glendale california

City of Glendale
Community Development Department
Planning Division

633 E. Broadway, Room 103
Glendale, CA 91206-4386
Tel (818) 548-2140 or (818) 548-2115
Fax (818) 240-0392 glendaleca.gov

April 12, 2018

Nareg Khodadadi
213 North Orange Street, Suite 'E'
Glendale, CA 91203

RE: 750 WEST KENNETH ROAD
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1713566

Dear Mr. Khodadadi:

Pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.44.070, for up to twenty percent deviation from one or more numeric standards in this Title, the Planning Hearing Officer has processed your application for an Administrative Exception to allow a 20 percent deviation from accessory building height standards (G.M.C. Table 30.11 - B) of the Glendale Municipal Code. The proposed project is located at **750 West Kenneth Road,** in the "R1" – Residential Zone, being a Portion of Lot 2, Tract No.3671, in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION
The project is exempt from CEQA review as a Class 3 "New Conversion of Construction of Small Structures" exemption pursuant to Section 15303 of the State CEQA Guidelines.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application and 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 granting of the exception will result in design improvements because the administrative exception request for an 18-ft. high proposed garage where a maximum height of 15 feet is permitted will allow the roof pitch to be 12/8, which will match the pitch of the existing residence. The residence is located in the proposed South Cumberland Heights Historic District and is eligible to be listed as a Glendale Historic Resource. The existing residence has a high-

pitched, 12/8 roof. The property currently contains a detached garage with the same pitch. The property owner would like to demolish this garage and build a new garage closer to Highland Avenue, which will reduce the length of the driveway and allow the construction of a pool at the location of the existing garage. The additional garage height is necessary to maintain design consistency between the existing residence and proposed garage and the additional three (3) feet in height falls within 20% deviation for and administrative exception for the new garage.

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 to allow an increased height of the detached garage will not be materially detrimental to the public welfare or injurious to the property and improvements in the area because the existing garage (which will be demolished) currently has a steeply pitched roof and the proposed garage will maintain an approximately 29-foot street-side setback along Highland Avenue. Additionally, the proposed garage will be set back from the southern interior property line a minimum of five (5) feet, similar to the placement of the existing garage. The proposed garage will mimic in appearance the existing garage. The street-side setback for the garage largely follows the neighborhood pattern of single-family houses on Highland Avenue.

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 were developed to allow reasonable use of property in order to promote the public health, safety and general welfare. Granting an administrative exception to allow an 18-foot high detached garage instead of a 15-foot detached garage will allow reasonable development of a new garage at a more efficient location on the lot with a roof pitch to match the pitch of the existing, historically significant house. The existing detached garage, which also has a high pitched roof, will be demolished. The project complies with all other zoning regulations in the "R1" - Residential zone, including lot coverage, floor area ratio, landscaping and setbacks. One of the objectives of requiring maximum height limits for accessory buildings is to ensure sufficient light and air is maintained for the site on which the project is proposed as well as its adjacent neighbors. The detached garage will be set back five (5) feet from the southern interior property line. Given this setback and its location north of the adjacent residence, the proposed 18-foot high detached garage will not reduce significantly the amount of light or air on the adjacent property.

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 Planning Hearing Officer.

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 separate permits are required for all work in the public right-of-way. The applicant shall bear all fees for the necessary permits and construction inspections for work within the public right-of-way.

4) That any expansion or modification of the detached garage 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.

5) That if any buildings, sidewalks, curb or gutter, fencing or landscape areas, etc., adjacent to the site are damaged during the course of construction on public or private property, the damage shall be repaired to the satisfaction of the Planning Hearing Officer for private property and the Director of Public Works for public property.

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

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 City Council 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 APRIL 27, 2018,** at the PSC, 633 East Broadway, Room 101, Monday through Friday 7:00 a.m. to 12:00 p.m., or at CDD, 633 East Broadway, Room 103, Monday through Friday 12:00 p.m. to 5:00 p.m.

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

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, Roger Kiesel during normal business hours at (818) 937-8152 or rkiesel@glendaleca.gov.

Sincerely,

Brad Collin
Planning Hearing Officer

CC: City Clerk (K.Cruz); Police Dept. (A.Jenks/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Traffic & Transportation Section (P.Casanova); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. B.Ortiz/E.Olsen/ M.Navareete/M.Kouassi); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian/); 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 –Roger Kiesel.