

Planning Commissioners
City of Brisbane
C/o Community Development Department
50 Park Place
Brisbane, CA 94005

RE: 338 Kings Road Pond & Pumps – Variance V-5-10

Dear Commissioners:

I am writing this letter to state my side of things, though I understand I am not fully knowledgeable as far as where our property lines are located and/or the current building codes, etc. This is from me only, and my husband doesn't know about this note.

In reviewing forwarded letters from our neighbors, I'm pretty shocked as to what was written in them. For one, they wrote that we continue to work while under a stop work notice issued by the Building Department. This is a false accusation, which I felt compelled to inform you. While my husband made the mistake of not getting the proper paperwork before starting the project, I resent the fact that we are being made out to look like rule breaking residents, intentionally continuing work on something in our yard that we were told to put a hold on.

The fact that our neighbors resent us, should not be held against us, in a project we have done in order to continue to improve our home. The animosity towards us is in regards to the fact that we have tried to get them to cut down their enormous Eucalyptus tree because it is over grown and hanging over our side. Besides the fact that it drops stuff from it all the time and makes a huge mess, This tree could at any time fall over, because as we know, the roots of a Eucalyptus tree are slight, and the tree is heavy, and when the ground gets soft from rainfall and we get the winds that we do, this tree can fall over onto our yard & house, and cause damage. They will not at least cut this tree shorter, and they will not clean up the brush in their yard we feel is a fire hazard.

I have further noticed that the two letters received against us were of our next-door neighbor, and their mother who lives next door to them on the other side. She claims of a "mud slide" pooling around her front stairs and around her vehicle. If this is a fact, it's because the water run went down the street into the gutter, her car must have been parked on the street, because the spill didn't go up into anybody's drive way, it is not conceivable as far as the laws of gravity and her being on my same side of the street. As far as her front stairs being pooled in, her stairs go all the way down to the gutter, so of course it's going to be by her stairs.

I think that the neighbors have some leeway, as at least one of them works in the city office. I feel that we are being unfairly misjudged and ridiculed extensively in this matter. The fact that the pond water went down the hill was because of my husband's mistake of running it out of the pond and under the house when he was changing the water, instead of putting the pipe down the sewer drain. This happened once, and I don't have any

knowledge of this happening before. As soon as we found out what it did, we both were out in the gutter cleaning it all up. We have never seen or heard of this happening before as I'm sure the neighbor would have been happy to tell us about it. My husband has since, been changing out the water by using the proper methods, (as we were told to) and haven't had a problem since. This spill had nothing at all to do with an inadvertent spill, which was claimed in the efforts to make our project look as though it wasn't built right, or was weak somehow and it must be removed.

In closing I would like to mention that our project although not started out the proper way as far as paperwork, was built for our serenity and we never expected to provoke or cause disharmony with our neighbors.

Thank you for taking the time to read my position in this matter.

Lany Muller
338 Kings Rd.
Brisbane, CA 94005