



City of Burbank  
Planning and Transportation Division  
Application Instructions  
**MAJOR OR MINOR FENCE EXCEPTION**

150 North Third Street  
Burbank, California 91502  
www.burbankusa.com  
T: 818-238-5250  
F: 818-238-5150

**TO ALL APPLICANTS:** There is no guarantee, expressed or implied, that any permit or application will be granted. The applicant shall understand that each matter must be carefully investigated and the resulting decision may be contrary to a position taken or implied in any preliminary discussions. Also note the burden of proof regarding this application rests upon the applicant.

**The following items must be provided for a Major or Minor Fence Exception application to be accepted for review:**

1. Completed application form.
2. One set of project plans (11" x 17" or comparable size) including site plan and elevations (see plan requirements).
3. Radius map and mailing labels for properties within the specified radius (150 feet for a minor fence exception permit; 300 feet for major fence exception permit – see separate handout).
4. Current application fee.

*Please note that all of the required items and information on the checklist must be provided when the application is submitted.*

*What happens next?* The process is different for minor and major fence exception permits, as follows:

**Minor fence exception permit**

Your application is reviewed by the Planning & Transportation Division staff. For the City to approve your application, all of the following findings must be made:

1. The feature does not obstruct the visibility of motorists at a street or alley intersection or exiting a driveway or otherwise affect a motorist's ability to safely operate their vehicle.
2. The feature is not constructed of any materials that may pose a danger to motorists, pedestrians, or other persons.
3. The feature is structurally sound and is adequately maintained.
4. The feature does not affect the ability of emergency personnel to respond to an emergency on the property or to adequately view the property and structures upon it from the public right-of-way.
5. The feature is compatible in size, scale, proportion, and location with other yard features in the neighborhood, or is otherwise consistent with the prevailing neighborhood character.
6. The scale and proportion of the feature are consistent and compatible with structures on the same property and in the general area.
7. The feature does not encroach upon neighboring properties or structures in a visual or aesthetic manner through its size, location, orientation, setbacks, or height.
8. The feature does not impose detrimental impacts on neighboring properties or structures, including but not limited to impacts related to light and glare, sunlight exposure, air circulation, privacy, scenic views, or aesthetics.

Before action is taken by the Community Development Director to approve or disapprove your application, notice of the pending decision will be mailed to all property owners and tenants of properties within a 150-foot radius of your property. Any person (including you as the applicant) may appeal the Community Development Director's decision to the Planning Board within 15 days of the decision date. If no appeal is filed, the Director's decision is final. If an appeal is filed, the matter is scheduled for a public hearing in front of the Planning Board.

### **Major fence exception permit**

Your application is reviewed by the Planning & Transportation Division staff. The decision about whether to approve or not approve a major fence exception is made by the Planning Board. For the Board to approve your application, all of the following findings must be made:

1. The feature does not obstruct the visibility of motorists at a street or alley intersection or exiting a driveway or otherwise affect a motorist's ability to safely operate their vehicle.
2. The feature is not constructed of any materials that may pose a danger to motorists, pedestrians, or other persons.
3. The feature is structurally sound and is adequately maintained.
4. The feature does not affect the ability of emergency personnel to respond to an emergency on the property or to adequately view the property and structures upon it from the public right-of-way.
5. The feature is compatible in size, scale, proportion, and location with other yard features in the neighborhood, or is otherwise consistent with the prevailing neighborhood character.
6. The scale and proportion of the feature are consistent and compatible with structures on the same property and in the general area.
7. The feature does not encroach upon neighboring properties or structures in a visual or aesthetic manner through its size, location, orientation, setbacks, or height.
8. The feature does not impose detrimental impacts on neighboring properties or structures, including but not limited to impacts related to light and glare, sunlight exposure, air circulation, privacy, scenic views, or aesthetics.
9. The feature is reasonable and appropriate to mitigate demonstrated impacts related to noise, light or glare, dust, or privacy resulting from special circumstances or conditions that apply to the individual property and/or the surrounding neighborhood that could not be adequately mitigated with a feature permitted by the applicable zoning regulations or through the minor fence exception permit process. Such special circumstances or conditions are related to one or more of the following:
  - a. Location of the property on or in proximity to a major or secondary arterial street
  - b. Location of the property in proximity to a non-residential use or property or a multiple family residential use or property in the case of single family property
  - c. The shape, size, configuration, or topography of the property
  - d. The location or configuration of structures upon the property

A public hearing is scheduled with the Planning Board. Notice of the public hearing will be mailed to all property owners and tenants of properties within a 300-foot radius of your property. After considering staff's recommendation and accepting any written or verbal public input, the Board will decide to approve or disapprove your application. Any person (including you as the applicant) may appeal the Planning Board's decision to the City Council within 15 days of the Board's decision. If no appeal is filed, the Planning Board's decision is final. If an appeal is filed, the matter is scheduled for a public hearing in front of the City Council.