

December 29, 2015

Raffi Agaian
2234 Del Mar Road, #1
Montrose, CA 91020

**RE: 5130 FINEHILL AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1526252**

Dear Mr. Agaian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.070 (E), for a maximum 20 percent deviation from one of more numeric standards in Title 30, the Community Development Department has processed your application for an Administrative Exception to allow an existing attached garage to be maintained with a garage door width of 15 feet where a minimum 16 foot garage door width is required (6.25 percent deviation) by Chapter 30.32 of the Glendale Municipal Code in conjunction with a 445 square-foot addition at the rear of an existing 1,494 square-foot single-family house located at **5130 Finehill Avenue**, in the "R1" (Low Density Residential) Zone, and described as Lot 12, Tract No. 20112, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION: This project is exempt from environmental review as a Class 1 "Existing Facility" per Section 15301 of the State CEQA Guidelines.

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 an 8,775 square foot lot developed in 1955 with an existing 1,494 square foot, one-story, single-family residence with an attached 350 square-foot two-car garage. The house consists of two bedrooms, one bathroom, living room, dining room, den, and a kitchen. A 445 square-foot addition is proposed at the rear that will include a new

master bedroom, master bathroom, and walk-in closet. The existing bedrooms, bathroom, living room, dining room, den and kitchen are proposed to remain with some minor interior remodels to provide better functionality for the home. Overall, the proposal is compatible with the existing architectural style and will maintain the integrity of the residence. Design improvements will occur that will maintain the small-scale character of the existing residence and street elevation, while allowing a reasonable addition to the property.

The existing attached two-car garage is setback 25 feet from the street front property line with an additional ten foot setback from Finehill Avenue that is landscaped public right-of-way. The existing two-car garage is accessed from Finehill Avenue by an approximately 42 foot long driveway with a 90 degree turn into the existing garage. Furthermore, the existing legal nonconforming two-car garage, attached to the southwesterly portion of the house, meets the minimum code requirement with a 17'-2" width and a 19'-0" depth. The Zoning Code requires the garage door opening to be expanded to meet the minimum 16 foot width upon any addition to an existing residence. The existing garage door opening at 15'-0" is approximately 94 percent of the current Zoning Code requirement for the garage door width. Requiring the expansion of the garage door, for this nominal deviation, unduly restricts the flexibility for reasonable use and improvement of the existing property for a minor addition to an existing single-family residence.

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 legal non-conforming two-car garage with a substandard garage door width 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. The project involves an addition of approximately 445 square feet of floor area at the rear of the existing single-family home to make the house more functional. The existing garage will continue to provide two enclosed parking spaces for the sole purpose of parking vehicles. In addition, the approximately 42 foot long driveway with a 90 degree turn and concrete pad provides temporary off-street parking outside of the street-front setback area. As such, the applicant's request will not be detrimental to the public welfare, injurious to the property, or improvements in the zone. The proposed addition is not visible from the street, will maintain the existing architectural style of the house, and will provide for adequate open space, light, and ventilation for the subject residence as well as adjacent residences.

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

The proposed addition meets all other Zoning Code requirements of the R1 Zone, such as lot coverage, floor area ratio, landscaping, and setbacks. 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 proposed 445 square-foot addition at the rear will allow reasonable development of the site and will maintain the existing two-car garage that will continue to serve the single-family residence. Therefore, granting the Administrative Exception to allow the applicant to maintain the existing two-car garage with a substandard garage door width of 15 feet will not be contrary to the objectives of the applicable regulations.

The addition of 445 square-feet of floor area at the rear, while maintaining the existing two-car garage with a substandard garage door width will allow reasonable development of the site. Therefore, granting the minor exception will not be contrary to the objectives of the applicable regulations. Conditions of approval have been included that would mitigate any potential negative impacts.

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 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 dwelling 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 DRB approval/exemption shall be obtained prior to issuance of a building permit.

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 **JANUARY 13, 2016**, 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/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.

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.

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 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.

You may contact the case planner, Vista Ezzati, during normal business hours at (818) 937-8180 or via e-mail at vezzati@glendaleca.gov.

Sincerely,



Erik Krause
Planning Hearing Officer

EK:ve

cc: City Clerk (K. Cruz); City Attorney's Dept. (G. van Muyden); Fire Prevention Engineering Section-(J. Halpert); Dir. Of Public Works (R.Golanian); Traffic & Transportation Section (W. Ko/S. Vartanian); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian); Glendale Water & Power--Electric Section (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (S. Mirzaians); 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 Vista Ezzati.