



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

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March 29, 2023

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1912 Benecia Avenue  
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&

Wendy and Phil Kazanjian  
406 Glen Aire Drive  
Glendale, CA 91202

**RE: 410 GLEN AIRE DRIVE**  
VARIANCE CASE NO. PVAR2118481

(SEE ALSO ADMINISTRATIVE EXCEPTION CASE NO. PAE-000852-2023)

Ladies and Gentlemen:

On March 22, 2023, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Section 30.43, requesting a Standards Variance to construct a 3,430 square-foot, three-story single-family home with an attached two-car garage on a 10,471 square-foot, vacant, hillside lot in the "R1R-II" (Restricted Residential Zone, Floor Area Ratio District II) Zone, and described as Lot C, as shown on Parcel Map GLN. No. 1256, filed in Book 106, Page 12 of Parcel Maps / 5630-015-053, located at **410 Glen Aire Drive**, without providing the required 15-foot street front setback, located at in the City of Glendale, County of Los Angeles.

CODE REQUIRES

- 1) 15-foot street front setback.

APPLICANT'S PROPOSAL

- 1) 10-foot street front setback (Variance request).

### ENVIRONMENTAL DETERMINATION

The project is exempt from California Environmental Quality Act (CEQA) Review as a Class 3 New Construction or Conversion of Small Structure per Section 15303(a) because it is construction of one single family residence in a residential zone.

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department has **APPROVED WITH CONDITIONS** the variance request, based on the following findings:

### **REQUIRED/MANDATED FINDINGS**

#### FINDINGS FOR VARIANCE REQUEST

**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 application request is to build a new 3,430 SF three-story single-family home with an attached two-car garage on a 10,471 SF vacant lot in the R1R-II Zone (Restricted Residential Zone, Floor Area Ratio District II) without providing the required fifteen-foot (15') street front setback.

The subject site is on a down-sloping lot with an average current slope of 68.7%. The site is similar to the other two hillside lots on the southern side of Glen Aire Drive in terms of lot size and topography. The proposed single-family residence and attached two-car garage is proposed to be located close to the front property line with a street front setback of ten feet (10').

The strict application of the provision of the Zoning Code would result in practical difficulties and unnecessary hardship inconsistent with the purpose and intent of the ordinance, which is to ensure separation between the subject property and adjacent properties and public rights of way. If the building were to comply with the required street front setback standard of 15 feet, the massing of the dwelling and attached garage would project farther from the slope and would loom over adjacent properties downslope of the subject site. Such a building would not comply with the hillside design guidelines that specifically recommend that new houses reflect the topography and slope, and that encourage building into the hillside to diminish visual impact of mass and scale, even if significant grading may be required. The guidelines also state that prevailing setbacks of buildings on the street be considered as well as Code requirements. Two houses within 300 linear feet of the subject property feature reduced front setbacks: 429 Glen Aire (9'-6") and 407 Glen Aire (8'-0") which were both approved by Variance. Approval of a reduced street front setback would allow for reasonable development of the site in such a manner that is not incompatible with the surrounding neighborhood.

**B. There are exceptional circumstances or conditions applicable to the property that do not apply generally to other property in the neighborhood.**

The subject property is a shallow, double street-fronting lot with a 6-foot-wide storm drain easement running through the middle of the property and another 10-foot-wide sewer easement running through the property toward the west; neither of which allow any improvements over them. The lot is remotely located at the terminus of a short cul-de-sac street with only one other house at the end of Glen Aire Drive. The property itself is shallower than any other site within the 300-foot radius; the site is just over 60' deep at its narrowest point for approximately 80 feet in length. Because the lot fronts both Glen Aire Drive and Kempton Road, this shallow depth dimension is also subject to two street front setbacks. With strict application of code, the two required 15-foot street setbacks on the north and south property sides result in a 31-foot-deep building pad, and with the easements, the resulting buildable area is 1,340 square feet. The combination of these constraints greatly impacts development of the single-family house and is an exceptional circumstance not typical of other lots in the neighborhood.

Furthermore, the hillside property features an average current slope of 68.7%; the subject site is only one of three lots in the 300-foot radius whose slope is greater than 60%. Due to the steepness of the site, if the house were to comply with the setback requirements, the rear of the garage floor would be 25 feet above the grade. Although the resulting height could possibly comply with the 35-foot maximum building height limit (for houses with a 3 in 12 roof slope) in the R1R zone, it would not comply with the City's Hillside Design Guidelines in that it would result in a building form that projects away from the topography with a vertical three-story façade with no stepping or terracing to reflect the topography as required by the Design Guidelines.

**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 Zoning Code requires a minimum 15-foot street front setback. Granting a reduced street setback will not be materially detrimental to the public or injurious to the property or improvements in the R1R neighborhood. The general intent of the street front setback requirement is to maintain an attractive neighborhood with consistent streetscape and rhythm adding visual relief from the street. Due to the topography and windy streets, this hillside neighborhood does not have the same constant rhythmic pattern of house placement. Glen Aire Drive is a remote cul-de-sac that already features other residences with reduced front setbacks and driveways (see Finding A).

The proposed reduced street setback primarily applies to the two lower floors which will be cut into the hillside. The upper floor at street level will be set back 13 feet from the street. To avoid the appearance of a bulky building looming over the downslope of the subject site, the requested street setback reduction will allow the building pad to be located closer to the street and be further cut into the hillside. By granting the reduced setback, the proposed house would be spatially and visually consistent with the

neighboring homes which have varying setbacks and therefore, will not be detrimental to surrounding properties.

Drought tolerant, fire-resistant landscaping will surround the perimeter of the new house and garage thus further helping to reduce the building mass. The remaining 30% of the existing site will be a naturalized landscape zone. Therefore, approval of the modified setbacks will not be detrimental to the surrounding properties in the immediate area.

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

The objective of the Zoning Code is to protect the character of the neighborhood and ensure sensible development. The objective of the street front setback requirement is to ensure that the setbacks of buildings from a street respect the existing or preferred neighborhood character, maintain an attractive rhythm and streetscape, and provide landscaped open space along the street. The approval of a reduced street front setback will not be contrary to the objectives of the ordinance due to the space between the house and the street being similar to others in the neighborhood.

The requested variance in this case is sensible and affords the property owner a fair opportunity in developing a vacant property similar to other residences in the immediate vicinity.

**FINDINGS FOR HILLSIDE DEVELOPMENT REVIEW**

**A. Development shall be in keeping with the design objectives in the Glendale Municipal Code, the hillside design guidelines and the landscape Guidelines for hillside development as now adopted and as may be amended from time to time by city council.**

**B. Development shall be compatible with the surrounding neighborhood in terms of size, scale, bulk/mass, roofline orientation, setbacks, and site layout.**

**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.**

**D. Site plans for development of property on steep slopes shall take into account the visual impact on surrounding properties.**

**E. The architectural style and architectural elements of in-fill development shall be compatible with the surrounding neighborhood.**

The proposed development is in keeping with hillside development review policy in Glendale Municipal Code Chapter 30.11.040 (A), hillside design guidelines, and the landscape guidelines. The proposed 3,430 square-foot, three-story single-family home with an attached two-car garage has a floor area ratio (FAR) of 0.28 which is the same

as the house adjacent to it (the adjacent property on the other side is vacant). Although the neighborhood average FAR is 0.21, the project's use of stepping, façade plan variation, and material color and variation help reduce the sense of mass and scale. The sensible size, scale, bulk/mass and site layout appears to be appropriate for the neighborhood and replicates the existing development pattern along Glen Aire Drive and Kempton Road. The building is designed as a one-story house as viewed from Glen Aire Drive, consistent with the street pattern. The building is designed as a three-story house as viewed from Kempton Road, consistent with the street pattern. The building maintains required setbacks except on Glen Aire Drive, where it is being pushed closer to the street and into the hillside to reduce the building's massing and scale. This site layout is consistent with the street pattern. Seventy-five percent of the site will be maintained as ungraded open space. The building is pushed into the hillside and designed with cantilevered decks to provide outdoor space in lieu of grading the hillside. The driveway is designed as an open bridge to reduce massing and preserve the hillside beneath. The two oak trees located 20 feet from the west property line will not be impacted by the project and the landscaping plan will be reviewed by the Urban Forestry Section during design review to ensure the oak trees will not be impacted. The landscaping plans include low-water use species' appropriate to the hillside. The new home and garage will be designed in a contemporary style with a natural color scheme and low-pitched and flat roofs, consistent with the street pattern.

## CONDITIONS OF APPROVAL

**APPROVAL** of the Variance 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, except any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Community Development Department.
- 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 design review approval or exemption shall be obtained prior to the issuance of a building permit.
- 4) That any expansion or modification of the project which is different than what is represented as part of this Variance approval shall require a new application as determined by the Planning Hearing Officer.
- 5) That on-street parking shall be prohibited directly across the proposed driveway to allow operational access due to a narrow street width and that parked vehicles on the proposed driveway shall not extend into the travel way.
- 6) That development shall not encroach into the storm drain or sewer easements.

- 7) That the applicant shall comply with all the conditions of approval for Administrative Exception Case No. PAE-000852-2023.

### **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. Appeals must be filed prior to expiration of the 15-day period, on or before **APRIL 14, 2023**. Information regarding appeals, appeal forms and fees may be obtained by calling the Community Development Department (CDD) staff at 818-548-2140, or by contacting the case planner, Cassandra Pruet, at [cpruet@glendaleca.gov](mailto:cpruet@glendaleca.gov) or 818-937-8186.

All appeals must be filed using the City's online permit portal: [www.glendaleca.gov/Permits](http://www.glendaleca.gov/Permits). Create an account, click "Apply," type "appeal" in the search bar, and apply for "Appeal of Planning Decision."

### **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.

### **REVOCAION**

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**

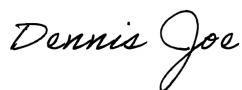
The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then, the Hearing Officer who acted on this case. This would include clarification, verification of condition compliance and plans or building permit applications, 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, Cassandra Pruett, during normal business hours at (818) 937-8186 or via e-mail at [cpruett@glendaleca.gov](mailto:cpruett@glendaleca.gov).

Sincerely,

Bradley Calvert  
Director of Community Development

Dennis Joe  
Senior Planner



DJ:CP: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/ .Navareete/M.Kouassi); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (J.Sada/R.Mardian); 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); P.Dugan; J.Kussman; E.Tarkhanian; and case planner – Cassandra Pruett.