glendale california

City of Glendale
Community Development
Planning & Neighborhood Services

633 E. Broadway, Room 103
Glendale, CA 91206-4311
Tel 818.548.2140 Tel 818.548.2115
Fax 818.240.0392 ci.glendale.ca.us

July 22, 2015

Lillian Anderson
3439 Angelus Avenue
Glendale, CA 91208

RE: 3439 ANGELUS AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1515038

Dear Ms. Anderson:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.070, the Community Development Department has processed your application for an Administrative Exception to allow the construction of a new 436 square-foot two car garage without providing the required 25-foot front setback from La Crescenta Avenue in the "R1" – Low Density Residential Zone, Floor Area Ratio District II, at **3439 Angelus Avenue,** being Lots 8 and 9 Tract No. 12649, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION: Exempt per CEQA Guidelines, Section 15301, Class 1 Existing Facility.

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 existing single-family house was constructed in 1942 on a 6,922 square-foot lot. The proposed project involves the demolition of an existing one-car

carport built in 1962 and the construction of a new detached 436 square-foot covered and enclosed two-car garage. The lot has an irregular shape with two street frontages, one on Angelus Avenue and another on La Crescenta Avenue. The main entry to the house is facing Angelus Avenue. At the time of construction, a two-car (20' x 20' interior dimension) garage was not required. However, a one-car carport was constructed in 1962. As proposed, the construction of the new two-car garage will remove the existing nonconforming parking situation and improve it by providing the required two-car parking garage for a single-family house. The new garage will be accessed from the existing driveway apron located along the northwest side of the lot along La Crescenta Avenue. The existing driveway apron will remain in its present location and may be enlarged to provide the necessary ingress and egress to and from the new garage. The new garage will be located next to the rear property line parallel to La Crescenta Avenue. Thus, the required 25-foot street front setback will not be provided.

While the nonconforming parking situation will be mitigated with the construction of a new car garage, the existing nonconforming setback along La Crescenta Avenue will remain. Due to the angle of the lot at the rear, the new garage will be located at approximately zero feet along at the southwest corner, the closest point from the garage to the property line. The remaining setback for the garage will range from one foot to 19 feet as the lot angle increases towards the north.

Meeting the minimum the required 25-foot setback standard cannot be met without altering the existing site plan conditions. The existing site constraints, including the location of the existing swimming pool and the house precludes the construction of a new garage set back 25 feet from the rear property line along La Crescenta Avenue. Furthermore, to require the construction of the garage 25-feet from the rear property line would be impractical because it would compromise a significant area of the existing swimming pool, which was constructed in 1957. In addition, it may compromise a portion of the rear of the house. As proposed, the existing swimming pool will have a 12-foot distance from the back of the garage wall to the swimming pool. Based on the existing site plan and development on the property, the existing driveway access along La Crescenta Avenue and proposed two-car garage at the rear northwest corner of the lot is the most logical location. To deny the Administrative Exception request and require a 25-foot setback for the new garage would unduly restrict the use of the site for reasonable development of the proposed new garage.

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 existing carport located at the rear of the lot facing La Crescenta Avenue will be removed and the two-car garage will be constructed in substantially the same area as the carport. The new garage will accommodate two vehicles. To have the applicant construct the required (20' x 20' interior dimension) two-car garage would essentially be an improvement to the current nonconforming parking situation of a one-car carport. The existing one-car carport has existed for over 50 years and has not proven to be detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood. Thus, replacing the existing carport with a new a two-car covered and enclosed garage in the same area will not be detrimental to the public welfare or injurious to the property or improvements in neighborhood. The garage will be accessed from the existing driveway apron along La Crescenta Avenue. The two-car garage will provide the required parking for the existing single-family house and avoid the use of on-street parking. The architectural integrity of the house will be maintained and the design of the new garage will be compatible with the existing single-family house. No additions are proposed to the existing floor area of the house.

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

The proposed 436 square-foot two car garage complies with the "R1" Floor Area Ratio District II, Zoning Code standards with the exception of the required 25-foot setback along the La Crescenta Avenue property line. The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from the code standards, such as the proposed construction of a new two-car garage without meeting the required 25-foot setback standard. The construction of a new two-car garage outweighs the impacts of the nonconforming setback. A new two-car garage will benefit the property and the neighborhood in that it will provide the number of parking spaces in a covered and enclosed parking garage. The existing nonconforming setback along La Crescenta Avenue has existed for more than 50 years. Hence, to keep the non-conformity would not exacerbate an existing condition. The new garage will allow reasonable development of the site and improve the parking situation therefore, granting the exemption 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 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 the proposed two-car garage shall match the existing architectural style, colors, textures, materials and windows of the exterior surfaces of the existing house.

4) That DRB approval/exemption shall be obtained prior to issuance of a building permit.

5) That the premises be maintained in a clean orderly condition, free of weeds, trash, and graffiti.

6) That separate permits shall be obtained for all work within the right-of-way. The applicant shall bear all fees for the necessary permits and construction inspections for work within the right-of-way.

7) That a 20-foot by 20-foot interior garage clearance, a 16-foot garage door opening and a seven-foot garage height clearance shall be required for the new garage.

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 Design Review Board 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 **AUGUST 6, 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.

APPEAL FORMS available on-line www.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.

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.

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 Community Development Department - 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, Milca Toledo during normal business hours at (818) 937-8181, between 7:30 a.m. to 3:30 p.m.

Sincerely,

Laura Stotler
Principal Planner

LS:MTOLEDO: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 & 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 (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-Milca Toledo.