

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

- Appellant (William Stock) Presentation

Appeal and Request to Overturn
the March 18, 2021 Planning Commission Decision
Approving the Request for an Accessory Structure's Roof
Attached to the Main Home

Redondo Beach City Council

William Stock

June 1, 2021

Introduction

- Master's of Science Degree in Civil Engineering
- 35 years experience as a Structural, Dynamics, and Acoustic Analyst
 - Recently retired (February 2021)
- Homeowner in Redondo Beach since 1988
- Reason for Appeal
 - The Accessory Structure in the rear yard of 2015 Speyer Lane does not meet the setback requirements specified in RBMC Section 10-2.1500 (a) Setback Between Buildings.
 - Community Development Director (the City's Authority on Zoning Codes) concurs with this assessment.
 - The Planning Commission did not perform the required systematic review of the design, instead they discussed rationale to manipulate the existing codes to "save" the illegally built structure.
 - **RBMC Section 10-2.2500 (a) Administrative Design Review. Purpose.** The purpose of Administrative Design Review is to enable the Community Development Director to review minor development projects that otherwise meet the zoning regulations, in terms of the appropriateness of the design.
 - The Planning Commission Hearing process only allows for the appellant (i.e., the homeowner) to formally present, all other members of the public are limited to 3 minutes.

Overview

- The issue with the construction project at 2015 Speyer Lane is primarily how it was built, not what was built
 - The homeowners did not follow the clearly defined planning and permitting process, despite numerous notifications and warnings from the City Planning Department and Code Enforcement
 - There are safety concerns due to the lack of approved plans and inspections
- The City of Redondo Beach was aware of the illegal activity but did not enforce the existing laws
 - There are no valid excuses for not taking action, the City is obligated to enforce all laws

Revocation of Administrative Design Review

- **Redondo Beach Municipal Code Section 10-2.2500 Administrative Design Review**

(n) **Revocation.** After notice to the applicant and subject to appeal to the Planning Commission, the Planning Director may revoke or modify any Administrative Design Review approval issued on one or more of the following grounds:

- ➡ (1) That the approval was obtained by fraud or misrepresentation;
- (2) That the use for which such approval was granted has ceased for a period of at least eighteen (18) consecutive calendar months;
- (3) That changed circumstances have rendered exercise of the approval as originally granted infeasible or inimical to the health, safety and welfare of the community;
- (4) That there has not been substantial compliance with the terms and conditions of the approval;
- ➡ (5) That exercise of the approval violates any State, Federal or local statute or regulation;
- ➡ (6) That exercise of the rights under the approval is detrimental to the health, safety and welfare of the community;
- ➡ (7) That exercise of the rights under the approval constitutes a nuisance.

Recommend that the City Council use these same criteria as the basis for overturning the Planning Commission Decision. The Planning Commission should have considered these criteria as part of their decision.

Initial Warning

- On June 17, 2020 the homeowner at 2015 Speyer Lane, B was notified by the City of Redondo Beach that:
 - "permits are required for construction work."
 - "... cease all outdoor construction ..."
 - "Failure to comply will result in legal action to compel compliance."
- Furthermore, the homeowner was made aware that not having permits was a "violation of the Redondo Beach Municipal Code."



06/17/2020

Mathew & Cory Sufnar
2015 Speyer Ln.
Redondo Beach, CA 90278

Re: Construction without permits
2015 Speyer Ln.
Redondo Beach, CA 90278

Dear Mathew & Cory Sufnar,

After receiving a complaint, an inspection was conducted at subject address which revealed the conditions listed below. These conditions represent violations of the Redondo Beach Municipal Code.

Codes	Description	Corrective Action
RBMC 9-1.02	<u>Permits required for construction work.</u>	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 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 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,

A handwritten signature in cursive script that reads 'Norma Cook'.

Norma Cook
Code Enforcement Officer
(310) 318-0637 x2454
Norma.Cook@redondo.org

[X] Enclosure(s)

Notification Timeline

Information was extracted from the Administrative Report to the Planning Commission from Lina Portolese, March 18, 2021 and the Administrative Report to the Mayor and City Council, May 18, 2021.

Notifications

June 17 **Stop Work Order 1**
1. Letter sent to homeowner stating to cease all construction until permits are secured.

August 11

2. Code Enforcement notifies homeowner that permits are required for door.

August 12 **Stop Work Order 2**

3. Code Enforcement states that all construction must stop.

August 21

4. Email reminding homeowner to stop construction.

August 21 **Stop Work Order 3**

5. City Senior Building Inspector issues stop work order.

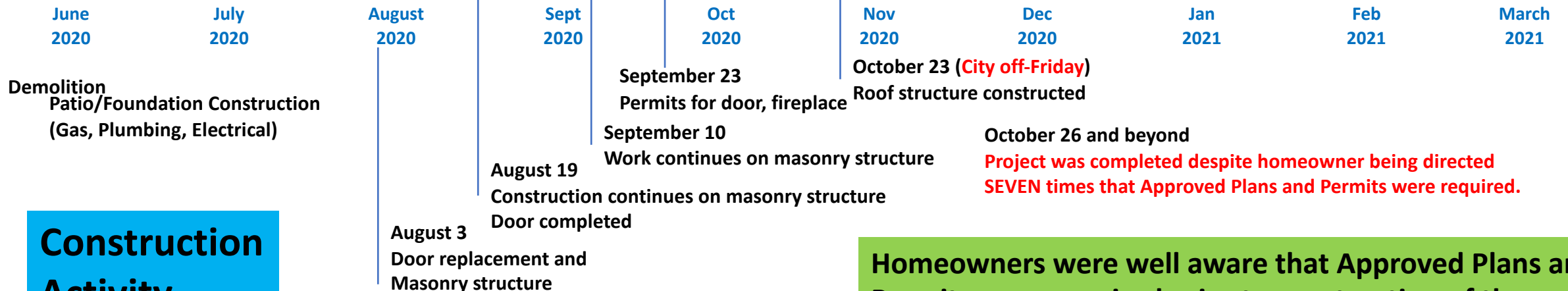
September 10 **Stop Work Order 4**

6. Chief Building Official reminds homeowner that no work should be performed on masonry structure.

October 26 **Stop Work Order 5**

7. Code Enforcement issues stop work order.

Homeowners were told at least **SIX** times **prior** to construction of the roof that Approved Plans and Permits were required for their project.



Construction Activity

Homeowners were well aware that Approved Plans and Permits were required prior to construction of the roof.

Neighbor Involvement Timeline

Communication of events and dialogue is based on records provided by the City.

Notifications (for Reference)

June 17
Letter sent to homeowner directing them to cease all construction until permits are secured.

August 11
Code Enforcement notifies homeowner that permits are required for door.

August 12
Code Enforcement states that all construction must stop.

August 21
Email reminding homeowner to stop construction.

August 21
City Senior Building Inspector issues stop work order.

September 10
Chief Building Official reminds homeowner that no work should be performed on masonry structure.

October 26
Code Enforcement issues stop work order.

Cooperating with the City Planning Department has somehow been misconstrued by the homeowner into accusations of harassment.

June 2020 July 2020 August 2020 Sept 2020 Oct 2020 Nov 2020 Dec 2020 Jan 2021 Feb 2021 March 2021

June 17
Phone call from City
Photos requested.

June 16
Email sent inquiring about permits

September 10
Email sent informing of work on fireplace
Photos included

September 2*
Phone call and email from City
Adding a roof would be a violation; Contact if a roof is added; Contact if work continues on fireplace; Send photos

October 23 (City off-Friday)
Email sent informing City of roof
Photos included

Communication with City

August 3
Email sent to City w/photos
Door replacement
Masonry Fireplace

Homeowner was well aware that the addition of the roof was a code violation prior to construction.

Code Enforcement Opportunities

Notifications

June 17 **Warning**
1. Letter sent to homeowner stating to cease all construction until permits are secured.

August 11

2. Code Enforcement notifies homeowner that permits are required for door.

August 12 **Citation**

3. Code Enforcement states that all construction must stop.

August 21

4. Email reminding homeowner to stop construction.

August 21 **Citation**

5. City Senior Building Inspector issues stop work order.

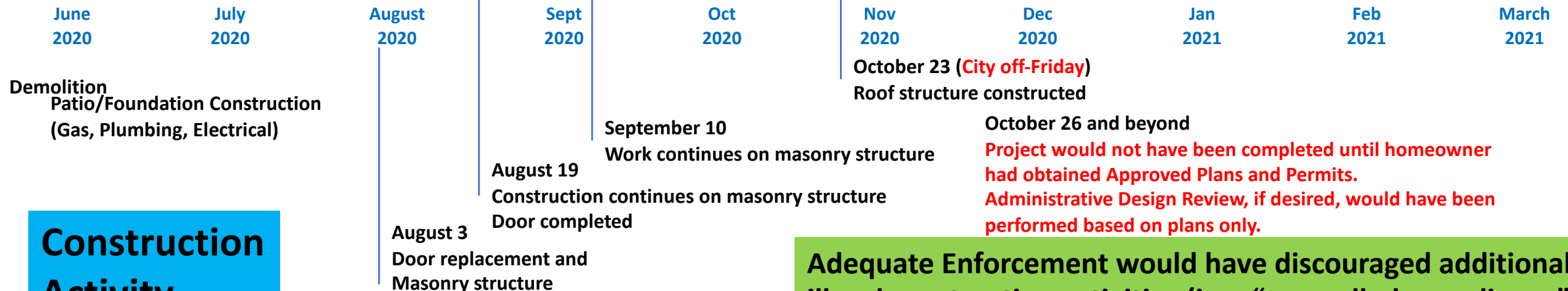
September 10 **Citation**

6. Chief Building Official reminds homeowner that no work should be performed on masonry structure.

October 26 **Citation**

7. Code Enforcement issues stop work order.

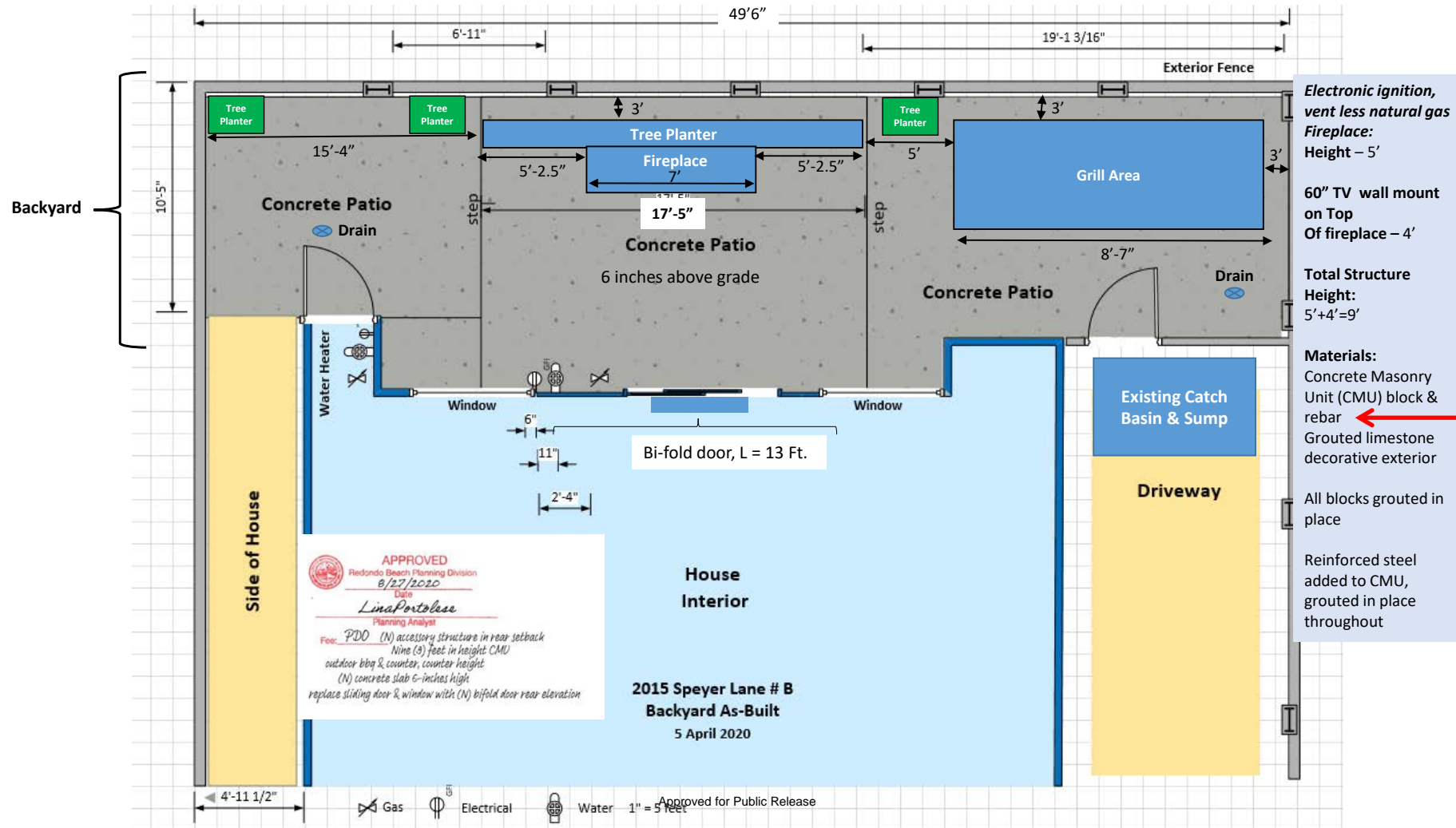
This issue would not have been elevated to the City Council if appropriate Code Enforcement had occurred.



Construction Activity

Adequate Enforcement would have discouraged additional illegal construction activities (i.e., “compelled compliance”).

Plan Approved by City on August 27, 2020



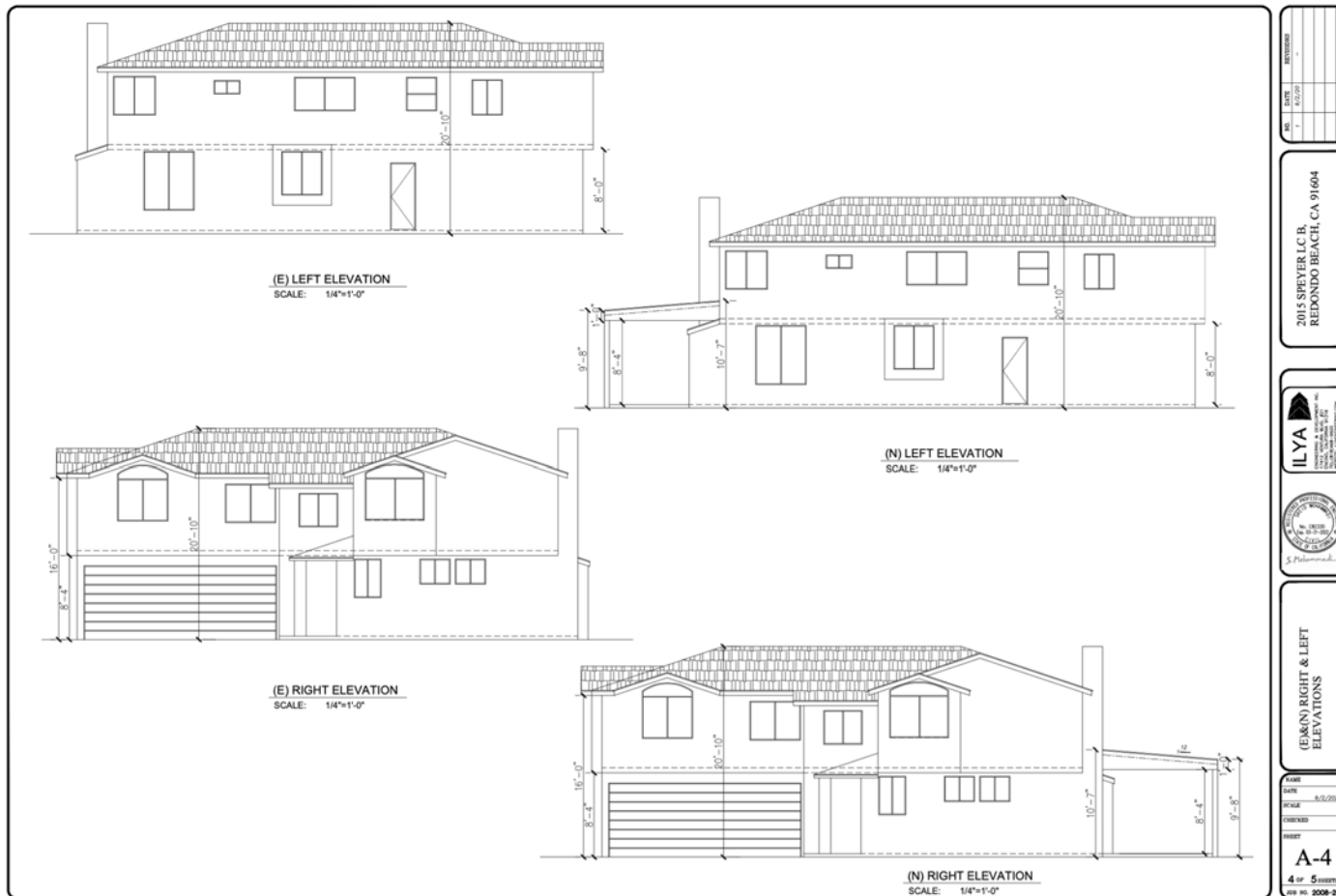
Note that this plan was approved after the fireplace and door were completed and does not reflect what was actually built on August 3.

rebar

APPROVED
Redondo Beach Planning Division
8/27/2020
Date
LinaPortolese
Planning Analyst

There is no roof on the plan that was approved by the City

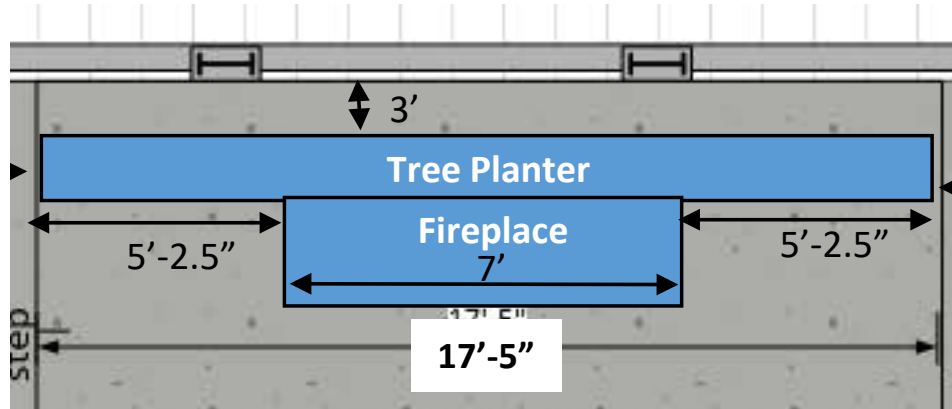
Architectural Drawings September 2, 2020



NO.	DATE	REVISIONS
1	9/2/20	-

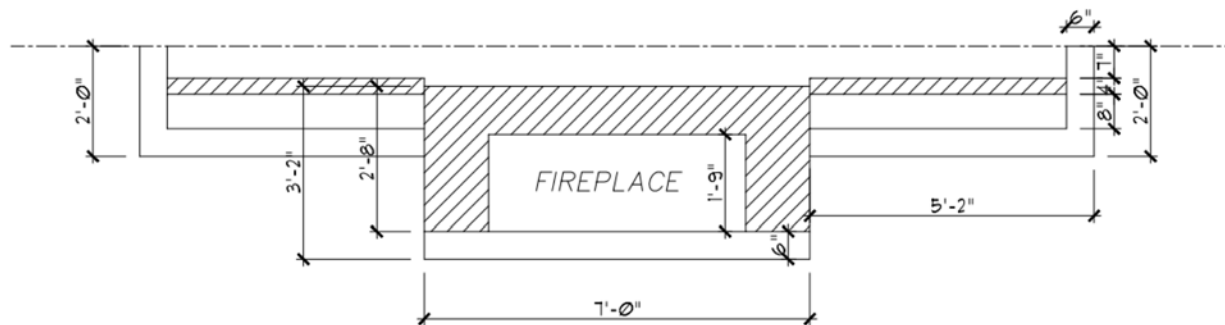
- It is obvious that the roof was always part of the integrated plan.
- Details of these site plans are consistent with what had been built on August 3.
- Recall that on September 2 a phone call and email were received from Code Enforcement stating that adding a roof would be a violation and asking to notify them if a roof was added.

Example - Fireplace Detail



Plan Approved by City on August 27

Tree planter is 3 feet from the property line.
Not what was built on August 3, 2020.



SECTION B-B

SCALE: 1/4"=1'-0"

Architectural Plan completed on September 2

Tree planter is gone.
Fireplace is 7 inches from the property line.
Consistent with what was built on August 3, 2020

The timeline shows that two sets of plans were developed simultaneously. The plans submitted to the City should have reflected what was already built. The homeowner should have notified the City of the revised plans.

Administrative Design Review Timeline

Notifications

June 17
1. Letter sent to homeowner stating to cease all construction until permits are secured.

August 11

2. Code Enforcement notifies homeowner that permits are required for door.

August 12

3. Code Enforcement states that all construction must stop.

August 21

4. Email reminding homeowner to stop construction.

August 21

5. City Senior Building Inspector issues stop work order.

September 10

6. Chief Building Official reminds homeowner that no work should be performed on masonry structure.

October 26

7. Code Enforcement issues stop work order.

On March 18, 2021, the Planning Commission sought rationale to legitimize the illegally built structure. It was already built so they were motivated to save the structure. Therefore, they manipulated the code rather than bring the design into compliance with existing City codes. Consequently, alternative code-compliant designs and the intent of the law were not considered.

June
2020

July
2020

August
2020

Sept
2020

Oct
2020

Nov
2020

Dec
2020

Jan
2021

Feb
2021

March
2021

Apparently there were 2 parallel design efforts:

1. Plans for City approval
2. What will really be built

August 27
Approved Plans
without roof

September 2
Architectural Plans
with roof

ADR should occur
in planning phase,
not after project is
completed. This is
the time to resolve
Code concerns.

December 16
ADR 1
Denied

December 8
ADR 1 - Pergola

October 23 (City off-Friday)
Roof structure constructed

February 16
ADR 2
Denied

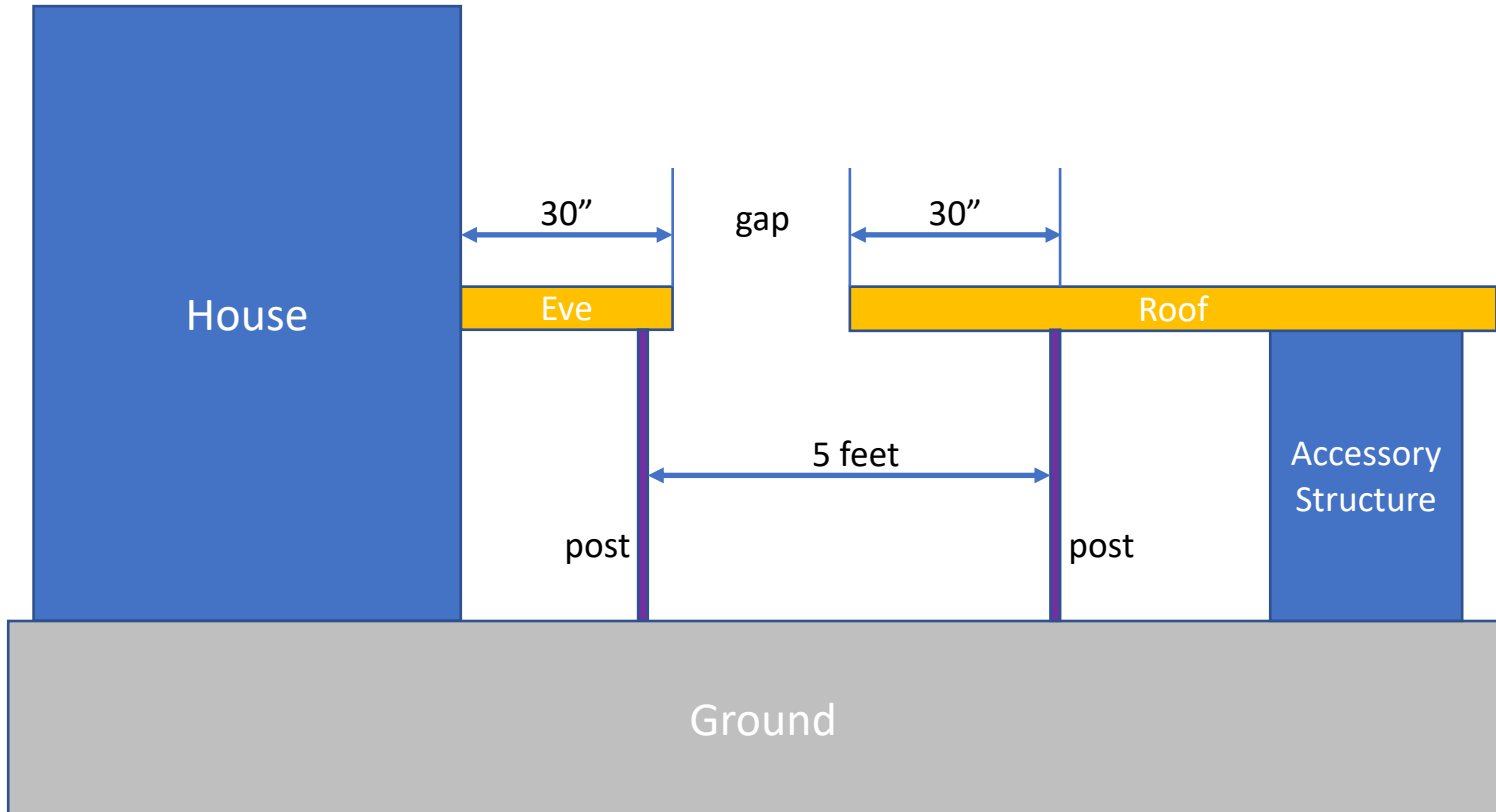
February 8
ADR 2
Code Semantics not
Intent of the Law

Community Development Director did not
approve either of the 2 submitted ADRs.

ADR

Planning Commission Solution is Not Feasible

Posts are required to support eve.



It is not viable to simply “cantilever” an eve off of the façade of the house.

For practical applications, posts are required to support the eve for vertical loads such as the aerodynamic forces due to wind gusts.

Realistically, connecting the roof and the eve could not happen.

The intent of all accessory structure laws is that accessory structures are secondary to and detached from the main building.

Door Frame Structural Integrity Concerns

Door Frame Modification August 3, 2020



Column is notched.

Notching of a column is considered poor design practice and is discouraged in all Building Codes because the load carrying capability of the column is significantly reduced.

A detailed structural analysis is required to show that the structural integrity of the load bearing wall has not been compromised.

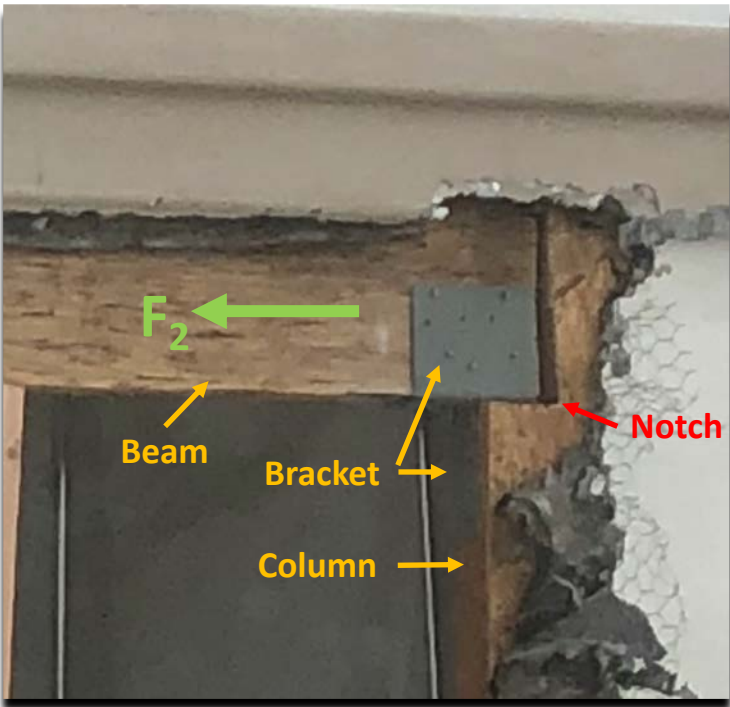
Bracket is not properly installed.

Details on next slide.

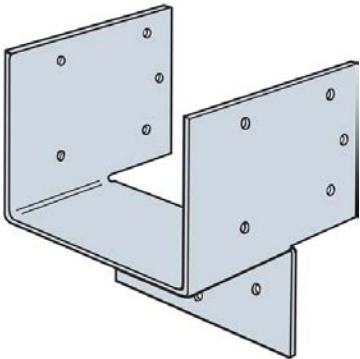
Concealed prior to City inspection.

Door frame modifications do not meet Building Code requirements.

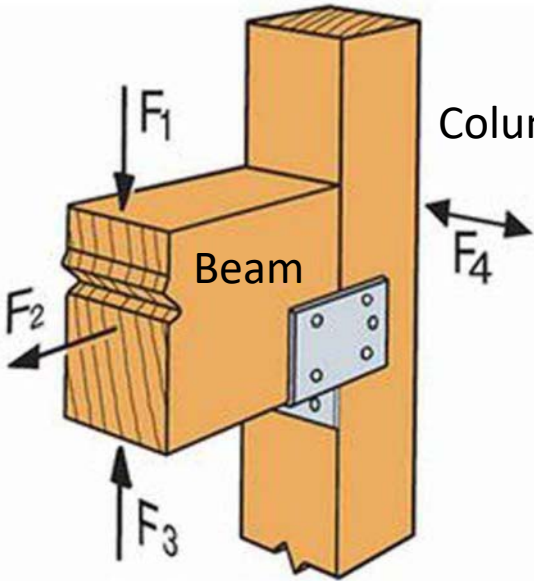
Door Frame - Improper Use of Bracket



Similar Bracket
(exact model is not known)



Installation Instructions



Column is not notched

Manufacturer’s allowable loads valid only when used as intended.

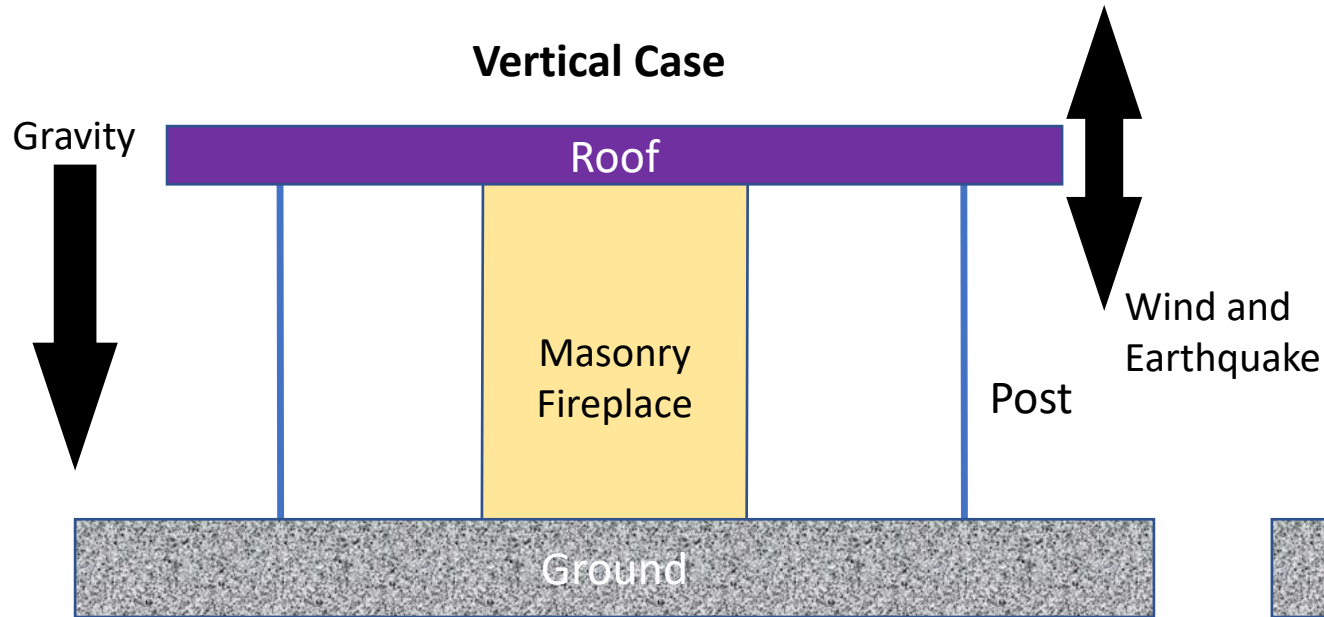
Model No.	Dimensions (in.)		Min. Post Size	Fasteners (in.)		DF/SP Allowable Loads					
	W	H		Stud	Header	F ₁			F ₂	F ₃	F ₄
						(100)	(115)	(125)	(160)		
HH4	3½	2¼	2x	(7) 0.148 x 1½	(4) 0.148 x 1½	850	965	1,035	—	540	625
			Double 2x	(7) 0.162 x 2½	(4) 0.162 x 2½	1,005	1,140	1,230	—	720	965
			3x	(9) 0.162 x 2½	(4) 0.162 x 3½	1,295	1,470	1,585	675	720	965
HH6	5½	5¼	2x	(7) 0.148 x 1½	(6) 0.148 x 1½	1,215	1,375	1,480	—	1,085	970
			Double 2x	(10) 0.162 x 2½	(6) 0.162 x 2½	1,440	1,630	1,760	—	1,045	1,605
			3x	(12) 0.162 x 3½	(6) 0.162 x 3½	1,725	1,955	2,110	980	1,045	1,605

Building Code Requirements for Bracket:

The connectors shall be manufactured, identified and installed in accordance with the manufacturer’s published installation instructions.

Bracket acts as a “strap” to transfer F_2 forces from beam to column. As built, the bracket has no capability for F_2 and the capabilities of F_3 and F_4 are significantly reduced.

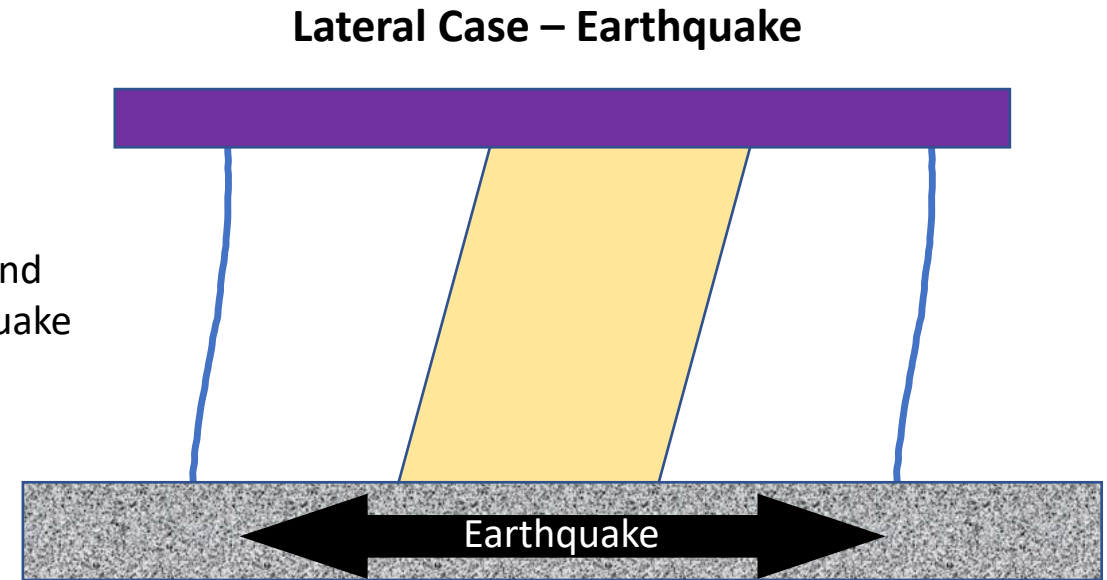
Masonry Fireplace – Lateral Forces



The posts support the weight of the roof (includes rain, snow, ...).

The posts also need to be designed to account for vertical earthquake (and wind) loads.

The door frame must also share the burden of the vertical loads.



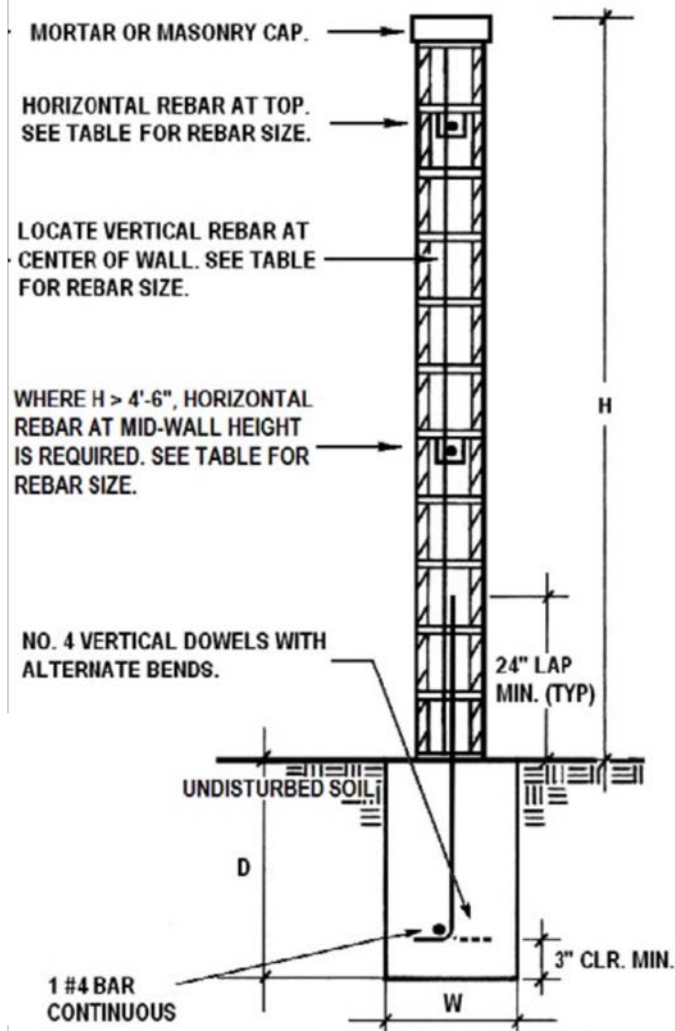
The posts are flexible and do not support the roof for lateral loading (earthquake, wind, ...).

Therefore, the concrete block fireplace must support the roof for lateral loading.

To endure these shearing forces, the Building Code requires steel reinforcement in concrete masonry structures.

Masonry Fireplace Structure

Required Steel Reinforcement



Required Inspections

Foundation: When trench is ready for concrete and all steel reinforcements are tied in place.

Pre-grout: When first horizontal bar and all vertical bars are in place, but not grouted.

Final: After wall is grouted and cap is installed.

The fireplace does not include the steel reinforcement required by the Building Code so it is not structurally adequate to support lateral loads due to the roof structure. The door frame cannot support these loads either (F_2).

Commencement of Work & Inspections (1 of 3)

https://www.redondo.org/depts/community_development/eng_build/building_services/commencement_of_work_n_inspections.asp

- Screenshot from Redondo Beach Building Services website:

Commencement of Work

Only when a permit is issued can work on such project legally start. By City Ordinance, all construction activity is restricted to the hours of 7 a.m. and 6 p.m. on Monday through Friday, and between the hours of 9 a.m. and 5 p.m. on Saturday. No construction activity is permitted on Sundays, or the days on which the holidays designated as Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and New Year's Day are observed. Modifications of this requirement are by special permit for construction activities issued only by the Building Official.

Why are inspections needed?

A building inspection is an independent examination of construction site by a person knowledgeable of Building codes and trades. Our inspectors confirm that actual job site conditions are in agreement with approved plans, and verify that the construction materials are installed in a proper manner and in accordance with the approved plans and codes.

Only when a permit is issued can work on such project legally start.

Commencement of Work & Inspections (2 of 3)

https://www.redondo.org/depts/community_development/eng_build/building_services/commencement_of_work_n_inspections.asp

- Screenshot from Redondo Beach Building Services website:

When are inspections needed?

The type and number of inspections by the Building Division vary with the type of project. The typical order of on-site inspection visits is as follows:

- Foundation inspection: After trenches are excavated, reinforcing is in place and forms set, and all materials for the foundation are on site and before pouring any concrete or laying down any masonry units.
- Rough, plumbing, mechanical, or electrical inspection: When all in-slab or under-floor conduit, piping, service equipment are in, but before concrete is poured or floor sheathing is installed. For rough inspections check to make sure planned fixtures are to code and framing does not interfere with them.
- Framing inspection: After roofing, framing, fire blocking and bracing are in place, and all pipes, chimneys and vents are in.
- Insulation: When all thermal insulation is installed in floors, walls, and attics, but before any of the work is concealed.
- Lath and/or wallboard inspection: After lathing and/or gypsum wallboard is in place, but before plastering is done or joints and fasteners are taped and finished.
- Final inspection: After the building is completed, watertight and ready for occupancy. All electrical and plumbing fixtures and heating/cooling equipment must be in place, and any finish grading completed. However, painting, carpeting and other "cosmetic" work need not be finished.

The structure cannot be declared safe until it passes all inspections.

Commencement of Work & Inspections (3 of 3)

https://www.redondo.org/depts/community_development/eng_build/building_services/commencement_of_work_n_inspections.asp

- Screenshot from Redondo Beach Building Services website:

Violations and Penalties

It shall^{*} be unlawful for any person, firm or corporation too erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

The penalty for any violation, upon the conviction of any violation, shall^{*} be a fine of not more than One Thousand and no/100ths (\$1,000.00) Dollars, or imprisonment in a county jail for a period not exceeding six (6) months, or both such fine and imprisonment.

*** In this context “shall” means that the action must be performed; it is mandatory and required; the City is mandated to take action; the citizens are entitled to the City taking action to prevent illegal activities.**

Permits do not Accurately Define Project (1 of 3)

Site Address
2015 SPEYER LN B
CITY OF REDONDO BEACH

Parcel Tract - Lot - Block
4159011069 4159011069

Owner
SUFNAR CORY AND MATHEW
2015 SPEYER LN UNIT B
REDONDO BEACH, CA 90278

Contractor
SUFNAR CORY AND MATHEW
2015 SPEYER LN UNIT B
REDONDO BEACH, CA 90278

Building Use: ELECTRICAL PERMIT

Occ Grp: -

Applied: 07/13/2020 Permit#: 20201094

Issued: 07/13/2020

Type: ELEC PERMIT ISSUANCE

Expires: 01/09/2021 Final:

Created/Modified: lzent 07/13/2020

Building Type:

No. Units: 0

Value:

Sq Feet:

Stories:

Comments:

Description of Work:

UPGRADING GAS LINES FOR BBQ AND FIREPLACE
VENTLESS FIRE KIT 46' LINEAR. GAS ONLY NO
WOOD.

Permit is for gas lines only.
Limited to BBQ and fireplace.

No permit for electrical on fireplace.
No permit for electrical on roof.
No permit for electrical on pergola.

No permit for heat lamps.

All electrical work is illegal.

Permits do not Accurately Define Project (2 of 3)

Site Address
2015 SPEYER LN B
CITY OF REDONDO BEACH

Parcel Tract - Lot - Block
4159011069 4159011069

Owner
SUFNAR CORY AND MATHEW
2015 SPEYER LN UNIT B
REDONDO BEACH, CA 90278

Contractor
SUFNAR CORY AND MATHEW
2015 SPEYER LN UNIT B
REDONDO BEACH, CA 90278

Building Use: SINGLE FAMILY RES ALTER/REPAIR

Occ Grp: -

Applied: 09/23/2020 Permit#: 20201558

Issued: 09/23/2020

Type: BUILDING PERMIT

Expires: 03/22/2021 Final:

Created/Modified: Izent 09/23/2020

Building Type:

No. Units: 0

Value: 3,000

Sq Feet:

Stories:

Comments:

Description of Work:

CMU WALL 9 FT HIGH FIREPLACE INCLUDED

Permit is for Concrete Masonry Wall.

Permit was applied for on Sept. 23

Permit is not for a CMU that also supports the roof shown on the Sept 2 plans.

Masonry structure was built in August.
The permit was issued in September.
The work on the CMU was illegal.

Permits do not Accurately Define Project (3 of 3)

Site Address
2015 SPEYER LN B
CITY OF REDONDO BEACH

Parcel Tract - Lot - Block
4159011069 4159011069

Owner
SUFNAR CORY AND MATHEW
2015 SPEYER LN UNIT B
REDONDO BEACH, CA 90278

Contractor
SUFNAR CORY AND MATHEW
2015 SPEYER LN UNIT B
REDONDO BEACH, CA 90278

Building Use: SINGLE FAMILY RES ALTER/REPAIR

Occ Grp: -

Applied: 09/23/2020 Permit#: 20201559

Issued: 09/23/2020

Type: BUILDING PERMIT

Expires: 03/22/2021 Final:

Created/Modified: lzent 09/23/2020

Building Type:

No. Units: 0

Value: 6,000

Sq Feet:

Stories:

Comments:

Description of Work:

REPLACE 6' SLIDER DOOR IN FAMILY ROOM WITH A
BI-FOLD 13' DOOR

Permit is for replacing / repairing a door.

Permit was applied for on Sept. 23

Permit is not for a door frame that also supports the roof shown on the Sept 2 plans.

The door frame was modified in August.
The permit was issued in September.
The work on the door was illegal.

Door Frame Inspection

Door Frame August 3, 2021



Door Frame August 4, 2021



Plans submitted to City August 24, 2020

Permit Issued September 23, 2020

Inspection October 6, 2020

Report Indicates:

Rough Framing: Pass

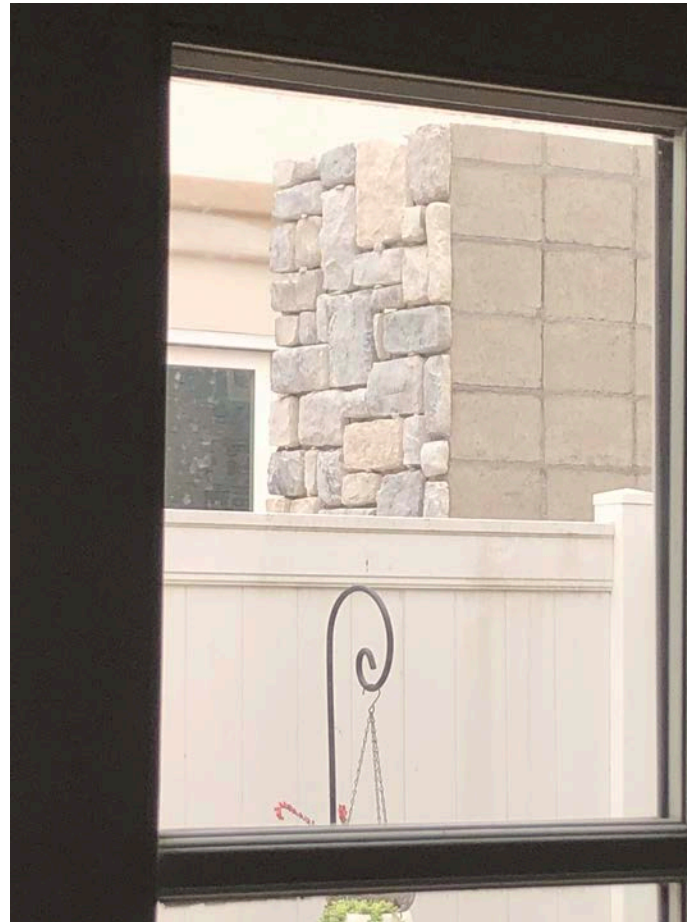
**Inspection was not possible.
Framing was not visible.**

Fireplace Inspection

CMU August 4, 2021



CMU September 10, 2021



Plans submitted to City August 24, 2020

Permit Issued September 23, 2020

Inspection October 8, 2020

Report Indicates:

Foundation Inspection: Pass

Final Block Wall Steel: Pass

**Neither inspection was possible.
Foundation was not visible.
Steel was not visible.**

Criteria for Granting Appeal

- **Redondo Beach Municipal Code Section 10-2.2500 Administrative Design Review**

(n) **Revocation.** After notice to the applicant and subject to appeal to the Planning Commission, the Planning Director may revoke or modify any Administrative Design Review approval issued on one or more of the following grounds:

- ➡ (1) That the approval was obtained by fraud or misrepresentation;
- (2) That the use for which such approval was granted has ceased for a period of at least eighteen (18) consecutive calendar months;
- (3) That changed circumstances have rendered exercise of the approval as originally granted infeasible or inimical to the health, safety and welfare of the community;
- (4) That there has not been substantial compliance with the terms and conditions of the approval;
- ➡ (5) That exercise of the approval violates any State, Federal or local statute or regulation;
- ➡ (6) That exercise of the rights under the approval is detrimental to the health, safety and welfare of the community;
- ➡ (7) That exercise of the rights under the approval constitutes a nuisance.

Grant Appeal – Fraud and Misrepresentation

(1) The approval was obtained by fraud or misrepresentation

- Plans submitted by the homeowner did not accurately describe what had already been built
 - for example, fireplace details
- Plans submitted by the homeowner were not consistent with what they intended to build
 - 8/27 approved plans have no roof
 - 9/02 architectural drawings, generated at the same time, have a roof
- Permits appear to have been submitted piecemeal so that the entire scope of the project was not revealed
 - Permits do not disclose the entire scope of the project (e.g., door frame and fireplace support roof)
- There appear to be Fraudulent Inspection Reports
 - door frame and fireplace

Grant Appeal – Violation of Laws and Regulations

(5) Exercise of the approval violates any State, Federal, or local statute or regulation

- Work continued after 5 stop work orders were issued
- Work was performed without the required permits
- The door frame bracket is not installed per code
- The fireplace does not have the steel reinforcement required by code

Grant Appeal – Safety

(6) Approval is detrimental to health, safety, and welfare of the community

- A structure is not safe until it is verified to be safe
 - Approved plans and inspections are required to verify the safety of the construction
 - Therefore, the project cannot be deemed safe because there are no approved plans or inspections
- There are several concerns regarding structural integrity
 - A primary column has been compromised due to notching
 - The door frame bracket is not installed properly
 - The fireplace is not designed to support earthquake loads
- Heat lamps and other electrical work could be a hazard
 - No way of knowing without approved plans and inspections

Grant Appeal – Nuisance

(7) The approval constitutes a nuisance

- The backyard project includes a smooth tile floor
 - A smooth tiled surface in a bathroom creates an echo (i.e., reflects sound)
- The roof ceiling is composed of finished wood
 - A smooth wood floor in a gymnasium creates an echo (i.e., reflects sound)
- The combination of the smooth tile floor and the finished wood ceiling creates an echo chamber that amplifies and projects sound

Plantings (mandated by the Planning Commission and approved by the Planning Division that shall be installed to the height of the roof on either side of the fireplace to buffer sound and incorporate natural elements) would need to be substantial if they are to be effective.

City Noise Ordinance

4-24.101 Declaration of policy.

In order to control unnecessary, excessive, and annoying sounds emanating from all areas of the City, it is hereby declared to be the policy of the City to prohibit such sound generated from all sources as specified in this chapter.

4-24.201 Investigations.

Upon the receipt of a complaint from a citizen, the Noise Control Officer or his delegated representative, equipped with sound level measurement equipment, shall investigate the complaint. The investigation, at the discretion of the NCO or his delegated representative, shall consist of a measurement and the gathering of data to adequately define the noise problem and shall include, but not be limited to, the following:

4-24.301 Maximum permissible sound levels by land use categories.

The noise standards for the various categories of land use districts identified shall be the higher of either the presumed or actual measured ambient and shall apply to all such property within a designated category as follows:

Receiving Land Use District Category	Time Period	Presumed Ambient Level (dBA)
Low Density	10:00 p.m. to 7:00 a.m.	45
Residential R-1-A, R-1, R-2, P-D-R, P-U-D Overlay	7:00 a.m. to 10:00 p.m.	50

Based on telephone conversations, RBPD claims that City Council needs to approve funding for:

1. Tools required to do their job (i.e., decibel meters)
2. Training to use the tools

“Shall” indicates an obligation for the City to perform the specified action.

RBPD does not have the tools required to measure decibels; therefore, they cannot enforce the noise ordinance.

California Laws on Property Lines and Fences

- Section 841 of the California Civil Code (“Good Neighbor Fence Act of 2013”) states:
 - “Adjoining landowners shall share equally in the responsibility for maintaining the boundaries and monuments between them.”
 - “Adjoining landowners are presumed to share an equal benefit from any fence dividing their properties and, unless otherwise agreed to by the parties in a written agreement, shall be presumed to be equally responsible for the reasonable costs of construction, maintenance, or necessary replacement of the fence.”
- Section 841.4 of the California Civil Code (“Spite Fence Law”) states:
 - “Any fence or other structure in the nature of a fence unnecessarily exceeding 10 feet in height maliciously erected or maintained for the purpose of annoying the owner or occupant of adjoining property is a private nuisance.”
 - This statute is intended to prevent a landowner from constructing a fence without giving notice or if the fence is clearly meant as an act of retaliation, is unsightly, or is the result of the landowner’s personal aesthetic, architectural, or other preferences.










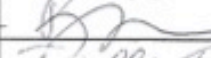
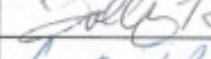

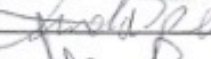
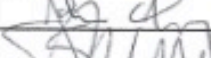

California law intends neighbors to collaborate on the design, maintenance, and costs of a common fence.

Petition for City to Enforce Laws

- A petition was circulated throughout the City regarding enforcement of Building Laws
- 123 signatures were collected without any trouble, more could easily be obtained
- Comments from RB residents who signed the petition
 - Everybody declared that someone who had been given multiple stop work orders by the City and went ahead and built their project anyway must have been fully aware that they were breaking the law.
 - Nobody said it was permissible to defy the City's laws and authorities.
 - Select quotes:
 - "It's not fair if residents bypass the permit process and build what they want. I'm still waiting for my permit for my air conditioning unit. Why should people be allowed to jump to the front of the line and build what they want by breaking the law?"
 - "I'm a retired contractor. The City of Manhattan Beach makes you get a permit to drain your hot tub. People need to do the right thing and get permits for the safety of the community."
 - "I can't believe that the City is not enforcing the law. How can that be?"
 - "You mean all you're asking the City to do is enforce the law that's already on the books? And that's too much to ask? Wow, imagine that."
 - "People need to do the right thing and get permits. It's not fair to residents and contractors who build legally."
 - "If everyone in Redondo Beach did what these residents did and built to their property line, what sort of place would Redondo Beach be?"
 - "What does Christian Horvath have to say about this?"

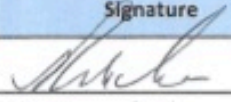
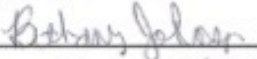
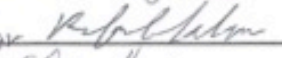
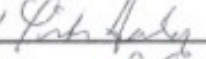

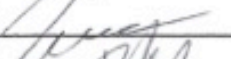

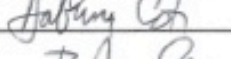
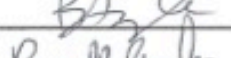



PETITION TO STOP ILLEGAL RESIDENTIAL CONSTRUCTION IN REDONDO BEACH

Petition Summary and Background	As the population of Redondo Beach grows, construction projects also increase. This petition seeks to stop illegal residential construction in Redondo Beach by asking the City Council to enforce current building ordinances and adhere to the existing system to fine and penalize residents who knowingly perform construction in defiance of the law. There is currently inadequate enforcement to hold residents accountable who defy the law, whereas general contractors who disobey the law are typically fined and reported to the Contractors State License Board.
Action Petitioned for	We, the undersigned concerned residents of Redondo Beach, urge the members of the Redondo Beach City Council to act now to: 1) enforce Redondo Beach City building codes and ordinances and 2) use existing laws to hold accountable lawbreaking residents who knowingly build non-permitted structures, especially when they are aware that approved plans, permits and inspections are required.

Printed Name	Signature	Address	Comment	Date
Nika Nakay		218 S. FRANCISCA Ave		5/2/21
Jeanne Goodman		622 Vincent Park		5/7/21
Nancy Ruchey		101 N. Broadway		5/2/21
Heather Coe		514 Blossom Lane		5/2/21
Devon Hatcher		530 esplanade ^{APT 505}		5/2/21
Austin Hirsch		521 Anta St		5/2/21
Brandy L Moore		111 Paseo de la Playa		5/2/21
Dolly Rouse		104 Paseo de ⁴⁰²⁻⁸¹ Orange		5/5/21
Luke Fehrer		1604 Almond La 90272		5/5/21
Linda Spier		606 Kumbi Hill Rd		5/6/21
John Chun		717 N. Prospect Ave		5/6/21
SHELBA E. PODGORSKI		1805 Clark Ave		5/6/2021

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Printed Name	Signature	Address	Comment	Date
ROBERT GARD		1812 HARRISON		5/6/21
Bethany Johnson		1711 Van Hanneln	need to rezone district 3 to R2	5/6/21
MICHAEL ALKEDUNE		3425 EMERALD ST	STOP ILLEGAL CONSTRUCTION	5/6/21
LISA HERSHEY		515 N. Paulina Ave	Stop the FR	5/6/21
CATHERINE SHAW		413 N Paulina	ONLY LEGAL	5/6/21
Gerardo Robledo		1145 Prospect ave	STOP illegal Construction	5/6/21
Jaqueline Hough		104 S. Juanita Ave #A		5/6/21
SABRINA COX		1368 SPRECKELS LANE		5/6/21
Brad Angle		807 N. Juanita Av		5/6/21
Russell Rhodes		2215 Pullman Lane		5/6/21
DAVID GLOVICH		1415 + PERRY AVE REDONDO BEACH 90278		5/6/21
Lulu Jain		1632 GOODMAN AVE	STOP ILLEGAL CONST.	5/6/21

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Printed Name	Signature	Address	Comment	Date
Umaria Gagliardi	[Signature]	578 N Main Ave		5-6-21
Carol Jensen	[Signature]	508 N Main Ave		5-6-21
Rebecca Remy	[Signature]	407 N Broadway		5/6/21
John Kalafatis	[Signature]	1305 amethyst st		5/7/21
Jan Vreken	[Signature]	2706 Vanderbilt		5/7/21
Susan Chardo	[Signature]	2706 Vanderbilt		5/7/21
William Huntington	[Signature]	1506 Belmont Ln		5-7-21
Jan Jenkins	[Signature]	1111 O pal St		5-07-21
Nancy Paulsen	[Signature]	1632 Morgan h		5-7-21
John Arthur	[Signature]	1620 Speyer		5-7-21
Jack Fiedler	[Signature]	1827 Belvedere		5-7-21
Joseph Bulson	[Signature]	412 N prospect ave		5-7-21


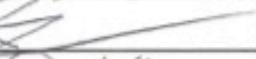


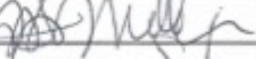






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Printed Name	Signature	Address	Comment	Date
G.N. APPEL	G.N. Appel	1742 CARLSON LN	GET PERMITS	5/7/21
TRINA LUCAS	Trina Lucas	1224 AMELIA ST #A		5/7/21
MARLEY RYAN	Marley Ryan	708 N. Santa	PERMITS!!	5/7/21
SaiSean Jones	SaiSean Jones	911 Beryl St.	Permits	5/7/21
Dick Dodge	Dick Dodge	1738 Hawthorne Ln		5/7/21
L. Haas	L. Haas	609 Meyer Ln #7		5/7/21
WARREN PARESON	Warren Pareson	3600 THE VILLAGE #310	NEED MORE CODE ENFORCEMENT OFFICERS	5/7/21
SOFIA ACUNA	Sofia Acuna	1620 Bay St #7		5/7/21
Kathy Frye	Kathy Frye	111 Ave F #1		5/7/21
C. BOGERT	C. Bogert	523 GARNET RD		5/8/21
B. SLAYMAN	B. Slayman	312 N MARCK SCARF		5/8/21
Dee Stant	Dee Stant	4137 N. Paulina		5/8/21

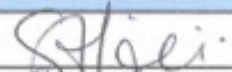
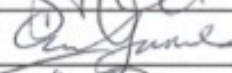

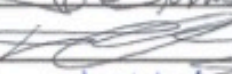
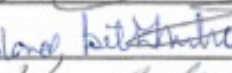
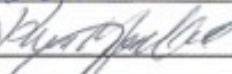



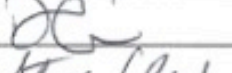
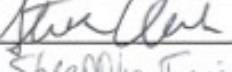

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Printed Name	Signature	Address	Comment	Date
FRED CHASS		903 MEER LN	BUILD LEGAL	5/8/21
Paul Boyer		cell in lions, Unit A	Build Legal	5/8/21
Ann Bulson		412 N. Prospect Ave	follow laws	5/8/21
Peter Bulson		412 N. Prospect Ave	"rule of law"	5/8/21
MARY MILLER		125 W. 3rd St.		5/8/21
ROBERT SEDEY		613 N. PARKWAY	RULE OF LAW	5/8/21
HARVEY MARSHALL		527 4th Ave		5/8/21
SURANUT SOMLEKUNTHON		915 DIAMOND ST #4 REDONDO BEACH 90277	RULE OF LAW	5/8/21
Luis Arroyo		2015 PROSPECT AVE #102		5/8/21
Blair Logan		2213 Spryng Ln RB		6/8/21
Mary St John		1609 Van Horn Ln R.B		5/3/21
HARVEY NQ		1912 Revere Kelly Ln		5/5/21


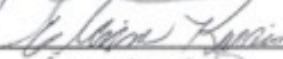
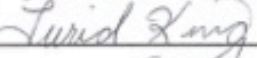
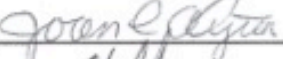

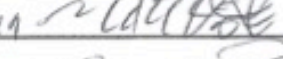

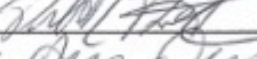
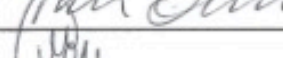


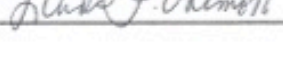
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Printed Name	Signature	Address	Comment	Date
Staci Garski		7000 Pauline Ave Apt 8 RB CA 90277		5-8-21
Carson James		610 N. Main Ave	Red Bch CA 90277	5-8-21
Joe Spenser		1302 E. 1st Ave	310-543-5507	5-8-21
Jackie Daly		2416 B. Van Ness Ave	Redondo 90278	5-9-21
Keith Keith Mulholland		2016 Belmont St A RB CA 90278		5-10-21
Ken Mulholland		2016 Belmont St RB		5/10/21
Robert Irvine		409 N. Prospect Ave		5-10-21
Harmeny Fozzy		525 Blossom Ln		May 10/21
Pam Sousa		803 N. Lucia Ave	Redondo Bch. CA	5-10-21
Derek Ames		6040 THE VILLAGE		5-10-21
Steve Clerk		418 N. Broadway #2		5/10/21
SHRADDHA FRIEND		319 N. Gertrude St	Redondo Beach CA	5-10-21



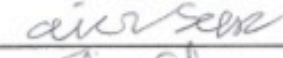




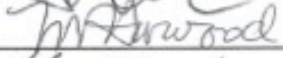


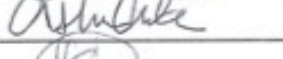

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Printed Name	Signature	Address	Comment	Date
Laurie Wisniewski		616 N Paulina Ave		5/10/21
GARRE ROBERTS		1901 AVILA BLVD UNIT 104		5/10/21
Turid King		1115 Harper Ave		5/10/21
JOAN AYTON		1803 Belmont		5/10/21
Monique Crisali		1014 Vincent St.		5/10/21
RILEY O'CONNOR		617 N Redondo		5/10/21
Armeda Reed		205 So. Prospect Ave		5/10/21
PETER KRATZKE		2406 HADLEY LN #3		5/10/21
FERRIS OKIMOTO		1763 DIXON ST		5/10/21
Jim Copp		1701 VAN HORNE		5/11/21
Diane Kokes		227 N. Lucia		5/11/21
LINDA OKIMOTO		1763 DIXON ST RB		5/11/21


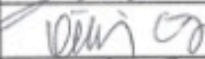

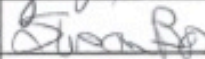

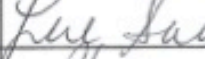
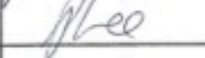
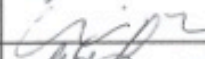


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Khalifa Faros		2402 AVIATION	do the right thing	5/11/2021
Danna Sears		420 S Irma Ave RB		5/11/2021
Aidan Sears		420 S Irma Ave RB		5/11/2021
Talin Chun		2400 Thomas Ave.		5/11/2021
Leslie Reif		2601 Arden		5/12/21
Robert Schied		2101 S Christ Ave RD		5/14/21
AUGUS FRANK		2916 VANDERBILT LANE		5/14/21
Melody Harwood		717 Vincent Park		5/14/21
Benson Tsui		1715 Harriman Ln.		5/14/21
Oswald, Steph		520 Esplanade Drive		5/14/21
Ashiana Anter		1318 Agate St		5/14/21
E J OIKO		709 Anita St RB CA 9275		5/14/21





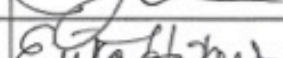



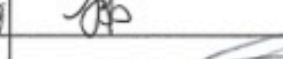


PETITION TO STOP ILLEGAL RESIDENTIAL CONSTRUCTION IN REDONDO BEACH

Petition Summary and Background	As the population of Redondo Beach grows, construction projects also increase. This petition seeks to stop illegal residential construction in Redondo Beach by asking the City Council to enforce current building ordinances and adhere to the existing system to fine and penalize residents who knowingly perform construction in defiance of the law. There is currently inadequate enforcement to hold residents accountable who defy the law, whereas general contractors who disobey the law are typically fined and reported to the Contractors State License Board.
Action Petitioned for	We, the undersigned concerned residents of Redondo Beach, urge the members of the Redondo Beach City Council to act now to: 1) enforce Redondo Beach City building codes and ordinances and 2) use existing laws to hold accountable lawbreaking residents who knowingly build non-permitted structures, especially when they are aware that approved plans, permits and inspections are required.

Printed Name	Signature	Address	Comment	Date
Jake Barron		1309 Berry D	-	5/14
VIVIAN BUENO		412 S. Broadway / B		5/14/21
Jeff Borden		2210 Graham Ave. B		5/14/21
Susan Borden		2210 1C 11 9		5/14/21
Joe Borden		4506 18th St.		
Joe Borden		4506 18th St.		5/14/21
Phyllis Lee		2120 D. Fair Ave		5/14/21
Will Zheng		" "		5/14/21
Egan Formis		1805 Belmont Ln		5/12/21
CARLY STOCK		2014 BELMONT LN		5/17/21

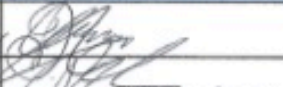

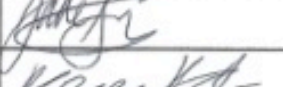
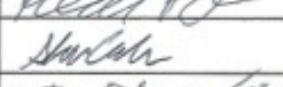
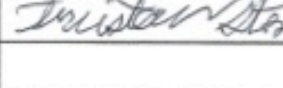
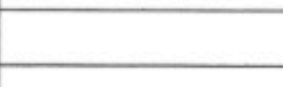

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Printed Name	Signature	Address	Comment	Date
AMIR DORT		2108 Belmont Ln		5/10/2021
Inmar Bonilla		2030 Hermosa L		
Marciso Heredia		413 SC. San St		
Audrey OH		2106 Belmont Ln		5/11/21
JAMES OH		2106 Belmont Ln		
Erika Holmes		2102 Belmont Lane		5/17/21
Jerome Holmes		2102 Belmont Ln		5/17/21
Kevin Atkinson		2112 Belmont Ln		5/17
GEORGE GRACE		2113 Belmont Ln		05-17
JOSH DONG		2116 Belmont Ln		5/17
Ali Madani		419 Gertrude		5/16

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Printed Name	Signature	Address	Comment	Date
Alexander Debusky		1706 circle dr.		5/14/21
Pearl Saffery		2606 160th St.		6/15/21
Eliana Pomfret		647 S. Irenq Ave.		5/15/21
Jade Saffery		2606 160th St RB 90216		5/15/21
Ryan Bender		2404 Clark Lane A		5/15/21
Skyler Coleman		1706 Circle Dr.		5/15/21
Tristan Stock		2004 Belmont Lane B		5/17/21

Decision Matrix

The objective evidence supports a decision to Grant the Appeal.

Criteria	Grant Appeal	Deny Appeal
Safety	Eliminates risks by removing unsafe and potentially unsafe structures	City will be liable for consequences
Law Enforcement	Condemns lawbreakers	Enables and encourages lawbreakers
Intent of the Law	By definition, accessory structures are detached from the main building	Sets precedent for similar projects and additional manipulation of the codes
Code Enforcement	Consistent with existing City codes per Community Development Director	Inconsistent with existing City codes
Neighborhood Animosity	City ends conflict, initiates transition to reconciliation	City sides with lawbreaker making everyone else angry
Neighborhood Equity	Everyone follows the same rules	Grants special privileges to lawbreakers, not fair to people who obey the law
Freedom to Build	Homeowners can improve their property as long as the processes are followed	Sets precedent to build whatever, whenever, and however

Maintains Order

Creates Chaos