glendale california

City of Glendale
Community Development
Planning & Neighborhood Services

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December 17, 2014

Monterey Capital C., LLC
Attention: David Gash
7667 Vickers Street
San Diego, CA 92111

RE: 2404 GARDNER LANE
ADMINISTRATIVE EXCEPTION CASE NO. PAE1425214

Dear Mr. Gash:

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.44.020 (E) for a maximum twenty (20) percent deviation from one or more numeric standards in this Title, the Community Development Department has processed your application for an Administrative Exception to allow an existing garage to be maintained with an interior clear depth of 17 feet, three and half inches (four percent deviation) which is less than the required 18 feet interior clear depth for a two-car garage by Chapter 30.32.050 of the Glendale Municipal Code in conjunction with a 170 square-foot addition at the front of the existing house. The subject property is located at **2404 Gardner Lane**, in the "R1R" - (Restricted Residential) Zone, Floor Area Ratio District II, and described as Lot A of GLN No. 986-A Parcel Map as per map recorded in book 9 page 45 of Parcel Map, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL RECOMMENDATION: This project is exempt from environmental review as a Class 1 "Existing Facility" exemption (Section 15301 (e) (1) 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 subject property is an 11,760 square-foot, through lot developed in 1940 with a 1,713 square-foot, one-story single-family residence and a detached

329 square-foot garage. The property slopes down from Gardner Place and flattens out at Gardner Lane. The house is centrally located on the flat portion of lot, while the garage is located in front of the house along the right property line and detached from it by 12 feet. The garage is set back from Gardner Lane approximately 9 feet. An existing swimming pool is located to the left of the house. Several oak trees are on-site; one in the front yard facing Gardner Lane and two behind the house on the up-slope. The proposed small kitchen addition at the front of the house will be 170 square feet and match the architectural style of the existing house and garage. The addition will not increase the number of bedrooms.

There are space restrictions on the site which prevent the expansion of the existing garage from complying with the Zoning Code. While the existing lot is large enough to accommodate a new garage, the topography of the lot, the swimming pool and oak trees limit the area useable to locate an addition and new garage to meet the current zoning standards. It would be difficult to expand the garage so as to be closer to the house without eliminating the area available for the kitchen addition and maintain a five foot separation from the addition in order to consider the garage detached. Therefore, the existing garage cannot be easily modified without substantially changing the existing site conditions. Furthermore, the depth of the existing garage at 17-feet, three and a half inches is approximately 96 percent of meeting the code requirement for the depth of a two-car garage when the building was originally constructed while the interior garage width at 17-feet, three and half inches exceeds the required minimum of 16 feet. Requiring the expansion or construction of a new garage for these minimal deviations unduly restricts the flexibility for reasonable use and improvement of the property for a small addition.

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.

This proposed expansion will be located at the front of the residence and behind the existing garage. The kitchen addition and house floor plan remodel will not create additional bedrooms and therefore is not anticipated to intensify parking demand. As such, the project will not be detrimental to the public welfare, injurious to the property, or improvements in the zone. The majority of the addition will not be visible from the street, will maintain the existing architectural design for both the house and garage and still allow for adequate open space, light, and ventilation for the subject residence as well as the adjacent residence.

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

The proposed addition meets all other Zoning Code requirements of the R1R Zone. 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 proposed 170 square foot addition will allow reasonable development of the site that will meet all other Zoning regulations and allow the existing 17 foot, three and a half inch garage depth to still serve the single family residence. Therefore, granting the minor exception for less than the minimum garage depth 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 except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the 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.
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 dwelling which is different than what is represented as part of this Administrative Exception application, shall require a new application as determined by the Hearing Officer.

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. 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 **JANUARY 2, 2015,** 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 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.

APPEAL FORMS available on-line http://glendaleca.gov/appeals

To save you time and a trip - please note that some of our FORMS are available on line and may be downloaded. AGENDAS and other NOTICES are also posted on our website.

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.

REVOCATION

Section 30.64.020 – Revocation – The Planning Division shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions (individual cases heard and decided upon by the Hearing Officer). To consider the revocation, the Hearing Officer 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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Kristen Asp at (818) 937-8161, between 7:30 a.m. to 3:30 p.m.

Sincerely,

Howard R. Malis
City Resource Specialist

KA:sm

CC: City Clerk (K.Cruz); Police Dept. (Lt.S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(D.Nickles); Dir. Of Public Works (R.Golanian); Traffic 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. (J.Duran/T.Alexanian); Neighborhood Services Division (A.Jimenez); Integrated Waste Management Admin. (D.Hartwell); Maintenance Services Section Admin. (D.Hardgrove); Street and Field Services Admin.; Environmental Management (M.Oillataguerra); and case planner-Kristen Asp.