

**RESOLUTION OF THE CITY COUNCIL OF CITY OF BURLINGAME GRANTING THE APPEAL
OF THE PUBLIC WORKS DIRECTOR'S DENIAL OF AN ENCROACHMENT PERMIT
APPLICATION AT 1151 ROSEDALE AVENUE AND REVERSING THE PUBLIC WORKS
DIRECTOR'S DECISION**

THE CITY COUNCIL OF THE CITY OF BURLINGAME finds as follows:

WHEREAS, on July 11, 2025, the property owners ("Owners") at 1151 Rosedale Avenue ("Property") submitted a complete application for the following encroachments erected in the public right of way:

1. Two stone fence pillars on the Rosedale Avenue frontage of the Property; and
2. A solid wooden fence, landscaping, and pavers along the Westmore Road frontage of the Property.

WHEREAS, on July 29, 2025, pursuant to the authority granted to him by Burlingame Municipal Code section 12.10.040, the Public Works Director granted in part and denied in part the Owners' encroachment permit application; and

WHEREAS, the Public Works Director granted, in part, the request for encroachments along the Rosedale Avenue frontage of the Property, permitting the Owners to retain the encroachments thereon for a period of five years; and

WHEREAS, the Public Works Director denied the encroachment permit application as to all encroachments along the Westmore Road frontage of the Property; and

WHEREAS, on August 4, 2025, pursuant to Burlingame Municipal Code section 12.10.050, the Owners filed a timely appeal as to both aspects of the Public Works Director's decision; and

WHEREAS, on November 3, 2025, the City Council conducted a duly noticed public hearing to consider the Owners' appeal of the Public Works Director's decision; and

WHEREAS, as a result of the oral and written testimony presented at the November 3, 2025, public hearing, as well as the analysis in the staff report, Owners' brief and exhibits, and Respondent's brief and exhibits, the City Council hereby grants the Owners' appeal and reverses the Public Works Director's decision, finding the following:

Encroachments on Rosedale Frontage

Findings to be determined following public hearing and examination of all evidence

Encroachments on Westmore Frontage

Findings to be determined following public hearing and examination of all evidence

**[ALTERNATE RESOLUTION NO.
3]**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Burlingame that the Owners' appeal of the Public Works Director's decision regarding the encroachment permit application at 1151 Rosedale Avenue is granted, as indicated in the findings above, and the Public Works Director's decision is reversed.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

Peter Stevenson, Mayor

I, MEAGHAN HASSEL-SHEARER, City Clerk of the City of Burlingame, certify that the foregoing resolution was adopted at a regular meeting of the City Council held on the 3rd day of November, 2025, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

Meaghan Hassel-Shearer, City Clerk