

ENCROACHMENT PERMIT

RUDY MAGDALENO, the Owner of the property located at **5730 WALTER STREET** in the City of Riverside, Assessors Parcel No. 190-162-010 hereby requests permission to construct and maintain a **4 FOOT HIGH, BLOCK AND WROUGHT IRON FENCE** within the public right of way of as shown on **EXHIBIT A** attached hereto.

Upon issuance of this permit, I agree to comply with the attached terms and conditions.

Date _____

BY: _____

Date 3-13-98

BY: Rudy Magdaleno

Applicants Address: 5730 Walter Street
Riverside CA 92504 Phone: 687-6259

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ENCROACHMENT PERMIT APPROVAL

This permit shall become effective upon the approval of the Departments listed below. Issuance of this permit shall not be construed as a waiver of any other applicable permit or requirement, and is only revocable permission to use the land for the purpose described.

___ Public Utilities Water - Brian Simpson B. Simpson 2/27/98

___ Public Utilities Electric - Bill Mainord Bill Ammeter 2/20/98

~~___ Parks and Recreation - Bob Johnson _____~~

___ Planning - Jeff Belier Jeff Bel 3/12/98

APPLICANT: Upon obtaining the above signatures, return this permit to the Public Works Department for final approval.

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FINAL APPROVAL

Date 2-2-98

Richard McGrath
Richard McGrath Public Works Director

Encroachment Permit No. E-1412

Posted

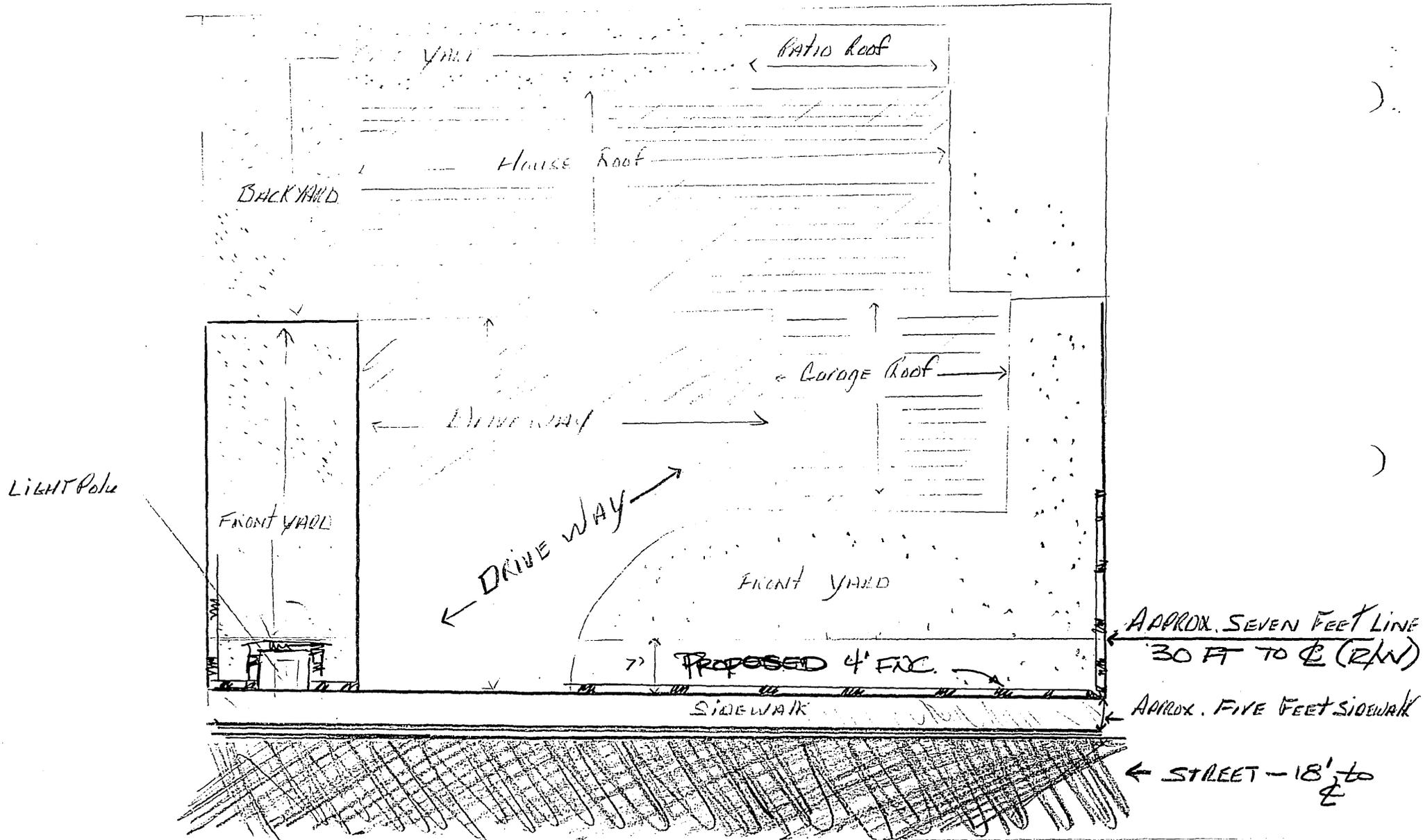
TERMS AND CONDITIONS

1. Permittee acknowledges that the area of encroachment is owned or controlled by the City of Riverside.
2. Permittee acknowledges that the described property could be needed for a proposed or planned public improvement and the City may revoke this permit. Upon written notice of revocation, the permittee shall, within the time prescribed by the City, remove all improvements placed, constructed or maintained. If the permittee fails to abide by the removal order of the City, the City shall have the right to remove and destroy the improvements without reimbursement to the permittee. The cost of such removal shall be paid by the permittee to the City and shall constitute a debt owed to the City.
3. Permittee waives the right of claim, loss, damage or action against the City resulting from revocation, termination, removal of improvements or any action of the City, its officers, agents or employees taken in accordance with the terms herein.
4. If the Public Works Director of the City of Riverside finds that the permittee is in default of the terms of this permit, that shall be cause for revocation.
5. Permittee herewith agrees to hold the City of Riverside harmless from and against all claims demands, costs, losses, damages, injuries, actions for damages and/or injuries, and liability in connection with the construction, encroachment, and/or maintenance to be done by permittee within the described property.
6. Prior to any construction taking place on City controlled property, permittee shall obtain a Construction Permit or Street Opening Permit from the City Public Works Department.
7. The permittee agrees to insure that construction of their improvements will not interfere in any way with any existing City or utility facilities.
8. Permitted acknowledges that existing city or utility facilities will require future maintenance, reconstruction, and revisions and that facilities may be added, any of which may result in removal or alteration of the permittee's improvements without reimbursement to the permittee.
9. Prior to construction, permittee shall contact Underground Service Alert to field locate existing utility lines. Any conflicts discovered will void the permit until acceptable revisions are made.

Special Departmental Conditions Attached: 1/6

Encroachment Permit No. E-1412

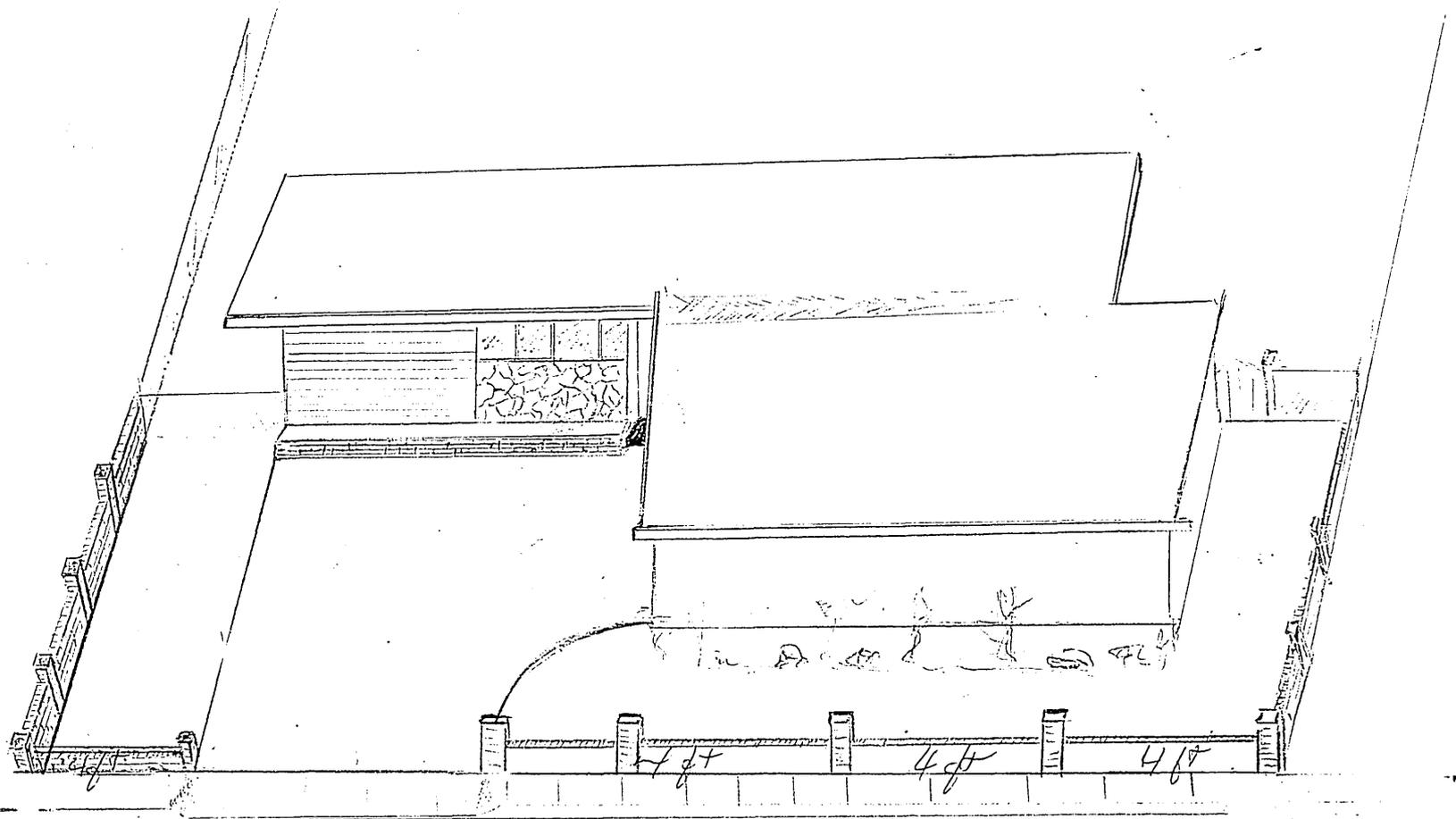
EXHIBIT A (1 of 3)



2/11/12

EXHIBIT A (2 of 3)

WROUGHT IRON & BRICK PLASTER WALL
HEIGHT NOT TO EXCEED 4 FT



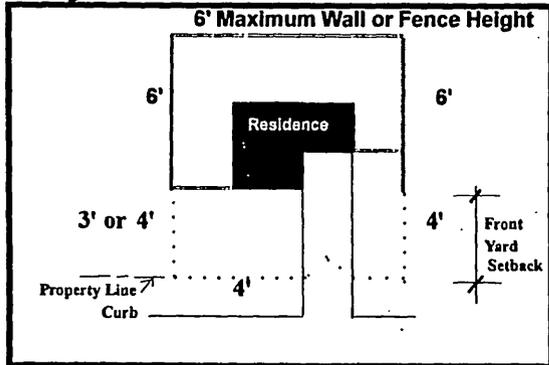
E-1412

WHY ARE THERE REGULATIONS?

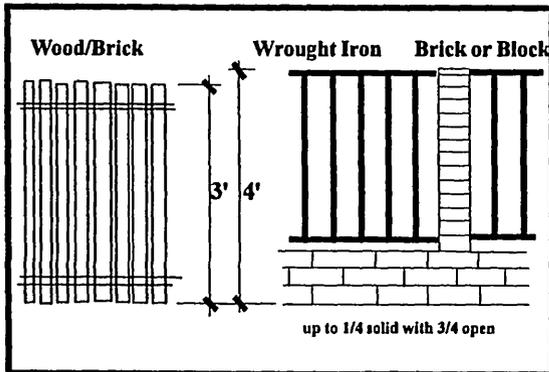
Fences and walls help homeowners define their property and provide privacy and security. However, sometimes fences or walls can be too tall and give an unpleasant appearance which disturbs the harmony of a neighborhood. The Zoning Code includes maximum height limits to meet both the needs of the homeowner and the neighborhood.

WHAT CAN I HAVE?

Homeowners in all residential areas can have a 6 foot high side yard and rear yard wall or fence. Front yard fences can be 3' in height if they are solid. If they are 'open work,' they may be up to 4' in height.



FENCE HEIGHTS ALLOWED



FRONT YARD FENCES

The Zoning Code requires a *front yard setback* for all residential zones. Fences or walls cannot be taller than allowed within this setback. The preceding graphics help explain this. To find your property's front yard setback contact our counter planner.

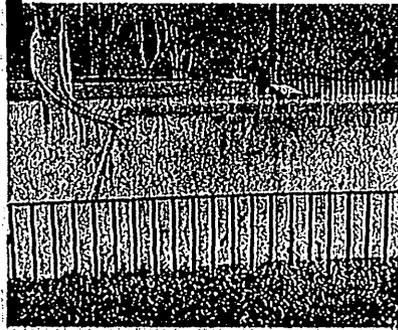
SPECIAL SITUATIONS

Front Yards

Residential areas with larger estate lots or agricultural lots are allowed higher front yard fences. Check with the counter planner for more information. You may have a special situation and believe that you need a higher front yard fence. You may apply for a variance to the Zoning Code. The City Council has gone on record as being concerned with overly large walls and fences in front yards because they can give a bad appearance to a neighborhood. The City encourages homeowners to use defensive walls between homes. The Planning Department has good suggestions on this to share with homeowners. Contact their Public Education Office at 782-5724 for additional information.

Pool Fences

Pools are attractive to small children who often can't swim. Many children die or are seriously injured in pools each year. The Riverside Municipal Code requires special fencing around pools to save lives. Contact our Building Division at 782-5697 for the latest requirements for pool fences.

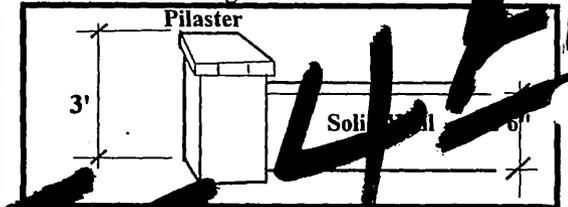


MEASURING HEIGHT OF A FENCE OR WALL AND PROPERLY LOCATING IT

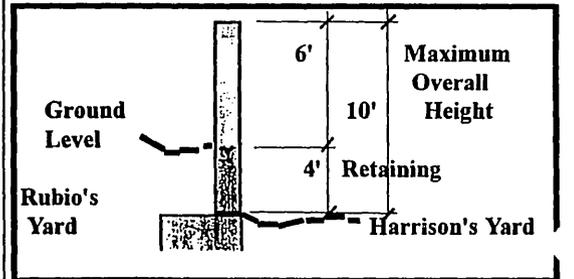
Measuring the height of a fence or wall sounds simple. Most times it is, but there are some special situations.

Height

- **Pilasters** - Decorative 'posts' on walls or fences may not be taller than the maximum wall height allowed.



- **Retaining Walls** - In a front yard, the fence height includes any retaining wall. However in the side or rear, up to 4' of a retaining wall is not included in the fence height.



SIDE OR REAR YARD RETAINING WALLS

Be aware that the Building Division has separate requirements from the Planning Department regarding the heights of walls and the type of review required for them. Some walls require permits and some do not. Wall height is measured differently for the Building Departments' purposes. Freestanding walls over 6' or retaining walls over 3' above grade will require a permit. See the Building Division for more specific information.

2/11/2