



December 8, 2022

Crosby Haffner
2960 St. Gregory Road
Glendale, CA 91206

**RE: 2960 ST. GREGORY ROAD
VARIANCE CASE NO. PVAR 2002984**

On September 14, 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, of an addition to an existing 1,876 square-foot, single-family house without providing the minimum number of code-required parking spaces and meeting the minimum interior setback. After construction of the proposed addition, the residence will be a total of 4,149 square feet and require a third car garage and a minimum 5-foot interior setback, in the "R1R" - FAR District II Zone, described as Lot 6, Tract No. 9700 (APN: 5660-020-001), located at **2960 St. Gregory Road**, in the City of Glendale, County of Los Angeles.

The existing two-car garage is proposed to be maintained and a portion of the existing residence provides a 3.5-foot setback.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 3 "New Construction or Conversion of Small Structures" exemption pursuant to Section 15303 of the State CEQA Guidelines because it is an addition to an existing single family residence.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department has **APPROVED WITH CONDITIONS** the variance request, based on the following findings:

- 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.**

With regard to the parking variance, strictly applying the provisions of the parking standards in the present case would result in practical difficulties because of topography, protected trees and the location of the existing development;

however, would not result in unnecessary hardship inconsistent with the purpose and intent of the ordinance because the proposed addition is approximately 650 square feet more than the maximum size house permitted with a two-car garage and the proposed addition almost reaches the maximum areas permitted. The intent of the parking requirements is to ensure suitable off-street parking is provided and to protect the public safety by lessening traffic congestion on public streets. The topography and location of existing development on the site preclude constructing an additional garage without significant alterations to the site. The subject site is very steep adjacent to the street and the area contains six oak trees. The driveway rises approximately 15 feet from St. Gregory Road to the garage entrance. Existing retaining walls border one side of the driveway, while the aforementioned oak trees are located on the other side. The driveway leading from the street to the garage is approximately 80 feet long and is capable of storing cars in a tandem configuration; however, its approximate 10-foot width, and slope limit the attractiveness of this option to provide on-site parking. Moreover, the driveway is limited to parking on a temporary basis only (GMC 30.32.130).

The garage cannot be expanded. An existing swimming pool is located immediately east of the garage. Stairs leading to the residence as well as the residence itself are located south of the garage. Topography would preclude expansion of the garage to the north without cantilevering the structure or substantial grading and expanding the driveway. In fact, as currently developed, the driveway and improvements adjacent to the garage restrict access of a second car into the existing two-car garage.

While providing additional covered and enclosed parking would be extremely challenging and the length of the driveway allows for on-site tandem parking, denying the proposed variance request would not result in unnecessary hardship. The existing house is 1,876 square feet in area. A 2,273 square-foot addition is proposed to the residence for a total of 4,149 square feet, which is nearly the maximum floor area allowed by Code on the site and approximately 650 square feet over the limit for only providing a two-car garage. The applicant could nearly double the size of the existing residence, adding just over 1,600 square feet, while still complying with the parking requirements contained in the Zoning Code and eliminating the variance request.

With regard to the setback variance, strictly applying the provisions of the interior setback regulations would result in practical difficulties and unnecessary hardship inconsistent with the purpose and intent of the ordinance because the house has existed for a significant period of time meeting the intent of setback regulations, the original fenestration in a bedroom of the residence would be lost, the angled portion of the bedroom required for demolition would result in an awkwardly-shaped room and the proposed addition complies with current interior setback requirements. The intent of the interior setback requirement is to ensure a degree of separation between buildings to achieve appropriate levels of privacy, light and air circulation. The first floor addition and new second story will be set back to

comply with the current R1R zone interior setback standards of a minimum 5-foot. The existing one-story residence was constructed with an east interior setback of 3-foot, 6-inches, which for approximately 60 years has fulfilled the purposes of setback requirement. The existing bedroom room located in the southeastern portion of the residence includes original fenestration consistent with the Contemporary style of the residence. To comply with present interior setback standards, demolition of a triangular portion (approximately 6 square feet) of the bedroom in the existing residence would be required.

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.

Aside from the long driveway, there are no exceptional circumstances or conditions applicable to the property or intended use of the property that do not apply to other property in the same zone or neighborhood. The subject site is zoned R1R, Floor Area Ratio District II. This zone is intended to preserve and protect low density residential neighborhoods in hillside areas. Within the R1R zone, preserving valuable open space, physical features and scenic resources, while permitting a substantial and reasonable beneficial use of property is the purpose. The zoning designation of the property and its use and characteristics are consistent. The subject property is zoned for single-family residential development and is developed with one residence. The lot is 11,821 square feet in area, about average size in the surrounding neighborhood. The property is steeply sloped and contains oak trees around its perimeter, while the remainder was graded in the early 1960's to develop the existing home on the site. There are no conditions applicable to the property that do not apply generally to other property in the R1R zone or surrounding neighborhood. The applicant can almost double the size of the existing 1,876 square-foot house, realizing a substantial beneficial use of the property, which is not unique compared to its surroundings, while remaining in compliance with zoning regulations regarding parking.

There are exceptional circumstances related to the proposed development of the property, which warrant granting the variance for the interior setback because large, original windows will be removed and demolition will result in an awkwardly clipped bedroom wall. The applicant is proposing to add a second story (along with expanding the first floor) to the existing Contemporary-style home. Large windows are found throughout this residence, which is a character-defining feature in this style of home. Requiring demolition of an approximate 6-square-foot portion of the existing eastern bedroom would result in removal of an original window in the house and an awkward angled clip of the bedroom wall. Additionally, requiring demolition of this small area is punitive given its location in an isolated eastern portion of the residence and that it has been in existence since construction of the house with no discernible negative impact.

- 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.**

Granting the variance to allow the proposed addition without providing a third covered and enclosed parking space will not be materially detrimental or injurious to the property. Features of the property, including the steep slope and oak trees adjacent to the street, will remain. The addition will not be readily visible to surrounding properties or neighborhood. Parking for three cars can be provided on-site - in the garage and, temporarily, in tandem along the approximately 80-foot length of the driveway.

However, allowing this substantial addition, which is well above the maximum square footage allowed for a two-car garage, without requiring a third garage may be materially detrimental to the public welfare and improvements in the neighborhood. The 4,149 square-foot residence will be one of the largest homes in the area. Most homes in the neighborhood range from 1,700 square feet to 2,400 square feet in size. While variance applications are judged on their individual merits, applicants of proposed substantial additions to these homes, many of which are located on lots of similar topography and constraints, could also face how to accommodate additional code-compliant parking requirements. The area is located in a high fire hazard zone and traversed by narrow, windy roads, commonly containing parking restrictions. Access is already constricted. Lessening the importance of meeting parking requirements by granting variances from them, particularly in an excessive example like that currently proposed, would further exacerbate this situation.

With regard to the setback variance, granting this variance will not be materially detrimental or injurious to the property because the subject property is zoned for single-family residential development and is developed with a single residence and the 6 square-foot portion of the house required to be demolished has existed since the house was constructed. The zoning designation of the property and use are consistent. The use of the property as a single-family home will not be changed as a result of the proposed addition to the residence. The request to maintain the existing 3-foot, 6-inch interior setback, as opposed to providing the code-compliant 5-foot setback is a sensitive alternative, particularly given the diminutive size of the area and that it is part of the original house. The new second story will be set back the minimum of 5 feet required from the interior property line.

- D. The granting of the variance will not be contrary to the objective of the ordinance.**

The objectives of the parking requirements are to provide suitable off-street parking and protect public safety by lessening traffic congestion on public streets. Three parking spaces can be provided on the site, while not all covered and enclosed and, temporarily, in a tandem configuration. Sufficient on-site parking is particularly

important since this neighborhood is located in a high fire hazard zone and has narrow roadway widths with parking restrictions, where even limited on-street parking can inhibit ingress/egress from a public safety standpoint.

One of the overall objectives of the Zoning Code is to ensure sensible development. The Zoning Code requires residences of 3,500 square feet to 5,999 square feet to provide three covered and enclosed parking spaces. The subject house will be 4,149 square feet in size, which exceeds the maximum size of houses allowed to have two-car garages by approximately 650 square feet. This size home is about the maximum allowed for Floor Area Ratio District II, on an 11,821 square-foot lot. Given the extent to which the proposed residence exceeds the 3,499 square-foot maximum for houses allowed two-car garages and that it nearly reaches the overall size limit for the lot, the granting of the variance will be contrary to the objective of the parking standards and is not warranted.

With regard to the setback variance, another overall objective of the Zoning Code is to protect the character of the neighborhood and ensure sensible development. Specifically, the objective of the setback requirements is to maintain appropriate light, air circulation and privacy among properties. The applicant's proposal to maintain the existing nonconforming 3-foot, 6-inch interior setback for an approximate 6 square-foot portion of the residence will not be contrary to the objectives of the ordinance. Approval of the variance will allow the existing bedroom to be maintained with original fenestration and without a clipped wall configuration, protecting the character of the residence. The proposed addition (both first and second floors) will be set back a conforming 5 feet from the interior property line. The residence continues to provide a degree of separation from its adjoining neighbors for safety, air and light circulation and privacy on both the first and second floors.

The following discussion addresses the requirements of Chapter 30.11.040 (A), which requires discretionary applications to take into consideration its consistency with the Glendale Municipal Code, the Hillside Design/Landscape Design Guidelines, compatibility with the surrounding neighborhood, preservation of natural features and overall architectural style:

- A. Development shall be in keeping with the design objectives in the Glendale Municipal Code and the Hillside Design Guidelines and the Landscape Guidelines for Hillside Development as now adopted and as may be amended from time to time by City Council.**

The Hillside Design Guidelines suggest preferred methods to develop single-family homes in hillside areas of the City and recommend, in part, shaping the residence with the topography of the site, minimizing the mass and scale of projects through various means and preservation of native trees. The Landscape Guidelines encourage the maintenance of existing indigenous trees and plants, the installation of drought-tolerant and indigenous trees and plants and the use of

landscaping to minimize the appearance of development. The proposed addition to the existing single-family house includes expansion of the first floor of the residence and a new second story. The location of the proposed second story steps back from the first floor, mimicking the topography of the site as it rises from north to south. However, the proposed cantilevered deck on the west elevation may appear to be in opposition to the topography but, will be more appropriately reviewed by the Design Review Board for consistency with the Hillside Design Guidelines. In addition to on-site oak trees along St. Gregory, there are existing protected oak trees in the southwest portion of the adjacent site to the east. The design of the proposed addition has been amended from the previous proposal such that it will not impact the trees on the adjacent site with standard tree mitigation measures and the Urban Forestry Division of the Public Works Department is supportive of this change in proposed plans.

B. Development shall be compatible with the surrounding neighborhood in terms of size, scale, bulk/mass, roofline orientation, setbacks and site layout.

The subject site is located in Chevy Chase Canyon in an area where the topography is steep and the architecture and site planning of the homes is eclectic. After the proposed addition, the residence will be 4,149 square feet in area. Homes in the neighborhood range in size from 1,696 SF to 5,266 SF. While not the largest house in the area, the project will be one of the biggest. Given the topography of the site and surrounding area, existing landscaping and the location of the existing house, the residence after the addition will not be prominent from the public right-of-way. The residence follows the topography in a north/south direction, to minimize the scale and mass of the residence, but is in opposition to the topography in an east/west direction due to the proposed cantilevered decks. The proposed flat roof on the addition is consistent with the roof of the existing house and complimentary to the contemporary style of the residence. The residence complies with the minimum 15-foot street front setback and is requesting approval to allow the maintenance of the existing 3.5-foot interior setback. The addition of the proposed second story, with a building height increase to 29 feet, increases the minimum interior setback to 5-feet. Due to the topography and varying shapes and sizes of nearby lots, homes in the neighborhood do not have a predominant site layout. The location of the proposed addition is south of the existing house and not readily visible from the street and is an appropriate layout for the site.

C. Site plans shall show preservation of prominent natural features, native vegetation and open space in a manner compatible with the surrounding neighborhood, minimizing alteration of terrain necessary for development.

The proposed project requires limited grading. There are no scenic vistas, blue line streams or primary or secondary ridgelines on the site. There are protected oak trees on the subject site, as well as two oak trees on an adjacent site to the east in close proximity to the addition. The project has been altered such that

the nearby oak trees on the adjacent site will not be impacted when applied with standard oak tree mitigation measures.

D. Site plan for development of the property on steep slopes shall take into account the visual impact on surrounding properties.

The subject site slopes steeply up from St. Gregory Road. The existing house sits on a manufactured building pad well above the street and does not have much presence from the adjacent right-of-way. The terrain continues to slope up to the south toward Hollywell Place. Existing homes are located immediately east and south of the subject site. While there will be some visual impact that the proposed project will have on these homes, given the topography, vegetation and distance this impact should not be significant.

E. The architectural style and architectural elements of in-fill development shall be compatible with the surrounding neighborhood.

The City's requirements and policies have evolved through the years on the relevance of architectural style in such a way that a particular design style is less important than carrying out the chosen style in a quality manner. The existing residence is contemporary in style and the proposed addition will maintain this architectural design. Single-family homes in the surrounding neighborhood are eclectic in style, and include Revival, Ranch and newer designs. The Hillside Design Guidelines encourages a variety of architectural designs and notes that homes in the City are generally well crafted and of high quality and additions should match the high level of quality in the neighborhood. The proposed project is consistent with this finding in that the addition will match the existing contemporary design and materials are consistent with the existing house. Additionally, the proposed project will be required to be reviewed and approved by the Design Review Board prior to construction commencing.

CONDITIONS OF APPROVAL

APPROVAL of this Setback Variance shall be subject to the following:

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 permits (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. Design Review Board approval shall be obtained prior to issuance of a building permit.

4. That the design of the addition shall be revised such that it is less than 3,500 square feet which only requires a two-car garage.
5. 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.
6. Any proposed exterior lighting shall be directed onto the driveways, walkways and parking areas within the site and away from adjacent properties and the public right-of-way to the satisfaction of the Planning Hearing Officer.
7. A grading/drainage plan shall be submitted for the Engineering Division's review and approval and shall be made a part of the building plans submitted with the building permit application.
8. Separate permits are required 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.
9. 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.
10. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash and graffiti.
11. That the premises shall be made available to any authorized City personnel (Fire, Building and Safety, Neighborhood Services, etc.), for inspection to ascertain that all conditions of approval of this variance are complied with.
12. That the development shall comply with the conditions of approval as specified in the Building and Safety conditions received on August 12, 2020.
13. That the development shall comply with the measures stated in the Urban Forestry Division memo dated September, 2022.

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 **DECEMBER 23, 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 818-937-8152.

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.

REVOCACTION

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, Roger Kiesel, during normal business hours at (818) 937-8152 or via e-mail at rkiesel@glendaleca.gov.

Sincerely,

Bradley Calvert
Director of Community Development



Chris Baghdikian
Senior Planner

CB:RK: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); 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/A.Limayo); Neighborhood Services Division; Integrated Waste Management Admin.; Maintenance Services Section Admin.; Street and Field Services Admin.; Engineering and Environmental Management; Guinness; - T. Heidecker; R. and S. Hogren; Morrissey; Parker; L. Saragueta; J. Reedy Solano; N. Solano; Smith G. Whifler (President of Chevy Chase Estates Association) and case planner Roger Kiesel.