



PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

April 26, 2006

Gene Smith
1481 Forest Ave.
Pasadena, Ca 91103

RE: INTERPRETATION OF ZONING CODE/RESPONSE TO LETTER OF APRIL 4, 2006

Dear Mr. Smith,

This letter is in response to your letter of April 4, 2006 regarding the Zoning Code and specifically the provisions of 17.22.050.B.1. This provision specifies a requirement concerning the location of a garage on a blockface. You have asked a number of questions about this provision because you are interested in constructing an addition to your residence. This provision of the Zoning Code was enacted as part of the overall Zoning Code revisions, adopted by the City Council in January 10, 2005, and effective on February 26, 2005. Under the Zoning Code the Zoning Administrator has the authority to interpret the code in the event of ambiguity.

The relevant subsection of the code is as follows:

B. Garage and carport requirements for all districts.

1. Garages. A garage proposed on a blockface where 50 percent or more of the existing garages are behind the primary structure shall also be located behind the primary structure. If the garage is required to be located to the rear of the primary structure and is attached, the garage shall be located so that the garage door is not visible from the street. This requirement shall not apply within the HD (Hillside Development) overlay zone. A garage on a corner lot shall be located a minimum of 18 feet from a street property line.

In writing this interpretation I have used several definitions from the Zoning Code. I have included these definitions as an attachment to this letter. I have also included the map that you provided of the Forest Ave. blockface for reference. The questions that you have asked are as follows:

1. If a lot has a carport, how is it counted in determining whether or not the blockface has 50 percent or more of the existing garages behind the primary structure?
2. Is a corner lot included in a blockface and how is a corner lot factored in to the determination of the blockface?

3. What does "behind the primary structure" mean and is it different from the phrase "rear of the primary structure?" Can portions of the house be next to or adjacent to the attached garage?

In response to your first question, reviewing the Zoning Code, the language of this code section specifically calls out garages and does not make any reference to carports. The Zoning Code defines both garage and carport. Therefore, lots with a carport would not be counted in the blockface determination. In the case of your blockface, the determination would be based upon the remaining lots.

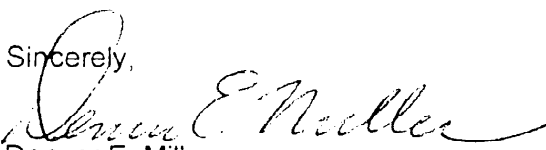
As for the second question, a reversed corner lot would be included in the blockface calculation. The Zoning Code does not specifically state that reversed corner lots are to be excluded. As a note, reverse corner lots are specifically called out as being excluded when determining a different provision of the code related to determining the average front yard setback.

As for the reversed corner lot you reference in your letter (584 Del Monte St.), the garage in this case is located to the rear of the lot, because on a corner lot the front lot line is the shorter of the street lot lines. The definition of a reversed corner lot supports the determination that the garage (at 584 Del Monte St.) is located to the rear. The code states that a reversed corner lot is one in which the side yard is a continuation of the front yard of the lot directly to the rear of the reversed corner lot. In this case, the lot directly to the rear of 584 Del Monte St. is 1481 Forest St.

As for your final question, "behind the primary structure" means located "behind" the structure. This would mean as a detached structure. The phrase "rear of the primary structure" means that it can be either detached or attached. The garage can be attached if located to the rear of the structure. This means that no portion of the structure other than the garage can be to the rear of the structure.

As this interpretation relates to your blockface, when you subtract out the lots with carports, there are only three lots remaining. Two of the lots have parking to the rear and one does not. Thus you would have to meet the requirement to locate the parking either as a detached accessory structure to the rear of the lot or attach the garage to the principal structure and locate it to the rear of the primary structure and no portion of the structure can be either adjacent or behind the garage.

This interpretation is appealable to the Board of Zoning Appeals. I have included an appeal application for your convenience and the fee amount.

Sincerely,

Denver E. Miller
Zoning Administrator

cc: Desireia Valteau

Attachments