



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

May 23, 2023

Aydin Naghibi
969 Colorado Blvd #105
Los Angeles, CA 90041

**RE: 1544 Ard Eevin AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE-001219-2023**

Dear Mr. Naghibi:

Pursuant to the provisions of the Glendale Municipal Code (GMC), Title 30, Chapter 30.44.020 (E) for a maximum twenty (20) percent deviation from one or more numeric standards in Title 30, the Community Development Department has processed an Administrative Exception application to allow a five inch (0'-5"), or eight percent (8%), reduction from the minimum required interior setback of five feet (5'-0") in conjunction with a 267-square-foot (SF) second-story addition to an existing single-family residence located at **1544 Ard Eevin Avenue** in the "R1-I" Zone (Low Density Residential, FAR District I), and described as Lot 7, Tract No. 1576, in the City of Glendale, County of Los Angeles. The property is also a contributor to the South Cumberland Heights Historic District.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption, pursuant to Section 15301 (e)(1), and as a Class 31 "Historical Resource Restoration/Rehabilitation" exemption pursuant to Section 15331 of the State CEQA Guidelines because the proposed addition will not result in an increase of more than fifty percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; and the addition is consistent with the Secretary of the Interior's Standards for Rehabilitation.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, the plans submitted therewith, the Community Development Department 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 subject property is a 12,160 SF lot that was originally developed in 1950 with a 3,052 one-story, single-family residence with an attached two-car garage. The property is located on the southeast corner of Ard Eevin Avenue and Glenwood Road and is identified as a contributor to the South Cumberland Heights Historic District. The existing residence contains four bedrooms, three bathrooms, a living room, family room, kitchen, dining nook, library, and pool room. The applicant is proposing a 267 SF second-story addition at the southeast corner of the building that will include a game room, half bathroom, and covered balcony that will be accessible by a new interior staircase. The existing first-story setback at the south façade is 4'-7" and the new second-story addition will be set back from the existing façade an additional two feet (providing a 6'-7" setback). Pursuant to GMC 30.11.030, Table 30.11-B, the minimum required interior setback is 5'-0" for a property in the R1 Zone that was developed prior to May 2, 1991, and which has an overall height over 20 feet but lower than 30 feet. The overall height of the building with the proposed addition is 28'-9", as such the minimum required interior setback is five feet. The applicant is requesting an eight percent deviation from this requirement to allow for a reduced setback of 4'-7", to maintain the current conditions. The design of the proposed addition is compatible with the existing architectural style of the residence and will require minimal alteration to the historic property. The project will be reviewed by the Historic Preservation Commission prior to final approval.

The granting of the Administrative Exception will result in design improvements for the project. The proposed 267 SF second-story addition is modest, and the design would add minimal mass and scale to the building. The addition will not alter the existing 4'-7" interior setback at the south, where the addition is set back an additional two feet. Additionally, requiring modifications to the existing building to increase the interior setbacks of the building, by shifting the south wall, would impose impractical difficulties and hardships on the applicant. The existing interior setback at the south is 4'-7". To satisfy the current Zoning Code development standards, the south wall of the residence would have to be demolished and reconstructed with a 5'-0" setback, and the primary façade would need to be altered to accommodate the new wall. The alteration of the primary façade would impact the proportions of the front-facing gables and thus alter character-defining features of the contributing property. These alterations could also result in demolition of over 50% of exterior walls and roof area, thereby classifying the project as new construction. New construction requires all current code standards to be met, which could result in further changes to the project and could result in significant impacts to the historic property. The relocation of the wall to comply with current Zoning Code development standards would also reduce the square footage of the first floor, which conflicts with the goal of adding livable space. For these reasons, granting approval of the Administrative Exception request to maintain the reduced interior setback will result in design improvements and allow for reasonable development of the property

without imposing impractical difficulties and hardship.

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 allow the maintenance of the reduced interior setback will not be detrimental to the public welfare or injurious to the property or improvements in the R1-zoned neighborhood in which the property is located. The proposed addition is located toward the rear of the house, is minimally visible from Ard Eevin Avenue, and will add minimal mass and scale to the building. The project is also consistent with the Historic District Design Guidelines and, if approved by the Historic Preservation Commission, will remain a contributor to the South Cumberland Heights Historic District. The existing non-conforming setback will remain, while the new addition will exceed the required five-foot setback. While the residence will become minimally larger and taller by approximately eight feet, the use of the subject property as a single-family residence will remain and will not result in any building mass being added closer to adjacent properties. As such, the applicant's request 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 objective of the setback regulations is to establish reasonable standards of design to allow for air, light, and ventilation between buildings. The applicant's request to maintain the existing non-conforming interior setback will still comply with the intent of the setback regulations and will not be a detriment to the public welfare, because there will still be a reasonable amount of space to allow for adequate air, light, and ventilation along the interior setback area. The 4'-7" setback has existed since the house was constructed in 1950. The existing 4'-7" interior setback will not be altered, and the new addition will be set back a total of 6'-7", which exceeds the required five feet. 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 to promote the public health, safety, and general welfare. The development meets all other zoning requirements for the R1 Zone, including floor area, lot coverage and landscaping, and the proposal is consistent with the Historic District Design Guidelines. For these reasons, the applicant's request to maintain the existing interior setback 4'-7" in conjunction with the proposed 267 SF second-story addition will allow reasonable development and 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 for the Administrative Exception, except for 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 any expansion or modification of the project 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.
- 4) That the premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
- 5) That Design Review approval shall be obtained prior to the issuance of a building permit.

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.

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. All appeals must be filed using the City's online permit portal: www.glendaleca.gov/Permits. Create an account, click "Apply," type "appeal" in the search bar, and apply for "Appeal of Planning Decision." Any appeal must be filed within fifteen (15) days following the actual date of the decision with the prescribed fee prior to the expiration of the 15-day appeal period, on or before **June 7, 2023**. Information regarding appeals and appeals and fees may be obtained by calling the Community Development Department staff at 818-5482140, or contacting the case planner, Kasey Conley, at KConley@glendaleca.gov or 818-937-8185.

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.

APPEALS

All appeals must be filed using the City's online permit portal: www.glendaleca.gov/Permits. Create an account, click "Apply," "Skip Application Guidance," then type "appeal" in the search bar, and apply for "Appeal of Planning Decision." Information regarding appeals and fees may be obtained by calling the Community Development Department staff at 818-548-2140, or contacting the case planner, Kasey Conley, at kconley@glendaleca.gov or 818-937-8185.

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.

REVOCATION

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 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, Kasey Conley at (818) 937-8185 or via e-mail at kconley@glendaleca.gov.

Sincerely,



Cassandra Pruet, AICP
Planning Hearing Officer

CP:kc

cc: City Clerk (K. Cruz); City Attorney's Dept. (G. van Muyden); Fire Prevention Engineering Section-(J. Halpert); Dir. Of Public Works (R.Golanian); Traffic & Transportation Section (W. Ko/S. Vartanian); 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); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner Kasey Conley