

May 28, 2014

Ilan Dembsky
5739 Kanan Rd, No. 133
Agoura Hills, CA. 91301

**RE: 1211 GRAYNOLD AVENUE
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1403325**

Dear Mr. Dembsky:

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 a garage door width of 15 feet (6.3 percent deviation) which is less than the required 16 feet and an interior clear garage depth of 17 feet, five inches (3.2 percent deviation) which is less than the required 18 feet for a two-car garage described in Section 30.60.040 (G) of the Glendale Municipal Code in conjunction with a 433 square-foot addition at the rear of the existing house. The subject property is located at **1211 Graynold Avenue**, in the "R1" - (Residential) Zone, Floor Area Ratio District I and described as Lot 141, Tract No. 11150, 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 a 6,480 square-foot lot developed in 1939 with a 1,203 square-foot, one-story single-family residence and a detached garage with an interior dimension of 278 square-feet. The house is centrally located on the lot, while the garage is behind and detached from it at the terminus of a 98-foot long by 17-foot, three-inch wide driveway. The proposed addition is located at the rear of the house and consists of a bedroom and bathroom, a laundry room and a pantry. The proposed addition is to upgrade and improve the house to meet current living standards. The architectural style of the addition will match the existing house and garage. Limiting the construction of the proposed addition to the rear of the house will provide the least disruption to the street-facing side and maintain the existing house's design integrity.

The exception will result in design improvements because the existing garage cannot be easily modified without substantially changing its structural support system and its existing design. The garage door width at 15-feet is approximately 94 percent of meeting the zoning code standard while the interior garage length at 17-feet, five-inches is approximately 97 percent of it, while the width of the garage interior complies at 16-feet. Requiring the expansion or construction of a new garage for this minimal deviation unduly restricts the flexibility for reasonable use and improvement of the property for a reasonable 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 rear of the house to add a third bedroom and bath, a laundry room and a pantry. A reasonable addition to a single-family house would not intensify parking demand. A long and wide driveway with a porte-cochere provides ample ability for temporary off-street parking outside of the street-front setback area. As such, the project will not be detrimental to the public welfare, injurious to the property, or improvements in the zone. The addition will not be visible from the street, it will maintain the existing architectural style for both the house and garage and it will still allow 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, driveway width, landscaping, and setback. In the Statement of Additional Fact Section of the application, the applicant noted that landscaping can be reclaimed by removing paving adjacent to the north side of the driveway in the 25-foot street-front setback area. Also, during a field inspection, staff noted more landscaping can be added by removing an old unpermitted storage room attached to the rear of the garage. Both landscape additions are not cumulatively large but will increase the landscape percentage and will improve the property.

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 provide a more simplified process to allow reasonable use of properties while ensuring the developments promote the public health, safety, and general welfare. The existing garage will continue to provide enclosed parking. Additionally, the 98-foot long driveway also provides temporary parking. The proposed 433 square-foot addition will allow reasonable development of the site and allow the existing legal nonconforming garage to still serve the single family residence. Therefore, maintaining the existing garage while allowing the proposed house addition 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 the paving strip adjacent to the northerly side of the driveway and interior property line in the street-front setback and the storage building attached at the rear of the garage shall be removed and be returned to landscaping.
5. 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 **JUNE 12, 2014**, 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.ci.glendale.ca.us/planning/SubmittingAProject.asp>

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.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Chris Baxter during normal business hours at his direct line (818) 937-8162 or office line (818) 548-2115 or cbaxter@glendaleca.gov, between 7:30 a.m. to 5:30 p.m. weekdays.

Sincerely,



Kristen Asp
Senior Planner

KA:CEB: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); City Engineer and Traffic & Transportation Section (R.Golanian/G.Tom); Director of Public Works and General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (R.Takidin); Glendale Water & Power--Electric Section (M.Kelley/M.Jackson); Parks, Recreation and Community Services Dept. (E.Tatevosian); 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-Christopher Baxter.