



CITY OF GLENDALE, CALIFORNIA
Community Development

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glendaleca.gov

July 31, 2023

Artur Fosyan
1228 Highland Avenue
Glendale, CA 91202

**RE: 1228 HIGHLAND AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE-000672-2022**

Dear Mr. Fosyan:

Pursuant to the provisions of the Glendale Municipal Code (GMC), Title 30, Chapter 30.44.020 (E) for a maximum 20 percent deviation from one or more numeric standards in Title 30, the Community Development Department has processed an Administrative Exception application to allow an existing attached garage to be maintained with a garage door width of 15'-2" where a minimum 16'-0" garage door width is required (five percent deviation) in conjunction with a 88-square foot (SF) addition to an existing single-family residence located at **1228 Highland Avenue** in the "R1" (Low Density Residential) zone, Floor Area Ratio District I, and described as Lot 8, Block 16, Tract No. 8419, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption, pursuant to Section 15301 (e)(1) of the State CEQA Guidelines because the proposed addition will not result in an increase of more than fifty percent of the floor area of the structures before the addition.

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 subject property is a 5,904 SF lot that was originally developed in 1940 with a one-story, 1,536 SF single-family residence and a 288-SF attached two-car garage with a patio cover spanning across the front of the garage and a portion of the house. The existing residence consists of three bedrooms, two bathrooms, living room, dining room, kitchen, and laundry room. The applicant is proposing an 88 SF one-story addition at the rear of the house to expand portions of the existing hallway, bathroom, and kitchen. The existing bedrooms and living room are proposed to remain with some minor interior remodeling to provide better functionality for the home. No changes are proposed to the existing building setbacks, and the existing 12'-11" height will be maintained. Overall, the addition is compatible with the existing architectural style and will maintain the integrity of the residence with the façade and roof materials matching the existing residence. The existing attached garage is proposed to remain "as is".

The granting of the administrative exception will result in design improvements for the project and there are space restrictions that preclude full compliance of the required 16-foot minimum garage door width without hardship. The existing attached two-car garage is located at the front of the property and oriented parallel to the street with access provide by a 39'-5" long driveway. Pursuant to GMC Section 30.60.040.G, the existing attached two-car garage meets the minimum code requirement of a 16'-0" width and 18'-0" depth. The Zoning Code requires the garage door opening to be expanded to meet the minimum 16'-0" width in conjunction with the proposed addition (Chart I, GMC Section 30.32.180). Widening the existing 15'-2" garage door opening to comply with this standard will result in design modifications to the front façade, as well as structural re-engineering of the garage door framing, relocation of the patio posts, and possible changes to the living room window adjacent to the garage door. Such structural and aesthetic changes to provide a 16-foot garage door for a 16-foot wide garage door within the existing conditions would be a hardship. Maintaining the existing non-conforming garage door width in conjunction with the project will allow for a modest addition to an existing residence without the need for any alterations to the street-facing façade, thereby preserving the existing streetscape. Therefore, granting approval of the Administrative Exception to allow the existing garage door opening to remain "as is" appears reasonable and is the design preference.

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 maintain the existing non-conforming garage door width of 15'-2" in conjunction with the proposed

88 SF addition will not be materially detrimental to the public welfare or injurious to the surrounding properties in the R1 zoned neighborhood in which the property is located. The proposed addition is modest in size is intended to expand portions of the existing hallway, bathroom, and kitchen. to make the house more functional. The existing garage will continue to provide two enclosed parking spaces, and the existing 15'-2" garage door width has adequately served the property since it was first developed in 1940, without any issues. The proposed addition is not visible from the street, will maintain the existing architectural style of the house, and will maintain adequate open space, light, and ventilation for the property and surrounding neighborhood. As such, approval of the administrative exception for the garage door width will not be detrimental to the public welfare or 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 objective of parking regulations, including required minimum number of spaces and garage dimensions, is to provide for the general welfare and convenience of persons utilizing the various uses located within the city through the provision of suitable off-street parking and loading facilities and to protect the public safety by lessening traffic congestion on the public streets. The applicant's request to maintain the existing non-conforming garage door width will comply with the intent of the parking regulations and will not be a detriment to the public welfare because the existing garage width will continue to provide access to the existing attached two-car garage and the garage meets all other parking standards to maintain usability. The purpose of the administrative exception procedure 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 maintain an existing non-conforming garage door width in conjunction with an 88-SF addition to an existing single family dwelling 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 R1 zone, including floor area, lot coverage, setbacks, landscaping, and required number of parking spaces, aside from legal nonconforming interior setbacks.

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 submitted with the application for the Administrative Exception, 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.

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 project which is different than what is represented as part of this Administrative Exception approval shall require a new application, as determined by the Hearing Officer.
4. That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
5. That Design Review approval shall be obtained prior to the issuance of a building permit.

APPEAL PERIOD, TIME LIMIT, LAPSE OF PRIVILEGES, TIME EXTENSION

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 so that imperfections/incompleteness may be corrected before the appeal period expires.

All appeals must be filed using the City's online permit portal: www.glendaleca.gov/Permits. Create an account, click "Apply," type "appeal" in the search bar, and apply for "Appeal of Planning Decision." Any appeal must be filed within fifteen (15) days following the actual date of the decision with the prescribed fee prior to the expiration of the 15-day appeal period, on or before August 15, 2023. Information regarding appeals and appeals and fees may be obtained by calling the Community Development Department staff at 818-5482140, or contacting the case planner, Deborah Hong, at DHong@glendaleca.gov or 818-937-8159.

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.

REVOCAION

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 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, Deborah Hong at (818) 937-8159 or via e-mail at DHong@glendaleca.gov.

Sincerely,
Bradley Calvert
Director of Community Development



Vilia Zemaitaitis
Planning Hearing Officer
VZ:DH:sm

CC: City Clerk (K.Cruz); Building and Safety (S.Hairapetian); Neighborhood Services Division (J.Sada); Design Review & Historic (J.Platt/K.Conley); Economic De. (M.Berry); Housing (P.Zovak / M. Fortney); Urban Design and Mobility (F.Zohrevand); Parks, Recreation and Community Services and Park (T. Aleksanian/ A.Limayo); Information Services (G.Arnold);_City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Engineering Section-(J.Diaz/ D.Stimson); Traffic & Transportation Section (P.Casanova/S.Roudsari); General Manager for Glendale Water and Power (M.Young); Glendale Water & Power--Water Section (S.Boghosian/R.Takidin/F.Garcia); Glendale Water & Power--Electric Section (C.Babakhanlou/ S.Boghosian / F.Garcia/ H.Barkhordian/ D.Scorza); Police Dept. (Lt.S.Riley/Z.Avila); Dir. Of Public Works (Y.Emrani); Engineering and Land Development (A.Avazian/ S.Oganesyan / M.Oillataguerre/ R. Villaluna); Integrated Waste Management Admin. (D. Hardgrove); Maintenance Services/Street and Field / Urban Forester (L.Klick / C.Linares / O. Urquidez); and case planner--Deborah Hong.