



December 6, 2017

Alex and Elizabeth Tamez
3036 Menlo Drive
Glendale, CA 91208

**RE: 3036 MENLO DRIVE
ADMINISTRATIVE EXCEPTION CASE NO. PAE1722468**

Dear Mr. and Mrs. Tamez

Pursuant to the provisions of the Glendale Municipal Code, Chapter 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 an existing detached garage to be maintained with interior garage dimensions of 17'-2" by 17'-2" where minimum interior garage dimensions of 20'-0" by 20'-0" are required, a garage door width of 15'-0" where a minimum 16'-0" garage door width is required (14 and 6 percent deviations, respectively), and a 24'-10" turning radius where a 25'-0" turning radius is required by Chapter 30.32 of the Glendale Municipal Code in conjunction with a 403 square-foot addition to the front of an existing 1,667 square-foot single-story house, built in 1936, on a 6,817 SF lot. The subject property is located at **3036 Menlo Drive**, in the R1 (Low Density Residential) Zone, Floor Area Ratio District II and described as Lot 6, Block 55, Sparr Heights Tract 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, pursuant to 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 subject property that preclude full compliance with the garage standards, and granting approval of the Administration Exception to allow the maintenance of the garage with a reduced size, garage door width and turning radius in conjunction with an addition to a single family residence will result in design improvements for the house.

The subject property is a 6,817 square-foot lot developed in 1936 with a 1,667 square-foot, one-story single family residence and a detached 330 square foot garage. The house was built 30 feet from the front property line with the detached garage toward the rear of the lot. The house consists of three bedrooms, two bathrooms, living room, dining room and kitchen. The existing bedrooms and bathrooms are proposed to remain. The existing living room will be converted to a new dining room/den and the existing dining room and kitchen will be remodeled to a larger kitchen. The 403 square-foot addition will functionally enhance the interior living space and will match the exterior architectural style and materials, maintaining the integrity of the residence. Design improvements would occur because the character of the residence will be maintained, while at the same time providing a reasonable use of the property.

Per GMC 30.32.030.B.3, an addition of floor area to any dwelling unit may be permitted only when the number of off-street parking spaces provided is equal to or greater than the number that would be currently required for the entire building if it were newly constructed, unless an administrative exception is obtained in accordance with Chapter 30.44. Current Code requires that new garages have minimum interior garage dimensions of 20'-0" by 20'-0", a minimum 16'-0" garage door width and a 25'-0" turning radius (GMC Chapter 30.32). The depth and width of the existing garage is 17'-2" wide by 17'-2" depth, with a garage door width of 15'-0," and a 24'-10" turn radius, which complied with code standards at the time it was built. The existing detached two-car garage is also approximately 97 feet from the street-front property line and 1'-0" from the interior property line. It is accessed by a 9-foot wide driveway on the southwest side of the property. The interior garage dimensions are 86 percent of the current requirement, the garage door width is approximately 96 percent of the current requirement, and the turn radius is 99 percent of the current requirement. The Administrative Exception is requested to maintain the existing parking garage "as is" and with the current turning radius.

There are three protected Coast Live Oak trees at the rear of the property as well as several additional protected Oak trees on the neighboring property to the east that preclude additional enlargement of the garage to meet Code. While there are Oak trees on the neighboring properties, their trunks appear to be greater than 20' away from the property line although their crowns extend to property line. However, one of the three Oaks is located less than 3' from the foundation of the existing garage and would require removal in order to accommodate the expanded garage. A proposed enlargement of the garage footprint would encroach upon the drip lines of the remaining two oak trees. Both trees would likely experience negative impacts from the loss of roots during excavation and the removal of available soil volume to develop roots in from the enlarged garage foundation. Meanwhile, the proposed addition to the main house is located entirely outside of the driplines of the three protected Oak trees on the property. The Oak trees are not located near any construction access or potential material storage sites. The proposed addition will not likely have any significant negative impacts on the nearby protected Oak trees. Thus, the Zoning Code requirement to expand the existing substandard garage will have significant negative impacts on the protected Oak trees at the rear of the property and granting approval of the Administrative Exception to allow the existing garage to remain as is appears justifiable.

Therefore, requiring the expansion of the garage and garage door, and turn radius for this minimal deviation unduly restricts the flexibility for reasonable use and improvement of the property for a reasonable addition, while protecting the existing indigenous trees on the property.

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 the exception of a reduced size, garage door width and turning radius in conjunction with an addition to the existing house will not be detrimental to the surrounding neighborhood. The purpose of the addition is to make the house more functional by enlarging the kitchen, dining room, living room and master bedroom closet. This proposed expansion will be located at the front of the residence, while maintaining a large front setback area protected trees in the rear yard. The existing garage will continue to provide two enclosed parking spaces, albeit for smaller cars. Also, the approximately 97-foot long driveway provides temporary off- street parking outside of the street-front setback area. As such, the project will not be detrimental to the public welfare, injurious to the property, or improvements in the zone. The addition will maintain the existing architectural style of the house, provide for adequate open space, light, and ventilation for the subject residence as well as adjacent residences, and maintain the existing protected oak trees.

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 Code standards. These standards were developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare. The proposed 403 square-foot addition will allow reasonable development of the site and will maintain the existing garage that will continue to serve the single family residence. The proposed addition meets all other Zoning Code requirements of the R1 Zone, such as lot coverage, floor area ratio, landscaping, and setbacks. The existing garage still provides enclosed parking for two cars, albeit with less clearance and space than required for new garages. Therefore, granting the minor exception for less than the minimum interior garage dimension, garage door width, and turn radius 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 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. Plans shall be printed and/or drawn at the correct scale for plan check.
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 the plans shall be updated to properly identify all protected trees onsite and within 20 feet of the property (to include species and trunk diameters), and shall include required mitigation measures from the City's Arborist.
5. 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, 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.

APPEAL PERIOD

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 **December 21, 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 are available on-line at: <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 the City's website at www.glendaleca.gov.

TIME LIMITS (GMC Chapter 30.41)

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.

Lapse of Privilege

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.

Time 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.

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 customer 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, Kathy Duarte during normal business hours at her direct line (818) 937-8163 or office line (818) 548-2115 or kduarte@glendaleca.gov.

Sincerely,



VILIA ZEMAITAITIS, AICP
Planning Hearing Officer

VZ:KWD:kwd

CC: City Clerk (K. Cruz); City Attorney's Dept. (G. van Muyden); Fire Prevention Engineering Section-(J. Halpert); Dir. Of Public Works (R.Golianian); 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/J.Cawn); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); case planner – Kathy Duarte