



DECEMBER 1, 2022

HAMLET SADEKYAN
111 E. CEDAR AVE. #22
BURBANK, CA 91502

Via e-mail: hamlet@stu3diodesign.com

RE: Project No. 19-0007752 (Minor Fence Exception) - APPROVED
Located at 536 Stanford Road

Dear Mr. Sadekian:

The Community Development Director has reviewed and approved your request for a Minor Fence Exception (Project No. 19-0007752) at the above-referenced property. Enclosed with the approval letter are the signed Community Development Department Director's Decision, the Minor Fence Exception Findings and the Project's Conditions of Approval.

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 within fifteen (15) days. 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, before 5:00 p.m. on **Thursday, December 16, 2022.**

If you have any questions concerning this letter, please do not hesitate to contact me at (818) 238-5250 or gmirzaavakyan@burbankca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Greg Mirza-Avakyan', written over a horizontal line.

GREG MIRZA-AVAKYAN
Associate Planner

Encl: Signed Community Development Director's Decision
Minor Fence Exception Findings
Project's Conditions of Approval

CC: Armine Kocharyan, 536 Stanford Rd, Burbank CA 91504 (Property Owner of Record)

Community Development Department Director's Decision

DATE: December 1, 2022

PROJECT TITLE: Project No. 19-0007752 – Minor Fence Exception

PROJECT ADDRESS: 536 Stanford Road

APPLICANT: Hamlet Sadekian

PROJECT DESCRIPTION: The applicant is requesting a Minor Fence Exception Permit to construct a six-foot solid block wall within the street-facing side yard area along N 6th Street on a portion where only a four-foot solid wall is allowed.

ZONING: R-1

GENERAL PLAN: Low Density Residential

ENVIRONMENTAL REVIEW: Categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15303(e) pertaining to new construction or conversion of small structures such as a fence/wall.

DATE PUBLIC NOTICE MAILED: November 11, 2022

DIRECTOR'S DECISION: The requested Minor Fence Exception No. 19-0007752 is approved based upon the evidence presented of the required project findings and subject to the project's conditions of approval.

DATE OF DIRECTOR'S DECISION: December 1, 2022

END OF APPEAL PERIOD: December 16, 2022

Greg Mirza-Avakyan, Associate Planner
Planning Division (818) 238-5250


Patrick Prescott / Community Development Director

REQUIREMENTS FOR GRANTING A MINOR FENCE EXCEPTION PERMIT

PROJECT NO. 19-0007785 - MINOR FENCE EXCEPTION PERMIT (536 Stanford Rd – Hamlet Sadekyan, Applicant and Armine Kocharyan, Owner)

The Community Development Director finds the proposed project satisfies the requisite findings contained in the Burbank Municipal Code Section 10-1-19200 necessary for approval of the Minor Fence Exception Permit, subject to the attached conditions of approval.

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.*

The applicant is requesting a Minor Fence Exception Permit to construct a six-foot solid wall within the street-facing side yard area along N 6th Street, where only a four-foot solid wall is allowed by-right. The proposed wall does not pose any visibility issues or safety concerns for motorists operating a vehicle going in either direction on N 6th Street, as the proposed six-foot portion of the wall is located outside the corner cut-off provisions contained in Burbank Municipal Code Section 10-1-1303. There are no gates proposed within this portion of the wall.

2. *The feature is not constructed of any materials that may pose a danger to motorists, pedestrians, or other persons.*

The applicant proposes to construct the six-foot wall of CMU blocks and cover the face of the wall with stucco, brick, or similar material to match the existing wall. The property owner is responsible for ensuring that the wall is maintained in good condition at all times. A condition of approval is provided to ensure property owner's compliance with the maintenance of the wall.

3. *The feature is structurally sound and is adequately maintained.*

The proposed wall is required to comply with all applicable codes and regulation pertaining to the fences. The proposed wall will be installed on private property. The property owner is responsible for ensuring that the installation of the wall is consistent with all applicable City standards and/or regulations and that proposed wall will be maintained to ensure that it remains structurally sound and adequately maintained at all times.

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.*

The proposed six-foot portion of the street-facing wall will not include any openings or gates; however, just behind the six-foot portion is a seven-foot wall with a vehicular gate that will provide access to the property from the street. The seven-foot portion of the wall is located entirely behind the residence, and is therefore allowed to exceed six feet without requiring a Minor Fence Exception. The property owner is responsible to ensuring the proposed wall is in accordance with all applicable codes including compliance with all required regulations of the City's Fire Department. In addition, the applicant shall attach the address on the wall in a visible location, as required by the attached Conditions of Approval. Therefore, the wall will not hinder the ability of emergency personnel to respond to an emergency on the property or to adequately view the property from the public right-of-way. The Project will be conditioned to comply with all applicable regulations to ensure it does

not obstruct or affect the ability of emergency personnel to respond to an emergency on the Project site.

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.*

The proposed 6'-0" block wall within the side yard area is intended to provide greater privacy, security, and sound insulation for the property owner. Several homes on N 6th Street include solid fences, walls, or hedges within their street side setback areas. Two homes in particular, at the corner of N 6th and Dartmouth Rd and N 6th Street and N Groton Drive have walls that are comparable in size and visual impact to the proposed wall at the subject property. Therefore, the proposed block wall would not be out of character in the neighborhood.

6. *The scale and proportion of the feature are consistent and compatible with structures on the same property and in the general area.*

The Project is on a collector street (N 6th Street) and the six-foot wall will provide greater privacy, security, and sound insulation. The scale of the feature is not excessive or disruptive to the neighborhood character. In addition, the wall height will closely match the scale and of the portion of the wall along the property line from the rear of the home to the rear property line, which is seven feet. The proportion and scale of the proposed wall is likewise compatible with the two-story residence on the subject property.

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.*

The proposed six-foot wall will be located fully within the boundaries of the subject property and will not encroach onto neighboring properties. Moreover, the feature will be located within the street side setback, on the side of the property which is not abutting any lots.

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.*

The feature does not impose detrimental impacts related to light, glare, sunlight, exposure, air circulation, privacy, or scenic views of any of the neighboring properties. The proposed CMU block wall will be covered with stucco, plaster, brick, or similar material, and thus it will not cause or contribute to any light or glare impacts, nor will it present detrimental impacts to scenic views. The subject property is not located in the hillside area, and the wall will not impact any views and/or create shadows or block sunlight to adjacent properties. The six-foot wall is primarily intended to provide privacy to the rear yard of the property along the corner lot's street-facing side yard. The location, setback and height of the proposed wall is acceptable and will be compatible with the adjacent properties.

CONDITIONS OF APPROVAL

PROJECT NO. – 19-0007752 - MINOR FENCE EXCEPTION PERMIT (536 Stanford Rd – Hamlet Sadekian, Applicant and Armine Kocharyan, Owner)

PLANNING DIVISION

1. Project No. 19-0007752 Minor Fence Exception Permit approves the installation of a solid block wall within the street-facing side yard of the property with a maximum height of 6'-0" to the rear of the house.
2. The wall shall remain in substantial conformance with the request and with the application materials submitted by the applicant and placed on file in the office of the Planning Division.
3. The applicant/property owner shall comply with all applicable project conditions from the City's Department/Division including Building & Safety Division and Public Works Department.
4. Project No. 19-0007752 Minor Fence Exception Permit may be modified or revoked by the City should the determination be made that the proposed wall, under which it was permitted, presents detrimental impacts on neighboring properties.
5. The property owner shall ensure that the wall is maintained in good condition at all times.
6. The property owner shall comply with all federal, state, and local laws. Violation or conviction of any of those laws in connection with the use will be cause for revocation of this permit.
7. Subject to the approval of the Public Works and/or Fire Department, the property owner shall affix the address of the property onto a portion of the proposed fence that is clearly visible from the public right-of-way on N 6th Street.

BUILDING DIVISION

8. All projects shall comply with Title 9, Chapter 1, of the Burbank Municipal Code, and the 2019 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.
9. 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 Division at 818-238-5220 or via email at.
10. All conditions of approval are to be reproduced on the construction document drawings as part of the Approved Construction Set.
11. 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.

12. Plans, engineering and a Building Permit are required for all fences exceeding 7 feet in height from grade level and any wall that will be retaining dirt and exceeds 4 feet in height from the bottom of the foundation.
13. 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.
14. 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.
15. 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

16. No 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].
17. 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.
18. 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].
19. 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/OnlineCounter/main/index.htm>

20. Prior to the issuance of a building permit, a Public Works "Right-of-Way Projection" Permit is required to verify the proposed fence location is not encroaching into the public right-of-way.
21. The public right-of-way along Sixth Street is 12' wide from face of curb to property line. No portion of the proposed fencing (footings, columns, or 8" CMU blocks will be allowed to encroach into the public right-of-way.
22. Construction plans need to show dimensions of the public right-of-way.
23. If the contractor is to use the public right-of-way during construction, a "Street Use" Permit will be required
24. Prior to the issuance of a Certificate of Occupancy, any portion of public curb or gutter that is broken, uneven or uplifted at the end of the project must be reconstructed to the satisfaction of the City Engineer. That 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 7-3-501].
25. Access gates may not swing open into the public right-of-way [BMC 7-3-701.1]
26. If any utility cuts or construction related impacts are made on Sixth Street or Stanford Rd adjacent to the property, applicant will have to restore the street fronting the property per City of Burbank paving requirements.
27. Additional impacts to street triggered by this project could extend the paving restoration limits.
28. Landscape improvements need to take into consideration the location of sewer facilities to prevent tree/plant roots from entering/obstructing or damaging the sewer facilities. An obstructed or damaged sewer facility can result in a sanitary sewer overflow, costly repairs, costly fines, and costly claims. It is highly recommended that either a 15-foot clearance for trees and large shrubs is maintained from the location of the City sewer main (7.5 feet on either side of the City sewer main), or a root barrier control system is employed for each tree/plant.
29. 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 BMC 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 in pools.
30. Per BMC 9-3-407, 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. For more information, please contact Eric Ortega at (818) 238-3930.
31. No visual obstruction shall be erected or maintained above 3'-0" high or below 10' high in 10' by 10' visibility cut-off at intersection of Sixth Street and Stanford [BMC 10-1-1303(A)].

32. No visual obstruction shall be erected or maintained above 3'-0" high or below 10' high in a 5' by 5' visibility cut-off at intersection of street/driveway and street/alley [BMC 10-1-1303(C)].

For additional information, please contact Vikki Davtian, Principal Engineer – Traffic, at (818) 238-3922.