



CITY OF BURBANK  
COMMUNITY DEVELOPMENT DEPARTMENT

150 North Third Street, P.O. Box 6459, Burbank, California 91510-6459  
www.burbankca.gov

MARCH 8, 2021

VARDAN KASEMYAN  
600 W. BROADWAY  
GLENDALE, CA 91204

**RE: Project No. 18-0002784 (Hillside Development Permit) – Approved  
Located at 3209 Castleman Ln.; Burbank, CA 91504**

Mr. Kasemyan:

This letter is to notify you that the Community Development Director has approved your application for a Hillside Development Permit and Minor Fence Exception (Project No. 18-0002784) for a new, 387-square-foot pool house with a barbeque area on an extended landscaped pad and new retaining walls in the rear and side yards located at 3209 Castleman Lane in the R-1 (Single-Family Residential) zoning district within the designated Hillside area. Enclosed is the approval with conditions.

Please be advised the decision of the Community Development Director will become final fifteen (15) days from your approval date (March 8, 2021), unless the decision is appealed to the Planning Board within these 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, or by 5:00 p.m. on March 23, 2021. Please note, an appointment must be made for any appeal filed after 12 p.m. Monday through Friday. If no appeal is filed, then you can submit to the Building Division for Building Plan Check review the first business day following the conclusion of the fifteen (15) day appeal period.

If you have any questions, please contact me by phone at (818) 238-5250 or by email at [gmirzaavakyan@burbankca.gov](mailto:gmirzaavakyan@burbankca.gov).

Sincerely,

GREG MIRZA-AVAKYAN  
Associate Planner  
Community Development Department

## Community Development Department Director's Decision

**DATE:** March 8, 2021

**PROJECT TITLE:** Project No. 18-0002784– Hillside Development Permit

**PROJECT ADDRESS:** 3209 Castleman Lane

**APPLICANT:** Vardan Kasemyan

**PROJECT DESCRIPTION:** A new 387-square-foot pool house with a BBQ area on an extended landscaped pad and new retaining walls in the rear and side yards at 3209 Castleman Lane in the R-1, Single Family Residential zone. The retaining walls are 5'-0" above existing natural grade at the highest point.

**ZONING:** R-1                      **GENERAL PLAN:** Low Density Residential

**MUNICIPAL CODE CONFORMANCE:** The project conforms to the Burbank Municipal Code (BMC) and required neighborhood compatibility design guidelines. With the addition of the pool house, the total Floor Area on the lot will be 4,908 square feet, within the maximum allowable Floor Area of 5,094 square feet. The proposed lot coverage will be 23%, within the maximum allowable lot coverage of 50%. The walls of the pool house structure are 3'-0" from north (side) and west (rear) property lines, the minimum setback required for accessory structures in the rear one-third of the lot. The top-of-plate height of the proposed pool house is 10'-0" from natural grade, as required by the BMC and the top-of-roof height does not exceed the maximum height of 14'-0" above grade at any given point, as required by the BMC. The additional retaining walls do not exceed 5'-0" above natural grade at any given point and are located adjacent to the from north (side) and west (rear) property lines. The maximum height of the retaining walls in the Hillside Area can exceed 4'-0" required by 10-1-603(H)(3)(b) if findings 1-4 in BMC Section 10-1-606(I) can be made. In addition, per 10-1-606(F)(3)(a), the construction of a wall or fence up to 8'-0" outside the front setback requires a Minor Fence Exception Permit. Per 10-1-606(F)(3)(c), the Fence Exception Permit may be issued as part of the Hillside Development Permit (HPD) provide that findings 1-8 in Section 10-1-19200(D) can be made. Finally, all retaining walls facing downslope areas will be screened with vegetation, and a minimum 18-inch wide planting strip will be provided as required by the BMC.

**ENVIRONMENTAL REVIEW:** This project has been determined to be exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15303 of the State CEQA Guidelines for new construction or conversion of small structures. The project is an accessory structure, which is identified as a type of structure which qualifies for this exemption.

**DATE SIGN POSTED ON-SITE:** February 18, 2021

**DATE PUBLIC NOTICE MAILED:** February 19, 2021

**DATE OF DIRECTOR'S DECISION:** March 8, 2021

**END OF APPEAL PERIOD:** March 23, 2021

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

*P. J. Prescott* FOR  
Patrick Prescott, Community Development Director

**HILLSIDE DEVELOPMENT PERMIT NO. 18-0002784**  
**(3209 Castleman Lane – Vardan Kasemyan, Applicant and Petros Nazarian, Owner)**

Pursuant to Burbank Municipal Code Section 10-1-606(H), the approval of a Hillside Development Permit per Section 10-1-607(D) of the Burbank Municipal Code (BMC) is required prior to the issuance of grading or building permits for the main dwelling structure or any other structure in the Hillside area when any of the following criteria is applicable:

- The project involves the creation of a new building pad, cut or fill activity to expand an existing building pad, or any other grading activity, including but not limited to grading for structures, swimming pools, and expanded yard areas.
- The structure extends beyond the front or rear yard setback lines.
- The height of the proposed structure to the top of the roof exceeds 16 feet.
- The total gross square footage of all structures and spaces that are included in the floor area ratio calculation is greater than 3,000 square feet.

**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.

- 1) *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 home is situated on an existing lot with an existing driveway and pedestrian access. There are no changes proposed to vehicular or pedestrian circulation on the property. The rear yard will be expanding through the use of new retaining walls, and the pedestrian access to the new expanded area will not be impeded. The guardrails proposed on the expanded yard area in the rear yard will not impede pedestrian circulation and will serve as a safety barrier for the use of the barbeque area.

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

The proposed 387-square-foot pool house with a barbeque area will be built on an extended landscaped pad which will require the installation of retaining walls near the rear portion of the house. The retaining wall will reasonably follow the curve and contours of the existing topography lines. The maximum height of the retaining wall will not exceed 5'-0" from grade at any point, and the height of the pool house will not exceed 14'-0" from natural grade to the top of the roof. These limitations will ensure that the structures and retaining features will maintain consistency with the natural topography on and around the project site.

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

The proposed 387-square-foot pool house and the attached barbeque area will be built on an extended landscaped pad which will require the installation of retaining walls near the rear portion of the house. To accomplish the extension of the landscaped pad, the applicant is proposing cut and fill activity which will enlarge the backyard area through the use of retaining walls to the west and north of the existing backyard/pool area. The proposed retaining wall is incorporated into the natural topographic features of the landscape, which can be seen in the curved shape and cascading vertical design of the proposed retaining wall. The proposed design allows the wall to appear integrated into the landscape, rather than interrupting the natural appearance of the hillside.

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

The proposed 387-square-foot pool house and the attached barbeque area will not have an unreasonable impact on surrounding upslope or downslope views of properties in the surrounding neighborhood. The applicant installed story poles per the requirements of the Burbank Municipal Code which depict the shape and bulk of the proposed structures. The proposed structures are not directly located in the viewshed of the surrounding properties, and none of the immediately adjacent neighbors expressed any opposition to the project when directly contacted by City Staff. Staff also conducted a site visit to the property on February 5, 2020 and observed the views from the project site area in the back yard of the property in the context of the surrounding area. The plans and installed story poles indicate that the accessory structures are clearly secondary to the massing of the main house. In addition, the applicant will be required to plant landscaping downslope from the proposed structures to screen the property from upslope views. Therefore, it can be concluded that the proposed project will not unreasonably encroach upon the scenic views of surrounding properties.

- 5) *The house has been reviewed against the Neighborhood Compatibility provisions as set forth in Section 10-1-609 and the house complies with the Single Family Design Guidelines.*

The project has been reviewed for neighborhood compatibility and complies with the adopted Design Guidelines. Enclosed is a completed Neighborhood Compatibility Review – Design Guidelines Checklist for the project (EXHIBIT A). The proposed pool house, barbeque area, and retaining wall additions are complementary to the primary residence, which is built in the Modern Mediterranean architectural style. The proposed pool house will have finish materials such as stucco and wood to match the existing house and the natural topography to create a 360-degree design.

- 6) *For the purpose of evaluating required finding (d) 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 pursuant to Section 10-1-606(E). This study is separate from the Ridgeline setback analysis required by Section 10-1-606(D).*

The applicant installed story poles on the property that outlined the frame of the proposed pool house and retaining walls in the location where they will be located; these story poles were

installed and certified for accuracy by a licensed surveyor. Considering the information provided by the story poles, City staff's analysis of the Project indicates that there will be no unreasonable impact to the primary and secondary views of properties in the surrounding neighborhood. Additionally, the placement and overall height of the proposed retaining walls story significantly reduces the impact of the proposed development on the views of neighboring properties through the use of contextual materials and through following the existing curves in the topography.

In conducting a review to identify potential view impacts, on December 16, 2020 Staff sent letters to the neighboring property owners and occupants in the immediate vicinity of the project site, requesting any feedback in regard to potential scenic impacts that the project may pose. No response was received by Staff. A view study conducted by City Staff (Exhibit B) illustrates that the proposed home will not significantly affect upslope or downslope views from neighboring properties.

- 7) *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 impacts of the proposed project have been analyzed by staff using information gathered on a site visit to the property in October of 2019 as well as by story pole photographs provided by the applicant in November of 2020. Staff has determined that the project will have minimal impacts to the primary views of the neighboring properties. See Exhibit B for analysis of view impacts.

In the Hillside Zone, Exceptions to the development standards required by Section 10-1-603 for the R-1 Zone may be granted through approval of a Hillside Development Permit exception per Burbank Municipal Code Section 10-1-606(I) and is subject to additional findings (Findings 8-11 below). The following exception has been approved as a part of the Project:

- An exception to allow a 5'-0" high retaining wall within the rear setback. Section 10-1-603 limits the maximum height of retaining walls to 4'-0" from natural grade.

- 8) *The exception is not detrimental to the public health, safety, or general welfare.*

The construction of the proposed retaining wall outside the front yard setback will not have any detrimental impacts related to the public health, safety, or general welfare as it has limited visibility from adjacent properties due to its location along downslope hillside. The retaining wall will be 5'-0" from natural grade at its highest point. The wall will be designed to meet Building code standards; therefore, the construction of the retaining wall will not have any detrimental impacts to the public health, safety, or general welfare of the neighboring properties.

- 9) *Granting of the exception does not constitute a grant of special privilege inconsistent with the limitations upon other projects and/or properties in the vicinity.*

The proposed retaining wall is located on a downward sloping lot, wherein the slope in front portion of the lot is relatively flat. The presence of unique lot features such as steep slope necessitates cut and fill and other grading activity which includes installation of retaining walls to enable the property owner to utilize the property to its fullest potential. Proposing a 5'-0" high retaining wall on the west side of the property (outside the front yard portion of the lot) will not

have a high visual impact on the neighboring properties. Additionally, one of the conditions of approval necessitates provisions of landscaping along the entire length and height of the proposed retaining wall similar to existing landscaping in the area to minimize any potential visual impact due to the proposed retaining wall.

*10) The exception does not permit or encourage development inconsistent with the character of existing development in the neighborhood.*

The proposed 5'-0" high retaining wall will be located along the downward sloping area of the lot, outside of the front yard setback. The proposed retaining wall has a curved shape that is consistent with the topographic features of the existing terrain, which will help to reduce the visual impact and to create a more natural appearance. In addition, one of the conditions of approval necessitates provision of landscaping along the entire length and height of the proposed retaining wall similar to existing landscaping in the area to minimize any potential visual impact due to the proposed retaining wall. Therefore, allowing the subject property to construct a 5'-0" tall retaining wall in front of the house will not create any inconsistency with the surrounding neighborhood.

*11) There are special conditions or unique characteristics applicable to the subject property and/or the surrounding neighborhood due to the location in the hillside area that justify granting of the exception. Such conditions or characteristics may be related to topography, location, orientation, or other issues that do not generally apply to properties or neighborhoods located outside of the hillside area.*

The buildable area on this property is generally concentrated on the flat portion of the lot, which is occupied by the existing residence. The available remaining flat area behind the house is limited in size due to the sloping nature of the hillside in the rear yard. Because this area is not flat, a retaining wall is required to expand the backyard area for accommodating a pool house and barbeque area. The retaining wall location and the associated structures, including the pool house and barbeque area, are consistent with the development standards in the Burbank Municipal Code. A shorter retaining wall would not allow for a large enough expansion of the rear yard to construct the proposed structures.

Pursuant to BMC Section 10-1-606(F), in the Hillside area, all walls, fences, and hedges outside the front setback regardless of their height require a Major or Minor Fence Exception permit prior to construction. A Minor Fence Exception Permit is required for fences and walls up to eight (8) feet in height. The Director, or Planning Board or Council if appealed, may not approve a Minor Fence Exception Permit unless the following findings are made. An applicant may propose measures to mitigate or abate any safety concerns for the purpose of making the required findings.

*12) 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 proposes retaining walls necessary to create a pad for the placement of a pool house and barbeque area. One of the retaining walls is 3'-0" in height as measured from natural grade, and the other is 5'-0" in height as measured from natural grade at its highest point. The retaining walls are in the rear of the lot and are located away from any street or alley intersections. There is no impact the visibility of motorists.

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

The retaining walls are in the rear of the lot and are located away from any street or alley intersections. The walls are located approximately 130 feet uphill from the street below, and will not pose any danger to pedestrians, motorists, or any other persons.

*14) The feature is structurally sound and is adequately maintained.*

The retaining walls will be reviewed by the Building Division as part of the Plan Check process. The applicant submitted a geotechnical investigation report which includes engineering calculations and recommendations that utilized laboratory test results of samples obtained during field exploration. The report states that the “bedrock material should provide an adequate foundation for the proposed construction, and it is considered to be a stable material for vertical excavations of limited height.” The proposed additions were deemed feasible from a geotechnical standpoint, and the potential for liquefaction and landslides to adversely affect the additions is remote.

*15) 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 retaining walls will allow the expansion of the rear yard area at the far end of the property, away from the street and main residence. Any access to the rear yard area would occur from the opposite side of the property, therefore no access would be needed to the property from the adjacent downslope areas.

*16) 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 retaining walls are located at least 3’-0” from the rear and side property lines, which creates the space to provide additional landscaping on the property. The landscaping will help to blend the retaining walls with the surrounding topography and will reduce the visual impact of said retaining walls. The scale and proportion of the retaining walls is generally compatible with similar structures in the larger neighborhood.

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

The retaining walls are clearly subordinate in size and scale to the structures on the property which include the existing two-story single family residence and the proposed pool house, which will have an approximate height of 14’-0” above natural grade at its highest point.

*18) 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 retaining walls will not have a major visual impact on the neighboring properties. The scale, shape, and materials of the retaining walls were designed to minimize any potential impacts. Story poles have been installed on the property to illustrate the future impacts to the

views, and a view study was prepared to analyze the potential impacts. The visual impacts were not found to be substantial.

- 19) *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 proposed retaining walls will be located downslope from the adjacent properties to the north and will be completely outside of the direct horizontal viewshed of these properties. The retaining walls will be visible from four properties to the north as well as one property to the south. The scenic views from these properties, however, will not be impacted due to the considerable integration of the proposed retaining walls into the existing topography and the use of landscaping.

**HILLSIDE DEVELOPMENT PERMIT NO. 18-0002784**  
**(3209 Castleman Lane – Vardan Kasemyan, Applicant and Petros Nazarian, Owner)**

**CONDITIONS OF APPROVAL**

**PLANNING DIVISION**

1. Project No. 18-0002784, Hillside Development Permit, approves a new, 387-square-foot pool house with a barbeque area on an extended landscaped pad, and new retaining walls at 3209 Castleman Lane in the R-1 (Single-Family Residential) zoning district. The subject property is in the designated Hillside area. The additional retaining walls do not exceed 5'-0" above natural grade at any given point.
2. This permit shall expire if the scope of work is not initiated within one year of the date of this approval (expires on March 8, 2022), unless the Property Owner has diligently developed the proposed project as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements.
3. An Accessory Structure Covenant shall be recorded with the Los Angeles County Recorder prior to the issuance of the Certificate of Occupancy for the pool house structure.
4. The operation/construction on the site shall remain in substantial conformance with the request and with the application materials submitted by the applicant dated October 15, 2018 and the project plans approved dated March 8, 2021 and placed on file in the office of the Planning Division.
5. Any trees removed during the construction of this project shall be replaced with minimum 15-gallon trees. The planting area shall have a minimum interior dimension of five square feet. The trees must reach maturity within 5 years and shall provide screening for the properties to west of the project site. The trees shall be irrigated and maintained regularly.
6. The site must be landscaped per Section F.5 and F.6 of the Single Family Design Guidelines and Section 10-1-603(H) of the Burbank Municipal Code. For homes in the hillside area, landscaping must also comply with Section 10-1-606(F) of the Burbank Municipal Code. The landscaping must be substantially consistent with the conceptual landscape plan submitted with the project plans approved dated March 8, 2021.
7. The applicant 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.
8. This permit may be modified or revoked by the City should the determination be made that the structure or conditions under which it was permitted present detrimental impacts on neighboring properties.
9. The applicant shall list these conditions of approval in all construction plans submitted to the Building Division for a building permit. The applicant shall also provide a separate written document outlining how, or where, each of the conditions have been addressed in the building permit plan set for all City Division/Department conditions enclosed and provide the same

number of copies as building plan sets submitted for Building Plan Check.

10. 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.
11. Provide at least 18" deep screening in the form of planters, vines, and hedges for the proposed 5'-0" high retaining wall. Mature landscaping (i.e. trees and shrubs) shall be provided along the side yard located towards the West elevation to enhance privacy between the adjoining properties.
12. Drainage on the lot shall be compliant with the requirements specified in 2019 California Building Code.
13. Exterior materials and designs shown on the approved set of plans approved dated March 8, 2021 must be the same used during construction. Any modifications to materials must be reviewed and approved by the Planning Division prior to installation.
14. Applicant shall arrange for materials collection during construction, demolition, and occupancy with the City's Street & Solid Waste Division (Public Works Department) or Applicant shall arrange for self-hauling to an authorized facility.

### **BUILDING DIVISION**

15. 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.
16. The Project lies within the City of Burbank Mountain Fire Zone. All construction is required to meet Burbank Municipal Code 9-1-1-701A.1.1.
17. The foundation shall comply with California Building Code Section 1808.7, for foundations on or adjacent to slopes. A soils report will be required.
18. Grading and drainage plans will be required, and a separate Grading & Shoring Permit will be required. Geotechnical report to be submitted along with Grading & Shoring Permit Application.
19. 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.
20. New construction projects within the City of Burbank are subject to MWELo review.

New landscape areas for residential and non-residential projects between 500 and 2,500 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.

21. 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.
22. Construction projects must comply with Best Management Practices for construction and stormwater runoff requirements of the National Pollutant Discharge Elimination System MS4 Permit.
23. 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
24. 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.
25. 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.
26. 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.

27. Plans and reports submitted for Plan Check Review may be submitted electronically. For more information about the online submittal process, please contact Senior Plan Check Engineer Mario Osuna in Building Division at 818-238-5241.

28. All conditions of approval are to be reproduced on the construction document drawings as part of the Approved Construction Set.
29. All Departments that have provide Conditions of Approval are to receive a set of drawings for review and have provided final approval stamp on drawings, prior to issuance of Building Permit.
30. Seven (7) sets of drawings shall be provided at the time of Plan Check Review. The following lists the necessary sheets per department:
  - a.Planning – Full set of Plans (C/L/A/S/M/P/E)
  - b.Building & Safety – Full set of Plans (C/L/A/S/M/P/E)
  - c.Public Works – Partial set of Plans (C/L/A/M/P/E)
  - d.Parks & Recreation – Partial set of Plans (C/L)
  - e.Burbank Water & Power Department – Partial set of Plans (C/L/A/M/P/E)
  - f. Burbank Police Department – Partial set of Plans (C/A)
  - g.Burbank Fire Department – Partial set of Plans (A/S)
    - C – Civil
    - L – Landscape
    - A – Architectural
    - S – Structural
    - M – Mechanical
    - P – Plumbing
    - E – Electrical

## **PUBLIC WORKS DEPARTMENT**

31. 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].
32. 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.
33. The location, depth, and dimensions of all sanitary sewer lines and easements must be shown on the plans.
34. A backwater valve is required on every private sewer lateral(s) connected to a private building(s), unless it can be shown that all fixtures contained therein have flood level rim elevations above the elevation of the next upstream maintenance hole cover of the public sewer serving the property, or a conditional waiver is granted by the Director [BMC 8-1-313]. Please note that Public Works' Wastewater Division will not sign off on the Certificate of Occupancy until the owner/developer provides proof that the backwater valve(s) has been

installed.

35. Per BMC 8-1-1004.B (3), a Pool Discharge Permit is to be issued by the Public Works counter and a \$37 fee (fiscal year 2018-19) is required each time single-family residential pool is emptied. Please refer to the enclosed pool discharge brochure. If the proposed pool/spa contains salt water, please note that salt water 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: TSD = 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.
36. 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.
37. 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 project 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.
38. No visual obstruction over 3' high and under 10' shall exist within the 5' by 5' corner cut-off at the intersection of the street and the driveway [BMC-10-1-1303(C)].

## **PARKS AND RECREATION DEPARTMENT**

39. Submit landscape and irrigation plans prepared by a licensed landscape architect.
40. Existing street trees are to remain. If any street trees are removed:
  - a. Any street trees that are removed shall be replaced. Contact Forestry Supervisor for a list of approved street trees.
  - b. Contact Forestry Services at (818) 238-5343 for removal fee.
  - c. All street trees shall be a minimum of 24" box size.
  - d. Trees in grass shall be installed with Arbor Guards.
  - e. Tree wells are required.
  - f. Provide irrigation bubbler to street trees.
  - g. Provide automatically controlled irrigation system to the parkway.
41. Landscape plan shall include the following note: "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."
42. Must comply with Municipal Water Efficient Ordinance (MWELo) requirements if over 500 square feet of landscaping is proposed.

**POLICE DEPARTMENT**

- 43. All outside lighting shall comply with the requirements of Section 5-3-505 BMC. Required lighting devices shall have vandal resistant covers.
- 44. Secure fencing around the construction site with locking gates and appropriate lighting shall be installed during construction to prevent trespassing and theft. During construction, the Police Department shall be given emergency contact information of contractors and owners for any problems encountered after normal construction hours.
- 45. To ensure that construction personnel are aware of the restricted construction times, the developer shall install professionally made sign(s) 2 ft. X 3 ft. in size in location(s) satisfactory to the City Planner and the Police Department that states, "NOTICE: THE CITY OF BURBANK LIMITS CONSTRUCTION ACTIVITIES OF THIS PROJECT (DEMOLITION, EXCAVATION, GRADING, ACTUAL CONSTRUCTION, AND LANDSCAPING) as follows: 7:00 AM TO 7:00 PM MONDAY THROUGH FRIDAY, AND FROM 8:00 AM TO 5:00 PM ON SATURDAY. THERE SHALL BE NO WORK PERFORMED ON SUNDAYS OR ON MAJOR HOLIDAYS." Any exceptions would be subject to the approval of the Directors of both the Community Development and Public Works Departments.
- 46. All residential structures shall display a street number in a prominent position so that it is easily visible from the street. The numbers shall be at least four (4) inches in height, of a color contrasting to the background, and located so they may be clearly seen and read. The numbers shall be illuminated during darkness. If the structure has rear vehicle access, numbers shall be placed there as well (9-2-505.1(a) BMC). The Fire or Police Departments may require the size of the numbers to be increased or provided in additional locations if the distance from or orientation to the street limits visibility.

X \_\_\_\_\_  
Signature of Applicant/Permittee

X \_\_\_\_\_  
Signature of Property Owner

**EXHIBIT A: NEIGHBORHOOD COMPATIBILITY REVIEW - DESIGN GUIDELINES  
CHECKLIST  
(3209 Castleman Ln, Permit No. 18-0002784)**

**DWELLING SETBACKS** *(Table A: Must meet all 3)*

**1. Front Yard Setbacks**

The proposed structures, consisting of a 387-square-foot pool house with a barbeque area on an extended landscaped pad, and new retaining walls to the existing house are located towards the rear of the lot and are set back more than 100'-0" from the front property line, measured from the base of the "flag" of the flag lot.

**2. Side Yard Setbacks**

The proposed pool house meets the required setbacks of 3'-0" from the side property lines required for accessory structures in the rear one third of the lot. The proposed pool house is located downslope from adjacent properties to the north and is screened by thick vegetation. The proposed retaining wall along the side yard setback will not be visible from any private property or public right-of-way.

**3. Rear Yard Setbacks**

The proposed pool house will be set back 3'-0" from the rear property line as required for accessory structures in the rear one third of the lot. The proposed expanded landscaped pad will require the installation of a retaining wall near the rear property line in the rear setback. The retaining wall will curve to be consistent with the natural topography of the site. The retaining wall will be screened by vegetation which will provide visual relief from the public right-of-way below (North Lamer Street).

**DWELLING ORIENTATION**

The project does not propose any changes to the orientation and dimensions of the existing dwelling or to the garage, which is attached and located towards the front of the property. This section does not apply to the project. Tables B and C are skipped.

**ROOFLINES** *(Table D: Must meet minimum 1 of 3)*

**3. Skyline Interest.**

The proposed pool house is a modern architectural style. The design components of this accessory structure are typical to the style, and the style is consistent throughout all portions of the structure.

**MAJOR AND MINOR MASSING & MODULATION**

There are no changes proposed to the main residence. This section applies to massing and modulation guidelines for the main residence, not to the accessory structures proposed. Table E is skipped.

## **RESIDENTIAL DWELLING HEIGHT, UPPER STORIES & HEIGHT TRANSITIONS**

There are no changes proposed to the main residence. This section applies to the upper stories of residential dwellings, not to accessory structures. Tables F, G, and H are skipped.

## **WINDOWS AND 360° ARCHITECTURE** *(Table I: Must meet minimum 1 of 4)*

### **2. 360° Additions**

The design of the proposed pool house is a consistently of the modern style on all elevations of the structure. The exterior facades of the structure will include stucco and wood finishes, accordion sliding glass doors and cascading flat roof forms.

## **ACCESSORY STRUCTURES** *(Table J: Must meet one item)*

### **1. Accessory Structure Design**

The primary residence is a modern Mediterranean style, and the accessory structure is a modern architectural style. The accessory structure is proposed more than 150 feet from the public right of way and is effectively screened by existing and proposed vegetation, and is minor in scale. The structure is proposed to match the stucco faced to the main residence. The visual study (Exhibit B) includes a photograph of the views of the installed story poles from the street below, which indicate the location and scale of the proposed structure.

## **FENCES AND PROPERTY LINE WALLS** *(Table K: If provided, must meet all 3)*

### **3. Retaining Walls, at Front Yards and Street-Facing Side Yards**

The project proposes installation of a curved retaining wall adjacent to the rear setback of the property. The retaining wall is 5'-0" at its highest point. A retaining wall is required to extend the rear yard of the property and is proposed to be installed in a way that will minimize the visual impact and cause minimal disturbance to the natural topography of the site. The applicant proposes to plant landscaping below the retaining wall to provide further relief from the impacts to the upslope views from the street below. One of the conditions of approval necessitates provision of landscaping along the entire length of the proposed retaining wall similar to existing landscaping in the area to minimize any potential visual impact due to the proposed retaining wall.

## **LANDSCAPE** *(Table L: Must meet minimum 2 of 4)*

### **1. Landscape Design**

The provided plans indicate a well-integrated and thorough landscape design which includes an innovative use of modular block retaining walls, new landscaping, and relocation of existing trees.

### **2. Artificial Turf, Front Lawns.**

There is no artificial turf used in the front yard of the residence.

**LANDSCAPE CONTINUED** *(Table M: Must meet minimum 3 of 7)*

**3. Landscape at Buildings**

The plans for the project propose new landscaping at the foundation of the proposed retaining wall and pool house. The landscaping provides visual relief from any potential impact to the views from the surrounding properties and the public right-of-way.

**5. Side Yard Landscape**

Landscaping in the form of dense shrubs (Giant Bird of Paradise and Caryopteris) is proposed along the rear property line. The landscaping provides visual relief from potential impacts to the views of the neighboring properties.

**7. Landscape at Views**

The proposed landscaping is not proposed in locations which would interfere with existing view corridors. Among these properties, the one with the lowest elevation is at least 16-20 feet higher than the finished grade of the site of the proposed pool house, and therefore the pool house will be below the eye level view of all the upslope properties. The downslope views will be screened by the proposed vegetation, as required by the Burbank Municipal Code.

**USE OF CHARACTERISTIC OR OTHER ARCHITECTURAL STYLES**

*(Table N: Meet 1 of 2)*

**2. Use of Characteristic Style**

The proposed pool house is designed in a modern architectural style that incorporates curved surfaces, cascading flat roof, the use of stucco and wood materials. The character defining features are utilized at all exterior elevations.

**EXHIBIT B: VIEW STUDY FOR HILLSIDE DEVELOPMENT PROJECT NO. 18-0002784  
LOCATED AT 3209 CASTLEMAN LN, BURBANK, CA 91504**

**Objective and Analysis:**

Per Burbank Municipal Code Section 10-1-607(D)(3)(f), a view study is required as a part of the Hillside Development Permit process to analyze the impact of the proposed development on views from adjacent properties. As a part of the view study the applicant installed story poles on the property that outlined the bulk of the proposed 387-square-foot pool house and patio expansion in the proposed locations; In addition to the public notices, residents and property owners of all the neighboring properties located within the immediate vicinity of the project site were contacted and informed of the proposed project along with the process involved in the view study. Pictures of the proposed development were captured from various angles to assess the potential impact of the development on the views from the neighboring properties.



**Figure 1:** Location of the proposed project with respect to the neighboring properties





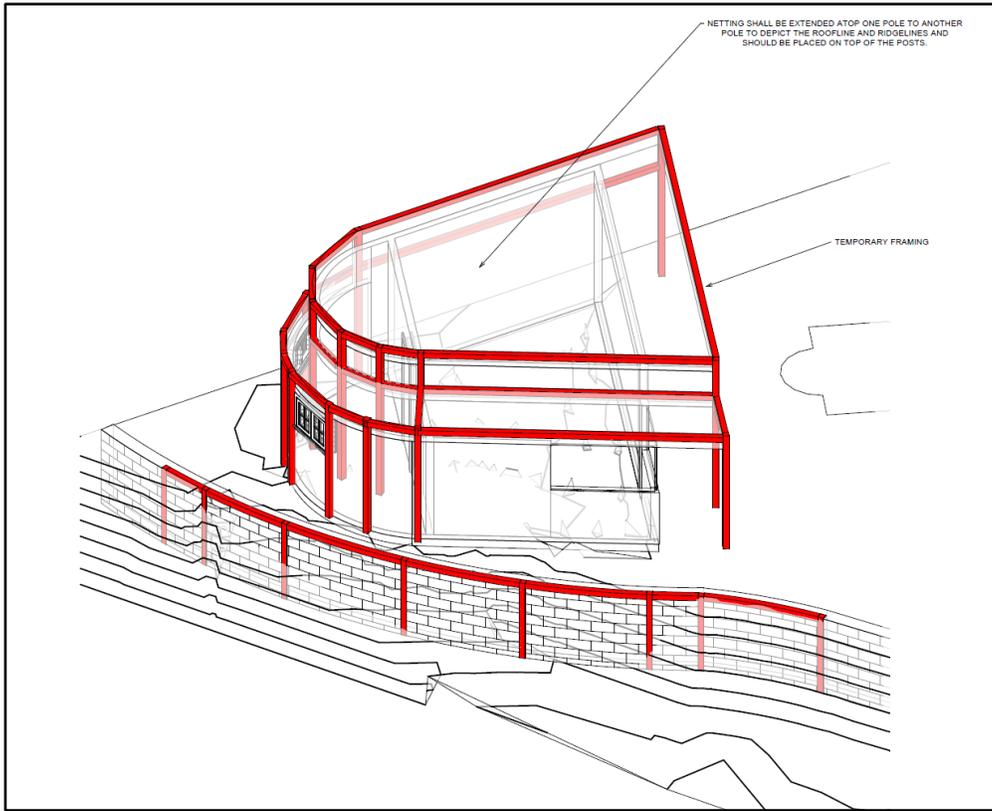


**Figure 4:** Photos of proposed project site taken from different locations around the property.

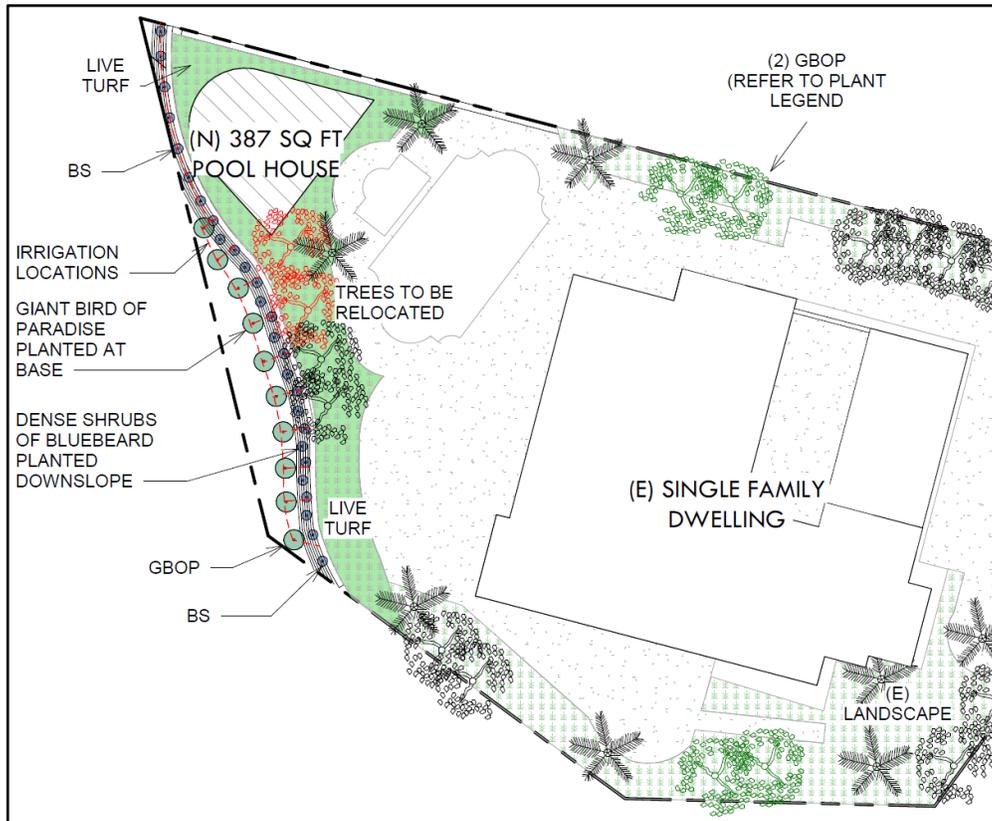
**EXHIBIT B**



**EXHIBIT B**



**Figure 5:** 3-d view of installed story-poles.



**Figure 6:** Proposed landscaping and vegetation screening.

**EXHIBIT B**

## **Conclusion:**

As evident from the above figures, the placement and overall massing of the proposed addition will have minimal impact on the views from surrounding properties.

The massing of the pool house is substantially smaller and subordinate to the massing of the main residence (Figure 3). The expansion of the flat rear yard area, which will be accomplished by the addition of a retaining wall with a height of 5 feet at its tallest point, will be fully screened by vegetation (Figure 6). In addition, staff analyzed the difference in elevation between the subject property and the upslope properties from whose views could be affected (Figure 2). Among these properties, the one with the lowest elevation is at least 16-20 feet higher than the finished grade of the site of the proposed pool house, and therefore the pool house will be below the eye level view of all the upslope properties. The downslope views will be screened by the proposed vegetation, as required by the Burbank Municipal Code.

Therefore, the primary views of the cityscape and upslope hills from the neighboring properties are not being impacted due the proposed pool house and retaining wall additions. Considering the information provided by the story poles, City staff's analysis of the Project indicates that there will be no unreasonable impact to the primary and secondary views of properties in the surrounding neighborhood.