

May 8, 2014

Robert McGinnis
c/o American Residential Services
1225 Graphite Road
Corona, CA 92881

RE: 1711 W. KENNETH ROAD
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1402563

Dear Mr. McGinnis:

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 the installation of an air conditioning (rooftop) equipment on the flat roof of a single-family residence, as prohibited by Chapter 30.30.020 A. The subject property is located at **1711 W. Kenneth Road**, in the "R1-I"-Low Density Residential Zone and described as Tract No. 4591 NW 50 FT OF LOTS 37,39 AND LOT 41 2535 NW 36.25 feet of Lot 218, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL RECOMMENDATION: The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to State CEQA Guidelines Section 15301.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, the plans submitted therewith, the Planning Hearing Officer 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 developed with a single-family residence designed in the Spanish Colonial Revival style. A Spanish style house is typically designed with a flat roof and parapet walls, such as the house on this property. Neighborhoods throughout the City contain houses of various architectural styles, some with pitched roofs others with flat roofs, as is the case with the house in question. Unlike a pitched roof, the flat roof design does not allow room for an attic.

The rooftop HVAC packaged unit is proposed in the middle portion of the flat roof of the residence. This existing flat roof does not provide sufficient attic space to locate and run the ducts. There is a parapet approximately one-foot, eight inches high surrounding the flat roof, which will effectively screen a majority of the rooftop equipment from public view. In addition, the packaged unit will be approximately 60 feet away from the property line along Kenneth Road, which helps screen it from the public view.

The proposed location will result in design improvements since the unit will be mostly hidden from view, as opposed to placing it at the ground level. A packaged unit at the ground level with exterior ducting will be visible from the neighboring properties. As a result of the space restrictions of the crawl space and attic, a packaged unit at the proposed location on the flat roof will impose the least amount of visual impacts on the affected neighbors and will result in a design improvement.

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 home is configured with both flat and pitched roof forms. Along the façade facing Kenneth Road, the roof of the home is designed with a gable (pitched) and a flat roof configuration with a parapet surrounding the rooftop on all sides. Although the height of the rooftop equipment will protrude above both the ridge and the parapet by approximately one-foot, three inches, the visual impact will be reduced as the rooftop equipment will be approximately 16 feet, 90 feet, 32 feet and 60 feet away from the western, northern, eastern and southern (along Kenneth Road) property lines, respectively. Therefore, the granting of new rooftop equipment will not cause detriment or impact the public welfare or be injurious to the property or the surrounding neighborhood.

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

The proposed rooftop equipment will comply with the remaining R1 Zoning Code standards. The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from the Code standards. These standards have been developed to allow reasonable use of properties in order to promote public health, safety and general welfare. Approval of the administrative exception will satisfy the objectives of the Code by allowing a packaged unit on the roof that will result in better design than placing the equipment at the ground level with exterior ducting.

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 except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the 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 a building permit shall be obtained for the unpermitted window replacement throughout the house.
4. That design review approval or exemption shall be obtained prior to the issuance of a building permit for the proposed addition and window replacement.
5. 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 Hearing Officer.

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 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. 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 **MAY 23, 2014** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 am to 12:00 pm, or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 pm to 5 pm.

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.

APPEAL FORMS available on-line
<http://www.glendaleca.gov/planning/SubmittingAProject.asp>

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.

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.

REVOCAATION

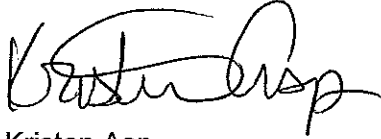
Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a variance 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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Rathar Duong during normal business hours at (818) 937-8185, between 7:30 a.m. to 3:30 p.m.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kristen Asp', written in a cursive style.

Kristen Asp
Senior Planner

KA:RDUONG:sm

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); City Engineer and Traffic & Transportation Section (R.Golanian/G.Tom); Director of Public Works and 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-Rathar Duong.