

**BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO**

Appeal of  
MIHAELA PUCKO, )  
Appellant(s) )  
vs. )  
DEPARTMENT OF BUILDING INSPECTION, )  
Respondent )

Appeal No. **22-059**

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN THAT** on August 9, 2022, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on August 5, 2022 to Shelli Meneghetti, of an Alteration Permit (Revision to Permit Application No. 2022/0608/5840; legalize existing one-hour rated window at lightwell and infill interior window frame with wood framing and 5/8 inch Type X Gypsum Board to comply with NOV 202289028) at 3621 Divisadero Street.

**APPLICATION NO. 2022/0726/9306**

**FOR HEARING ON September 14, 2022**

Address of Appellant(s):

Address of Other Parties:

Mihaela Pucko, Appellant(s) 3627 Divisadero Street San Francisco, CA 94123	Shelli Meneghetti, Permit Holder(s) 3621 Divisadero Street San Francisco, CA 94123
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Date Filed: August 9, 2022

**CITY & COUNTY OF SAN FRANCISCO  
BOARD OF APPEALS**

**PRELIMINARY STATEMENT FOR APPEAL NO. 22-059**

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I / We, **Mihaela Pucko**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit No. 2022/0726/9306** by the **Department of Building Inspection** which was issued or became effective on: **August 5, 2022**, to: **Shelli Meneghetti**, for the property located at: **3621 Divisadero Street**.

**BRIEFING SCHEDULE:**

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: 4:30 p.m. on **August 25, 2022, (no later than three Thursdays prior to the hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org), [julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org), [tina.tam@sfgov.org](mailto:tina.tam@sfgov.org), [corey.teague@sfgov.org](mailto:corey.teague@sfgov.org) and [shellimeneghetti@aol.com](mailto:shellimeneghetti@aol.com).

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **September 8, 2022, (no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy shall be emailed to: [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org), [julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org), [tina.tam@sfgov.org](mailto:tina.tam@sfgov.org), [corey.teague@sfgov.org](mailto:corey.teague@sfgov.org) and [mickey@giantrecruiting.com](mailto:mickey@giantrecruiting.com).

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, September 14, 2022, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place**. The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to [boardofappeals@sfgov.org](mailto:boardofappeals@sfgov.org). Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

**Please note** that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at [www.sfgov.org/boa](http://www.sfgov.org/boa). You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

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**The reasons for this appeal are as follows:**

Reasons will be set forth in brief.

**Appellant: Mihaela Pucko filed the appeal by telephone.**

**Permit Details Report****Report Date:** 8/9/2022 1:57:21 PM

Application Number: 202207269306  
 Form Number: 8  
 Address(es): 0919 / 001F / 0 3621 DIVISADERO ST  
 Description: REVISION TO PA 2022-0608-5840 LEGALIZE (E) 1 HR RATED WINDOW @ LIGHTWELL AND INFILL INTERIOR WINDOW FRAME W/WOOD FRAMING AND 5/8" TYPE X GYP BD. TO COMPLY WITH NOV 202289028  
 Cost: \$3,500.00  
 Occupancy Code: R-3  
 Building Use: 27 - 1 FAMILY DWELLING

**Disposition / Stage:**

Action Date	Stage	Comments
7/26/2022	TRIAGE	
7/26/2022	FILING	
7/26/2022	FILED	
8/5/2022	APPROVED	
8/5/2022	ISSUED	

**Contact Details:****Contractor Details:**

License Number: 957103  
 Name: ROBIN MAY  
 Company Name: P 3 CONSTRUCTION & REMODELING INC  
 Address: 919 IRVING STREET, #102 \* SAN FRANCISCO CA 94122-0000  
 Phone: 4154399707

**Addenda Details:****Description:**

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	CES	7/26/22	7/26/22			7/26/22		S LAU FOR CES
2	INTAKE	7/26/22	7/26/22			7/26/22	PANGELINAN MARIANNE	
3	INTAKE	8/5/22	8/5/22			8/5/22	JINGJING LU	REPLACED A202
4	BLDG	8/5/22	8/5/22			8/5/22	HUANG VIVIAN	approved
5	CPB	8/5/22	8/5/22			8/5/22	YU ZHANG REN	

This permit has been issued. For information pertaining to this permit, please call 628-652-3450.

**Appointments:**

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Tim Slot
8/10/2022	AM	OS	NEW Online Scheduled	PRE-FINAL	1

**Inspections:**

Activity Date	Inspector	Inspection Description	Inspection Status
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**Special Inspections:**

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 628-652-3400 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

[Online Permit and Complaint Tracking home page.](#)

**Technical Support for Online Services**

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# BRIEF SUBMITTED BY THE APPELLANT(S)

Board of Appeals

49 South Van Ness Avenue, Suite 1475

San Francisco, CA 94103

August 25, 2022

**Re: APPELLANT'S BRIEF TO APPEAL NO. 22-059**

Dear Commissioners,

**Issue#1:**

The approved permit 202206085840 states; that the unpermitted property line window is to be removed (*exhibit A*). The REVISED permit 202207269306 states; that the unpermitted property line window is to be legalized (*exhibit B*), the interior portion of the window is to be infilled and the exterior metal frame of the window is to remain.

#1) Per NO.AB-009 (*exhibit C*); conditions of local equivalencies #3: the openings shall be located entirely above any adjoining roof or at least six feet laterally beyond any wall of an adjoining building.

A) The opening is ZERO feet away from the adjoining building wall therefore per NO.AB-009; the opening does NOT meet conditions of local equivalencies and should be closed off and NOT legalized (*exhibits D&E*).

#2) Per NO.AB-009 (*exhibit C*); conditions of local equivalencies #6: If the adjoining building

**contains R occupancy uses, proposed openings shall not be located closer than six feet measured in any direction to any existing opening on the adjoining building** unless the adjoining owner gives written consent. A copy of the statement giving such consent shall be attached to the permit application.

A) The adjoining building does contain R occupancy and the opening is closer than 6ft (In fact, the opening is within 5 ft of the adjoining building opening) therefore per NO.AB-009 the opening does NOT meet conditions of local equivalencies and should be closed off and NOT legalized (*exhibits D&E*).

**Issue#2:**

Since the opening does not comply with NO.AB-009, inside of the “window is infilled” the entire metal frame that used to encase the illegal opening should be removed and the 3” gap in the property line wall infilled flat to match the existing wall. (*exhibit F*). If not infilled, that gap will end up causing all sorts of water intrusion issues to both properties.

**Issue#3:**

In the approved permit 202206085840, the elevation showed multiple areas in need of siding repair while in the REVISED permit 202207269306, the elevation is showing only one small area of the exposed siding that needs to be repaired which could not be farther from the truth. On half of the building, siding does not exist, wood is visibly rotten, and plywood is delaminated (*exhibit G*). Most of the wall does not appear to have proper “Tyvek black paper” that serves as a waterproofing barrier, nor does it have proper siding required in the exterior wall build (*exhibit G*).

**Proposed new conditions to be placed on the entitlement:**

1. Since the opening does not comply with NO.AB-009; deny window legalization.
2. Remove the entire illegal opening structure from the wall including the casing and metal frame.
3. Infill and waterproof property line wall per building code.
4. Comply with building code, repair, and install matching siding on all exposed areas of the wall. (a typical 1HR rated exterior wall detail with siding included in *exhibit H*).

Yours Sincerely,



Mihaela Pucko

(Adjoining neighbor to 3621 Divisadero St. at 3627 Divisadero St.)



# Exhibit A

## Welcome to our Permit / Complaint Tracking System!

## Permit Details Report

**Report Date:** 8/10/2022 5:36:36 PM  
**Application Number:** 202206085840  
**Form Number:** 8  
**Address(es):** 0919 /001F /0 3621 DIVISADERO ST  
**Description:** TO PARTIALLY COMPLY WITH NOV# 202289028 REMOVE UNPERMITTED WINDOW. REPAIR EXPOSED SIDING AT NORTH WALL 2ND LEVEL.  
**Cost:** \$3,500.00  
**Occupancy Code:** R-3  
**Building Use:** 27 - 1 FAMILY DWELLING

### Disposition / Stage:

Action Date	Stage	Comments
6/8/2022	TRIAGE	
6/8/2022	FILING	
6/8/2022	FILED	
6/8/2022	APPROVED	
6/8/2022	ISSUED	

### Contact Details:

#### Contractor Details:

**License Number:** 957103  
**Name:** ROBIN MAY  
**Company Name:** P 3 CONSTRUCTION & REMODELING INC  
**Address:** 919 IRVING STREET, #102 \* SAN FRANCISCO CA 94122-0000  
**Phone:** 4154399707

### Addenda Details:

#### Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	CES	4/28/22	4/28/22			4/28/22		CES OKAY TO PROCESS PER CES INSPECTOR C.M.
2	INTAKE	6/8/22	6/8/22			6/8/22	CHAN CHENG	OTC PAPER PLAN
3	CP-ZOC	6/8/22	6/8/22			6/8/22	OROPEZA EDGAR	Approved - please note the lightwell infill was approved in the year 2000 per permit number 200008117637. Approved for the following scope of work - TO PARTIALLY COMPLY WITH NOV# 202289028. REMOVE UNPERMITTED WINDOW. REPAIR EXPOSED SIDING AT NORTH WALL 2ND LEVEL.
4	BLDG	6/8/22	6/8/22			6/8/22	LO BUGLIO NICHOLAS	Approved OTC NLJR 6/08/22 comply with NOV# 202289028 Remove unpermitted window. repair siding
5	CPB	6/8/22	6/8/22			6/8/22	SHAWL HAREGGEWAIN	

This permit has been issued. For information pertaining to this permit, please call 628-652-3450.

# Exhibit B

## Welcome to our Permit / Complaint Tracking System!

## Permit Details Report

Report Date: 8/10/2022 5:38:25 PM

Application Number: 202207269308  
Form Number: 8  
Address(es): 0919 / 001F / 0 3821 DIVISADERO ST  
Description: REVISION TO PA 2022-0808-5840 LEGALIZE (E) 1 HR RATED WINDOW @ LIGHTWELL AND INFILL INTERIOR WINDOW FRAME WWOOD FRAMING AND 5/8" TYPE X GYP BD. TO COMPLY WITH NOV 202289028  
Cost: \$3,500.00  
Occupancy Code: R-3  
Building Use: 27 - 1 FAMILY DWELLING

### Disposition / Stage:

Action Date	Stage	Comments
7/26/2022	TRIAGE	
7/26/2022	FILING	
7/26/2022	FILED	
8/5/2022	APPROVED	
8/5/2022	ISSUED	
8/9/2022	SUSPEND	Per BOA Appeal #22-059

### Contact Details:

#### Contractor Details:

License Number: 957103  
Name: ROBIN MAY  
Company Name: P 3 CONSTRUCTION & REMODELING INC  
Address: 919 IRVING STREET, #102 \* SAN FRANCISCO CA 94122-0000  
Phone: 4154399707

### Addenda Details:

#### Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	CES	7/26/22	7/26/22			7/26/22		S LAU FOR CES
2	INTAKE	7/26/22	7/26/22			7/26/22	PANGELINAN MARIANNE	
3	INTAKE	8/5/22	8/5/22			8/5/22	JINGJING LU	REPLACED A202
4	BLDG	8/5/22	8/5/22			8/5/22	HUANG VIVIAN	approved
5	CPB	8/5/22	8/5/22			8/5/22	YU ZHANG REN	

This permit has been issued. For information pertaining to this permit, please call 628-652-3450.

# Exhibit C

1. The openings may not be used to provide required light and ventilation, required egress, or for required emergency rescue.
2. The openings shall be fixed (non-operable) unless more than 50 feet above the roof of any adjoining building or more than the distance prescribed for protected openings in Table 705.8 in any direction from an adjoining building.
3. The openings shall be located entirely above any adjoining roof or at least six feet laterally beyond any wall of an adjoining building.
4. The openings shall be protected with fire assemblies, such as fire shutters or rated window assemblies, having a rating of at least 3/4 hour. Openings in walls which have a fire-protection rating of greater than 1-hour shall be protected by a fire assembly having a three-hour fire-protection rating in four-hour fire-resistive walls, a two-hour fire-protection rating in three-hour fire-resistive walls, and one-and one-half hour fire-protection rating in two-hour fire-resistive walls. Fire shutters, if provided, shall be actuated by smoke detectors located inside and by fusible links or other approved devices on the outside of the protected openings.
5. The opening shall be protected by a fire sprinkler system having ordinary temperature, quick-response type heads installed within 18" of the openings and spaced at 6 feet on center or at the manufacturer's recommended minimum spacing, whichever provides the closer spacing.  
  
Exception: Openings in Group R Division 3 occupancies.
6. If the adjoining building contains R occupancy uses, proposed openings shall not be located closer than six feet measured in any direction to any existing opening on the adjoining building unless the adjoining owner gives written consent. A copy of the statement giving such consent shall be attached to the permit application.
7. The owner of a building with such openings shall provide a recorded statement that these openings will be closed or protected with approved fire resistive wall construction in the event that the adjoining property is improved in such a manner that the openings no longer comply with the provisions of this Administrative Bulletin. A copy of a Declaration of Use Limitation (Attachment B) shall be submitted to the plan reviewer prior to completion of Department of Building inspection plan review.
8. Property line openings which open onto property owned by the City and County of San Francisco shall meet the requirements of San Francisco Administrative Code

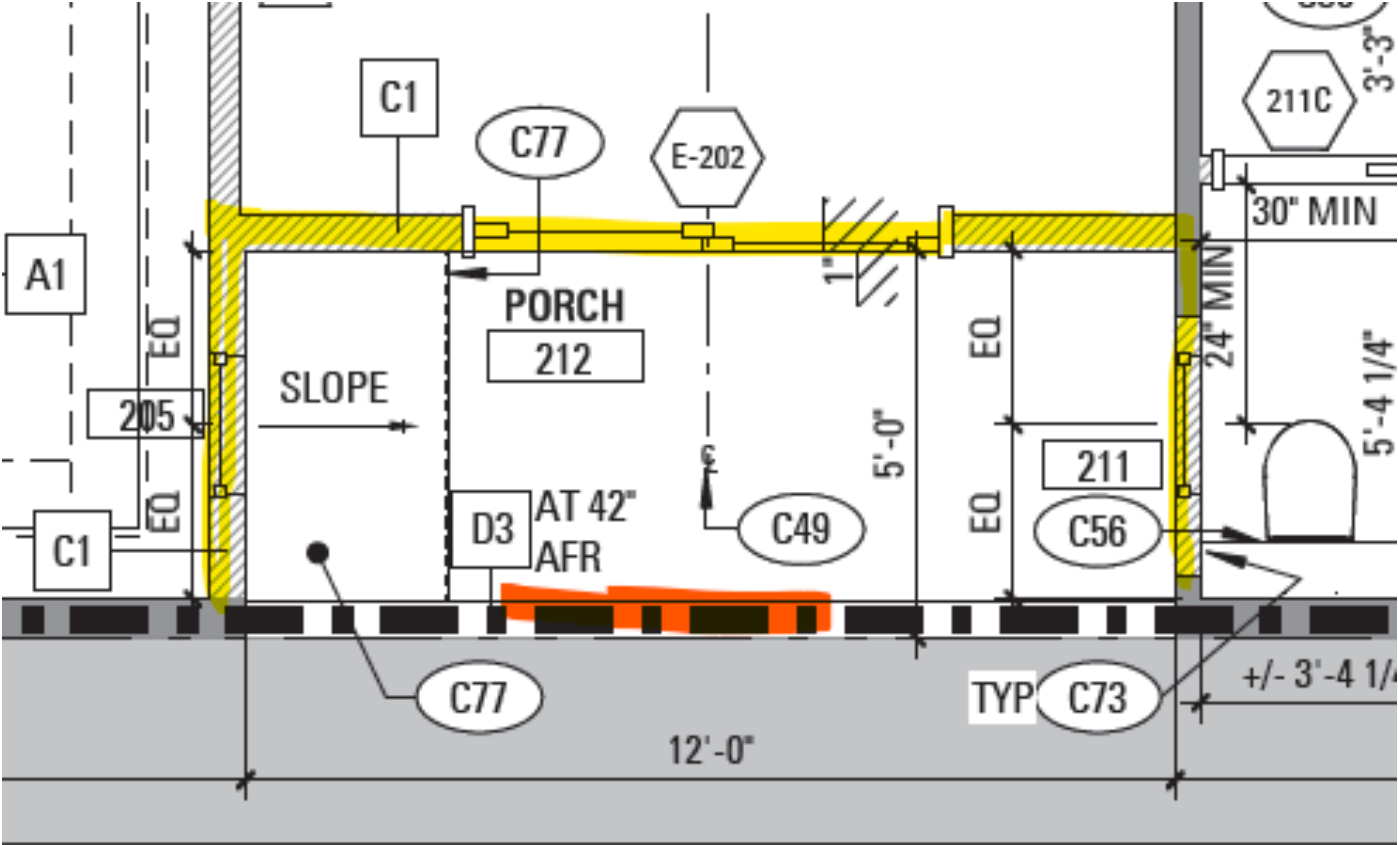
# *Exhibit D*

The opening is ZERO feet away from the adjoining building wall therefore per NO.AB-009; the opening does NOT meet conditions of local equivalencies and should be closed off and NOT legalized.



# Exhibit E

The adjoining building does contain R occupancy and the opening is closer than therefore per NO.AB-009 the opening does NOT meet conditions of local equivalencies and should be closed off and NOT legalized.







# *Exhibit F*

Since the opening does not comply with NO.AB-009, inside of the “window is infilled” the entire metal frame that used to encase the illegal opening should be removed and the 3” gap in the property line wall infilled flat to match existing property line wall. If not infilled, that gap will end up causing all sorts of water intrusion issues to both properties.



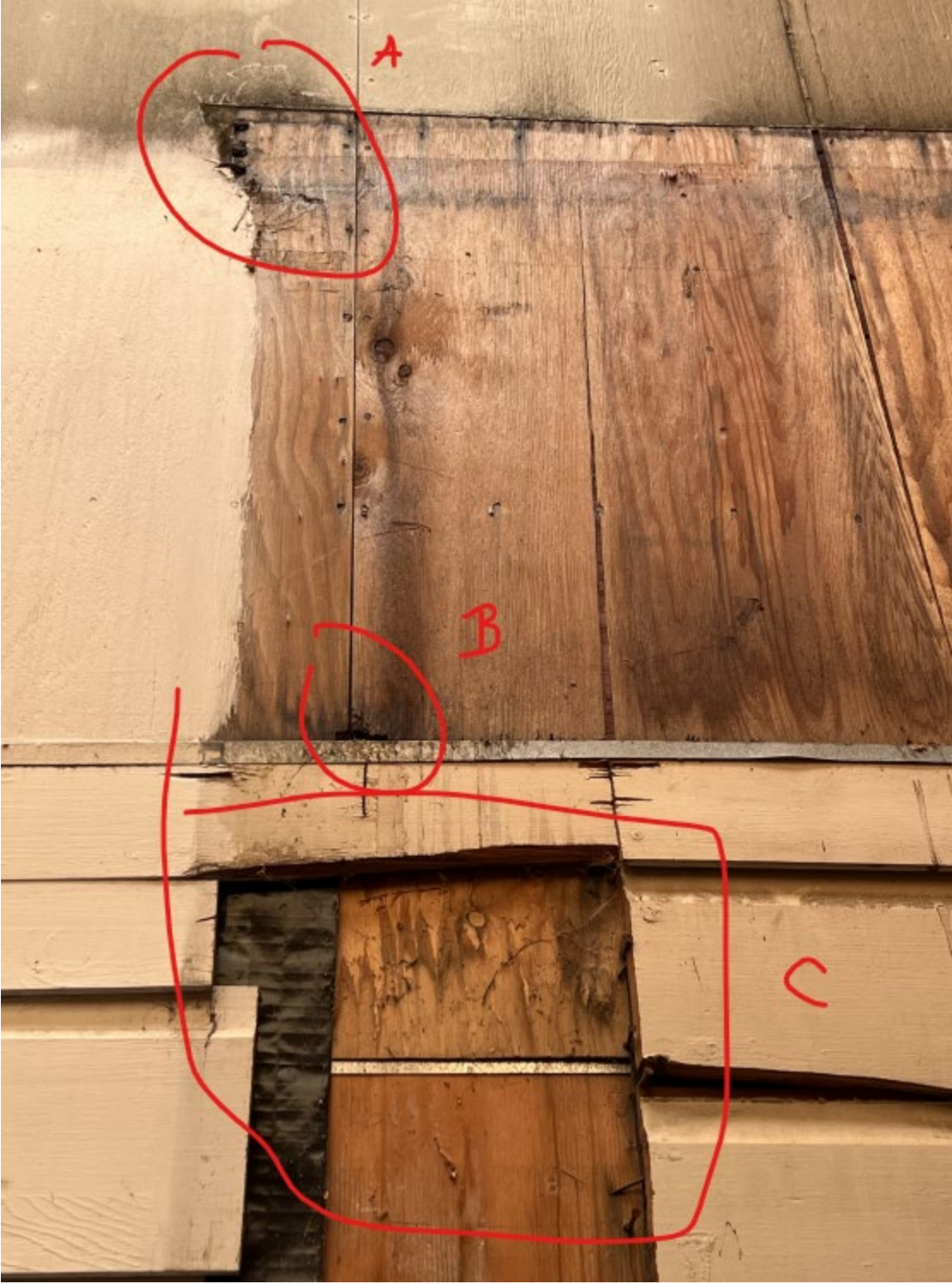




# *Exhibit G*

REVISED permit 202207269306 grossly misrepresents the need for one minor siding repair when half of the building is missing siding, proper waterproofing, and has visibly rotten plywood.

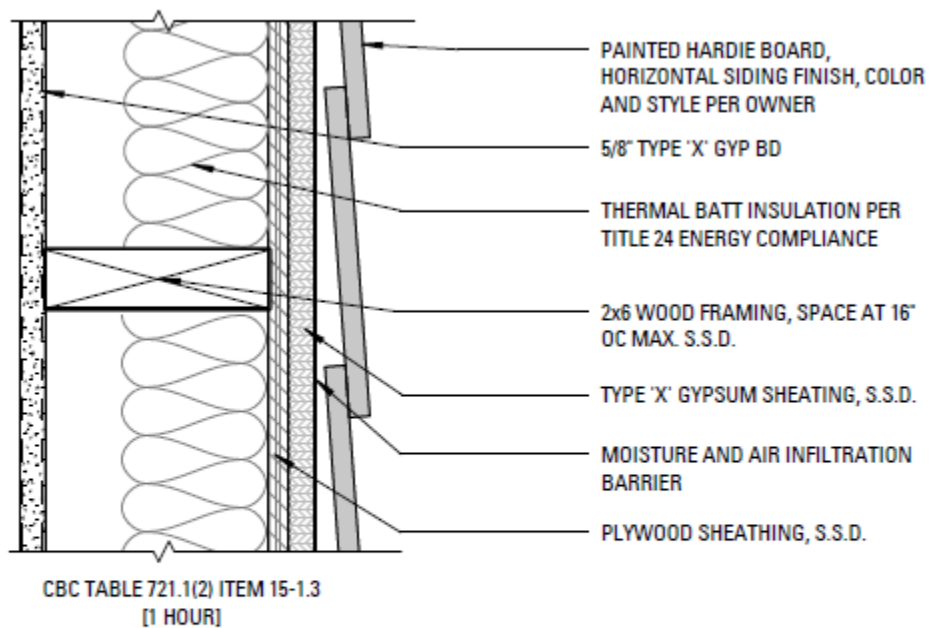




# Exhibit H

## 1. Proposed new conditions to be placed on the entitlement:

Comply with building code and repair and install matching siding on all exposed areas of the wall. (see below, typical 1HR rated exterior wall detail with siding)



## C14 - EXTERIOR WALL - 1 HR RATED - HARDIE BOARD FINISH

3" = 1'-0"

## **BRIEF SUBMITTED BY THE PERMIT HOLDER(S)**

Thank you all for participating today to help resolve this issue.

**Context:**

We have owned 3621 Divisadero for the past 26 years and have raised three daughters at this home. My wife was an elected member of the Marina Community Association and was a youth soccer coach and member of the San Francisco Vikings Soccer Board of Directors for more than a decade. I was a mayoral appointee to the San Francisco Eastern Neighborhood Planning Commission and was a SF Little League Softball coach for multiple years. I mention these backgrounds to reflect that we have deep roots in San Francisco and the Marina.

I'm sorry this issue with our permit is in front of the committee as it would typically be something that should be resolved between neighbors. But there is an extenuating circumstance that makes this particularly difficult for us to do so. Unfortunately, there have been consistent misunderstandings and issues between the owners of 3627 Divisadero and the other homeowners on the block. The central issue was the scope of the permit issued to renovate and expand 3627 Divisadero (the house adjacent to our property) from a two-story home into a four-story building with multiple decks. We participated in a Discretionary Review filed by multiple neighbors regarding the permit for 3627 Divisadero, and in early 2021, in part due to our participation in the review, the owners of 3627 Divisadero filed a civil court order against us that specifically prevents us or any third-party associated with us, from engaging with Ms. Pucko or Mr. Smith even if they initiate contact.

On March 21, 2022, we discovered that our pre-existing, one hour fire-rated, non-opening, steel frame shaded window along the property line had been broken during the construction work on 3627 Divisadero. We did not approach Ms. Pucko or Mr. Smith concerning the property damage, but brought the damage to the attention of the construction crew. Then, on March 28, 2022, a

complaint concerning the property line window was filed (No. 202289028) and a Notice of Violation (NOV) was issued on March 30, 2022.

We have consulted with our attorney and she has advised us that we, and any third-parties associated with us, cannot engage with the owners of 3627 Divisadero until the court order expires in 2023. This is the reason we are attempting to resolve our NOV issue without requesting or requiring any support or assistance from the owners of 3627 Divisadero. This makes it more challenging to resolve the NOV, but upon advice of counsel we must take this approach.

We applied for and received a permit from DBI that enables us to solve this NOV issue using this framework, and the infill work was completed prior to the appeal being filed. There is no "opening" anymore, as the interior portion of the window has been infilled in accordance with permit 202207269306. All that remains at this point is for a final inspection to close out the permit. We would prefer to resolve this issue cooperatively with our neighbors, and perhaps in the future we can, but for now, the court order must be followed.

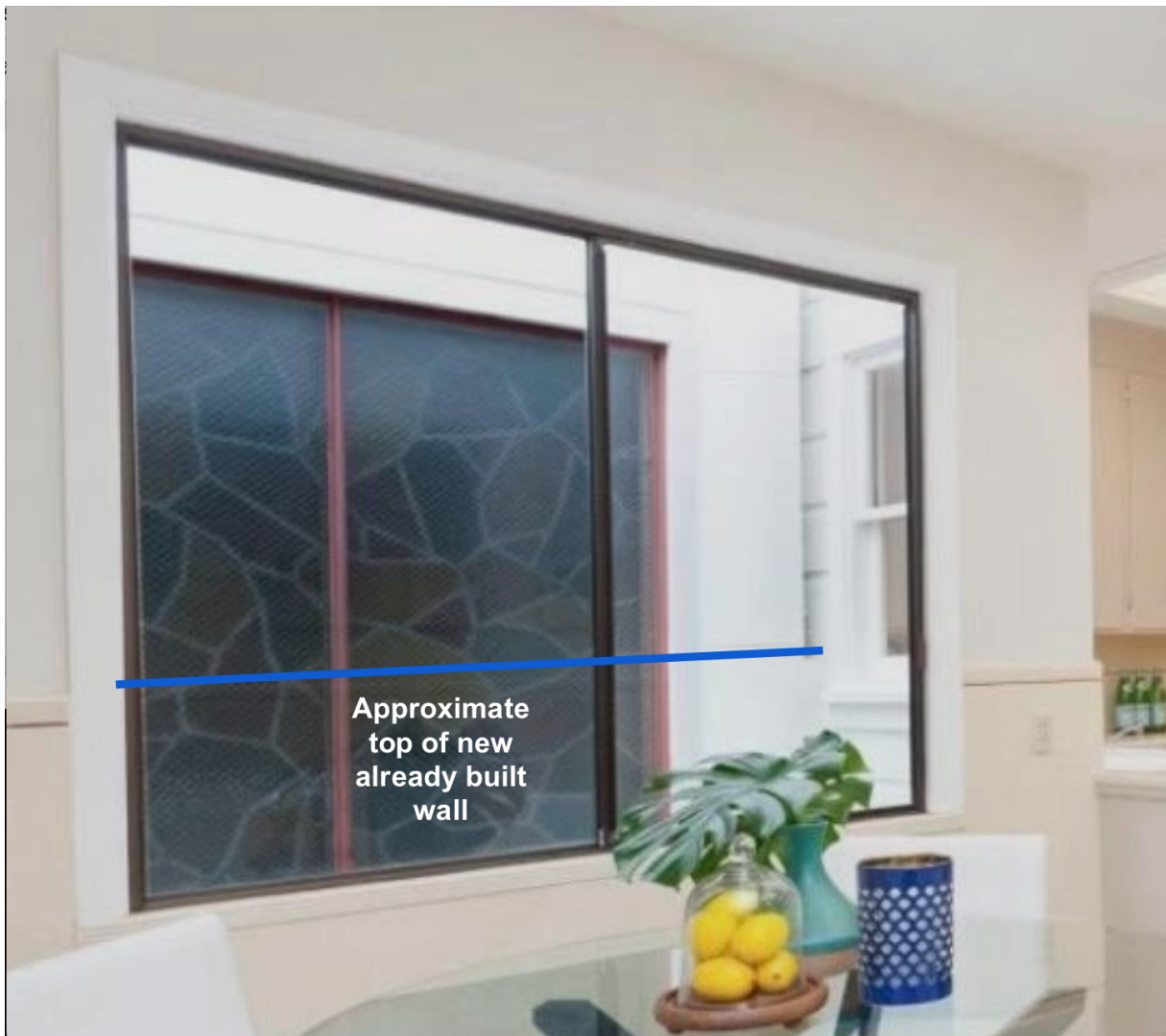
***Permit Issue In Front of the Committee- Background:***

For the past 21 years the above-mentioned non-opening, steel framed window has been in place near the border of our house and allowed sunlight to illuminate a stained glass artwork in our home from a light-well between the two houses. The below photo taken from the kitchen of 3627 Divisadero shows what the lightwell and our window looked like in September 2017, before any demolition or renovation began at 3627 Divisadero in November 2021. The photo was downloaded from Redfin.com (a real estate website), and is from the real estate listing for 3627 Divisadero that was posted in September 2017.



As part of the 3627 Divisadero renovation, the first floor portion of the lightwell is now closed off, and there is a new deck on the second floor extending to the property line which includes a new pony wall that covers up approximately 30-40% of the window. (see below photo with line approximating the height of the pony wall).





In 2001, our contractor applied for and received PA 2001-1128-4085 to install a new fire-rated window at the light well. Construction was completed in the Fall of 2001. Unbeknownst to us, this permit was canceled on August 2, 2004. We do not know who canceled the permit and were only made aware of this when we received the NOV. As far as we have ever known, the window was legal. We immediately hired an architect and contractor to address this and get it right with

DBI, and we are attempting to do so within the parameters of the court order. Given that there is now a new, exterior pony wall constructed on the 3627 property covering ~35% of the opening and blocking the light that used to shine through the stained glass art, we felt it best to remove the stained glass (and we have) and we received a permit from the city to infill the opening from the inside of our home with a sealed, one hour fire-rated wall. After receiving the permit, we promptly completed the infill work prior to the appeal being filed. This included applying a sealant which successfully repaired the recent damage to the window. Due to the court order, we elected not to approach the owners of 3627 Divisadero to ask them to remove the pony-wall they had constructed, and to then request permission to remove the frame from their side, and DBI agreed that infilling with a one-hour fire wall from the inside would satisfy all the requirements. Note that the steel frame and fireglass are completely sealed and waterproof and have been so since installation in 2001.

We understand from the appeal that there may be a challenge in waterproofing between the glass and their newly built pony-wall. We recognize this, and our contractor has informed us that in her experience it is quite common to deal with 1 inch to 6 inch+ gap variations when sealing between homes and there are many ways to solve this. We believe that there are multiple solutions:

1. Extend the already constructed 8x3 foot pony-wall up another ~3.5 feet to above the fireglass, fully covering it. This would allow the weather proofing between the homes to be on the same plane as the entire rest of the ~ 45 foot boundary between the homes, and has the added advantage of the owners of 3627 Divisadero being able to completely chose whatever they wish to see when walking out on their deck. We are sensitive to her concern, and we too would not want to depend on someone else choosing a paint color or type of siding that only I have to view every day. A simple and relatively low cost extension of this newly built wall would provide this flexibility. I should note that ~ 6

months ago the owners sent an email to our attorney letting her know that they were considering this option. We of course would have no objections to this.



2. Alternatively, if/when we resolve the access issue with the court order, our contractor is prepared to install a weatherproof ~3 inch by ~ 6 foot long board sealed to our firewall.fireglass that could then be sealed against the pony-wall. This is a very easy install, but doesn't have all the advantages of option #1.
3. Finally, access-issue depending, upon removing the newly constructed pony-wall, we could infill from the outside and then the owners of 3627 Divisadero could rebuild the pony wall.

In short, it doesn't seem prudent for both parties to take on the extra expense of tearing out a just-constructed pony wall (3627 Divisadero side), and removing a fire rated, non opening and

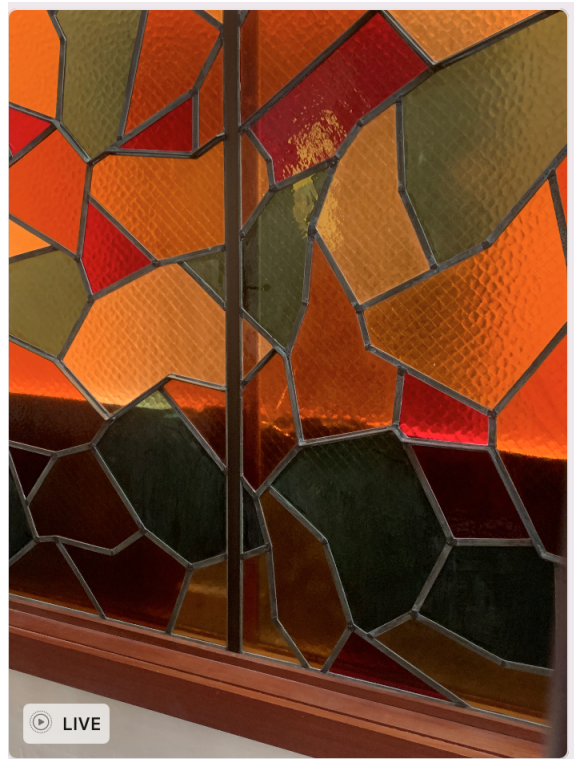
well-sealed steel frame (3621 Divisadero side) when there are several other lower cost and much more visually appealing solutions.

For reference, the two photos below reflect the wall (1) prior to any window damage and (2) after the pony-wall construction and (3) permitted infill and removal of the stained glass art.

(1)



(2)



(3)



**Background on the other issue discussed in the brief, and not part of the permit being contested.**

The other issue mentioned in the appeal filing is not at all part of the permit being contested, and as the photo below reflects, is directly related to the recent demolition and construction at 3627 Divisadero, but at this time we cannot approach the owners to either inspect or discuss the issue.

As you can see from the below photo taken from inside 3627 Divisadero and looking toward the exterior of our house in 2017, there is no exposed siding or unpainted wood whatsoever on our house. The house at 3627 Divisadero was originally a two story home and the current renovation to four stories entailed removing a portion of the second floor and roof which abutted our home in the exact section reflected in the photo.

Upon removal of the second floor and roof at 3627 Divisadero, some sort of covering to our home appears to have been altered or removed, we're not sure. There was also a vent pipe of some type belonging to 3627 Divisadero that has been removed. The area in question had been behind a blind wall between the homes for its entire existence and to our knowledge, had never been exposed before. The appeal's exhibit G clearly shows the outline at the top of the old 3627 Divisadero roofline. It is labeled "A" on the last page of the appeal. In 1990, the prior owner of our home did a major renovation post Loma Prieta adding a third story and bringing everything up to new codes, and in 2001 we altered some of the interior and changed the rear footprint slightly to make it more of a family home. Our architect has overlaid our 2001 renovation plans that clearly shows we never touched this particular section of the home so anything done in this section was permitted and completed well before we even owned the house.

In any case, the source of this issue aside, once our contractor is able to inspect this area we are certainly prepared to correct and seal this in whatever way the City recommends and will do so. But again, this is not part of the permit currently in front of the Appeal Board. I note that extending the pony-wall as discussed above would effectively replace the majority and perhaps all of the blind wall that was in place prior to construction started and essentially bring everything back to as it was.



Thank you for considering this response, and again, we truly wish this issue could be solved this another way without requiring more city time and resources.