

September 4, 2014

Silva Balian
1369 Raymond Avenue
Glendale, CA 91201

**RE: 1369 RAYMOND AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1420910**

Dear Ms. Balian:

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.44.020 (G), the Community Development Department has processed your application for an Administrative Exception to allow a rooftop duct on an existing single family residence in the in the "R 1 I" - (Low Density Residential) Zone, Floor Area District I, on the subject property at **1369 Raymond Avenue**, and described as Lot 49, Tract No. 4951, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL RECOMMENDATION: This project is exempt from environmental review as a Class 1 "Existing Facility" exemption (Section 15301 (e) (1) of the State CEQA Guidelines).

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application and the plans submitted, the Hearing Officer has **GRANTED WITH CONDITIONS** your application based on the following:

- 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.**

Granting the exception would be appropriate because there are space restrictions on the site that would preclude full compliance with code requirements without hardship. The existing den at the rear of the house has a flat roof with no attic or crawl space. The proposed ducting will run from this location to the new furnace in the attic inside the pitched-roof at the front of the house. The flat roof of the den restricts location options for ducting from the new furnace to heat the den. The duct will be less than 5 feet long, approximately 1 foot tall. It is the smallest and shortest possible distance for the run of the supply duct and still provide heat to the den.

The applicant recently removed existing rooftop air conditioning equipment and ducting when they were made aware that it had been installed without permits. A ground-mounted air conditioner was installed beside the house and a new furnace was installed in the attic of the pitched-roof portion of the house. The house and den are being re-roofed to eliminate leaks that have developed.

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 combination of the location of the proposed duct behind the pitched roof, its short length and low height, will ensure that the ducting will be largely invisible from public view. The duct is also near the center of the flat roof, further screening it from view from ground level. The pitched roof at the front of the house, the existing chimney between the den and the house, and the pitched roof of the neighboring house and garage to the south, all combine to block the view of the proposed duct from Raymond Avenue. The view of the duct will also be screened from ground level on the alley north of the site by the property line wall running along the alley. Additionally, a condition has been added to the project to paint the ducting to match the roof materials. As such, the project 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.

Granting the exception will not be contrary to the objectives of the applicable regulations because the intent of the R1 zone standards is to protect the community from the adverse effects of poor design and encourage high quality development. The proposed duct is the shortest and lowest design possible to provide heat to the den from the new furnace in the attic of the home. The den has a flat roof, restricting the options available to the applicant for providing heat to the den. The ducting will not be visible from Raymond Avenue.

CONDITIONS OF APPROVAL

APPROVAL of this Administrative Exception shall be subject to the following conditions:

1. 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 Hearing Officer.
2. 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. The premises shall be maintained in a clean orderly condition, free of weeds, trash, and graffiti.
4. 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 and constitute adding of additional floor area or physical change as determined by the Hearing Officer.
5. No exterior changes shall be allowed other than what is proposed under this application and no additional floor area expansion in this unit will be granted in the future without the garage meeting code standards or, in lieu of that, approval of a variance or parking reduction permit.
6. The project shall obtain either a DRB exemption or DRB approval.

7. The ducting shall be painted to match the color of the den roof.

APPEAL PERIOD, TIME LIMITS, LAPSE OF PRIVILEGES, TIME EXTENSIONS:

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 City Council 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 **September 19, 2014** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

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 in the GMC.

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.

APPEAL FORMS available on-line: <http://www.glendaleca.gov/appeals>

To save you time and a trip - please note that some of our FORMS are available on line and may be downloaded. AGENDAS and other NOTICES are also posted on our website. Visit us.

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, 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 shall punish any person convicted of a misdemeanor.

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 Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a variance and at least 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.

Sincerely,



Kristen Asp
Hearing Officer

KA/jh

CC: City Clerk (K.Cruz); Police Dept. (Lt.S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(D.Nickles); Dir. Of Public Works (R.Golanian); Traffic & Transportation Section (G.Tom); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (R.Takidin); Glendale Water & Power--Electric Section (M.Kelley/M.Jackson); Parks, Recreation and Community Services Dept. (E.Tatevosian); Neighborhood Services Division (A.Jimenez); Integrated Waste Management Admin. (D.Hartwell); Maintenance Services Section Admin. (D.Hardgrove); Street and Field Services Admin.; Environmental Management (M.Oillataguerra); and case planner Jeff Hamilton.