



**COMMUNITY
DEVELOPMENT**

FEBRUARY 14, 2024

HAKOB AVAGYAN
719 WILSON COURT
BURBANK, CA 91501

VIA EMAIL: AvagyanHakob1@gmail.com

RE: NOTICE OF DECISION
Project No. 23-0004879 (Hillside Development Permit) – Approved
Located at 719 Wilson Court; Burbank, CA 91501

Hakob Avagyan:

This letter is to notify you that the Community Development Director considered the above-referenced application for Project No. 23-0004879, a Request for a Hillside Development Permit (HDP) to allow a 1,170.1 square foot addition to the existing residence and attached garage; a 70.32 square foot front entry porch; and 267.50 square feet of new uncovered deck area and has **approved** the application with the included Conditions of Approval. Enclosed is the Director's Decision with conditions.

Please be advised the decision of the Community Development Director will become final fifteen (15) days from your approval date (February 14, 2024), unless the decision is appealed to the Planning Commission 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 February 29, 2024. 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 may submit to the Building & Safety 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 erendon@burbankca.gov

Sincerely,

EDUARDO RENDON
Planning Technician
Community Development Department

Cc: Property Owner: Hakob Avagyan – Avagyanhakob1@gmail.com

Community Development Department Director's Decision

DATE: February 14, 2024

PROJECT TITLE: Project No. 23-0004879 – Hillside Development Permit

PROJECT ADDRESS: 719 Wilson Court

APPLICANT: Hakob Avagyan

PROJECT DESCRIPTION: The applicant proposes to construct a 1,170.1 square foot addition to the existing residence and attached garage; a 70.32 square foot front entry porch; and 267.50 square feet of new uncovered deck area with a total height of 20'-2" to the existing residence.

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

MUNICIPAL CODE

CONFORMANCE: The project conforms to the Burbank Municipal Code (BMC). A Hillside Development Permit (HDP) is required for this project because the structure extends beyond the rear yard setback lines, and the height of the proposed structure to the top of the roof exceeds 16'-0". The proposed Floor Area Ratio (FAR) is 0.19 and the proposed lot coverage will be 22%. The side setback for the south side addition to the existing residence is 10'-0" and is within the maximum allowable side yard setback of 10'-0". The side setback for the east side addition to the existing residence is 29'-6" and is within the maximum allowable side yard setback of 10'-0".

ENVIRONMENTAL REVIEW: This project has been determined to be exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15303(a) of the State CEQA Guidelines pertaining to construction and location of limited numbers of new structures such as one single-family residence.


DATE SIGN POSTED ON-SITE: January 16, 2024

DATE PUBLIC NOTICE MAILED: January 26, 2024

DATE OF DIRECTOR'S DECISION: February 14, 2024

END OF APPEAL PERIOD: February 29, 2024

Eduardo Rendon, Planning Technician
Planning Division (818) 238-5250

 for

Patrick Prescott, Community Development Director

HILLSIDE DEVELOPMENT PERMIT NO. 23-0004879
(719 Wilson Court – Hakob Avagyan, Applicant and Property Owner)

Findings for Granting a Hillside Development Permit

The Community Development Director finds the proposed project satisfies the requisite findings contained in the BMC 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 residence is situated on an existing lot with an existing driveway that provides direct vehicular and pedestrian access to Wilson Court through the front yard. There are no changes proposed to the existing vehicular and pedestrian access, therefore, this finding has been satisfied.

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

The property slopes from south to north with the existing residence built on a flatter building pad located in the center of the lot. The additions will be constructed on the south, west, and north side of the existing residence on the existing building pad. This arrangement results in no required grading, as the additions will be accommodated on the existing flat building pad on the property.

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

The additions to the existing residence will be constructed on the existing building pad so that the majority of the sloped area of the site will remain unaltered.

- 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 placement and overall massing of the proposed additions will have minimal impact on the views from the surrounding properties. The existing single-story house has a height of approximately 20'-2" at its highest point. The addition proposes a maximum height of approximately 19'-3" with the roof line of the proposed additions not exceeding the existing roof line. The proposed additions will be built over the existing building pad located at the center of the lot. The proposed ground floor addition will be built no higher than the existing roof, so the overall view impacts will be the same as those associated with the existing residence. The 70.32 square foot front entry porch addition will fill in a

recessed space on the north side of the residence and will remain behind the existing front façade setback. The 267.50 square-foot uncovered deck addition will not be visible from any of the adjacent residence and will therefore not cause increased view impacts to the existing residence. The massing of the 1,170.1 square foot south side addition will remain outside of the 10'-0" side setback and have a rear setback of 42'-63/8".

- 5) *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 placement and overall massing of the proposed additions will have minimal impact on the views from the surrounding properties. The existing single-story house has a height of approximately 20'-2" at its highest point. The addition proposes a maximum height of approximately 19'-3" with the roof line of the proposed additions not exceeding the existing roof line. The proposed additions will be built over the existing building pad located at the center of the lot. The proposed ground floor addition will be built no higher than the existing roof, so the overall view impacts will be the same as those associated with the existing residence. The 70.32 square foot front entry porch addition will fill in a recessed space on the north side of the residence and will remain behind the existing front façade setback. The 267.50 square-foot uncovered deck addition will not be visible from any of the adjacent residence and will therefore not cause increased view impacts to the existing residence. The massing of the 1,170.1 square foot south side addition will remain outside of the 10'-0" side setback and have a rear setback of 42'-63/8". 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.

- 6) *The view impacts of the proposed project must be considered by the Director, or Planning Commission 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 City staff using information gathered on a site visit to the property in November 2023. 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.

HILLSIDE DEVELOPMENT PERMIT NO. 23-0004879
(719 Wilson Court – Hakob Avagyan, Applicant and Property Owner, Property Owner)

CONDITIONS OF APPROVAL

PLANNING DIVISION

1. Project No. 23-0004879, Hillside Development Permit, approves a 1,170.1 square foot addition to the existing residence and attached garage; a 70.32 square foot front entry porch; and 267.50 square feet of new uncovered deck area with a total height of 20'-2" to the existing residence.
2. This permit shall expire if the scope of work is not initiated within one year of the date of this approval (expires on February 14, 2025), 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. The operation/construction on the site shall remain in substantial conformance with the request and with the application materials submitted by the applicant dated July 14, 2023 and the project plans dated February 14, 2024 and approved and placed on file in the office of the Planning Division.
4. 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.
5. 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.
6. 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.
7. By signing and/or using this Hillside Development Permit, the permittee acknowledges all 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.
8. Exterior materials and designs shown on the approved set of plans dated February 14, 2024, must be the same used during construction. Any modifications to materials must be reviewed and approved by the Planning Division prior to installation.

9. 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.

BUILDING & SAFETY 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 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 9-1-1-701A.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. Provide corrected Demolition Calculations (demolition calculations are based upon the length of walls, not the square footage of walls).
 - b. Total length of all walls to be demolished divided by total length of all existing walls = Demolition Percentage.
 - c. Length of walls are to include interior and exterior walls, including openings, and any walls attached to existing structure.
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. A CF1R energy report will be required, and design team is required to review and coordinate all values 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

Land Development and Permits

30. Show width and location of all existing and proposed easements [BMC 9-1-23203]. Plans must show 5' pole line easement along the west property line.
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 9-1-2-3203].

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 7-3-701.11].

32. On-site drainage shall not flow across the public parkway (sidewalk) or onto adjacent private property. It should be conveyed by underwalk drains to the gutter through the curb face or connected to a storm drain facility [BMC 7-1-1 17, BMC 73-102].
33. 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

34. 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 offsite improvements. Burbank Standard Plans can be accessed at; [http://file.burbankca.gov/publicworks\[OnlineCounter/main/index.htm](http://file.burbankca.gov/publicworks[OnlineCounter/main/index.htm)

The following must be completed prior to the issuance of a Building Permit:

35. Public Works Permit Division to verify and sign off that the 5' pole line easement along the west property line is cleared of any existing and/or proposed permanent structures prior to the start of construction.
36. No construction material shall be placed within the public right-of-way without a "Street Use" Permit issued by the Public Works Department.
37. A Public Works "Right-of-Way Protection" Permit is required to verify the proposed fence location is not encroaching into the public right-of-way.
38. Plans should include easements, elevations, right-of-way/property lines, dedication, location of existing/proposed utilities and any encroachments.

The following must be completed prior to issuance of Certificate of Occupancy:

39. Provide verification from the City of Burbank, Building Division showing the 5' pole line easement along the west property line is cleared of all permanent structures after construction is completed.
40. 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 7-3-501].

Additional Comments:

41. If any utility cuts and/or construction related impacts are made on Wilson Court adjacent to the property, applicant will have to restore the street fronting the property per City of Burbank paving and moratorium requirements.

42. Additional impacts to street triggered by this project could extend the paving restoration limits.

Water Reclamation and Sewer

Required Information Missing On Plans:

43. The location, depth, and dimensions of all sanitary sewer lines and easements must be shown on the plans.

Wastewater requirements:

44. Under the current rate structure, pulling the Building Permit for the proposed development is subject to a Sewer Facilities Charge estimated at \$1,254.18. The charge is due prior to issuance of a Building Permit [BMC 8-1-802 and BMC 8-1806].

SFC = Prorated increase to Single Family Residential Unit
= Single Family Residential [\$2,043/1,800 SF unit * (1,240 SF - 135 SF)]
= \$1.135/ SF * 1,105 SF
= \$1,254.18

(Note: It is the responsibility of the developer to show proof of the existing sewer usage or existing developments so that the proper credit can be given.)

45. 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].
46. No person shall connect to or tap an existing public sewer without obtaining a permit [BMC 8-1-301].
47. Pollutants, including construction debris, soil, and other discharges, are prohibited from entering the City's sewer collection system [BMC 8-1-501 .11. Discharges that exceed the local limits per BMC 8-1-501.4 are prohibited. In addition, the applicant shall not obstruct or damage any part of the City sewer system and shall reimburse the City for sanitary sewer overflows and the reasonable costs of necessary maintenance and/or repair of the sewer system [BMC 8-1-31 As such, it is required that all existing private sewer laterals and/or fixtures are capped prior to any demolition activities.
48. 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.

Stormwater Requirements:

49. 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 9-3-4071,
50. 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

51. No visual obstructions shall be erected or maintained in the 5' by 5' visibility cutoff above 3' high or below 10' high at the intersection of street and driveway. [BMC 10-1-1303 (C)]. Such requirement applies to all driveways.

Field Services – Solid Waste

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

BURBANK FIRE DEPARTMENT

54. If this project meets the fire sprinkler requirements of the City of Burbank Municipal Code fire sprinklers shall be required.

BURBANK WATER AND POWER (BWP)

BWP Electric Services Division

55. The proposed new single-story addition to the existing one-story single-family dwelling will conflict with the existing electrical service panel, so the applicant will need to contact the Residential Service Planner at 818-238-3647 to obtain a confirmation of electric service for overhead and temporary power. BWP can provide electric service of 400 amps or less to the property. Overhead service may be possible on the southwest side of the existing one-story single-family dwelling. Temporary power may be possible on the southwest side of the property with conditions. Prior to final plan approval, contact the Residential Service Planner to determine the new service location and to discuss BWP's electric service requirements. A load schedule should be provided at that time.

PARKS AND RECREATION DEPARTMENT

56. Submit landscape and irrigation plans prepared by a licensed landscape architect. Must comply with Municipal Water Efficient Ordinance (MWELo) requirements if over 500 square feet of landscaping is proposed.

57. 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.
58. 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."
59. Provide and Arborist/Landscape Architect valuation of any landscape removed for the project.
60. The Park Development Fee shall be paid prior to the issuance of building permits: \$150/bedroom.

X _____
Signature of Applicant/Permittee

X _____
Signature of Property Owner