

Appeal

Case No. PDR2105697

Date 7-23-2021

Submit 3 copies of this application, along with the required fee, to:

Permit Services Center (PSC), 633 East Broadway, Rm. 101, Glendale, California, 91206 (Monday thru Friday, 7:00 am to 4:00 pm);

Or to:

Community Development Department (CDD), 633 East Broadway, Rm 103, Glendale, California, 91206 (Monday thru Friday, 12:00 pm to 5 p.m.).

For more information please call the PSC at 818.548.3200, or the Planning Division at 818.548.2115.

Please complete (PRINT or TYPE) the following information:

PART 1 – NOTICE TO APPELLANT (please read carefully)

- This form must be prepared, and **3 copies filed**, within **15 days of the date of the decision being appealed**.
- Every question must be answered.
- If a question does not apply, you must answer "does not apply" or words to that effect.
- Failure to properly fill out this notice or failure to make a sufficient statement of a case in this notice, even if in fact you have valid and sound grounds for appeal, may cause your appeal to be dismissed forthwith.
- Attach additional pages for long answers.
- Prior to completing this form, read the Glendale Municipal Code, Title 2, Chapter 2.88 Uniform Appeal Procedure on the City's webpage at www.ci.glendale.ca.us/gmc/2.88.asp

PART 2 – APPELLANT INFORMATION (Additional Appellants Listed on Attachment)

A.	Nicola <u>Haik Joseph</u>	Montuschi <u>Mesropian</u>	<u>Ashby</u>	nicola@genoma.tech
	First Name	Last Name		Email Address
B.	412 Nesmuth Road	Glendale	CA	91202
	Street Address	City	State	Zip Code
	Area Code - Phone Number			

417 NOLAN AVE
411 NOLAN AVE

PART 3 – APPEAL BACKGROUND INFORMATION

- State the name or title of the board, commission or officer from which this appeal is taken _____
Design Review Board
- Were you given written notice of the action, ruling or determination? Yes ☒ No ☐
If "Yes," attach a copy of the written notice and write the date you received it here July 13, 2021
If "No," give the following information concerning your receipt of notice of the action, ruling or determination.
Date _____ Time _____ Location _____ Manner _____
- State generally what kind of permit, variance, ruling, determination or other action was the basis for the decision from which the appeal is taken The DRB voted 4-0 (with one member [Minas] not participating in the decision due to a conflict) to approve with 3 conditions a single-family residence in Glendale's R1R-II Zone and CAL FIRE's very high fire hazard security zone. The applicant provided DRB with incomplete and false information. Appellants raised these concerns at the DRB hearing, but the DRB approved the project based on applicants' representations without further inquiry.
- State the specific permission or relief that was originally sought from the board, commission, or officer _____
APPLICANT sought to construct a new 2,268 square-foot three-story, single-family residence with an attached two-car garage on a vacant lot located in the R1R-II (Restricted Residential - Floor Area Ratio District II) zone.
- Were you the party seeking the relief that was originally sought? Yes ☐ No ☒
If "No," how are you involved with the permit, variance, ruling, determination, or other action referred to above? Appellants live in and own homes that are next door to the proposed development and will suffer (1) serious loss of privacy and views, (2) impermissible retaining wall; (3) infringement on easements, (4) failure to consider 70% slope; (5) native tree preservation; (6) Lot size/boundaries; & (7) sidewalks
- Does this matter involve real property? Yes ☒ No ☐
If "Yes," give the address, or describe the real property affected Applicant's development at 420 Nesmuth Road
Adversely affects at least 412 Nesmuth Road, 411 Nolan Road, and 417 Nolan Road

PART 4 - STATEMENT OF ERROR

- A. Do you contend that there was a violation of a specific provision of law, which forms the basis for this appeal? X Yes No If "Yes", state each specific provision of law that you contend was violated: GMC 30.11.060(B) (lot size less than 7,500 sq. ft.); GMC 30.11.070 & GMC 30.30.010(B)(2)(a) (retaining wall >5' visible from street); Civil Code § 1468 (infringement of use of easement/intent of easement); GMC 30.47.040(b)(3) (failure to consider privacy)
- B. Do you contend that the board, commission or officer exceeded its authority by virtue of any of the provisions of law given in answer "A"? X Yes No If "Yes", state which provisions, and state specifically each act that was in excess of authority: Final design review requires the applicant to file a complete application. DRB's discussion acknowledged that information about the grading plan was absent and also the retaining walls would change based on the engineering and soil testing, which would necessarily change the design, but still approved the project. GMC 30.47.040.
- C. Do you contend that the board, commission or officer failed to fulfill a mandatory duty by any provision of law given in answer "A"? X Yes No If "Yes", state which provision, and the specific duty that it failed to exercise: GMC 30.40.020(G) - application filing, the application was incomplete; GMC 12.44 - protection of indigenous trees, the proposed retaining walls will endanger the oak tree; GMC 30.47.040(B)(3) and 30.47.030 - the plans for the proposed development are not in reasonable conformance with the GMC.
- D. Do you contend that the board, commission or officer refused to hear or consider certain facts before rendering its decision? X Yes No If "Yes", state each such fact, and for each fact, state how it should have changed the act, determination or ruling: (1) Lot size submitted by applicant is inaccurate and actual lot is less than 7,500 sq. ft., (2) easements held by adjoining property owners, (3) invasion of privacy of 412 Nesmuth Road, due to large window, (4) slope of 420 Nesmuth Road exceeding average current slope of 50%
- E. Do you contend that the evidence before the board, commission or officer was insufficient or inadequate to support its action, determination or ruling or any specific finding in support thereof? X Yes No If "Yes", state what evidence was necessary, but lacking: (1) Independent evaluation of the lot size, (2) document regarding the easements (applicant told the DRB there were no easements, but DRB should have required a letter from a title search company) proof of the easements is included, and (3) grading report, (4) photos assessing privacy
- F. Do you contend that you have new evidence of material facts not previously presented, which if considered should change the act, determination or ruling? x Yes No If "Yes", state each new material fact not previously presented to the board, commission or officer. For each fact, state why it was not available, or with the exercise of reasonable diligence could not have been discovered and previously presented by the appellant: The details of the project were not posted to the Design Review Board until seven days before the hearing. The additional evidence required appellants to contact third-parties to obtain documents and that could not be accomplished with the short window when the DRB posted the design. The issues were raised with the DRB and the applicant responded by providing false information. The applicant should not benefit from providing false information

Statement of additional facts related to the appeal:

Please see the attached Statement of Additional Facts and Documentation

The foregoing statements, contained in PARTS 2, 3 and 4 above, are true and correct to the best of my knowledge and belief.

Nicola Montuschi

Appellant's Name - Please Print

Appellant's Signature

7/23/2021

Date Signed

FOR STAFF USE ONLY

Date received in Permit Services Center

Fee paid

Received by

Receipt No.

Date Stamp

CITY OF GLENDALE
PLANNING DIVISION
RECEIVED
AUG 23 10:42 AM

Part 2 – Appellant Information (continued)

A.

First Name: Haik

Last Name: Mesropian

Email Address: mesropian@gmail.com

B.

Street Address: 417 Nolan Avenue

City: Glendale

State: CA

Zip Code: 91202

Area Code- Phone Number: (818) 720-6025

A.

First Name: Joseph

Last Name: Ashby

Email Address: joseph@ashbylawfirm.com

B.

Street Address: 411 Nolan Avenue

City: Glendale

State: CA

Zip Code: 91202

Area Code- Phone Number: (213) 232-3810

Attachment for Appeal of DRB Case No. PDR2105697 – Page 2 of 2

The foregoing statements, contained in PARTS 2, 3 and 4 above, are true and correct to the best of my knowledge and belief.

Haik Mesropian

Appellant's Name – Please Print



Appellant's Signature

7/23/2021

Date Signed

The foregoing statements, contained in PARTS 2, 3 and 4 above, are true and correct to the best of my knowledge and belief.

Joseph R. Ashby

Appellant's Name – Please Print



Appellant's Signature

7/23/2021

Date Signed



DESIGN REVIEW BOARD RECORD OF DECISION

Meeting Date July 8, 2021 DRB Case No. PDR2105697

Address 420 Nesmuth Road

Applicant DOMUS DESIGN

Project Summary:

To construct a new 2,268 square-foot three-story, single-family residence with an attached two-car garage on a 7,566 square-foot vacant lot located in the R1R-II (Restricted Residential - Floor Area Ratio District II) zone.

Design Review:

Board Member	Motion	Second	Yes	No	Absent	Abstain
Minas					X	
Simonian		X	X			
Smith	X		X			
Tchaghayan			X			
Welch			X			
Totals			4	0		
DRB Decision		Approve with Conditions				

Conditions:

1. Obtain required permits from Urban Forestry to protect the street tree and the oak tree on the site; and update the landscape plan to include the protected trees.
2. Replace the front facing hipped roof with a gabled roof at the left side (north) of the front façade (second floor).
3. Replace the French doors at the south side of the front façade (in the area above the entry and bedroom #3) with windows that are reduced in height and width to express a hierarchy of window sizes.

Determination of Compatibility: Site Planning

The new site planning is appropriate, as modified by conditions, to the site and its surroundings for the following reasons:

- The new 3-story house follows the topography of the site, which slopes upward sharply from the street frontage.
- New retaining walls (split face concrete blocks) at the sides and rear of the new house will help to minimize landform alterations and keep almost 48 percent of the existing site as ungraded open space. The new retaining walls meet Zoning Code requirements.
- New drought-tolerant landscape is complementary to the building design. Landscaping is shown along the retaining walls, facing neighboring properties to reduce visual impacts.
- The design and location of the attached garage and driveway (with decorative pavers) are compatible with the primary structure.

Determination of Compatibility: Mass and Scale

The project's massing and scale are appropriate, as modified by conditions, to the site and its surroundings for the following reasons:

- The new 3-story house with the overall height of 34'-6" presents appropriate proportions and transitions in mass and scale.
- The new design follows the Hillside Design Guidelines because it is built into the up-sloped lot and creates appropriate articulations following the natural terrace.
- The hipped roofs reinforce the design concept and are appropriate to the context. However, a condition of approval is added to replace the front facing hipped roof with a gabled roof at the left side (north) of the front façade (second floor) to better reinforce the architectural style and design concept.

Determination of Compatibility: Design and Detailing

The design and detailing are appropriate, as modified by conditions, to the site and its surroundings for the following reasons:

- The project's architectural details and colors including stone veneer, smooth stucco finish, two-piece roof tiles, roof eave details, trim and exposed beams, windows and exterior doors, railings, light fixtures, and front staircase are consistent and reinforce the project's Spanish Colonial Revival design concept. However, for better design consistency, a condition of approval is added to replace the French doors at the south side of the front façade (in the area above the entry and bedroom #3) with windows that are reduced in height and width to express a hierarchy of window sizes.
- The entryway is well integrated into the overall design.

- The new three-story house will not create a privacy issue because the project's balcony and a small window of the living room at the second floor will not overlook the adjacent neighboring property to the east. A majority of the neighborhood consists of vacant lots.
- The new windows (weathered brown wood clad windows) are recessed within walls with sills and represent the project's architectural style with an appropriate combination of hung, fixed, and casement windows.

DRB Staff Member Aileen Babakhani, Planner

Notes:

Contact the case planner for an appointment for a DRB stamp. DRB stamps will not be stamped over the counter without an appointment with the case planner. The Design Review Board approves the design of project only. Approval of a project by the Design Review Board does not constitute an approval of compliance with the Zoning Code and/or Building Code requirements. If an appeal is not filed within the 15-day appeal period of the Design Review Board decision, plans may be approved for Building Division plan check. Prior to Building Division plan check submittal, Design Review Board approved plans must be stamped approved by the Design Review staff.

Any changes to the approved plans may constitute returning to the Design Review Board for approval. Prior to Building Division plan check submittal, all changes in substantial conformance with approved plans by the Design Review Board must be on file with the Planning Division.

**Appeal of Design Review Board Decision regarding
DRB Case No. PDRNRAF2105697
(Proposed Development at 420 Nesmuth Road, Glendale)**

Statement of Additional Facts and Documentation

1. Obstruction of View and Invasion of Privacy

Obstruction of Main View and Invasion of Privacy from Primary Adjacent Home
(412 Nesmuth Road)

2. Retaining Walls Visible from Street Exceed Permitted Height

Retaining Walls on South Side of Project Exceed Height for Retaining Walls Visible
from the Street

3. Infringement on Easement

Proposed Development Infringes on the Easements for Sewer and Drainage Lines
411 Nolan Avenue and 417 Nolan Avenue

4. Misrepresentation of Incline of Parcel Slope

Plans Submitted to DRB Misrepresent Average Actual Slope is Approximately 70%

5. Endangering Native and Protected Trees

Proposed Project will Endanger Native and Protected Trees in Violation of GMC and
Loss of Trees Imperils Long Term Hill Side Stability

6. Actual Lot Size Does Not Permit Development

Surveys of 420 Nesmuth Road Recorded with LA County Show the Lot is Less Than
7,500 Sq. Ft. Which Precludes Development in the R1R-II Zone Per GMC

7. Plans Submitted to DRB Show a Non-Existent Sidewalk

Plans Submitted to DRB Show a Sidewalk that Does Not Exist

8. Majority of Neighbors Oppose Project as Currently Proposed

Adjacent Homeowners, in Addition to Appellants, Oppose Project as Currently
Proposed

NOTE: It is important to note that the images included with this appeal were taken with
approximately 35mm focal length lens with usage of deep depth of field (F8 or higher) that
are as close to human eye perception as possible.

1. Obstruction of View and Invasion of Privacy

The adjoining neighbor at 412 Nesmuth Road, in a home built in the 1931 (second oldest home in Sherer Canyon), has a west facing panoramic window 46" x 120" in size. The proposed development at 420 Nesmuth Road significantly invades the privacy of 412 Nesmuth and would materially block the views from 412 Nesmuth. For comparison, the homes along Nolan Avenue, which runs along the top of Sherer Canyon above Nesmuth, on the northern, canyon facing side, lack comparable windows on the east and west sides because such windows would pose privacy issues. Many of the homes on Nolan Avenue, on the northern, canyon facing side above Nesmuth, were built by well-known, hillside architect and developer Brad Barcus, whose designs respected the particular concerns of hillside homes that are built in close proximity. The proposed design for 420 Nesmuth Road fails to account for the privacy concerns inherent in hillside development in Glendale and to respect the hillside.

Additionally, that view represents the 412 Nesmuth main view looking at the landscape and relative to the 412 Nesmuth site is their only open view of the canyon. The following images depict the size of the window at various distances and angles, and the obstruction of the proposed structure as seen from the inside of the house. The balconies proposed in the 420 Nesmuth development will protrude from the front facade obstructing the only view of the 412 Nesmuth property looking at the open landscape and not at the steep sides of the mountains.

A letter sent to the previous owners at the time of purchase for the 412 Nesmuth property states that that view represented one of the main values of the 412 Nesmuth property and one of the reasons why the current owners have chosen it.

As further discussed in Section 6 of the Statement of Additional Facts and Documentation, records recorded with LA County for 420 Nesmuth show that it is less than 7,500 sq. ft., which pursuant to GMC 30.11.060(B) means no development is permitted. Accordingly, the public records available when 412 Nesmuth acquired their home suggested that the GMC would *not* allow for 420 Nesmuth to be developed. There is no indication that the current or prior owners of 420 Nesmuth have sought to have LA County update the publicly recorded size of the 420 Nesmuth lot to give adjacent property owners or prospective buyers notice that the owners of 420 Nesmuth contend that 420 Nesmuth can be developed in compliance with GMC 30.11.060(B). As addressed in Section 7, it cannot be developed.

The homeowners for 412 Nesmuth raised how the proposed development at 420 Nesmuth would invade their privacy and block their view at the hearing before the DRB on July 8, 2021. The only response offered by a representative of 420 Nesmuth at the July 8 hearing was that 420 Nesmuth has only “two small windows” facing 412 Nesmuth (Publicly Available YouTube Recording of July 8 Hearing at 1:41:48). No response was offered as to the loss of view and small windows on 420 Nesmuth still invade the privacy of 412 Nesmuth. This response failed to address where the 420 Nesmuth windows would be positioned in relation to 412 Nesmuth’s main window. GMC 30.47.040(B)(3) expressly required the DRB to consider the specific placement of 420 Nesmuth’s window in relation to 412 Nesmuth, but the DRB failed to consider the window placement.

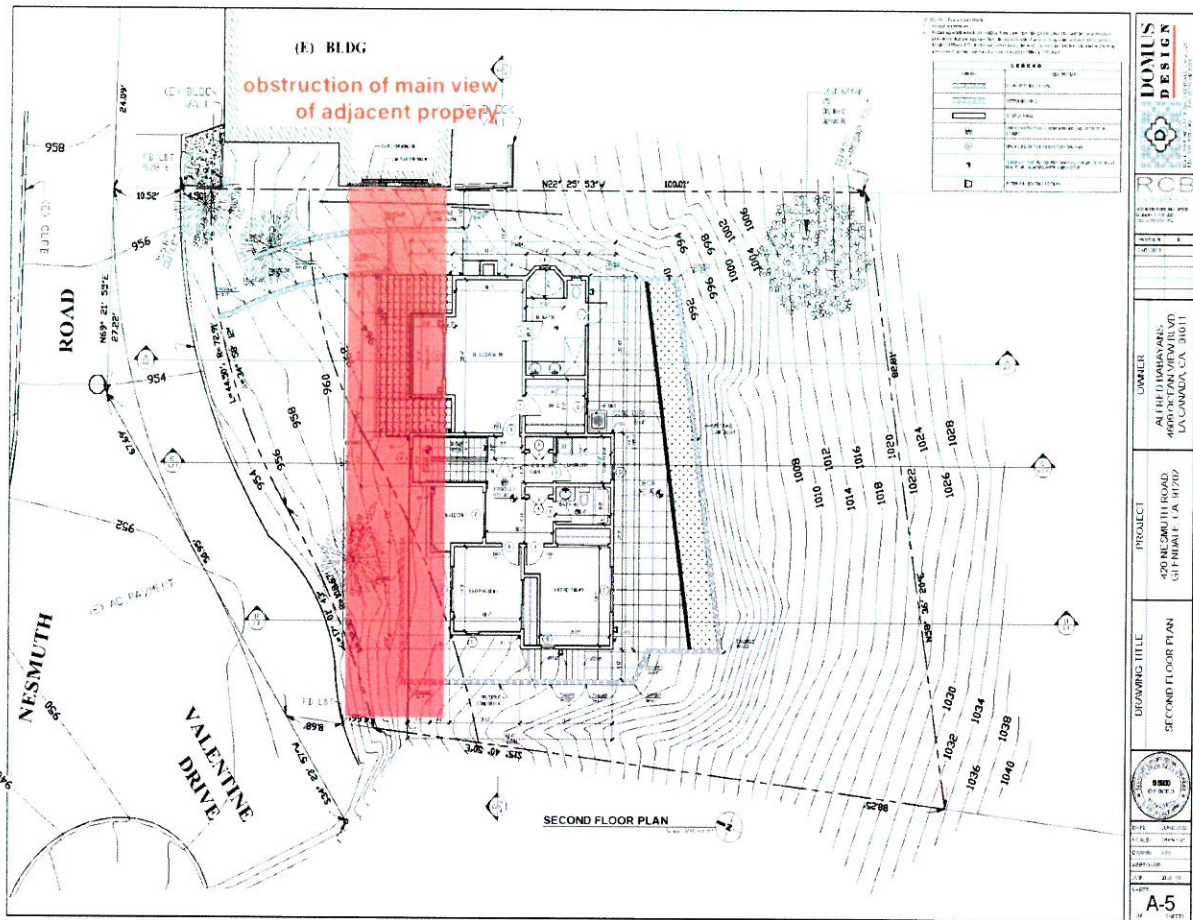
In order to respect the historic nature and character of 412 Nesmuth the DRB should have required that 420 Nesmuth be redesigned to be reduced in scale and overall square footage to not obscure 412 Nesmuth’s view and to not have windows that would invade the privacy of 412 Nesmuth. GMC 30.47.040(B)(3) provided the DRB authority to address these privacy impacts on a historic home, but the DRB did not do so.











1

¹ Reference A5, Project 420 Nesmuth Road.

2. Retaining Walls Visible from Street Exceed Permitted Height

The applicant proposes to have retaining walls behind the proposed house that exceed 5' in visible height. The applicant appears to have submitted that these retaining walls are permissible because the retaining walls are purportedly not visible from the street.

However, as appellants explained at the DRB hearing, the contours of the canyon mean that the retaining walls behind the proposed house will be visible when driving eastbound on Valentine Drive towards the proposed house at 420 Nesmuth. Also, as appellants explained at the DRB hearing, the retaining wall will be visible to individuals driving on Cardigan Avenue.

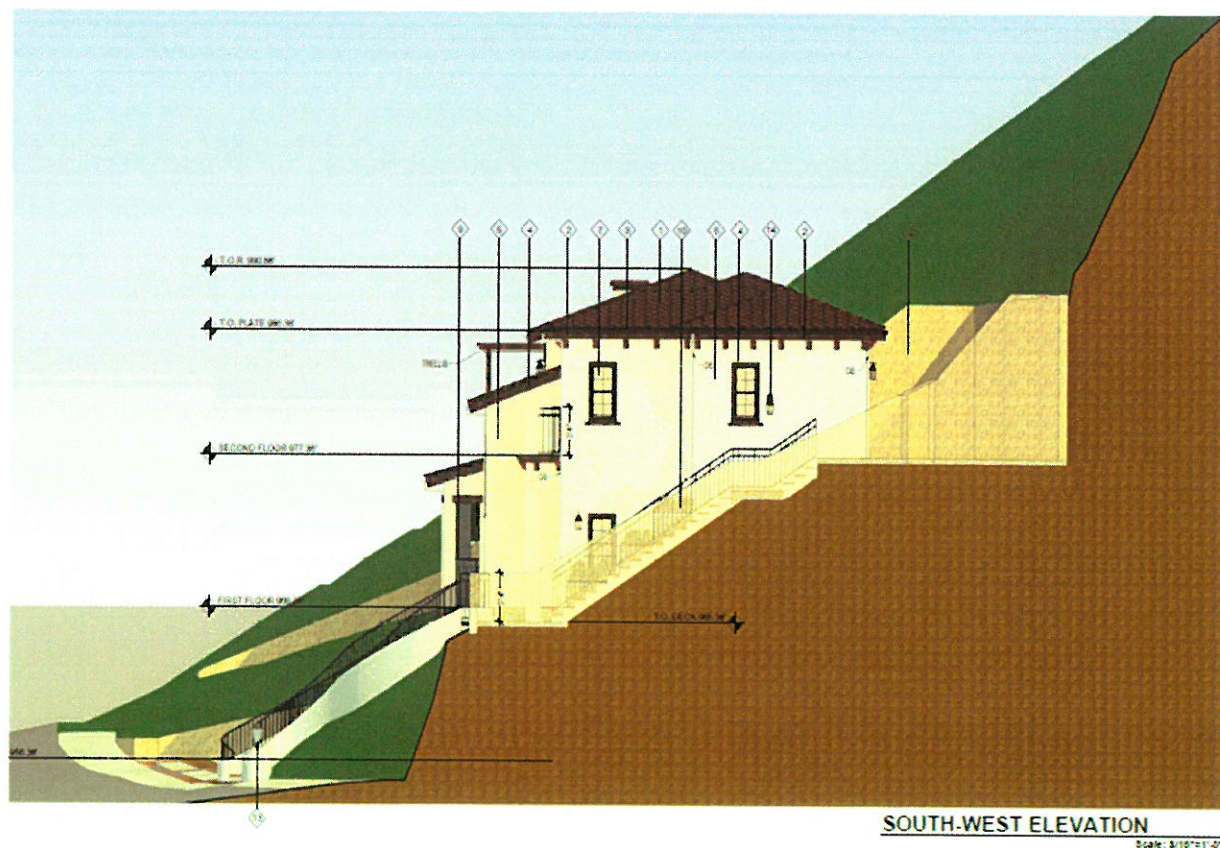
A Google Map image below provides a visualization of approximately where the retaining walls will be visible from on Valentine Drive and Cardigan Avenue. In order to make the proposed development at 420 Nesmuth appropriate for the canyon in which it would be built, the design must account for the roads that start at a higher elevation and descend as they approach the proposed development site.

The proposed development proposes retaining wall heights on the erroneous assumption that the walls are subject to GMC 30.30.010(B)(2)(a)(ii). However, when the actual environment where the proposed project is located is considered, the visibility of the walls means that the retaining walls behind the house are subject to the height restrictions of GMC 30.30.010(B)(2)(a)(i). The DRB was obligated to require a redesign to comply with GMC 30.30.010(B)(2)(a)(i).



The following image shows the extreme slope of this particular hillside, that is about 70%, and it is clear how an effective retaining wall for this type of incline will likely require retaining walls taller than as has been proposed in the designs submitted by the applicant. Increases in the height of the retaining walls behind the house would further increase the extent to which the walls are visible from the street and therefore subject to GMC 30.30.010(B)(2)(a)(i).

The exchanges of appellants with the case planner prior to the hearing and the discussion at the DRB hearing suggested that later stages in the planning and permitting process that will require soil testing and engineering may alter the design. However, the absence of that information for the DRB to consider precluded the DRB from assessing the actual design. Moreover, because Glendale does not provide a public comment and appeal process at later stages, that deprives impacted adjacent homeowners, such as appellants here, of the opportunity to voice concerns about how the proposed design will impact the neighborhood, particularly in an R1R-II Zone that is in CAL-FIRE's very high fire security zone.





2



² Reference A9C, Project 420 Nesmith Road.

3. Infringement on Easement

Two of the appellants own properties that have easements against the 420 Nesmuth (Tract No. 4881, Lot No. 49) property. Specifically, 411 Nolan Avenue (Tract No. 4881, No. 47) and 417 Nolan Avenue (Tract No. 4881, No. 50) have easements in perpetuity against the 420 Nesmuth (Tract No. 4881, No. 49) property that were expressly recorded as easements that provide as follows:

A sewer easement along the Easterly 5.00 feet of Lot 49, Tract 4881 as per map recorded in Book 140, Pages 32-35 of Map Records of Los Angeles County.

This easement is reflected in the Corporation Grant Deed and accompanying Easements that were recorded in 1981 against 420 Nesmuth (Tract No. 4881, No. 49), which is reflected in the next 5 pages.

The easement accruing to the owners of 411 Nolan and 417 Nolan in perpetuity is consistent with the original subdivision plan for Tract No. 4881 that was recorded in 1927 that provided that for all lots in Tract No. 4881:

a perpetual easement and right of way for all public utility purposes in strips of land 10' in width being 5' on each side of the rear and side lines of all lots lying within the City of Glendale as shown on the attached map.

The original subdivision plan for Tract No. 4881 is included after the easements for 411 Nolan and 417 Nolan.

Two separate property title searches performed on behalf of the appellant owner of 411 Nolan with different title search companies both showed the easement against 420 Nesmuth. At the DRB hearing, the appellant-owners of 411 Nolan and 417 Nolan raised the pipes for sewage and storm water that appear in the photos of 420 Nesmuth and that are intended to be protected by the easements against 420 Nesmuth. The appellant-owner of 411 Nolan specifically requested that 420 Nesmuth be required to have an additional 3 foot set back from the pipes to minimize disruptions, allow assessment for any leaks, and ensure adequate access for repairs given the public health concerns that can arise from sewer pipes leaks. The appellant-owner of 411 Nolan made this request because of the significant slope of the hillside, the extent to which the hillside is effectively like sand in terms of being disturbed or

loosed, and the fact that in April 2020, when the owner of 420 Nesmuth had the property surveyed, shortly thereafter the pipes were damaged such that it was necessary to have the sewer and storm water pipes repaired at the expense of the owners of 411 Nolan and 417 Nolan.

The considerations for the sewage and storm water pipes is particularly acute because the slope of the hillside significantly exceeds 50% and also because of the instability of the sand like soil.

In response to these concerns, the applicant told the DRB that the survey did not show any pipes and that the applicant was not aware of any easements. Public YouTube Video of July 8 DRB Hearing at 142:40.) Regarding the applicant's claim that the survey did not show any pipes, if the applicant expected the survey to show the exposed pipes, then that suggests the survey was not properly conducted because segments of the pipes are readily visible as shown in the photos.

Regarding the applicant's claim that a title search had not shown any easements, that suggest either that the applicant engaged an incompetent title search firm or that applicant made a false representation to the DRB. As explained above, the appellant-owner for 411 Nolan engaged two separate property title search firms that both found the easement against 420 Nesmuth. The pipes that are the subject of the easements are apparent on a basic visual inspection, so it is inexplicable that the owner of 420 Nesmuth is unaware of the pipes and the associated easement.

Applicants' failure to find the easements in the course of a title search resulted in the applicant providing the DRB with false information that there were no easements. So, DRB had either false or incomplete information when assessing the project. Moreover, the project encroaches on the easements and should be required to be redesigned to provide appropriate access to the easement area consistent with the intent and purposes of the easements.

RECORDING REQUESTED BY
AMERICAN TITLE COMPANY

10-17049-01

AND WHEN RECORDED MAIL TO

MR. & MRS. HASSAN TEADOLMANESH
121 So. Pacific Ave.
Glendale, CA.

81- 528219

RECORDED IN OFFICIAL RECORDS
OF LOS ANGELES COUNTY, CA

MAY 28 1981 AT 8 A.M.

Recorder's Office

FEE
\$4
H

MAIL TAX STATEMENTS TO

Same as above

Corporation Grant Deed

(THIS FORM FURNISHED BY UNITED TITLE COMPANY)

The undersigned grantor(s) declare(s):
Documentary transfer tax is \$ 6.05

- (X) computed on full value of property conveyed, or
() computed on full value less value of liens and encumbrances remaining at time of sale.
() Unincorporated area: () City of Glendale

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

U.S. THEATRES, INC., a California Corporation

a corporation organized under the laws of the state of
hereby GRANTS to

HASSAN TEADOLMANESH and ARHENOUEHI TEADOLMANESH, husband and wife, as Joint Tenants

the following described real property in the city of Glendale

County of Los Angeles, State of California:

Lot 49 of Tract No. 4681, in the City of Glendale, County of
Los Angeles, State of California, as per map recorded in Book
140 Pages 32 to 35 inclusive of Maps, in the office of the
County Recorder of said County.

Reserving unto the grantor herein, an easement for sewer and
incidental purposes over the Easterly 6 feet of said land for
the benefit of Lots 47 and 50.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be
executed by its President and Secretary
thereunto duly authorized.

Dated May 18th, 1981

U.S. THEATRES, INC., a California corporation

STATE OF CALIFORNIA
COUNTY OF Los Angeles } SS

On May 19, 1981 before me, the under-
signed, a Notary Public in and for said State, personally appeared

known to me to be the Robert Urso, President, and
Patrick Satalino, known to me to be

Secretary of the Corporation that executed the
within instrument, known to me to be the persons who executed the
instrument on behalf of the Corporation therein named, and
acknowledged to me that such Corporation executed the within instru-
ment pursuant to its by-laws or a resolution of its board of directors
WITNESS my hand and official seal

Robert Urso
Patrick Satalino
President
Secretary



Signature Catherine M. Nash

Catherine M. Nash

Name (Typed or Printed)

(This area for official notarial use)

Title Order No.

Encrow or Loan No.

UT 013 (1-79)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

84- 66655

When Recorded Return to
CITY CLERK
613 East Broadway
GLENDALE, CALIF. 91205

RECORDED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA

32 MIN. 9 AM. JAN 17 1984
PAST.

FEE
\$5
2H

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)
Value and consideration less than \$100.00.

EASEMENT

GENERAL

Mark H. Hagemyer, City of Glendale
Signature of Declarant or Agent determining Tax Firm Name

THIS AGREEMENT, made and entered into this 11th day of
..... December 1983, by and between HASSAN TEADOLMANESH and ARNENQUII
TEADOLMANESH, husband and wife as Joint Tenants 3630 Foothill Blvd. La Crescenta Ca.
party of the first part, which expression shall include his, her or their heirs, executors, admini-
strators, agents or assigns where the context so requires or admits, and WON HYUCK JAHNG and
KYUNK-RAN JAHNG, husband and wife as Joint Tenants
..... of
35 Green Lawn Road, Huntington, New York
..... party of the second
part, which expression includes his, her or their heirs, executors, administrators, agents or
assigns where the context so requires or admits.

WITNESSETH:

WHEREAS, the party of the first part owns and has title to that real estate and real property
located in the City of Glendale
County of Los Angeles, State of California, described
as follows:

Lot 49 Tract 4881, in the City of Glendale
as per map recorded in Book 140 Pages 32-35
of Maps in the office of the County Recorder
of said County.

AND WHEREAS, the party of the second part desires *

* (Insert here nature and type of easement, right-of-way or right desired by second party)

A permanent and perpetual easement appurtenant for a sewer and the
right to construct, alter, and maintain said sewer and all necessary
laterals thereto, as described more fully below.

NOW, THEREFORE, it is hereby agreed as follows:

The said party of the first part does hereby grant, assign and set over to the said party of the
second part *

* (Insert here nature and type of easement, right-of-way or right granted to second party)

A sewer easement along the Easterly 5.00 feet of Lot 49, Tract 4881
as per map recorded in Book 140, Pages 32-35 of Map Records of Los
Angeles County.

The said party of the first part shall fully use and enjoy the aforesaid premises, except as to
the rights herein granted; and the said party of the second part hereby agrees to hold and
save the said party of the first part harmless from any and all damage arising from his use

of the right, easement and right-of-way herein granted and agree to pay any damage or damages which may arise to the property, premises, or rights of the said party of the first part through second party's use, occupation and possession of the rights herein granted.

To HAVE AND TO HOLD the said easement, right and right-of-way unto the said party of the second part, his successors or assigns for a period of.....perpetuity.....

....., and under the specific conditions, restrictions and considerations as follows: NONE

THE PARTY OF THE SECOND PART owns and has title the real estate and real property located in the City of Glendale, County of Los Angeles, State of California, described as follows: Lot 47 of Tract 4881, in the City of Glendale, County of Los Angeles, State of California, as per map recorded in Book 140 Pages 32-35 inclusive of Maps, in the office of the County Recorder of said County.

THIS AGREEMENT herein contained shall be binding upon the heirs, assigns, and successors of both parties and all persons who may occupy or have the right to possession of the realproperty owned by both parties as described above.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this

day of 19:11:....., 1983

Hassan Teadolmanesh

Hassan Teadolmanesh

Armenouhi Teadolmanesh

Armenouhi Teadolmanesh

84
66655

INDIVIDUAL

RECOMMENDED FOR
POOR REPRODUCTION DUE TO
QUALITY OF ORIGINAL DOCUMENT

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.

ON THIS 11th day of DEC., 1983, before me, the undersigned, a Notary Public in and for said State, personally appeared Hassan Teadolmanesh and Armenouhi Teadolmanesh

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.



Chong Keun No
Signature

RECORDING REQUESTED BY

84- 66656

AND WHEN RECORDED MAIL TO

Name
Street
Address
City &
State

When Recorded Return to
CITY CLERK
613 East Broadway
GLENDALE, CALIF. 91205

RECORDED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA

31 MIN. 9 A.M. JAN 17 1984
PAST.

FEE
\$5
2H

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)
Value and consideration less than \$100.00.

EASEMENT

GENERAL

Signature of Declarant or Agent determining Fee, Filing Name

THIS AGREEMENT, made and entered into this 11th day of
..... December 1983, by and between HASSAN TEADOLMANESH and ARMENOUHI.
TEADOLMANESH, husband and wife, as Joint Tenants 3630 foothill Blvd. La Cresenta Ca.
party of the first part, which expression shall include his, her or their heirs, executors, admini-
strators, agents or assigns where the context so requires or admits, and IN SOO KIM and
HEE SUK KIM, husband and wife as Joint Tenants of
18530 Hatteras St. #209, Tarzana Cal. 91356 party of the second
part, which expression includes his, her or their heirs, executors, administrators, agents or
assigns where the context so requires or admits.

WITNESSETH:

WHEREAS, the party of the first part owns and has title to that real estate and real property
located in the City of Glendale

County of Los Angeles State of California described
as follows:

Lot 49 of Tract 4881, in the City of Glendale
as per map recorded in Book 140 pages 32-35 of Maps
in the office of the County Recorder of said County.

AND WHEREAS, the party of the second part desires *

*(Insert here nature and type of easement, right-of-way or right desired by second party)

A permanent and perpetual easement appurtenant for a sewer and the
right to construct, alter, and maintain said sewer and all necessary
laterals thereto, as described more fully below.

NOW, THEREFORE, it is hereby agreed as follows:

The said party of the first part does hereby grant, assign and set over to the said party of the
second part *

*(Insert here nature and type of easement, right-of-way or right granted to second party)

A sewer easement along the Easterly 5.00 feet of Lot 49, Tract 4881
as per map recorded in Book 140, Pages 32-35 of Map Records of Los
angeles County.

The said party of the first part shall fully use and enjoy the aforesaid premises, except as to
the rights herein granted; and the said party of the second part hereby agrees to hold and
save the said party of the first part harmless from any and all damage arising from his use

of the right, easement and right-of-way herein granted and agrees to pay any damage or damages which may arise to the property, premises, or rights of the said party of the first part through second party's use, occupation and possession of the rights herein granted.

To HAVE AND TO HOLD the said easement, right and right-of-way unto the said party of the second part, his successors or assigns for a period of.....perpetuity.....

....., and under the specific conditions, restrictions and considerations as follows: NONE

THE PARTY OF THE SECOND PARTowns and has title to the real estate and real property located in the City of Glendale, County of Los Angeles, State of California, described as follows: Lot 50 of Tract 4881, in the City of Glendale, County of Los Angeles, State of California, as per map recorded in Book 140 Pages 32-35 inclusive of Maps, in the office of the County Recorder of said County.

THIS AGREEMENT herein contained shall be binding upon the heirs, assigns, and successors of both parties and all persons who may occupy or have the right to possession of the real property owned by both parties as described above.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this

day of 12:11:....., 1983

Hassan Teadolmanesh

Hassan Teadolmanesh

Armenouhi Teadolmanesh

Armenouhi Teadolmanesh

INDIVIDUAL

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.

ON THIS 11th day of DEC., 1983, before me, the undersigned, a Notary Public in and for said State, personally appeared Hassan Teadolmanesh and Armenouhi Teadolmanesh

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.



Chiong Keun No
Signature

(This area for official notary seal)

JUN 22 1927
2 PM
140
Map

140-32

Sheet No 1

TRACT No 4881

IN THE CITY OF GLENDALE AND THE COUNTY OF LOS ANGELES

BEING A SUBDIVISION OF A PORTION OF THE V. BEAUDRY'S
MOUNTAINS AS RECORDED IN BOOK 36 PAGES 67 ET SEQ. OF
MISCELLANEOUS RECORDS, RECORDS OF LOS ANGELES COUNTY, CALIFORNIA.

SURVEYED BY C.H. ELLISON

A Snyder Dep
5-22

The Basis of Bearings was taken from the Easterly line of
Rahr Street as per Tract No 3415 recorded in M.B. 131-85-86-87.

I, C.H. ELLISON, a Civil Engineer hereby certify that this map
consisting of 2 Sheets, correctly represents a survey made under
my supervision October 1926, and that all the monuments shown
hereon, actually exist, and their positions are correctly shown.

C.H. Ellison

We hereby certify that we are the owners of, or interested in
the land included within the subdivision shown on the annexed map,
and that we are the only persons whose consent is necessary to pass
deed title to said land, and we consent to the making of said map
and subdivision as shown within the colored border lines, and hereby
dedicate to the public use all the Avenues, Road, Drives, and Walks
shown on said map within said subdivision, and also grant and
dedicate to the City of Glendale

a perpetual easement and right of way for all public utility
purposes in strips of land 10 in width being 5' on each side of the rear
and side lines of all lots lying within the City of Glendale as shown
on the attached map.

MERCHANTS NATIONAL TRUST AND SAVINGS BANK

W.C. Miller, President
W.C. Miller, Secretary
W.C. Miller, Cashier

State of California } S.S.
County of Los Angeles }

On this 15th day of November in the year A.D. 1926
before me, a Notary Public in and for
said County and State, residing therein, duly commissioned and
sworn, personally appeared C.H. ELLISON, known to me to be
the person whose name is subscribed to the within instrument,
and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year in this certificate first above written.

Notary Public in and for Los Angeles County, State of California.

State of California } S.S.
County of Los Angeles }

On this 15th day of November in the year
A.D. 1926 before me, a Notary Public in and for
said County and State, residing therein, duly commissioned and
sworn, personally appeared W.C. Miller, known to me to be
the President, and W.C. Miller, known to me to be
the Cashier, of the Merchants National Trust and
Savings Bank, the Corporation that executed the within instrument
and known to me to be the persons who executed the within instrument
on behalf of the Corporation therein named and acknowledged to me
that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal the day and year in this certificate first above written.

Notary Public in and for Los Angeles County, State of California.

State of California } S.S.
County of Los Angeles }

On this 15th day of November in the year A.D. 1926
before me, a Notary Public in and for said County
and State, residing therein, duly commissioned and sworn, personally
appeared W.C. Miller, known to me to be
the President, and W.C. Miller, known to me to be
the Cashier, of the Merchants National Trust and
Savings Bank, the Corporation that executed the within instrument
and known to me to be the persons who executed the within instrument
on behalf of the Corporation therein named and acknowledged to me
that such Corporation executed the same.

Notary Public in and for Los Angeles County, State of California.

I hereby certify that the Council of the City of Glendale, by resolution
adopted March 2, 1927 approved the attached map and accepted on
behalf of the Public, for highway purposes the Avenues, Road, Drives
and Walks shown upon said map and therein offered for
dedication as public highways; and also accepted on behalf of
the City of Glendale the easements as set forth in the above
Owners certificate. Provided that nothing herein contained shall
be construed as an acceptance of any improvements made in
or upon any Avenue, Street, Road, Drive, Alley or Highway shown
or delineated upon this map.

By Order and resolution of the Council of
the City of Glendale.

City Clerk.

Tract No 4881 (1-4)
Tract No 4881 (1-4)

Beatty

1000.00

June 22, 1927

M. L. Linn

Title Guaranty and Trust Co.
Jan. 31 27

Merchants National Trust and Savings Bank of Los Angeles

May 26 27

May 27

26th

May

27

John J. Whamish
L. K. Linn

Tract No 4881

23rd

May

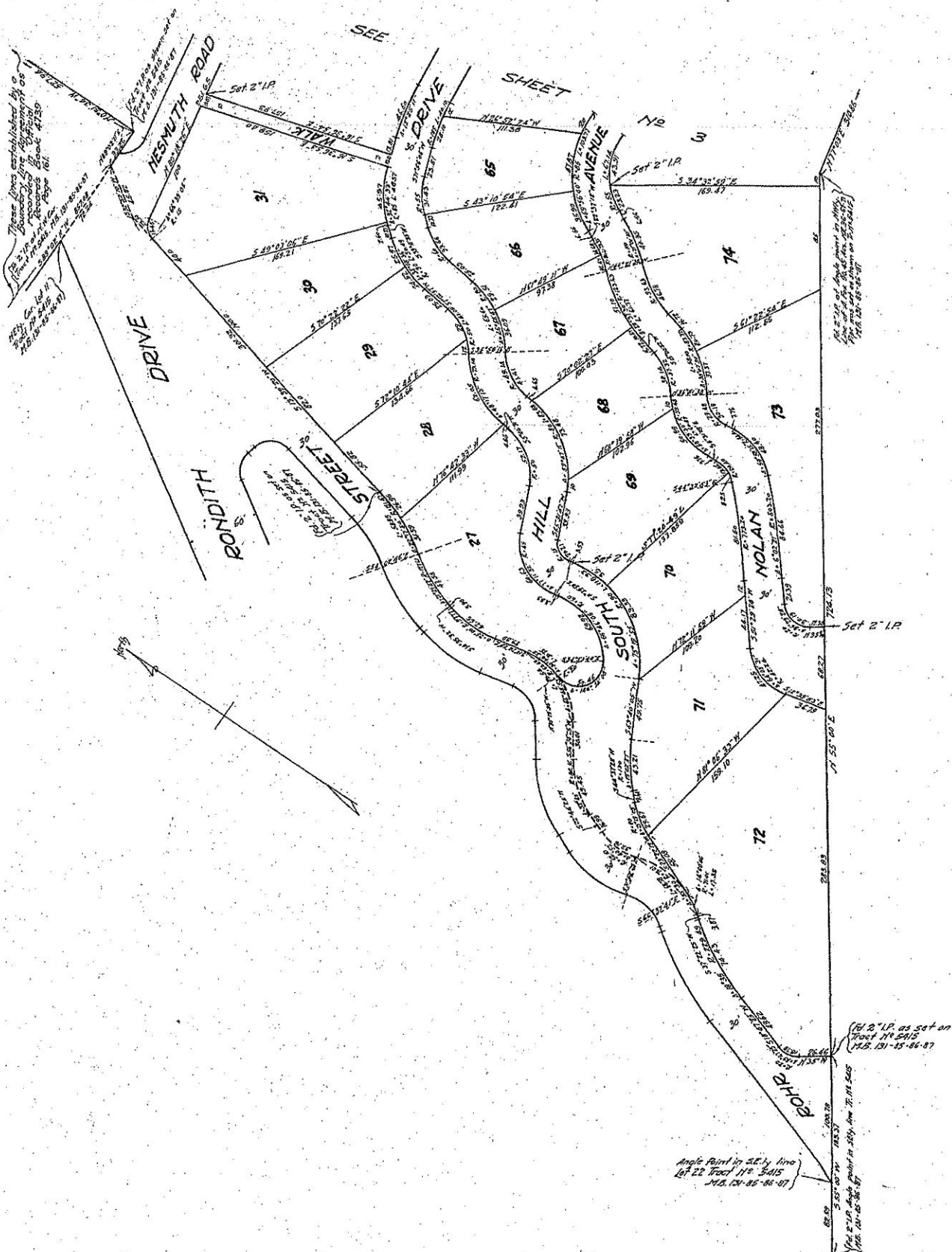
7

Harry Shapiro

TRACT N° 4881

SCALE 1"=50'

A Snyder Sept
tree



140.32

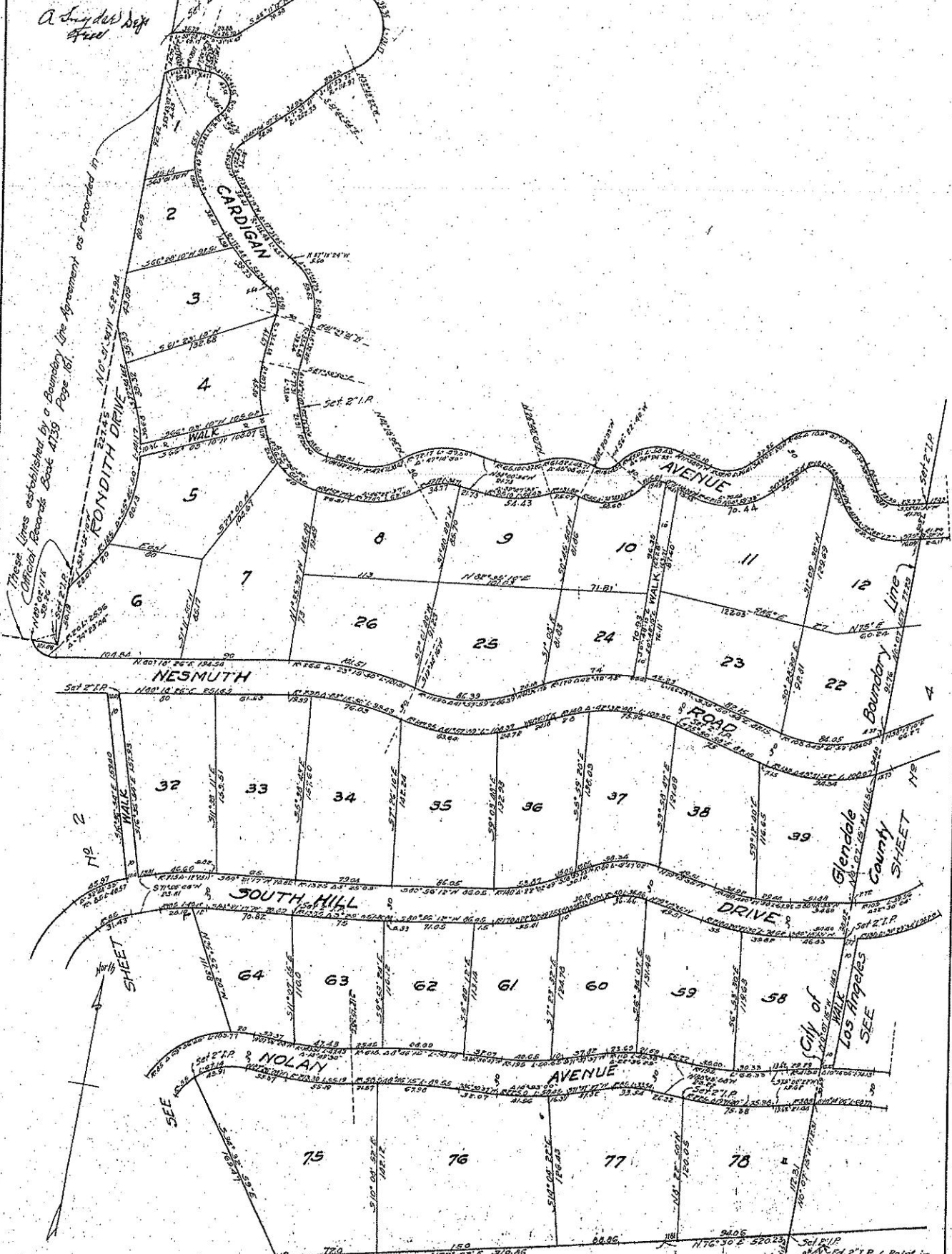
JUN 22 1927
27 2. P. 140.32
140.32
140.32

SHEET No 3

TRACT No 4881

SCALE 1"=50'

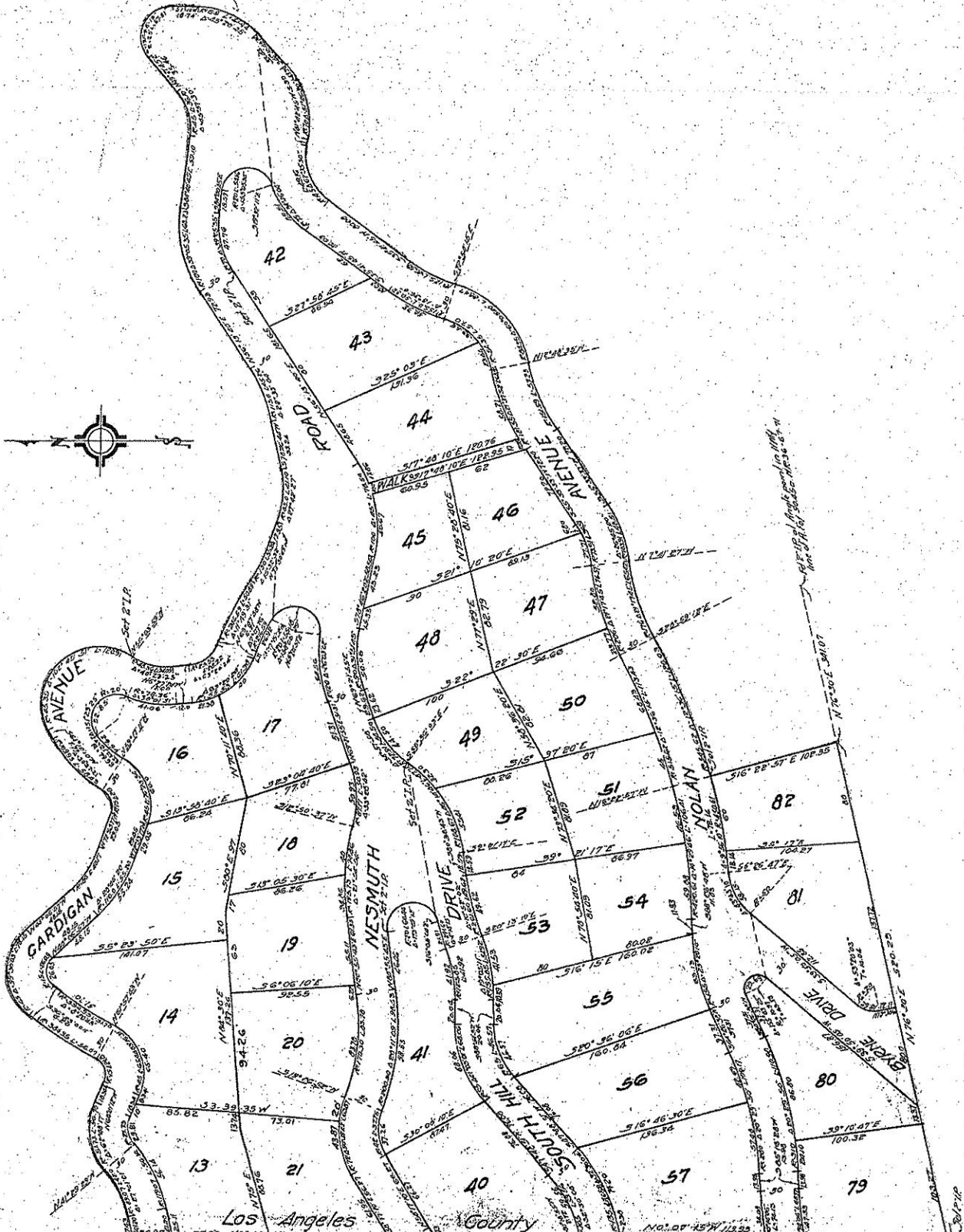
A Surveyed by

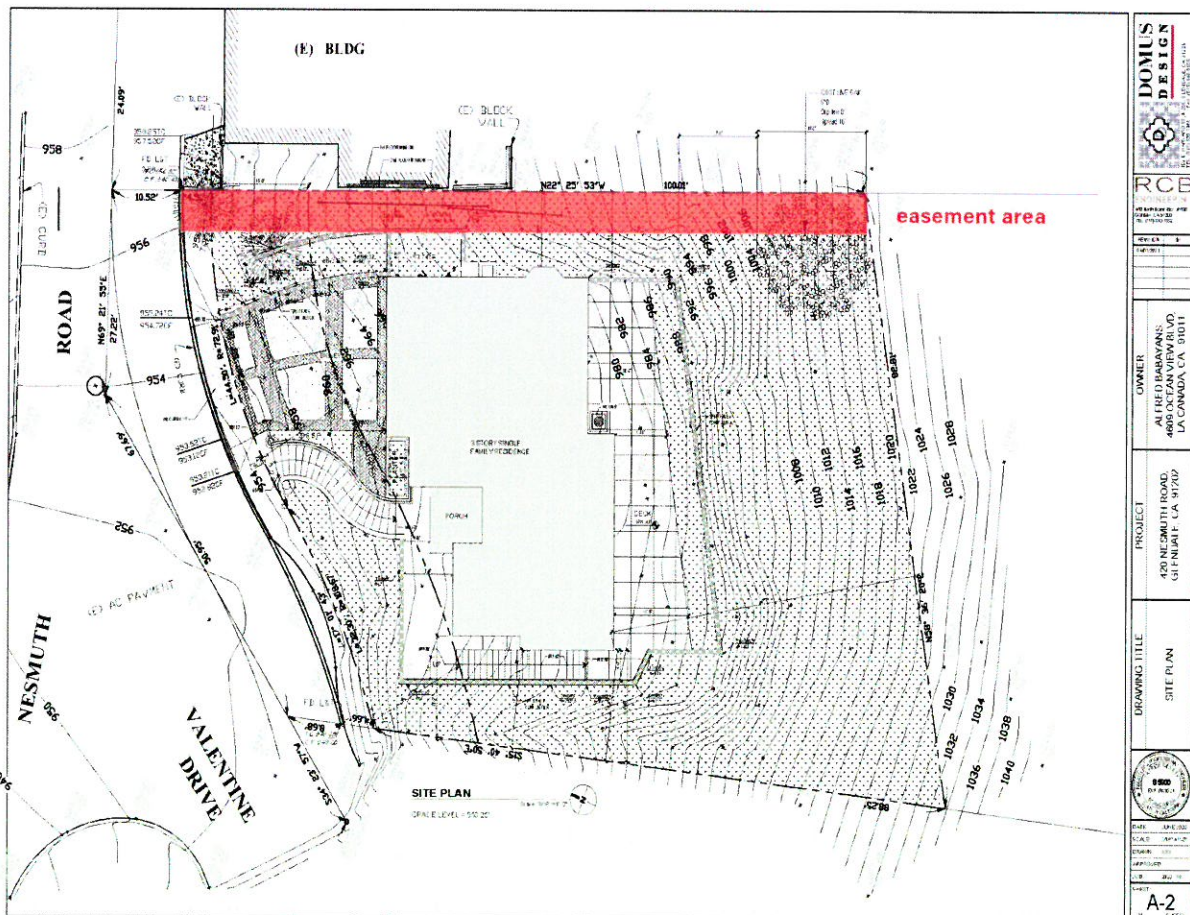


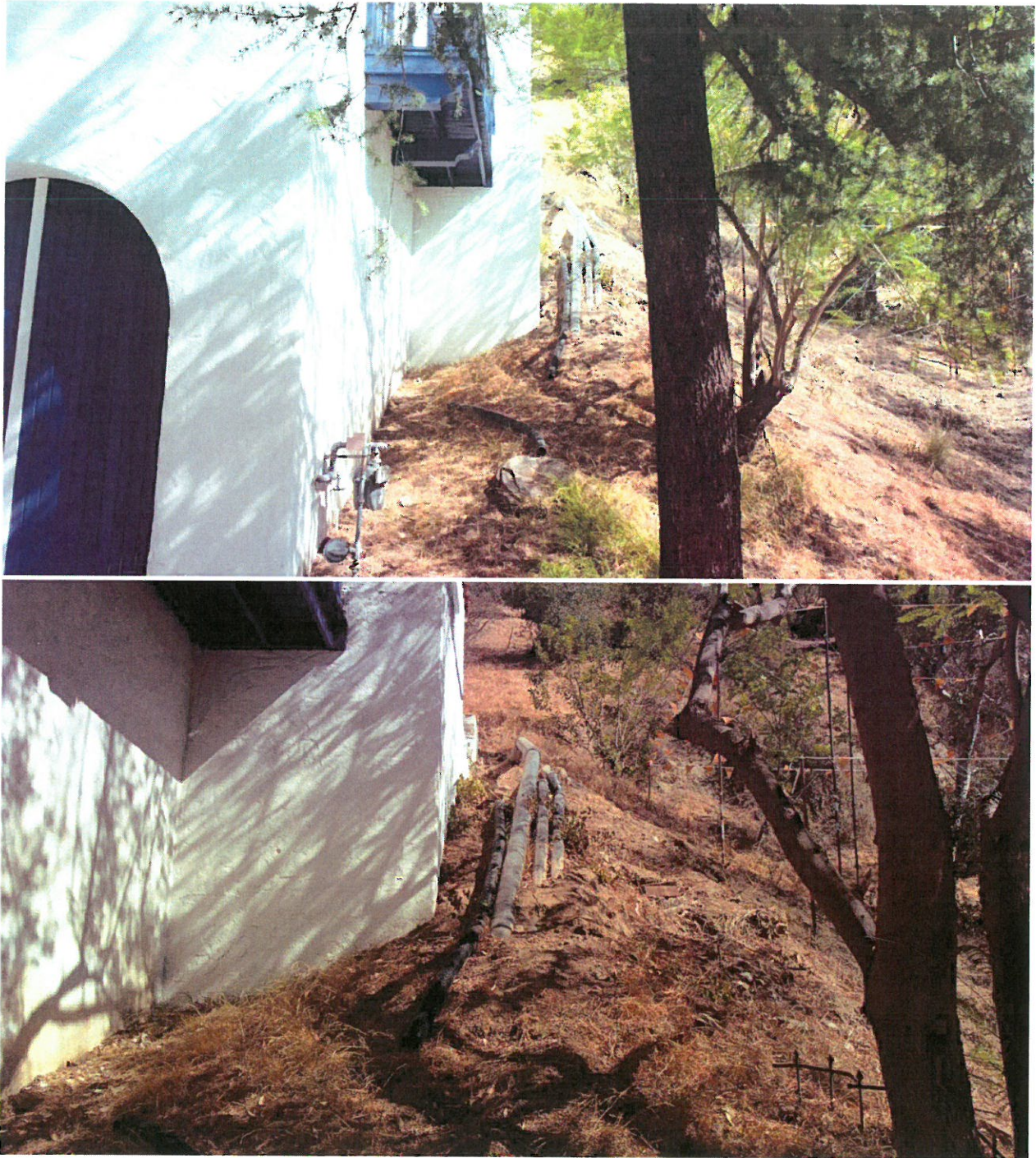
TRACT No 4881

SCALE 1"=50'

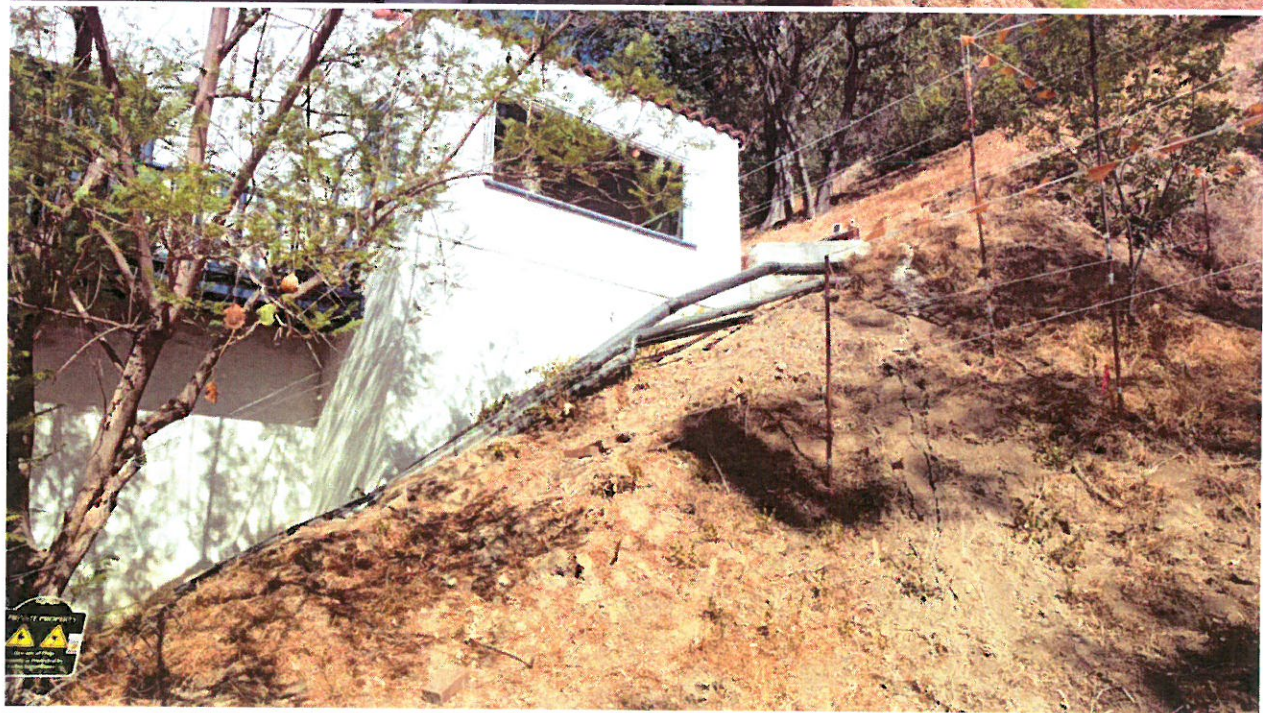
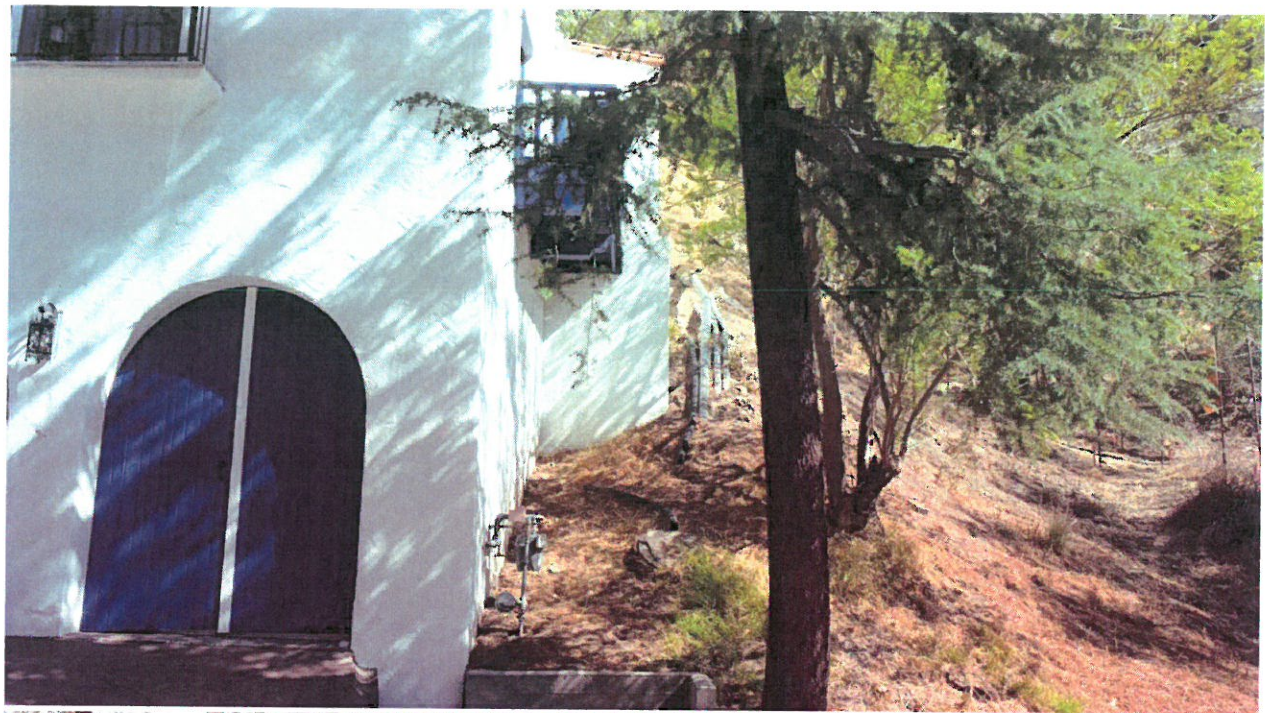
A. Snyder Dep
Free







³ Reference A2, Project 420 Nesmuth Road.



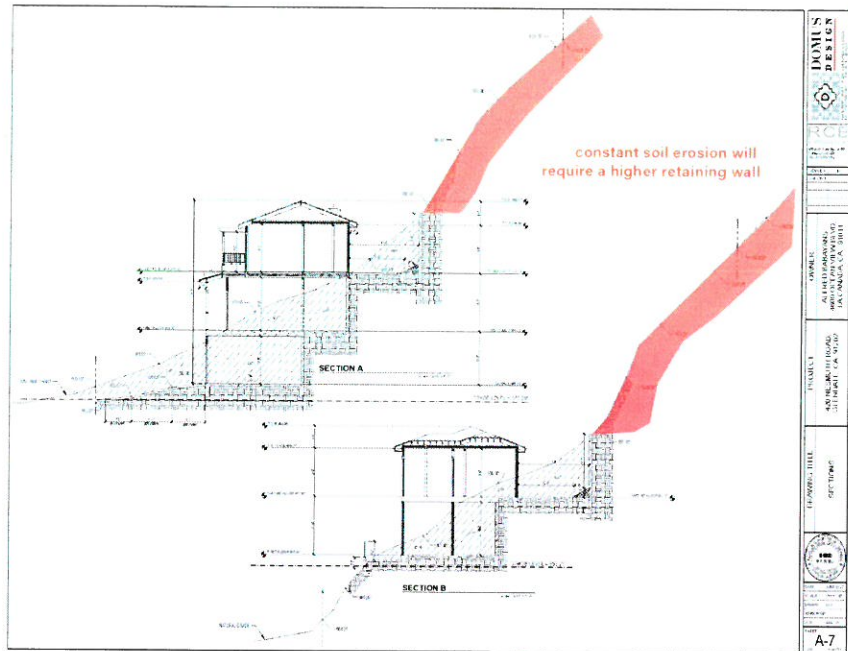
4. Misrepresentation of Incline of Parcel Slope

The slope incline is about 70% and the soil is unstable. Because of the instability of the soil in the lot, the presence of vegetation in the lot is keeping the soil together. In particular, the tree roots are key to maintaining the stability of the hillside layers above the bedrock. This hillside in the portion of the canyon impacted by the proposed development has experienced significant erosion as visible at the foundations of houses in the area. The surface of the hillside now is largely composed of decomposed granite with a sand-like character once it is disturbed. The proposed retaining walls will have to consider further soil slides and vegetation to hold the soil in place.

GMC 30.47.030(I)(1) expressly gives the DRB additional authority for projects that have an average current slope that exceeds 50%. In relevant part GMC 30.47.030(I)(1) provides:

the review authority may impose conditions to address impacts related to construction and grading, including, but not limited to, haul routes, protection of indigenous trees and requirements and conditions of approval of any city department that are reasonably related to the public health, safety or welfare. The review authority shall approve, approve with conditions or deny the design of the project.

This provision of the GMC recognizes that particular challenges that exist for hillside development and provides a mechanism for public input, via the DRB process, to be heard, evaluated, and implemented. Given the slope and soil conditions, the DRB should have exercised its authority under GMC 30.47030(I)(1) and endangered the adjoining residents in by not doing so.



4

⁴ Reference A-7, Project 420 Nesmuth Road.

5. Endangering Native and Protected Trees

Native and protected trees are present on site, specifically a young Oak Tree on the south side, uphill side of the property and a Deodar Cedar tree on the down hill side of the property close to the property line toward 412 Nesmuth. According to Glendale Municipal Code, the applicant is required to submit an accurate plan showing the exact location of each protected indigenous tree on the subject property and adjoining properties. The Cedar tree is a City tree and a protection plan for this City tree must be prepared by a Certified Arborist to ensure the tree's health. The Arborist Letter by McKinley & Associates dated June 5, 2021, does not take into account the construction and protection requirements of the City of Glendale Indigenous Tree Ordinance and City of Glendale Street Trees.

Below is a summary of an evaluation from another arborist, engaged by appellants, that concludes that the proposed development will endanger the street tree.

From report by Sims Tree Health Specialists Inc, dated 7/20/2021

APPT B/W 12PM - 2PM.

Advise on 1 Oak & 1 Cedar located on the property line of an empty lot that is being prepared for development.

Advise on general health of trees and if development will hurt roots and cause additional stress on the trees. 71% incline on slope. Development will build a retaining wall that will be very close to trees.

Customer is concerned about slope erosion and structural integrity that the roots provide. Inspected one *Quercus Agrifolia* and one *Cedrus Deodora* that are on a property that is undergoing development at 420 Nesmuth Rd in Glendale.

The property is being developed and needs tree reports for each of the protected trees.

The *Quercus Agrifolia* has had a report already submitted by McKinley and Associates Arborists.

The report indicates that the oak(*Quercus Agrifolia*) will be fine during the

construction damage as long as precautions are taken during construction. I concur with this report as long as the precautions are taken and the property and construction lines are correct this tree should survive the development. However, the report provided did not mention the Cedrus Deodora near the street (possibly a city tree).

According to the development plans a retaining wall is to be built very close to the cedar(Cedrus Deodora). Installing a retaining wall this close to the trunk of a mature cedar tree you will likely be removing an. Estimated 40% of the trees rooting system. The shock that the tree will undergo will likely weaken the tree and make it susceptible to insect infestation and fungal issues. Additionally by removing so much of the tree's root zone the result may be total tree failure in the direction of the lean. This is due to the removal of the tree's structural stability when the roots are removed.

Unfortunately the tree would likely fall directly onto the powerlines beneath the tree.

I do believe that the proposed construction will likely result in stress, infestation, and possible total tree failure.

Report to follow.

Tree has a diameter of 17" and is approximately 30'-35'.



6111 Appaloosa Ave, Jurupa Valley CA 92509
(951)685-6662
scheduler@simstlc.com

ORDER #: 203334

WORK DATE: 07/20/2021

BILL-TO 21837

Nicola Genoma
412 NESMUTH RD
GLENDALE, CA 91202-1132

Phone: 818-966-3662 xcell

LOCATION 21837

Nicola Genoma
420 NESMUTH RD
GLENDALE, CA 91202-1132

Phone: 818-966-3662 xcell

Time In: 7/20/2021 1:21:26 PM

Time Out: 7/20/2021 2:38:44 PM

Customer Signature

Covid

client approves

Technician Signature

Ken

Ken McCormick

License #: CA - #WE-10739A
CA - QAL-132967
CA - RA-55538

Purchase Order	Terms	Service Description	Quantity	Amount
None	CREDITCARD	Consultation	1.00	250.00
		E-mailed Reports	1.00	325.00
Subtotal				575.00
Tax				0.00
Total Due:				575.00

GENERAL COMMENTS / INSTRUCTIONS

APPT B/W 12PM - 2PM. Advise on 1 Oak & 1 Cedar located on property line of an empty lot that s being prepared for development. Advise on general health of trees and if development will hurt roots and cause additional stress on the trees. 71% incline on slope. Development will build a retaining wall will be very close to trees. Customer is concerned about slope erosion and structural integrity that the roots provide. If written report desired, cost is \$325 with a 2-4 week turnaround time.

Call out fee of \$85.00 will be applied if service cannot be performed for reasons other then weather. PAYMENTS THAT ARE NOT RECEIVED WITHIN 30 DAYS WILL BE SUBJECT TO A 10% LATE FEE PER MONTH.

TECH TO RECOMMEND MAINTENANCE SCHEDULE

Inspected one Quercus Agrifolia and one Cedrus Deodora that are on a property that is undergoing development at 420 Nesmuth Rd in Glendale. The property is being developed and needs tree reports for each of the protected trees.

The Quercus Agrifolia has had a report already submitted by McKinley and Associates Arborists. The report indicates that the oak(Quercus Agrifolia) will be fine during the construction damage as long as precautions are taken during construction. I concur with this report as long as the precautions are taken and the property and construction lines are correct this tree should survive the development.

However, the report provided did not mention the Cedrus Deodora near the street(possibly a city tree). According to the development plans a retaining wall is to be built very close to the cedar(Cedrus Deodora). Installing a retaining wall this close to the trunk of a mature cedar tree you will likely be removing an. Estimated 40% of the trees rooting system. The shock that the tree will undergo will likely weaken the tree and make it susceptible to insect infestation and fungal issues. Additionally by removing so much of the trees root zone the result may be total tree failure in the direction of the lean. This is due to the removal of the trees structural stability when the roots are removed. Unfortunately the tree would likely fall directly onto the powerlines beneath the tree.

I do believe that the proposed construction will likely result in stress, infestation, and possible total tree failure.

Report to follow.

Tree has a diameter of 17" and is approximately 30'-35'.

PRODUCTS APPLICATION SUMMARY

None Noted.

6. Actual Lot Size Does Not Permit Development

The surveys on Lot 49 in Tract 4881, which is known as 420 Nesmuth Road, that are record with LA County show lot dimensions for 420 Nesmuth that provide a lot size of either 7,270 sq. ft. (2006 Vlyman survey) or 7,272 sq. ft. (1999 McDonough survey) for 420 Nesmuth Rd. Copies of those surveys and along with an accompanying summary from Hennon Surveying & Mapping, Inc. is provided below. The survey offered by the applicant states that the lot is 7,566 sq. ft.

GMC 30.11.060(B) states in relevant part:” The minimum lot size for purposes of constructing a new dwelling unit on lots divided prior to June 26, 1986 is seven thousand five hundred (7,500) square feet.” Both surveys that are recorded with LA County show that 420 Nesmuth is too small to permit construction of a house on the lot. At the DRB hearing the appellants requested that the project be, at a minimum, held for a further hearing to allow time for investigation by the appellants or the City regarding the lot size. The DRB did not address the inadequate lot size or hold a further hearing to allow for investigation of the lot size.

Appellants have now obtained the surveys recorded with LA County that show that the lot is too small to permit construction of a house on the lot. Because the lot is too small to permit construction of a house, the DRB did not have authority to approve the project because the project is not allowed by GMC 30.11.060(B).

The proposed development is attempting to use approximately 294 sq. ft. of land that is not part of 420 Nesmuth to permit the development. This is additionally significant because it implicates how close the retaining walls and other aspects of the development are to the adjoining properties. The DRB should at a minimum have further investigated the lot size issue. If it had done so, the DRB would have discovered that the lot is too small and the development should not proceed.

HENNON SURVEYING & MAPPING, INC.

601 E. Glenoaks Blvd., Suite 208
Glendale, CA 91207
818.243.0640 Fax: 818.243.0650
TOLL-FREE: 866-925-1383
info@hennon.com | www.hennon.com

July 22, 2021

Re: Statement of facts for 420 NESMUTH RD GLENDALE, CA 91202 (APN: 5630-022-015)

To Whom It May Concern:

Per the Corner Record prepared by Land Surveyor William P. Vlyman (Land Surveyor's License Number 3572), the property situated at 420 Nesmuth Road in the City of Glendale in the County of Los Angeles in the State of California also known as Lot 49 of Tract 4881 in the City of Glendale and the County of Los Angeles appears to have approximately 7,272 Sq Ft. The Corner Record is filed with La County Record in LA County Public Works Field Book 1720 pages 400 and 401 (PWFB 1720-400/401). The document was filed July 3, 2006. Using geometric math with the given bearings and distances, the calculated area for the property in questions is about 7,272 Sq Ft.

There is a second Corner Record for the same property that was prepared by Land Surveyor James S. McDonough (Land Surveyor's License Number 6823) that was filed September 1, 1999. The second Corner Record has similar bearings and distances to that of Vlyman's. The second Corner Record's document number is PWFB 1720-297/298. The calculated area for McDonough's Corner Record is approximately 7,270 Sq Ft.

Please See attached Corner Records for reference.

Sincerely,



Robert Hennon, PLS 5573

HENNON Surveying & Mapping, Inc.



PWFB 1720

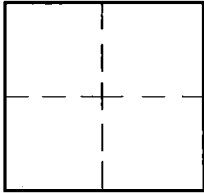
400

CORNER RECORD

Document Number _____

City of GLENDALE

County of Los Angeles, California

Brief Legal Description LOT 49, TRACT NO 4881, PER MB 140/32-35**CORNER TYPE**

Govt. Corner ☐ Control ☐
 Meander ☐ Property ☒
 Rancho ☐ Other ☐
 Date of Survey APRIL, 2006

COORDINATES (Optional)

N. _____
 E. _____
 Zone _____ NAD27 ☐ NAD83 ☐
 NAD83 Epoch _____
 Elev. _____
 Vert. Datum: NGVD29 ☐ NAVD88 ☐
 Meas. Units: Metric ☐ Imperial ☐

Corner - Left as found ☒ Found & tagged ☐ Established ☐ Reestablished ☒ Rebuilt ☐

Identification and type of corner found: Evidence used to identify or procedure used to establish or reestablish the corner:

SEE SKETCH

A description of the physical condition of the monument as found and as set or reset:

SEE SKETCH**SURVEYOR'S STATEMENT**

This Corner Record was prepared by me or under my direction in conformance

with the Land Surveyors' Act on JUNE 20 2006

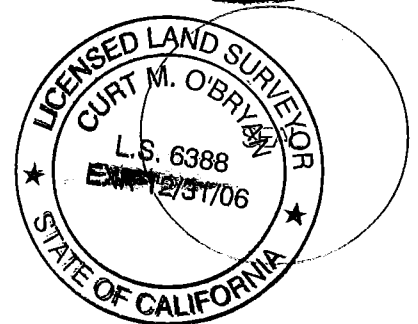
Signed W. Vlymen P.L.S. or R.C.E. No. LS 3572

COUNTY SURVEYOR'S STATEMENT

This Corner Record was received JUN 20 2006
JUL 03 2006

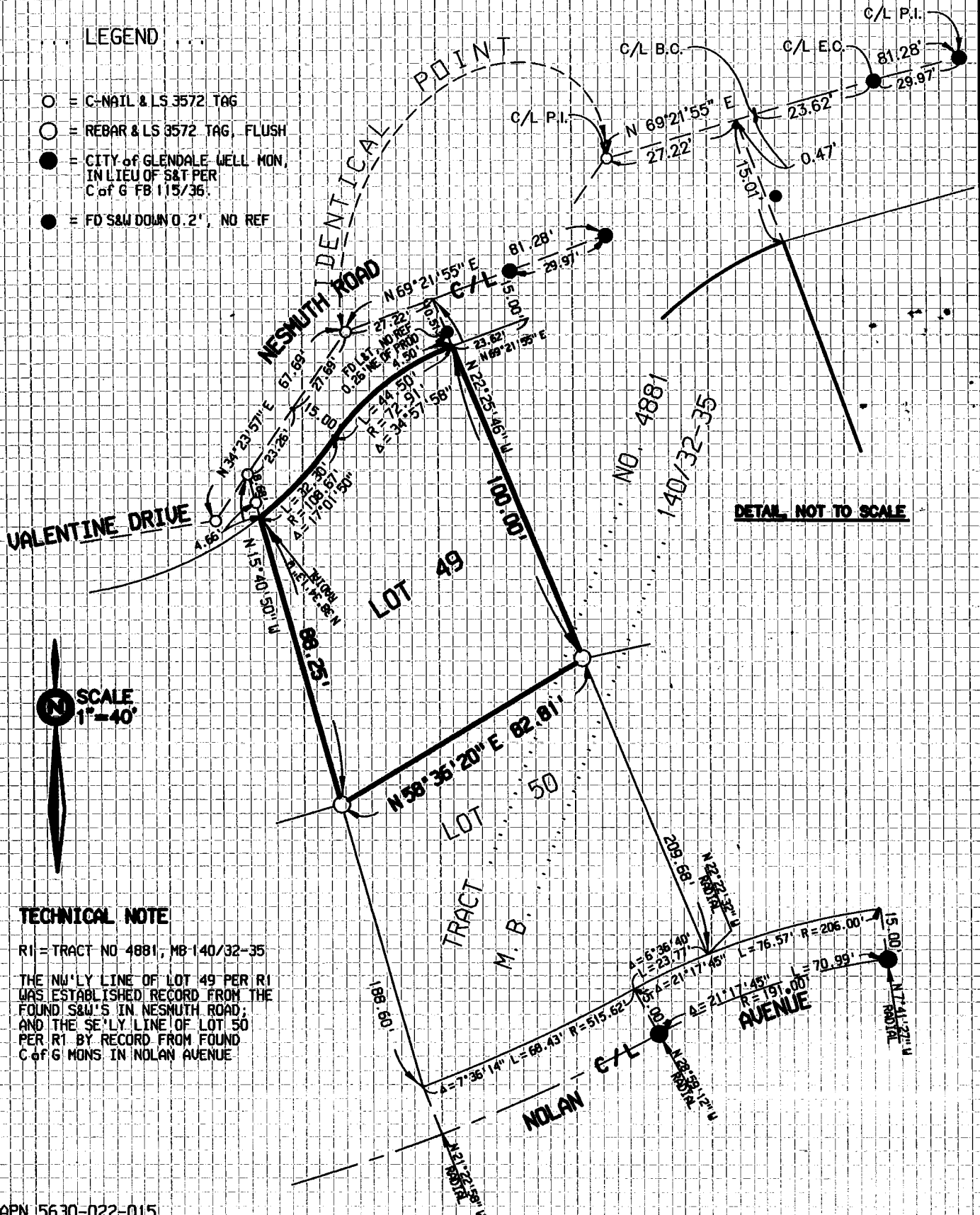
and examined and filed
 Signed Curt M. O'Brien P.L.S. or R.C.E. No. 6388

Title: DEPUTY COUNTY SURVEYOR
 County Surveyor's Comment _____

Smc 6-29-6

LEGEND

- = C-NAIL & LS 3572 TAG
- = REBAR & LS 3572 TAG, FLUSH
- = CITY of GLENDALE WELL MON, IN LIEU OF S&T PER C of G FB 115/36
- = FD S&W DOWN 0.2', NO REF



APN 5630-022-015
THOMAS 534 D7

PWFB 1720

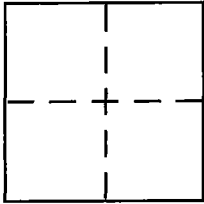
CORNER RECORD

Document Number 297

City of GLENDALE

County of Los Angeles, California

Brief Legal Description LOT 49, TR 4881 MB 140:32:34



CORNER TYPE

Government Corner ☐ Control ☐
Meander ☐ Property ☐
Rancho ☐ Other ☐
Date of Survey _____

COORDINATES (Optional)

N. _____
E. _____
Zone _____ NAD27 ☐ NAD83 ☐
NAD83 Epoch _____
Elev. _____
Vert. Datum: NGVD29 ☐ NAVD88 ☐
Meas. Units: Metric ☐ Imperial ☐

Corner - Left as found ☐ Found and tagged ☐ Established ☐ Reestablished ☒ Rebuilt ☐

Identification and type of corner found: Evidence used to identify or procedure used to establish or reestablish the corner:

AS SHOWN

A description of the physical condition of the monument as found and as set or reset: _____

SURVEYOR'S STATEMENT

This Corner Record was prepared by me or under my direction in conformance with the Land Surveyor's Act on AUG 27 1999

Signed [Signature] P.L.S or R.C.E. No. 6823



COUNTY SURVEYOR'S STATEMENT

This Corner Record was received AUG 31 1999

and examined and filed SEP 01 1999

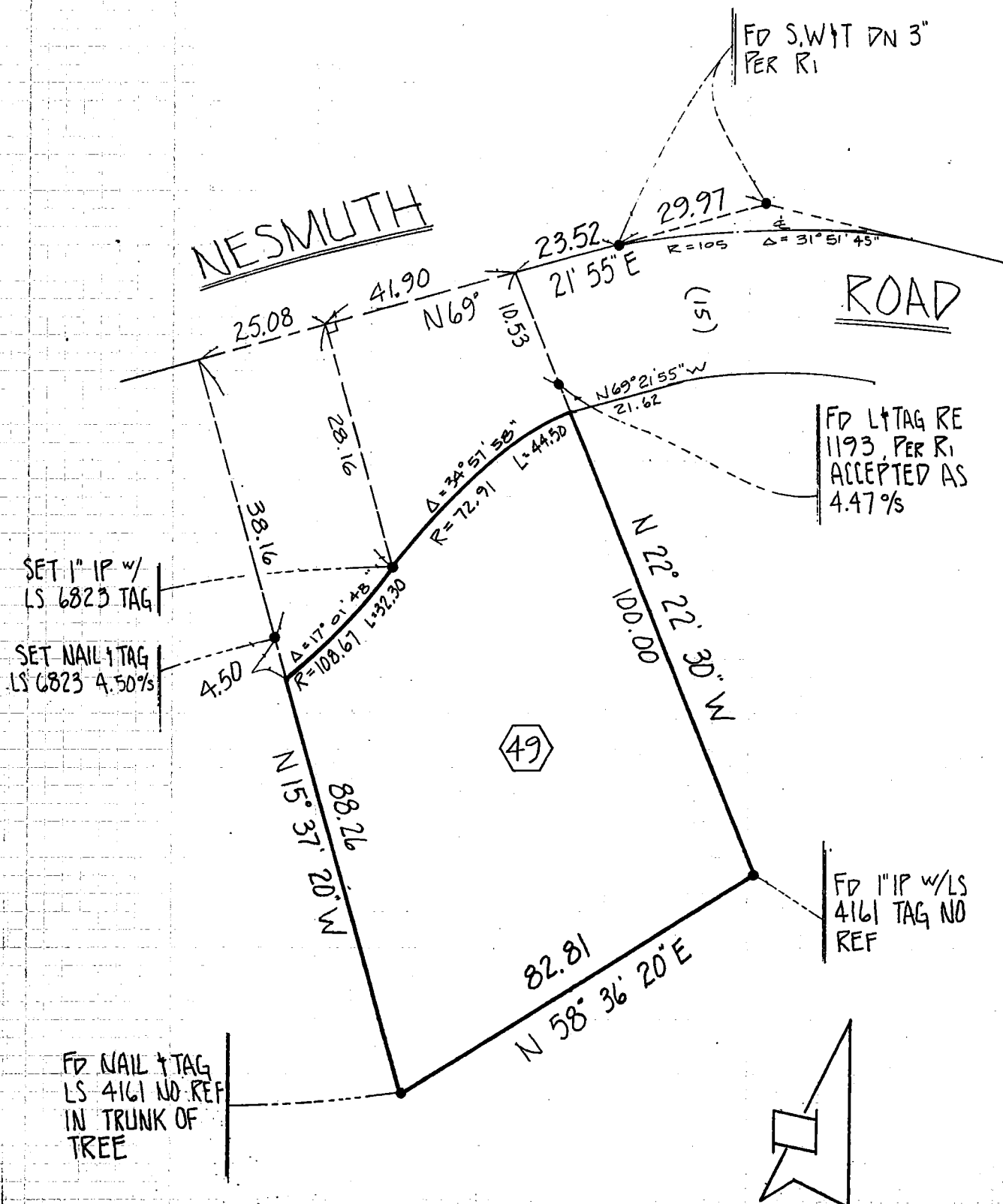
Signed [Signature] P.L.S or R.C.E. No. _____

Title Paul M. Smith
DEPUTY COUNTY SURVEYOR

County Surveyor's Comment _____



R₁ = RDFB 1720-21



7. Plans Submitted to DRB Show a Non-Existent Sidewalk

The plans the applicant submitted to the DRB show an existing sidewalk. The following image shows the lack of a sidewalk on Nesmuth Road that was erroneously mentioned as existing by the architect of the proposed project.





8. Neighborhood Support for Appeal

This document and the appeal to Documentation to Case No. PDRNRAF2105697 is supported by residents and homeowners on the adjacent lots.

Annette Shirinian
Haik Mesropian
Joseph R. Ashby
Lorenzo M. Rivera
Mary Esparrago
Nicola Montuschi

7/20/2021

genoma Mail - Case No. PDRNRAF2105697



nicola montuschi <nicola@genoma.tech>

Case No. PDRNRAF2105697

5 messages

lorenzo m. rivera <blsd2srv@gmail.com>
To: nicola@genoma.tech
Cc: mary esparrago <megmze@yahoo.com>

Wed, Jun 16, 2021 at 10:30 AM

Dear Nicola,

We appreciate your vigilance with regard to developments which may affect, both positively or adversely, the security, safety, and ambience of our neighborhood.

We have been owners and residents of 437 Nolan Ave., Glendale, CA 91202 since 2003. And we are seriously concerned that the proposed 3 storey structure being proposed entails significant excavating and soil compaction which can materially affect the stability and strength of our foundation and house structure. Furthermore, we are against the removal of trees and other native plants from the hillside because doing so could weaken the soil stability of our hillsides, which could further result in slides and weakening of our foundations and house structures.

We are unable to attend the hearing with the Building and Fire Board of Appeals which is scheduled today at 2:00pm. And so, we would appreciate it if you would kindly relay our strong opposition to the subject proposal.

Thank you.

Lorenzo and Mary Rivera

Loren M. Rivera
Alta Vista Residential Care For Elders
THE BEST THINGS IN LIFE ARE NOT THINGS!

Anette Shirinian

Visual Design

DEAR OWNERS OF 412 NESMUTH RD,

If our offer was to be accepted, we would be extremely grateful and do everything in our power to make this process as smooth, efficient, and quick as possible for everyone involved.

My husband and I came to view your home and immediately knew it would be the perfect place for us to start a family. I grew up a half a mile away from your home, on Cumberland Terrace, where my mother still lives and we visit often. We fell in love with the design details and the serene views — particularly the view of the beautiful oak trees from the living room facing west. We are just in awe of this room as it blurs the borders between the outside and the inside, surrounded by an outstanding landscape and beautiful natural light flooding in. We can envision our futures here— where we not only live, but are inspired to create and raise a loving family. I can honestly say we haven't seen anything that truly felt right for us until we saw your home this past weekend.

I wanted to also assure you that we are disillusioned by the idea of a "turn-key" home, and won't be scared off by minor issues that undoubtedly come up in any inspection report. We currently live in the hills of Mount Washington and understand the common issues that come with all hillside properties.

We hope that our certainty and confidence in your home comes across in our letter. We wish you the best of luck with your next adventure and hope that you will choose us as the next inhabitants of your lovely home.

Thank you and all the best,

Anette Shirinian and Nicola Montuschi

(818) 913-1208
1744 Kilbourn St
Los Angeles, CA 90065

anetteshirinian.com
design@anetteshirinian.com

September 9, 2020

⁵ Letter to the previous owners of 412 Nesmuth by current owners Anette Shirinian and Nicola Montuschi.