



March 30, 2017

Heather Lee  
3749 5th Avenue  
Glendale, CA 91214

**RE: 3749 5TH AVENUE  
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1701205**

Dear Mrs. Lee:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44 an Administrative Exception has been processed to allow a 99 square-foot bedroom addition to an existing 761 square-foot single-family residence without providing the second off-street parking space, as required by Chapter 30.32.030 B 3 of the Glendale Municipal Code. The subject property is located at **3749 5<sup>th</sup> Avenue**, in the "R1" (Low Density Residential, Floor Area District II) Zone, and described as Lot 303, Licenses Surveyor's Map, Book 14, Pages 27-28, 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 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 a modestly-sized lot that is approximately 3,750 square feet and is developed with a one-story, 761 square-foot, single-family residence with an attached 280 square-foot one-car garage, constructed in 1947. The proposed administrative exception will provide relief from site constraints of the property, as well as result in design improvements to the building enhancing the functionality of the dwelling. The existing 761 square-foot single-family residence is configured with two bedrooms and a single bathroom. The proposed 99 square-foot addition, in conjunction with minor reconfigurations of interior walls, will improve the dwelling unit's floor plan with an additional bedroom and bathroom. The subject dwelling unit will be upgraded with a total of three bedrooms and two

bathrooms, enhancing the floor plan design to accommodate the life-style of family currently residing at the property.

There are space restrictions on the property imposing impractical difficulties with providing a second enclosed parking space. The subject lot is modest in size and has an area of approximately 3,750 square-feet. The site is developed with a one-story, 761 square-foot, single-family residence with an attached 280 square-foot one-car garage. The dwelling has non-conforming setbacks along the street front and western interior property lines, at 22-feet, 3-inches and 2-feet, 11-inches, respectively. The interior setbacks of existing building along the north and east property lines conform to current Zoning Code standards at 7-feet and 6-feet, 8 inches, respectively. In order to demolish the existing one-car garage and construct a new two-car garage or construct an additional one-car garage elsewhere on the property, the existing dwelling unit will have to be significantly altered/demolished to accommodate space on the lot to comply with minimum interior garage dimensions and turning radius into the new two-car garage. As a result, the small lot size creates space restrictions on the site that preclude compliance with the Zoning Code without unnecessary hardship.

**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 proposed project will not be materially detrimental to the public welfare or injurious to the property because the proposed 99 square-foot addition will be located at the rear of the single-family dwelling and will not be visible from the street. The front elevation of the building facing the street will remain unchanged and will not visually impact the neighborhood. Moreover, the 99 square-foot addition will comply with current interior setback requirements and will not extend the building closer to any of the adjacent properties. As a result, the proposed minor addition will not be detrimental to the property or the surrounding neighborhood. The property will remain as a single-family dwelling maintaining the intended low density residential land use of the R1 zone.

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

The proposed addition meets all other requirements by the R1 Zoning Code standards. 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 subject administrative exception will allow the reasonable development of a minor 99 square-foot rear addition enhancing the floor plan of the property on a site with space restrictions that cannot accommodate a second enclosed parking space without hardship. The addition will allow reasonable development of the site and, therefore, granting the exemption 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 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 the premises be maintained in a clean orderly condition, free of weeds, trash, and graffiti.

## **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 April 14, 2017** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday from 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 5:00 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 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, Dennis Joe, during normal business hours at (818) 937-8157 or via e-mail at [djoe@glendaleca.gov](mailto:djoe@glendaleca.gov).

Sincerely,



Laura Stotler  
Principal Planner

LS:DJ: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 Dennis Joe.