



**COMMUNITY
DEVELOPMENT**

November 8, 2023

HAMLET ZOHRABIANS
3467 OCEANVIEW BLVD, #B
GLENDALE, CA 91208

VIA EMAIL: HAMLET@ZOHRABIANS.COM

**RE: Notice of Decision – Approval
Project No. 22-0007298 – Hillside Development Permit
3130 N. Lamer St.**

Dear Mr. Zohrabians:

This letter is to notify you that the Community Development Director has approved your application for a Hillside Development Permit (HDP) to demolish an existing single-family dwelling and garage, and construct a new one-story, 4,022 square-foot single family residence. The project also includes a proposed swimming pool and spa, and barbeque island. Enclosed is the approval with conditions.

Please be advised that the decision of the Community Development Director will become final fifteen (15) days from the date of this letter unless the decision is appealed to the Planning Board. Any appeal of the Director's decision must be submitted to the Planning Division with the applicable filing fee prior to the expiration of the fifteen (15) day appeal period, or 5:00 p.m. on November 23, 2023.

If you have any questions concerning this letter, please contact me by phone at (818) 238-5250 or by email at jpangilinan@burbankca.gov.

Sincerely,

JOSEPH PANGILINAN
Associate Planner
Community Development Department

Attachments: Exhibit A: View Study
Exhibit B: Approved Plans

Community Development Department Director's Decision

DATE: November 8, 2023

PROJECT TITLE: Project No. 22-0007298 – Hillside Development Permit

PROJECT ADDRESS: 3130 N. Lamer St.

APPLICANT: Hamlet Zohrabians

PROJECT DESCRIPTION: The project proposes to demolish an existing single-family dwelling and garage, and construct a new one-story, 4,022 square-foot single family residence. The project also includes a proposed swimming pool and spa, and barbeque island.

ZONING: R-1

GENERAL PLAN: Low Density Residential

MUNICIPAL CODE CONFORMANCE: The project was reviewed by staff and determined to be conforming with the Burbank Municipal Code and the required neighborhood compatibility design guidelines. The proposed Floor Area Ratio (FAR) is 0.36, at 4,022 sq. ft. which is below the maximum permitted FAR of 0.4. The proposed lot coverage is 38.7% also below the maximum allowable of 50%. The proposed single-story dwelling will be setback 9'-10" from eastern and western side property lines, which complies with the minimum 9'-8" side setback requirement or 10% of the 98'-2" average lot width. The overall building height is 13'-0" to the top plate and 16'-0" to top of roof, well within the maximum allowed of 20'-0" to the top plate and 30'-0" to top of roof. The proposed pool does not encroach upon the required 5'-0" rear and side yard setbacks and the proposed barbeque island does not encroach upon the required 3'-0" rear and side yard setbacks.

ENVIRONMENTAL REVIEW: This project has been determined to be exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303(a) pertaining to new construction of single-family dwellings in residential zones. The project qualifies for this exemption. There are no unusual circumstances associated with the project site or surrounding context that would preclude the use of this exemption from CEQA.

DATE SIGN POSTED ON-SITE: September 8, 2023

DATE PUBLIC NOTICE MAILED: September 4, 2023

DATE OF DIRECTOR'S DECISION: November 8, 2023

END OF APPEAL PERIOD: November 23, 2023



Joseph Pangilinan, Associate Planner
Planning Division (818) 238-5250

Patrick Prescott, Community Development Director

**HILLSIDE DEVELOPMENT PERMIT NO. 22-0007298
(3130 N. Lamer St. – Hamlet Zohrabians, Applicant)**

Findings for Granting a Hillside Development Permit

The Community Development Director finds the proposed project satisfies the requisite findings contained in the Burbank Municipal Code Section 10-1-607(D)(3) necessary for approval of the Hillside Development Permit, subject to the attached conditions of approval.

a) The vehicle and pedestrian access to the house and other structures do not detrimentally impact traffic circulation and safety or pedestrian circulation and safety and are compatible with existing traffic circulation patterns in the surrounding neighborhood. This includes but is not limited to: driveways and private roadways, access to public streets, safety features such as guardrails and other barriers, garages and other parking areas, and sidewalks and pedestrian paths.

The proposed single-family dwelling will maintain the existing 20'-0" wide driveway. The proposed site configuration is also consistent with the site layout and circulation of the majority of the properties in the surrounding neighborhood. Therefore, the project will (1) not detrimentally affect traffic circulation, pedestrian circulation or pedestrian safety in the surrounding neighborhood; (2) provide a total of three covered parking spaces as required by the Burbank Municipal Code; and (3) maintain a traffic circulation pattern that is compatible with what is seen in the surrounding neighborhood.

b) The house and other structures are reasonably consistent with the natural topography of the surrounding hillside.

The subject lot is currently situated in northern portion of Burbank's Hillside area on the south of N. Lamer St. The subject lot is an interior lot on a block that slopes down to the west so it has a lower grade than the house to its west and a higher grade than the lot to its east. The lot currently has southern and western steep sloping areas in its rear and side yard that are undeveloped. The project proposes 215.55 cubic yards of cut and 147.63 cubic feet of fill to expand the building pad along western side and rear of the property to accommodate the western portion the proposed dwelling, fill-in the existing pool, and construct the new pool and spa. This amount of grading represents a slight expansion of the usable rear yard and western side area to accommodate the rehabilitation of the back yard space to include the proposed barbeque area, pool, and spa. Given that the proposed grading is relatively minor, the project is reasonably consistent with the natural topography of the surrounding hillside.

c) The house and other structures are designed to reasonably incorporate or avoid altering natural topographic features.

The subject lot is currently situated in northern portion of Burbank's Hillside area on the south of N. Lamer St. The subject lot is a previously graded interior lot on a block that slopes down to the west, so it has a lower grade than the house to its west and a higher grade than the lot to its east. The lot currently is primarily flat, but has southern and western steep sloping areas in its rear and side yard that are undeveloped. The project proposes a minor expansion of the building pad in the back yard and western side yard to accommodate the western portion the proposed dwelling, fill-in the existing pool, and construct the new pool and spa. The rear yard and western side pad expansion will align with the existing pad and requires marginal grading, so the project reasonably incorporates existing hillside features and avoids significantly altering the existing topography.

d) The house and other structures will not unnecessarily or unreasonably encroach upon the scenic views from neighboring properties, including both downslope and upslope views.

Based on the view study prepared by staff and multiple site visits to the subject site and the downslope property, staff has determined that the project will not unreasonably encroach into the surrounding upslope or downslope views of properties in the surrounding neighborhood. The view study prepared by staff (Exhibit B) illustrates that the project will not significantly affect the upslope and/or downslope views from neighboring properties. The adjacent upslope property to the east of the subject property has an upslope view of the hillside that will be unaffected by the proposed project. The adjacent downslope property to the west has a scenic primary downslope view of the cityscape to the west, as well as an upslope view of the hillside visible to its west, northeast and south. The westerly property owner expressed concerns to staff that one of the three upslope views they currently enjoy may be obstructed by the proposed project. Upon visiting their property, staff was able to determine that while the proposed project would encroach into one of the non-primary upslope views, the project will not encroach into the other two existing upslope views and would have no impact on their most significant view, which is the downslope view of the valley. The proposed project will have no impact on the nearby properties across Lamer St., as they are situated uphill where the project will not affect their downslope views. Overall, the property's location abutting the upslope hillside, and the overall height, and setbacks of the proposed single-story dwelling serves to minimize any potential view impacts of the proposed home on the upslope views of neighboring properties. Therefore, the proposed project will not unreasonably encroach upon the scenic views of surrounding properties.

e) For the purpose of evaluating required finding (e) above, a view study must be submitted with all Hillside Development Permit applications documenting the impacts of the proposed structure(s) on views from adjacent properties. The view study must be prepared in a manner approved by the Director or his/her designee and contain all information and documentation deemed necessary by the Director for the purpose of analyzing view impacts and establishing setback lines for view determination to

Section 10-1-606(E). This study is separate from the Ridgeline setback analysis required by Section 10-1-606(D).

To fulfil the view study requirement, a licensed surveyor installed and certified story poles on the property to provide a visual reference for the outline of the frame of the proposed addition (i.e. sidewalls, top of plate, and top of ridge). As part of the story pole review to identify potential view impacts, City staff conducted site visits at neighboring properties (3124 and 3136 N. Lamer St.) in July, August and November 2023 and observed that the project would not unreasonably encroach into the views of properties in the surrounding neighborhood due to the one-story height of the proposed structure and 9'10" set back from the neighboring properties in accordance single-family development standards. Therefore, staff's analysis of the story poles and the project is that there will be no unreasonable impact to the primary and secondary views of properties in the surrounding neighborhood and immediately adjacent neighboring properties and the proposed project will not significantly affect upslope or downslope views from neighboring properties.

f) The view impacts of the proposed project must be considered by the Director, or Planning Board or City Council if appealed, and may be used as a basis for requiring modifications to a project or denying a Hillside Development Permit due to inability to make the required finding:

The view study conducted by City Staff (Exhibit A) confirmed that the proposed project will not unreasonably or significantly affect the upslope or downslope views from neighboring properties and no view protection conditions of approval are required.

**HILLSIDE DEVELOPMENT PERMIT NO. 22-0007298
(3130 N. Lamer St. – Hamlet Zohrabians, Applicant)**

PLANNING DIVISION

1. Project No. 22-0007298, Hillside Development Permit, approves to demotion of an existing single-family dwelling and garage, and the construction a new one-story, 4,022 square-foot single family residence. located at 3130 N. Lamer St.
2. The project shall conform to the approved plan set on file with the Planning Division, dated November 8, 2023 (Exhibit A), except as otherwise specified in these conditions. Any modifications to the design or materials of the project must be reviewed and approved by the Community Development Director or designee prior to construction.
3. The applicant/property owner shall provide screening in the form of trees, shrubs, fence and/or hedges that meet the City height requirements along the shared property lines for the full length of the second-story addition to maintain the privacy of the neighboring dwellings on both the north and south side of the subject dwelling.
4. The design of the Project, including but not limited to the dwelling, patio, trellis, pools and barbeque area shall remain in substantial conformance with the approved plans and application materials submitted by the applicant and placed on file in the office of the Planning Division.
5. All side yard walls must be treated with smooth finished plater on both sides.
6. Landscaping shall be provided in the western area between the property line and proposed retaining wall that will utilize drip irrigation and maintained in accordance with single-family residential development standards (BMC Section 10-1-603).
7. This permit/approval may be modified or revoked by the City should it be determined that the proposed design or use as permitted by this approval or conditions under which they were permitted are detrimental to the public health, welfare, or materially injurious to property or improvements in the vicinity, or if the design or use is maintained so as to constitute a public nuisance.
8. This permit/approval shall automatically expire 12 months after the approval date (expires on November 8, 2024) unless applicant has diligently submitted application(s) for a building permit(s).

9. By signing and/or using this Hillside Development Permit, the permittee acknowledges all of the conditions imposed and accepts this permit subject to those conditions and with full awareness of the provisions of the Burbank Municipal Code. Failure of the permittee or property owners to sign these conditions does not affect their enforceability by the City or other responsible entity. These conditions are binding upon all future property owners and occupants of the subject property.

BUILDING DIVISION

10. All projects shall comply with Title 9, Chapter 1, of the Burbank Municipal Code, and the **2022 edition** of the California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and Building Energy Efficiency Standards, including all intervening Code Cycles.
11. Plans and reports submitted for Plan Check Review are to be submitted electronically. For more information about the online submittal process, please contact the Building & Safety Division at 818-238-5220 or via email at eplancheck@burbankca.gov.
12. All conditions of approval are to be reproduced on the construction document drawings as part of the Approved Construction Set.
13. All Departments that have provide Conditions of Approval are to review drawings and provide final approval via online electronic review, prior to issuance of Building Permit.
14. Separate Permits will be required for the following:
 - a. Demolition
 - b. Grading & Shoring
 - c. Architectural & Structural
 - d. Pool, Spa, & Equipment
 - e. Accessory Dwelling Unit
 - f. Mechanical
 - g. Plumbing
 - h. Electrical
15. Project lies within the City of Burbank Mountain Fire Zone.
 - a. All construction is required to meet Burbank Municipal Code 9-1-2-701A.1.1
16. A Civil plan is required showing the proposed changes to the site grading to accommodate the garage and driveway. Topographical contour lines are to be indicated, showing existing and proposed contours.

17. Grading and drainage plans may be required, and a separate Grading & Shoring Permit may be required. Geotechnical report to be submitted along with Grading & Shoring Permit Application.
18. Justify Floor Area Ratio per current Burbank Municipal Code 10-1-601 (ARTICLE 6. RESIDENTIAL USES AND STANDARDS)
19. New or altered roof coverings shall comply with the solar reflectance and thermal emittance requirements of BMC 9-1-11-4.509.
20. The foundation shall comply with California Building Code Section 1808.7, for foundations on or adjacent to slopes. A soils report will be required.
21. A stamped setback certification by a Licensed Surveyor will be required to certify the location of the new construction in relation to the setbacks prior to the first foundation inspection.
22. New or Addition/Alteration construction projects within the City of Burbank are subject to MWELo review.
 - Full structure demolition and new construction are required to provide a full MWELo plan check set for review.
 - New or replacement landscape areas for residential and non-residential projects between 500 (new) and 2,500 (replacement) square feet requiring a building or landscape permit, plan check, or design review will be required to complete, either a Performance or Prescriptive Compliance Method. Full house demolition will require MWELo review, either prescriptive or performance, no exceptions.
23. An energy code compliance report will be required, and the design team is required to review and coordinate all elements with those shown on Plans, Elevations, Sections, and Window Schedules.
24. The California Division of Mines and Geology Active Fault Near-Source Zones Map for Burbank indicates the city is within 2 km - 5 km of the Verdugo and Hollywood Faults. Structural design of construction projects must address the impact of the Near-Fault Zones.
25. Construction projects must comply with Best Management Practices for construction and stormwater runoff requirements of the National Pollutant Discharge Elimination System MS4 Permit.
26. The City's mandatory Construction & Demolition Debris Diversion Ordinance requires the recycling and diversion of at least 65% of construction and demolition debris. A refundable deposit and non-refundable administrative fee will be collected prior to permit issuance. The Ordinance applies to all

demolitions and to new construction, additions, remodels, renovation, tenant improvement and alteration projects over 500 square feet in scope of work.

27. Plans submitted for plan check must be stamped by State-licensed architect or engineer unless the project is one of the following listed below and complies with conventional light wood frame construction requirements in the CBC:
- Wood-framed, single-family dwellings not more than two stories in height;
 - Wood-framed, multi-family dwellings not more than two stories in height, and limited to four dwelling units per parcel;
 - Wood-framed, garages or accessory structures for single-family dwellings not more than two stories in height;
 - Non-structural or non-seismic storefronts, interior alterations or additions.
28. A Building Permit may be issued to the Property Owner provided that the work is limited to:
- A single-family dwelling of wood frame construction not more than two stories and a basement in height.
 - Garages or other structures appurtenant to single-family dwellings of wood frame construction not more than two stories and basement in height.
 - Nonstructural or non-seismic alterations or additions.
29. Approved hours of construction are:
- | | |
|-----------------|--------------------|
| Monday – Friday | 7:00 am to 7:00 pm |
| Saturday | 8:00 am to 5:00 pm |
- No construction is permitted by contractors or subcontractors after hours, on Sunday or on City holidays without prior written request and approval from the Community Development Department.

PUBLIC WORKS DEPARTMENT

ENGINEERING

34. No permanent structure is permitted in any public right-of-way or any public utility easements/pole line easements [BMC 7-3-701.1, BMC 9-1-1-3203].
35. No building appurtenances for utility or fire service connections shall encroach or project into public right-of-way (i.e. streets and alleys). Locations of these appurtenances shall be shown on the building site plan and the off-site improvement plans [BMC 7-3-701.1].
36. On-site drainage shall not flow across the public parkway (sidewalk) or onto adjacent private property. It should be conveyed by under walk drains to the gutter through the curb face or connected to a storm drain facility [BMC 7-1 -117, BMC 7-3-102].

37. Applicant shall protect in place all survey monuments (City, County, State, Federal, and private). Pursuant to California Business and Professions Code Section 8771, when monuments exist that may be affected by the work, the monuments shall be located and referenced by or under the direction of a licensed land surveyor or licensed civil engineer legally authorized to practice land surveying, prior to construction, and a corner record or record of survey of the references shall be filed with the county surveyor. A permanent monument shall be reset, or a witness monument or monuments set to perpetuate the location if any monument that could be affected, and a corner record or record of survey shall be filed with the county surveyor prior to the recording of a certificate of completion for the project.
38. Any work within the public right-of-way must be permitted and approved by the Public Works Department before construction can commence. All construction work in the public right-of-way must comply with Burbank Standard Plans and must be constructed to the satisfaction of the City Engineer. A Public Works EXCAVATION PERMIT is required. The excavation permit requires a deposit acceptable to the Public Works Director to guarantee timely construction of all off-site improvements. Burbank Standard Plans can be accessed at: <http://file.burbankca.gov/publicworks/QnlineCounter/main/index.htm>
39. The following must be completed prior to the issuance of a Building Permit:
 - a. No construction material shall be placed within the public right-of-way without a "Street Use" Permit issued by the Public Works Department.
 - b. Plans should include easements, elevations, right-of-way/property lines, dedication, location of existing/proposed utilities and any encroachments.
40. The following must be completed prior to the issuance of Certificate of Occupancy:
 - a. Any portion of the public parkway (sidewalk curb, gutter, driveways, landscape, etc.) that is broken uneven or uplifted at the end of the project must be reconstructed to the satisfaction of the City Engineer. The repairs and/or reconstruction will be required whether the damage is pre-existing or is a result of the project. Contact the Public Works Inspection Office at (818) 238-3955 to have these areas inspected and identified after obtaining a Public Works Excavation Permit [BMC S. 7-3-501].
41. If any utility cuts or construction related impacts are made on Kenneth Road or on Remy Place adjacent to the property, applicant will have to restore the street fronting the property per City of Burbank paving requirements.
42. Additional impacts to street triggered by this project could extend the paving restoration limits.

WATER RECLAMATION AND SEWER

43. Every building or structure in which plumbing fixtures are installed which conveys sewage must be connected to the municipal wastewater system [BMC 8-1-104].
44. No person shall connect to or tap an existing public sewer without obtaining a permit [BMC 8-1-301].
45. A Pool Discharge Permit is required each time a single-family residential pool is emptied [BMC 8-1-1004.B(3)]. The permit may be obtained at the Public Works Permits counter and is subject to a fee per the currently adopted Citywide Fee schedule and the enclosed pool discharge brochure. If the proposed pool/spa contains salt water, please note that saltwater pool/spa discharges are currently conditionally allowed to discharge into the storm drain system, subject to meeting (and not exceeding) the following water quality objectives, in addition to other BMP requirements: TDS = 950 mg/l, Sulfate = 300 mg/l, Chloride = 190 mg/l. This conditional allowance and the limits may be changed by the Regional Water Quality Control Board in the future. The City strongly discourages the use of saltwater pools.
46. Best Management Practices shall apply to all construction projects and shall be required from the time of land clearing, demolition or commencement of construction until receipt of a certificate of occupancy [BMC 9-3-407,].
47. Certain construction and re-construction activities on private property will need to comply with post-construction Best Management Practices (BMPs), which include Sections 8-1-1007 and 9-3-414.D of the BMC authorizing the City to require projects to comply with the Standard Urban Stormwater Mitigation Plan provisions and the City's Low Impact Development (LID) ordinance. For questions on these requirements, please contact the City's Building Division at (818) 238-5220.

TRAFFIC ENGINEERING

48. No visual obstructions shall be erected or maintained in the 5' by 5' visibility cut-off above 3' high or below 10' high at the intersection of street/alley and driveway [BMC 10-1-1303 (C)].
49. A space no less than nine (9) feet, six (6) inches wide and 19 feet deep must be provided for each required vehicle parking space inside a carport or garage. All parking spaces must be clear of and unobstructed by any encroachments, including but not limited to structural features, shelves, cabinets, appliances, and equipment [BMC 10-1-603(1)(2)].

50. No visual obstructions shall be erected or maintained in the 5' by 5' visibility cut-off above 3' high or below 10' high at the intersection of street/alley and driveway [BMC 10-1-1303 (C)].

FIELD SERVICES

51. There must be an appropriate location on the property for all solid waste containers or bins. Solid waste containers shall not to be visible from the street.

PARKS AND RECREATION

52. Submit landscape and irrigation plans prepared by a licensed landscape architect.

53. Must comply with Municipal Water Efficient Landscape Ordinance (MWELo) requirements if over 500 square feet of landscape.

54. Tree protection zones required for tree in parkway, prior to staking and during construction

55. Contact Forestry for list of approved street trees. Street Trees are required. All street trees shall be a minimum of 24" box size.

56. Add note on planting plan:

Owner to install the street trees, they must contact the Forestry Supervisor, at (818) 238-5343, at least forty-eight (48) hours prior to installation. Failure to contact the City for inspection and installation may cause the removal and replacement at the owner's expense.

57. Provide irrigation bubbler to street trees.

58. Provide automatically controlled irrigation system to the parkway.

59. Must comply with Art in Public Places Ordinance if building costs are over \$500,000

60. MWELo Irrigation Plans required.

X _____
Signature of Applicant/Permitee

X _____
Signature of Property Owner