



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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glendaleca.gov

February 17, 2022

April Fitzpatrick
1525 Merriman Drive
Glendale, CA 91202

**RE: 1525 MERRIMAN DRIVE
ADMINISTRATIVE EXCEPTION CASE NO. PAE2110831**

Dear Applicant:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.020 (B) an Administrative Exception has been processed to allow the continuation of an existing building line for a minor addition requested to be located within the required interior setback (5'-0" required; 4'-0" requested), as required by 30.11.030 of the Glendale Municipal Code, and Chapter 30.44.020 (D) to allow additional floor area without providing the required two off-street enclosed parking spaces (vehicular access into the existing detached garage is constrained by two substandard 5'-6" [height] by 7'-7" [wide] one-car garage doors), as required by 30.32.030 (B), in conjunction with a 100 square-foot first level addition and roof deck extension located at the rear an existing 2,221 square-foot two-story, single-family residence located at **1525 Merriman Drive**, in the R1-I HD (Low Density Residential Zone, Floor Area Ratio District I, Brockmont Park Historic District Overlay) Zone, described as Lot 6, Block 1 of Tract No. 8280, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

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 proposed addition will not result in an increase of more than 2,500 square feet.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, all of the required three findings can be made in support of the application. The Director of Community Development has **APPROVED 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 9,000 square-foot interior lot, regular in shape, developed with the existing 2,221 square-foot two-story, single-family residence and a detached two-car garage. The existing two-story dwelling was developed in 1928 with overall height at 24'-0" and a non-conforming 4'-0" interior setback at the northern interior yard. The Zoning Code requires floor

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area additions to be set back a minimum 5'-0" from the interior property line for buildings over 20'-0" and equal or less than 30'-0" in height. As a result, the applicant is requesting approval of an Administrative Exception to allow the continuation of the existing building line for a minor 100 square-foot addition with an interior setback at 4'-0".

The proposed Administrative Exception will result in design improvements to the building enhancing the functionality of the dwelling. The existing 2,221 square-foot single-family residence is configured with three bedrooms and three bathrooms. The proposed 100 square-foot addition will improve the dwelling unit's floor plan with a modest additional bathroom and closet to the first level bedroom, enhancing the floor plan design to accommodate the life-style of family currently residing at the property. The subject property is identified as contributor to the Brockmont Park Historic District. The addition with the proposed 4'-0" interior setback will maintain the level of historic integrity of the dwelling and will blend into the existing footprint avoiding an architecturally incompatible break at building's northern elevation. The proposed addition will be finished with smooth stucco and wrought iron railings that will maintain the historic design and essential form of the original residence.

Additionally, there are exceptional circumstances of the property imposing impractical difficulties with providing access into the existing two-car garage. The subject property was built with a detached, 404 square-foot, two-car garage configured with two substandard one-car garage doors that are deficient with vertical and width clearances. At present, the Zoning Code requires one-car garage doors to provide a minimum 7'-0" vertical and 8'-8" width clearance. Both of the existing one-car garage doors are substandard in size and configured with 5'-6" vertical clearances (measured to the spring line of the arch openings) and 7'-7" wide openings. In order to enlarge the garage doors to satisfy current Zoning Code development standards, the garage wall will essentially have to be re-engineered and reconstructed with new headers that can soundly support the revised garage door openings. Moreover, the existing garage doors appear to be original, built in 1928. The subject property is a contributor to the Brockmont Park Historic District and alterations to the façade of the arched garage doors can potentially impact and reduce the historic status and architectural integrity of the property. As a result, replacing the existing one-car garage doors and expanding the door openings to satisfy code requirements would result in unnecessary hardship. Additionally, keeping the original arched one-car garage doors would result in a better design improvement for the Brockmont Park Historic District property. Overall, granting the approval of the Administrative Exception to allow the existing garage door openings to remain and to construct an addition with a 4'-0" interior setback is justifiable.

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 Administrative Exception to maintain the existing non-conforming interior setback of 4'-0" in conjunction with the proposed 100 square-foot floor area addition to the existing residence will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood. The proposed addition with the extension of the existing roof deck will architecturally blend with the original house and result in a reasonable improvement of the property and address the needs of the family for an additional space (bathroom suite) while maintaining the exterior architecture of the house as a contributor in the adopted historic district. The proposed 100 square-foot roof deck extension, which will be located above the proposed floor area addition, avoids the potential of privacy concerns because the property is currently improved with an existing approximately 230 square-foot roof deck for the past 30 years without incident according to City records. In addition, the existing landscaping

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along the north property line and construction of a privacy wall (raised roof parapet of 3'-6" along north wall) provide visual buffer between the subject property and adjoining property to the north.

Furthermore, granting the administrative exception to allow the proposed addition without providing the required number of parking spaces will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood. While the existing detached garage is substandard by current Zoning Code requirements as to garage door openings, the garage has been utilized to park cars for over 94 years without negative impacts onto the immediate neighborhood. Based on the photographs submitted by the applicant, the existing non-conforming single-car garage doors provide sufficient room for vehicle ingress and egress into the garage. Also, the property is improved with an extended 120'-0" (length) driveway that offers temporary parking on the subject site.

As such, the administrative exception to maintain the 4'-0" interior setback for the addition and to construct the improvements without providing the required two off-street parking spaces will not be detrimental to the public welfare, injurious to the property, or improvements in the zone.

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 have been developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare. The purpose of a setback is to provide adequate open spaces for light and air separation, and the purpose of minimum garage door standards are to provide sufficient access to into a required enclosed parking space. As noted in Finding A and B above, the addition with the proposed 4'-0" interior setback will maintain the building line without significantly changing the existing site layout conditions, as well as maintain historic integrity of the dwelling. And, the existing substandard garage will still provide adequate access to the enclosed parking for two cars. The proposed improvements will enhance the floor plan of the property with additional functionality and flexibility of the property, while maintaining the existing garage that provides off-street, enclosed parking for two standard/compact cars for the single-family residence. The proposed rear addition meets all other Zoning Code requirements for the R1R zone, such as interior setbacks, height, lot coverage, floor area ratio and landscaping, and will allow reasonable development of the site. Therefore, granting these exceptions 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 Planning Hearing Officer.
- 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.

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- 3) That any expansion or modification of the dwelling and detached garage which is different than what is represented as part of this Administrative Exception application, shall require a new application as determined by the Planning Hearing Officer.
- 4) That Historic Preservation Commission (HPC) 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. Appeals must be filed prior to expiration of the 15-day period, on or before **March 4, 2022**. Information regarding appeals, appeal forms and fees may be obtained by calling the Community Development Department (CDD) staff at 818-548-2140, or the case planner at 818-937-8157. APPEAL FORM is also available on-line:

<https://www.glendaleca.gov/home/showdocument?id=11926>

Due to the current COVID-19 social distancing and work from home orders issued by federal, state and local governmental agencies, in order for any appeal to be considered timely, **the appeal must be postmarked by the March 4, 2022 deadline (mailed to Community Development Department – Planning Division, Attention Aileen Babakhani, 633 East Broadway, Room 103, Glendale, CA 91206) OR emailed to the case planner (Aileen Babakhani at ababakhani@glendaleca.gov) prior to the close of said business day.** The prescribed fee must be included along with the appeal application and may be submitted either in the form of a check or credit card payment. For credit card payment, please contact Aileen Babakhani at 818-937-8331 to make arrangements with the cashier. Note: The standard 2.5% fee for credit card payment applies.

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 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 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.

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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 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 an administrative exception 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, Aileen Babakhani during normal business hours at her direct line (818) 937-8331 or ababakhani@glendaleca.gov, between 8:30 a.m. to 5:30 p.m. weekdays.

Sincerely,

Dennis Joe
Planning Hearing Officer

DJ:AB:sm

cc: City Clerk (K.Cruz); Police Dept. (J.Newton/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin/C.Babakhanlou/D.Scorza); 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 – Aileen Babakhani.