



October 13, 2017

Peter Gluck and Monique Simpkins
5762 Tuxedo Terrace
Los Angeles, CA 90068

**RE: 130 WESTERN AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1717074**

Dear Mr. Gluck and Ms. Simpkins:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44 an Administrative Exception has been processed to allow a 95 square-foot breezeway enclosure to an existing 1,524 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 **130 Western Avenue**, in the "R1" (Low Density Residential, Floor Area District II) Horse Overlay Zone, and described as Lot 49, Tract No. 10391, 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) because the 95 square-foot addition will not result in an increase of more than 50 percent of the floor area of the existing building before addition.

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 lot is rectangular in shape and approximately 5,500 square-feet. The subject single-family dwelling was permitted in 1966 with a non-conforming 41.5 percent lot coverage (maximum 40 percent by the current Zoning Code) that includes a one-story, 1,524 square-foot, single-family residence, an attached 263 square-foot one-car garage and a 390 square-foot, attached horse stable at the rear. The applicants would like to enclose an existing, approximately 95 square-foot breezeway. The Zoning Code requires additional floor area may only be permitted when the number of off-street parking spaces is equal to or greater than the number that would be currently required for the entire building if it were newly constructed. The total floor area of the residence will be 1,619 square-feet after the

There are space restrictions on the lot that hinder compliance with the requirement of a second off-street parking space. Because the property was permitted in 1966 with a lot coverage that exceeded the current Zoning Code maximum, construction of a one-car garage would cause deviation beyond the Zoning Code maximum of 40 percent. The proposed project enhances the amount of landscaping on the property to satisfy the Zoning Code minimum of 40 percent landscaping. If the building's footprint were to expand to accommodate a new one-car garage, the amount of landscaping on the lot will decrease below the Zoning Code's 40 percent minimum requirement and violate a separate section of the code. Furthermore, if existing front portions of the residence facing Western Avenue, such as the living room, were to be converted to a second parking space, the property would have to be significantly altered/demolished and potentially re-engineered, imposing impractical difficulties. Lastly, if existing floor areas at the rear of the property were to be converted to a second parking space, or a new garage were to be constructed with access from the alley, a new driveway with a minimum length of 20 feet would be required and the already non-conforming lot coverage on the property would be further exceeded beyond the 40% maximum to accommodate the new garage. As a result, approvals for two variances would be required.

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 95 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 will remain unchanged and will not visually impact the neighborhood. Moreover, the 95 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.

Approval of the Administrative Exception to allow a 95 square-foot breezeway enclosure will not be contrary to the two parking space requirement for single-family dwellings that are below 3,500 square-feet in area. The breezeway enclosure will occupy portions of the building below an existing roof to accommodate a 3rd bathroom. This minor bathroom addition will not increase the bedroom count and is not anticipated to increase the parking demand of the dwelling.

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 95 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.
- 5) That Design Review Board (DRB) approval/exemption shall be obtained prior to issuance of a building permit.

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 October 30, 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>

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

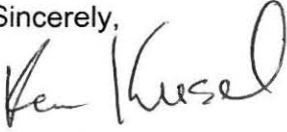
Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same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

Sincerely,



Roger Kiesel
Senior Planner

RK: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 (P.Casanova); 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); case planner – Dennis Joe.