

August 4, 2017

Mr. Art Barsegian
ArtTech Design
409 West Broadway
Glendale, CA 91204

**RE: 934 GENEVA STREET
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1716413**

Dear Mr. Barsegian:

Pursuant to the provisions of the Glendale Municipal Code Title 30, Chapter 30.44, an Administrative Exception has been processed to legalize and replace existing rooftop equipment (A/C unit) on a single-story, flat-roofed house in the "R1- II" - Low Density Residential Zone, Floor Area Ratio District II, located at **934 Geneva Street**, described as Lot 113 of the Bellehurst Tract, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL RECOMMENDATION

Exempt from CEQA review as a Class 1 "Existing Structures" exemption, pursuant to State CEQA Guidelines Section 15301.

REQUIRED/MANDATED FINDINGS:

After thorough consideration of the statements contained in the application, the plans submitted therewith, the Community Development Department 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.**

There are space restrictions on the site that preclude full compliance with the Code requirements without hardship in that the Spanish-style, single-story house features a primarily flat roof, with no attic space and no crawl space under the house. The existing/proposed rooftop equipment does not drastically change the façade and elevation of the existing structure. The existing unit is screened from the street by an approximately 16" roof parapet. The area of the pitched gabled roof along the front elevation does not provide enough attic space to enclose the unit. The existing unit has been in place since before 2008, and is proposed to be replaced with an energy efficient new unit of similar size.

- 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 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 rooftop A/C unit has not and will not have major impacts on the neighboring properties or structures including negative impacts on noise, natural light, air circulation, privacy, scenic view or aesthetics given that it has minimal visibility from the public right-of-way. The unit has existed on the roof for many years without any complaint or detriment to the surrounding property. The replacement unit will be at the same location as the existing unit. No changes or impacts to the residential façade are proposed.

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

The granting of the exception will not be contrary to the objectives of the applicable regulations. Due to the roof parapet and the distance from the property line (44'-8" from the front property line to the HVAC equipment), the visibility of the A/C unit is obscured from the street at ground level. The existing 16 inch high parapet and the location of the unit away from this feature help minimize the visibility of the A/C unit from adjacent properties. The existing unit was installed before 2008 and no complaints from neighbors have been received. The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from the code standards; approval of this application will not violate the intent of such standards that have been developed to allow reasonable use of properties in order to promote the public health, safety and general welfare.

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.
2. That all necessary approval and permit for the rooftop equipment shall be obtained from Permit Services Center/Building and Safety Section.
3. The rooftop equipment shall be painted to match the color of the existing roof.
4. That Design Review Board exemption shall be obtained prior to the issuance of a building permit.
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 and constitute adding of additional floor area or physical change as determined by the Zoning Administrator.

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 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 August 19, 2017**, in the Permit Services Center, 633 E. Broadway, Room 101.

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>

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.

REVOCAION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions. To

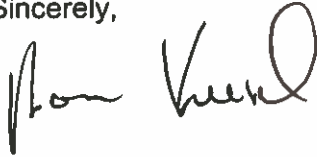
consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a variance at least 10 days' notice by mail to the applicant or permittee.

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, Vilia Zemaitaitis, during normal business hours at (818) 937-8154 or via e-mail at Vzemaitaitis@glendaleca.gov.

Sincerely,



Roger Kiesel
Planning Hearing Officer

RK:VZ: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 (P.Casanova); 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. Mirzaian); 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 Vilia Zemaitaitis.