



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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glendaleca.gov

January 31, 2023

Timothy Clark
501 Fair Oaks Avenue
South Pasadena, CA 91030

**RE: 1733 DON CARLOS AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE-000142-2022**

Dear Timothy Clark:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.020 (B) an Administrative Exception has been processed to allow a minor 254 square-foot addition to extend one foot into the required interior setback (3-foot interior setback proposed; 4-foot interior setback required), as required by Chart I of Chapter 30.11.030 of the Glendale Municipal Code, and continue the existing building line of an existing one-story, 1,190 square-foot, single-family dwelling (constructed 1927). The residence is located at **1733 Don Carlos Avenue**, in the "R1-II" Zone (Low Density Residential, Height District II) and described as Lot 16, Selvas De Verdugo Tract, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

This project is exempt from environmental review as a Class 1 "Existing Facility" exemption (Section 15301 (e) of the State CEQA Guidelines) because the proposed project involves the construction of minor additions to an existing structure and will not result in an increase of more than 50% of the floor area or 2,500 square-feet.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, all of the required three findings can be made in support of the application. The Director of Community Development has **APPROVED 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 subject parcel is a 5,650 square-foot interior lot, located on the northwest corner of Don Carlos Avenue and Rustic Lane. The property was developed in 1927/1930 with a 1,190 square-foot, one-story, Minimal Traditional-style, single-family dwelling with a

kitchen, dining, living, and one bedroom and a two-car detached garage. The applicant proposes to construct a modest 254-square foot rear addition set back three feet from the eastern interior property line.

The granting of the exception will result in design improvements and enhance the property adding functionality. The existing building's footprint along the eastern interior property line staggers, which portions of the existing building closest to Don Carlos Avenue is set back 4'-9" and the existing rear portion of the dwelling is set back as close as 3'-0". By section 30.11.030, Table 30.11-B of the Glendale Municipal Code (GMC), a minimum of a 4'-0" interior setback is required for additions to single-family dwellings (for properties located in the R1 zone and permitted prior to May 2, 1991). The 254 square-foot rear addition will continue the existing building line that is set back 3'-0" from the eastern interior property line. By allowing the continuance of the 3'-0" interior setback of the addition, the design of the house will maintain a simple, rectangular floor plan which is consistent with the Minimal Traditional style of the dwelling. Requiring the applicant to set the addition back one foot would result in an awkward design at the rear in which there will be a roof break at the west elevation (where the proposed addition meets the existing single-family dwelling) and the body of the addition will be pushed inward creating an irregular shape of the body at the eastern portion of the single-family dwelling. Furthermore, the project will maintain the existing architectural style and integrity of the residence because the proposed modest addition will match the same roof ridge height at 12-feet, 2 inches, and extends the rear-facing gable towards the northern interior yard. The placement of the proposed addition will continue the existing roof form (without an abrupt roof break) and the body of the single-family dwelling and improves the functionality of the living spaces.

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 applicant to construct a minor addition to the existing residence will not be materially detrimental to the public welfare or injurious to the property or improvements in the R1 zoned neighborhood, in which the property is located. Currently, the existing house is configured with a nonconforming interior setback that staggers 3'-0" to 4'-9" along the eastern interior property line. The applicant proposes to construct a minor 254 square-foot addition at the rear of the existing single-family home in line with the existing 3'-0" interior setback. The project will provide the occupants with greater functionality of the property with a modest amount of additional floor area to the dwelling. The rear addition is relatively small and inconsequential in nature, and will comply with the required lot coverage, floor area ratio, height, and landscaping, as well as all other Zoning Code requirements. Overall, the subject dwelling will remain as a low-density residential land use and will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood.

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

The objective of the setback regulations is to establish reasonable standards of design for air, light and ventilation between buildings. The applicant's request to continue the interior setback line and build a new addition that encroaches into the interior setback will comply with the intent of the setback regulations and will not be a detriment to the public welfare because there will still be a reasonable amount of space to allow for adequate air, light and ventilation at the interior setback. The purpose of the administrative exception process is to provide a simplified means for considering applications for minor deviations from Code standards. These standards have been developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare. The applicant's request to build a new addition that will continue the building walls into the interior setback will allow reasonable development of the subject property and will not be contrary to the objectives of the applicable regulations. The development meets all other zoning requirements for the R-1 zone, including floor area, lot coverage, landscaping and parking.

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 Division 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 application, shall require a new application as determined by the Planning Hearing Officer.
- 4) That Design Review Board (DRB) approval/exemption shall be obtained prior to issuance of a building permit.
- 5) That the premises shall be maintained in a clean orderly condition, free of weeds, trash, and graffiti.

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

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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 **February 15, 2023**. 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 818-937-8157.

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 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 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 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 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.

REVOCATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and 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, Dennis Joe during normal business hours at her direct line (818) 937-8157 or djoe@glendaleca.gov, between 8:30 a.m. to 5:30 p.m. weekdays.

Sincerely,



Erik Krause
Planning Hearing Officer

EKJM:DJ

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.Boghossian/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(J.Sada/R.Mardian); 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 – Dennis Joe