

June 12, 2014

Mr. Gate Margrod
524 Justin Avenue
Glendale, CA 91201

RE: **ADMINISTRATIVE EXCEPTION NO. PAE 1411930**
524 Justin Avenue

Dear Mr. Margrod:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44, an Administrative Exception has been processed to allow an existing detached garage to be maintained with a minimum interior width of 15 feet, 5.5 inches, where a 16 foot minimum interior width is required (3.4 percent deviation), and with a 15 foot wide garage door, where a 16 foot wide door is required (9.1 percent deviation), and to allow an extension into the side street setback area for the continuation of an existing building line in conjunction with the legalization of a 158 sq.ft. addition to an existing, 948 sq.ft. single family residence. The subject property is located at **524 Justin Avenue** in the R-3050 (Moderate Density) zone.

ENVIRONMENTAL RECOMMENDATION: This project is exempt from environmental review. CEQA Status: Exempt – Class 1 “Existing Facility” (Section 15301(e)(1) of the State CEQA guidelines).

REQUIRED/MANDATED FINDINGS:

After thorough consideration of the statements contained in the application, the plans submitted therewith, the Community Development Director has **GRANTED WITH CONDITIONS** your application based on the following:

- 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 4,904 sq.ft. lot developed in 1927 with a 790 sq.ft. single family residence. The lot is zoned R-3050, which is a moderate density multi-family residential zone. The project site is an atypical corner lot with approximately 22 feet frontage on Justin Avenue and approximately 160 feet frontage on Emens Way. The lot is only 40 feet wide at the widest section perpendicular to Emens Way and narrows down to approximately 18 feet at the interior, rear property line. The substandard corner lot is directly south-west of the Interstate 5 Freeway.

The proposal involves the legalization of a 158 sq.ft. addition to the rear of the existing two-bedroom and one-bath house. The “addition” is a patio enclosure which the LA County Tax Assessor’s records show as being constructed in 1968 (without permits); the rear patio was constructed with permits in 1959. The property has been assessed since

1968 (with the unpermitted addition) as a 948 square foot house. In 2013, the current property owner purchased the property "as is", with the unpermitted patio enclosure/room addition. This addition appears to match the rest of the house and is in line with the existing building wall facing Emens Way, but projects into the minimum five foot and average eight foot side street setback. The Administrative Exception is to legalize this minor addition that continues the existing building line and extends into a setback area (GMC 30.44.020.B).

The Administrative Exception application also involves the request to maintain the existing garage with its substandard width and to provide a garage door that does not meet the minimum 16 foot garage door width. These exceptions fall within the maximum 20 percent deviation from one or more numeric standards in Chapter 30, per GMC 30.44.020.E. The existing garage has interior dimensions of 15'-5½" by 21'-5½", which is 6½ inches less than the required 16 foot garage width (3.4 percent deviation). The existing 10 foot wide garage door will be widened to 15 feet, the maximum possible given the existing garage width, though still one foot less than the 16 foot minimum garage door required by Code (9.1 percent deviation).

The granting of the exceptions will result in design improvements, and there are space restrictions on the site that preclude full compliance with the Code requirements without hardship. The existing 16' by 22' garage (exterior dimensions) was constructed with permits in 1959; approval of the 15' wide garage door will render the garage more usable as a two-car garage. The interior width of 15'-5½" has been shown to be functional as a narrow two-car garage, as evident in previously approved Administrative Exceptions for similar garage widths. To require a new two-car garage with a 20' by 20' interior would be a hardship for the owners of the small house, given the narrowness of the lot (ranging from 40 to 18 feet) and the setback standards for garages. Meanwhile, the 158 sq.ft. addition functionally enhances the interior living spaces and matches the existing house in terms of style, materials, massing, thereby resulting in a design improvement to the small house.

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.

Granting of the exception to legalize the addition projecting into the street setback area, while maintaining the existing garage with a widened garage door, will not be materially detrimental to the public or surrounding neighborhood. The addition has essentially been in place since 1968 without any adverse affects to neighboring properties. The addition sits between 2'-8" to approximately four feet from the property line along Emens Way; there is no sidewalk around the property and with the landscaped five foot public right-of-way from the curb to the property line, the addition has the appearance of being setback at least 7'-8" from the street at its closest point. This provides enough setback to allow for adequate open space, light and ventilation, while allowing for the legalization of long-time addition that is in line with the building wall. The legalization of the 158 sq.ft. addition to the 790 sq.ft. house will result in a total of 948 square feet, not an overly large dwelling unit by any comparison. Meanwhile, the existing house is one of the last remaining single family residences in the R-3050 Moderate Density neighborhood and is surrounded by larger, multi-family residential developments. Furthermore, the house sits on a substandard corner lot across the street from the Interstate 5 Freeway, with street parking on both Emens Way and Justin Avenue. The right-angled driveway provides off-street temporary parking for the owners, while the expanded 15' garage door will allow

the garage to be used by two cars. Other Administrative Exceptions have been granted for similar garage widths and garage door widths without adverse effects. Approval of the subject exceptions for this single family residence at this particular location and in this zone is not anticipated to be material detrimental to the public welfare or injurious to other properties in this zone and neighborhood.

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

The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from the 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 meets all other Zoning Code requirements for single family residences in the R-3050 Zone, such as lot coverage, floor area ratio and landscaping, except for the garage width and door width. The legalization of the 158 sq.ft. addition will permit for reasonable development of the site and allow the existing garage to still serve the single family residence. Therefore, granting the minor exceptions for less than the minimum interior garage width, garage door width, and side street setback 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 legalization of the 158 sq.ft. addition and the new garage door, except any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Director of Community Development.
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 building, which is different than what is represented as part of this Administrative Exception application for the addition and garage modification shall require a new application, as determined by the Director of Community Development.
4. That the project shall obtain either a DRB exemption or DRB approval.
5. That the premises be maintained in a clean orderly condition, free of weeds, trash, and graffiti.

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 Building and Safety Section upon request and must be filed with the prescribed fee **prior to expiration of the 15-day period, on or before June 27, 2014**, in the Permit Services Center, 633 E. Broadway, Room 101.

GMC Chapter 30.41 provides for:

TERMINATION: Every right or privilege authorized by a variance, a conditional use permit, parking reduction permit, parking use permit, or Density Bonus Housing Plan 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.

EXTENSION: Variances, conditional use permits, design review, parking reduction, parking use permits, administrative exceptions, and Density Bonus Housing Plan. 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 such variance, conditional use permit, design review, parking reduction, parking use permit, administrative exception, or Density Bonus Housing Plan.

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, 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 shall punish any person convicted of a misdemeanor. 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.

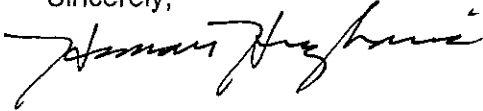
REVOCACTION:

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 Vilia Zemaitaitis 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. Vilia Zemaitaitis can be contacted via email at vzemaitaitis@glendaleca.gov or 818-937-8154.

Sincerely,



HASSAN HAGHANI
Director of Community Development

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