

February 2, 2016

Mr. and Mrs. Joaquin Siques
3611 Urquidez Avenue
Glendale, CA 91208

&

Leon Barzegar
P.O. Box 1971
2748 Hollister Terrace
Glendale, CA 91206

**RE: 3611 URQUIDEZ AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1521923**

Dear Mr. Barzegar:

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.44.020 (E) for a maximum 20% deviation from one or more numeric standards in this Title, the Community Development Department has processed your application for an Administrative Exception to allow a garage to have a 16 foot width which is 20% percent deviation from the minimum required 20 foot garage width per Section 30.32.090 B, of the Glendale Municipal Code, to allow a street front setback for the garage of 20 feet which is 20% deviation from the minimum 25 foot setback per Section 30.11.030 B of the Glendale Municipal Code, and to allow a lot coverage of 43%, which is a 3% deviation from the maximum allowed of 40% per Section 30.11.030 B of the Glendale Municipal Code in conjunction with the construction of a 232 square foot addition at the rear of the house. The subject property is located at **3611 Urquidez Avenue**, in the "R1" - (Low Density Residential) Zone, described as Lot 10, Tract No. 14896, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

The 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 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.

There are space restrictions on the site that preclude full compliance with Code. The subject site is a 5,000 square foot lot with a 1,464 square foot, one-story, two-bedroom single-family residence, and a 317 square foot attached garage. The existing one-story home has a nonconforming garage width of 15 feet two inches, where 20 feet is required, and an existing street front setback of 20 feet where 25 feet is required. The applicant is proposing to add 232 square feet to the back of the existing house in order to have a more functional kitchen and dining room. However, in order to add onto the house, a minimum two-car garage is required: 20 feet by 20 feet for a new garage, or 16 feet by 18 feet for an existing garage (GMC 30.60.040.G). The existing garage width of 15 feet two inches is substandard and the garage would need to be expanded to meet current code requirements. This would require a garage to be a minimum 20 feet by 20 feet interior clear and have a 25-foot street front setback. Due to the current configuration of the house on the lot, this cannot be achieved without significant changes to the existing residence.

The existing house is built across the 50-foot wide lot to the allowable interior setbacks, which precludes a detached garage. If the garage were to meet current code, one of the bedrooms would be reduced to about 6 feet deep by 11 feet wide (or 66 square feet), which is too small for a bedroom. The minimum size of a bedroom, per the Uniform Building Code, is 70 square feet. The applicant is proposing to expand the existing garage such that the interior clear width would be within 20 percent of the minimum required, while maintaining the existing 20 foot street front setback, where the garage is currently located. This would result in a width of 16 feet and provide a garage that is more able accommodate two cars, which is not possible with the existing width of 15 feet 2 inches. The expanded garage would be setback four feet from the interior property line and would still be in compliance with the minimum four foot interior setback for a residence less than 20 feet in overall height.

The existing property is currently covered by buildings and structures with a solid roof that results in a lot coverage of 36%, where 40% is allowed by code. Due to the proposed garage and house expansion, the new lot coverage would be 43% or 62 square feet above the maximum allowed. The lot is limited due to the lot size being only 50 feet by 100 feet (5,000 square feet, which is the minimum lot size for development in the R1 zone), which precludes a larger house or code compliant garage, in this case. The proposed garage expansion will be in line with the existing garage door and front elevation, and the proposed house expansion will be located at the rear of the house, which will result in design improvements

by allowing the additions to blend in and be more architecturally consistent with the existing house.

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.

Granting of the exception will not be detrimental to the surrounding neighborhood. The applicant is proposing to add 232 square feet at the rear of the existing house in order to provide a more functional kitchen and dining room. While the garage expansion will not meet current code for a new garage with a minimum 20 foot width, it will provide a garage that is 16 feet wide. This width is more accessible for two cars than the current garage, while still complying with the required four foot interior setback. The 16 foot garage width also is the minimum width noted in Code for existing, legal nonconforming garages. In addition, by building the garage expansion in line with the existing garage door, the garage will be more functional and will keep the floor plan of the house intact. Furthermore, the existing garage has featured the 20 foot street front setback since its construction in 1949 with no negative impacts, so the continuation of this reduced setback is not expected to be detrimental or injurious to the surrounding neighborhood

The overall intent of the lot coverage requirement is to limit over-building of the site in order to provide a sensible ratio of open space/landscape area to lot area. This requirement helps encourage an attractive project through its site planning and provides an opportunity for meaningful and creative landscape design. The requested exception to deviate 3% from the maximum allowable lot coverage will not impact the project's overall landscape and open space. The project features an open street front setback and landscaped rear yard. Due to their design and placement, both spaces are easily accessible and encourage the indoor-outdoor use of both amenities. From this perspective, the project meets the underlying intent of the lot coverage requirement and achieves a sensible balance between building area and landscape/open space. Moreover, the site planning, mass and scale, and design of the one-story addition and garage expansion are appropriate and compatible with the existing residence. As such, the request to deviate from the allowable lot coverage will not be detrimental to the public welfare, 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 granting of the administrative exception will not be contrary to the objectives of the ordinance in that the subject property will be developed with a 232 square foot addition at the rear of the house while increasing the width of the existing garage to accommodate a second car. The existing street front setback will be

maintained and the new interior setback for the garage expansion will comply with Code. While the proposal exceeds the maximum allowable lot coverage by 3%, this is a minor deviation from the lot coverage limit. The overall landscape requirements for the site will be met. The benefits that will be achieved by the modified garage outweigh the small deviation in lot coverage. For these reasons, the granting of the exception will not be contrary to the objectives of the Zoning Code.

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 design review approval or exemption shall be obtained prior to the issuance of a building permit.
4. 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

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 (COD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **February 17, 2016**, 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 (COD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

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

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.

GMC CHAPTER 30.41 PROVIDES FOR

Termination

Every right or privilege authorized by a Variance 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

A Variance may be terminated by the review authority upon any interruption or cessation of the use permitted by the Variance for one year or more in the continuous exercise in good faith of such right and privilege.

Extension

Variances 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 such variance.

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, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances and conditional use permits (individual cases heard and decided upon by the Planning Hearing Officer).

To consider the revocation, the Planning Hearing Officer 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. Continuing jurisdiction over any case is the purview of the Planning Hearing Officer, with concurrence by the Director of Community Development.

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, Bradley Collin during normal business hours at his direct line (818) 548-3210 or office line (818) 548-2115 or bcollin@glendaleca.gov , between 7:30 a.m. to 5:30 p.m. weekdays.

Sincerely,



Erik Krause
Planning Hearing Officer

EK:sm

CC: City Clerk (K.Cruz); Police Dept. (S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); 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 – Brad Collin.