



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

633 E. Broadway, Suite 103  
Glendale, CA 91206-4311  
Tel. (818) 548-2140 Fax (818) 240-0392  
glendaleca.gov

February 26, 2020

Jad's Design  
Attn: Jad Helou  
5585 Reseda Boulevard  
Tarzana, CA 91356

**RE: 3327 PROSPECT AVENUE  
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1922603**

Dear Mr. Helou:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44, the Planning Hearing Officer has processed your application for an Administrative Exception (G.M.C. 30.44.020.B and G.M.C. 30.44.020.D) to allow for up to a maximum of 100 square feet of additional floor area without providing the required number of parking spaces and an extension into a setback area to permit the continuation of an existing building line for minor additions or building modifications for an existing 1,203 square-foot (SF), one-story house on a 5,211 SF lot, zoned "R1" (Single-Family Residential), FAR District II. The proposed project is located at **3327 Prospect Avenue**, being Lot 9, Tract No.7968 in the City of Glendale, County of Los Angeles.

**ENVIRONMENTAL DETERMINATION**

The project is exempt from CEQA review as a Class 3 "New Conversion or Construction of Small Structures" exemption pursuant to Section 15303 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.**

The applicant is seeking to add 100 square feet (15.17 ft. x 6.58 ft.) to the northwest portion of the house, as well as reconfigure some of the interior layout of the

residence. Approval of an administrative exception is requested to allow this addition without providing the required two, covered and enclosed parking spaces (the existing carport will remain) and to allow the addition to be built in-line with the existing residence, which is 3-ft., 8-in. from the western interior property line, where a minimum 4-ft. interior setback is required.

The subject site is 5,311 square feet in area, 50 feet in width and trapezoidal in shape. The approximately 1,200 square-foot residence is located in the middle of the lot. Located in the southeastern portion of the residence, the original, attached one-car garage built with the house in 1948 was legally converted to a bedroom and bathroom prior to annexation of this area by the City (County Permit No. 3250). A carport, legally built in front of the converted garage, was constructed at the same time. County Assessor records indicate this permitted conversion/construction in their 1965 records. The former garage and carport are constructed nine inches from the eastern interior property line.

There are space restrictions on the site that preclude full compliance with the code because of the size of the lot, lot width, lot shape and existing on-site development. While the 5,311 SF lot meets the minimum 5,000 SF lot size requirement for the R1 zone, functionally, the buildable area is much smaller due to its trapezoidal shape. Similarly, while lot width is defined as the dimension (length) of the front property line, which in the subject case is 49.98 feet, the width is functionally 39 feet (approximately), which is the distance between the east and west interior property lines, as measure perpendicularly to the interior property lines. If the triangular portions of the lot created by the angled south (street front) and north property lines were omitted, the lot size would theoretically be reduced to approximately 4,050 square feet (104 feet in depth, which is reduced from the actual 133 feet length by 39 feet in width from the actual 49.98 feet).

While the lot shape and buildable area/size of the subject site constrain development of a code-compliant project, other characteristics and features of the site are more limiting. The existing residence is developed with a 9-inch eastern interior setback and a 3-foot, 8-inch western interior setback. A conforming garage could not be built at the rear of the property without demolishing a significant portion of the existing house for a driveway. Constructing a two-car garage at the front of the house by converting the existing carport and extending it further west to provide conforming parking is also not possible without encroaching into the required 25-foot street front setback (measure parallel to the street front property line). This would also decimate the existing front porch and front elevation of the 30-foot wide residence, and eliminate all windows in the living room. Constructing a front-loaded two-car garage which meets the minimum street front setback would require demolition of a sizable part of the existing residence and create a neighborhood design compatibility issue.

The applicant is proposing to extend the westernmost wall, which features an existing, three feet, eight-inch setback from the western property line, an additional six feet, seven inches; the extension of the existing building wall with its current

setback would result in design improvements to the residence. The house will remain a three-bedroom, two-bath residence even with the proposed addition located in the northwestern portion of the existing residence. The subsequent reconfigured bedroom will be a modest 142 square feet in area (12-ft.,1-in. x 11-ft.,8-in.). The bedroom cannot be relocated further east without impacting the adjacent family room of the residence. While the proposed wall of the addition could be constructed to meet the four-foot interior setback, this would result in an offset wall within the bedroom, which would render this room more awkward and less useful.

**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 a 100 square-foot addition to be built in-line with the existing residence and without providing code-required parking will not be detrimental to the public welfare or injurious to the property or neighborhood. The project site has a long driveway and carport, the addition will not create more bedrooms and it will be located at the rear of the residence. The driveway, including the approximately 20-foot deep carport, is approximately 45 feet long and can accommodate the tandem parking of two cars. It is not anticipated that additional cars or a greater parking demand will be generated as a result of the addition, given that the house will remain a three-bedroom, two-bathroom house. The addition is proposed at the rear of the residence and, therefore, the front of the house, including the front porch, which is a nice aesthetic feature, will remain intact. While the addition will continue the building line of the existing residence at an interior setback of three feet, eight inches, the extension is less than seven linear feet in length and contains no windows or other features which may negatively impact the adjacent neighbor. Therefore, approval of the administrative exception request is not expected to be detrimental or injurious to the property or the surrounding neighborhood.

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

Allowing the addition to be developed in-line with the existing house and without two covered and enclosed parking spaces will not be contrary to the objectives of the 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. The objective of setback requirements is to provide adequate light, air and privacy between residences. Granting an administrative exception to allow a minor expansion of the house, while being in-line with the existing house setback and without providing the required minimum number of parking spaces, is reasonable in the present case. The



existing residence will be a modest 1,303 square feet after the 100 square-foot addition. The current 3-foot, 8-inch setback has provided adequate light, air and privacy along the interior property line since 1948, when the house was originally constructed, and the proposed extension is not expected to alter this condition. The in-line addition is less than seven feet in length and contains no windows at the new façade and, therefore, will maintain acceptable light, air and privacy. Moreover, reconfiguring the interior and extending the house towards the rear of the lot will not increase the need for off-street parking for this residence. The existing, longer driveway and one-car carport has provided sufficient on-site parking for the residence since 1948. There is no other area on the lot to provide code-required parking without demolishing significant portions of the residence. The residence is located on Prospect Avenue, which is 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. Therefore, maintaining the current parking condition in light of the minor addition does not seem contrary to the objectives of the parking code.

#### **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) Design Review Board approval or design review exemption shall be obtained prior to the issuance of a building permit.
- 4) 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.
- 5) 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.
- 6) 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.

## **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 12, 2020**, at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 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 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.

### REVOCACTION

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 ten (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, Roger Kiesel during normal business hours at (818) 937-8152, between 7:30 a.m. to 3:30 p.m.

Sincerely,

Philip Lanzafame  
Director of Community Development Department



Vilija Zemaitaitis, AICP  
Planning Hearing Officer

VZ:RK:sm

CC: City Clerk (K.Cruz); Police Dept. (A.Jenks/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (P.Casanova); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian/); 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 – Roger Kiesel.