glendale california

City of Glendale
Community Development
Planning & Neighborhood Services

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May 10, 2016

Gary Akopian
3786 La Crescenta Avenue, #201
Glendale, CA 91208

RE: 811 FISCHER STREET
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1608427

Dear Mr. Akopian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.020 (D), the Community Development Department has processed your application for an Administrative Exception to allow a 93 square-foot addition to an existing 878 square-foot single-family house located on a 3,830 square-foot lot without providing two covered and enclosed parking spaces, as required by Chapter 30.32.050 of the Glendale Municipal Code. The subject property is located at **811 Fischer Street**, in the "R-3050" (Moderate Density Residential) Zone, and described as Portion of Lot 2, Tract No. 4644, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption, pursuant to 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 a 3,830 square-foot corner lot that was originally developed in 1925 with an 878 square-foot, one-story single-family residence and one-car garage. The site is located on the northwest corner of Fischer Street and East Garfield Avenue. The house currently consists of two bedrooms, one bathroom, living room, dining room, and a kitchen. The applicant is proposing to add 93 square-feet to the existing house to expand an existing bedroom and add a new bathroom.

The proposed project is a modest 93 square-foot addition to an existing 878 square-foot single-family residence on a 3,830 square foot lot. The existing legal non-conforming one-car garage is detached from the house by approximately 2'-0" and has interior clear dimensions of 12'-0" wide by 18'-1" deep. The existing garage is accessed from East Garfield Avenue and is setback approximately 38'-0" from the street-front 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 an existing single-family dwelling is an enclosed garage with minimum interior clear 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 site constraints include the substandard lot size, and the structure's proximity to the interior property lines. These constraints preclude the addition of a garage in accordance with Code requirements. The proposal is a 93 square-foot addition that would allow for the expansion of an existing bedroom, and a new bathroom. This addition is a modest proposal that would not result in a significant increase in the parking demand for the existing single-family house. To require the applicant to meet the minimum parking standards as required by the Zoning Code would result in significant hardship and require impractical changes to the existing site that would unduly restrict the flexibility for reasonable use and improvement of the property. Overall, the applicant's proposal is compatible with the existing architectural style, and will maintain the integrity of the residence while allowing a reasonable addition to the property without causing hardship due to space restrictions.

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 proposed addition is located along the south side of the house and will be visible from both East Garfield Avenue and Fischer Street. The applicant's proposal is compatible with the existing architectural style of the house, and the *City's Comprehensive Design Guidelines*. Requiring the applicant to construct the required two-car garage would be an impractical hardship due to the substandard lot size and current site development. Therefore, the granting of the exception for a 93 square foot addition would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood. This exception will not change the use of the subject property as a single family residence. While the residence will become larger, the addition will maintain adequate landscaping, light and ventilation for the subject residence as well as adjacent residences. The existing garage will continue to provide one enclosed parking space for the sole purpose of parking vehicles on-site. In addition, the approximately 38 foot long driveway also 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.

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 R-3050 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 93 square-foot addition will allow reasonable development of the site, and the existing one-car garage will continue to provide an enclosed parking space that serves the single-family residence. As such, granting of the Administrative Exception 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 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 Board (DRB) approval shall be obtained prior to 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. 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 **May 25, 2016,** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 am to 12:00 pm, or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 pm to 5 pm.

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 an Administrative Exception 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,

Roger Kiesel
Planning Hearing Officer

RK: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.