



February 15, 2017

Franco Noravian
409 West Broadway
Glendale, CA 91204

**RE: 3141 SAN GABRIEL AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1628716**

Dear Mr. Noravian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44, Subsection 30.44.020 (E) for a maximum twenty (20) percent deviation from one or more numeric standards in this Title, the Community Development Department has processed your application for an Administrative Exception to allow to maintain a modified minimum interior setback of 3.2 feet (3'-2 1/4") where a minimum 4'-0" interior setback is required in accordance with Section 30.11.030, Table 30.11-B of the Glendale Municipal Code in conjunction with a 200 square-foot addition to an existing single-family residence located at **3141 San Gabriel Avenue**, in the "R1R" (Restricted Residential) Zone, Floor Area Ratio District II and described as Lot 19, Block 6, Tract No. 9038, 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) of the State CEQA Guidelines.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, all of the required three findings can be made in support of the application. The Director of Community Development has **APPROVED 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 15,490 square-foot uphill-sloped lot with frontage on San Gabriel Avenue. It was developed in 1951 with the existing 1,413 square-foot, one-story single-family residence and a 588 square-foot detached two-car garage. The two-bedroom residence with the detached garage was built on the flat portion of the up-sloping lot facing San Gabriel Avenue and follows the typical development pattern in the neighborhood. There are five mature oak trees on the site including two oak trees at the front of the residence (San Gabriel Avenue frontage) and three oak trees on the upslope portion of the lot, at the rear of the residence. The applicant is proposing to add a 200 square-foot bedroom and bathroom by infilling the area between the detached garage and the residence. Also the proposal is to enclose an existing 205 square-foot porch at the rear of the residence. The

applicant is requesting an Administrative Exception for a 20 percent deviation from the Zoning Code requirement of 4'-0" interior setback (GMC Section 30.11.030 Table 30.11-B) to maintain the modified non-conforming interior setback where the detached garage wall runs diagonally along the southerly property line and has a minimum interior setback of 3.1 feet at the closest point to the adjacent property line. In order to qualify for an Administrative Exception for a maximum twenty (20) percent deviation from the required four-foot interior setback, the applicant is proposing to modify the existing minimum interior setback of 3.1 feet by relocating a small portion of the garage wall at southeast corner (1'-2" in length) and set it back diagonally by 1 ½ inches. This minor change will provide a minimum interior setback of 3.2 feet and it will not result in a modification to the foundation or the roof of the garage since the wall relocation is minimal. This will also maintain the existing eave line and rafters of the garage.

In order to provide the code-compliant minimum interior setback, the southern corner of the garage wall would require to be relocated 4'-0" away from the southern property line. This would create an odd and unbalanced eave overhang at the south side of the garage. Furthermore, there are space restrictions on the site due to the steep up-sloping topography of the lot, existence of five oak trees, and a retaining wall, which runs at the rear and sides of the residence. The requested setback exception would allow the addition to be located in an already developed area of the property and allow the reasonable use and improvement of the property without creating hardship or any possible damage to the existing oak trees on the site.

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 this Administrative Exception to maintain the modified non-conforming interior setback will not be materially detrimental to the public welfare or injurious to the property or improvements in this zone or neighborhood.

The proposed connection of the residence to the detached garage to add a 200 square-foot bedroom and bathroom will require the entire building to be setback four feet from interior property lines. The building meets the required interior set back on the north side but does not meet this requirement on the south side, where the garage exists. Relocating the existing southerly garage wall, building a new garage, or proposing an addition in a different location in order to meet the interior setback requirement would not be reasonable since they would create hardship due to space restrictions on the site and would also result in a change of the building footprint and site setting. In addition, granting an Administrative Exception for 20 percent deviation from the required interior setback in this case would help preserve the mature oak trees located on the site. Allowing an Administrative Exception to maintain the modified non-conforming southern interior setback will not change the site setting or the distance from adjacent neighbors. The addition is appropriate to the neighborhood concept and allows the proposed development on the site to continue to provide the separation from the neighboring development as well as provide light, privacy, and ventilation as intended by the Zoning Code.

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

The proposed addition complies with the requirements of the R1R-II Zone, except interior setback requirements. 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 200 square-foot addition to the house would maintain the modified non-conforming 3'-2 ¼" building interior setback on the south side of the garage and will allow reasonable development of the site that meet other zoning regulations. Therefore, granting of this exception for a small addition to maintain the modified non-conforming interior setback will not be contrary to the objectives of the applicable regulations.

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 Director of the Community Development Department.
- 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 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.
- 4) That Design Review Board (DRB) approval/exemption shall be obtained prior to issuance of a building permit.
- 5) That the premises be maintained in a clean orderly condition, free of weeds, trash, and graffiti.

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 (CDD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **March 2, 2017** 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.

APPEAL FORMS available on-line www.glendaleca.gov/appeals

GMC CHAPTER 30.41 PROVIDES FOR

Termination

Every right or privilege authorized by an Administrative Exception shall terminate two 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 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 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 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 variances, conditional use permits and administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing

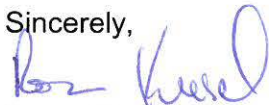
after giving notice by the same procedure as for consideration of a variance at least 10 days notice by mail to the applicant or permittee.

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, Aileen Babakhani during normal business hours at her direct line (818) 937-8331 or ababakhani@glendaleca.gov, between 8:00 a.m. to 5:00 p.m. weekdays.

Sincerely,



Roger Kiesel,
Planning Hearing Officer

RK:CB:AB:sm

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 Aileen Babakhani.