CITY OF GLENDALE, CALIFORNIA
Community Development
Planning

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glendaleca.gov

February 12, 2020

Camilla Oliveira
3415 South Sepulveda Boulevard, Suite 1100
Los Angeles, CA 90034

RE: 2408 SLEEPY HOLLOW DRIVE
VARIANCE CASE NO. PVAR 1921922

Dear Ms. Oliveira:

On February 12, 2020, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.43, on your application for a Variance to allow the conversion of a portion of an existing attic into 201 square-feet of floor area (habitable space) within an existing single-family residence without providing two covered and enclosed parking spaces in the "R1R" Restricted Residential Zone, Floor Area District II, located at **2408 Sleepy Hollow Drive,** described as a Portion of lot 79, Tract No. 6324, in the City of Glendale, County of Los Angeles.

Applicant's Proposal

(1) To allow the conversion of a portion of an existing attic into 201 square-foot of floor area (habitable space) within an existing single-family residence without providing two covered and enclosed parking spaces.

Code Requires

(1) Upon a change or enlargement of a building which creates additional floor area, additional parking spaces shall be provided for such new floor area unless said parking exceeds the requirements of the parking chapter (30.32.030.B.1).

Environmental Determination

The project is exempt from environmental review as a Class 1 "Existing Facilities" exemption pursuant to State CEQA Section 15301(e)(1) because it involves converting 201 square feet of an existing attic into habitable space that will not result in an increase of more than 50 percent of the floor area of the existing single-family residence in an area where all public services and facilities are available and is not in an environmentally sensitive area.

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Community Development Department staff thereon, and the statements made at the public hearing with respect to this application, the Planning Hearing Officer has **APPROVED WITH CONDITIONS** your application based on the following:

A. That the strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance.

The applicant is requesting approval of a standards variance to allow the conversion of a portion of an existing attic into 201 square feet of floor area (habitable space) within an existing single-family residence without providing two covered and enclosed parking spaces. Chapter 30.32 of the Zoning Code states that upon change or enlargement of a building which creates an increase in floor area, additional parking shall be provided for such new floor area.

In this case, strictly applying the parking standards would result in practical difficulties and unnecessary hardship inconsistent with the general purposes and intent of the ordinance. The existing attached garage is approximately 20 feet deep and 10 feet, 6 inches wide, and is 26 feet from the street front property line. The garage is located on the northwest interior property line and shares a common wall with the living room and a bedroom located within the northwest portion of the house. The one-car garage was built with a zero setback from the northwest interior property line and cannot be expanded in this direction. Widening the garage by expanding its width in an easterly direction would require demolishing the majority of the living room and a bedroom, thereby reducing the floor area (habitable space) of the house. Expanding the garage to comply with width standards presents an unnecessary hardship because this requires structural and design alterations to the front-facing façade of the house—including the removal of a unique leaded-glass window with an elaborate grid pattern. With the proposed modifications to the attic, change to the front façade of the house is limited to the introduction of two new dormers with windows. No other changes to the front of the house are proposed. To deny the variance request would unduly restrict the property owner from achieving a reasonable increase in floor area (habitable space) and restrict flexibility of the residential use. The conversion of 201 square feet of the existing attic into floor area will allow better and functional use of the property.

B. There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not generally apply to other properties in the same neighborhood because the house was originally constructed in

1938 with an attached one-car garage with a zero setback from the interior property line. The house would be compromised to comply with the Code—a portion of the living room and bedroom needs to be demolished to expand the garage to accommodate the additional required covered and enclosed parking space. This would negatively affect the functionality of the house by reducing circulation in the house and significantly impacting the design of the house facing the street. Different options were explored to make the parking code-compliant. However, each garage expansion option resulted in potential Code violations, demolishing portions of the existing house, or compromising the interior and exterior design of the house (especially at the front).

C. The granting of the variance 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 variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located. While converting a portion of the attic into floor area will increase the total habitable area by 201 square feet, the proposal does not involve altering or expanding the existing building walls, footprint of the building, or its height envelope. Consequently, the attic conversion will not impact abutting properties or significantly alter the front of the house. Developed in 1938, the house features an attached one-car garage and approximately 1,078 square feet of floor area. The proposed attic conversion will add approximately 201 square feet of habitable space, which will increase the total floor area of the house to approximately 1,279 square feet. The size of the subject house is and will continue to be modest in size. Additionally, the conversion of attic space into habitable space is not anticipated to pose a negative impact for on-site or street neighborhood parking. The property has an existing 26-foot deep driveway, which can accommodate temporary parking on-site for a vehicle. The objectives of the Code are intended to allow reasonable development and use of property.

D. The granting of the variance will not be contrary to the objective of the ordinance.

The granting of the variance will not be contrary to the objective of the ordinance because the existing driveway can accommodate temporary parking for a vehicle on-site, thereby not utilizing on-street parking. The objectives of the Code are intended to promote the public's health, safety, and welfare while also allowing reasonable development and use of property. The proposed attic conversion is designed to integrate with the existing building and the neighborhood. The attic conversion will merely increase the floor area of the house by 201 square-feet (for a modest total of 1,279 square-feet) without altering the existing building's size and envelope (footprint, height, landscaping, or lot coverage). As proposed, the project will not create additional Zoning Code violations. Granting of the variance will be in keeping with the objectives of the ordinance because all other Zoning Code regulations will be complied with, including but not limited to, floor area ratio, lot coverage, height, open space and parking. Sleepy Hollow Drive is categorized as a local street in the City's General Plan

Circulation Element. Local streets carry low-level volumes of traffic, and the lack of required minimum parking spaces (a two-car garage) at the subject site is not anticipated to negatively impact traffic congestion on this street.

CONDITIONS OF APPROVAL

APPROVAL of this Variance shall be subject to the following conditions:

1. That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for 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 licenses (i.e. building, fire, engineering, etc.) 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 any expansion or modification of the structure or use shall require a new variance application. Expansion shall constitute adding new floor area or any physical changes as determined by the Planning Hearing Officer with concurrence of the Community Development Director.

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

5. That Design Review Board approval or exemption shall be obtained prior to the issuance of a building permit.

6. The premises shall be made available to any authorized City personnel (Fire, Police, Neighborhood Services, etc.) for inspection to ascertain that all conditions of approval of this variance are complied with.

7. If buildings, sidewalk, 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.

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 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 **February 27, 2020,** at the PSC, 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the CDD, 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

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 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.

GMC CHAPTER 30.41 PROVIDES FOR

Termination
Every right or privilege authorized by a Variance 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
A Variance may be terminated by the review authority upon any interruption or cessation of the use permitted by the Variance for one year or more in the continuous exercise in good faith of such right and privilege.

Extension
Variances 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

such variance. 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, CONTINUING JURISDICTION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances (individual cases heard and decided upon by the Planning Hearing Officer). To consider the revocation, the Planning Hearing Officer shall hold a public hearing after giving notice by the same procedure as for consideration of a Variance at least ten (10) days' notice by mail to the applicant or permittee. Continuing jurisdiction over any case is the purview of the Planning Hearing Officer, with concurrence by the Director of Community Development.

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 (Betty Barberena *at 818-548-2140*) first and then, the Planning 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.

Sincerely,
Philip Lanzafame
Director of Community Development

Bradley Collin
Planning Hearing Officer
BC:BB:sm

CC: City Clerk (K.Cruz); Police Dept. (J.Newton/Z.Avila); City Attorney's Dept. (G. Van Muyden/Y.Neukian); Fire Prevention Engineering Section-(J.Halpert); Dir of Public Works (Y.Emrani);Traffic & Transportation Section (P.Casanova); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove/T.Dodson); Street and Field Services Admin.;

Engineering and Environmental Management (C.Chew/R. Villaluna); 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. Alshanti/B.Ortiz/E.Olsen); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian); and case planner and case planner – Betty Barberena