glendale california

City of Glendale
Community Development
Planning & Neighborhood Services

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Glendale, CA 91206-4311
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www.glendaleca.gov

April 17, 2018

Demery Matthews
3404 Buena Vista Avenue
Glendale, CA 91208

RE: 3535 Angelus Avenue
ADMINISTRATIVE EXCEPTION CASE NO. PAE1800726

Dear Ms. Matthews,

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 maintaining an existing 4-foot interior setback at the first floor, as well as providing a 4-foot interior setback for a portion of the proposed first floor addition, where a minimum 5-foot interior setback is required (approximately 20% percent deviation) by Chapter 30.11 of the Glendale Municipal Code in conjunction with a new 763 second-story (height to be increased from 16-feet, 7-inches to 23-feet, 9-inches), and a 310 square foot first-floor addition to an existing 1,352 single story house. The subject property is located at **3535 Angelus Avenue**, in the "R1" – (Residential) Zone, Floor Area Ratio District II and described as Lot 3, Tract No. 11878, 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, pursuant to Section 15301(e)(1) of the State CEQA Guidelines because is it a minor alteration of an single-family residence involving negligible expansion.

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, the plans submitted therewith, the Planning Hearing Officer has partially **GRANTED WITH CONDITIONS** and **PARTIALLY DENIED** 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 6,575.5 square-foot lot developed in 1941 with an existing 1,352 square-foot, one-story single family residence and a detached 399 square-foot garage. The house was constructed with a 23-foot street front setback and 4-foot interior setback on the north side of the property. The house consists of two bedrooms, one and ½ half bathrooms, living room, dining room and kitchen. The interior space of the first floor will be reconfigured to convert the living room to a den/guest room, convert and extend an existing bedroom to a new living room, add a new bedroom and stairway, demolish a powder room, and relocate

the fireplace. A master bedroom, bathroom, walk-in-closet, loft area and laundry room will be located on the new second floor. The proposed addition will functionally enhance the interior living space and provide an open floor plan, as designed by the architect. Granting the administrative exception to maintain the existing 4-foot setback for the existing portion of the residence will result in design improvements in that the room facing Angelus Avenue (currently a living room) will remain symmetrical, which is particularly important given the bay window within this façade, and it provides some character to the front of the residence. There are also space restrictions in that the width of an existing bedroom would be reduced such that it would be difficult to furnish and use for the intended purposed. However, granting the administrative exception to allow the proposed first floor addition to have a 4-foot interior setback would not result in design improvements and there are no space restrictions which would preclude full compliance. Requiring the minimum 5-foot setback will allow a break in the northern façade, which would improve the appearance of this elevation. Additionally, there is nothing impeding the proposed first floor addition from extending further west.

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 purpose of the addition is to make the house more functional by providing an "open" floor plan at the living room and kitchen area, creating an additional bedroom downstairs and a master bedroom and bathroom upstairs. As conditioned, the administrative exception request to allow the proposed first floor addition of four feet is denied and the new second story is setback a minimum of five feet along the north property line providing appropriate separation toward the adjacent neighbor. The existing garage will continue to provide two enclosed parking spaces for the sole purpose of parking vehicles. As such, the project will not be detrimental to the public welfare, injurious to the property, or improvements in the zone. The addition will maintain the existing architectural style of the house, and provide 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, and landscaping. 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 allow reasonable use of properties in order to promote the public health, safety, and general welfare. Maintaining the existing first story building footprint, while requiring all new additions to comply with the current minimum interior setback requirement, will allow reasonable development of the site. Therefore, granting the exception for a twenty (20) percent reduction of the minimum interior 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 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. Plans shall be printed and/or drawn at the correct scale for plan check.

2. That the first floor addition be setback a minimum of five feet from the north interior property line.

3. 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.

4. That design review approval 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 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.

APPEAL PERIOD

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 **May 2, 2018** 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.

APPEAL FORMS are available on-line at: http://www.glendaleca.gov/appeal

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 the City's website at www.glendaleca.gov.

TIME LIMITS (GMC Chapter 30.41)

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.

Lapse of Privilege

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.

Time 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.

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 customer 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, Kathy Duarte during normal business hours at her direct line (818) 937-8163 or office line (818) 548-2115 or kduarte@glendaleca.gov.

Sincerely,

Roger Kiesel
Planning Hearing Officer

RK:KWD:sm

CC: City Clerk (K.Cruz); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section (J. Halpert); Director of Public Works (R. Golanian); 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); Engineering and Environmental Management (C. Chew/R. Villaluna); and case planner, Kathy Duarte.