



CITY OF GLENDALE, CALIFORNIA

Community Development
Planning

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September 23, 2022

Arvin Shirinyans
225 East Broadway, Suite No. 100
Glendale, CA 91205

&

Anait and Gary Konkonyan
1844 Bara Road
Glendale, CA 91208

RE: 1844 BARA ROAD
PVAR 2118673

Dear Sirs:

On August 24, 2022, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Section 30.43, Variances, requesting to construct a new 1,175 square-foot second-story addition with an overall height of 26'-8" to an existing house with an attached garage built in 1953. As proposed, the existing one-foot, seven-inch (1'-7") interior setback along the west side of the property will remain where the Code requires five feet (5'-0") on an 11,520 square-foot lot located at **1844 Bara Road**, in the "R1R-II" - (Restricted Residential, Floor Area Ratio District II) zone, described as Lot 31, Tract No. 14960 // APN: 5653-020-001, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

- (1) A five feet (5'-0") interior setback is required for buildings or structures 20 feet and equal to or less than 30 feet in height (30.11.030 Table 30.11 B).

APPLICANT'S PROPOSAL

- (1) To construct a new second story addition to the existing one-story single-family house with an overall height of 26'-8", while maintaining the existing one-foot, seven-inch (1'-7") interior setback along the west side of the property.

ENVIRONMENTAL DETERMINATION

The project is exempt from environmental review as a Class 1 "Existing Facility" pursuant to Section 15301 of the State CEQA Guidelines because the proposed addition to the existing house will not result in an increase of more than 10,000 square feet and the project

is in an area where all public services and facilities are available and is not located in an environmentally sensitive area.

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Community Development Department staff thereon, and the statements made at the public hearing with respect to this application, the Planning Hearing Officer has **APPROVED WITH CONDITIONS** your application based on the following:

A. The strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance.

The strict application of the provisions of the ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance because of the trapezoidal-shaped subject lot and location of the existing house. The site is currently developed with a one-story, 1,318 SF single-family residence and a two-car attached garage located in the front half of the lot. The applicant is proposing to add a new second story to the residence, which would increase the required minimum interior setback from 4-ft. to 5 ft. A small portion of the existing attached garage is located a minimum of 1-ft., 7-in. from the western interior property line. As a result of the project, an approximately 3-ft., 5-in. length of the existing garage's western wall (an area of approximately 6 SF) would need to be demolished to comply with the minimum 5-ft. interior setback requirements. The existing garage, with both an interior width and interior depth of 19-ft., 2-in., is considered a conforming two-car garage (16-ft. wide x 18 ft. deep) for existing garages; however, demolishing the small portion of the garage, referenced above, would reduce its width to the point that it would no longer be considered a two-car garage and would compromise its functionality and use. The garage could not be expanded to the north without demolishing a portion of the existing single-family residence. Additional house demolition would be required to allow expansion of the driveway to access the garage. The proposed second story expansion will not alter the size or location of the existing garage and will be set back a minimum of 10-ft. from the western interior property line. The "R1R" zone is a restricted residential zone located in the city's hillsides. The purpose of an interior setback is to provide a buffer between homes, offering adequate open space, light, ventilation and privacy. Since there are little changes proposed to the existing building footprint of the home (two small areas, totaling 33 SF), and no changes to the existing attached garage, the requirement to move the garage wall 3'-5" would cause a hardship such that the existing interior garage space would not function nor accommodate required code-required on-site parking for the residence.

B. There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

There are exceptional circumstances or conditions applicable to the property that do not apply generally to other property in the same zone or neighborhood because the property is an irregular-shaped trapezoidal lot, located at the end of a cul-de-sac. The property is characterized by its narrow frontage and gradual widening towards the rear. Also, the property slopes uphill from the street with steep sloping topography at the rear, and there is a protected oak tree at the rear of the property. To comply with the code and move the westerly wall of the garage 3'-5" would significantly reduce the size of the existing two-car garage, and negatively affect its functionality and use. An expansion of the garage to the northeast (to enable the width to comply with two-car garage requirements and provide driveway access) would require demolition of portions of the existing residence. Additionally, the five-foot setback would cause the garage to be modified where no work is proposed. The applicant is proposing to setback the second story at this location a minimum of ten feet from the interior property lines.

C. The granting of the variance 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 proposal will not be detrimental to the public welfare because only a small part of the existing garage is within the interior setback, the new second floor addition is set well back from the interior property line, a two-car garage will be maintained and the single-family house with the addition is similar to the existing residential uses in the area. Single-family homes, and in the present case, additions to single-family homes, are a permitted land use and appropriate in the R1R zone. The project will require Design Review approval, which will ensure the project is compatible with the surrounding homes. The new 1,130 square-foot second-story addition will exceed the required five-foot interior setback along the west side, with a minimum of a 10-ft. setback. The bulk of the addition is proposed above the footprint of the main house and is a minimum of at least 10-ft. away from the western property line. Also, most of the west side of the property (approximately 40 feet) is occupied by the existing driveway, which provides a generous setback from the western adjacent property. The west side of the garage will maintain the existing 1-ft., 7-in. interior setback, which has been in existence since the property was developed in 1952. The property will continue to provide a two-car covered and enclosed parking garage for the residents and includes a long driveway to accommodate additional parking.

D. The granting of the variance will not be contrary to the objectives of the ordinance.

Granting of the variance will not be contrary to the objectives of the ordinance because the existing garage setback will not change as a result of the project and the proposed second floor is set well back from the western interior property line. The objective of the interior setback standard is to enable appropriate open space, light, and ventilation

between properties. In the present case, the applicant is requesting to construct a second story addition, with an overall height of 26-ft.-8-in., while maintaining the existing 1-ft.-7-in. interior setback along the west side of the existing attached garage instead of the minimum 5-ft. setback. This reduced setback has been in existence since the residence was constructed in 1953 and will not change. It adequately satisfies interior setback objectives. Further, the area of the existing garage within the interior setback is de minimis, approximately 6 SF. The majority of the west side of the property is occupied by the existing driveway, thus, light, open space and ventilation between properties would not be compromised. The second floor addition will not be located above the garage footprint and has a minimum interior setback of 10-ft., although much of its western façade is located much further from the western property line.

The purpose of the variance process is to assure that no property, because of special circumstances applicable to it, be deprived of privileges commonly enjoyed by other properties in the same zone and vicinity. Two-story residences are permitted and commonly located in the R1R zone. Due to the home's placement on the site, existing walls, shape of the lot, and topographic conditions, expansion of the first floor of the residence is hindered.

The following discussion addresses the requirements of Chapter 30.11.040 (A), which requires discretionary applications to take into consideration, its consistency with the Glendale Municipal Code, the hillside design/landscape guidelines, compatibility with the surrounding neighborhood, preservation of natural features and overall architectural style:

- a. Development shall be in keeping with design objectives in the Glendale Municipal Code and the Hillside Design Guidelines (Residential), as adopted in the City's Comprehensive Design Guidelines. These guidelines suggest preferred methods to develop single-family homes in hillside areas of the City and recommend minimizing grading to preserve the natural hillside appearance, open space and groves of native trees. The existing residence has a compact footprint located in the center of a flat portion of the lot. Aside from the new retaining walls proposed at the side and rear of the house, the majority of the lot will remain ungraded. Grading consists of 96.59 cubic yards of cut and export (no fill or import); this amount is low for hillside construction. One indigenous tree is located at the rear of the property, which the arborist of record recommends to be removed (Exhibit 5). The Guidelines state that buildings should consider and follow existing topography. As currently designed, the second floor is set in from the existing one-story residence.
- b. Development shall be compatible with the surrounding neighborhood in terms of size, scale, bulk/mass, roofline orientation, setbacks and site layout. The existing single-family residence has a minimum 15-foot street front setback from Bara Road. The second floor addition will be located above and set in from the existing ground floor building footprint. The addition will not be located above the garage. The total floor area of the house will be 2,460 square feet, and the overall building height will be two-stories with a building height of 26'-8". The

height of the attached garage will remain at 10'-6". The proposed addition appears compatible in size and scale with other homes in the neighborhood, and there are similar existing two-story homes on the immediate street block. The project's site planning, mass and scale and design will be reviewed and require approval from the Design Review Board.

- c. Site plans shall show preservation of prominent natural features, native vegetation and open space in a manner compatible with the surrounding neighborhood, minimizing alteration of terrain necessary for development. The proposed project requires limited grading, mainly to accommodate new retaining walls at the rear yard. No significant landform alteration is proposed since project involves a new second story above the existing building footprint. There are no protected scenic vistas, blue line streams or primary or secondary ridgelines on the site. There is an existing protected Coast Live Oak trees on-site, which the arborist of record recommends to be removed. However, the applicant will be required to comply with the City's Urban Forestry comments and plant two, 15-gallon oak trees on the subject site. Aside from the area of construction, the rest of the site will remain in its natural state.
- d. Site plans for development of property on steep slopes shall take into account the visual impacts on surrounding properties. The subject site has an average current slope of 11.20%. The 11,520 square-foot lot is located at the end of a cul-de-sac with 37.94 feet street frontage, and developed with a one-story, 1,318 square-foot single-family house and an attached two-car garage. The visual impacts of the proposed house addition on surrounding property on Bara Road will be consistent with other two-story homes on the street. The area above the garage will remain one-story with an overall height of 10-ft.,6-in., minimizing potential visual impacts from the adjacent property to the west. Similar to other existing single-family homes in the neighborhood, the proposed addition to the house addresses the existing topography and existing development on the property. The proposed two-story addition and overall height of 26-ft.,8-in. is appropriate to the site and neighborhood, and therefore, would not cause adverse visual impacts.
- e. The architectural style and architectural elements of in-fill development shall be compatible with the surrounding neighborhood. The City's requirements and policies have evolved through the years on the relevance of architectural style in such a way that a particular style of residence is less important than carrying out a chosen style in a quality manner. The proposed house remodel is influenced by Spanish architecture and uses materials such as a textured stucco finish, Spanish roof tile, arched windows, wood treatment, etc. These materials are common and appropriate for the residence. Existing homes in and along Bara Road include various architectural styles, which were common at the times when these residences were constructed.

CONDITIONS OF APPROVAL

- 1) That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for 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 licenses (i.e. building, fire, engineering, etc.) shall be obtained from the Building and Safety section and Public Works Department and all construction shall be in compliance with the Glendale Building Code UBC (Universal Building Code) and all other applicable regulations.
- 3) That separate permits shall be obtained for all work within the public right-of-way. The applicant shall bear all fees for the necessary permits and construction inspection for work within the public right-of-way.
- 4) The project shall comply with all National Pollutant Discharge Elimination System (NPDES) requirements, including filing a Notice of Intent with the Los Angeles Regional Water Quality Control Board, and the submittal and certification of plans and details showing preconstruction, during construction and post-construction Best Management Practices (BMPs) that are integrated into the design of the project. In addition, the applicant shall submit an approved Standard Urban Stormwater Mitigation Plan (SUSMP) to be integrated into the design of the project.
- 5) That Design Review Board approval shall be obtained prior to the issuance of a building permit.
- 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.
- 7) That any proposed exterior lighting shall be directed onto the driveways, walkways and parking areas within the development and away from adjacent properties and the public right-of-way to the satisfaction of the Planning Hearing Officer.
- 8) That landscaping areas shall be maintained in good condition with live plants and free of weeds and trash.
- 9) That the applicant shall comply with all requirements of Fire Engineering of the Fire Department, as specified in their memo dated June 23, 2022, to the satisfaction of the Fire Chief.
- 10) That the applicant shall comply with all requirements of the City Engineer, as specified in the memo dated July 22, 2022 to the satisfaction of the City Engineer.

- 11) That the applicant shall comply with all requirements of the Public Works - Urban Forestry Division, as specified in the memo dated August 2, 2021 to the satisfaction of the Urban Forester.
- 12) That the applicant shall comply with all requirements of the Public Works - Traffic Division, as specified in the memo dated June 29, 2022, to the satisfaction of the City Engineer.
- 13) That the applicant shall comply with all requirements of the Glendale Water and Power (Water & Electric), as specified in the memo dated June 16, 2022.

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 **OCTOBER 10 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 818-937-8186.

APPEAL FORM is also available on-line:

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

GMC CHAPTER 30.41 PROVIDES FOR

TERMINATION

Every right or privilege authorized by a Variance 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

A Variance may be terminated by the review authority upon any interruption or cessation of the use permitted by the Variance 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 Variance.

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

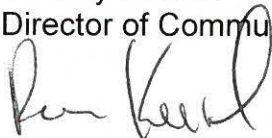
Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over Variances. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a Variance at least 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.

You may contact the case planner, Milca Toledo, during normal business hours at (818) 937-8181 or via e-mail at mitoledo@glendaleca.gov.

Sincerely,
Bradley Calvert
Director of Community Development



Roger Kiesel
Senior Planner

RK:MT: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-(S.Demirjian/F.McLean); Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (M.Young); 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); A.Kimbikyan; and case planner– Milca Toledo.