



PLANNING APPLICATION

COMMUNITY DEVELOPMENT DEPARTMENT—PLANNING DIVISION

501 PRIMROSE ROAD, 2ND FLOOR, BURLINGAME, CA 94010-3997

TEL: 650.558.7250 | FAX: 650.696.3790 | E-MAIL: PLANNINGDEPT@BURLINGAME.ORG

PROJECT INFORMATION

PROJECT ADDRESS

1516 Highway Rd

ASSESSOR'S PARCEL # (APN)

ZONING

R-1

PROJECT DESCRIPTION

Fence VARIANCE Permit
Application to increase fence height to six feet within the front setback of a single family dwelling.

APPLICANT INFORMATION

PROPERTY OWNER NAME ☐ APPLICANT?

Gousser Shamreh

PHONE

[REDACTED]

ADDRESS

1516 Highway Rd

E-MAIL

PROPERTY OWNER NAME ☐ APPLICANT?

Berger & Associates

PHONE

415 425-7700

ADDRESS

E-MAIL

BURLINGAME BUSINESS LICENSE #

FOR PROJECT REFUNDS - Please provide an address to which to all refund checks will be mailed to:

NAME

ADDRESS

AFFIDAVIT OF OWNERSHIP

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION GIVEN HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ARCHITECT/DESIGNER SIGNATURE (IF DIFFERENT FROM PROPERTY OWNER)

DATE

I AM THE PROPERTY OWNER AND HEREBY AUTHORIZE THE ABOVE APPLICANT TO SUBMIT THIS APPLICATION TO THE PLANNING DIVISION.

PR

DATE

10-18-19

AUTHORIZATION TO REPRODUCE PLANS

I HEREBY GRANT THE CITY OF BURLINGAME THE AUTHORITY TO REPRODUCE UPON REQUEST AND/OR POST PLANS SUBMITTED WITH THIS APPLICATION ON THE CITY'S WEBSITE AS PART OF THE PLANNING APPROVAL PROCESS AND WAIVE ANY CLAIMS AGAINST THE CITY ARISING OUT OF OR RELATED TO SUCH ACTION

(INITIALS OF ARCHITECT/DESIGNER)

STAFF USE ONLY

APPLICATION TYPE

- | | |
|--|---|
| <input type="checkbox"/> ACCESSORY DWELLING UNIT (ADU) | <input type="checkbox"/> VARIANCE (VAR) |
| <input type="checkbox"/> CONDITIONAL USE PERMIT (CUP) | <input type="checkbox"/> WIRELESS |
| <input type="checkbox"/> DESIGN REVIEW (DSR) | <input checked="" type="checkbox"/> FENCE EXCEPTION |
| <input type="checkbox"/> HILLSIDE AREA CONSTRUCTION PERMIT | <input type="checkbox"/> OTHER: _____ |
| <input type="checkbox"/> MINOR MODIFICATION | |
| <input type="checkbox"/> SPECIAL PERMIT (SP) | |

DATE RECEIVED:

RECEIVED

OCT 24 2019

CITY OF BURLINGAME
CDD-PLANNING DIV.

STAFF USE ONLY



**CITY OF BURLINGAME
FENCE EXCEPTION APPLICATION**

RECEIVED

OCT 18 2019

CITY OF BURLINGAME
CDD-PLANNING DIV.

In order to approve an application for a fence exception, the Planning Commission is required to make findings (Code Section 25.78.050). Please answer the following questions as they apply to your property and application request to show how the findings can be made. A letter may also be submitted if you need additional space or if you wish to provide additional information for the Planning Commission to consider in their review of your application. Please write neatly in ink or type.

- a. *Describe the exceptional or extraordinary circumstances or conditions applicable to your property which do not apply to other properties in this area.*

Highway Road is one of the few streets in the city of Burlingame that has single family homes directly facing El Camino Real. Also, it is the last home on a dead-end street that has a busy walking trail directly in front of the home. Furthermore, it is directly adjacent to both a creek & bridge. Due to these factors, my family and I are concerned about our safety. Considering all these circumstances, a five foot fence doesn't provide sufficient security for such a location.

- b. *Explain why the application request will not create a public hazard and will not be detrimental to public health, safety and general welfare.*

There are only ten homes on Highway Road that face El Camino Real. Due to the high traffic conditions of El Camino Real the homes had to adapt their landscaping and fencing as we ourselves are currently proposing. Because it is a dead-end street and small road, there will be no public hazard and not be detrimental to public health.

- c. *Explain why the granting of the application will not materially damage neighboring properties.*

The proposed fencing and landscaping returns the property back to the way it was prior to construction, with a slightly updated & manicured look. The home has only one adjoining neighbor on a street where every single home has a fence across the front of property. Unique to the property lot shape & setback my front yard is effectively my backyard, hence my family spends most of

- d. *Discuss why the regulations cause unnecessary hardship for the property owner.* Our time there.

We initially built the fence at the five foot level but after countless pedestrians literally looking over the fence and watching my family, we had no choice but to raise the height just 15". to prevent this safety concern. We are now planning to implement the proposed hedges and trees as demonstrated in the plans. We want to restore it to its original condition while satisfying our safety concerns.

Letter of Explanation for Fence Variance @ 1516 Highway Road

Facts Specific to 1516 Highway Road

- The home is directly facing El Camino and is more than 3 Feet Below the El Camino Real Grade. A Five foot fence provides almost zero privacy from the cars and pedestrians on El Camino Real
- The Taller Fence and proposed landscaping is Necessary for El Camino Noise and Noxious Fumes.
- **Every Single Home** on Highway Road (10 out of 10) has a fence and gate across the entire front of their homes. They are frequently taller than 5 Feet and/or have Foliage that far exceeds the limits due to the location directly facing El Camino Real. It is the only way for Highway road residents to have any semblance of privacy.
- The proposed Fencing height and Landscaping is consistent with the neighborhood and the other homes on Highway Road. In fact, the proposed Fence is shorter than many surrounding properties
- The proposed fencing and landscaping also returns the property back to its original look before construction. (Please see attached Street View dating back to 2014)
- Almost every single neighbor has mentioned to us how much they love the look of the fence and support the taller fence.
- Safety and Privacy are a major concern for my family and do to the extenuating circumstances of this location so close to El Camino Real and the thousands of automobiles and hundreds of Pedestrians that walk by, a minimum 6 Foot Fence is very important.
- A 3 Story, multi unit development has been approved and is under construction directly across the street from my home. The height of the development allows future residents to look directly into my yard and through the front windows of the home.
- Since the property is the last home on a "dead end street", there is zero chance the proposed fence and landscaping will create any blind corners or affect the sightline of cars in any possible way.

PLEASE SEE ATTACHED OTHER PROPERTIES ON HIGHWAY ROAD

1480 Highway Rd



1476 Highway Rd

1501 Highway Rd



1498 Highway Rd.

Google Maps 1516 Highway Rd



Image capture: Aug 2014 © 2019 Google

Burlingame, California

Google

Street View - Aug 2014



1516 Highway Rd Before
Construction

RESOLUTION APPROVING CATEGORICAL EXEMPTION AND FENCE EXCEPTION

RESOLVED, by the Planning Commission of the City of Burlingame that:

WHEREAS, a Categorical Exemption has been prepared and application has been made for Fence Exception to increase the fence height within the front setback, to 6'-0" above grade at 1516 Highway Road, Zoned R-1, Yousef and Gina Shamieh, property owners, APN: 025-251-200;

WHEREAS, said matters were heard by the Planning Commission of the City of Burlingame on November 25, 2019, at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing;

NOW, THEREFORE, it is RESOLVED and DETERMINED by this Planning Commission that:

1. On the basis of the Initial Study and the documents submitted and reviewed, and comments received and addressed by this Commission, it is hereby found that there is no substantial evidence that the project set forth above will have a significant effect on the environment, and categorical exemption, per Article 19, Section: 15303 of the CEQA Guidelines, which states that new construction or conversion of small structures - (e) accessory (appurtenant) structures including garages, carports, patios, swimming pools and fences is exempt from environmental review, is hereby approved.
2. Said Fence Exception is approved subject to the conditions set forth in Exhibit "A" attached hereto. Findings for such Fence Exception are set forth in the staff report, minutes, and recording of said meeting.
3. It is further directed that a certified copy of this resolution be recorded in the official records of the County of San Mateo.

Chairperson

I, _____, Secretary of the Planning Commission of the City of Burlingame, do hereby certify that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission held on the 25th day of November, 2019 by the following vote:

Secretary

EXHIBIT "A"

Conditions of Approval for Categorical Exemption and Fence Exemption
1516 Highway Road

Effective **December 5, 2019**

1. that the project shall be built as shown on the plans submitted to the Planning Division on October 18, 2019; and
2. that if the fence is demolished or the envelope changed at a later date, the fence exception, as well as any other exceptions to the code granted here, will become void.



CITY OF BURLINGAME
COMMUNITY DEVELOPMENT DEPARTMENT
501 PRIMROSE ROAD
BURLINGAME, CA 94010
PH: (650) 558-7250 • FAX: (650) 696-3790
www.burlingame.org

Site: 1516 HIGHWAY ROAD

The City of Burlingame Planning Commission announces the following public hearing on **MONDAY, NOVEMBER 25, 2019 at 7:00 P.M.** in the City Hall Council Chambers, 501 Primrose Road, Burlingame, CA:

Application for Fence Height Exception to increase the fence height within the front setback to six feet above grade at
1516 HIGHWAY ROAD zoned R-1. APN 025.251.200

**PUBLIC HEARING
NOTICE**

Mailed: November 15, 2019

(Please refer to other side)

City of Burlingame

A copy of the application and plans for this project may be reviewed prior to the meeting at the Community Development Department at 501 Primrose Road, Burlingame, California.

If you challenge the subject application(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in the notice or in written correspondence delivered to the city at or prior to the public hearing.

Property owners who receive this notice are responsible for informing their tenants about this notice.

For additional information, please call (650) 558-7250. Thank you.

Kevin Gardiner, AICP
Community Development Director

PUBLIC HEARING NOTICE

(Please refer to other side)

1516 Highway Road
300' noticing
APN #: 025.251.200

