

## **BLUE FOLDER ITEM**

*Blue folder items are additional back up material to administrative reports and/or public comments received after the printing and distribution of the agenda packet for receive and file.*

### **CITY COUNCIL MEETING**

**June 1, 2021**

**L.1.** A CONTINUED PUBLIC HEARING FOR CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION DECISION APPROVING THE REQUEST FOR AN ACCESSORY STRUCTURE'S ROOF ATTACHED TO THE REAR ELEVATION OF THE MAIN HOME WITHIN THE REAR SETBACK OF THE REAR UNIT OF AN EXISTING 2-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED WITHIN A LOW-DENSITY MULTIPLE-FAMILY RESIDENTIAL (R-2) ZONE AT 2015 SPEYER LANE UNIT B.

**CONTACT: BRANDY FORBES, COMMUNITY DEVELOPMENT DIRECTOR**

- Proponent's (Matthew and Cory Sufnar) Presentation

# **Redondo Beach City Council**

## **Compliance To:**

### **Accessory Structures in Residential Zones**

*Building Code 10-2.1500*

### **Building and Other Projections in all Zones**

*Building Code 10-2.1522*

***“What we have Built does not Violate the Requirements of the Applicable Municipal Code(s). The Structure in Place is Fully Compliant to the Building Code as Written”***

***2015 Speyer Lane, Unit B***

**The Sufnar Family – Matt & Cory**

**June 1, 2021**

## Bottom Line Up Front (Overview) (1 of 2)

- There have been no updates, changes or modifications to the Accessory Structure Section of the Redondo Beach Municipal Build Code (RBMC 10-2.1500) since its incorporation over 25 years ago on January 18, 1996
- What we have in place as defined by the RBMC Building Code definitions is an Accessory Structure and not an Accessory Building
  - Our accessory structure is not a building as defined by the code's building definition as the structure is not enclosed
- **10-2.402 (3)** "Accessory building" definition specifically denotes that it must be **detached**.
- **10-2.402 (4)** "Accessory structure" definition **does not** require that a structure be detached, only that it be subordinate to the main building.
- On March 18, 2021 the Community Development Director and the Planning Commission confirmed "Projections into Required Setbacks" per RBMC 10-2.1522 are permitted into required setbacks and setbacks between buildings in all zones
- The Planning Commission unanimously voted 7-0 in favor of upholding the Appeal to the Administrative Design Review, finding the structure complies with the provisions of Title 10 Chapter 2 as set forth in RBMC 10.21500 Accessory Structures in residential zones

## Bottom Line Up Front (Overview) (2 of 2)

- **Adjacent Neighbors, Nearby Residents – Overwhelming Support of Backyard Improvements!**
  - Presentation includes over twenty-five (25) written signed letters including a petition with signatures from residents supporting project
  - Many residents will address members of the City this evening to express support of our request
- **Precedent**
  - Several examples of attached accessory structures located throughout the neighborhood and within walking distance of our home
- **Key Benefits to Owner & Residents**
  - Increases property values, built to engineered drawings, safe, out of site, does not encroach onto other properties
- **Project Background**
  - Investment driven by need to remove overgrown, standard privacy trees due to daughter's allergies
  - Tree root system damaged patio, backyard and house foundation
  - Aged, deteriorating, unsafe patio covering required replacement

## Current Building Code 10-2.1500 – Accessory Structure & RBMC Definitions

- Building Code 10-2.1500 Para. (a) **Setbacks between Buildings:** The minimum distance between a dwelling unit and an accessory structure, or between two (2) accessory structures on the same site shall be five (5) feet. This subsection shall not be applicable to the R-MHP mobile home park zone.
  
- **10-2.402 Definitions - RBMC**
  - “**Building**” shall mean “any structure with a roof supported by columns and/or walls securely affixed to the ground which building is designed **and**/or used for the shelter **and enclosure** of persons, animals, or property.”
  
  - “**Accessory Building**” shall mean a **detached** building which is subordinate to the main building or structure on the same lot.
  
  - “**Accessory Structure**” shall mean a structure which is subordinate to the main building or structure on the same lot. This classification includes accessory buildings.

## Current Building Codes - Summary of Key Points

- **10-2.1500** requires a 5 foot setback between dwelling unit and an accessory structure
  - This is the RBMC Accessory Structure Building Code
- **10-2.1522** delineates an exception to **10-2.1500** which specifically allows eaves to project up to 30 inches (2.5 feet) into setbacks.
  - This is the RBMC Building Code for Projections
- **10-2.402** requires that for any structure to be considered a building it must be designed and/or used for the shelter and enclosure of persons, animals, or property.
  - This is the RBMC definition of a Building
- **10-2.402 (3)** "Accessory building" definition specifically denotes that it must be detached.
  - This is the RBMC definition of an Accessory Building
- **10-2.402 (4)** "Accessory structure" definition *does not* require that a structure be detached, only that it be subordinate to the main building.
  - This is the RBMC definition of an Accessory Structure
- IMPORTANT NOTE: while **10-2.402 (4)** includes accessory buildings it does not require that an accessory structure be considered a building.

***An Accessory Building MUST be Detached per Code  
The Code is Silent and DOES NOT require An Accessory Structure to be Detached***

## Current Building Codes - Summary of Key Points

- It is clear that what we have is not an accessory building because it does not meet the requirement of enclosure, however it does meet the definition of an accessory structure as it is subordinate to the main building on the same lot.
- **Under the code definitions, only an accessory building is required to be detached, an accessory structure does not have the same requirement to be detached.**
- 10-2.1522 (RBMC Building code for projections) then allows eaves up to 30 inches to project into the required setback of 5 feet, it does not limit this to only one or the other of the main building or the accessory structure and thus both are allowed 30 inches of projection into the required setback for a total of 60 inches, or 5 feet.
- As noted above an accessory structure **is not required to be detached from the main building**, as such the two projecting eaves are not required to be detached from each other and thus **may be a contiguous structure. This is what we have built.**
- **The determination by the Planning Commission concluded that what we have in place is allowable. Furthermore what we have built does not violate the requirements of the applicable municipal code(s).**

## Current Building Code 10-2.1522 – Projections

- **10-2.1522 Building and Other Projections in All Zones**

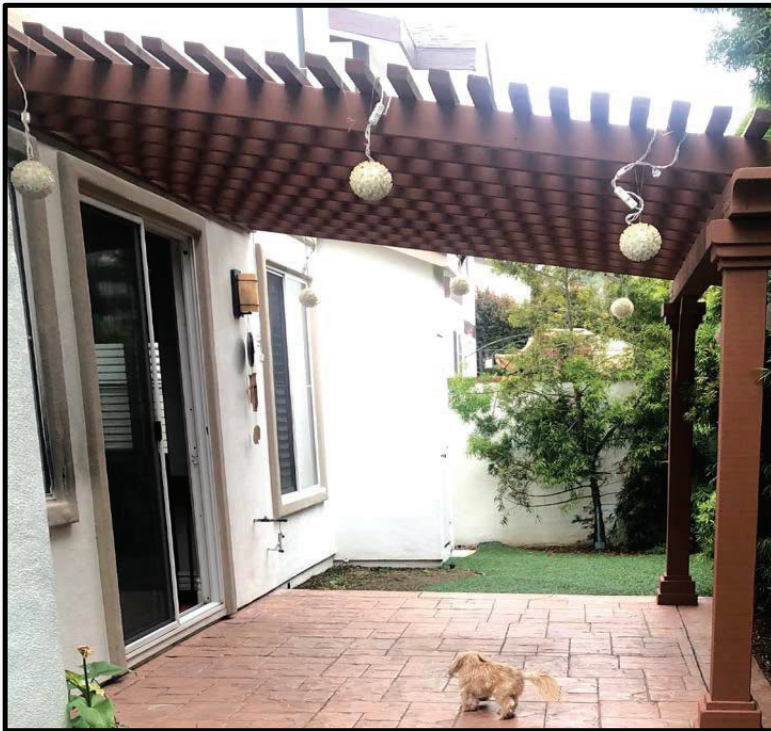
a) **Projections into required setbacks.** The following projections may be permitted into required setbacks and setbacks between buildings:

**All Zones.** Cornices, eaves, belt courses, sills, water heaters, cantilevered bay windows not containing any floor area, awnings affixed to the building facade, and fireplace chimneys or any other similar architectural feature may project into a required side setback one-half the distance of the required side setback, or thirty **(30)** inches, whichever is less, and may project into a required front or rear setback, or into the required setback between buildings no more than thirty **(30)** inches. Windows and other openings in buildings must maintain a thirty-six (36) **inch** to sixty (60) **inch** setback from the property line in accordance with Building Code.



## Prior and New Accessory Structure Comparison

**Previous Structure – 17 Years in Place  
Attached to Home**



***Prior View – East to West***

**Current Structure – October 2020  
Attached to Home**



***Current View – East to West***

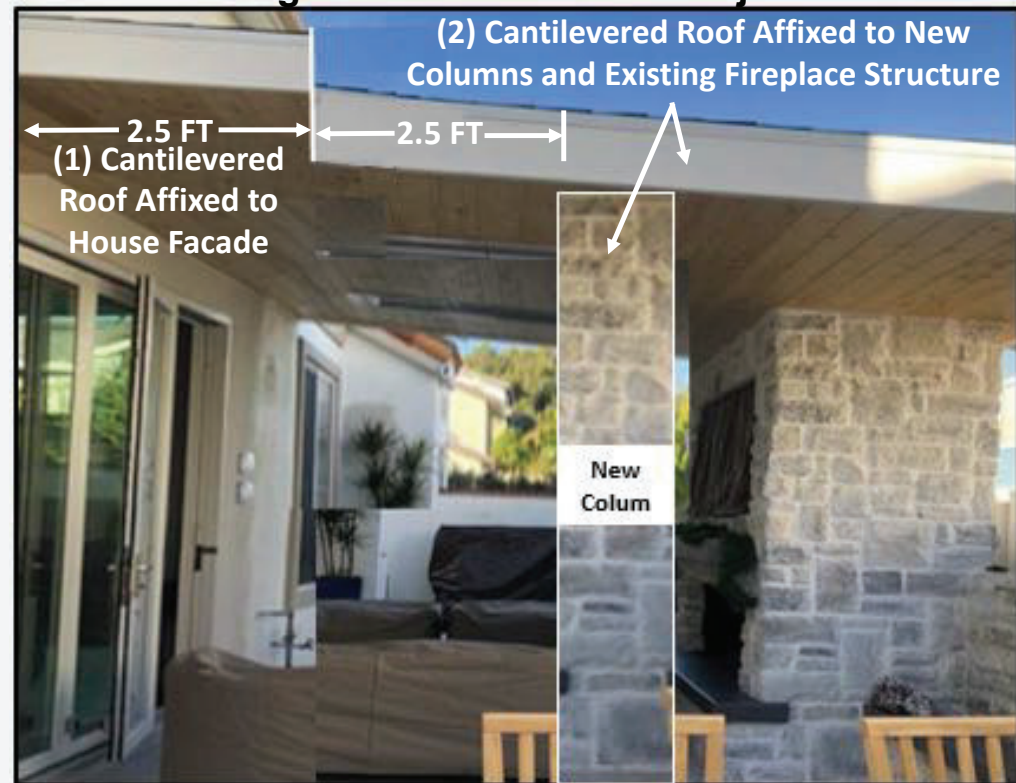
5' Distance  
setback  
between  
"BUILDINGS"

## Existing Structure and Allowable Projections per Building Code 10-2.1522 - Projections

Existing As Build Design



Building Code 10-2.1522 - Projections



*Provides No Benefit to Rear or Surrounding Neighbors. Structurally Unsound, Architecturally Incompatible with Community*



## Current Backyard Photos



*View – East to West*



*View – From Family Room*



*View – East to West*



*View – East Side Sitting Area*



*View – From Family Room*



*View – Main Area West to East*

## Rebuttal of Claims by Rear Resident Against Accessory Structure & Additional Concessions (1 of 2)

No.	Rear Resident Claim	Rebuttal of Claim & Additional Concession
1	Accessory structure decreases the value of 2014 Belmont Lane #B due to overcrowding	<ul style="list-style-type: none"> <li>- Define overcrowding? There is none. Accessory structure is 100% compliant to building code as written</li> <li>- No rear setback required per RBMC 10-2.402 as structure is not habitable</li> <li>- 5' distance limitation is between <b>Buildings</b> (i.e. – between our home and accessory structure <b>NOT</b> the accessory structure and rear fence property line)</li> <li>- Resident has no interest in improving the value of their home given the property's rundown condition</li> </ul>
2	Structure is large and overpowers limited space and intimidating	<ul style="list-style-type: none"> <li>- To the Contrary. Existing accessory structure is only 17% of the building code's maximum allowable requirement. We are allowed per code to build a 40FT long by 10FT high structure increasing the current structure size by +83%!</li> <li>- Outdoor living space has 414SF of open air outdoor living space which meets outdoor living space open air requirements. Only 38% (261.9SF) of Existing Total Outdoor Living Space of 675SF.</li> <li>- Architecturally compatible to the surroundings, it is low profile and void of bulk or mass</li> </ul>
3	Close proximity of Roof results in Run Off Directly into Adjacent yard and additional drainage issues exist due to extensive permeable paving	<ul style="list-style-type: none"> <li>- There is no rain runoff in our backyard or adjacent yard. Patio drains exist and patio grade slopes towards sump pump located in driveway and away from rear property.</li> <li>- Property line fence outer structure and foundation is made of concrete fully separates yards</li> <li>- <b>Additional Concession:</b> Concern resolved. Although rear resident does not have gutters on their own house, we have installed a gutter with downward spout that drains into our yard.</li> </ul>

## Rebuttal of Claims by Rear Resident Against Accessory Structure & Additional Concessions (2 of 2)

No.	Rear Resident Claim	Rebuttal of Claim & Additional Concession
4	<p>Nuisance caused by Structure – Design of roof structure results in high noise levels violating RB Noise Ordinance of 50dB</p> <ul style="list-style-type: none"> <li>- Wood &amp; tile floor causes “echo chamber” that amplifies</li> <li>- Measured noise levels at property fence of 65dB</li> </ul>	<ul style="list-style-type: none"> <li>- No noise nuisance. For reference, breathing is 10dB. Whisper or rustling leaves is 20dB. Normal conversation is 50dB. A washing machine registers at ~70dB. A lawnmower is around 90dB. Very <b>LOUD</b> sounds like fireworks (150dB) or shotgun blast (170dB). Their argument is that they have measured noise in our backyard at 65dB, less than a washing machine.</li> <li>- They have 2 barking collies they let out multiple times a day from 4am to 11pm that bark at a much louder dB rate than you find in our backyard. Per Wikipedia the average bark of a mid size dog like the both of theirs is 100dB.</li> <li>- Per Wikipedia, wood is good at sound absorption because its porous, with plenty of air spaces to trap sound. The best soundproof wood types are oriented strand board which is what our roof is primarily made out of.</li> <li>- <b>Additional Concession (1):</b> Furthermore, the property line fence, barbecue, fireplace structures are all made of concrete block which are excellent barriers for noise attenuation, again per Wikipedia and accounted for in our existing design.</li> <li>- <b>Additional Concession (2):</b> We have also installed 6 young trees and have used noise absorbing materials with our furniture.</li> <li>- <b>Additional Concession (3):</b> Requesting City Council approval to install a new vinyl fence adding 24” for increased privacy and to further dampen noise. The fence modification we believe should be approved based on the 24” grade difference between the two properties as our home is at a higher elevation and more exposed.</li> </ul>

## Recommendations by Planning Commission 3/18/21 (1 of 2)

### *Planning Commission Findings*

No.	Findings of Planning Commission Found to be Consistent with the City's Zoning Ordinance set forth therein for the following Reasons (per page 2 of Resolution No. 839, Section 10-2.1500)	Comply
1	Proposed Accessory Structure's roof complies with the provisions of Title 10 Chapter 2 as set forth in Section 10-2.1500 Accessory Structures in residential zones	X
2	The design is compatible with the overall community and surrounding neighborhood	X
3	The application, specifications, drawings and supplemental materials submitted with the application have been reviewed by the Planning Commission, and are approved	X

### *Based on Above Findings, Appeal of ADR Upheld with the following Conditions*

No.	Conditions	Status
1	Rain gutters to be added to the north roof of the structure that drain onto the 2015 Speyer Lane Unit B property away from the property to the north	Fully Compliant – Rain gutter and downspout installed April 2021. Patio drains are pre-existing and patio sloped towards driveway sump pump
2	Plantings as approved by the Planning Division shall be installed to the height of the roof of the structure on either side of the fireplace portion to buffer sound and incorporate natural elements and maintained by Owner.	Approval Request - Requesting City Council approval to replace existing vinyl privacy fence with new extended fence up to the maximum allowable modification height allowed by the Planning Department. (4K investment) Backyard grade elevation difference between our house and abutting backyard house is a minimum 24 inches. Our home is at the higher elevation and more exposed.



## Recommendations by Planning Commission 3/18/21 (2 of 2)

*Based on Above Findings, Appeal of ADR Upheld with the following Conditions (Continued)*

No.	Conditions	Status
3	If any additional accessory structure is to be considered in this rear yard, it must meet the RBMC and all required municipal permits must be obtained prior to any construction or the additional structure will be required to be removed	Acknowledged
4	No walls may be added to this accessory structure within 5 feet of the dwelling unit or any other accessory structure	Acknowledged
5	The property owner shall submit construction plans and obtain all required municipal permits must be obtained from the City of Redondo Beach within 6 months	Acknowledged

## Building Code 10-2.1500 Compliance Assessment Matrix (1 of 2)

No.	Paragraph	Description	Comply	Non-Comply
1	(b) Stories	No accessory building shall exceed one story in height.	X	
2	(c) Accessory Structures Occupying Rear Setback: (1) Height	Accessory structures occupying any portion of a required rear setback in any residential zone shall be subject to the following standards: No accessory structure shall exceed fifteen (15) feet in height. The perimeter walls shall not exceed ten (10) feet in height as measured from existing grade to the point of intersection with the top of the plate. A parapet may not extend more than three (3) feet above the top of plate. <b>Our accessory structure is only 9 ft. 8 in.</b>	X	
3	(c)(2) Floor Area	No accessory structure or combination of accessory structures, any portion which is located in the required rear setback, shall exceed eight hundred (800) square feet in gross floor area. <b>Our accessory structure is only 261.9 square feet.</b>	X	
4	(c)(3) Side Setbacks	The total side setback, measured from each side property line to the wall of the structure, shall equal not less than ten (10) feet. Further, if any portion of the accessory structure is located forward of the rear twenty-three (23) feet of the lot, or if the structure is habitable, a minimum side setback of five (5) feet shall be required on each side of the structure. <b>Current side setback of 18 ft. on each side for a total of 36 ft.</b>	X	
5	(3)(a) Property Abutting Alleys	Notwithstanding the foregoing, no side setback shall be required for a non-habitable accessory structure if no portion of the accessory structure is located forward of a line drawn parallel to and forty-five (45) feet from the property line abutting the opposite side of the alley (see illustration below). <b>N/A</b>	<b>NOT APPLICABLE</b>	



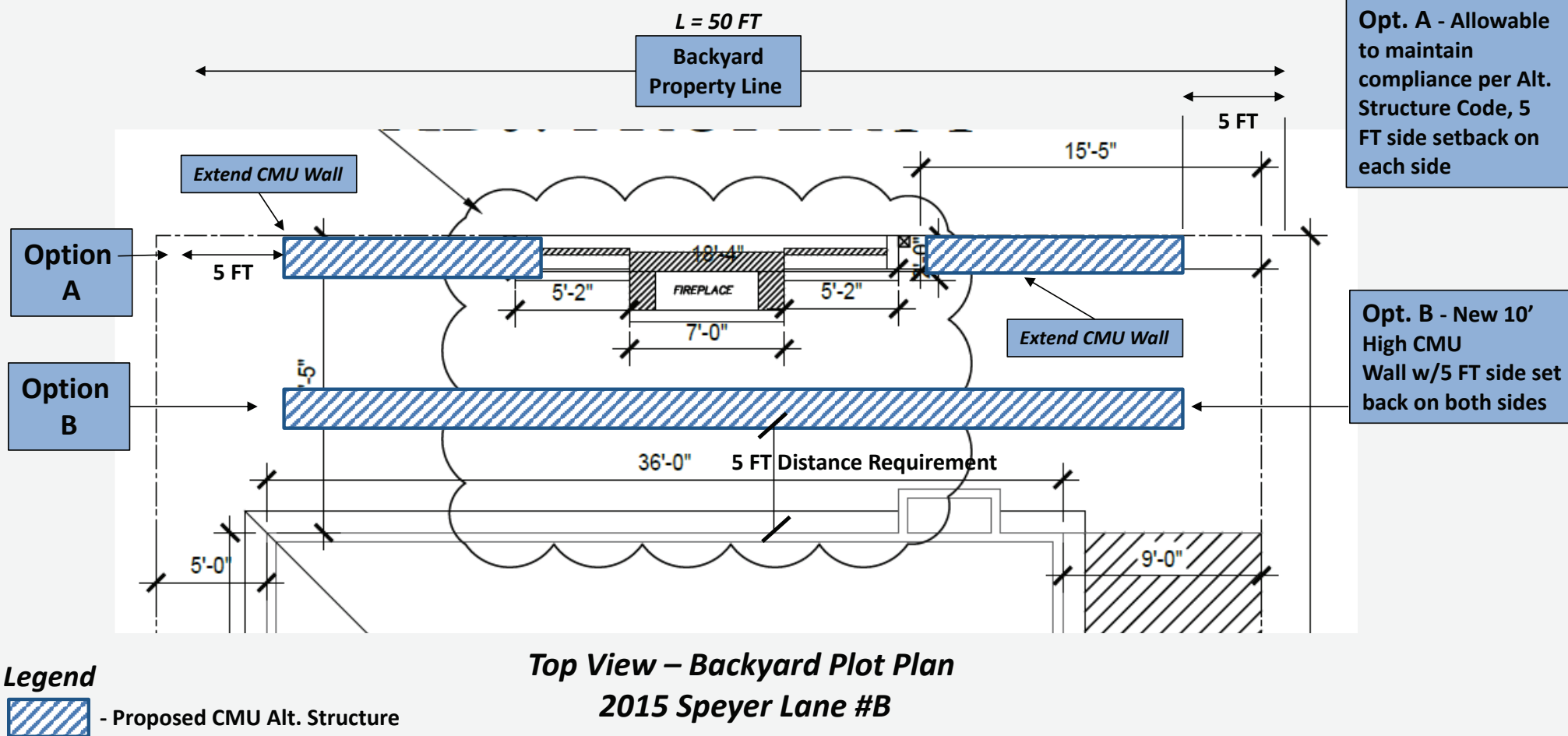
## Building Code 10-2.1500 Compliance Assessment Matrix (2 of 2)

No.	Paragraph	Description	Comply	Non-Comply
6	(4) Rear Setbacks	No rear setback required unless it's a habitable accessory structure, then there is a 5-foot rear setback. Per RBMC 10-2.402 Habitable is defined as "A detached building any portion of which contains a living type space, including, but not limited to, bedrooms, playroom, office, rumpus room, bonus room, guest room, artist studio, pool house, or similar uses. Such buildings shall not include a kitchen or kitchen-related plumbing or cooking facilities." <b>Not a habitable structure.</b>	X	
7	(a) Setbacks Between <u>Buildings</u>	The minimum distance between a dwelling unit and an accessory structure, or between two (2) accessory structures on the same site shall be five (5) feet. <b>Paragraph (a) clearly states between <u>Buildings</u>. The "<u>Building</u>" definition is clearly defined and must be enclosed.</b>	X	

***Accessory Structure Fully Complies to All Seven (7) Building Codes, including Para. 7 (a) Distance Between Buildings***

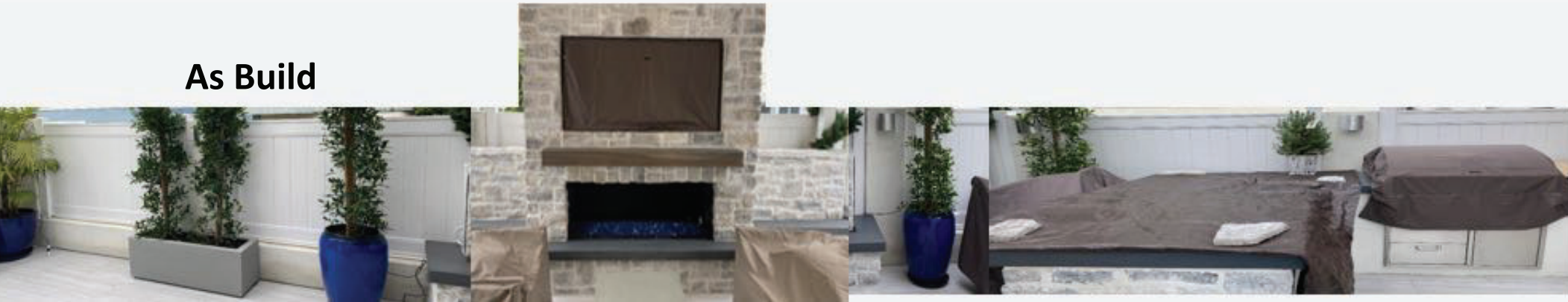
- Our structure is not a Building, by definition a Building must be enclosed
- Our Accessory Structure is attached to our home and RBMC specifically indicates an Accessory Building must be detached but does NOT have this requirement for Accessory Structure under current written code
- Has no walls erected within the 5 ft
- There are no impediments to the house, first responders have full access
- Still meets or exceeds all outdoor living space requirements
- The feeling of "bulk" or "mass" is minimized with fully open sides

# Alternate Structure Code – What Would be Allowable



## Current View (Top) vs. Alternate Options Code Allows (Bottom)

**As Build**



**Allowable Options A, B**



***View from Home to Rear – Not to Scale***

## Accessory Structure – Owner/Neighbor Benefits Analysis (1 of 2)

No.	Category	Description	No Benefit	Benefit
1	<b>Safety – New Structure</b>	No safety risk to homeowner or residents. Structurally sound construction as built IAW with stamped drawings and plans developed by licensed, professional engineer (P.E.). Structure has no impact to public health and welfare of all.		<b>X</b>
2	<b>Safety – Old Structure</b>	New structure replaced unsafe, deteriorating 17 yr. old patio covering. Trees roots uplifting footings. Unsafe condition.		<b>X</b>
3	<b>Neighbor Property Line Encroachment</b>	No encroachment into neighboring yards. Structure resides within our property line and property footprint.		<b>X</b>
4	<b>Right of Ways</b>	Structure does not interfere with any residential right of ways.		<b>X</b>
5	<b>Street Frontage/ Line of Site</b>	No street frontage views. Out of site from front of Units A & B. Structure located in our rear unit back yard.		<b>X</b>
6	<b>Residential Design Guidelines Compatibility</b>	Design is consistent to the intent of the residential design guidelines. No appearance of bulk or mass. Low profile. Color scheme, material quality, workmanship, performed IAW with latest State of California construction processes and methods.		<b>X</b>
7	<b>Neighborhood Aesthetic Enhancements</b>	Structure contributes beneficially to the overall design quality and visual character of the community, stable, desirable characteristics		<b>X</b>
8	<b>Noise Dampening</b>	The wooden pavilion significantly attenuates noise from the noise source whether that be noise generated by a neighbor or us.		<b>X</b>

## Accessory Structure – Owner/Neighbor Benefits Analysis (2 of 2)

No.	Category	Description	No Benefit	Benefit
9	Property Values	Home improvers make good neighbors. “2008 Harvard University study found that improvements make a neighborhood more desirable ultimately increasing the house value of all homeowners, even those who did not undertake any improvements”.		X
10	Privacy	Provides much needed privacy for owner and surrounding neighbors		X
11	Rain Run Off	Negligible. Surface area is only 240SF. No impact to neighbors. Video and photo evidence on file. Most surrounding homes including rear resident do not have gutters		X
12	Tree Maintenance	Eliminates cost of maintaining overgrown, 30’ tall Cypress trees that were planted by the builder along the backyard property line fence which also encroached into rear neighbor yard. Root system damaged our patio and house foundation, and eliminates fall over risk (tree fell on house requiring repairs)		X
13	Health/ Allergies	Daughter is highly allergic to Cypress tree pollens and other weed and grass pollens which all necessitated tree removal. My daughter now has a pollen free environment		X
14	Backyard Space Utilization	Wanted to modernize our home and create a yard in which we could spend more time and relax as a family, improve quality of life for the new Covid environment we live in today. Modern outdoor living spaces are popular in the Beach Cities.		X
15	Precedence	Examples as shown in subsequent slides, numerous accessory structures such as attached patio coverings, open/closed pergolas and accessory structures exist in City		X
16	Resident Support	Our package includes numerous signed letters and signed petitions of adjacent neighbors on 2000 block of Speyer and Belmont Lane, including other residents that are in full support of our backyard improvements		X <sub>19</sub>

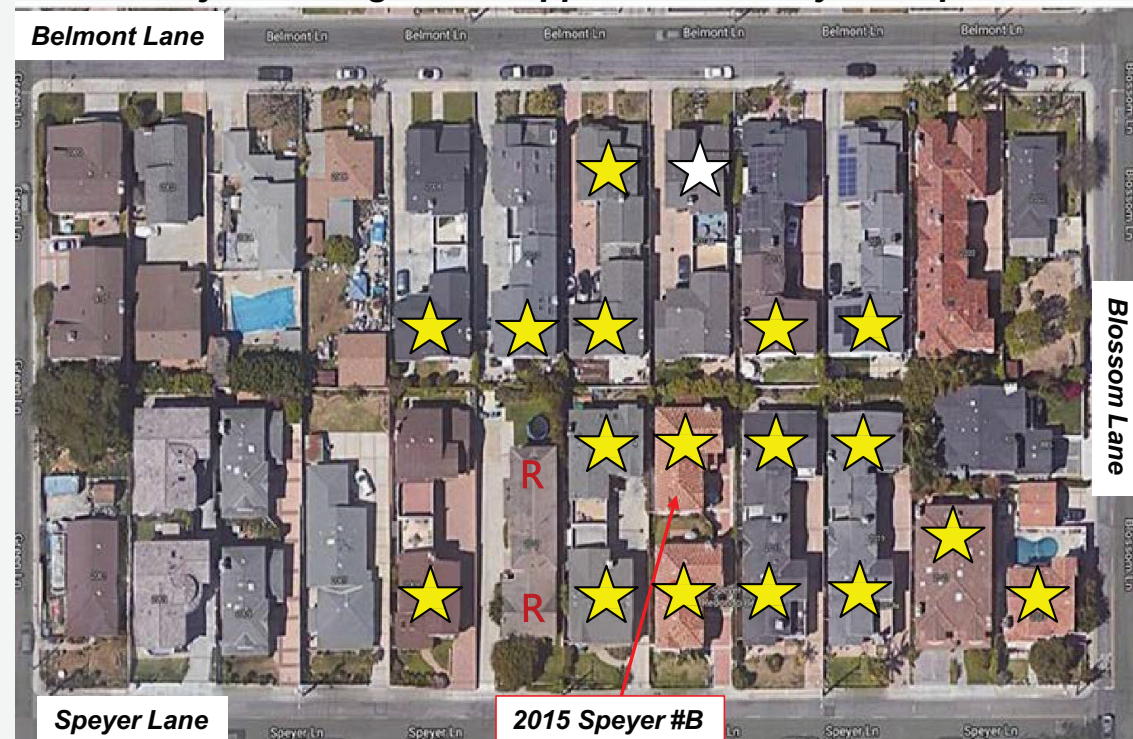


# Adjacent and Block Residential Support of Backyard Improvements

- The following neighbors on the 2000 block of Speyer and Belmont Lane are in support of the improvements we have invested in our backyard at 2015 Speyer Lane #B. [Please see Exhibit C signatures of all supporting residents](#)

- 2009 **Speyer #A** – Cynthia Harris
- 2013 **Speyer #A** – Kevin and Josie Fletcher
- 2013 **Speyer #B** – Jon & Shannon Semizian
- 2014 **Speyer #A** – Sheryl & Joe McKenna
- 2015 **Speyer #A** – Kevin and Ling Jo
- 2015 **Speyer #A** – Susan Corey (former owner)
- 2017 **Speyer #A** – Mary Quinn
- 2017 **Speyer #B** – Diana and Marshall Gelb
- 2019 **Speyer #A** – Shelly and Jay Joyce
- 2019 **Speyer #B** – Greg and Jennifer Danylyshyn
- 2023 **Speyer** – Nada Rahhal
- 2013 **Speyer #B** – Andrew & Kelly Galves
- 2008 **Belmont #B** – Phil Oakelmann
- 2009 **Belmont #B** – Onur & Ungur Demiryurek
- 2010 **Belmont #B** – Bob & Catherine Friend
- 2012 **Belmont #B** – Pam Rock
- 2012 **Belmont #A** – Lynette Vandever
- 2016 **Belmont #B** – Brad & Shanna English
- 2018 **Belmont #B** – Michelle & Mike McEveety

## Current Adjacent Neighbors Supportive of Backyard Improvements



★ - Signed Neighbor Support    R - Renters    ☆ - Unable to Make Contact

## **Overwhelming Redondo Beach Resident Support of Improvements Written Letters Attached (See Exhibit B)**

*The following local residents are in support of the improvements we have made  
Please see the attached letters and consider the communities overwhelming support*

- 2019 Speyer Lane B - Greg & Jennifer Dannyslyann
- 2017 Speyer Lane B - Diana & Marshall Gelb
- 2015 Speyer Lane A – Kevin & Ling Jo
- 2015 Speyer Lane A – Susan Corey (15 year resident)
- 2013 Speyer Lane B – Jon & Shannon Semizian
- 2018 Belmont B – Mike & Michelle McEveety
- 2016 Belmont B – Brad & Shanna English
- 241 S. Irena #C – Varina & Trey Moore
- 1611 Havemeyer – Kerry & Ben Bosse
- 1624 Armour – Lisa & Jens Wessel
- 1627 Armour – Amy & Billy Errett
- 1802 Harriman #A – Paige & Greg Howe
- 1904 Morgan #A – Lori Boggio
- 1910 Morgan #B – Cynthia & Mike Goldstein
- 2209 Hall Court – Christine & Jim Abramowski
- 2727 Alvord – Jean & DJ Leary
- 705 S Juanita – Susan & Jay Roberts
- 700 Meyer Lane - Robert & Carrie Hayes
- 1739 Speyer Lane - Stephanie Todd
- 1538 Goodman Ave – Jasmine Rassekh

## **South Bay Experts Licensed Real Estate Professionals Written Letters Attached (See Exhibit B)**

*The following California Real Estate Licensed, South Bay Professionals are in full support of our project and validate our improvements **INCREASE** adjacent home values*

- Judy SaAvedra: Licensed Real Estate Professional (Engel & Völkers LA-South Bay) 35 years experience
- Laura Grabner: Licensed Real Estate Professional (Hoffman Murphy) 19 years experience
- Jasmine Rassekh: Licensed Real Estate Agent & Lender (Mortgage Capital) 15 years experience
- Mercedes Van Pelt: Licensed Real Estate Professional (Compass) 14 years experience
- Greg Thatcher: Licensed Real Estate Professional (Vista Sotheby's Realty) 13 years experience

***Over 96 years of Combined Licensed Real Estate Experience***

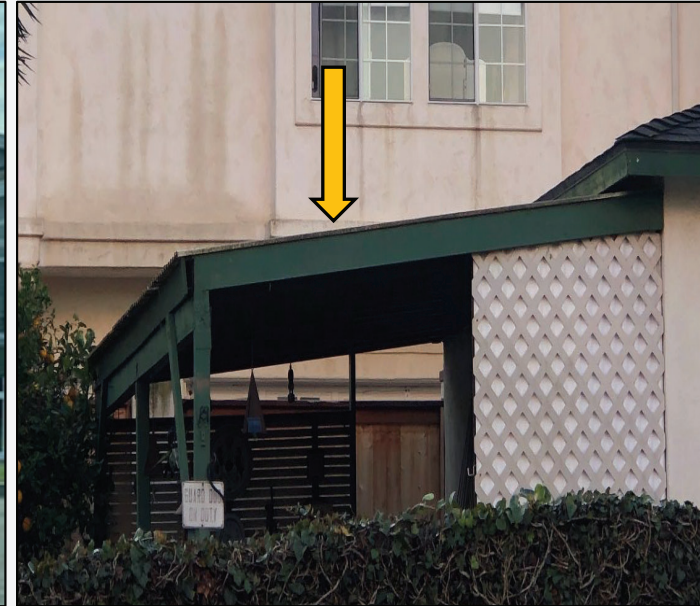


## Existing Neighborhood Precedent Examples (1 of 3)



*Attached Accessory Structures*

## Existing Neighborhood Precedent Examples (2 of 3)



*Attached Accessory Structures*



## Existing Neighborhood Precedent Examples (3 of 3)



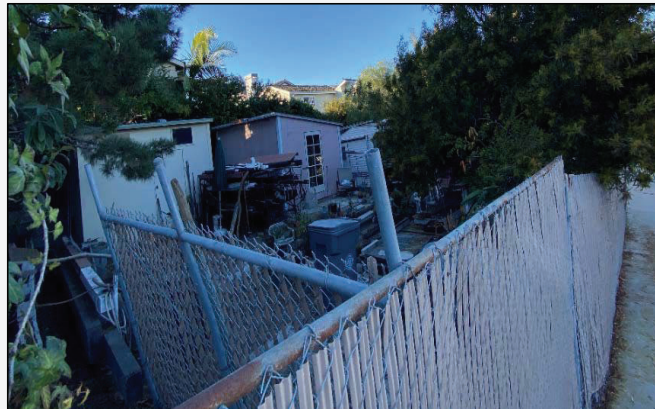
*Attached Accessory Structures*



**Existing Neighborhood Maintenance and Code Violations –  
No Nuisance Abatement Nor Investments to Improve  
Unsightly, Unsafe Conditions (within 1 Block of Residence)**



**Property A – Scaffolding, Debris,  
Deteriorating Fence**



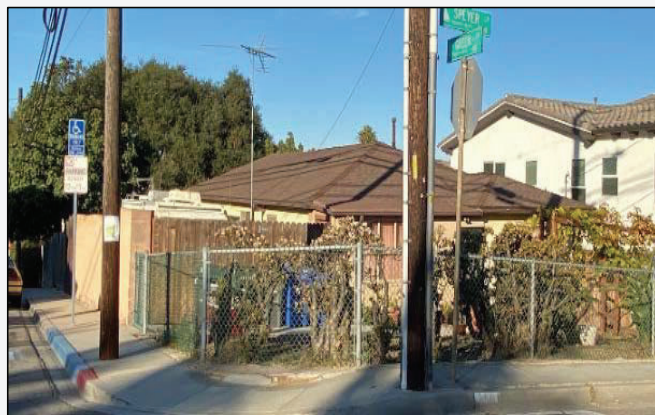
**Property A Backyard – Auxiliary Dwellings/Sheds**



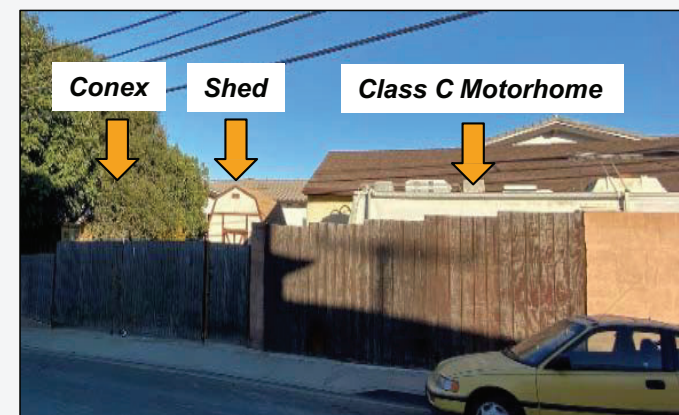
**Property A Backyard – Junk Vehicle**



**Property B - Boat Storage and  
Shed on Roof**



**Property C – Unsafe Conditions**



**Property C Backyard – Storage of Inoperative  
Class C Motorhome, Conex Box and Shed**



## 2014 Belmont Lane #B Backyard Resident (Appellant)



*The Only Adjacent Resident Objecting to our Home Improvements*

**2014 Belmont Lane #B**  
**Systemic Abuse of City Resources by Appellant**

2002 thru 2020 – Redondo Beach Police Department (RBPD) has **NEVER** visited our home in response to **ANY** complaints.

- |         |                        |                                    |
|---------|------------------------|------------------------------------|
| ▪ 10/24 | RBPD visit at 11:30 AM | No Warning or Citation             |
| ▪ 10/24 | RBPD visit at 5:15 PM  | No Warning or Citation             |
| ▪ 10/31 | RBPD visit at 6:30 PM  | No Warning or Citation (Halloween) |
| ▪ 11/11 | RBPD visit at 7:33 PM  | No Warning or Citation             |
| ▪ 11/12 | RBPD visit at 7:15 PM  | No Warning or Citation             |
| ▪ 11/29 | RBPD visit at 1:00 PM  | No Warning or Citation             |
| ▪ 11/29 | RBPD visit at 4:30 PM  | No Warning or Citation             |
| ▪ 11/29 | RBPD visit at 6:30 PM  | No Warning or Citation             |

***Only Cited RBPD Resource Abuses Herein – Our Rear Resident Continues to Abuse City Building Code Enforcement, City Planning, Community Planning and City Council Resources – Using Complaint Systems at their Disposal as a Weapon against Us to Harass Us and Negatively Influence City Leaders***

# 2020 Outdoor Living Space Project Timeline – includes Permits & Complaints (1 of 7)

## Project Milestones & Permits

### Project Start

Demolition of Backyard  
Including Tree Removal

26 May

+0 days

### City Approves Site Plan #1

For 4 foot high accessory structure and BBQ with electrical and gas lines. The 4 foot high accessory structure was initially the result of being told by O'Kelles that a chimney would need to be equipped which was an excess of \$8K in additional materials. This was outside our budget so the fireplace / accessory structure was to remain at 4 feet high. Site plan to include greenery as a result of the letter sent pertaining to tree removal.

7 Jul

+42 days

### City Issues Permits

Electrical  
#20201095

Gas  
#20201094

13 Jul

+48 days

City Inspection  
Completed &  
Approved by Bryan  
Zuppiger

Electrical  
#20201095  
Gas  
#20201094

15 Jul

+50 days

## Complaints & Resolutions

+22 days

Received mailed letter from Code Enforcement's Norma Cook, Code Enforcement Official as a result of first complaint from Appellant

Letter referenced tree removal needed to be addressed with planning and notice indicating unpermitted work being performed

17 Jun

\* Complaint filed just after project start/tree removal

+27 days

Emailed Norma Cook asking questions about tree removal and work needing permit

Walked over to Appellants home to inquire as to whom may have filed complaint so we could address. Appellant denied filing any complaint. No project concerns raised at any time by the Appellant

22 Jun

## 2020 Outdoor Living Space Project Timeline – includes Permits & Complaints (2 of 7)

### Project Milestones & Permits

Licensed Contractor  
starts installation  
of Bi-Folding Doors

27 Jul

+62 days

Licensed Contractor  
completes installation  
of Bi-Folding Doors

30 Jul

+65 days

+70 days

Complaint from  
Appellant submitted to  
City stating the Bi-  
Folding Doors had  
been removed and  
replaced and that the  
masonry was higher  
than four feet.

4 Aug

\* Complaint filed within 5  
days of door installation

We were notified by the City via email that all work must stop until  
permits were obtained.

By this time the bi-folding doors were completely installed on 30 Jul  
with a start date of 27 Jul. This took less than 72 hours as the home  
was completely exposed and only secured by plywood, hence why  
this installation has a minimal installation period.

We complied and followed the permit process to provide required  
documents including stamped licensed engineering drawings and  
paid for all permit application, processing and inspection fees.

12 Aug

+78 days

+85 days

Further complaints filed that  
construction work continues  
on masonry structure and  
door was fully installed.

19 Aug

\* Another complaint filed  
within 7 days of prior

Door already fully installed  
and we continued to work  
with City Planning to obtain  
required permit

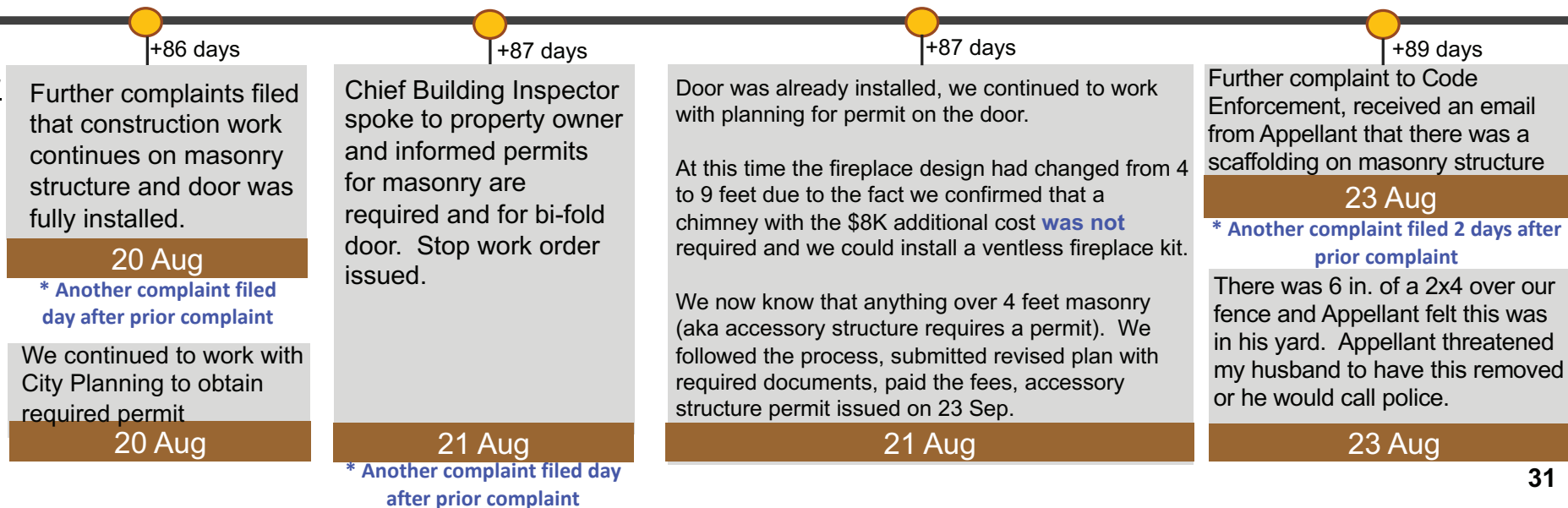
19 Aug



# 2020 Outdoor Living Space Project Timeline – includes Permits & Complaints (3 of 7)

## Project Milestones & Permits

### Complaints & Resolutions



# 2020 Outdoor Living Space Project Timeline – includes Permits & Complaints (4 of 7)

## Project Milestones & Permits

### City Approves Revised Site Plan #1 REV A

City Planning approved new revised site plan to include bi-folding doors and 9 foot high masonry structure (originally 4 feet high)

24 Aug

We reached out to Michael Ross, Chief Building Official to ask permission to work on permitted items including the BBQ area

26 Aug

+92 days

Chief Building Official **Approves construction to CONTINUE** with a stop work order in place on the existing **PERMITTED** elements. (Ex: BBQ area)

27 Aug

+93 days

### City Issues Permits

**Bi-Folding Doors**  
#20201559

**Accessory  
Structure**  
#20201558

23 Sep

+117 days

## Complaints & Resolutions

I removed the small 2x4 myself as there was no construction workers here at this point doing any work.

24 Aug

+90 days

Further complaints filed from Appellant that work was being done on the masonry structure.

10 Sep

\* Another complaint filed 14 days after prior complaint

+104 days

Owner spoke with Chief Building Official Michael Ross on the phone. I was out of town with my family in Ojai for a week. Michael Ross informed me that he had received a complaint from Appellant that work was being performed on the masonry structure which we were in the process of obtaining a permit for and fully following the process. I was not home but immediately addressed this with my GC and called right away as they were strictly instructed to only work on the permitted BBQ area. I dismissed the crew until I could return the following week to personally supervise the work being done. I immediately addressed this, worked with City on the permit process and the permit was issued less than 2 weeks after this complaint on 23 Sep.

10 Sep

32

# 2020 Outdoor Living Space Project Timeline – includes Permits & Complaints (5 of 7)

## Project Milestones & Permits

City Inspection  
Completed &  
Approved by  
Paul Mericle

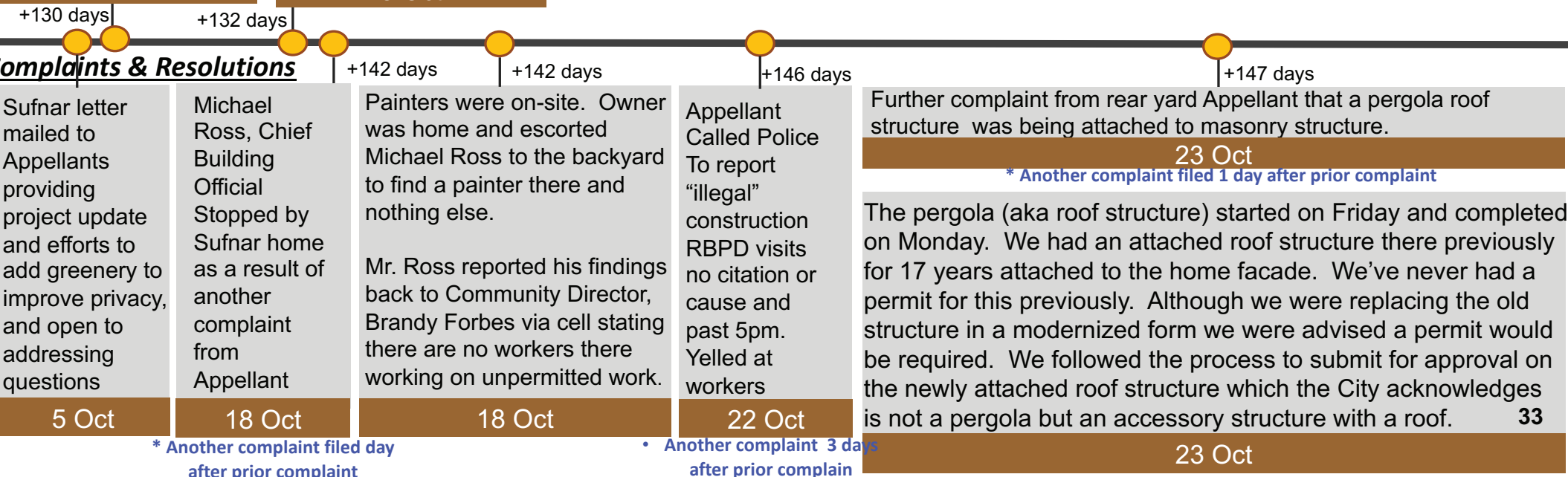
Bi-Folding  
Doors  
#20201559

6 Oct

City Inspection  
Completed &  
Approved by  
Peter Tucker

Accessory  
Structure  
#20201558

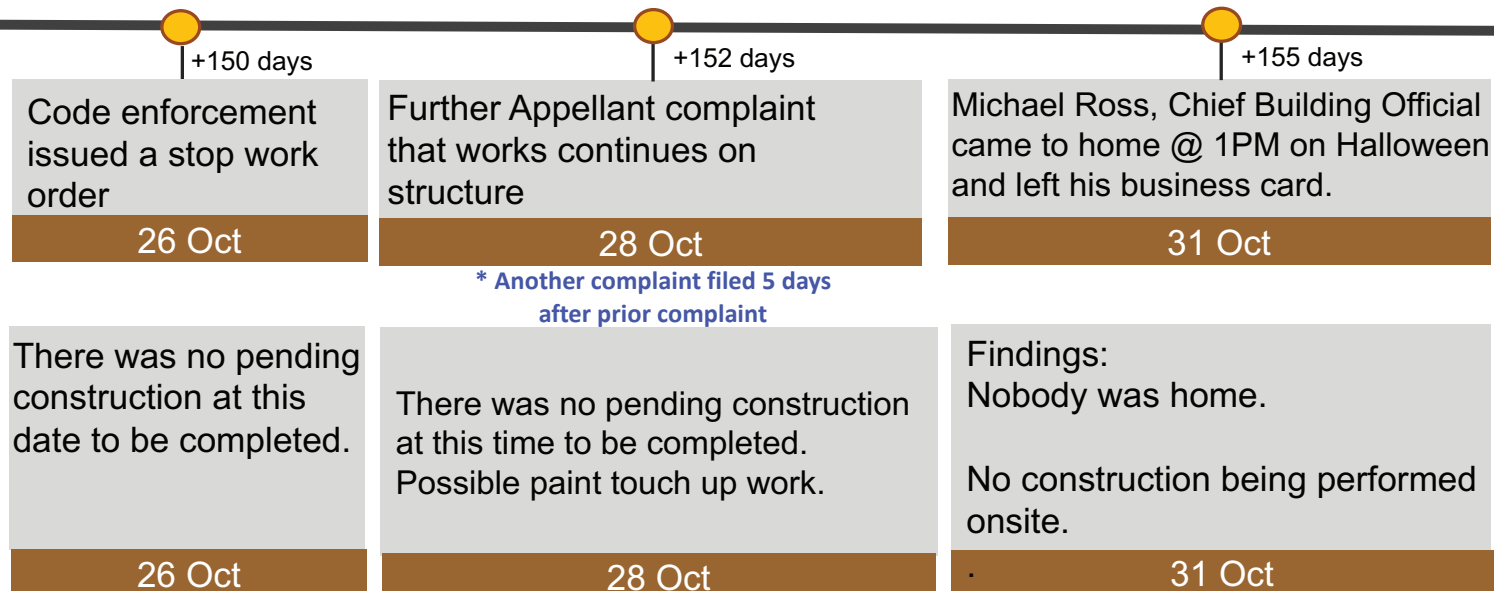
8 Oct



## 2020 Outdoor Living Space Project Timeline – includes Permits & Complaints (6 of 7)

### Project Milestones & Permits

### Complaints & Resolutions



## 2020 Outdoor Living Space Project Timeline – includes Permits & Complaints (7 of 7)

### Project Milestones & Permits

Owner requested a Facetime meeting with Michael Ross and call took place at 3PM on 2 Nov

I had a Facetime meeting with Michael Ross. I wanted to try and better understand the permit process and the complaints filed. I then followed the process for Administrative Design

Review

2 Nov

+157 days

***Have Been Proactive, Timely and Responsive to All City Requests, Fully Complied with All City Directives and Stop Work Orders:***

***Only 1 Incident When Workers Did Not Comply for Short Period of Time when Family Out of Town – Called by Chief Building Officer and We Told Workers to Leave Immediately (Again, Unaware Work Attempted on Day in Question)***

### Complaints & Resolutions

+175 days

Further complaint by rear yard Appellant made to City for unknown reasons. All construction was completed by October 26<sup>th</sup>.

20 Nov

\* Another complaint filed 2 weeks after prior complaint

+181 days

At 11:50am Thanksgiving Day, husband is hosing down backyard patio. Appellant is yelling at him from his patio telling him to stop pushing debris on his side of fence and don't get his yard dirty. He did not respond and walk away

26 Nov

## Permits Summary

Description	Permit No.	Issued	Approved	Total Fees (\$)	Comments
Plumbing	#20201095	13-Jul-20	15-Jul-20	\$ 86.90	Owner immediately agreed to secure permits
Gas	#20201094	13-Jul-20	15-Jul-20	\$ 68.10	Owner immediately agreed to secure permits
Accessory Structure	#20201558	23-Sep-20	6-Oct-20	\$ 672.80	Owner immediately agreed to secure permits
Bi-Folding Doors	#20201559	23-Sep-20	8-Oct-20	\$ 885.18	Owner immediately agreed to secure permits
Engineering Drawings & Permit Documentation				\$ 6,500.00	
<b>Total</b>				<b>\$ 8,212.98</b>	Permits + Permit Documentation and Drawings

***Per RBMC Additional Permit Charges Assessed for (Investigative Building Permit Fee)  
\$183.00 Accessory Structure & \$252.00 Bi-Folding Doors***



## Example of Cooperation and Immediate Compliance to Violation of RBMC 9-1.02, Resolution 8913 - It was determined 'After the Fact' City Mis-interpreted Code and Issued Violation in Error

### Redondo Beach Code Enforcement

the conditions listed below. These conditions represent violations of the Redondo Beach Municipal Code.

Codes	Description	Corrective Action
RBMC 9-1.02	Permits required for construction work.	Obtain permit from Building Dept.

We ask that you cease all outdoor construction in the rear yard until all required permits are secured. Please contact the Planning Division at [planningredondo@redondo.org](mailto:planningredondo@redondo.org) to submit plans of your backyard remodel. ~~In addition, please discuss with the Planning Division Resolution No. 8913 which states that trees in the rear yard shall be replaced if removed.~~ Please the Building Division at [buildingredondo@redondo.org](mailto:buildingredondo@redondo.org) to obtain all the required building permits for the backyard remodel. We must request that you take the required actions by 07/01/2020. Failure to comply will result in legal action to compel compliance.

It is the City's intention to work with you as the responsible party to correct these conditions. Should you have any questions, please do not hesitate to contact the officer using the information below.

Sincerely,

*Norma Cook*  
Norma Cook  
Code Enforcement Officer  
(310) 318-0637 x2454  
[Norma.Cook@redondo.org](mailto:Norma.Cook@redondo.org)

[X] Enclosure(s)

- Code enforcement issues letter to Matt & Cory
- Notice states trees must be replaced
- Matt & Cory comply and address immediately

### Resolution 8913 – August 2001

25. That the ~~developer~~ shall replace the tree in the rear yard with at least one of two trees and save one tree in the front yard, if feasible. If the Planning Department determines it is not feasible to save the tree in the front yard, the developer shall plant a minimum 36-inch box tree within the front yard area of the subject property, subject to Planning Department approval. (No palm trees)

Section 3. That the requests for Planning Commission Review and a Conditional Use Permit shall become null and void if not vested within 36 months after the Planning Commission's approval of the project.

Section 4. That, prior to seeking judicial review of this resolution, the applicant is required to appeal to the City Council. The applicant has ten days from the date of adoption of this resolution in which to file the appeal.

FINALLY RESOLVED, that the Planning Commission forward a copy of this resolution to the City Council so the Council will be informed of the action of the Planning Commission.

RESOLUTION NO. 8913  
2015 GREYER LANE  
PAGE NO. 3

- August 2001 Resolution
- Resolution clearly states the “Developer”
- Resolution **does NOT** state “homeowner 20 years later”
- Example of mis-interpretation

*We Understand Mistakes Happen by All and are a Part of Life – Given our Trustworthy Relationship with Code Enforcement we Knew it Was an Honest Mistake in Imposing False Violation and Resolution*

## In Closing...

- We ask you as our elected Redondo Beach City Council Members to not only encourage but support the Mission Statement of Redondo Beach:

*“The City of Redondo Beach is committed to providing the finest services to enhance the Quality of Life for those who Live, Work, Visit and Play in our Community”*

- All of the adjacent neighbors and community have come together to show their support. We ask you to acknowledge their overwhelming support.
- There is no safety risk to us or any of the adjacent residents. Our backyard has no impact to the public health and welfare. Our improvements are aligned with the overall design quality and visual character of the community with desirable architectural characteristics.
- We kindly ask for your approval on our structure which is fully compliant and does not violate the requirements of the applicable municipal code(s).
- We ask that you be fair and reasonable as our honorable, elected city officials representing all Redondo Beach residents. Please consider all of this factual evidence and overwhelming support presented here today and render a decision not only on what is fair and reasonable, but what is defined and written in your code today and as fully supported by your seven (7) trusted, appointed Redondo Beach Planning Commissioners.

***We Kindly Request the City Council Vote to DENY the Appeal and Uphold Planning Commission Decision rendered on 3/18/2021***



## 2014 Belmont Lane #B

### Systemic Abuse of City Resources by Appellant

#### Timeline of Complaints, Outrageous Conduct and Key Events (1 of 2)

▪ 6/17	Complaint filed to City	Cut down trees on own property, resolution violation by City issued in error
▪ 8/4	Complaint filed to City	Bi-folding doors removed/replaced and masonry 4 feet higher
▪ 8/19	Complaint filed to City	Further complaints filed that construction work continues on masonry and door
▪ 8/20	Complaint filed to City	Another complaint filed on masonry and door
▪ 8/23	Complaint filed to City	Complaint filed over scaffolding on masonry structure (no scaffolding exists)
▪ 9/10	Complaint filed to City	Further complaint that work was being done on the masonry structure
▪ 10/14	Sufnar's sent Letter	Sent letter to Appellants notifying them of remaining work
▪ 10/18	Complaint filed to City	Another complaint filed on work, Michael Ross stopped by Sufnar home
▪ 10/22	RBPD visit at 5pm	Yelled at workers for working past 5pm (they stopped at 5). Called PD to say "illegal work" is continuing
▪ 10/23	Complaint filed to City	Another complaint stating that a roof pergola was being attached to structure
▪ 10/24	RBPD visit at 11:30 AM	No Warning or Citation
▪ 10/24	RBPD visit at 5:15 PM	No Warning or Citation
▪ 10/26	Appellant photos 5:30 PM	Appellant caught taking photos
▪ 10/28	Complaint filed to City	Complaining work continues but no work is occurring only paint touchup
▪ 10/31	RBPD visit at 6:30 PM	No Warning or Citation (Halloween)

## 2014 Belmont Lane #B

### Systemic Abuse of City Resources by Appellant

### Timeline of Complaints, Outrageous Conduct and Key Events (2 of 2)

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>▪ 11/11 RBPB visit at 7:33 PM</li> <li>▪ 11/12 RBPB visit at 7:15 PM</li> <li>▪ 11/20 Complaint filed to City</li> <li>▪ 11/26 Appellant yells, 11:50 AM</li> <li>▪ 11/27 Sufnar visits RBPB, 3 PM</li> <li>▪ 11/29 RBPB visit at 1:00 PM</li> <li>▪ 11/29 RBPB visit at 4:30 PM</li> <li>▪ 11/29 RBPB visit at 6:30 PM</li> <li>▪ 11/29 Family/friends Visit</li> <li>▪ 11/30 Sufnar calls RBPB, 9 AM</li> <li>▪ 12/6 Family/friends Visit, 6 PM</li> <li>▪ 12/15 Family/friends Visit 8:30PM</li> <li>▪ 5/13 2021 Easy Reader Article</li> </ul> | <p>No Warning or Citation</p> <p>No Warning or Citation</p> <p>Unknown as to details of the complaint</p> <p>Holiday - Husband walks away after shouted at to not hose debris in his yard</p> <p>File formal complaint with Officer Wolfinger for harassment. Inc.#75056</p> <p>No Warning or Citation</p> <p>No Warning or Citation</p> <p>No Warning or Citation</p> <p>Appellant turns lights off in upstairs bedroom, videos guests. All witnessed.</p> <p>Talks to Dispatcher, files complaint discusses stalking, invasion of privacy and harassment options</p> <p>Appellant wife video recording our guests from their yard. Multiple witnesses</p> <p>Appellant wife video recording our guests from their yard. Multiple witnesses</p> <p>Appellants condemn actions taken by City Leaders and work to damage my family's reputation</p> |
|---|--|

## **Repeated Attempts Made to Appellants By All Stakeholders to Find A Solution**

- We still do not understand the Appellants grievances given the accessory structure fully complies to the building codes
- As a 20 year neighbor and since the start of our project, the Appellants have never stopped by or approached us in anyway to let us know of their problems and to suggest ways on how we can both solve them together
- Our many phone calls have been unwelcomed and on May 15<sup>th</sup> my wife was told “to never call this number again.” The call was an attempt to inform them of the gutter installation and modification request to extend fence heighth.
- Letter sent to Appellants on October 5<sup>th</sup>, 2020 (refer to next slide)
- Refused personal requests by some City Planning Commissioners to table top a solution that benefits the mutual interests of both families
- Immediately appealed to the City Council in less than 12 hours from the Planning Commission’s 7-0 unanimous decision that the accessory structure meets code
- Appellant went to local press and published shameful article in Easy Reader on May 14<sup>th</sup> condemning the actions of City Leaders made to date and attempting to damage my family’s reputation
- This public hearing is an appeal on RBMC’s Accessory Structure Building Code 10.2.1500 and allowable Projections in Residential Zones 10.2-1522 in which our structure complies with. The appeal is not a referendum on the permit and enforcement process

***The Sufnar Family Continues to Remain Open to All Opportunities to Address Appellant Complaints***

## 10.5.20 Letter to Appellant

Matt & Cory Sufnar

2015 Speyer Lane #B  
Redondo Beach, CA 90278  
(310) 849-9053 cell

October 5<sup>th</sup>, 2020

Dear Bill & Lisa,

I know this backyard project has caused some tension and stress amongst us as neighbors. I wanted to let you know we are in the final stages of our project and hope to be finished by the end of October. I know that we may not share the same taste in décor or perhaps even politics. I hope that we can put our differences aside and treat each other and our fellow neighbors with respect and kindness. I would like to apologize for any mis-communication or lack thereof on my part as well.

We have added some greenery that will fill in over the years to help with privacy. We also have some additional greenery on order for the final stages of our project too.

Please don't hesitate to reach out if you have any questions or concerns. I am happy to address them personally.

Regards,  
Matt & Cory Sufnar

## Lessons Learned (1 of 2)

- Do not proceed with home improvements during a pandemic when City offices are closed and services are either curtailed or made only available remotely by phone and email
- Unknowledgeable about the permitting process as to what work requires permits, do not accept the burden and responsibility of pulling permits from the Contractor
  - Due to pandemic, we signed our Contractor's agreement stating we are solely responsible for all permits and compliance issues
- Pandemic home remodeling boom, 58% increase in projects primarily driven by demand for outdoor living spaces
  - Impact: Our Contractor was over committed managing multiple projects and our small project was not a priority. No full time dedicated Superintendent or Foreman on site, leaving the responsibility of project management to myself, a full time working mom while my husband travels for work
- City is very collaborative and their intent is to work with residents to correct any conditions. If residents agree to comply such as securing permits; then violations are suspended until permits are approved.
  - Failure to respond to any City notices puts the resident at risk of the penalty fine process. Never the case with us. We've been very cooperative with the Building Planning Department and all levels of Code Enforcement.
- We've learned that building codes can be very challenging to interpret (even those experienced in the RBMC) and there is a lack in uniformity of interpretation or mis-interpretation to the actual written language. The code is antiquated and has not been updated, changed or modified (ie – Accessory Structure Section) for over 25 years. The code must be brought current to today's modern living standards



## Lessons Learned (2 of 2)

- The City has no program to educate homeowners on the building and permitting process
  - Trial and Error Method: we originally submitted for what we thought was a pergola but thru self discovery and go backs with City, the structure was properly classified as an accessory structure
- Having gone through this process, we are now more comfortable and knowledgeable. And as a result, we're now advocates and actively share our experiences with those who are considering making home improvements
- We've learned that 5 out of 10 homes have some form of unpermitted work and that we now know there are very few work items that do not require a permit
- We've learned that the City has a systemic non-compliance problem to RBMC 4-10.02 Declared and Public Nuisances.
  - There are numerous blighted, poorly maintained homes that are in derelict and dangerous shape.
  - Remedy of these conditions should be the City's top priority as it will improve property values, health and safety for all



## In Final Closing...

- To remind everyone given the wide ranging discussions today, this public hearing is to listen to arguments for or against the Appellant's appeal of the City Planning Commission's unanimous 7-0 decision on Building Code 10-2.1500 pertaining to Accessory Structures and Building Code 10.2.1522 allowable projections in Residential zones both in which our structure fully complies with.
- This hearing is not a referendum on the permit and enforcement process and as such should be further discussed independently of these proceedings
- We ask for your approval for a fence modification to replace and extend our existing property line fence up to the maximum modification height as allowed for by the Building Planning Department
- We kindly ask for your approval of our structure which is fully compliant and does not violate the requirements of the applicable municipal code(s) based on the evidence provided, and what is defined and written in your code today and fully supported by your seven (7) trusted, appointed Redondo Beach Planning Commissioners
- Please acknowledge the outpouring of support of twenty five (25) adjacent and block neighbors and numerous other City residents that have written letters strongly recommending support of our backyard living space
- As previously shown, improvements are in step with the structures that remain in place throughout our neighborhood

***We Kindly Request the City Council Vote to DENY the Appeal  
and Uphold Planning Commission Decision rendered on 3/18/2021***