000 square feet and the project is in an area where all public services and facilities are available and is not located in an environmentally sensitive 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. 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 variance request is to construct a 795 square-foot addition to an existing one-story single-family house without providing the required two covered and enclosed parking spaces. The subject lot is a 10,875 square-foot interior lot, developed in 1938, with a 1,483 square-foot, one-story single family residence and an attached one-car garage. The building footprint of the existing single family residence spans across majority of the lot, and is set back 27 feet, approximately 11 feet, 56 feet and 3 feet, 6 inches from the southern (street), western (side), northern (rear) and eastern (side) property lines, respectively. The project site contains three large mature oak trees and a single sycamore tree on, or within 20 feet, of the subject parcel's boundary. Immediately located behind the existing garage is a large 60-inch (trunk diameter) mature oak tree with a shade canopy that extends over a portion of the building. The remaining two trees are 48-inch and 20-inch oak trees that are located at the rear eastern yard and the Glenwood Avenue public right-of-way, respectively. Located within the front yard and on the western portion of the lot is a 15-inch sycamore tree with a large shade canopy.

The existing one-car garage is approximately 237 square feet in size, set back approximately 3-feet, 6-inches from the eastern interior property line, and generally located at the southeastern portions of the lot. The Zoning Code requires interior dimensions of 20 feet wide by 20 feet deep minimum for a new two car garage with a 16-foot wide by 7-foot tall garage door (by Glendale Municipal Code section 30.32.180 Chart I and 30.32.090 E). The existing garage is substandard because the interior dimensions are 11-feet, 7-inches (width) by 18-feet, 11-inches (length), and the garage door opening is 9-feet-9-inches (wide) by 7-feet, 6-inches (tall). Because the interior garage dimensions and garage door opening width are deficient and below minimum development standards, the existing one-car garage does not satisfy the Zoning Code requirement as a required two-car garage.

Strict application of the provisions of the Zoning Code would result in an unnecessary hardship that is inconsistent with the intent of the code. The dwelling spans across most of the width of the lot with an approximately 11-foot interior setback from the western property line and the existing one-car garage is set back approximately 3-feet, 6-inches foot from the eastern interior property line. Satisfying the minimum parking garage standards would require expansion of the existing 11-feet, 7-inches (width) by

18-feet, 11-inches garage, or construction of a new one- or two-car garage elsewhere on the lot. Both options would require impractical changes to the house, including significantly altering/demolishing a portion of the existing house, to improve the property with the required two covered and enclosed parking spaces. Based on the overall height of the existing building, 14 feet, 6-inches, the minimum interior setback for an expanded garage allowed is four feet. Because the existing garage is already configured with a non-conforming 3-foot, 6-inch setback from the eastern interior property line, expansion of the existing garage would require significant alterations/demolitions of the existing building to create additional space for a code compliant garage. Furthermore, potential harm from an expanded garage onto the protected oak would occur to the 60-inch diameter oak tree, as potentially an expanded garage's footprint would encroach on to the tree's root zone causing detrimental harm.

Construction of an additional garage elsewhere on the lot, such as at the western interior yard, would result with impractical difficulties and detriment onto the existing 15-inch diameter sycamore tree currently residing at the front yard. The sycamore tree appears to be in good condition and has a large shade canopy that occupies majority of the southwestern front yard. Improvement of a new paved driveway and curb cut may result in potential harm onto the sycamore's root zone and overall health of the tree.

As a result of the reasons stated above, the variance is justified on the basis that the strict application of the ordinance would result in an unnecessary hardship because the location of the existing building and its proximity to the street front and interior property lines and existing oak and sycamore trees precludes expansion of the existing garage or construction of a new two-car garage.

B. 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.

There are exceptional circumstances or conditions applicable to the property that do not apply generally to other property in the same zone or neighborhood because of the location of the existing mature oak and sycamore trees at the front and rear of the house. While the subject site is moderate in size and there are other similar shape lots in the neighborhood, the location of the existing oak trees and the existing non-conforming interior setback along the east side are unique conditions applicable to the property that hinder any garage expansion. Different options were explored to make the parking code-compliant. However, each option resulted in potential additional Code violations, removal of protective trees or demolition of a portion of the existing house. To increase the size of the garage would significantly compromise the home's functionality, use and conflict with the Zoning Code and existing protected trees.

C. 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.

The proposal will not be detrimental to the public welfare because the project is an addition to an existing residence in a single-family zone, and the addition to the existing house is and will remain similar to existing residential uses in the area. The surrounding area is developed with single-family residences. Also, the proposed expansion of 795 square feet at the rear of the house will not be significantly visible from the street, and the moderately-scaled addition will not create the need for an additional parking space more so than the existing use. Further, the addition does not involve introducing new bedrooms. Rather, the addition would merely reconfigure and expand the existing kitchen and dining area as well as adding a new pantry and laundry. The bulk of the addition will be located at the rear of the site. The front of the house facing the street will remain largely unchanged with a small portion of the addition potentially visible (13 feet, 11-inches) from the street. However, this area will be setback significantly from the street. The existing garage has existed for over 50 years without any problems to the residents and the neighborhood. The house addition will comply with the development standards in the R1 zone including interior setback requirements, not extending the building closer to any of the adjacent properties.

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

The granting of the variance will not be contrary to the objectives of the ordinance because while the project will not provide the minimum number of parking space, the existing garage will continue to accommodate parking for one car. The objective of the parking requirements is to provide suitable off-street parking and to protect the public safety by lessening traffic congestion on the public streets. The residence is located on Glenwood Avenue, which is considered a local street in the City's Circulation Element, serving residential single-family uses. Also, the existing driveway provides room for temporary off-street parking. The purpose and intent of the R1 zone regulations is to allow for reasonable additions to property. The purpose of the variance process is to assure that no property, because of the special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other parties in the same zone and vicinity. Approval of the subject variance will allow for reasonable expansion of the existing house by reconfiguring the floor plan and expanding the kitchen and dining area and creating a pantry and laundry room to meet the needs of its residents.

The proposed rear addition meets all other Zoning Code requirements of the R1 zone, such as interior setbacks, height, lot coverage, floor area ratio and landscaping, and will allow reasonable development of the site. The addition will enhance the existing floor plan of the house with additional functionality and flexibility of the property, while maintaining the existing garage that provides off-street, covered and enclosed parking for one vehicle. The existing garage has been functional and used for parking since 1948, and will remain functional after the project's construction. Further, granting of the

variance will allow the preservation of the existing on-site oak trees and open space on the lot.

CONDITIONS OF APPROVAL

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 all necessary licenses (i.e. building, fire, engineering, etc.) shall be obtained from the Building and Safety section and Public Works Department and all construction shall be in compliance with the Glendale Building Code UBC (Universal Building Code) and all other applicable regulations.
3. That separate permits shall be obtained for all work within the public right-of-way. The applicant shall bear all fees for the necessary permits and construction inspection for work within the public right-of-way.
4. The project shall comply with all National Pollutant Discharge Elimination System (NPDES) requirements, including filing a Notice of Intent with the Los Angeles Regional Water Quality Control Board, and the submittal and certification of plans and details showing preconstruction, during construction and post-construction Best Management Practices (BMPs) that are integrated into the design of the project. In addition, the applicant shall submit an approved Standard Urban Stormwater Mitigation Plan (SUSMP) to be integrated into the design of the project.
5. That Design Review 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 any proposed exterior lighting shall be directed onto the driveways, walkways and parking areas within the development and away from adjacent properties and the public right-of-way to the satisfaction of the Planning Hearing Officer.
8. That landscaping areas shall be maintained in good condition with live plants and free of weeds and trash.
9. That the applicant shall comply with all requirements of the City Engineer, as specified in the memo dated May 26, 2022 to the satisfaction of the City Engineer.
10. That the applicant shall comply with all requirements of the Public Works - Urban Forestry Division, as specified in the memo dated August 4, 2022 to the satisfaction of the Urban Forester.

11. That the applicant shall comply with all requirements of the Building and Safety Division as specified in the memo dated May 31, 2022.
12. That the applicant shall comply with all requirements of the Glendale Water and Power (Water & Electric), as specified in the memo dated May 17, 2022.

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 **NOVEMBER 17, 2022**. 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 818-937-8186.

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

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

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 Variance.

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.

REVOCAION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Variances. 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 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,
Bradley Calvert
Director of Community Development



Dennis Joe
Senior Planner

DJ: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-(S.Demirjian/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.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– Milca Toledo.