

November 16, 2017

Adam Torres  
732 North Diamond Bar Boulevard, Suite 126  
Diamond Bar, CA 91765

**RE: 265 MESA LILA ROAD  
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1726044**

Dear Mr. Torres:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44, to allow for up to a maximum of 100 square feet of additional floor space without providing the required number of parking spaces, the Planning Hearing Officer has processed your application for an Administrative Exception (G.M.C. 30.44.020.D) of the Glendale Municipal Code. The proposed project is located at **265 Mesa Lila Road**, in the "R1R" – Restricted Residential Zone, being Lot 2, Tract No.3671 in the City of Glendale, County of Los Angeles.

#### ENVIRONMENTAL RECOMMENDATION

The project is exempt from CEQA review as a Class 3 "New Conversion of Construction of Small Structures" exemption pursuant to Section 15303 of the State CEQA Guidelines because the proposal is for a minor addition of 98 square feet at the back of the existing single family dwelling.

#### **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.**

The granting of the exception will result in design improvements and there are space restrictions because of the style of the subject residence and its location on the lot, which precludes full compliance with all the R1R development standards without hardship. The applicant is proposing to enclose a small covered porch at the rear of the residence into floor area and is requesting approval of an administrative exception to maintain the non-conforming on-site parking. The City's Zoning Code requires compliance with

current parking standards when additional floor space is proposed. In the present case, two covered and enclosed parking spaces are required. The applicant requests to maintain their carport with a substandard depth.

The single-family residence on the subject site was built in 1955 and designed in a modern style. Features of this style found on the subject residence include a shallow-pitched roof and carport. While the applicant could enclose the carport with a garage door in line with the house, this would negatively impact the aesthetics of the modern residence and result in a garage with only 14 feet in depth. A garage door could also be installed in line with the two posts located in front of the existing carport. In this scenario, walls would need to be constructed between the carport and the posts to fully enclose this area. The resulting garage would comply with minimum width and depth standards for a two car garage. However, this option would make the garage even more prominent. Additionally, the driveway would only be 15.5 feet in length instead of the minimum required 18 feet. The roof of the existing residence extends to the aforementioned posts. The overhead clearance of this area is less than 6 feet and a garage door needs to be a minimum of 7 feet in height. To comply with Zoning Code, the existing roof would need to be modified and made higher or the entrance to the carport dug out to a lower elevation. Both of these solutions would negatively impact the appearance of the 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 exception to allow an increase in floor area without providing conforming parking will not be materially detrimental to the public welfare or injurious to the property and improvements in the area because the existing carport will remain as is and will provide adequate off-street parking as it has for the last 60 years. Further, improvements required by the Code would cause significant deleterious alterations to the exterior of this modern-designed residence, which would be materially detrimental to the neighborhood.

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

The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from the code standards. These standards were developed to allow reasonable use of property in order to promote the public health, safety and general welfare. The objective of parking requirements is to provide suitable off-street parking and to protect the public safety by lessening traffic congestion on the public streets. Granting an administrative exception to allow a 98 square-foot

addition without providing the required minimum number of parking spaces is reasonable in the present case. The existing residence is a modest 1,500 square feet in area. Enclosing the covered patio will enlarge the existing living room and will not increase the need for off-street parking for this residence. The existing carport has provided sufficient parking for the residence since construction in 1955. The residence is located near the end of Mesa Lila Road, considered a local street in the city's Circulation Element, serving residential single-family uses. Restricting street parking to lessen traffic congestion is not an issue in this neighborhood.

## **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 Planning Hearing Officer.
- 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 separate permits are required for all work in the public right-of-way. The applicant shall bear all fees for the necessary permits and construction inspections for work within the public right-of-way.
- 4) That any expansion or modification of the dwelling unit 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.
- 5) That if any buildings, sidewalks, curb or gutter, fencing or landscape areas, etc., adjacent to the site are damaged during the course of construction on public or private property, the damage shall be repaired to the satisfaction of the Planning Hearing Officer for private property and the Director of Public Works for public property.
- 6) That the proposed garage shall be set back a minimum of five feet from the southern interior property line.
- 7) 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 City Council 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 December 1, 2017**, at the PSC, 633 East Broadway, Room 101, Monday through Friday 7:00 a.m. to 12:00 p.m., or at CDD, 633 East Broadway, Room 103, Monday through 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.

### **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.

265 Mesa Lila Road  
PAE 1726044

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Roger Kiesel during normal business hours at (818) 937-8152 or [rkiesel@glendaleca.gov](mailto:rkiesel@glendaleca.gov).

Sincerely,



Brad Collin  
Planning Hearing Officer

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-Roger Kiesel.