

218 Fourth Street

View claim

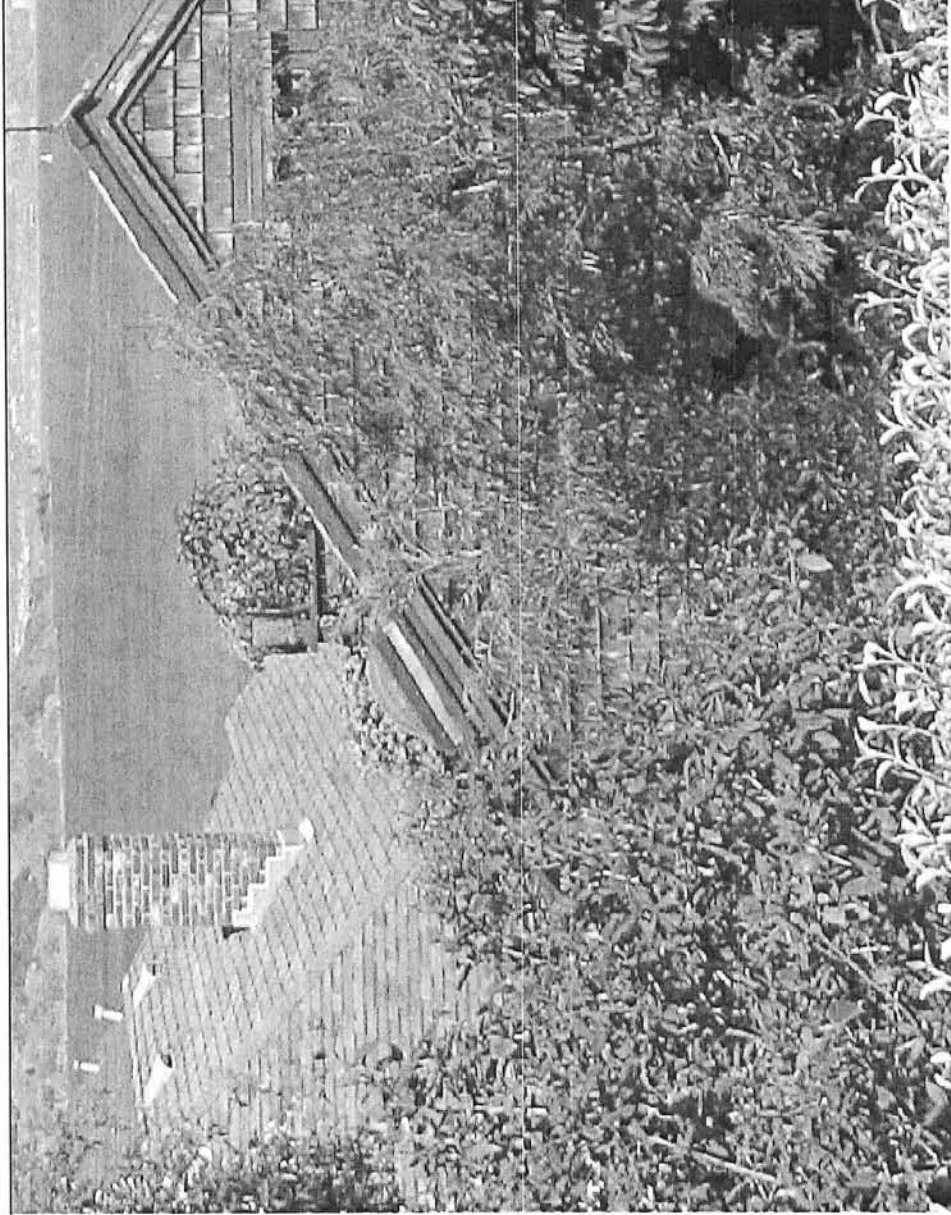
Photos Provided at Site Visit

Original View May 9, 2011



Original View May 9, 2011 – Close-up

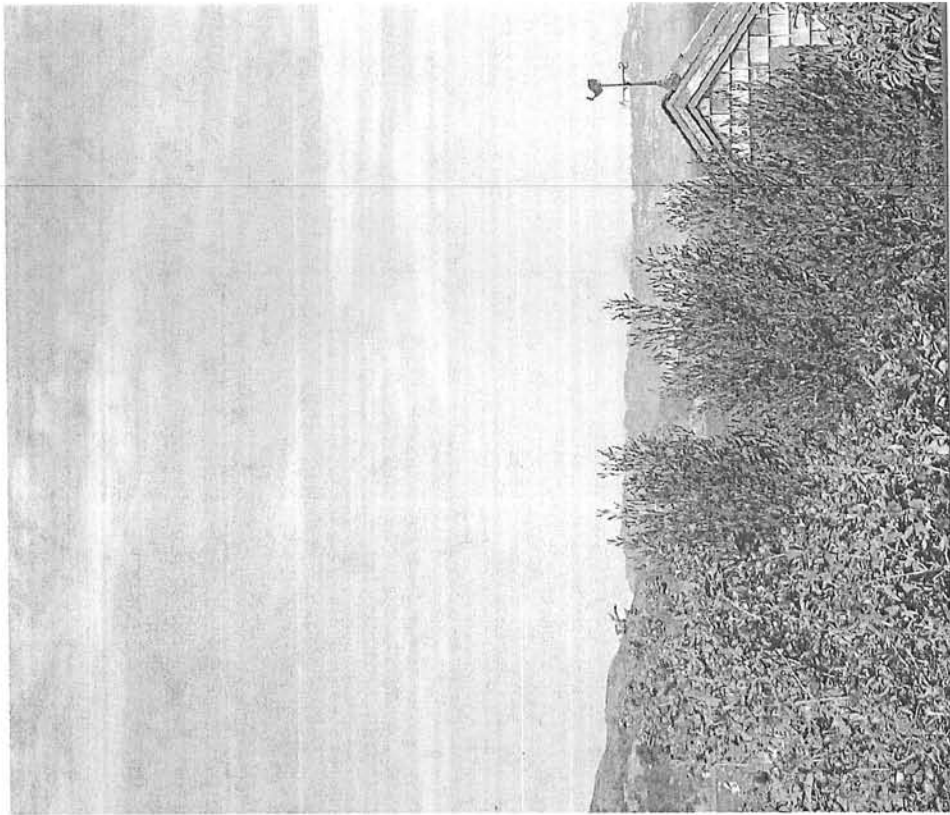
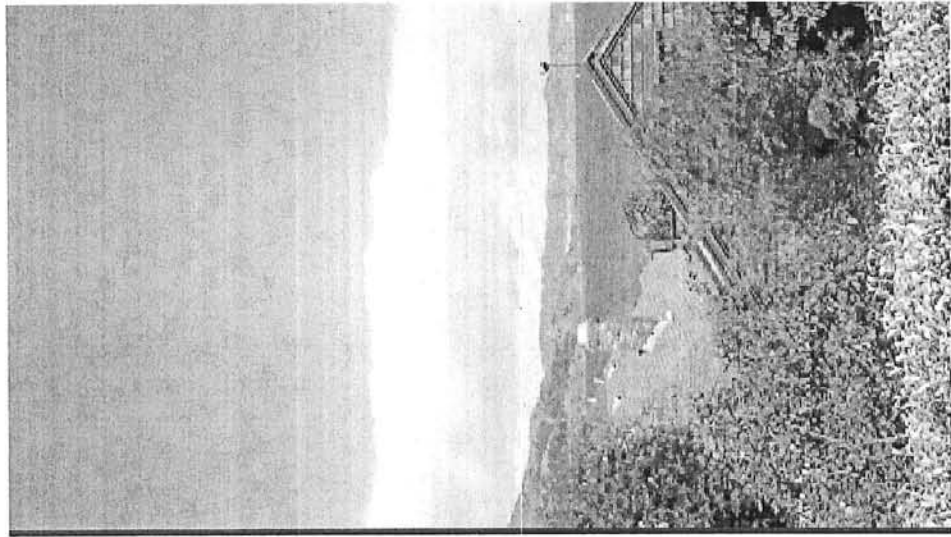
No Hopseed



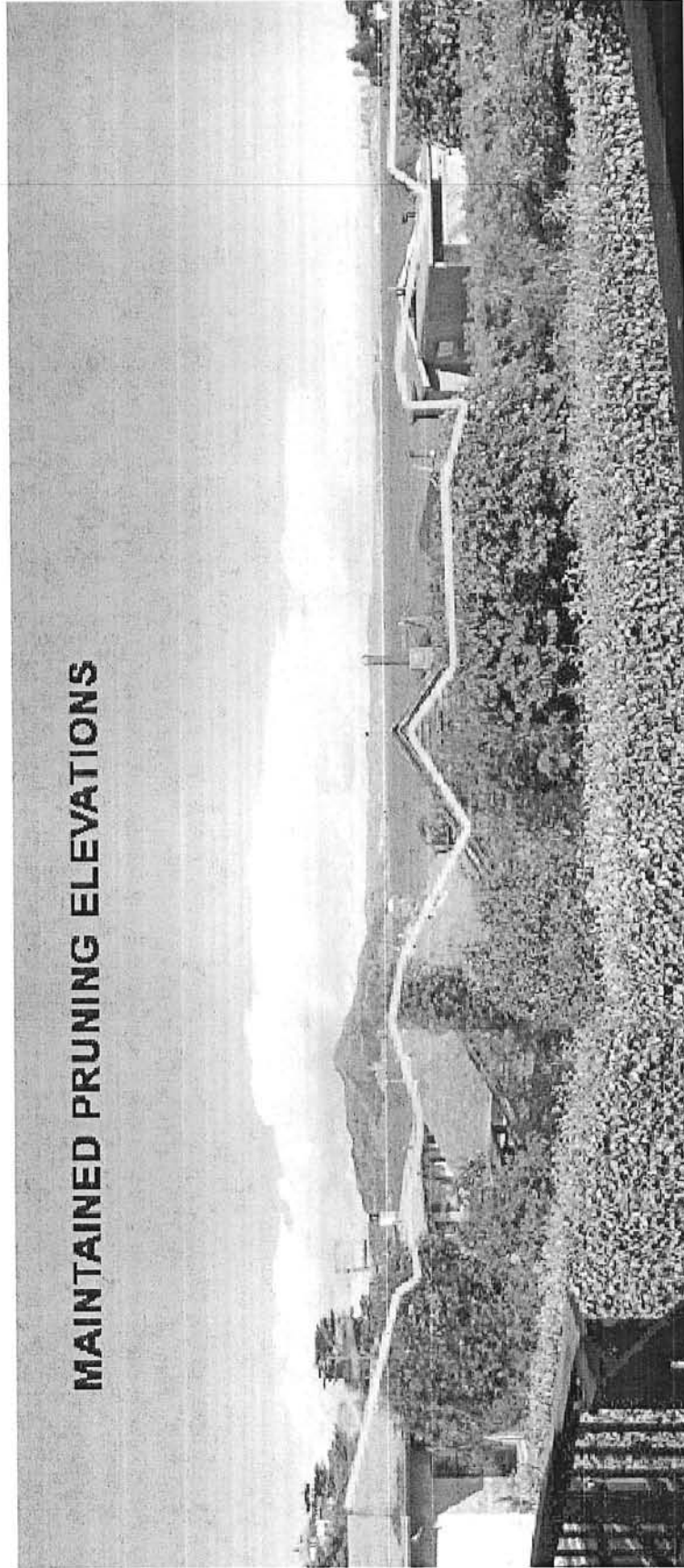
Princess and Hopseed

June 2011

July 2013

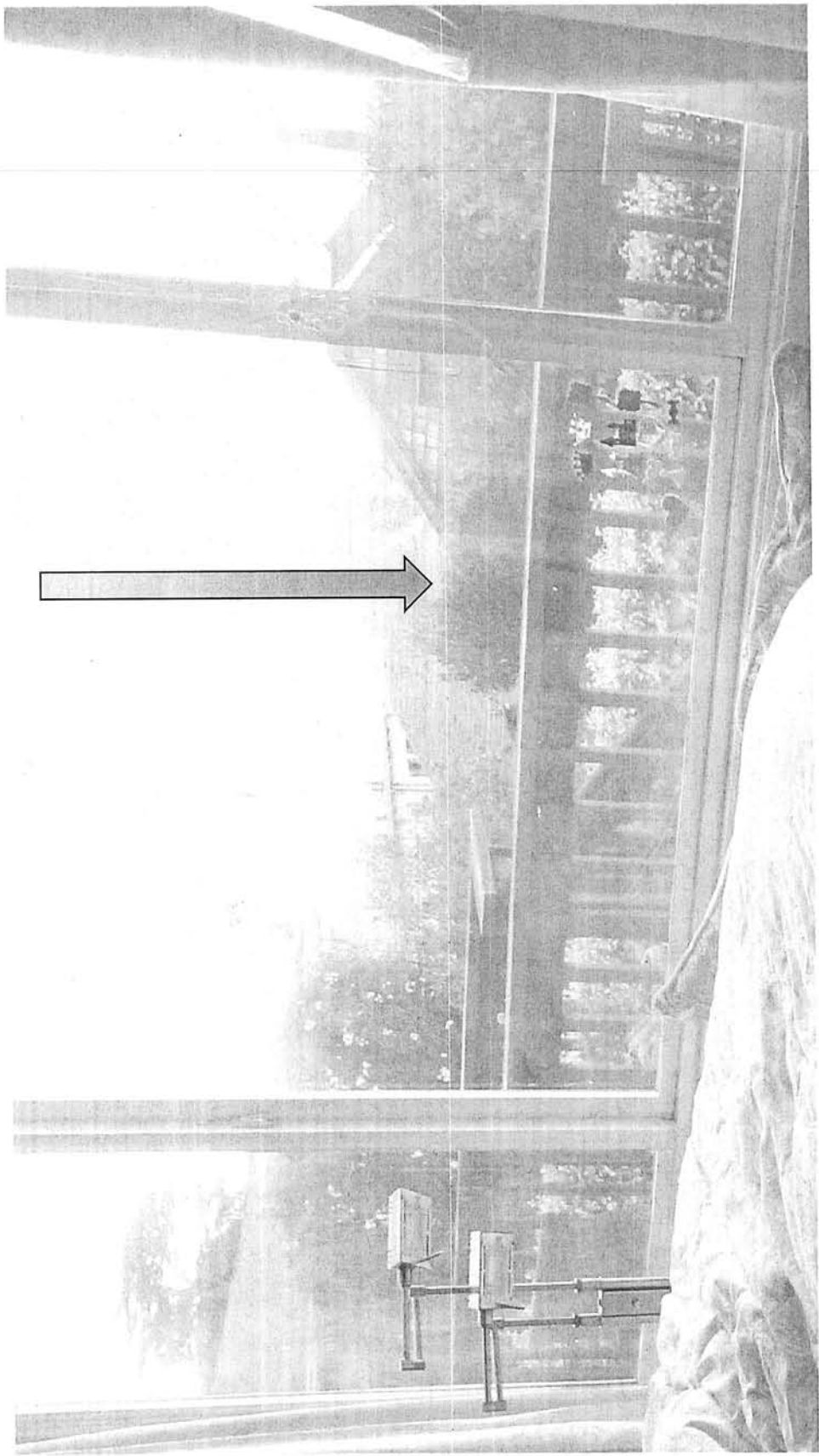


Arborist Recommendation to restore view to original in May 2011

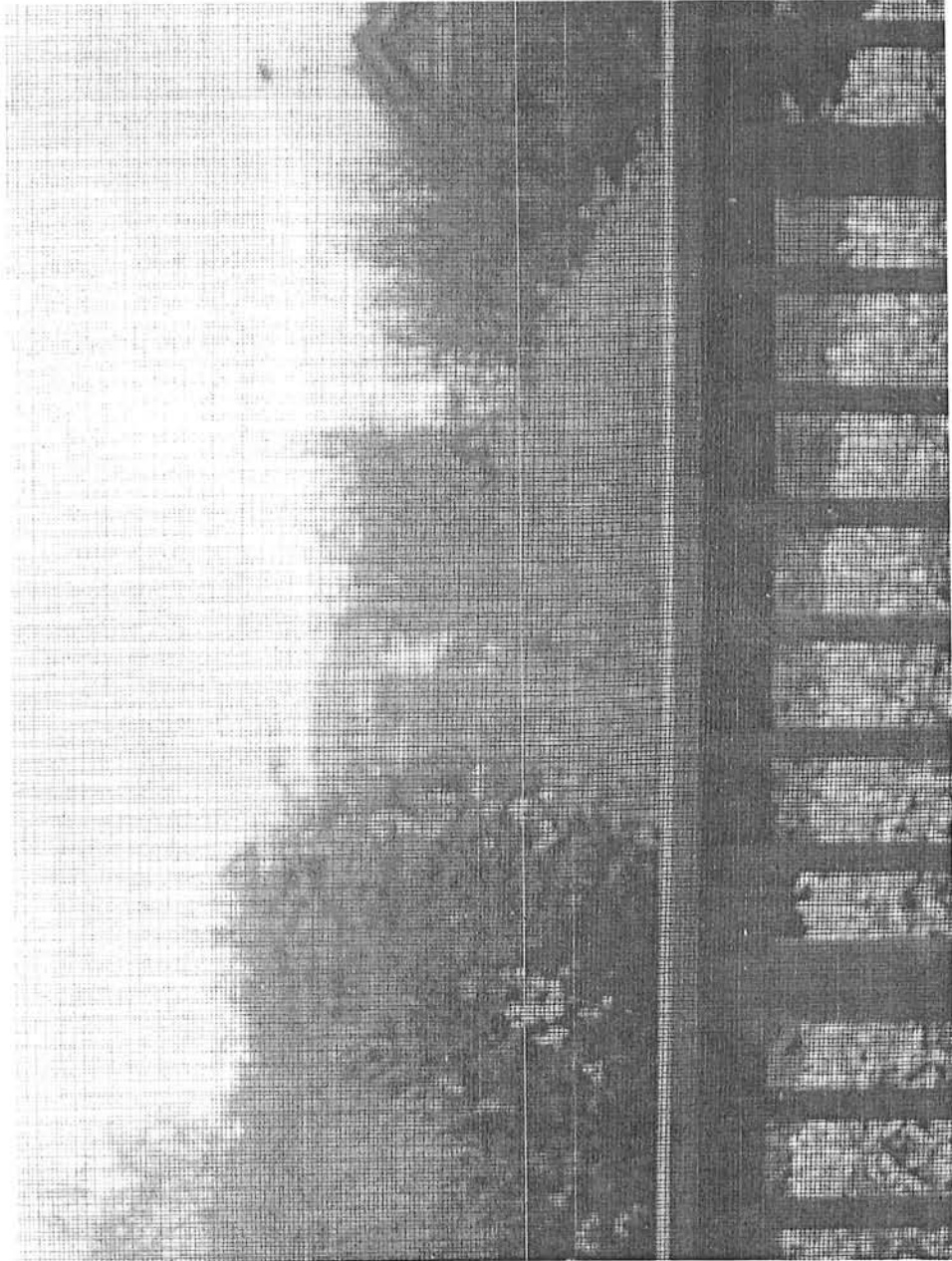


Hopseed Appeal July 2012

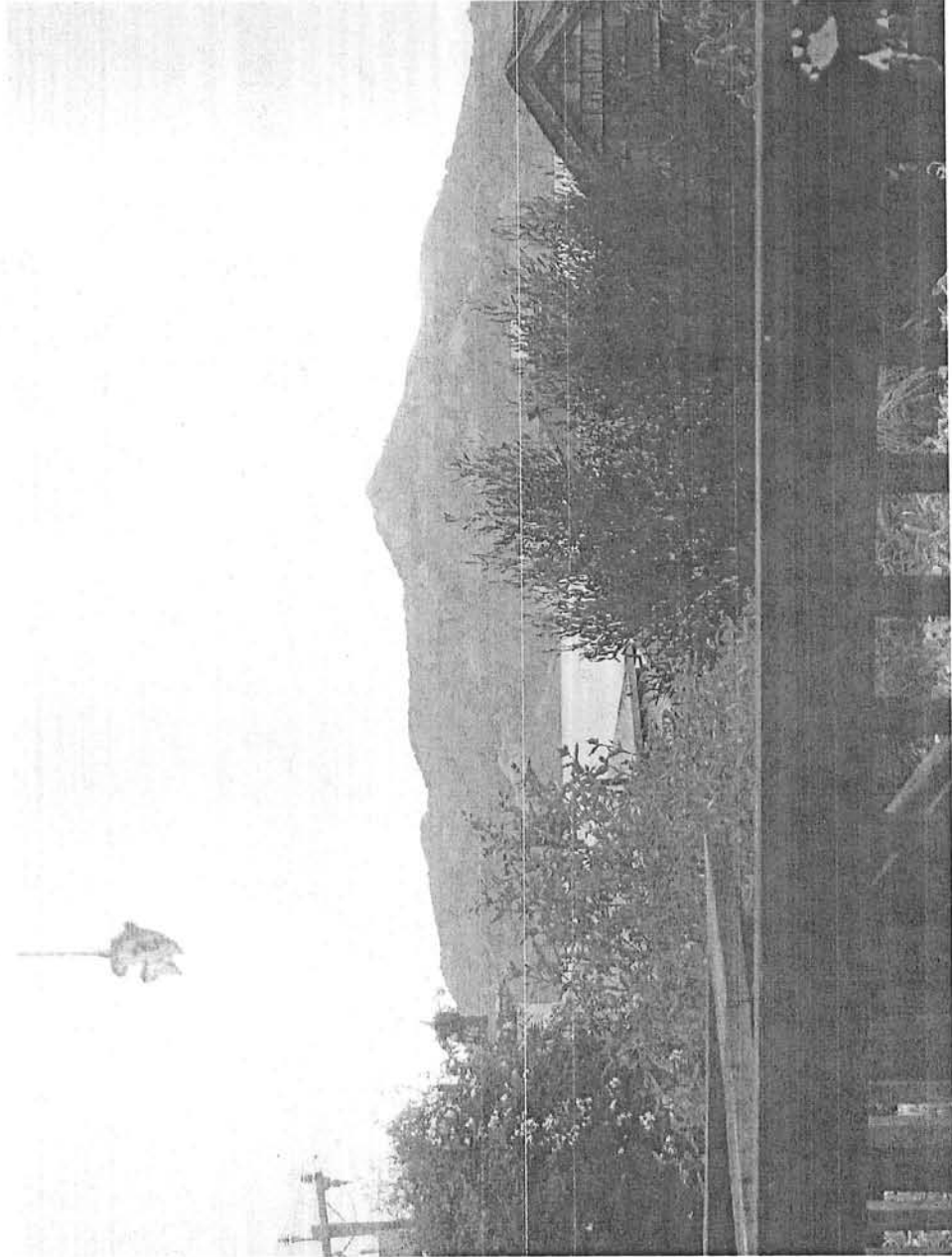
Below roof line and window of brown house



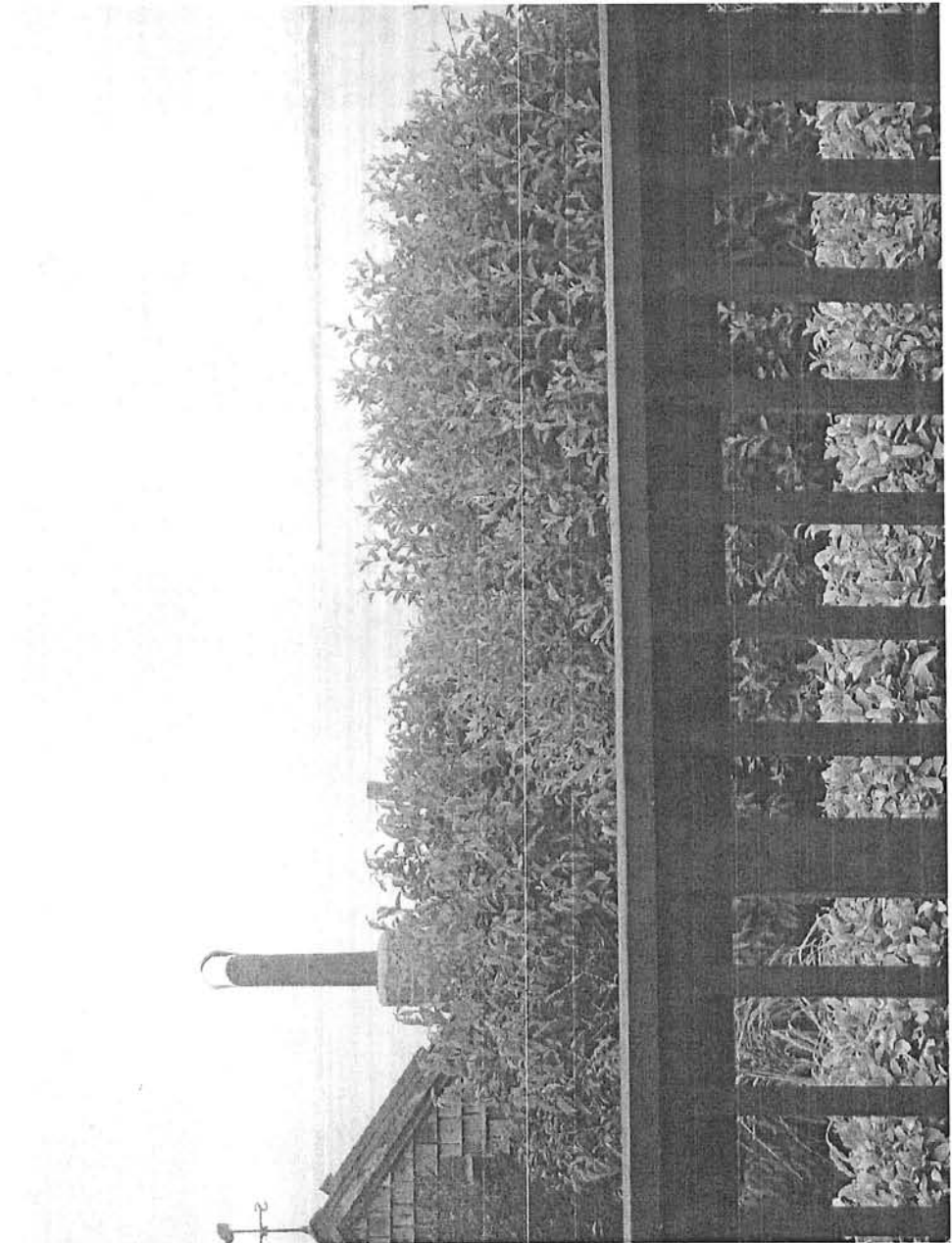
View at time of Claim June 2013



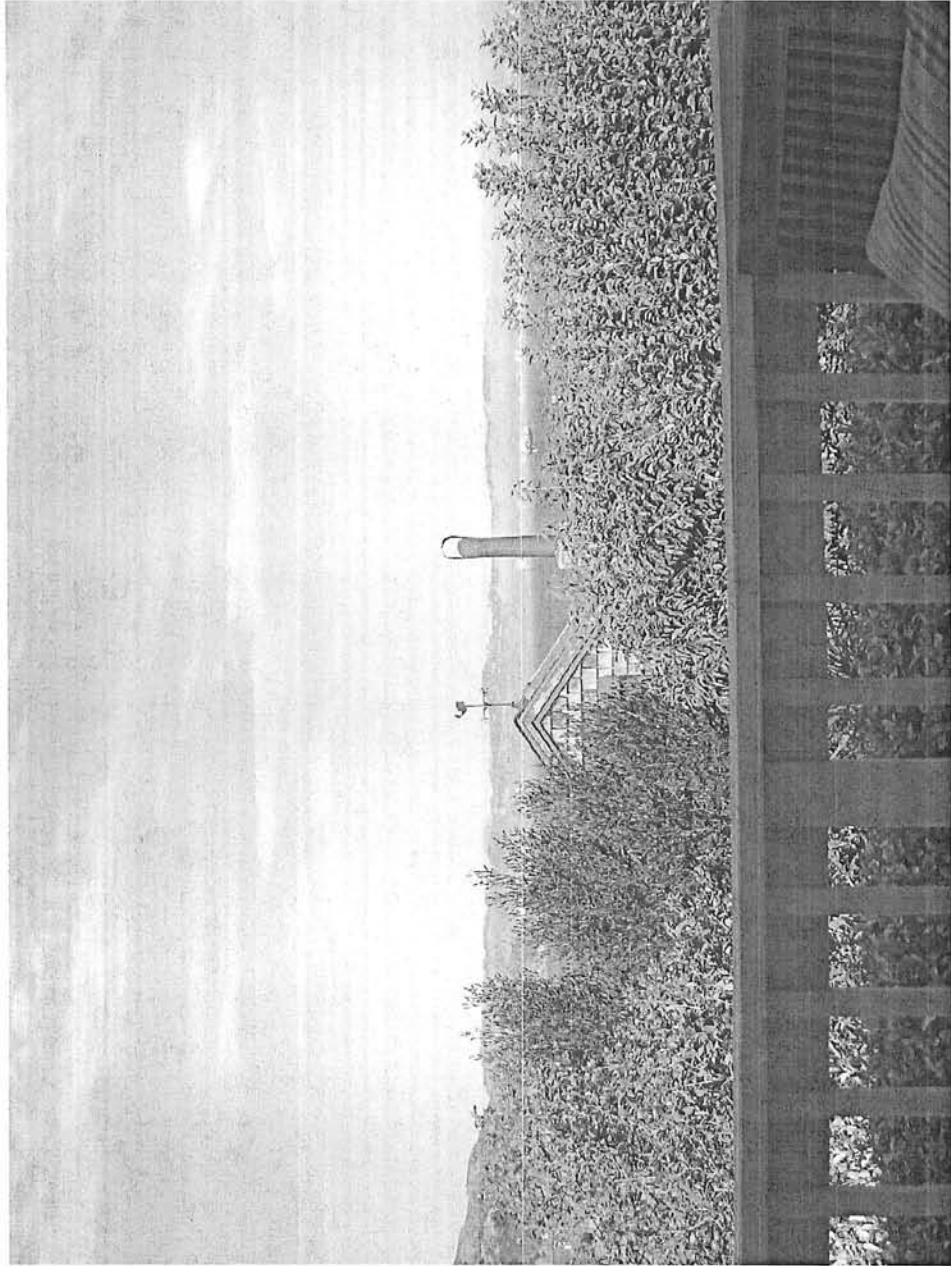
View at time of claim: June 2013



View at time of claim: June 2013



July 26, 2013: 5 days before committee site meeting



TODD + GRACE + GARRETT + TYLER HAWTHORNE

28 MIRABEL AVENUE, MILL VALLEY, CA 94941

RECEIVED

JUL 30 2013

July 18, 2013

CITY OF SAUSALITO

To: City of Sausalito, Trees and Views Committee

From: Grace Hawthorne

Re: View claim at 218 4th Street, Sausalito

Dear Trees and Views Committee,

I am writing in behalf of our tenant, Cristina Woolrich, who has been renting 411 Richardson, Sausalito from us since December 2007. She has been a wonderful tenant for six and a half years.

Ms. Woolrich has devoted considerable care and attention to creating a beautiful home and sanctuary at 411 Richardson. We have never had any issues with her over the years and I can attest to her honesty and integrity without hesitation.

What puzzles me most about this view claim is that Ms. Woolrich has executed an annual tree trimming plan in cooperation with the prior owners of 218 4th Street for over four years without incident or complaint. She has worked with a professional arborist on the yard landscaping since moving in because she takes great pride, pleasure and enjoyment in creating a beautiful outdoor living space.

Our priority for the trees at 411 Richardson includes the health of the trees and the privacy, safety and protection of our tenant Ms. Woolrich (who has experienced privacy issues from neighboring homes in the past).

With concern,



Grace Hawthorne

TODD + GRACE + GARRETT + TYLER HAWTHORNE
28 MIRABEL AVENUE, MILL VALLEY, CA 94941

RECEIVED

AUG 07 2013

CITY OF SAUSALITO

August 6, 2013

To: City of Sausalito, Trees and Views Committee

From: Grace Hawthorne

Re: View claim at 218 4th Street, Sausalito

Dear Trees and Views Committee,

I am writing to provide some corrections and context that is missing from Carolyn Patterson's View Claim-Request for Advisory Decision submitted June 18, 2013. I am also writing to support our consistent practice to protect the health of the trees as well as the safety and privacy for our tenant, Cristina Woolrich, at 411 Richardson Street. I would like to highlight a few key points and inconsistencies important to this case:

////Prior history of demands Ms. Patterson:

When Ms. Patterson first took residence at 218 4th Street, she erroneously expressed a complaint about parking outside our property lines in the easment with a curt note on our tenant's car. Once Ms. Woolrich showed Ms. Patterson the property lines, she abated.

////Unreliability and incompleteness of presented facts:

In Ms. Patterson's email to me dated 2/25/13, she provided a topline list of her efforts regarding tree maintenance. She wrote that "With the check cashed you finally responded to me that none of the other trees will be addressed for another year." Couple things to note:

- I deposited the check on 5/28/13 not in February as she states so my response to her about the annual tree trimming is consistent with the annual plan that has happened for the past several years.
- Ms. Patterson communicated she would mail the check 1/25/13. She mailed it 2/6/13, 1.5 weeks after after the communication and over one month after the trees were trimmed.

////Trees health and safety/privacy of Ms. Woolrich are paramount:

- There is historical, documented risk to Ms. Woolrich's safety that continues. After the site visit, the police had to visit and intervene to the neighbor behind the hop seeds that was yelling expletives directed at Ms. Woolrich out his window. Ms. Patterson should also consider her and her young daughter's safety and view from this same neighbor in her view quest.
- The trees are have been annually trimmed by an arborist for the past several years to ensure their continuing health and longevity.

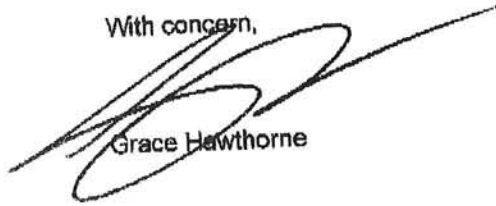
EXHIBIT K
(2 PAGES)

////Prior requests to Ms. Patterson and Ms. Woolrich to communicate about the trees and work something out:

I have been consistent about asking Ms. Patterson to communicate with Ms. Woolrich about the tree maintenance (and vice versa), knowing that the annual plan was in place and that there were existing privacy/safety concerns of our tenant.

Thank you for your consideration. My wish is for healthy trees, a safe tenant and a friendly neighborhood.

With concern,



Grace Hawthorne

RECEIVED

JUL 31 2013

CITY OF SAUSALITO

July 26, 2013

To: City of Sausalito, Trees and Views Committee

From: Cristina Woolrich

Re: Response to Carolyn's Patterson view claim request for 218 4th Street

Dear Trees and Views Committee,

Carolyn Patterson's claims that I have illegally and without a permit recently removed a protected tree, refused to trim the two deciduous fruit trees on the property, and are deliberately opening up my view while refusing to restore her view, are libelous and false.

Further, Carolyn's continuing behavior of sharing photos of my private deck and making false statements to this committee about my actions on my private property are offensive, defamatory and an invasion of my privacy.

I am at a loss as to how to respond to a woman I've never met, who has never been on my property, and is stating to this committee that I am negligent and deserve to have my home inspected.

The trees on my property have been established and maintained in a reasonable manner long before Carolyn moved here. I have responsibly maintained and restricted the growth of my yard to a level that provides me with privacy, quiet, wind and sun protection and maintains the beauty and health of my trees and plants. *(See attached letter from Dave King, my next-door neighbor. His house overlooks my yard and has for over 35 years.)*

I have had maybe three conversations with Carolyn since she moved here a year and a half ago about various subjects. Carolyn's style of communication with me has been to demand, complain and then escalate. I do not believe that I have been negligent, am obstructing established views or am keeping sunlight from reaching her property. I never received an offer of mediation as mentioned in the ordinance *(11.12.040 Views, Section B.2)*

The photo that Carolyn is using as her "before" photo dated April 2011, is one that was taken in 2010 for Lori Hales, previous owner of 218 4th Street, days after we did a major pruning of both yards. Carolyn did not purchase her home for another year after that photo was taken. This photo is not an accurate depiction of her "before" views. The photos taken in November 2011 are exactly one month after we did our annual pruning. It's unreasonable to expect the yard to stay at that shape and size year around. My yard is not static, it is a seasonal, living, blooming changing thing.

Lori and Stan Hales owned 218 4th street for 7 years prior to selling the home to Carolyn in November of 2011. Lori and Stan and I shared a fence for over 4 years without incident. To my knowledge, Lori and Stan never consistently enjoyed the views from various viewpoints in her house that Carolyn is asking you to restore.

From 2008 to 2011, Lori and Stan Hales and I have had a friendly neighborhood agreement that I would prune the two deciduous fruit trees on the property annually at their expense. I use my arborist at a month, date and time that is convenient for me and appropriate for the trees depending on their growth pattern in that respective year. All other decisions concerning the design and maintenance of the rest of my yard are handled in a conscientious and caring manner on a regular basis since it is something I take great pride in and enjoy very much. *(See attached letter from Lori and Stan Hales, previous owners of 218 4th Street).*

From 2008 to 2012, Dean Shreiner, a certified arborist I consistently use, has pruned the deciduous Cherry and Apple trees to the right of the yard annually. *(See summary and receipts of annual pruning).* Dean was recommended to me by Flora Grub Gardens in San Francisco. I like Dean's work. I trust his judgment and I rely on his advice. The last pruning was done in December of 2012, at my suggestion, just 7 months ago. *(See photo exhibit*

A). This annual pruning should historically sustain us until the trees go dormant again in the late fall. Previous to that, the trees were pruned in October of 2011 at Lori and Stan's expense.

Our first priority when pruning the fruit trees each year is their health and appearance. The two deciduous fruit trees are seasonal and over 30 years old. The Cherry tree has a partial privacy issue for me and Dean works around that. The Apple tree has a badly damaged trunk from abuse it suffered long ago. In early 2008, a significant limb of the tree came down in a windstorm (I live in Hurricane Gulch and it's particularly windy up here). We baby the Apple tree as best we can so it will live as long as it possibly can with annual pruning at the appropriate time of the year and even weight distribution.

The trees are seasonal and are at the height of their growth in July. The first two years I lived here we did our annual pruning in the summer against Dean's advice. We did it again in 2010 because of some damage my yard sustained in a particularly bad Hurricane Gulch windstorm. Although the trees look great groomed in the summer, we lost a significant amount of fruit from each tree and exposed the tree to sunburn, bug and mold infestation. The cherry tree bleed sap in such a large volume that I had to replace the hammock sitting below it. It was covered in sap and bugs. The space in my yard below these two trees where my hammock is traditionally located was unusable to me because of the bug and mold infestation and dripping sap.

Cutting the Cherry in the summer diminishes my privacy in my yard from the house directly to the left of my fence. For the health of the trees and for my privacy, we agreed to consistently schedule our annual trimmings in the fall. With Dean's guidance, my trees are aggressively pruned, have a pleasing shape, are healthy as possible, bear prolific fruit and provide privacy, shade, sound and wind protection.

I moved into my home in 2007 with a long-term plan to create a nice home with a private outdoor space. My yard is like a fish bowl; it sits below all of the other homes that border it. The three windows of my master bedroom face the deck and yard and are visible to the homes at 220, 218 and 216 4th Street in addition to a backyard house off of 3rd Street that borders my left fence. The man in that house has been particularly problematic for me. There is a major privacy issue that I unwittingly opened up when I removed a large tree in 2008. That issue has finally been addressed with the maturity of the replacement landscaping.

My bedroom, bathroom and laundry room all have large windows that face the yard. It is important to me to maintain my privacy, quiet, wind and sun protection both inside my home, outside on my deck and in my yard. I've been working with Flora Grub Gardens since 2007 to plan and realize the yard that I have now.

When I moved here in 2007 there were two 30+ year old deciduous fruit trees on the property to the right and a large plum that looked to be much older bordering the entire left side of my deck - from the edge of my house to the neighbor's house in the foreground - it exceeded my roofline. It had been established for years and blocked the entire bay view to the left of Angel Island that Carolyn is complaining my hopseed and princess flower are obstructing. I removed that tree in 2008. There would have been no bay view through the two rooflines to the left of my deck for her to enjoy had it not been for my actions. (*See photo exhibit B*).

It was always my intention to replace my privacy from the house on 3rd Street that I lost by removing that tree and opening up that view. I purchased the hopseed in 2008 for this purpose (*see attached photos*). I planned that privacy barrier in such a way that I maintained privacy in strategic places along the fence line and in strategic viewpoints into my master bedroom, bath, laundry, on my deck and into my yard; while leaving open a majority of that newly established bay views to the left for all of us to enjoy.

Up until last month, a large arbor was anchored to the right side of my deck and was covered with an established blooming jasmine (*see exhibit C*). The jasmine spanned the width of the deck and exceeded the height of the roofline. It grew right up against the princess flower and together they provided privacy, wind, sound and sun protection for the deck and master bedroom.

Regarding the claims in Carolyn's letter dated July 7, 2013:

Carolyn is mistaken. We have no protected trees on our property that have been recently removed.

As mentioned above, we trim our deciduous fruit trees annually (*see summary and receipts of annual pruning*). The last trimming was 7 months ago in December of 2012 (*see photo exhibit A*).

In her letter, Carolyn mistakenly refers to the jasmine vine as a tree. (*See attached photos*). The jasmine has been on the property for almost 30 years and has maintained the same height and width since I've lived on the property. The jasmine has served as a privacy, quiet, wind and sun barrier along the side of our deck for years. Unfortunately the arbor it grew over was attached to a rotting deck beam. Recently, in a rather intense Hurricane Gulch weekend windstorm the arbor broke away from the deck and fell backwards onto the tree behind it. One of the deck support beams followed. The arbor and vines weighed well over 200 pounds. The deck then started to sag. The jasmine had to be completely cut back and the deck and arbor demolished due to its weight, size, position and condition of the rotting wood.

Our deck has needed repair for some time. There was an approved plan and drawings in place. When the arbor fell, and the support beam failed the owner of the property acted quickly to remove the crumbling arbor and decking, and replace the existing structure. My safety and convenience and the safety of my dog was our primary concern. We had an approved plan with approved drawings in place that had expired. We thought we could easily renew it. Since we were repairing what was rotten and hazardous, with no new construction, and several decks in the neighborhood had recently been repaired in a similar fashion, we thought we were ok. We quickly began demolition and repair. We only found out that our permit required additional review when Carolyn called the building department to complain, effectively stopping our repair. The inspector came to the site less than 10 hours away from us finishing the repair, which was really distressing and inconvenient for me. The owner of the property has been working diligently with the building department to remedy our permit issue. The railings and replacement arbor are currently on hold until our permit is finalized but we have every intention of restoring the jasmine to its former glory and restoring my privacy and quiet for my deck and master bedroom.

Regarding the claims in Carolyn's letter dated June 18, 2012 – entitled "Tree owner's perspective":

As mentioned above, we trim our deciduous fruit trees annually (*see summary and receipts of annual pruning*). The last trimming was 7 months ago in December of 2012 (*see photo exhibit A*).

Currently, the deciduous cherry and an apple trees anchor the yard to the right. I have a hammock under the canopy of my fruit trees and several seating areas strategically placed for quiet and privacy. The back yard is bordered by hopseed bush, dwarf and chamaedorea palms, kangaroo paws, ornamental grasses and enough dwarf fruit trees for a good cocktail (blood orange, lime, lemon, grapefruit). Aeoniums, succulents, agaves, an old established jasmine and an agonis flexuosa fill in the spaces. My yard is fire and water smart with fleshy leafed and water retaining plants.

My security issue is with the neighbor to the left. I've consulted several times with the police department and with representatives from the city building department for advice. I was advised to landscape for privacy and I've acted on that advice. Hopseed bushes are prevalent in many yards around our neighborhood. Hopseed bush is commonly used as a privacy barrier along fence lines. They are low water and have a pleasing light filtering appearance. I've never heard of Hopseed referred to as a fire hazard.

In summary, I have always been mindful of neighborhood height issues. I have balanced that with my need for privacy, quiet, wind and sun protection. I get a lot of joy out of working in my yard. I work on it constantly. I've found lovely, reliable people who work with me when needed to help me maintain it. I've put a lot of love, time, thought, hard work and extra money into my landscaping. As I mentioned previously, my yard is not static. It is a seasonal, living, blooming, changing thing. My landscaping is integral to the privacy, quiet, wind and sun protection of my house. There is no neglect or negative intent here. To that end, I am happy to extend the same agreement that I have historically had with Lori and Stan to Carolyn if that will help expedite this process.



Cristina Woolrich
411 Richardson Street
Sausalito, California 94965

Attachments:

Letter from Grace Hawthorne

Letter from Dave King, next door neighbor and owner of 222 4th Street

Letter from Lori and Stan Hales, previous owners of 218 4th Street from 2003 to 2011

Summary and receipts from Dean Shreiner, Arborist, of annual pruning

Addendum: Photo exhibits and additional response to Arborist report

TODD + GRACE + GARRETT + TYLER HAWTHORNE
28 MIRABEL AVENUE, MILL VALLEY, CA 94941

July 18, 2013

RECEIVED

JUL 30 2013

CITY OF SAUSALITO

To: City of Sausalito, Trees and Views Committee
From: Grace Hawthorne
Re: View claim at 218 4th Street, Sausalito

Dear Trees and Views Committee,

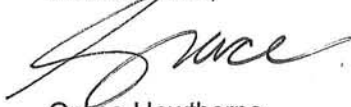
I am writing in behalf of our tenant, Cristina Woolrich, who has been renting 411 Richardson, Sausalito from us since December 2007. She has been a wonderful tenant for six and a half years.

Ms. Woolrich has devoted considerable care and attention to creating a beautiful home and sanctuary at 411 Richardson. We have never had any issues with her over the years and I can attest to her honesty and integrity without hesitation.

What puzzles me most about this view claim is that Ms. Woolrich has executed an annual tree trimming plan in cooperation with the prior owners of 218 4th Street for over four years without incident or complaint. She has worked with a professional arborist on the yard landscaping since moving in because she takes great pride, pleasure and enjoyment in creating a beautiful outdoor living space.

Our priority for the trees at 411 Richardson includes the health of the trees and the privacy, safety and protection of our tenant Ms. Woolrich (who has experienced privacy issues from neighboring homes in the past).

With concern,



Grace Hawthorne

July 28, 2013

To Whom It May Concern:

I have owned and lived at 222 Fourth Street for 35+ years and our east facing areas have a direct view on the 411 Richardson house and back yard.

The trees and plants in the back yard do not present a view limitation to us and appear to be regularly trimmed by professional landscapers to responsibly restrict their growth.

A handwritten signature in cursive script, appearing to read "Dave King".

Dave King

July 28, 2013

Sausalito Trees and Views

Dear Trees and Views Committee:

This letter is in response to the Trees and Views hearing for 411 Richardson St/218 4th Street hearing. We lived at 218 4th Street for seven years beginning in July 2003. Our backyard and fence was connected to the neighbors at 411 Richardson Street. We had a friendly neighborhood agreement with Cristina Woolrich to trim the two fruit trees annually at our expense. During the time we lived at 218 Fourth Street the trees have been maintained annually.

Sincerely,

Stan and Lori Hales

640 Sausalito Boulevard

Sausalito, CA 94965

QuickReport by Memo
12/18/04 through 7/22/13

<u>Date</u>	<u>Account</u>	<u>Num</u>	<u>Payee</u>	<u>Memo</u>	<u>Clr</u>	<u>Amount</u>
7/5/08	Checking 07	DEP	Woolrich			320.00
12/12/08	Checking 07	DEP	Woolrich			80.00
5/22/09	Checking 07	DEP	Woolrich			282.00
3/26/10	Checking 07	DEP	Woolrich			60.00
7/23/10	Checking 07	DEP	Woolrich			950.00
10/3/11	Checking 07	DEP	Woolrich			295.00
12/28/12	Checking 07	DEP	Woolrich			295.00
Total 12/18/04 - 7/22/13						2,282.00
Total Inflows						2,282.00
Total Outflows						0.00
Net Total						<u>2,282.00</u>



DEAN SHREINER
Professional Tree Care
 790 Humboldt Road
 Brisbane, CA 94005
 (415) 468-3191
 (415) 823-9714

JOB WORK ORDER

3235

CUSTOMER'S ORDER NO.		PHONE	MECHANIC	HELPER	DATE OF ORDER 12/27/12	STARTING DATE / /
BILL TO WOLDRICH					ORDER TAKEN BY	
ADDRESS 411 RICHARDSON					<input type="checkbox"/> DAY WORK <input type="checkbox"/> CONTRACT <input type="checkbox"/> EXTRA	
CITY						
JOB NAME AND LOCATION						
					JOB PHONE	

DESCRIPTION OF WORK

CHERRY APPLE, UNL 26 HOURL

295"

	TOTAL MATERIALS		
	TOTAL LABOR		
	TAX		
DATE COMPLETED / /	WORK ORDERED BY	TOTAL AMOUNT	5

Signature _____

No one home
 Total amount due for above work or
 Total billing to be mailed after completion of work

I hereby acknowledge the satisfactory completion of the above described work.



DEAN SHREINER
 Professional Tree Care
 790 Humboldt Road
 Brisbane, CA 94005
 (415) 468-3191
 (415) 823-9714

JOB WORK ORDER

3010

CUSTOMER'S ORDER NO.		PHONE	MECHANIC	HELPER	DATE OF ORDER 10/3/11	STARTING DATE 1/1
BILL TO					ORDER TAKEN BY	
ADDRESS 411 RICHARDSON					<input type="checkbox"/> DAY WORK <input type="checkbox"/> CONTRACT <input type="checkbox"/> EXTRA	
CITY MUSCATINE						
JOB NAME AND LOCATION						
						JOB PHONE

DESCRIPTION OF WORK

PRUNE CHERRY, J. S. WINE

295

	TOTAL MATERIALS		
	TOTAL LABOR		
	TAX		
DATE COMPLETED 1/1	WORK ORDERED BY	TOTAL AMOUNT	\$

- No one home
 Total amount due for above work; or
 Total billing to be mailed after completion of work

Signature _____

I hereby acknowledge the satisfactory completion of the above described work.



DEAN SHREINER
 Professional Tree Care
 790 Humboldt Road
 Brisbane, CA 94005
 (415) 468-3191
 (415) 823-9714

JOB WORK ORDER
2811

CUSTOMER'S ORDER NO.		PHONE	MECHANIC	HELPER	DATE OF ORDER 7/21/10
BILL TO CHRISTINA					STARTING DATE / /
ADDRESS					ORDER TAKEN BY
CITY					<input type="checkbox"/> DAY WORK
JOB NAME AND LOCATION					<input type="checkbox"/> CONTRACT
					<input type="checkbox"/> EXTRA
				JOB PHONE:	

DESCRIPTION OF WORK

C's side yard \$100
 " 2 fruit trees 425
 NEIGHBORS 425
 \$950

	TOTAL MATERIALS		
	TOTAL LABOR		
	TAX		
DATE COMPLETED / /	WORK ORDERED BY	TOTAL AMOUNT	5

Signature _____

No one home Total amount due for above work; or Total billing to be mailed after completion of work

I hereby acknowledge the satisfactory completion of the above described work.



DEAN SHREINER
 Professional Tree Care
 684 Sierra Point Rd.
 Brisbane, CA 94005
 (415) 468-3191
 (415) 823-9714

JOB WORK ORDER
2619

CUSTOMER'S ORDER NO.		PHONE	MECHANIC	HELPER	STARTING DATE
					1/1
BILL TO					ORDER TAKEN BY
WOOD RICH					
ADDRESS					<input type="checkbox"/> DAY WORK
411 RICHARDSON					<input type="checkbox"/> CONTRACT
CITY					<input type="checkbox"/> EXTRA
Sausalito					
JOB NAME AND LOCATION					
					JOB PHONE

DESCRIPTION OF WORK

ivy - off house
 APPLE - back from house
 CATTAILBERRY - "
 CAMELIA - shape
 TEA TREE - "
 Hauling rocks & soil

←
282

	TOTAL MATERIALS		
	TOTAL LABOR		
	TAX		
DATE COMPLETED	WORK ORDERED BY	TOTAL AMOUNT	\$
1/1			

Signature _____

No one home Total amount due for above work: or Total billing to be mailed after completion of work.

I hereby acknowledge the satisfactory completion of the above described work.



DEAN SHREINER
 Professional Tree Care
 684 Sierra Point Rd.
 Brisbane, CA 94005
 (415) 468-3191
 (415) 823-9714

JOB WORK ORDER
2559

CUSTOMER'S ORDER NO.		PHONE	MECHANIC	DATE OF ORDER 12/12/08	STARTED DATE / /
BILL TO WOOLRICH				ORDER TAKEN BY	
ADDRESS				<input type="checkbox"/> DAY WORK <input type="checkbox"/> CONTRACT <input type="checkbox"/> EXTRA	
CITY					
JOB NAME AND LOCATION					
				JOB PHONE	

DESCRIPTION OF WORK

checky - reduce crown

80

POD

		TOTAL MATERIALS	
		TOTAL LABOR	
		TAX	
DATE COMPLETED / /	WORK ORDERED BY	TOTAL AMOUNT	\$

Signature _____

No one home
 Total amount due for above work or
 Total billing to be mailed after completion of work

I hereby acknowledge the satisfactory completion of the above described work.

Response to Arboricultural Report - Paterson View Claim

Cristina Woolrich, 411 Richardson Street, Sausalito, CA

Addendum to my letter dated July 26, 2013 with photo exhibits and timeline of tree growth from 2007 to 2013. Photos taken from 218 4th Street and 411 Richardson Street. Proof of photo time stamp available upon request.

EXHIBIT M
22 PAGES

RECEIVED

AUG 07 2013

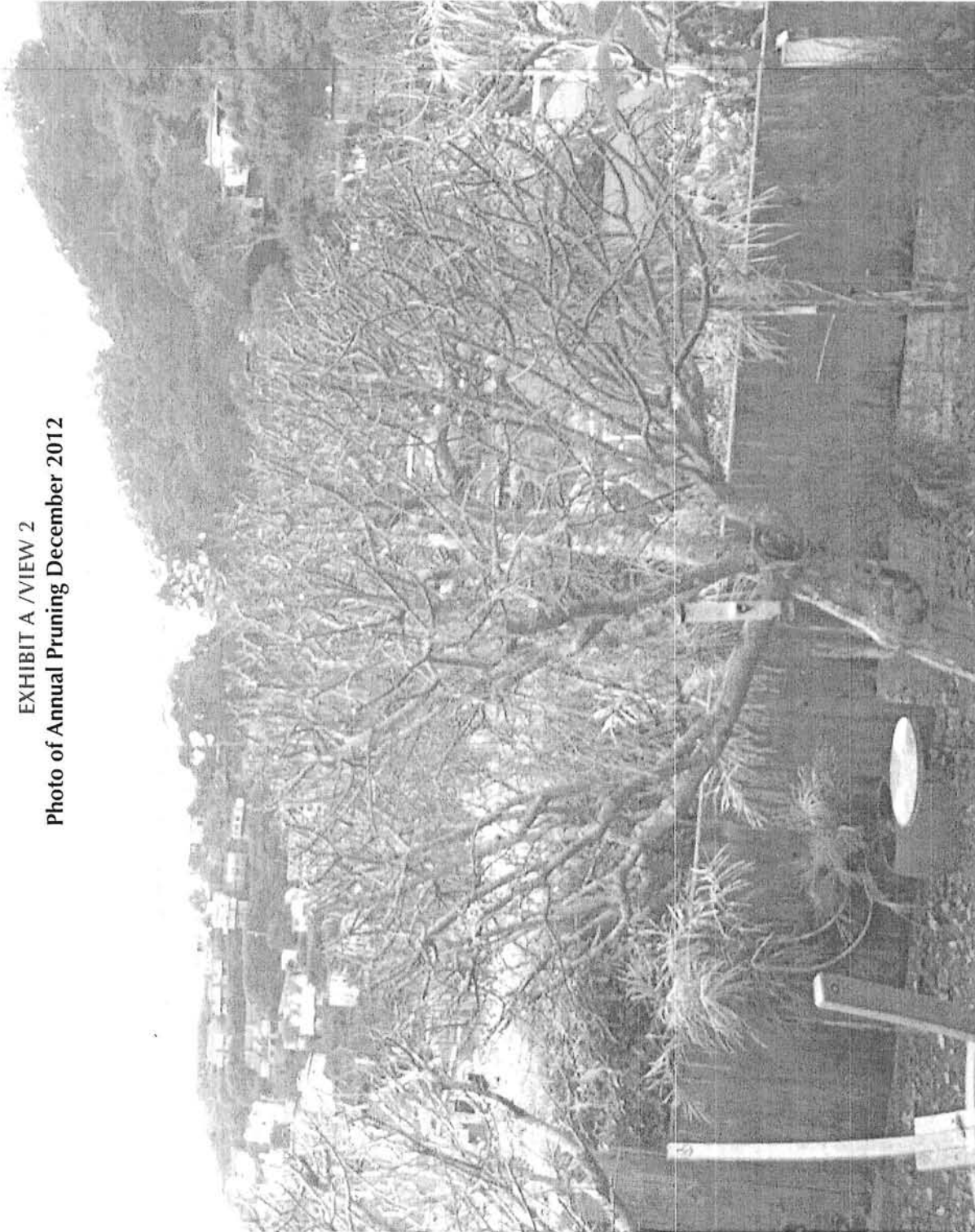
CITY OF SAUSALITO

EXHIBIT A /VIEW 1
TO CONTRADICT CLAIM WE REFUSE TO PRUNE TREES
Photo of Annual Pruning /December 2012



Cherry tree (L) and Apple tree (R) in January of 2013 after annual pruning in December, 2012. The cherry and apple tree are deciduous. They drop their leaves and remaining fruit in the fall, we cut them back aggressively, in the spring they sprout blossoms, form leaves and grow fruit. They stay in this dormant state anywhere from 4 to 6 months depending on the weather.

EXHIBIT A /VIEW 2
Photo of Annual Pruning December 2012



Pardon the bad exposure. A close up of the Apple tree and part of the Cherry in January, 2013 a few weeks after the annual trimming. That was 7 months ago. You can see how far we prune it back each year. Also notice the neighboring tree in the next yard is the exact same height as my trees.

EXHIBIT A /VIEW 3
Photo of Annual Pruning December 2012



Additional photo of the two trees in January, 2013 after December 2012 pruning. Notice the hopseed bush to the left functions as a privacy barrier.

In July of 2012, the main leaders of the two hopseed bush to the right closest to the Cherry tree were vandalized by the owner of the home on the left. He cut the main leader of the hopseed closest to the Cherry tree and cut the tops off of three of the trees reducing several years of growth. I've let the hopseed alone to grow this last year to restore my privacy, fill in the holes and repair the damage.

I've had these trees here since 2008 growing them specifically for this privacy barrier. The hopseed replaced two trees that had previously functioned as a privacy barrier since 2009 but were growing too fast and too tall for the space. Those replaced the privacy lost when I removed a large plum tree on the property in 2008 and opened up the bay view to the left. I've always intended to replace the privacy lost when I took out the plum tree in 2008. It took me 5 years to get this hedge to the size and shape I needed to restore my privacy to my house, deck and yard while keeping open a majority of the bay view I created for all of us to enjoy.

A HISTORICAL PERSPECTIVE ON THE CYCLE OF THE TREES AND IN YARD SINCE I'VE LIVED ON PROPERTY



July 2008 before pruning



July 2008 after pruning

Item 2; Page 89 of 109

To show that the annual growth cycle of the fruit trees is consistent year after year and show that we responsibly prune our trees back annually I wanted to give you a historical perspective. This photo was taken on July 4, 2008 a few months after I moved in.

You can see the debris from the topping of the plum tree on the deck and on the ground. Notice the height of the trees. This is the height of the fruit trees 5 years ago in July as they are in the midst of their growth. They were trimmed in July this year because a large limb on the front of the Cherry tree came down in a windstorm that weekend. You can see it on the ground in front of the tree near the ladder. This is the trees in full fruit at the height of their summer growth as you saw on the visit on July 31st.

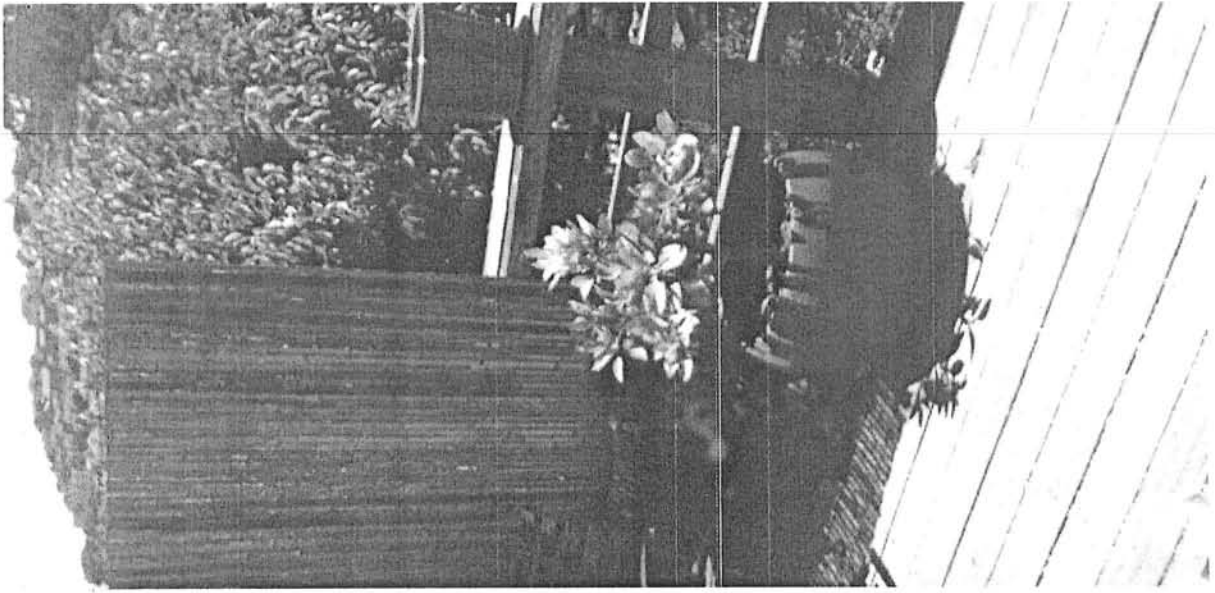
February 2010
Trees trimmed in July 2010



March 2009
Trees trimmed in May 2009



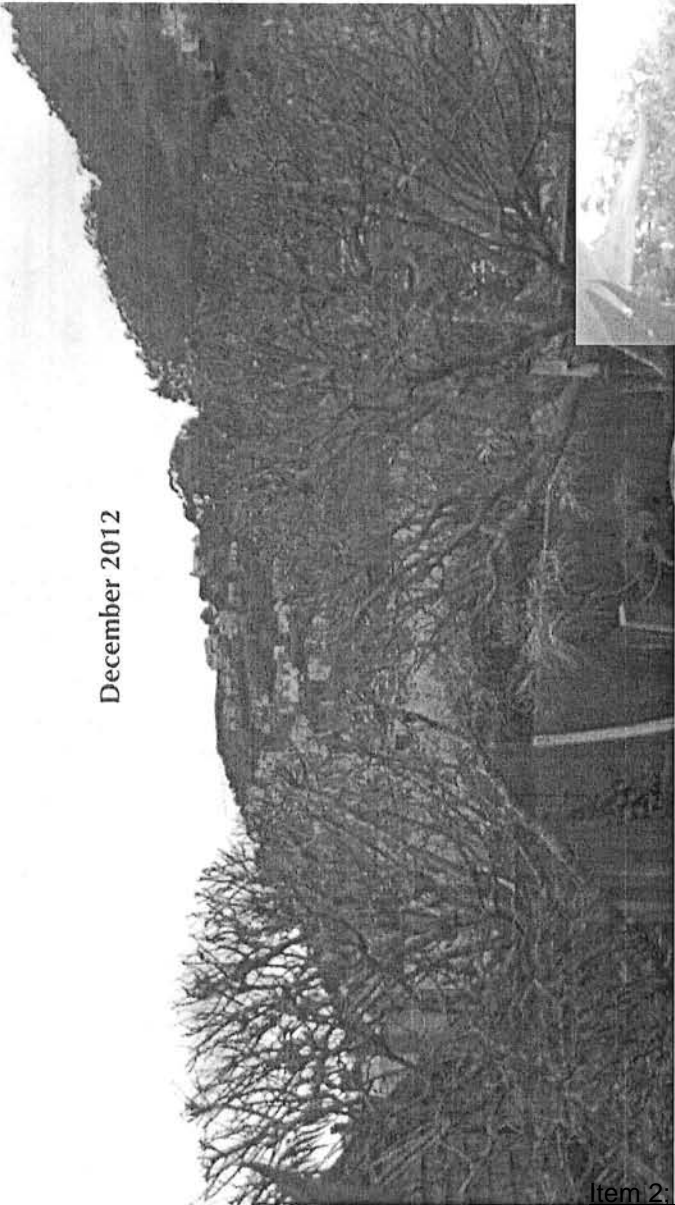
July 2010



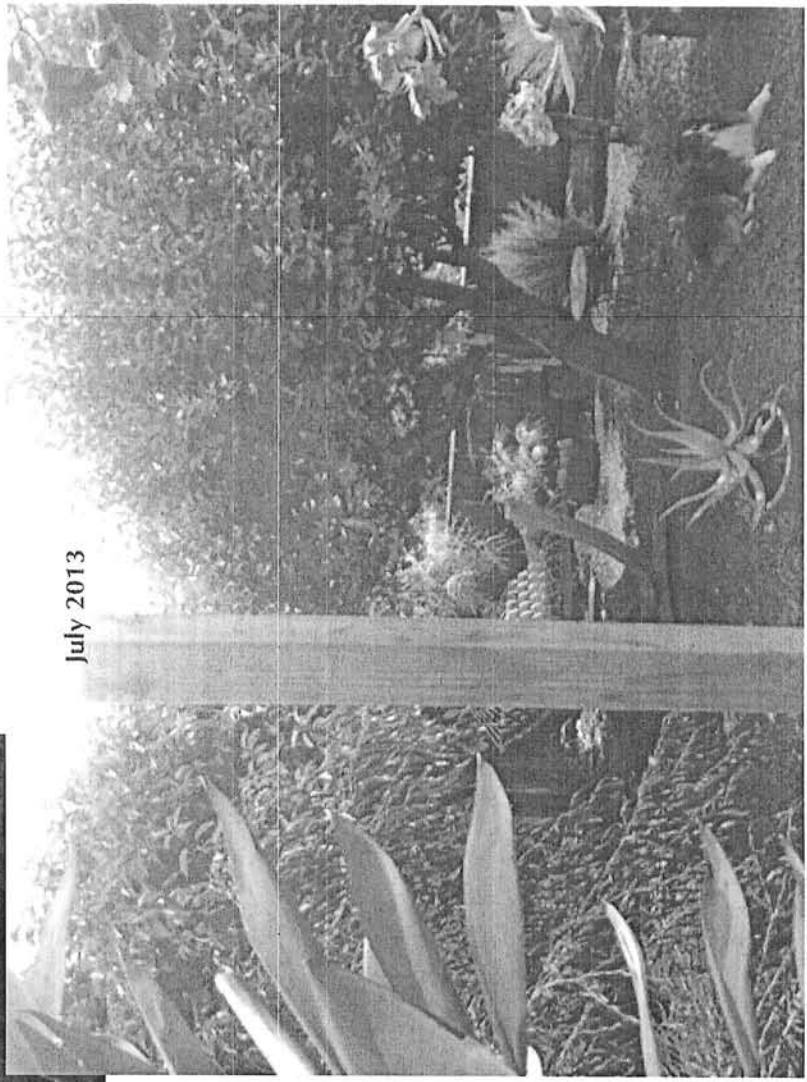
February 2010



December 2012



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July 2013



July 2013

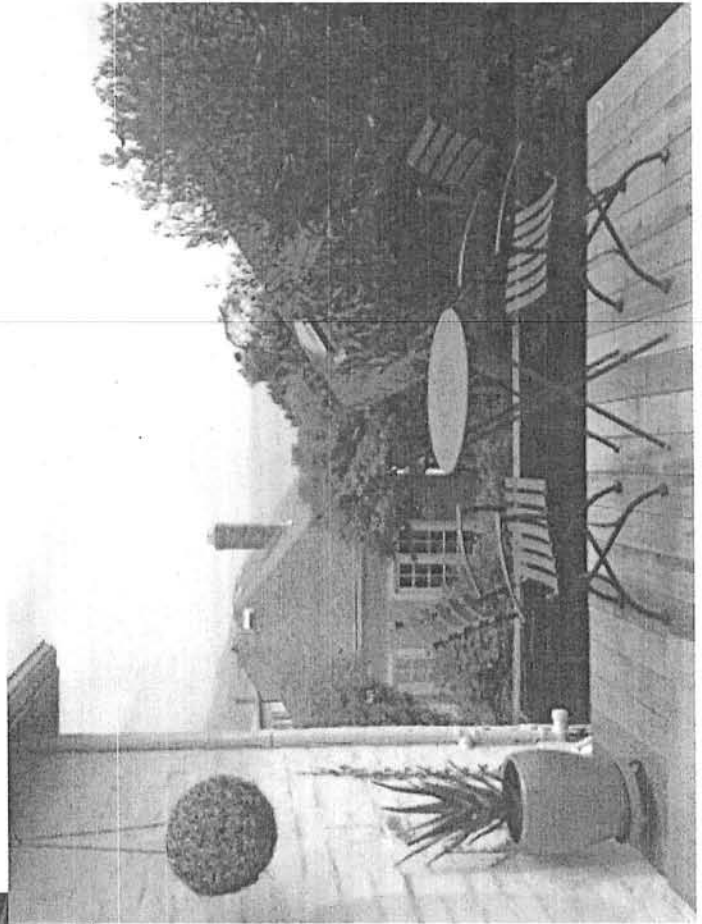
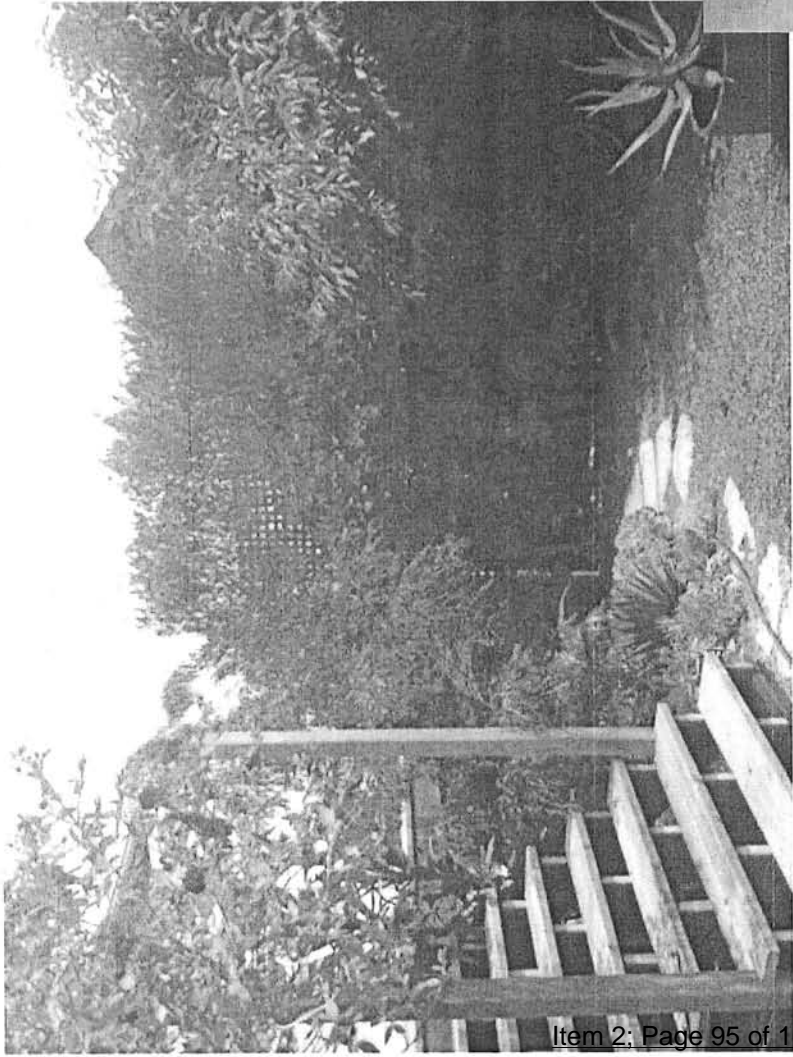
PRINCESS FLOWER - PRIVACY BARRIER FROM INSIDE MASTER BEDROOM LOOKING OUT TO 216 AND 218 4TH STREET



PRINCESS FLOWER FROM SITTING ON MY DECK/ PRIVACY BARRIER FROM 218 4TH STREET

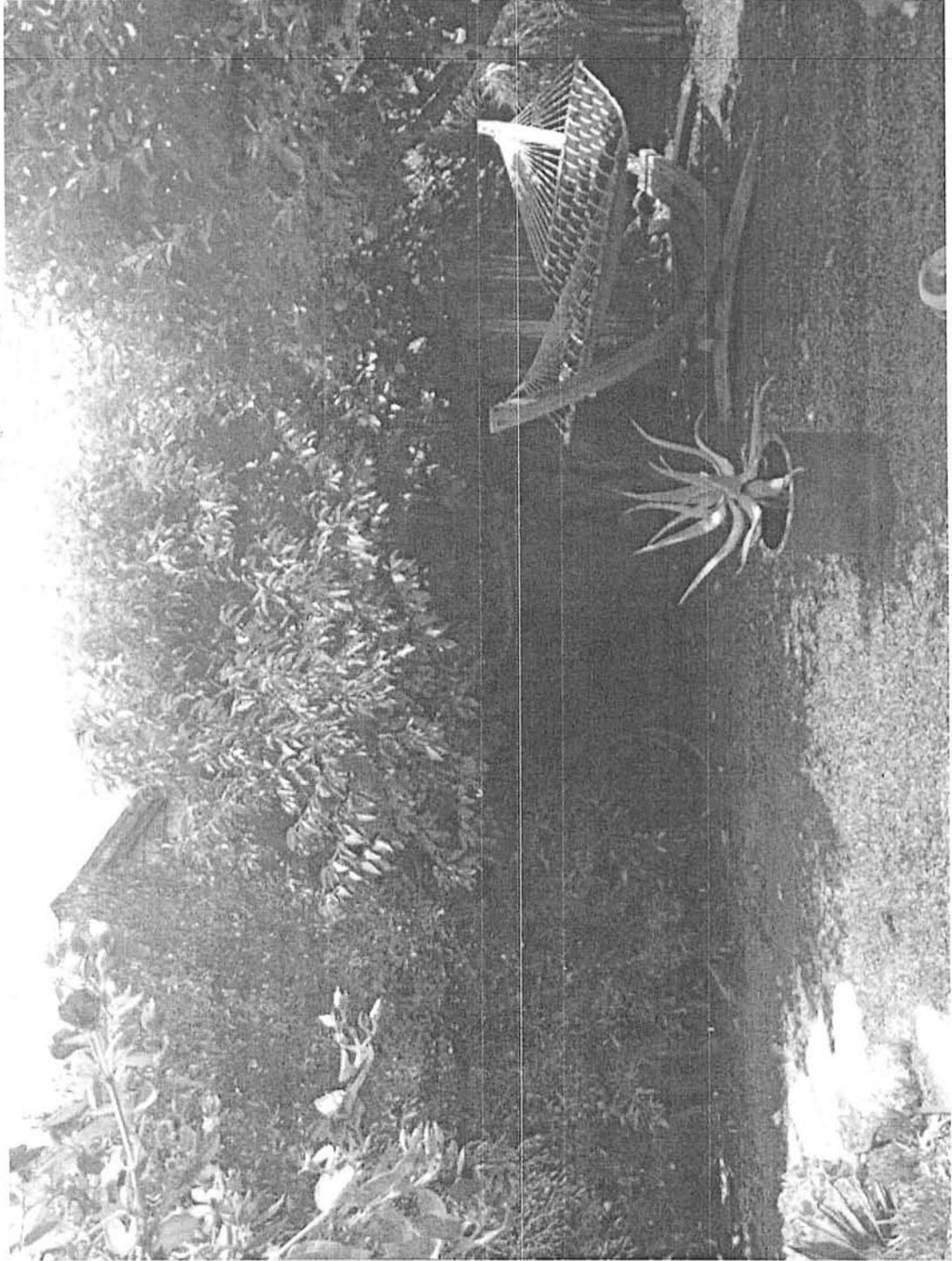


HOPSEED BUSH AND CHERRY AS NECESSARY
PRIVACY BARRIER FROM PEEPING/
HARASSING NEIGHBOR WHILE IN YARD AND
ON DECK



11

Hopseed Bush and trees as important privacy barrier while in yard from house to left



Hopseed Bush as important privacy barrier from neighbors small window as seen from inside bedroom

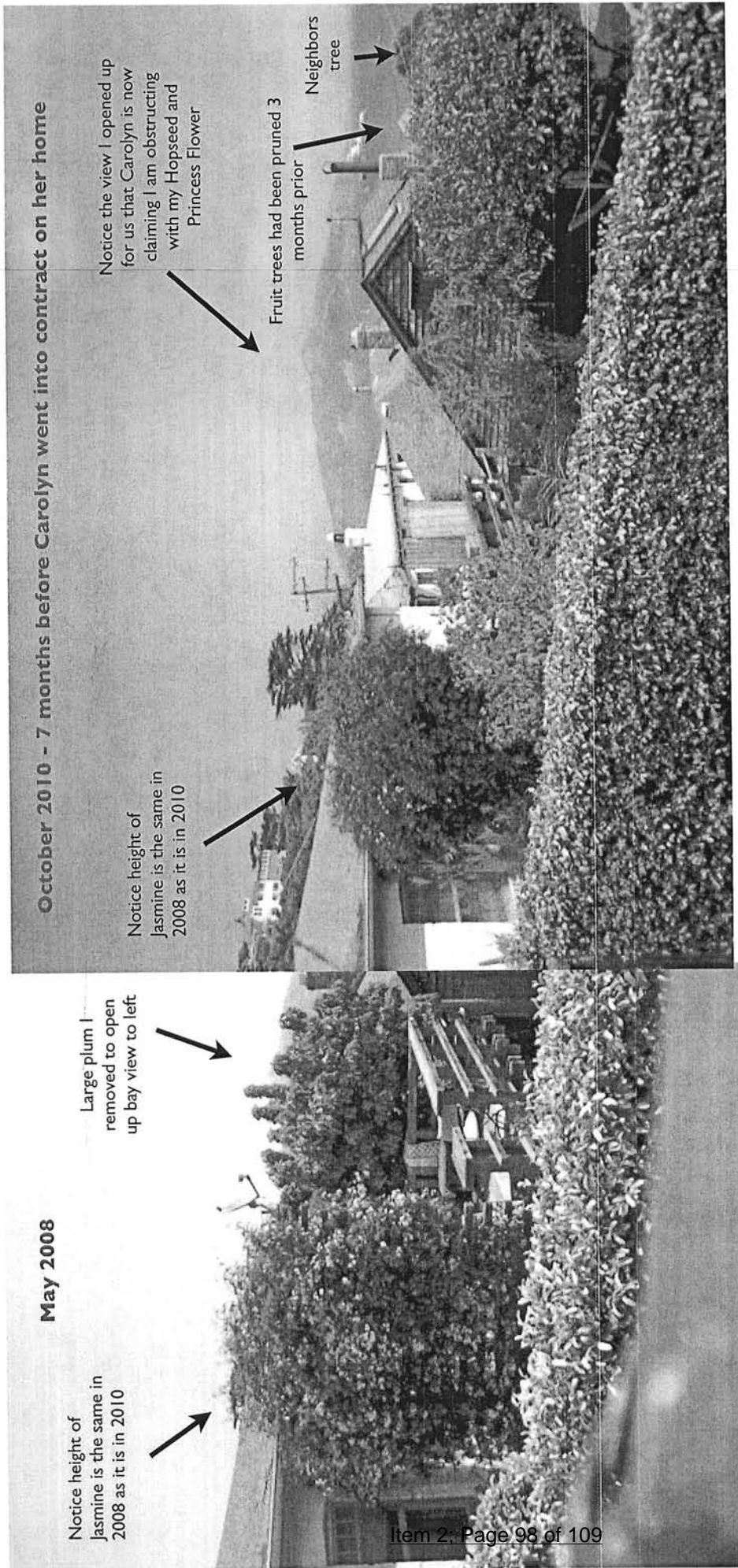


13

EXHIBIT B /VIEW 1 OPENING OF BAY VIEW AND JASMINE VINE HISTORICAL GROWTH

Left view taken from 218 4th Street in May of 2008 a few months after I moved into my home vs.

Right view taken from 218 4th Street on October of 2010, 7 months before Carolyn went into contract on her home.



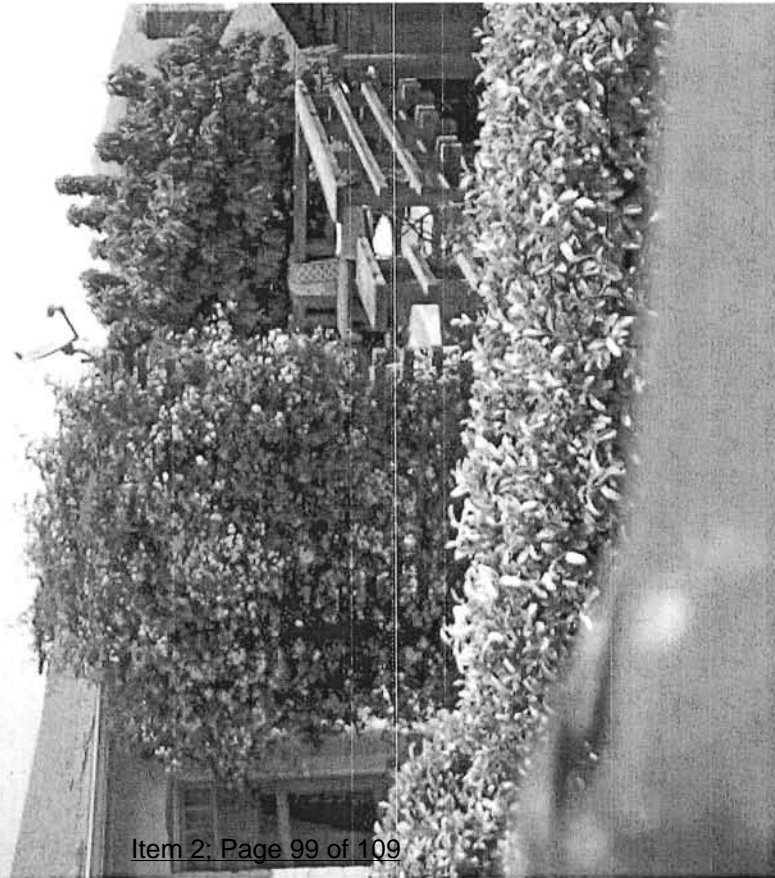
Regarding Mr. Moritz's claim on page 7 that the blooming jasmine will grow to 3 more feet of obstruction:

These photos were taken by Lori Hales standing on her deck at 218 4th Street in May 2008 and October, 2010. As you can see, the jasmine is the same height in 2008 as it was in October 2010, 7 months before Carolyn went into contract on her home.

Notice the large established plum tree to the left that restricted the entire view of the bay to the left of angel island to the neighbors chimney and far exceeded the roofline. This tree has been here for over 30 years. I removed the tree in 2008 and 2010 opening up the view to the left for both of us to enjoy. The view that Carolyn is now claiming that I am obstructing with my Hopseed and Princess Flower. I planned at the time to grow a privacy hedge along the fence line to my left to restore my privacy while leaving that partial bay view open as much as possible. I have been growing that hedge since 2008, not 2012 as Carolyn claims.

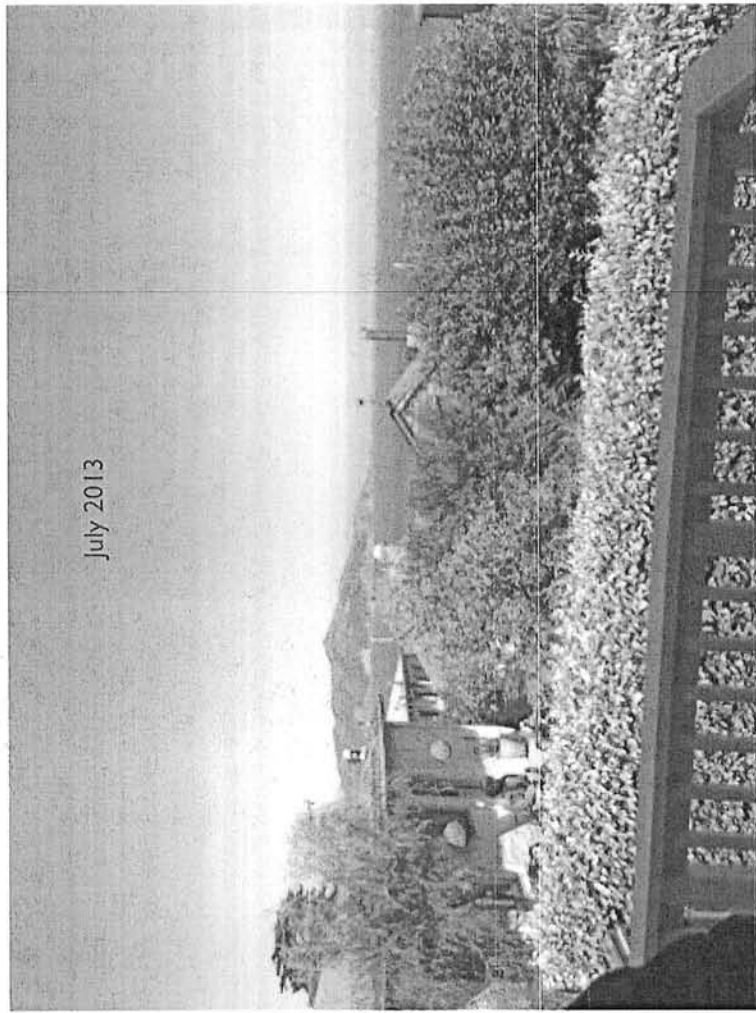
Visual comparison of view from 218 4th Street from 2008, before I removed plum to now, July 2013 after replacement privacy barrier in place

May 2008



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July 2013



Visual comparison of view from 218 4th Street from October 2010, 7 months before Carolyn moved in to July 2013 after replacement privacy barrier in place

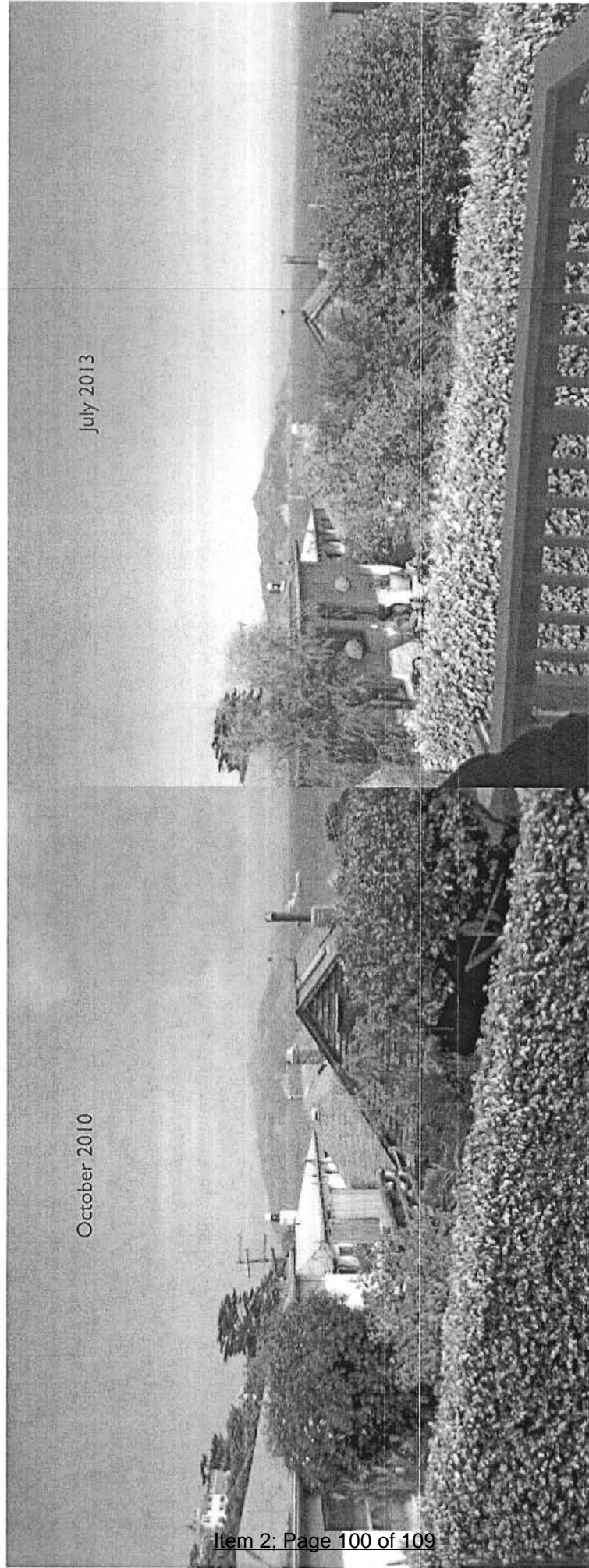
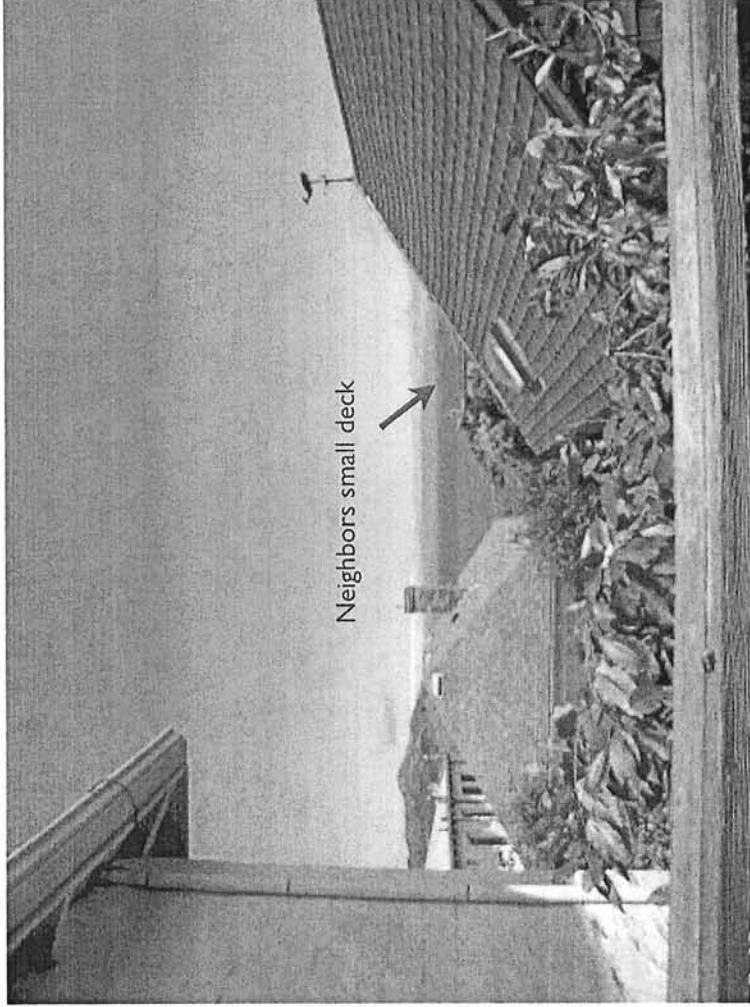


EXHIBIT B/ VIEW 2
TAKEN ON JULY 4, 2008 WHEN I TOPPED THE LARGE PLUM TREE AND OPENED UP THE BAY VIEW FOR US



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You can see the ocean view I opened up for us by topping the plum tree in 2008. Unfortunately I also opened myself up to a litany of harassment, abuse, peeping and intimidation that has lasted from 2008 to present from the man who lives at this home to the right. After topping this tree he now has full view of my deck, windows into my master bedroom, laundry and bath from his deck and small window to the right.

He stands on his deck and stares and yells expletives at me, has taken photos of me with a long camera lens (witnessed by myself and Stan Hales) and once turned his hose on me from this deck while I was below working in my yard. He curses at me, throws things into my yard (bricks, pottery, rocks, etc) and has vandalized my hopseed bush. The police have been called several times, there is a record at the police department of his harassment.

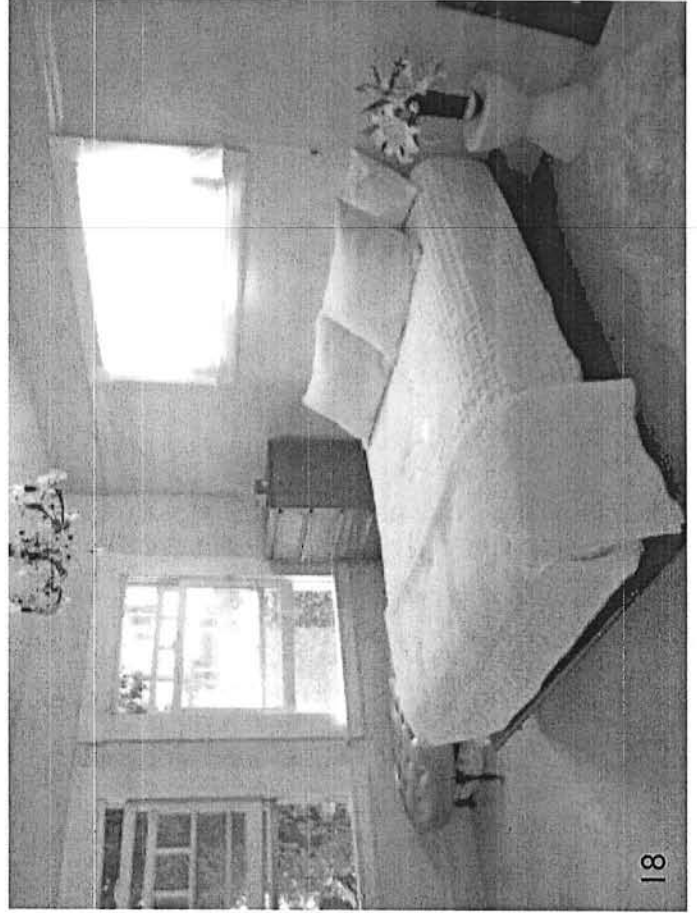
I immediately planned to restore my privacy by planting a privacy barrier along the fence line to replace the tree I took out. It is important to me to keep that hopseed bush at a specific height for my safety, security and privacy to keep him from being able to throw things into my yard from this deck and turn his hose on me and view me at angels into my house and yard. Besides my own safety and privacy, I have a large dog I am constantly concerned about.

On July 31, 2013, after the trees and views meeting his abuse escalated to such a level the police were called. He told Sergeant Thomas George he would **"harrass me as much as he wants as often as he wants and there is nothing we can do about it"**. That statement is in his call notes. The police say he is unreasonable. The hopseed barrier is the only thing that gives me any visual privacy from him and gives me a modicum of safety from his assaults while I am in my yard. Grace and I are talking about enclosing this side of the deck as well for my safety and privacy after his latest verbal attack. That day he also tried to coax the two dogs on my deck to walk off the deck towards him. It is a 5 foot drop. I've also spoken with Lieutenant Kurtis Skoog about his continued harassment. Sergeant Sean Smogalski has responded to several of the calls over the years and has tried several times to intervene and neutralize this mans behavior.

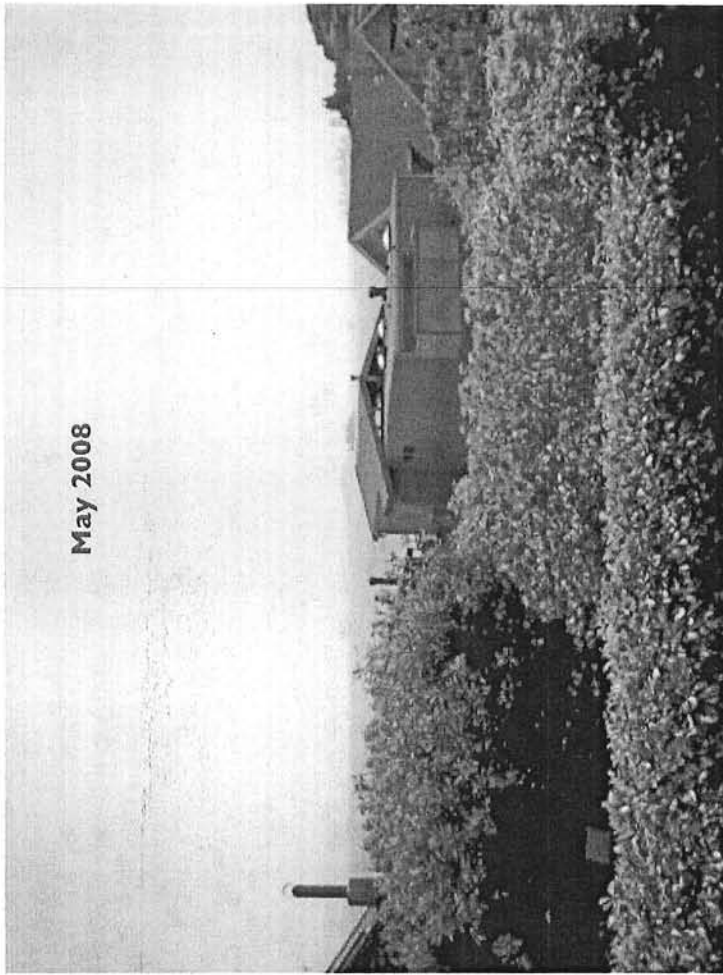
EXHIBIT C - JASMINE VINE AS PRIVACY BARRIER FOR DECK AND MASTER BEDROOM



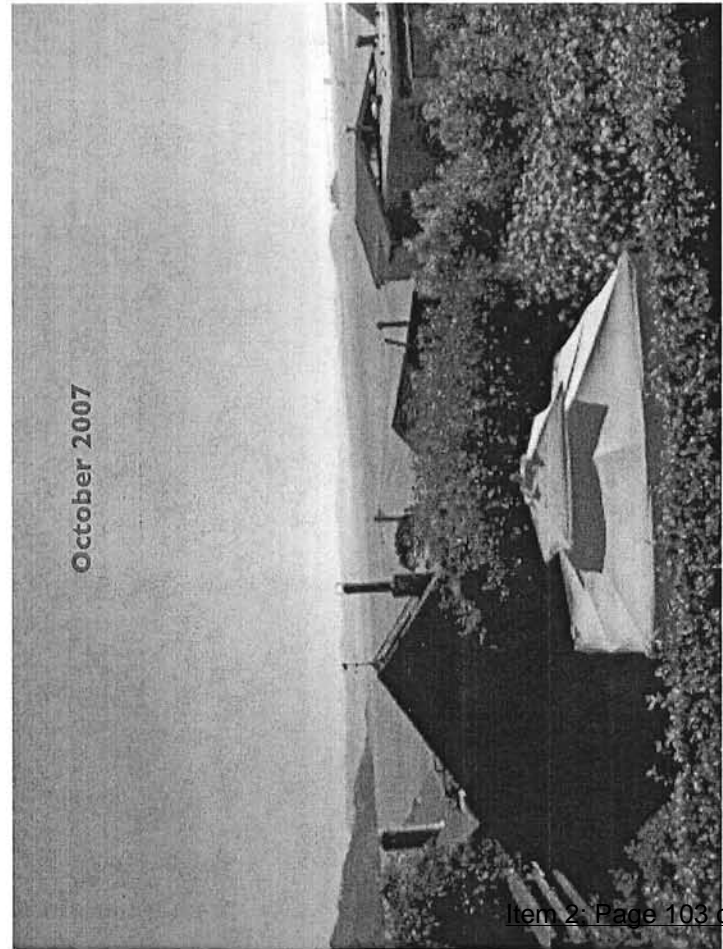
This is the arbor with blooming jasmine. Notice the privacy for the master bedroom (inside room and outside on deck) and privacy and shade for the deck. You can see the baby hopseed growing on the deck.



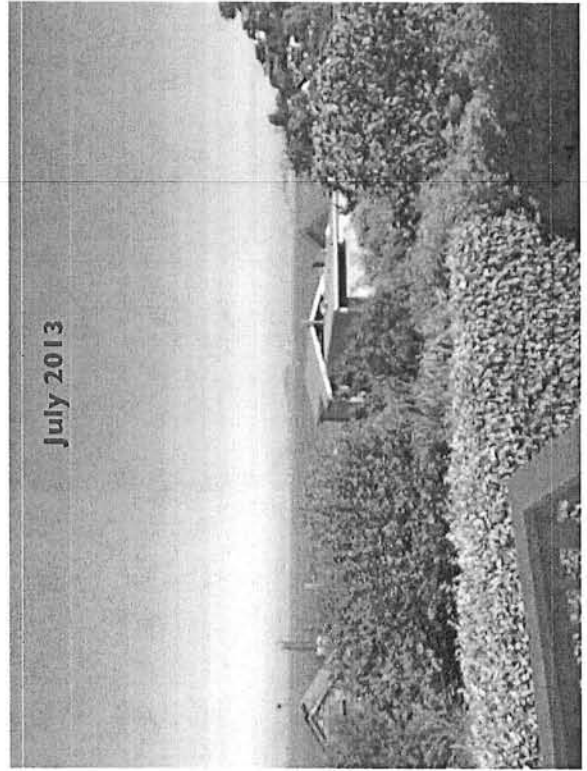
Bay view as soon from 218 4th Street



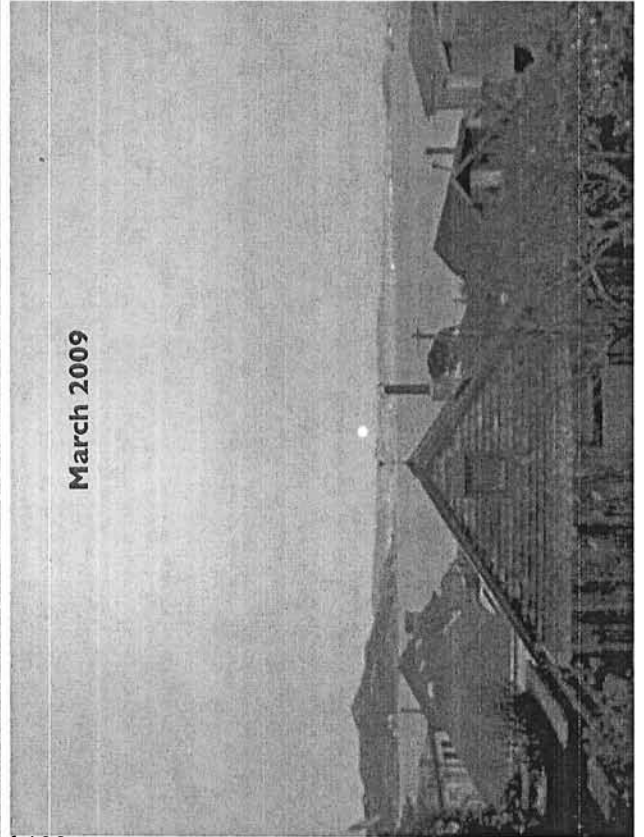
May 2008



October 2007

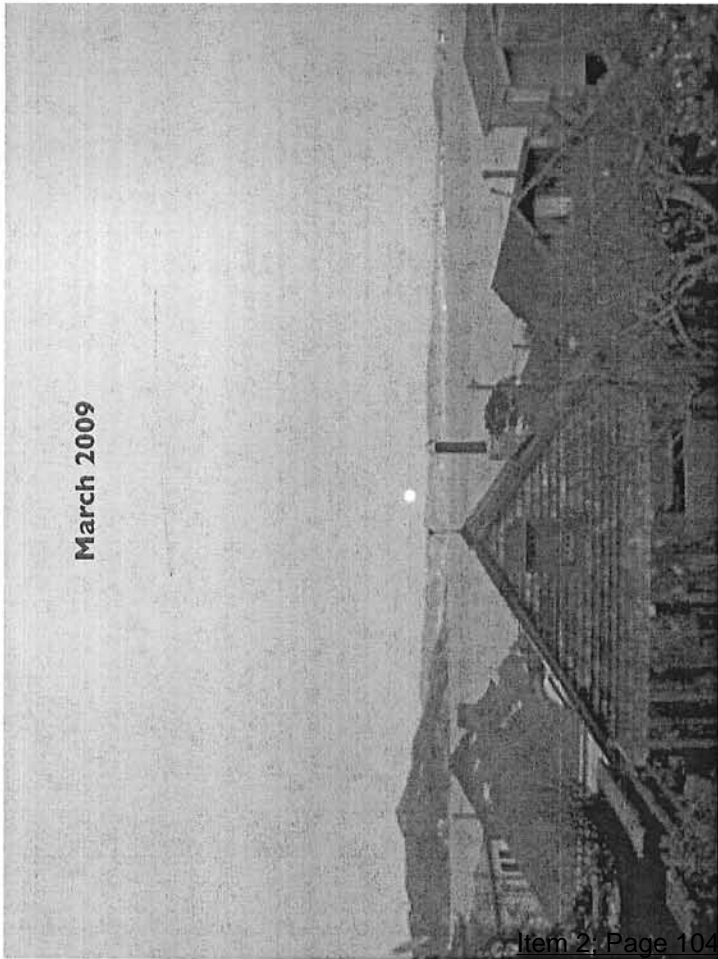


July 2013

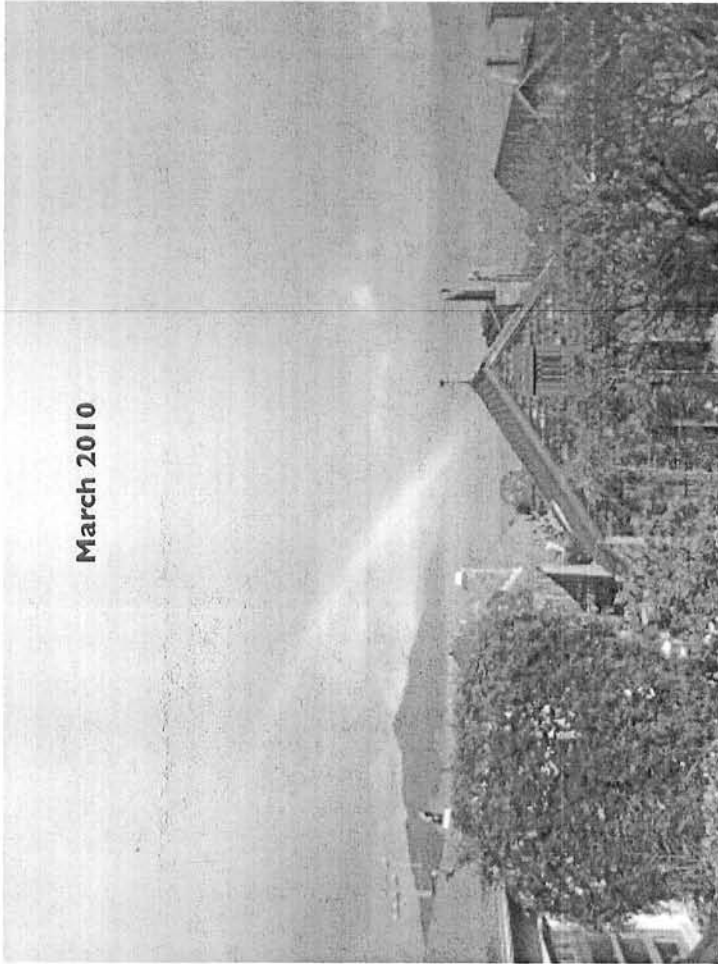


March 2009

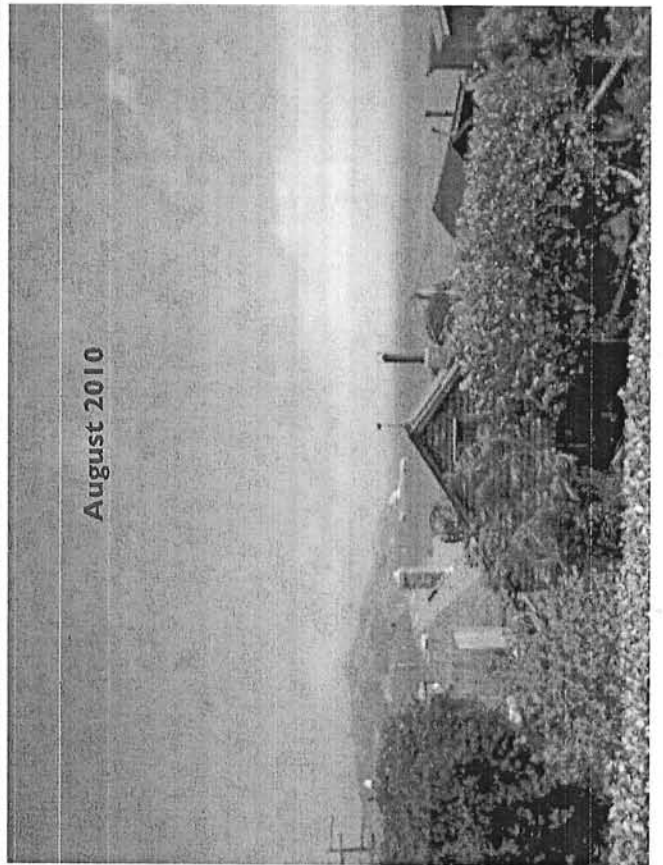
Bay view as seen from 218 4th Street



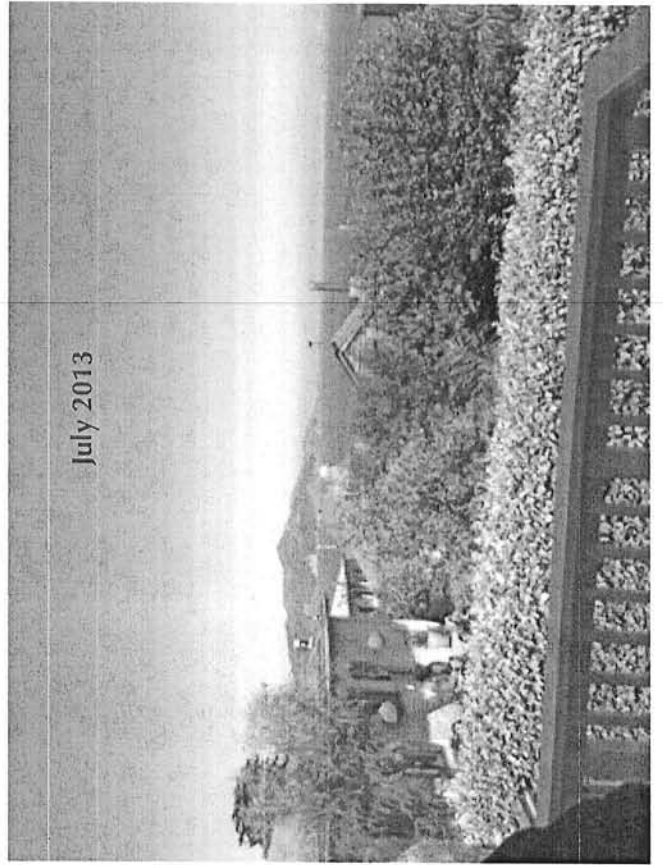
March 2009



March 2010



August 2010

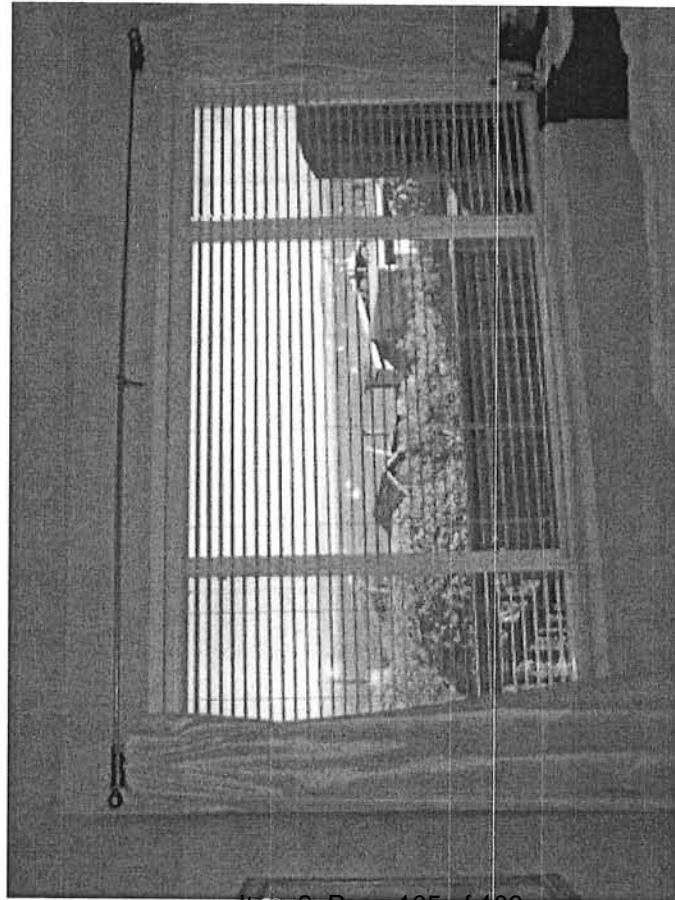


July 2013

Bay view as seen from bedroom of 218 4th Street

Left view three years ago - showing 3 months after trimmed trees, 7 months before Carolyn went into contract on her home
Right view, last week, approximately 3 months before annual pruning

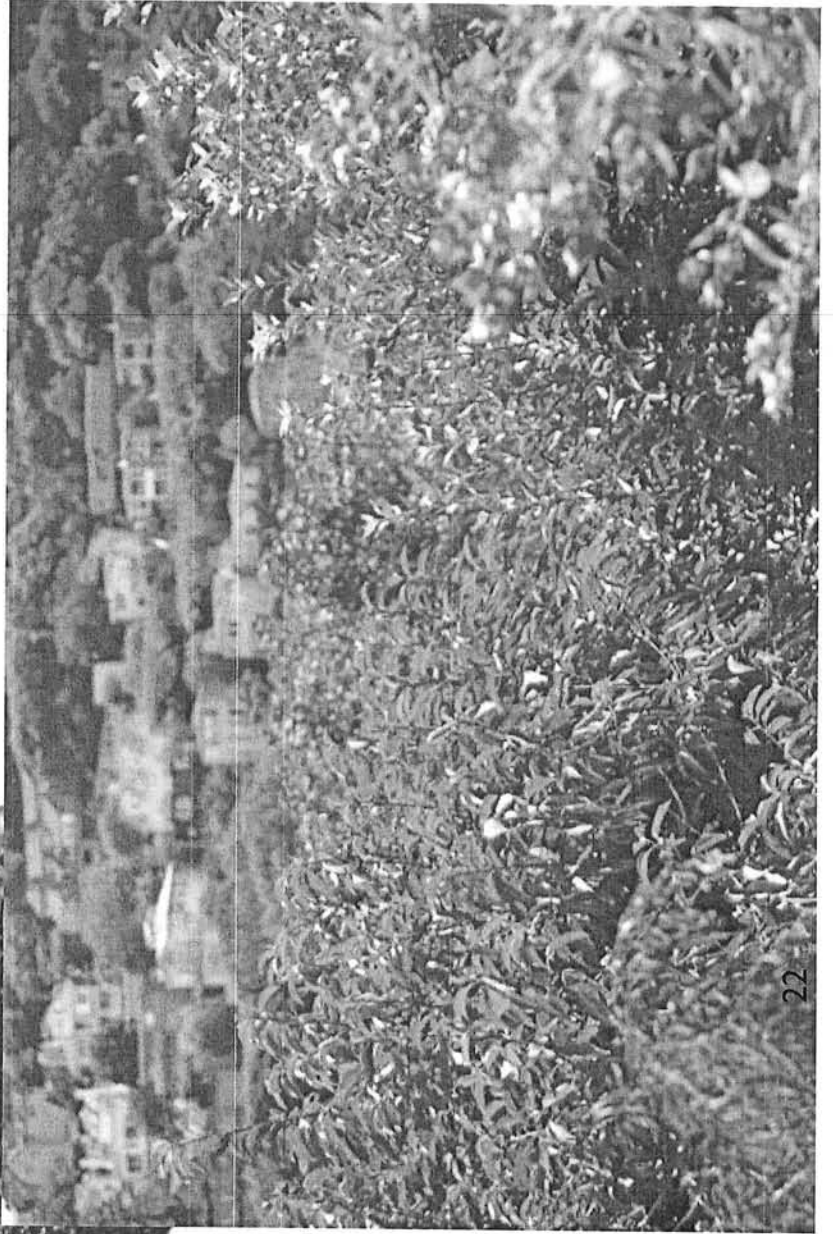
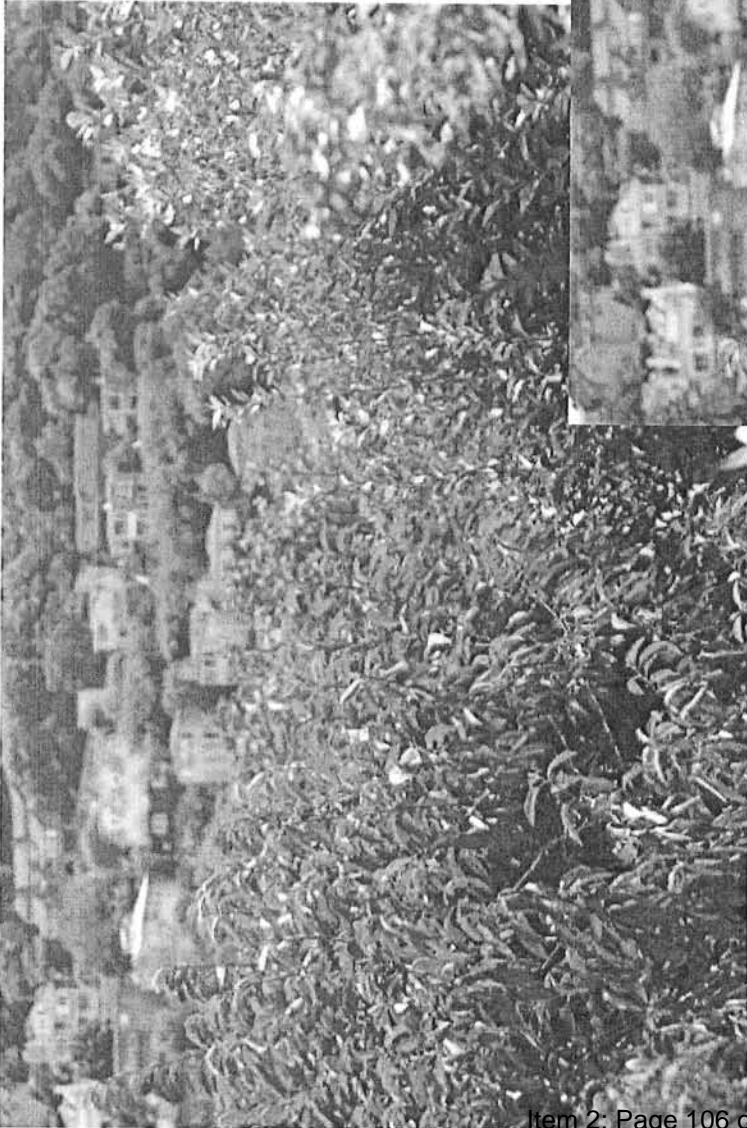
October 2010 (3 years ago) 3 months after annual pruning



July 31, 2013, 3 months before annual pruning



August, 2013. My trees at full bloom are smaller than the trees in the adjoining yard.



RECEIVED

JUL 23 2013

CITY OF SAUSALITO

July 17, 2013

Dear Ms. Shinsing,



I am writing this letter as I am currently traveling on family matters and cannot attend the public meeting to voice my support of Carolyn Patterson and the extremely difficult position that she has been put into with her neighbor's trees.

As a back ground I have known Carolyn for over 15 years. I have represented her as her realtor in the purchase of all 4 of her consecutive Bay Area homes and each home has always had a view. She would never purchase a home that did not have a view.

When she contracted to purchase her home at 218 4th Street the views were a major part of her decision to invest and live in this home. They were clearly big views from the minute that you walk in the front door and were a major selling point for this home.

In addition the previous owner and the selling realtor both said the view was maintained by the neighbor who regularly trimmed the trees.

I do know personally that Carolyn has tried to work with the home owner and the tenant who lives in the property to "restore the view that she purchased" and has repeatedly offered to share the cost also. However the owner and tenant have refused to cooperate. In fact not only have the trees grown so much that they block the view but the tenant has planted additional large trees on that fence line.

Carolyn is rightly distraught about the lack of view and how it now impacts her ability to enjoy the home, not to mention the loss of value given that the home without the view is worth 25% less than it is worth with a view which is what she paid for.

I sincerely hope that this meeting will result in a city inspection of the neighbors home and a demand to address the tree issue per the arborist report immediately.

Please feel free to contact me in person if you would like to discuss,

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon A. Kramlich". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Sharon A. Kramlich
415-609-4473
Skramlich@pacunion.com

EXHIBIT N
(1 PAGE)

Findings and Standards for View Claims

Municipal Code Sections 11.12.040.B.4 and C.3-4

Section 11.12.040.B.4 of the Sausalito Municipal Code

... "The Trees and Views Committee shall submit a written Advisory Decision to the parties. The Decision shall include the Trees and Views Committee's findings with respect to the Standards listed in subsection C-3 and 4 of this Section [11.12.040] and recommended restorative actions as well recommending allocation of costs for the same." ...

Section 11.12.040.C.3-4 of the Sausalito Municipal Code

"3. Standards for Resolution of Claims in Arbitration

The Tree Committee shall, as a group, inspect the premises of both claimant(s) and tree owner(s) to verify the nature and extent of the alleged view obstruction. For purposes of this section, the Tree Committee and/or any involved Arborist may enter upon the property of either or both parties. The Tree Committee shall evaluate the Standards set forth below based on the site visit, the property file on record at City Hall, the submitted data and the public meeting.

- a. The character of the view:
 - 1) The vantage point from which the view is sought.
 - 2) The extent to which the view might be diminished by factors other than growth involved in the claim.
 - 3) The extent of the view that existed at the time claimant(s) purchased the property. (Is the party attempting to create, enhance or restore a view?).

- b. The character of the view obstruction:
 - 1) The extent of the alleged view obstruction as a percentage of the total view (estimate).
 - 2) The impact on the beneficial use, economic value and enjoyment of the claimant's property caused by the growth.

- c. The extent of benefits and/or burdens derived from the growth in question:
 - 1) The visual quality, including but not limited to species, size, growth, form and vigor.
 - 2) Location with respect to overall appearance, design and/or use of the tree owner's property.
 - 3) Visual, auditory, wind screening and privacy provided by the growth to the owner and the neighbors.
 - 4) Effects on neighboring vegetation provided by the growth.
 - 5) The impact of the beneficial use, economic value and enjoyment of the tree owner's property caused by the growth.

- d. Restorative actions shall be limited to the following:
 - 1) No action.
 - 2) Thinning to reduce density e.g., open windows.
 - 3) Shaping to reduce height or spread, using thinning cuts only (drop crotch).
 - 4) Heading or topping.
 - 5) Tree removal with necessary replacement planting.

- e. Each type of restorative action shall be evaluated based on the above findings and with consideration given the following factors:
 - 1) The effectiveness of the restorative action in restoring the view.
 - 2) Any adverse impact of the restorative action on the benefits derived from the growth in question.
 - 3) The cost of the restorative action as obtained from the view claim. The Tree Committee may determine that additional estimates are required.
 - 4) The effects upon privacy of the tree owner. Values of quiet and privacy should receive equal consideration with values of view and sunlight.

- f. All restorative actions shall be undertaken with consideration given to the following factors:
 - 1) All restorative actions must be consistent with subsection C-3, subparagraphs "d" and "e" of this Section.
 - 2) Restorative actions shall be limited to shaping, thinning, and/or heading of branches where possible.
 - 3) When shaping and/or thinning of branches is not a feasible solution, heading or topping shall be preferable to tree removal if it is determined that the impact of topping does not destroy the visual proportions of the tree, growth pattern or health, or otherwise constitute a detriment to the tree in question (arborist's advice required).
 - 4) Tree removal shall only be considered when all other restorative actions are judged to be ineffective. Replacement planting can be required on the property of the parties.
 - 5) An Arborist's report is required in determining the nature and cost of replacement plant materials, installation of such plant materials, and time required for such plant materials to become well established.
 - 6) In those cases where tree removal eliminates or significantly reduces the tree owner's benefits of visual screening, wind screening or privacy, replacement screen plantings shall, at the tree owner's option, be established prior to removal; notwithstanding the provisions of subparagraph "e" above, the tree owner may elect tree removal with replacement planting as an alternative to shaping, thinning, heading or topping.
 - 7) All shaping, thinning, heading, topping and tree removal required under this Chapter must be performed under the daily supervision of an Arborist.

4. Implementation of Decision

Within thirty (30) days of the arbitration decision, the tree owner will obtain at least three bids for the prescribed work from Arborists and shall present all bids to claimant. Within fifteen (15) days after presentation of the bids, the claimant shall deposit with the tree owner an amount equal to the percentage of the lowest bid deemed appropriate by the Tree Committee. The tree owner shall, at his sole discretion, choose the company by which he wishes the work done and shall order the work done within fifteen (15) days after receiving the claimant's deposit. The tree owner shall pay the difference between the deposit amount and the bid amount of the company he has chosen. The authorized work of correction shall be done by an Arborist under the sole direction and control of the tree owner.

I:\CDD\Boards & Committees\TVC\Admin\View Claim Findings for SR's