glendale california

City of Glendale
Community Development Department
Planning Division

633 E. Broadway, Room 103
Glendale, CA 91206-4836
Tel (818)548-2140 or (818)548-2115
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October 17, 2017

Artin Nazarian
3721 Hampstead Road
Glendale, CA 91206

RE: 3721 HAMPSTEAD ROAD
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1716889

Dear Mr. Nazarian:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.070 (E), for a maximum 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 a swimming pool to be located within 20% of the required street-front setback or have a street-front setback of 14 feet, six inches, in the "R1R"- Restricted Residential Zone, Floor Area Ratio District III, at **3721 Hampstead Road**, being Lot 1, Tract No. 4045 in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION
The 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, all of the required three findings can be made in support of the application. The Director of Community Development has **APPROVED 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 site, zoned R1R, is a 9,508 square-foot, irregularly-shaped lot developed with a 2,646 square-foot, two-story house and an 800 square-foot, attached three-car garage. The property has approximately 190 feet of frontage on Hampstead Road and is 79 feet deep on the east side and 15 feet deep on the west side. From Hampstead Road, the property (including the public right-of-way) slopes down approximately 12 feet to an existing flat pad. The house is located on the eastern portion of the property on the flat pad and a yard area (where the pool is

proposed) on the western portion. While the street-front setback in the R1R zone is typically 15 feet, a special setback ordinance, Ordinance 4142, was adopted on April 10, 1974, which required a street-front setback of 18 feet for this area of Hampstead Road. The applicant is requesting to construct the swimming pool and enclosure 14 feet, six inches from the street-front property line or within 19% of the required 18-foot setback.

There are space restrictions on the site, which would preclude development of a swimming pool in full compliance with the minimum required 18-foot street-front setback. The subject lot is oriented such that its width is greater than its depth. This is fairly unique as most lots are developed in the opposite manner. Further, with this lot orientation (as opposed to a standard lot orientation), more of the lot area is restricted from development. As previously mentioned, the western part of the site is not very deep – the western interior property line is 15 feet. The existing residence is located in the eastern (deeper) portion of the lot and constrains the pool from being developed in this area of the site. Due to the orientation and depth of the lot and the location of the residence, there is not sufficient room to construct a swimming pool, which is a relatively common amenity for single-family dwellings, while maintaining the required 18 feet street-front setback.

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 swimming pool will be at an elevation approximately 12 feet below the street level. With the proposed setback of 14 feet, six inches, the pool will be virtually hidden from the street. Staff has conditioned the project to add a landscape hedge adjacent to the property line along the street to help further screen the swimming pool and buffer it from the street. Additionally, a required enclosure pursuant to Building and Safety standards will surround the swimming pool to ensure that it will not be materially detrimental to the public welfare.

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

The objective of minimum street-front setback requirements is to maintain open streetscapes within residential areas of the city. While the proposed pool will be within the street-front setback, given the topography of the surrounding area, the open nature desired for residential front yards will be kept. Aside from the minimum street-front setback requirements, the proposed swimming pool complies with all R1R Zoning Code requirements. The proposed swimming pool location will allow reasonable development on the site, while maintaining the intent of the Zoning Code.

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 Director of Community Development.

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 the premises be maintained in a clean orderly condition, free of weeds, trash, and graffiti.

4) That any modification to the proposed development which is different than what is represented as part of this Administrative Exception application, shall require a new application, as determined by the Director of Community Development.

5) That Design Review Board (DRB) approval/exemption shall be obtained prior to issuance of a building permit.

6) That a landscape hedge shall be planted along the street-front property line or similar location to serve as a buffer between the street and the proposed swimming pool. The hedge shall be a plant that is drought tolerant.

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 Design Review Board 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 **November 1, 2017,** 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.

APPEAL FORMS available on-line www.glendaleca.gov/appeals

GMC CHAPTER 30.41 PROVIDES FOR

Termination

Every right or privilege authorized by an Administrative Exception shall terminate two 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 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 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.

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 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 - 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 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, Bradley Collin during normal business hours at his direct line (818) 548-3210 or office line (818) 548-2140 or bcollin@glendaleca.gov, between 7:30 a.m. to 5:30 p.m. weekdays.

Sincerely,

Roger Kiesel
Planning Hearing Officer

RK: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. 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); case planner-Brad Collin.