glendale california

City of Glendale
Community Development
Planning & Neighborhood Services

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February 18, 2016

Richard Brett
3631 Malafia Drive
Glendale, CA 91208

RE: 3631 MALAFIA DRIVE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1528381

Dear Mr. Brett:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.070 (E), for a maximum 20 percent deviation from one of more numeric standards in Title 30, the Community Development Department has processed your application for an Administrative Exception to allow an addition of 813 square-feet of floor area at the rear of an existing single-family residence without providing the required minimum interior garage width, as required by Chapter 30.32 of the Glendale Municipal Code. The applicant is requesting a 2'-4" reduction, or twelve percent deviation, from the required minimum interior garage width of twenty feet, in conjunction with the proposed addition. The subject property is located at **3631 Malafia Drive,** in the "R1" (Low Density Residential) Zone, and described as Lot 6, Tract No. 14896, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION
This project is exempt from environmental review as a Class 1 "Existing Facility" per Section 15301 of the State CEQA Guidelines.

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 an approximately 7,600 square-foot lot that was originally developed in 1949 with a 1,387 square-foot, one-story single-family residence with an attached garage. The house currently consists of two bedrooms, two bathrooms, living room, dining room, and a kitchen. The proposal is to add a new living room and kitchen to the rear, approximately 813 square feet, and remodel the interior of the existing house which will include a new master bedroom and two new bathrooms. Attached to the northeasterly portion of the house, the existing legal nonconforming garage has interior clear dimensions of 15'-3" wide by 19'-0" deep. The existing attached garage is accessed from Malafia Drive and is setback approximately 44'-10" from the street-front and 3'-0" from the northerly interior property line. Chapter 30.32.030.B.3 of the Zoning Code requires that the garage be expanded to meet the minimum parking requirement upon any addition to the existing residence. The minimum parking requirement for a single-family dwelling is an enclosed garage with minimum interior dimensions of 20'-0" wide by 20'-0" deep with a minimum 16'-0" wide garage door.

There are space restrictions on the site that preclude the applicant from full compliance with the Zoning Code requirements without creating hardship. The existing attached garage currently encroaches into the required interior setback area, which limits the expansion of the structure. The applicant has expanded into the home as much as possible based on the existing structure, but any further expansion into the home to comply with the required 20'-0" interior width would result in structural renovations that would not be feasible based on the proposed work. In accordance with Chapter 30.60.040.G of the Zoning Code, an addition can be made to an existing single-family dwelling where the existing interior garage dimensions are, at a minimum, 16'-0" wide by 18'-0" deep. The existing garage depth of 19'-0" clear complies with this Zoning requirement. The applicant is requesting to expand the width of the garage to 17'-6" clear, a twelve percent deviation of 2'-4" from the required minimum interior garage width of 20'-0", in conjunction with the addition of approximately 813 square feet at the rear. While this does not meet the minimum required dimension per today's standards, it does meet the intent of the Zoning Code which currently allows an expansion of a single-family home if the existing interior garage dimensions are, at a minimum, 16'-0" wide by 18'0" deep. The proposed width of 17'-6" clear is approximately 88 percent of the current Zoning Code requirement. The applicant will also be remodeling the architectural style of the existing single-family house. Requiring further widening of the garage would restrict the flexibility for reasonable use and improvement of the existing property for the proposed addition to the existing single-family residence.

Overall, the applicant's proposal will maintain the integrity of the residence while allowing a reasonable addition to the property without causing hardship due to space restrictions. In addition, design improvements will occur that will maintain the small-scale character of the existing residence at the street elevation.

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 applicant to expand the legal non-conforming garage resulting in a 17'-6" clear width will not be materially detrimental to the public welfare or injurious to the property or improvements in the R1-zoned neighborhood in which the property is located. The project involves an addition of approximately 813 square feet of floor area at the rear of the existing single-family home to make the house more functional. The expanded garage will better provide for the parking of two vehicles and will be more code compliant than the existing garage. In addition, the approximately 44'-10" long driveway provides temporary off-street parking outside of the street-front setback area. As such, the applicant's request will not be detrimental to the public welfare, injurious to the property, or improvements in the zone. The proposed addition and façade remodel to the existing single-family house will provide for adequate open space, light, and ventilation for the subject residence as well as adjacent residences.

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 R1 Zone, such as lot coverage, floor area ratio, landscaping, and setbacks. 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 addition of approximately 813 square-feet will allow reasonable development of the site and will allow expansion of the existing attached garage that will continue to serve the single-family residence without causing hardship on the applicant. Therefore, granting the Administrative Exception to allow the proposed addition without providing the required minimum interior garage width of 20'-0" will not be contrary to the objectives of the applicable regulations and will allow reasonable development of the site. Conditions of approval have been included that would mitigate any potential negative impacts.

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 any expansion or modification of the dwelling 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 Design Review approval shall be obtained prior to issuance of a Building Permit.

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. 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 **MARCH 4, 2016,** 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 (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.

APPEAL FORMS available on-line http://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.

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, Vista Ezzati, during normal business hours at (818) 937-8180 or via e-mail at vezzati@glendaleca.gov.

Sincerely,

Laura Stotler

Laura Stotler
Planning Hearing Officer

LS:VE:sm

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 Vista Ezzati.