

CITY OF LA CAÑADA FLINTRIDGE

MEMORANDUM

May 12, 2015 Continued Hearing

To: Planning Commission

From: Roger Cantrell, Consulting Architect/Planner

Subject: Second-Floor Review 14-35 / Modification 14-19 / DM 15-19 (Flat Roof)
Mu Residence
4376 Beulah Drive

1. Background:

The Commission continued the project at its initial hearing on March 10, 2015. Commission comments indicate comfort with the design itself, but concern about the encroachment of a portion of the existing garage over the south property line, coupled with that neighbor's resistance to changing that encroaching part of the structure. The motion to continue stated its purpose to "obtain clarification and neighbor endorsement of the encroachment".

Staff knows from conversation with the neighbor that she does not wish to have the wall segment that encroaches across the property line affected. The Deputy City Attorney has determined that the project can proceed with a new garage to bring the property up to current code for garage space. The applicant is proposing to leave the south wall in place, building a new garage with a south wall parallel to it. The new garage, including its eaves and roof drainage, would be completely within the subject property.

The required Flat Roof review application has been brought current with the other components, and its required findings are included below.

2. Required Findings

Second Floor Review:

SF1. The two-story design includes adequate setbacks, screening and modulation.

The proposed second floor would use graduated setbacks in a way that is complementary to the original mansard roof style. The distances, angles, and limited window exposures combine to create an appropriate visual effect independent of the existing landscape screening. Staff supports the finding.

SF2. *The two-story design preserves the existing scale and character of the surrounding neighborhood.*

The project would present to the street and neighboring properties a well-modulated mass through integration of graduated setbacks and extended mansard roofs, preserving the scale and character of the street in a sensitively designed manner. The finding can be made.

SF3. *The two-story design protects public views, aesthetics, privacy, and property values of the neighbors.*

The second floor would respect the aesthetic values of the existing property as well as its surroundings, and due to adequate distances and modest, well-placed fenestration would not have any detriment to privacy or other neighbor concerns. Staff supports the finding.

SF4. *The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council.*

The design, scale and materials used by the project relate well to the site and surroundings, and would be consistent with the primary directives of the City's Residential Design Guidelines as related to Site Design, Physical Design Components, Neighborhood Compatibility and Landscaping. Staff supports the finding.

Modification:

M1. *The proposed project is compatible with existing development on the site, and is consistent with other development in the immediate vicinity.*

The portion of the project subject to a Modification is limited to a pool room at the rear of the detached garage, with an encroachment of 10 inches into the required 5-foot sideyard setback and the garage with its 4'-2" encroachment proposed to be extended 2'-4" to allow the garage size to conform to code. The encroachment is, and would continue to be, imperceptible from the street and neighboring properties aside from the small extension seen from the neighboring property on the south. Staff supports the finding.

M2. *The Modification would not be a grant of special privilege that is inconsistent with the limits placed on other properties in the area and in the R-1 zone.*

The minor encroachment project supports the existing single-family use of the property by retroactively permitting a legal nonconforming setback condition identical to the process available to other neighborhood houses and upgrading the size of the garage to code minimum. Staff supports the finding.

M3. *Strict application of the R-1 zoning standards results in practical difficulties or*

unnecessary hardships inconsistent with the general purpose of the R-1 zone regulations and standards.

The house was built in 1925 and its pool house and garage are of unknown date preceding the 5-foot setback requirement. To require them to conform to the current setback requirement, or to deny the proposed minor expansion of the garage to meet code minimum, would constitute an unnecessary hardship as well as a practical difficulty. The finding can be made.

M4. *The Modification will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property located in the vicinity.*

The encroachment, as exists and as proposed to be extended slightly, maintains neighborhood scale, and has no visual effect on the street view or on any neighbor. Staff supports the finding.

M5. *The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic and other property values in the neighborhood.*

The encroachment is recessed far from the street and not apparent from elsewhere offsite, and is associated with a very low-profile building. The finding can be made.

Flat Roof Review

FR1. *The roof configuration accommodates an architectural objective, as dictated by style, scale, and/or architectural consistency with the subject structure.*

The existing house's mansard roof dictates the use of either a similar roof or of a fully peaked roof of similar pitch, which would reach excessive height. Using the mansard, the design achieves modest scale well below the maximum allowed height. Staff recommends the finding.

FR2. *The proposed project preserves the existing scale and character of the surrounding neighborhood, and protects public views, and is sensitive to private views and aesthetics and other property values in such neighborhoods in a manner compatible with development of the subject lot and with the residential design guidelines.*

The project is sited and scaled in a manner that maximizes its fit into the surroundings, and the flat roof accommodates modest height allowing such fit. The finding can be made.

3. Recommendation:

Based on the discussion at the previous hearing, the proposed design subject to Second-Floor Review, Modification, and Flat Roof Review approvals meets the required

findings. Therefore, staff recommends that the requested Second-Floor Review, Modification, and Flat Roof Review **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

*Attachments: March 10, 2015 Planning Commission Minutes
Draft Approval Resolution*

*cc: Bryan Mu / 4376 Beulah Drive / LCF
Franco Noravian / 409 W. Broadway / Glendale, CA 91204*

CITY OF **LACAÑADA FLINTRIDGE**

RESOLUTION NO. 15-

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING SECOND-FLOOR REVIEW 14-35,
MODIFICATION 14-19, AND
FLAT ROOF REVIEW (DM 15-19)
FOR A TWO-STORY HOUSE ADDITION
AND AN ACCESSORY BUILDING SIDEYARD ENCROACHMENT
AT 4376 BEULAH DRIVE
AS REQUESTED BY
PAUL MU**

WHEREAS, a request by Franco Noravian, architect on behalf of owner Paul Mu, has been received for a Second-Floor Review to allow a two-story addition and a Modification to legalize a nonconforming accessory building sideyard setback, said request attached hereto and incorporated herein by reference; and

WHEREAS, the Planning Commission, on March 10, 2015, after publication and posting of notice in the prescribed manner, held a public hearing on the Second-Floor Review and Modification requests and continued review of the project to the date certain of April 28, 2015; and

WHEREAS, a Flat Roof Review application has been received (DM 15-19), and the Director has deferred to the Commission for that approval consolidated with the other requests; and

WHEREAS, the Planning Commission, on April 28, 2015, held a continued public hearing on the Second-Floor Review, Modification, and Flat Roof Review requests; and

WHEREAS, the Planning Commission, on April 28, 2015, upon the request of the owner, continued review of the project to the date certain of May 12, 2015; and

WHEREAS, the Planning Commission, on the date certain of May 12, 2015, held a continued public hearing on the Second-Floor Review, Modification, and Flat Roof Review requests; and

WHEREAS, the Commission reviewed the project and determined that no significant environmental impacts would result from the project, which is Categorically Exempt from the California Environmental Quality Act, under Class 2.5(a)(4)(i) (single-family residential addition) and 2.5(e)(1) (minor setback variance) of the City of La Cañada Flintridge Guidelines for the implementation of CEQA; and

WHEREAS, the Planning Commission has reviewed the facts contained in the staff report dated March 10, 2015 and staff memorandum dated May 12, 2015 regarding the application for a Second-Floor Review, Modification, and Flat Roof Review approvals at 4376 Beulah Drive, and heard and considered the testimony of the applicant and the public; and

WHEREAS, based on the evidence presented by the application materials, staff report, and public testimony, the Planning Commission hereby finds the following:

Section 1.

Second Floor Review:

SFR1. The two-story design includes adequate setbacks, screening and modulation, because the proposed second floor would use graduated setbacks in a way that is complementary to the original mansard roof style. The distances, angles, and limited window exposures combine to create an appropriate visual effect independent of the existing landscape screening.

SFR2. The two-story design preserves the existing scale and character of the surrounding neighborhood, because the project would present to the street and neighboring properties a well-modulated mass through integration of graduated setbacks and extended mansard roofs, preserving the scale and character of the street in a sensitively designed manner.

SFR3. The two-story design protects public views, aesthetics, privacy, and property values of the neighbors, because the second floor would respect the aesthetic values of the existing property as well as its surroundings, and due to adequate distances and modest, well-placed fenestration would not have any detriment to privacy or other neighbor concerns.

SFR4. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council, because the design, scale and materials used by the project relate well to the site and surroundings, and would be consistent with the primary directives of the City's Residential Design Guidelines as related to Site Design, Physical Design Components, Neighborhood Compatibility and Landscaping.

Modification:

M1. The proposed project is compatible with existing development on the site, and is consistent with other development in the immediate vicinity, because the portion of the project subject to a Modification is limited to a pool room at the rear of the detached garage, with an encroachment of 10 inches into the required 5-foot

sideyard setback and the garage with its 4'-2" encroachment proposed to be extended 2'-4" to allow the garage size to conform to code. The encroachment is, and would continue to be, imperceptible from the street or neighboring properties.

- M2. The Modification would not be a grant of special privilege that is inconsistent with the limits placed on other properties in the area and in the R-1 zone, because the minor encroachment project supports the existing single-family use of the property by retroactively permitting a legal nonconforming setback condition identical to the process available to other neighborhood houses and upgrading the size of the garage to code minimum.
- M3. Strict application of the R-1 zoning standards results in practical difficulties or unnecessary hardships inconsistent with the general purpose of the R-1 zone regulations and standards, because the house was built in 1925 and its pool house and garage are of unknown date preceding the 5-foot setback requirement. To require them to conform to the current setback requirement, or to deny the proposed minor expansion of the garage to meet code minimum, would constitute an unnecessary hardship as well as a practical difficulty.
- M4. The Modification will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property located in the vicinity, because the encroachment, as exists and as proposed to be extended slightly, maintains neighborhood scale, and has no visual effect on the street view or on any neighbor.
- M5. The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic and other property values in the neighborhood, because the encroachment is recessed far from the street and not apparent from elsewhere offsite, and is associated with a very low-profile building.

Flat Roof Review

- FR1. The roof configuration accommodates an architectural objective, as dictated by style, scale, and/or architectural consistency with the subject structure, because the existing house's mansard roof dictates the use of either a similar roof or of a fully peaked roof of similar pitch, which would reach excessive height. Using the mansard, the design achieves modest scale well below the maximum allowed height.
- FR2. The proposed project preserves the existing scale and character of the surrounding neighborhood, and protects public views, and is sensitive to private views and aesthetics and other property values in such neighborhoods in a manner compatible with development of the subject lot and with the residential design guidelines,

because the project is sited and scaled in a manner that maximizes its fit into the surroundings, and the flat roof accommodates modest height allowing such fit.

Section 2.

Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby approves the Second-Floor Review, Modification, and Flat Roof Review for a house addition and existing accessory building at 4376 Beulah Drive, subject to the conditions listed in Exhibit "A", attached to this resolution.

PASSED, APPROVED AND ADOPTED this 12th day of May, 2015.

Chair of the Planning Commission

ATTEST:

Secretary to the Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL
SECOND-FLOOR REVIEW 14-35
MODIFICATION 14-19
FLAT ROOF REVIEW DM 15-19
4376 Beulah Drive

Standard Conditions:

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled Second-Floor Review 14-35, Modification 14-19, and Flat Roof Review DM 15-19.
3. Prior to obtaining a building permit or when applicable initiation of use, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgment of the conditions stated herein on forms provided by the Planning Department.
4. All structures, site work and other features including but not limited to, buildings, roadways, parking areas, landscaping and other facilities shall be located and maintained as shown on the project plans labeled Second-Floor Review 14-35, Modification 14-19, and Flat Roof Review DM 15-19, Sheet A-1, except as otherwise stated in these conditions.
5. All buildings and structures shall be of the design as shown on the elevation drawings labeled Second-Floor Review 14-35, Modification 14-19, and Flat Roof Review DM 15-19, Sheet A-4, except as otherwise stated in these conditions.
6. This approval will expire unless "start of construction" is commenced within 12 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original approval if the approved project and applicable zoning standards are unchanged. Start of construction is defined as:
 - a. All zoning and related approvals are effective; and
 - b. All required building and grading permits for the project have been issued; and

- c. The "foundation inspection" and "concrete slab or underfloor inspection" have been made and received approval from the Division of Building and Safety; i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable legal standards for determining when vested property rights to complete the project have arisen.
7. All applicable requirements of any law, ordinance, or regulation of the City of La Cañada Flintridge shall be complied with.
8. This approval is subject to the applicant paying all fees and assessments to the City of La Cañada Flintridge, as established by ordinance, resolution or policy of the City Council.
9. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
10. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action or proceeding against the City or its officers, agents, or employees to attack, set aside, void, or annul approval of this Second-floor Review. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
11. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Division of Building and Safety must be obtained prior to construction, enlargement, relocation, conversion, or demolition of any building or structure within the City.
12. All construction/contractor parking shall be on-site only. At the time of approval, if it is deemed by the Planning Commission that sufficient on-site parking may not be available, then on-street parking in front of the site will be permitted if it can be demonstrated that such parking will not interfere with the immediate neighbors, and will not interfere with the public's use of the surrounding streets. If this cannot be found, then any additional construction vehicle or equipment parking must occur off-site at a location approved by the Director of Community Development.

Approval of the off-site location shall be based on the submittal of a Parking Management Plan by the applicant that demonstrates that the site shall not interfere with the neighbors in the area or hinder the public's use of the surrounding streets. Contractors and construction workers will be required to carpool to the construction site. No construction, no deliveries and no movement of construction materials shall occur on Sundays or City recognized holidays.

13. All work shall comply with City Ordinance 313 (Chapter 9.14 of the Municipal Code). A Building Debris management Report (BDMR) is required to provide documentation that verifies a minimum of fifty (50) percent of the debris or material generated was diverted from a landfill. A performance security is required prior to the issuance of the grading and building permits.
14. Any subsequent substantive change to these approved plans by the Fire Department or any other agency having subsequent approval authority shall cause these plans to be returned to the Planning Commission for additional review and approval prior to permit issuance.

Public Works Conditions:

15. An onsite drainage plan shall be provided in conjunction with project plan check.
16. A Storm Water Pollution Prevention Plan (SWPPP) for lots less than one acre in size shall be provided in conjunction with project plan check.
17. All existing and proposed improvements within the public right-of-way (ROW) shall be indicated on the site plan prior to plan check submittal.
18. Above-ground structures shall not be permitted within the street right-of-way (ROW).
19. All work in the public right-of-way (ROW) shall conform to City standards, codes and requirements.
20. An encroachment and/or excavation permit shall be required for any work within the public right-of-way.
21. Provide a covenant for the decorative walkway.
22. The new driveway apron shall conform to the provisions of Chapter 8.01 of the Municipal Code and the Standard Plans for Public Works Construction (SPPWC), latest edition.
23. Type of mailbox structure to be approved and permitted by Public Works.

Planning Conditions:

24. All roofs shall drain entirely onto the subject site.
25. Unless this approval is appealed to the City Council, story poles shall be removed promptly (within one week) after expiration of the 15-day appeal period. Verification of this shall be required prior to submittal of the project for plan check OR prior to issuance of building permits for those projects where “at-risk” plan check is in process or has already been completed.

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CITY OF LA CAÑADA FLINTRIDGE

PLANNING COMMISSION STAFF REPORT

March 10, 2015 Meeting

Applicant / Owner:

Paul Mu
2271 Huntington Drive #150
San Marino, CA 91108

Case Types / Numbers:

Second-Floor Review 14-35
Modification 14-19

Site Address:

4376 Beulah Drive

Case Planner:

Roger Cantrell ~ Consulting Architect/Planner

1. Request:

The request is to allow construction of a new two-story addition to the rear of the single-story house. The addition would comprise 1,148 square feet of floor area, of which 552 sf would be on the second floor. Additionally, legalization and expansion are sought for an accessory structure with a south sideyard setback encroachment ranging from 10 inches to 5 feet.

2. Location:

The site is on the east side of Beulah Drive, in the midsection of its long block south of Foothill Boulevard, in the R-1-10,000 zone.

3. Staff Recommendation:

Staff recommends that the request **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

4. Project Size:

Lot area:		12,200 sf
Proposed Floor Area:	Existing House	1,649 sf
	New First Floor	596 sf
	New Second Floor	552 sf
	Existing Garage	326 sf
	Garage Addition	63 sf
	Pool Room	257 sf
Total area as proposed:		3,443 sf
Density:		28.2%

5. General Plan / Zoning / Existing Land Use:

The Land Use Map identifies the site as Medium Density Residential – Up to 4 Dwelling Units per Acre. The property is designated R-1-10,000 (Single Family Residential – 10,000 Square Foot Minimum Lot Size). The site is occupied by an existing house and accessory structure.

6. Environmental Impact Review:

Staff has determined that the proposed project is Categorically Exempt from the California Environmental Quality Act, under Section 2.5(a)(4)(i) (residential addition) and 2.5(e)(1) (minor setback variance) of the City of La Cañada Flintridge Guidelines for the Implementation of CEQA.

7. Previous Action:

A Tree Removal Permit application (TR 11-21) by a previous property owner was denied by staff and, on appeal, denied by the Planning Commission in 2011. The requested removal of a 23-inch Chinese Elm, located in the vicinity of the proposed addition, was later executed by that property owner regardless of the denial. The action is moot because the Chinese Elm was removed from the City's protected species list when the Tree Ordinance was revised in 2014.

8. Pending and Potential Actions:

Plan check and issuance of building permit.

9. Staff Analysis:

A. Context:

In its long block from Foothill Boulevard to Flintridge Avenue, Beulah Drive extends down at a steady slope, with a steady pattern of early subdivision into 50-foot-wide lots. Fully developed prior to midcentury, it is being gradually modernized, chiefly through additions such as the current project at 4376. That property has the typical 50-foot width, with over 240 feet of depth resulting in an area exceeding the 10,000 sf zone minimum.

The subject house was built in 1925 with a modest mansard style combined with a clipped hip roof at the front. The neighboring houses at 4380 and 4372 were originally built in 1930 and 1948 and are now both two-story. They have an average 2,558 sf of habitable floor area, not much less than the 2,797 sf proposed for the project.

*Subject house between
its two-story neighbors*





North neighboring house overlooking back yard, seen from driveway of subject house



South neighboring house overlooking existing house, seen from driveway of subject house

Of the 16 houses in the following sample, four were built within the last 25 years. Not surprisingly, those are the properties with the highest density values, and three of them have higher densities than the project. The subject house is the oldest in the sample, but a few are nearly as old. Even though the proposed floor area is below the average of the sample, the proposed density is above average due to the relatively small lot size. The mix of houses is reflected in the following table:

Address	Lot Size	House Size	Density	#Stories	Year Bt
4363 Beulah	19,795	6,635	33.5%	2	1993
4364 Beulah	11,759	2,241	19.1%	2	1933
4368 Beulah	11,890	1,200	10.0%	1	1945
4369 Beulah	18,252	2,929	16.0%	1	1946
4372 Beulah	12,057	2,437	20.2%	2	1948
4377 Beulah	12,383	1,658	13.4%	1	1949
4380 Beulah	12,346	2,678	21.7%	2	1930
4381 Beulah	10,450	3,448	33.0%	2	2004
4384 Beulah	12,489	1,520	12.2%	1	1953
4388 Beulah	12,570	2,308	18.4%	2	1929
4394 Beulah	12,778	1,779	13.9%	1	1937
4427 Commonwealth	30,507	4,174	13.7%	2	1930
4429 Commonwealth	30,040	3,309	11.0%	2	1939
4435 Commonwealth	29,767	7,982	26.8%	2	2000
4443 Commonwealth	29,454	2,285	7.8%	2	1949
4449 Commonwealth	29,031	5,885	20.3%	2	2001
Average:	18,473	3,279	17.8%		
4376 Beulah Drive	12,200	2,797	22.9%	2	1925

Note:

The above floor areas exclude garages, covered outdoor spaces and other nonhabitable areas.

B. Project Description:

The addition would place a new two-story structure to the rear of the existing house dating from 1925. The existing kitchen at the rear of the house would be replaced by the new stairs, a

laundry, and a bathroom. The new kitchen would be part of the new wing to the rear, at ground floor a single "family" room. A new bedroom would be created by dividing the dining room, which would thus become a windowless appendage to the living room. The stairs would lead up to the master bedroom suite that would comprise the entire second floor addition.

The addition would extend the existing mansard style, stepping in from every side. In this manner, it would comply easily with the graduated setback requirements and the angle-plane limit. Overall building height would reach 24 feet, well below the 28-foot limit for the parcel.

The project would conform to code requirements as follows:

	<u>Standard</u>	<u>Project</u>
Floor /Roofed Area:	4,106 sf	3,443 sf
Front Setback:	----- n.a.-----	
South Side Setback, house		
1 st floor:	5'-0"	20'-9"
2 nd floor:	10'-0"	18'-11"
South Side Setback, access. bldg.:	5'-0"	4'-2" pool room / 0" garage
North Side Setback, house		
1 st floor:	5'-0"	5'-1"
2 nd floor:	10'-0"	11'-0"
Rear Setback, house:	15'-0"	97' +/-
Rear Setback, accessory bldg:	15'-0"	70' +/- to pool room
Height, house:	28'-0"	24'-0"
Height, accessory bldg:	15'-0"	12'-4"

A. Second-Floor Review:

The City's purpose in instituting second-floor review was to protect neighborhoods from the disruption of scale, views, and privacy that can result from the introduction of two-story houses. In this case, findings can be made easily because the context is suitable to such development, and because the design is sufficiently accommodating as to allow for positive findings. Despite the narrow lots, the context has set the stage for another two-story house. Moreover, the design raises the profile of the house in a very gentle way, using the well-honored technique of tucking the two-story portion in back, with graduated setbacks.

With regard to privacy, the subject property has been compromised by the mass and window exposure of the properties on both side, particularly the north. The addition would block that exposure to a large extent. Its second-floor windows would face the neighboring houses, but at an apparently lower elevation and with limited glass area. The addition would be to the rear, but distant from the yard of the southern neighbor. The northern neighbor's yard would be closer, with the subject setback at 11 feet, but the proposed windows would be at nearly clerestory height and not aligned with any part of the house which would be conducive to gazing. Thus the privacy effects are within the City's objectives.



Project from southwest, with story poles in place

B. Setback Modification:

The only setback encroachment occurs at the south side property line, where the existing accessory building, consisting of a pool room at the rear of the detached garage, has varying substandard setbacks. The pool room's setback is 4'-2" and the garage's setback is zero. The owner seeks to legalize a condition that, with a 90-year-old house, apparently originated well before regulations were instituted.

Another nonconforming condition was the size of the garage, at 17'-11"x17'-8". The owner proposes enlarging the garage to conform to current code, 18 feet wide by 20 feet long. That would entail extending the garage along its existing setback line for length, and toward the interior of the subject lot for width.

Aside from the compelling circumstances and limited extent of the request, it is essential that the encroachment not pose an imposition to the neighboring property or the community setting. That aspect of it is also clear, with its low profile and general lack of visibility as exists or with its

encroaching wall extended 2'-4" as proposed.

C. Findings:

Second Floor Review:

1. *The two-story design includes adequate setbacks, screening and modulation.*

The proposed second floor would use graduated setbacks in a way that is complementary to the original mansard roof style. The distances, angles, and limited window exposures combine to create an appropriate visual effect independent of the existing landscape screening. Staff supports the finding.

2. *The two-story design preserves the existing scale and character of the surrounding neighborhood.*

The project would present to the street and neighboring properties a well-modulated mass through integration of graduated setbacks and extended mansard roofs, preserving the scale and character of the street in a sensitively designed manner. The finding can be made.

3. *The two-story design protects public views, aesthetics, privacy, and property values of the neighbors.*

The second floor would respect the aesthetic values of the existing property as well as its surroundings, and due to adequate distances and modest, well-placed fenestration would not have any detriment to privacy or other neighbor concerns. Staff supports the finding.

4. *The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council.*

The design, scale and materials used by the project relate well to the site and surroundings, and would be consistent with the primary directives of the City's Residential Design Guidelines as related to Site Design, Physical Design Components, Neighborhood Compatibility and Landscaping. Staff supports the finding.

Modification:

1. *The proposed project is compatible with existing development on the site, and is consistent with other development in the immediate vicinity.*

The portion of the project subject to a Modification is limited to a pool room at the rear of the detached garage, with an encroachment of 10 inches into the required 5-foot sideyard setback and the garage with its 4'-2" encroachment proposed to be extended 2'-4" to allow the garage size to conform to code. The encroachment is, and would continue to be, imperceptible from the street and neighboring properties aside from the small extension seen from the neighboring property on the south. Staff supports the finding.

2. *The Modification would not be a grant of special privilege that is inconsistent with the limits placed on other properties in the area and in the R-1 zone.*

The minor encroachment project supports the existing single-family use of the property by retroactively permitting a legal nonconforming setback condition identical to the process available to other neighborhood houses and upgrading the size of the garage to code minimum. Staff supports the finding.

3. *Strict application of the R-1 zoning standards results in practical difficulties or unnecessary hardships inconsistent with the general purpose of the R-1 zone regulations and standards.*

The house was built in 1925 and its pool house and garage are of unknown date preceding the 5-foot setback requirement. To require them to conform to the current setback requirement, or to deny the proposed minor expansion of the garage to meet code minimum, would constitute an unnecessary hardship as well as a practical difficulty. The finding can be made.

4. *The Modification will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property located in the vicinity.*

The encroachment, as exists and as proposed to be extended slightly, maintains neighborhood scale, and has no visual effect on the street view or on any neighbor. Staff supports the finding.

5. *The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic and other property values in the neighborhood.*

The encroachment is recessed far from the street and not apparent from elsewhere offsite, and is associated with a very low-profile building. The finding can be made.

D. Recommendation:

Based on the above discussion, the proposed design subject to Second-Floor Review and Modification approvals meets the required findings. Therefore, staff recommends that the requested Second-Floor Review and Modification **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

cc: Paul Mu / 2275 Huntington Drive / San Marino, CA 91108
Franco Noravian / 409 W. Broadway / Glendale, CA 91204