

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
THOMAS GODDARD,)
Appellant(s))
vs.)
DEPARTMENT OF BUILDING INSPECTION,)
PLANNING DEPARTMENT APPROVAL Respondent)

Appeal No. 14-148

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on August 25, 2014, 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 12, 2014, to 20th Street Trust, Alteration Permit (increase basement ceiling height from 6' to 8' by excavating down; place new concrete slab; repair cracked plastering on 1st, 2nd and 3rd floors) at 4121 - 20th Street.

APPLICATION NO. 2014/08/11/3496

FOR HEARING ON October 29, 2014

Address of Appellant(s):

Address of Other Parties:

Thomas Goddard, Appellant 4119 - 20th Street San Francisco, CA 94114	20th Street Trust, Permit Holder c/o Sarah Garlick, Agent for Permit Holder 3527 Mt. Diablo Blvd. #352 Lafayette, CA 94549
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Date Filed:

BOARD OF APPEALS

AUG 25 2014

APPEAL # 14-148

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

PRELIMINARY STATEMENT OF APPEAL

I / We, **Thomas Goddard**, hereby appeal the following departmental action: **ISSUANCE of Alteration Permit BPA NO. 2014/08/11/3496** by the **Department of Building Inspection** which was issued or became effective on: **August 12, 2014**, to: **20th Street Trust**, for the property located at: **4121 - 20th 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: **October 09, 2014, (no later than three (3) Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with an original and 10 copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

Respondent's and Other Parties' Briefs are due on or before: **October 23, 2014, (no later than one (1) Thursday prior to hearing date)**, up to 12 pages in length, doubled-spaced, with unlimited exhibits, with an original and 10 copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

Only photographs and drawings may be submitted by the parties at hearing.

Hearing Date: **Wednesday, October 29, 2014, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

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 change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit an original and 10 copies of all documents of support/opposition no later than one (1) Thursday prior to hearing date by 4:30 p.m. 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 at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

If you have any questions please call the Board of Appeals at 415-575-6880

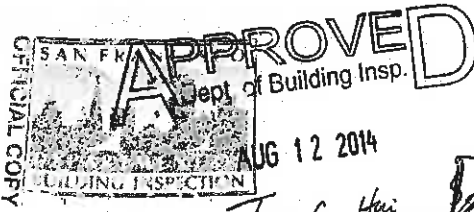
The reasons for this appeal are as follows:

see attached.

Appellant or Agent (Circle One):

Signature: *Tom Goddard*

Print Name: Tom Goddard



Tom C. Hui, S.E. DIRECTOR, DEPT. OF BUILDING INSPECTION

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS
FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE
NUMBER OF PLAN SETS 5/4

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION
APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

BLDG. FORM 3/8
APPLICATION NUMBER 20140813196
OSHA APPROVAL PERMIT APPROVAL NUMBER

BOARD OF APPEALS
AUG 25 2014
APPEAL # 14-148

Table with 4 columns: DATE FILED, FILING FEE RECEIPT NO., (1) STREET ADDRESS OF JOB, BLOCK & LOT. Includes handwritten entries for 8/11/2014, 4121 20th St, 3603/1088.

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING and DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION. Includes fields for type of constr., no. of stories, present use, occup. class, etc.

(18) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)
Increase basement ceiling height from 6' to 8' by excavating down and place concrete slab. Repair cracked plastering in 1st, 2nd floor and 3rd floor.

ADDITIONAL INFORMATION. Includes fields for creating additional height, sidewalk repairs, architect/engineer info, etc.

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

NOTICE TO APPLICANT




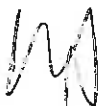
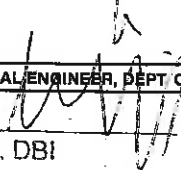



HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

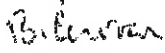
- CHECK APPROPRIATE BOX
OWNER
LESSEE
CONTRACTOR
ARCHITECT
AGENT
ENGINEER

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.

CONDITIONS AND STIPULATIONS

REFER TO:	APPROVED:   BUILDING INSPECTOR, DEPT. OF BLDG. INSP.
<input type="checkbox"/>	APPROVED: No change of use of storage; excavating 2 feet to increase ceiling height in storage APPROVED  KULLIA HADDADAN DEPARTMENT OF CITY PLANNING -- 2/11/14
<input type="checkbox"/>	APPROVED:  BUREAU OF FIRE PREVENTION & PUBLIC SAFETY
<input type="checkbox"/>	APPROVED:  MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION
<input type="checkbox"/>	APPROVED: Cyril Yu, DBI AUG 12 2014 CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION
<input type="checkbox"/>	APPROVED: By LTC 8/12/14 Liang Tian Civ. DPW/BSM BUREAU OF ENGINEERING
<input type="checkbox"/>	APPROVED:  DEPARTMENT OF PUBLIC HEALTH
<input type="checkbox"/>	APPROVED:  REDEVELOPMENT AGENCY
<input type="checkbox"/>	APPROVED:  HOUSING INSPECTION DIVISION

DATE: AUG 11 2014
REASON: OK to process
NOTIFIED MR. 
DATE: _____
REASON: _____
NOTIFIED MR. _____
DATE: AUG 25 2014
REASON: APPEAL # 14-148
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DATE: _____
REASON: _____
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DATE: _____
REASON: _____
NOTIFIED MR. _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments

OWNER'S AUTHORIZED AGENT _____

I am appealing building permit number 201408113496 issued by the city permits office on August 12, 2014 for foundation work on the residential property at 4121 20th Street, which is immediately adjacent to my property at 4119 20th St. The proposed work digs under a 117 year old unreinforced foundation, 2 feet and places new concrete underneath as a footing in order to raise the basement ceiling level. The existing foundation at 4121 20th built in 1897 is approximately 5 feet high and is directly adjacent (less than 6 inches away from) my foundation at 4119 20th St. Structural failure due to water or earthquake of the 4121 foundation will result in substantial damage to my foundation because my property is 5 feet higher on the very steep segment of 20th St (approximately 20% grade). This appeal requests that the city permits office suspend the current permit and require reevaluation the structural integrity of the proposed work based on input from the 4121 property engineer (Antonio Prado) and a structural engineer I will have do an independent evaluation. The 4121 owner who recently purchased the property (May 2014) and is preparing it for resale has denied my request to have my engineer inspect the 4121 foundation. I request that the appeals board instruct the permit office to insist that independent engineering inspection be done before granting a new permit for the foundation work.

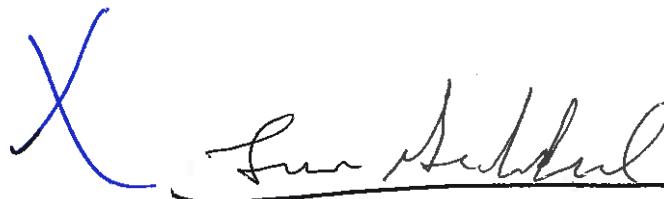
Here are additional details of structural issues involved. 1) The existing foundation is crumbling unreinforced concrete that is 117 years old (house built 1897). I believe this is not structurally adequate given the large drop in height across the foundation. In the preceding month workers removed newer concrete facing that prevented the foundation from crumbling. 2) At the south east corner of the foundation, the digging has already been done about 5 feet deeper than the base of the foundation. The existing foundation is supported on exposed water-saturated soil. In the preceding month worker removed newer concrete facing from the foundation and below it which was preventing this from caving in. 3) The issued permit drawing does not describe drainage. The property is on a steep hill (Liberty Hill) and has year around subsurface water flow. On the neighboring property 4119 20th St, approximately 4 feet to the east from the foundation work, water flowing down the hill is running year around in a drain visible in the 4119 basement. One house further to the east (uphill, 25 feet from the foundation of 4121) has a year-around spring with installed drainage, which can also be seen at the sidewalk access plate to be continuously running. In the past 12 years (since 2002) that I have lived at 4119 20th St, water seeping through the foundation of 4121 has been observed flowing in the 4121 basement during wet months. As mentioned in 2), the water saturated soil can be directly observed in the south east corner due to the recent removal of the facing concrete.

BOARD OF APPEALS

AUG 25 2014

APPEAL #

14-148

X


Tom Goddard

Appellant Brief, permit appeal, case 14-148, 4121 20th St

Tom Goddard (appellant)

October 7, 2014



Alteration Permit 2014/08/11/3496 for 4121 20th St owned by 20th Street Trust represented by Sarah Garlick.

Appellant's property: 4119 20th St, adjacent to and uphill from the permit property.

Contents

- Reason for appeal (page 1)
- Requested action from the Board of Appeals (page 1)
- Summary of permit problems (page 2)
- Report from appellant's structural engineer, Monte Stott, including photos and site plan (page 3)
- Time-line of events (page 7)
- Permit Complaint filed by Appellant (page 10)

Reason for appeal

This appeal is to assure that the owner ("20th Street Trust") and permit-holder of 4121 20th St, having excavated their basement 2 feet deeper, design a structurally sound retaining wall along the property line with 4119 20th St (appellant's property), to support the 5 - 8 foot drop from the 4119 grade level to the floor of the 4121 basement. The appealed permit describes a new footing but does not describe the retaining wall. The representatives of 20th Street Trust have refused all requests to discuss the retaining wall and permit.

Requested action from the Board of Appeals

The appellant asks that the Board of Appeals 1) revoke permit 201408113496, allowing the permit-hold to submit a new permit which includes a retaining wall design. 2) Instruct the department of building inspection to properly notify the appellant after the permit is filed but

before the new permit is issued. 3) Request that the department of building inspection issue the new permit only after the appellant's structural engineer is given access to inspect the 4121 basement so that the design specified in the new permit can be evaluated.

Summary of permit problems

The foundation plan for the appealed permit 201408113496 misrepresents the site conditions and has 3 major deficiencies.

1. The plan shows a new footing 18 inches in height to be placed below an existing foundation. But the proposed footing is in fact 6 feet below the base of the foundation in the rear area of the basement.
2. The plan proposes drilling and placing steel bars in the existing foundation which is over 100 years old and does not have the structural integrity needed to use this type of reinforcement.
3. The plan does not provide for drainage behind the foundation retaining wall. Water seeping through the existing foundation is observed during wet months running out the basement door and garage door over the past 12 years. The appellant's property has a drain for the back foundation retaining wall that has flowing water year around.

The appellant's structural engineer Monte Stott details problem 1) in his attached letter. Monte Stott has more than 25 years experience in San Francisco, specializing in foundations and seismic safety, and has worked on over 3000 projects in San Francisco and the East Bay.

The permit-holder's engineer Antonio Prado, based in Folsom, California has refused to discuss the plan with the appellant (August 23 in face-to-face discussion) and refused to discuss it with the appellant's engineer Monte Stott (phone discussion between Monte and Antonio on Sept 30).

MONTE STOTT AND ASSOCIATES, INC.
Consulting Engineers

6 October 2014

Mr. Tom Goddard
4119 20th Street
San Francisco CA 94114
Goddard@sonic.net

Project: 4119 20TH STREET
SAN FRANCISCO CA

Dear Mr. Goddard:

At your request, I visited the subject project site on 29 September 2014 in order to give my opinion regarding the structural risk to the subject property that can be attributed to the work being performed by your western neighbor (4121 20th Street). Additionally, I reviewed the photograph you presented me which showed the excavation of the lowest level of 4121 20th Street (see Attachment A), and I reviewed the photograph of the structural drawings associated with the proposed foundation work at 4121 20th Street (see Attachment B).

The subject structure is a two story wood framed house, situated on the south side of 20th Street on a lot that slopes downward to the west. The western neighbor (4121 20th Street) is a three story wood framed house. Both homes appear to be approximately 90 years old, have wood siding exteriors, composition shingle roofs, and are supported by concrete foundations.

I observed significant deficiencies in the structural drawings for the proposed work at 4121 20th Street. Specifically:

- Detail 1/S1.2 shows 6” between the bottom of the 4121 20th Street foundation and the finished grade of the 4121 20th Street basement. The photo you provided indicates that at the rear of 4121 20th Street, as well as at portions of the east perimeter wall at 4121 20th Street, the actual dimension between the bottom of the 4121 20th Street foundation and the finished grade of the 4121 20th Street basement is over 3 feet.
- Detail 1/S1.2 shows the bottom of the 4119 20th Street foundation 6” above the finished grade of the 4121 20th Street basement. The site conditions indicate that the bottom of the 4119 20th Street foundation is well over 3 feet above the finished grade of the 4121 20th Street basement.
- Detail 1/S1.2 shows a footing that is 1’-2” wide. The actual conditions of the 4121 20th Street basement result in retaining walls over three feet high (which requires an engineered design including calculations). The footing for such a retaining wall would be significantly larger than 1’-2.”

In short, the structural drawing for the work at 4121 20th Street does not reflect the actual site conditions, and is not code compliant for its proposed application.

On 29 September, I called Mr. Antonio Benitez Prado Jr., who you reported to be the engineer of record for the work at 4121 20th Street. I informed Mr. Prado that based on

the site conditions at 4121 20th Street, his proposed design was not code compliant. I stated that I would be happy to assist him in confirming the actual site conditions so that he could revise his drawings accordingly. Mr. Prado was very evasive, and said he could not speak with me until he got permission from the owners of 4121 20th Street. I offered to give Mr. Prado my phone number, but he refused it. You stated during my 29 September site visit that Mr. Prado had been present at the site during the time of the excavation at the basement at 4121 20th Street, so he is apparently aware that his design is not consistent with the actual site conditions.

In my opinion, your home is at significant risk due to the excavation at 4121 20th Street. The current conditions could result in portions of the west perimeter foundation of your home collapsing into the excavation at 4121 20th Street, which would have catastrophic consequences for your home. Additionally, if the foundation work proposed for 4121 20th Street was constructed as designed and permitted, your home would still be at significant risk, as the foundation design for 4121 20th Street does not reflect the existing conditions and is not code compliant.

I strongly recommend that no further work be performed at 4121 20th Street until the structural drawings are revised to reflect the existing conditions. In my opinion, the corrected drawings would include new retaining walls designed to support the actual retained conditions as well as the surcharge from the foundation at 4119 20th Street. Drainage should also be included in the proposed retaining wall detailing. Additionally, the slope of the site suggests that that proposed retaining walls should be designed in

accordance with the recommendations of a project geotechnical report. Further, before any further excavation is performed at 4121 20th Street, the San Francisco Building Code requires that you be given at least 30 days notice.

I strongly recommend that the owners of 4121 20th Street hire another engineer to generate the revised foundation drawings for their project. In my opinion, Mr. Prado's design falls well below the standard of care required by licensed engineers. The mistakes in Mr. Prado's design, as well as his refusal to discuss potential resolutions with me, lead me to believe that Mr. Prado is either not interested in or not capable of generating an appropriate set of engineering drawings for this project.

Please don't hesitate to contact me if I may be of any further assistance on this project.

Very truly yours,

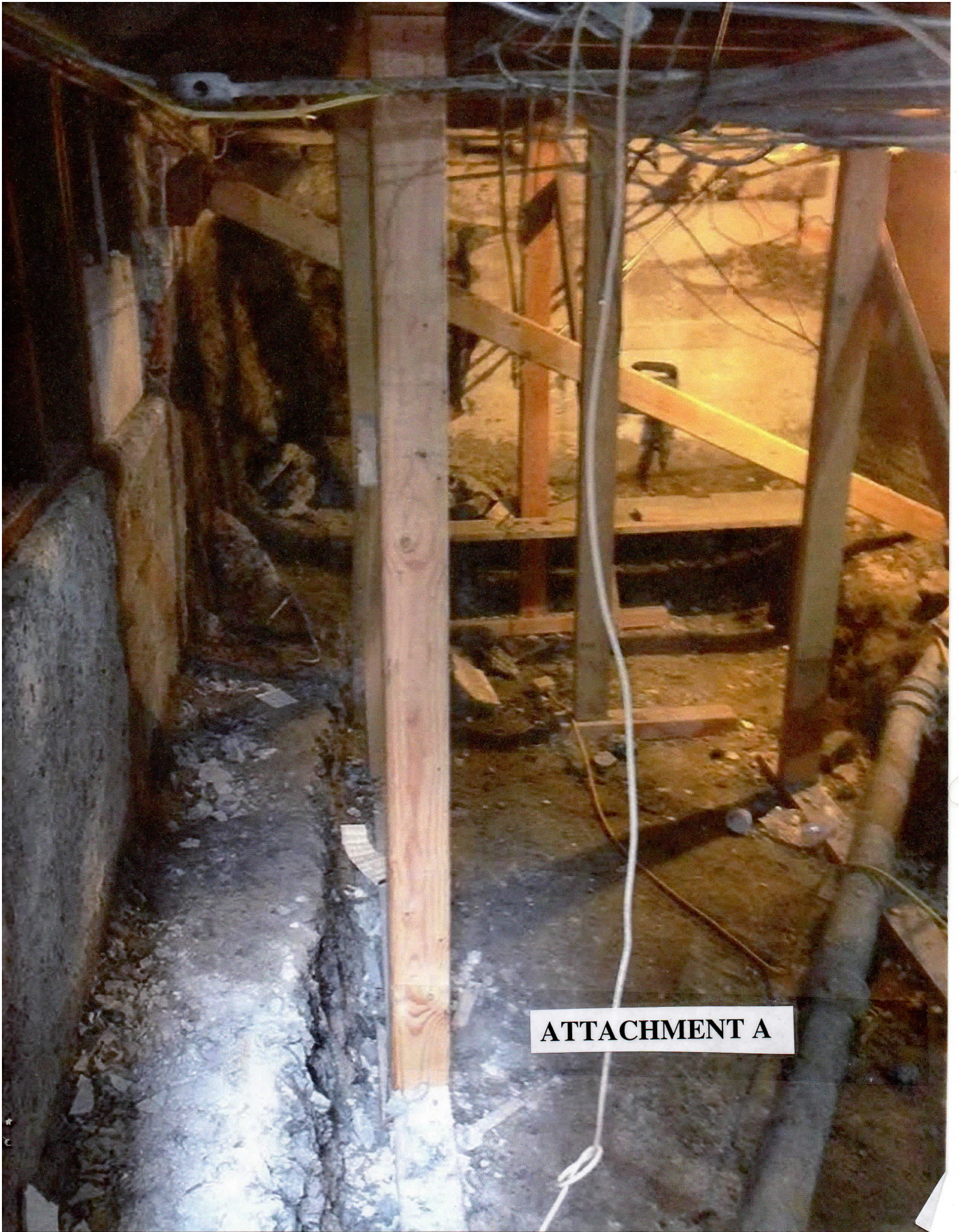
Monte Stott, P.E.



2169 FOLSOM STREET A102, SAN FRANCISCO CA 94110

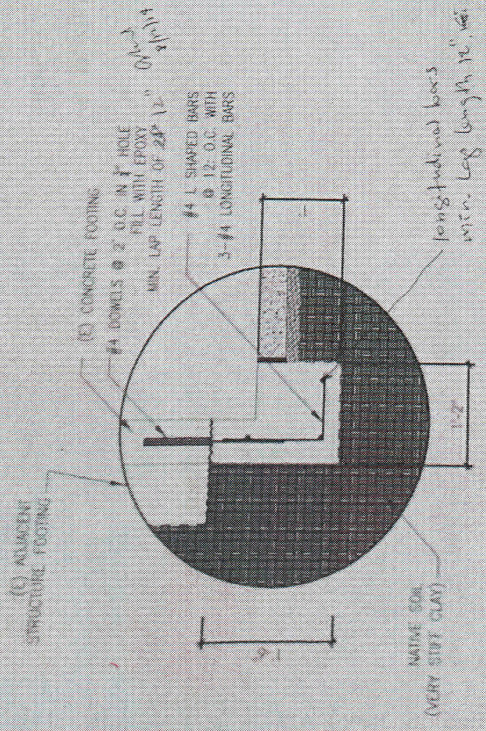
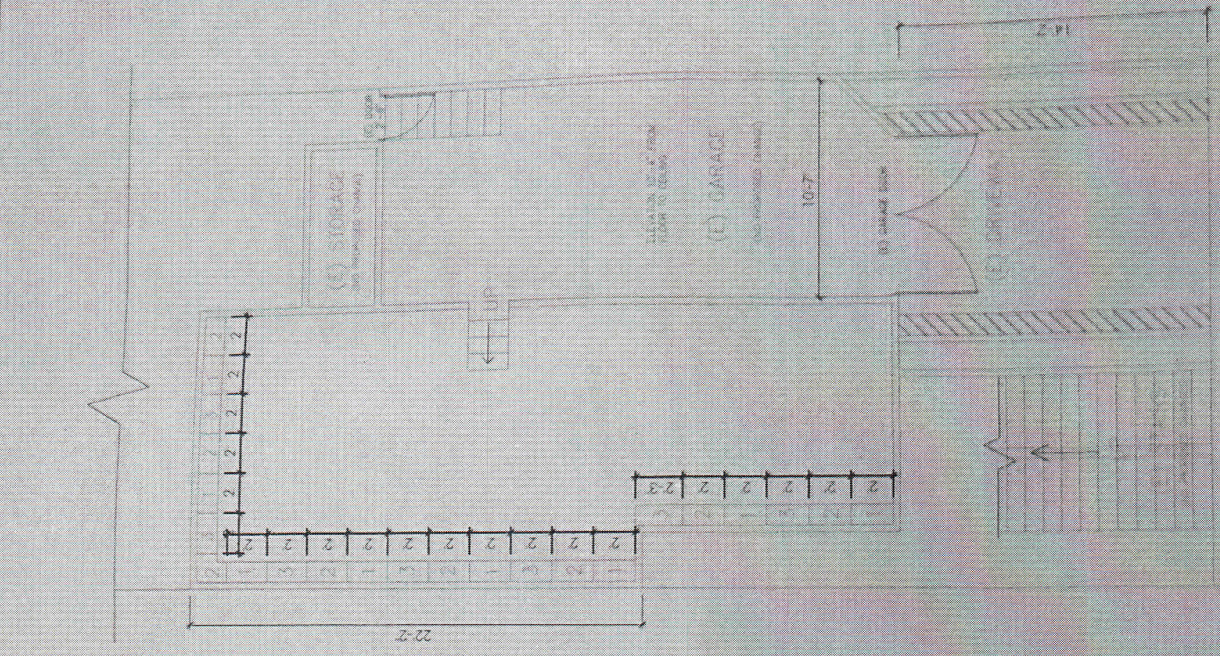
415 ° 436 ° 0121

FAX 415° 436 °0130



ATTACHMENT A

- CONSTRUCTION SEQUENCE FOR FOOTING AT PROPERTY LINE
1. EXCAVATION SECTION 1
 2. PLACE REBARS AND POUR CONCRETE
 3. CURE FOR 3 DAYS
 4. EXCAVATION SECTION 2
 5. PLACE REBARS AND POUR CONCRETE
 6. CURE FOR 3 DAYS
 7. EXCAVATION SECTION 3
 8. PLACE REBARS AND POUR CONCRETE
 9. PLACE SLAB REBARS AND POUR CONCRETE



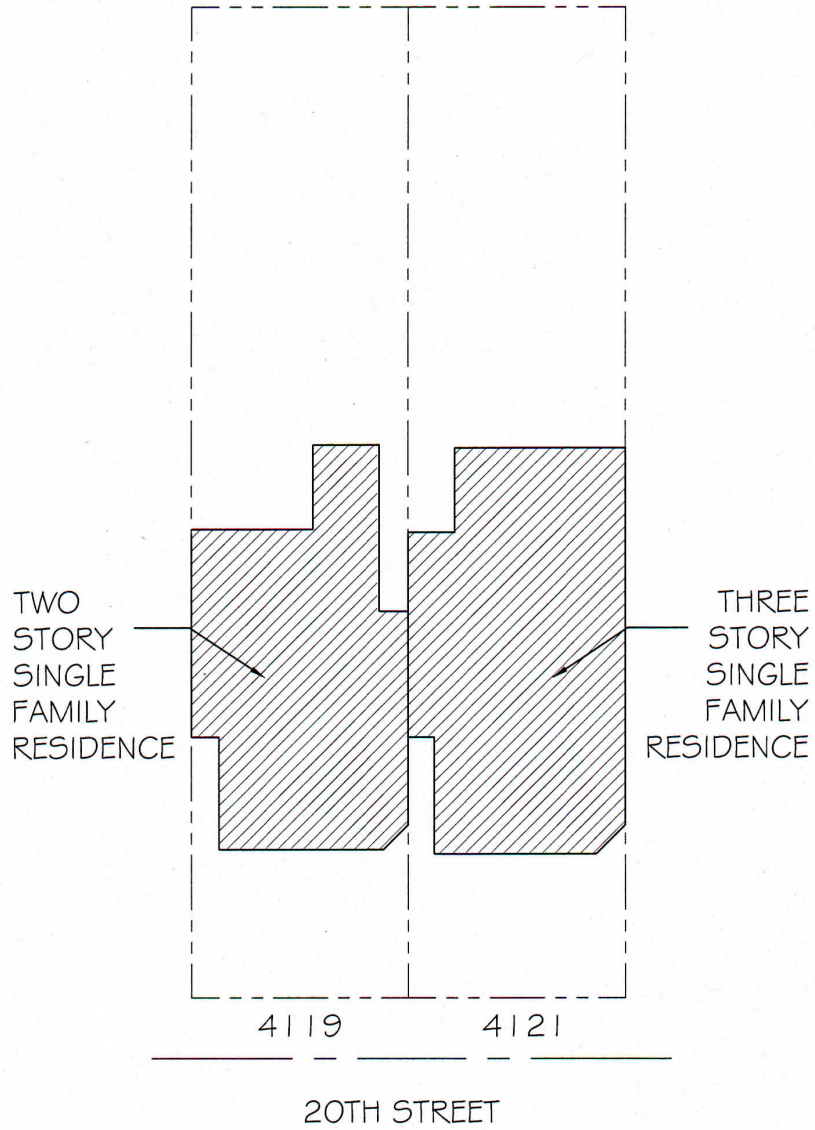
ATTACHMENT B

ATTACHMENT C

4121
20TH ST

4119
20TH ST





ATTACHMENT D



SITE PLAN

SCALE: 1/4" = 20'-0"

Photo of back of houses at 4121 and 4119 20th St.



Time-line of events

- **1897** Houses at 4121 and 4119 20th St built by developer Fernando Nelson.
- **2002-** Appellant purchases and lives at 4119 20th St
- **May 2014** 20th Street Trust (contact person Devon J Bolla) purchases 4121 20th St, \$2.1 million, financed by FJM Private Mortgage Fund a real estate investment company charging 8-11% interest for short-term loans.
- **July 2014** Workers begin excavating basement of 4121 20th St using jackhammers. Workers show and describe progress of work to appellant most mornings, before appellant leaves for work. Workers live on the property and are very friendly. Workers say they are concurrently fixing 7 other properties (a total of 4 in San Francisco) that Sarah Garlick is flipping.
- **August 4, 2014** Appellant takes photo of basement excavation (see attached).
- **August 5, 2014** Some neighbor files a complaint of work without permit to city building inspection department.
- **August 11-12, 2014** Building permit 201408113496 (the appealed permit) is filed and issued the next day describing excavation 2 feet down, new foundation footing, and concrete slab floor, repair cracks in plaster on upper floors. Appellant is not notified by the city despite permit describing excavation below foundation right on property line.
- **August 13, 2014** Appellant discusses retaining wall concerns with worker at 4121 who shows plans to appellant for foundation footing. Ten minute discussion with worker about lack of water drainage in the plan.
- **August 15, 2014** Appellant files a complaint that the permit does not include a retaining wall design.
- **August 19, 2014** Permit is suspended because check bounced (not sufficient funds). Permit is later paid for on September 5.
- **August 23, 2014** Appellant meets by chance Sarah Garlick, who seems to be in charge of work 20th Street Trust, and structural engineer Antonio Prado as they are leaving the 4121 property. Appellant raises concerns about foundation / retaining wall. Antonio Prado will not describe or discuss the plan. Sarah Garlick asks that any problems with the plan be addressed

to the city. Sarah Garlick says she probably will not allow a structural engineer I hire to inspect the foundation. Sarah Garlick and Antonio Prado appeared to be upset because of the complaint filed against their permit.

- **August 25, 2014** Appellant calls city inspector Joseph Yu who approved the permit and handled the appellant's complaint to get explanation of why retaining wall is not needed. Joseph Yu says he is not an engineer and does not assess the soundness of the plan and redirects me to the city engineer Cyril Yu who reviewed the permit.
- **August 25, 2014** Appellant calls city engineer Cyril Yu who approved the permit to ask about the soundness of the permit design. Cyril directs the appellant to contact 20th Street Trust engineer Antonio Prado who provided the plan. Cyril says he does not evaluate soundness, only consistency, and he has to look at many plans each day, and says he does not review or consult on permits after issued. When I told him Antonio Prado refuses to discuss the plan Cyril Yu suggested filing an appeal with the city board of appeals.
- **August 25, 2014** Filed permit appeal.
- **August 25, 2014** Requested printed copy of permit and plans. Request to print later denied by owner.
- **August 26, 2014** Jonathan Black, lawyer representing Sarah Garlick and 20th Street Trust calls appellant, says appellant may be liable for damages for delaying work and suggests appellant drop the appeal and "see how the work comes out". 50 minute phone call, where lawyer Jonathan Black repeatedly asks to talk to my attorney. Thinly guised legal bullying.
- **September 16, 2014** Appellant asks Sarah Garlick by email whether my structural engineer can inspect the 4121 foundation on September 29 (a Monday). No reply is ever received.
- **September 23, 2014** Another neighbor files a complaint that 4121 20th St upper floors have been gutted without a permit.
- **September 25, 2014** Sarah Garlick files and is issued another permit (201409257323) to remodel upper floors. Check bounces on this permit (not sufficient funds). This new permit overlaps the appealed permit which described "repairing cracks in plaster in upper floors".
- **September 29, 2014** Monte Stott, structural engineer hired by the appellant inspects and takes measurements of the 4121 foundation from the 4119 property. Does not have access to

the 4121 property. 90 minute inspection.

- **September 30, 2014** Appellant's engineer Monte Stott talks to 20th Street Trust engineer Antonio Prado. Antonio Prado will not discuss the plan. When offered Monte Stott's phone number he says he does not want it.
- **October 8, 2014** Appellant's briefing for appeal sent to Sarah Garlick.
- **October 29, 2014** Appeal hearing date.

Permit Complaint filed by Appellant, August 15, 2014

Text of the complaint #201490091 filed by appellant follows. Complaint was closed by Joseph Yu with comment "Approved plans on site. approved by engineer. construction visit showed that construction as per approved engineering plans."

"The proposed foundation work at 4121 20th St needs a much more detailed plan than given in the permit #201408113496 submitted August 11, 2014 and issued August 12, 2014. The proposed foundation changes are not structurally sound.

The drawings for the permit show digging the basement level 2 feet deeper and replacement of the footing of the existing foundation and rebar extending into holes drilled in the current foundation. The property is on a steep hill with a street grade of approximately 20 percent. The foundation on the east side currently drops approximately 5 feet from the level of the uphill neighboring property (4119 20th St, my house). The proposed 2 feet deeper basement (which has been dug out in the month preceding the permit) will extend the drop to up to about 7 feet in the south east corner. The foundation of the neighboring house at 4119 20th St is immediately adjacent to the 4121 20th St foundation. There are several structural issues.

1) The existing foundation is crumbling unreinforced concrete that is 117 years old (house built 1897). I believe this is not structurally adequate given the large drop in height across the foundation. In the preceding month workers removed newer concrete facing that prevented the foundation from crumbling.

2) At the south east corner of the foundation, the digging has already been done about 5 feet deeper than the base of the foundation. The existing foundation is supported on exposed water-saturated soil. In the preceding month workers removed newer concrete facing from the foundation and below it which was preventing this from caving in.

3) The issued permit drawing does not describe drainage. The property is on a steep hill (Liberty Hill) and has year around subsurface water flow. On the neighboring property 4119 20th St,

approximately 4 feet to the east from the foundation work, water flowing down the hill is running year around in a drain visible in the 4119 basement. One house further to the east (uphill, 25 feet from the foundation of 4121) has a year-around spring with installed drainage, which can also be seen at the sidewalk access plate to be continuously running. In the past 12 years (since 2002) that I have lived at 4119 20th St, water seeping through the foundation of 4121 has been observed flowing in the 4121 basement during wet months. As mentioned in 2), the water saturated soil can be directly observed in the south east corner due to the recent removal of the facing concrete.

4) The current support for the 4121 house on the east side is precarious. In the past month workers removed a facing layer of several inches of concrete holding back soil below foundation level. They also dug down 24 inches excluding a zone of approximately 1 foot adjacent to the foundation. Workers installed several 4 by 6" temporary posts which appear inadequate to support the house if the exposed excavated foundation caves in.

I suggest that the house should immediately be adequately supported in case the east side foundation collapses due to excavation that was conducted in the past month before any permit was issued. Also I suggest that the entire east side and south side foundations will need to be replaced given the excavation already done to provide adequate structural integrity."

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I

INTRODUCTION AND SUMMARY OF ARGUMENT

In May of 2014 the 20th Street Trust, principle Sarah Garlick (Collectively the “Respondents”) purchased 4121 20th St. San Francisco CA, 94114 (The “Respondent’s Property”). The Respondents applied for and received a Job Card/ Permit (see Exhibit 1) to perform work to the Respondents Property. The proposed work is to finish a basement. The Respondents went through the approval process of the City and County of San Francisco and the Department of Building Inspection. A permit was granted to the Respondents in accordance with the provisions of the charter and ordinances of the City and County of San Francisco and the department of building inspection at a cost to the Respondent of \$3,944.81.

All notes in the General Notes section of the Permit have been complied with and the Permit was approved by both the city inspector Joseph Yu as well as by Cyril Yu the City engineer. All the city requirements to perform work on the Respondent’s Property have been met at a substantial burden to the Respondent’s.

On October 3, 2014 Tom Goddard (the “Appellant”) appealed to the Board in order to revoke the permit issued by the City of San Francisco.

II

REQUEST

As will be shown below, the appellants reasoning is based on erroneous, unfounded, supposition not supported by evidence and in a large part due to a personal crusade against the Respondent. As Respondent has followed all the Procedural requirements by both the City and County of San Francisco, and as the Permits were

1 ascertained at great expense to the Respondent; and as the Appellants grievances are
2 based on mistaken assertions the Respondent requests that this appeal be dismissed in
3 its entirety.

4 III

5 ARGUMENT

6
7 The Appellant argues that the Appeal is an effort to “assure that the owner and
8 permit-holder of 4121 20th St. [has a] structurally sound retaining wall along the property
9 line with 4119 20th St. (the “Appellant’s Property”), to support the 5-8 foot drop from the
10 4119 grade level to the floor of the 4121 basement.” There are two erroneous
11 suppositions in the Appellants argument; 1) that the Respondent’s property needs a
12 retaining wall and 2) that there is no 5-8 foot drop or that the drop has been constructed
13 incorrectly.
14

15 Appellant’s claim of 5-8 feet grade level drop in the Appellant’s brief i.e.
16 Appellant’s stated reason for appeal is completely false (see Exhibit 2). The Appellant’s
17 Property is supported on a stem wall footing that is two feet higher than the
18 Respondents Property. Accordingly, this indicates that the ground elevation on
19 Appellant’s Property is less than two feet higher than the Respondent’s Property’s
20 walkway. Because the proposed finished basement’s elevation is only two feet
21 underneath the existing walkway the actual site condition in the Appellants brief is
22 appropriate (See Exhibit 1, See Exhibit 2). Exhibit 2 shows the height of the stem wall
23 as two feet higher than the Respondents Property walkway, thus the proposed
24 basement elevation must be two feet lower than the walk way elevation and is in
25 accordance with all San Francisco Codes and regulations (See Exhibit 3).
26
27
28

1 Furthermore, both the Respondent's Property as well as the Appellant's Property
2 is more likely than not at the same elevation (See Exhibit 4). As such, the proposed
3 basement finish elevation is two feet lower than the walkway's existing elevation again
4 proving the permitted work is in accordance with all San Francisco Codes and
5 regulations.
6

7 Additionally, the interface along the Respondents Property and the Appellant's
8 Property that proposes a new footing 18 inches below the existing footing is acceptable
9 (See Exhibits 1-5). At the rear of the basement, where Monte Scott, P. E. (the
10 "Appellant's Engineer") found the Respondent's Property to be higher, a new detail is
11 needed for the retaining wall. This however, is moot as the portion of the basement the
12 Appellant Engineer found to be higher no longer interfaces with the Appellant's property.
13 The higher footings at the rear of the basement were only found during excavation and
14 during the removal of the loose and weak concrete.
15

16 The Appellant argues that the removal of "newer" concrete could lead to a
17 structural deficit causing collapse. This concern is again incorrect and misplaced. During
18 the excavation *only loose and weak concrete* from the surface of the existing footing
19 were removed. Antonio B. Prado (the "Respondent's Engineer") observed and
20 supervised continuously throughout the removal to ensure only superfluous concrete
21 was removed, guaranteeing only sound concrete remained. A competent Engineer
22 would see that it was only the weak, cracking, and deteriorating concrete which was
23 removed and discarded; proving that either the Appellant's Engineer was never on site
24 relying solely on photographs to support his mistaken conclusions or that he is
25 incompetent.
26
27
28

1 Finally, Appellant contends that Respondent's plan does not provide for drainage
2 behind the foundation retaining wall. Due to soil analysis done by the Respondent's
3 Engineer (See Exhibit 4) the natural soil exposed during excavation of Respondent's
4 Property basement footing is dark gray elastic clay ("Elastic Clay"). Elastic Clay is
5 considered impermeable i.e. that it does not allow fluid to pass through, hence, a
6 drainage layer behind the wall footing is not necessary and is impossible to make
7 function properly. Furthermore, any water flowing from the back of the foundation has
8 been unobserved by the Respondent's Engineer. If the water does exist, there is no
9 water found in the basement excavation where the superfluous drainage layer has been
10 demanded.

11
12
13 The Appellant sites no codes, zoning laws, or case authority upon which to base
14 this appeal. The Appellant bases this entire appeal upon the letter of the Appellant
15 Engineer; who has clearly never seen the excavation site upon which he based his
16 foundationless claims relying on speculation and conjecture.

17
18 The reasoning behind the Respondent Engineer's plains are sound, as
19 evidenced by the City's issuance of the Permit's to perform the purposed work. The
20 Respondent Engineer is a 20 year engineering veteran with copious amounts of
21 experience relating to earth structures such as footings, retaining walls, dams, levees,
22 bridges, trenches and deep excavations. The Respondent Engineer has successfully
23 designed and constructed several comparable projects to the Respondent's Property
24 and has been a part of the engineering team that built the Central Subway Tunnel in
25 San Francisco.

26
27 The Appellant's contention/ conclusion that the Appellant's Property would
28

1 collapse is completely incorrect. The construction method implemented was designed
2 to be in phases specifically engineered to avoid collapse (See Exhibit 6). It is clear that
3 the Appellant's engineer only looked at the finished grades, failing to consider that
4 footing elevations are all that are relevant in this type of construction.

5 6 IV

7 CHARACTER REBUTTLE

8 In the Appellant's Brief the Appellant made several inaccurate claims. In his Brief
9 Appellant states that the Respondent's Engineer refused to discuss the excavation with
10 the Appellant. On the contrary, the Respondent Engineer on several occasions
11 discussed the progress of the excavation with Appellant, however the Respondent
12 Engineer was unable to assuage the Appellant that his concerns were indeed being
13 addressed. The Appellant will not accept anything less than what the Appellant
14 demands. As a result, although all permits have been filed and approved, the Appellant,
15 who is not an engineer refuses to allow the Respondent to continue with what the
16 Appellant inaccurately believes to be construction that does not meet his erroneous
17 expectations of how the remodel should be conducted.
18

19
20 Accordingly, the Appellant who surreptitiously took inaccurate pictures of the
21 property upon which the Appellant's Engineer relied ultimately agreeing to what the
22 Appellant had required of him to produce in his letter. The Appellant's Engineer was
23 dependent upon biased information given to him by the Appellant, as a result the
24 Appellant's Engineer reached the erroneous conclusions the Appellant presumably paid
25 him to reach.
26

27 On multiple occasions, the appellant has been hostile toward both the
28

1 Respondent and the Respondent's Engineer even threatening to make "it difficult for
2 them" as evidenced by this unnecessary appeal. In one such conversation the
3 Appellant's Engineer threatened to write a "nasty letter" about "something I don't want
4 written about me." Neither the Appellant or the Appellant's Engineer are friendly or open
5 to discuss any option other than those they want to impose i.e. demolish the entire
6 footing of the Appellant's Property and put a drainage layer behind it.
7


8 **V**

9 **CONCLUSION**

10 Due to the incorrect, erroneous, and mistaken conclusions by the Appellant and
11 the Appellant's Engineer, the Respondent asks that work on the Respondent's property
12 be allowed to continue as approved by the Permitting process of the City and County of
13 San Francisco (See Exhibit 6). Furthermore, the Respondent asks that an injunction
14 against any future actions by this Appellant be put in place to prevent the unnecessary
15 escalation of construction cost.
16
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22 **BLACK & NAVIS LAW GROUP**

23 Dated: October 21, 2014

24 
25 Jonathan Black Esq.
26 Attorney for Appellant,
27 Sarah Garlick, and the 20th St. Trust
28

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EXHIBIT 1
(Permit/ Job Card)

City and County of San Francisco
DEPARTMENT OF BUILDING INSPECTION

J O B C A R D



OFFICE HOURS: THE BUILDING INSPECTION IS OPEN DAILY, MONDAY THRU FRIDAY,
FROM 8:00 a.m. TO 5:00 p.m. DISTRICT BUILDING INSPECTORS KEEP OFFICE HOURS DAILY,
MONDAY THRU FRIDAY, FROM 8:00 a.m. TO 8:30 a.m. AND FROM 3:00 p.m. TO 4:00 p.m.

REQUESTS FOR INSPECTIONS ARE TAKEN 24 HOURS A DAY/7DAYS A WEEK
BY CALLING (415) 575-6955

APPLICATION NO. 2014-08-11-3496 ISSUED 8/12/14

JOB ADDRESS: 4121 - 20th St BLOCK: _____ LOT: _____

NATURE OF WORK: _____

WORK PERMITTED UNDER AUTHORITY OF THIS BUILDING PERMIT NUMBER MUST BE COMPLETED
PRIOR TO EXPIRATION DATE OF 8/7/15.

EXTENSION OF TIME TO COMPLETE WORK UNDER THIS BUILDING PERMIT NUMBER MAY BE GRANTED UPON
WRITTEN REQUEST PRIOR TO THE DATES NOTED ABOVE.

For informations on the Permit Process, Building Plans Review, Access Issues, etc., please see page 4 of this
JOB CARD for useful and appropriate telephone numbers.

*** ELECTRICAL & PLUMBING WORK MUST HAVE PERMITS SEPARATE FROM A BUILDING PERMIT. ***

**KEEP THIS CARD POSTED IN A CONSPICUOUS PLACE ON THE JOB SITE AT ALL TIMES.
PLANS AND PERMIT DOCUMENTS SHALL BE ON THE JOB SITE
AT ALL TIMES WHEN WORK IS IN PROGRESS.
AFTER COMPLETION OF WORK, RETAIN THIS CARD FOR YOUR RECORDS.**

Name / Date / Div.

SUPPLEMENTAL INSPECTION RECORD

JYu 8/20/14 BID Start work @
foundation replacement
pending special inspection *M*



FORM

8

City and County of San Francisco
DEPARTMENT OF BUILDING INSPECTION
INSPECTION RECORD



APPLICATION NO. 2014-08-11-3496 ISSUED 8/12/14

JOB ADDRESS: 4121 - 20th St BLOCK: _____ LOT: _____

NATURE OF WORK: _____

Do Not Pour CONCRETE until the following are signed

INSPECTIONS	Dates	Inspectors
Foundation Forms		
Foundation Steel		
Grounding Electrode		
O.K. TO POUR		

Do Not CONCRETE SLAB until the following are signed

INSPECTIONS	Dates	Inspectors
Plumbing Underground		
Electrical Underground		
Fire Service Underground		

Do Not COVER until the following are signed

INSPECTIONS	Dates	Inspectors
Rough Plumbing		
Shower Pan		
Flu, Vents & Ducts (PLBG)		
Heating Hydrostatic Test		
Rough Sprinklers (PLBG)		
Rough Electrical		
Rough Sprinklers (FIRE)		
Hydrostatic (FIRE)		
Sound Transmission		
Rough Framing		
Insulation		
Environmental Air, Vents, Ducts (BLDG)		
Lath		
O.K. TO COVER		

ADDITIONAL WORK REQUIRING APPROVALS

INSPECTIONS	Dates	Inspectors
Special		
Special		
Special		
Fire Alarm		
Energy Ordinance		

FINAL INSPECTION REQUIRED

INSPECTIONS	Dates	Inspectors
Disabled Access		
Sprinklers (PLBG)		
Mechanical		
Plumbing		
Electrical		
Street Use & Mapping		
Urban Forestry		
Fire Department		
Health Department		
Building		
CERTIFICATE OF FINAL COMPLETION		

WARNING: THE PROVISIONS OF YOUR BUILDING INSPECTION PERMIT WILL BE NULLIFIED UNLESS ALL FINAL INSPECTIONS ARE SIGNED OFF ABOVE BY THE APPROPRIATE INSPECTORS.

FOR INFORMATION ON THE PERMIT PROCESS, CALL THE DEPARTMENT OF BUILDING INSPECTION'S CUSTOMER SERVICES DIVISION AT 415-558-6088.

PLEASE CALL THE FOLLOWING PHONE NUMBERS FOR QUESTIONS AND/OR COMPLAINTS RELATED TO PERMITTED WORK UNDER WAY:

BUILDING INSPECTION:	415-558-6570	ENERGY/MECHANICAL PLAN CHECK:	415-558-6133
CENTRAL PERMIT BUREAU:	415-558-6070	RECORDS:	415-558-6080
CODE ENFORCEMENT:	415-558-6454	PLANNING DEPARTMENT:	415-558-6377
PLAN REVIEW SERVICES:	415-558-6133	PLUMBING INSPECTION:	415-558-6570
DISABLED ACCESS:	415-558-6110	REROOFING INSPECTION:	415-558-6570
ELECTRICAL INSPECTION:	415-558-6570	SPECIAL INSPECTION:	415-558-6132
FIRE INSPECTION:	415-558-3300	DPW-BSM:	415-558-6060
FIRE PLAN CHECK:	415-558-6177	STREET USE & MAPPING AT 875 STEVENSON:	415-554-5810
GENERAL INFORMATION:	415-558-6088	BUREAU OF URBAN FORESTRY	415-641-2674
HEALTH INSPECTION:	415-558-2770		
HOUSING INSPECTION:	415-558-6220		

A FINAL REMINDER

AFTER COMPLETION OF WORK BEING PERFORMED UNDER AUTHORITY OF YOUR BUILDING PERMIT, RETAIN THIS JOB CARD WITH YOUR IMPORTANT BUILDING RECORDS.

IMPORTANT!

If this permit was applied for to clear a NOTICE OF VIOLATION issued by HOUSING INSPECTION SERVICES, you must take a copy of the completed JOB CARD and mail it to the attention of the HOUSING INSPECTOR who wrote the NOTICE at the following:

**San Francisco Department of Building Inspection
Housing Inspection Services
1660 Mission Street, 6th Floor
San Francisco, California 94103-24214**

CENTRAL PERMIT BUREAU
1660 Mission Street
San Francisco, California 94103

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
(415)558-6088

Receipt No: 1332999
Application/Permit No: 201408113496

WARNING

Pursuant to Article 20 of Chapter 10, Part II of the San Francisco Municipal Code (Public Works Code), certain building permits may be issued only after the permittee analyzes the soil for the presence of hazardous wastes and, where applicable, certifies that it has completed site mitigation. No officer, employee, or agency of the City conducted the soil sampling and analysis, recommended site mitigation measures, conducted the site mitigation or checked or verified the reports submitted or work performed for accuracy, reliability or adherence to protocols. In issuing this permit, neither the city nor any of its officers or employees make any representation that the soil on or about the site is free from the presence of hazardous wastes. Nor does the City's implementation of this process relieve any person from their duties and responsibilities relating to hazardous waste contamination under state and federal law. Neither soil analysis pursuant to Article 20 of Public Works Code nor the issuance of this permit is intended to alter, extinguish, or transfer these responsibilities.

ADDITIONAL INFORMATION

1. Building Permit.

All requests for extension of time must be in writing to Director, Dept. of Building Inspection. Permits are issued subject to Appeal within 15 days to Board of Permit Appeals. Incur no expenses until right of Appeal has lapsed.

2. Demolition Permit.

If Demolition involves Abandonment of Side Sewer Permittee must obtain a Side Sewer Permit. The Side Sewer will then be blocked at the Main Sewer.

3. Permit to Lower Curb/To Excavate in Street or Sidewalk.

issued to construct Auto Runway as per Article 15. Public Works Code. Excavation should be carried out in accordance with Article 8 of Public Works Code. If issued with Building permit time for completion is same as Building; if issued alone, complete work within 6 months from date of Permit. Void if not started within 6 months.

4. Street Space Permit.

No refuse, excavated materials, concrete or mortar is to be disposed of upon Paved Streets, catch basins or into the City sewer system. No material or equipment shall be left on Roadway of Police Tow-Away Zone during hours when Tow-Away Rule is in force. Gutters and Waterways must be kept clear.

All provisions of Section 724.3 of the Public Works Code are incorporated into this permit by reference.

Street and sidewalk areas occupied must not exceed a width 1/2 the width of the sidewalk plus 1/3 the width of the Roadway fronting.

5. Permit to Repair or Construct Sidewalk.

Handicap Ramps required in vicinity of Crosswalks per plan No. 11-33, 982, Ch. 2. Before beginning any work under this permit contact your Area Inspector Tel. 554-5837. Permit valid for 3 months from date issued, unless extension authorized.

Some sidewalks have been constructed over a subsidewalk basement or other below ground structure. Issuance of this permit does not limit, modify, or alter in any way the responsibility of the property owner to ensure that such subsidewalk space complies with the San Francisco Building Code, Electrical Code, Fire Code, Mechanical Code, Plumbing Code, and other Municipal Codes. In addition, issuance of this permit does not limit the liability of the property owner or his or her agent if work pursuant to this permit or the actions of a third party result in damage to the sidewalk or subsidewalk structure; consequently, permittees proceed at their own risk. The City and County of San Francisco makes no representations that issuance of a sidewalk permit will or will not directly or indirectly affect a subsidewalk structure. The Department of Building Inspection, in conjunction with the Department of Public Works, issues permits to construct or alter subsidewalk spaces separately from a sidewalk permit. Property owners are encouraged to seek the advice of qualified professionals to independently analyze the structural integrity of subsidewalk space and determine whether such space should be improved or modified.

6. Hold Harmless Clause.

The Permittee(s) by acceptance of this permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands and actions.

BOARD OF PERMIT APPEALS STIPULATIONS.

CENTRAL PERMIT BUREAU
1660 Mission Street
San Francisco, California 94103

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION

(415)558-6088

Receipt No: 1332999

Application/Permit No: 201408113496

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6. Hold Harmless Clause.

The Permittee(s) by acceptance of this permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands and actions.

BOARD OF PERMIT APPEALS STIPULATIONS.

1 PROJECT DESCRIPTION SCOPE OF WORK
 THIS PROJECT CONSISTS OF INCREASING STORAGE CEILING FROM 4' TO 8' AND REPAIR CRACKED PLASTERING ON WALLS.

2 CONTACT INFORMATION
 OWNER: SARAH GARLOCK
 4121 20th St, SAN FRANCISCO, CA 94114
 415 794 4186
 ARCHITECT: ANTONIO PRADO
 1000 WARE LANE, FOLSOM, CA 95630
 916 939 0978
 CONTRACTOR: PRADO CONSTRUCTION, INC.
 1000 WARE LANE, FOLSOM, CA 95630
 LICENSE # 91409 GEN B

3 SITE PLAN
 A detailed architectural site plan showing the building footprint, setbacks, and surrounding streets including 20th St, 21st St, and various side streets.

4 NOTES OF DRAWINGS
 01) COVER PAGE
 02) VIGNET MAP
 03) FLOOR PLAN
 04) CROSS SECTION

5 AMENDATIONS
 A-B: ADJACENT
 C: ACCESS PANEL
 D: FINISHES
 E: FACE OF STUDY
 F: FACE OF STUDY
 G: FACE OF STUDY
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 U: FACE OF STUDY
 V: FACE OF STUDY
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 X: FACE OF STUDY
 Y: FACE OF STUDY
 Z: FACE OF STUDY

6 GENERAL NOTES
 1. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL DETAILS WITH THE OWNER PRIOR TO THE START OF CONSTRUCTION.
 2. ALL WORK SHALL EQUAL OR EXCEED ALL CURRENT APPLICABLE BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, SAFETY AND CODES & ORDINANCES.
 3. CONTRACTOR SHALL CORRECTLY FOLLOW AND OBTAIN THE CONTRACT DOCUMENTS AND SHALL NOTIFY ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCY, ERROR OR OMISSION IN THE CONTRACT DOCUMENTS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ANY DISCREPANCY, ERROR OR OMISSION IN THE CONTRACT DOCUMENTS.
 4. DIMENSIONS ARE TO FINISH FACE UNLESS OTHERWISE NOTED.
 5. PLANS HAVE BEEN PREPARED TO MEET REQUIREMENTS OF 2002 C.B.C. / S.F.C.C.
 6. THESE DOCUMENTS SHALL NOT BE USED BY ANYONE FOR OTHER PROJECTS. ADDITION TO THIS PROJECT, OR FOR COMPLETION OF THIS PROJECT BY OTHERS EXCEPT BY AGREEMENT IN WRITING BY ARCHITECT AND WITH APPROPRIATE COOPERATION.
 7. CONTRACTOR TO VERIFY ALL EXISTING TO REMAIN AND DESIGNED PLUMBING, GAS, ELECTRICAL, MECHANICAL, SAFETY AND CODES & ORDINANCES WITH COMPATIBILITY WITH PROJECT PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 8. THE ARCHITECT SHALL HAVE NO RESPONSIBILITY FOR THE DISCOVERY, HAZARDOUS, HIRSHMAN, DISPOSAL, REMOVAL, OR EXPOSURE OF PERSONS TO HAZARDOUS MATERIALS IN ANY FORM AT THE PROJECT SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DISCOVERY, HAZARDOUS, HIRSHMAN, DISPOSAL, REMOVAL, OR EXPOSURE OF PERSONS TO HAZARDOUS MATERIALS IN ANY FORM AT THE PROJECT SITE. OTHER TOXIC SUBSTANCES, SUCH WORK, IF REQUIRED, IS TO BE COMPLETED UNDER SEPARATE CONTRACT.
 9. THE DRAWINGS DO NOT IMPLICATE ANY CONDITION. THE DRAWINGS INDICATE LOCATIONS, DIMENSIONS AND TYPICAL DETAILS OF EVERY CONSTRUCTION WORK NOT EXPRESSLY DETAILED SHALL BE OF THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ANY DISCREPANCY, ERROR OR OMISSION IN THE CONTRACT DOCUMENTS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ANY DISCREPANCY, ERROR OR OMISSION IN THE CONTRACT DOCUMENTS.
 10. THE CONTRACTOR TO VERIFY ANY DISCREPANCY, ERROR OR OMISSION IN THE CONTRACT DOCUMENTS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ANY DISCREPANCY, ERROR OR OMISSION IN THE CONTRACT DOCUMENTS.
 11. MEP PERMITS SHALL BE UNDER SEPARATE SUBMITTALS MUST BE APPROVED BY ARCHITECT PRIOR TO DELIVERY OF DOCUMENTS TO GOVERNING JURISDICTIONS.

7 GRAPHIC SYMBOLS
 ELEVATION REFERENCE
 REVISION REFERENCE
 SECTION REFERENCE
 DETAIL REFERENCE
 DOOR
 STEP
 TOILET
 APPROVED BY ARCHITECT
 REFERENCE: 1000 WARE LANE, FOLSOM, CA 95630

8 PHOTO
 A black and white photograph showing the exterior of the building, highlighting the areas of concern for the project.

9 VIGNET MAP
 A vicinity map showing the project location within the surrounding neighborhood, including streets like 20th St, 21st St, and various side streets.

10 RECEIVED
 AUG 11 2011
 DEPT. OF PUBLIC WORKS
 1510 MARKET STREET
 SAN FRANCISCO, CA 94102

CONSULTANT
PE
PRADO ENGINEERING
 1000 WARE LANE, FOLSOM, CA 95630
 TEL: 916-939-0978

PROJECT TITLE
 Increase Basement Ceiling Height and Repair Plaster Cracks
 4121 20th St, SAN FRANCISCO, CA 94114

OWNER
 20th St Trust c/o Sarah Garlock

INFO REVISIONS
 # DATE DESCRIPTION

DESIGNED BY: [Signature]
 CHECKED BY: [Signature]
 DATE: [Date]

PROJECT COVER PAGE
 SITE PLAN
 VIGNET MAP

01.1
 DRAWING NUMBER

APPROVED
 City of Building Dept.
 AUG 12 2011
 City of Building Dept.

APPROVED
 AUG 11 2011
 DEPT. OF PUBLIC WORKS
 1510 MARKET STREET
 SAN FRANCISCO, CA 94102

2014.08.11.3496

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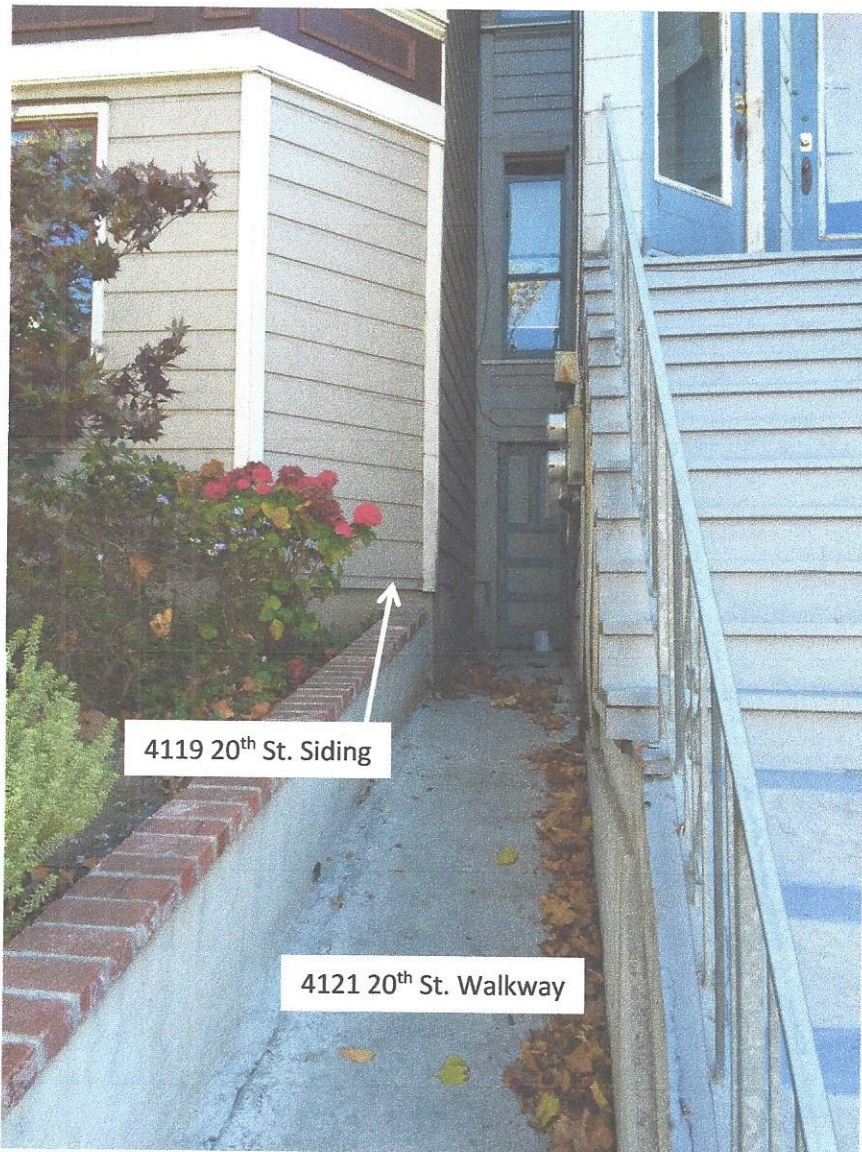
EXHIBIT 2
(Photos Showing Stem Wall)

Reasons to reject appeal:

Appellant's claim of 5-8 feet grade level drop in Appellant's Brief "Reason for Appeal" is untrue. Photos 1, 2, 3 and 4 below show 4119 20th St. (Appellant's property) is supported on stem wall footing that is 2 feet higher than 4121 20th walkway (Subject Property). This indicates that ground elevation on Appellant's property is less than 2 ft. higher than Subject Property's walkway and bottom of footing of Appellant's property is below Subject Property's walkway. Since proposed basement finish elevation is only 2 feet below the existing walkway detail 1/S-2 represents actual site condition.

Photo 1: Shows 4119 20th St. Sidings and 4121 20th walkway

Photo 2: Shows height of stem wall



Photos 1 and 2 show 4119 20th St. stem wall is 2 feet higher than 4121 20th St. walkway. This indicates 4119 20th St. existing grade is less than 2 feet higher adjacent walkway. Proposed basement finish elevation is 2 feet lower than walk way elevation.



Photos 1 and 2 show 4119 20th St. stem wall is 2 feet higher than 4121 20th St. walkway. This indicates 4119 20th St. existing grade is less than 2 feet higher adjacent walkway. Proposed basement finish elevation is 2 feet lower than walk way elevation.

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EXHIBIT 3
(Photos Showing Walkway)

Photo 3: Shows 4121 20th St. walkway, 4119 20th St. Sidings and Stem wall

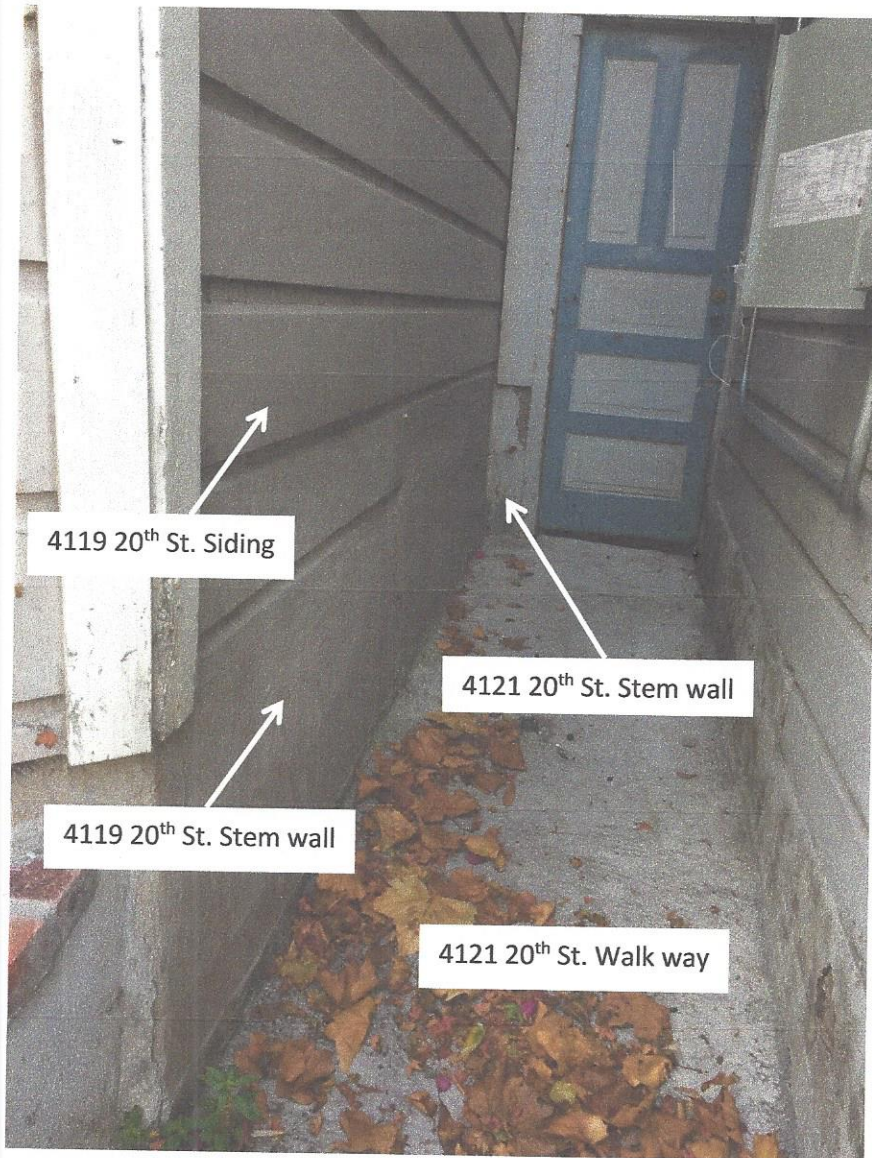


Photo 3 indicates footing is lower than 4121 20th St. Walkway. Proposed basement finish elevation is 2 feet lower than walkway elevation.

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EXHIBIT 4
(Photo Showing Elevation)

Photo 4: Shows 4119 20th St. and 4121 20th St. stem walls are the same elevation.

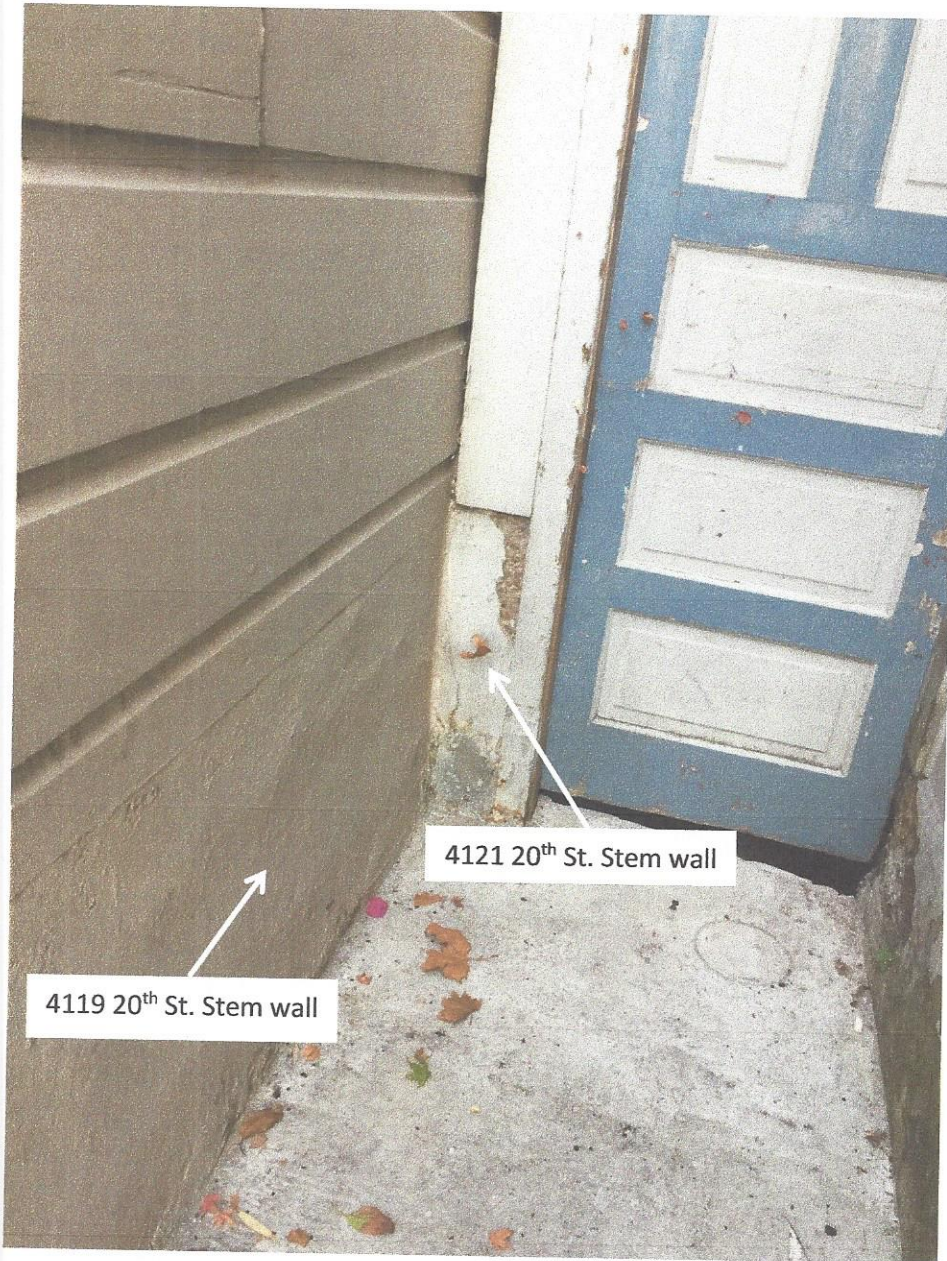


Photo 4 indicates 4119 20th St. and 4121 20th St. footings are most likely the same elevation. Proposed basement finish elevation is 2 feet lower than walkway existing elevation. Detail 1/S-2 represents actual site condition.

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EXHIBIT 5
(Resume of Antonio B. Prado)

Antonio B. Prado, P.E.

2785 Whitney Dr., Fairfield CA 94533

Tel. 415-889-0878

EDUCATION, LICENSES, REGISTRATIONS AND CERTIFICATES:

B.S.C.E. – University of the Philippines, Diliman Quezon City, 1987

M.S.C.E. – University of the Philippines, Diliman Quezon City, 1988 (units only)

Licensed Civil Engineer (California), License No. 66562

Construction Quality Control Management Certificate – USACE

Registered Professional Civil Engineer (Philippines), License No. 54157

EXPERIENCE SUMMARY

Mr. Prado's involvement in the construction industry has spanned more than 20 years of heavy civil engineering and construction, including 12 years of U.S. experience. This length of time has provided him a comprehensive opportunity to experience every aspect of heavy civil construction that includes roads, bridges, railroad, levees, dams, large embankments, water, waste water, tunnels, deep excavations, and deep foundations. He involvement range from construction inspection, project management, engineering design, estimating, dealing with government and private owners, dealing with government agencies and the public sector. Positions he has previously held include Resident Engineer, Engineering Manager, Quality Manager, Structure Representative, and Project Manager.

EMPLOYMENT HISTORY

Quality Control Manager / Geotechnical Engineer

S.A Healy Construction, Inc. (San Francisco, California)

Mar 5, 2012 to March 30, 2014

His duties include implementation of the contractor's quality control plan for a 1.7 mile to double bore subway railroad tunnel underneath downtown San Francisco. His duties also include instrument monitoring for soil and building settlement. Aspects of the project include tunneling, deep excavation, deep foundation, pressure grouting, and jet grouting. His responsibilities include management of inspection and testing personnel and quality control documentation, coordinating quality aspects of work with the City of San Francisco.

Resident Engineer / Structural Engineer

Mendoza & Associates, Inc. (Fresno, California)

Apr. 2, 2011 to Mar. 3, 2012

His duties include representing the company as Resident Engineer / Structure Representative on Caltrans bridge projects. His duties include construction inspection, coordinating material testing and management of inspection documents in accordance with Caltrans Construction Manual and Bridge Construction Records and Procedures, coordinating with Caltrans, owners and other government agencies.

Engineering Manager / Structural Engineer

Sierra Testing Laboratories, Inc. (El Dorado Hills, California)

May 16, 2007 to Mar. 30, 2012

As Resident Engineer / Structure Representative, his duties include representing the company on Caltrans bridge projects. His duties include construction inspection, coordinating material testing and management of inspection documents in accordance with Caltrans Construction Manual and Bridge Construction Records and Procedures, coordinating with Caltrans, owners and other government agencies.

As engineering manager, his duties include construction quality control management, soils and materials field inspection and laboratory geotechnical and rock mechanics testing, geotechnical engineering, setting-up field and laboratory testing programs, writing engineering reports and proposals, construction inspection, client coordination, staffing, budgeting and handling of laboratory and site personnel. Types of projects include levees, roads, bridges, railroad, government, commercial, residential and school buildings.

Engineering Manager / Geotechnical Engineer

Matriscope Engineering Laboratories, Inc. (Sacramento, California)

Nov. 2003 to May 16, 2007

As Resident Engineer / Structure Representative, his duties include representing the company on Caltrans bridge projects. His duties include construction inspection, coordinating material testing and management of inspection documents in accordance with Caltrans Construction Manual and Bridge Construction Records and Procedures, coordinating with Caltrans, owners and other government agencies.

As engineering manager, his duties include construction quality control management, soils and materials field inspection and laboratory geotechnical and rock mechanics testing, geotechnical engineering, setting-up field and laboratory testing programs, writing engineering reports and proposals, construction inspection, client coordination, staffing, budgeting and handling of laboratory and site personnel. Types of projects include levees, roads, bridges, government, commercial, residential and school buildings.

Project Manager

Cal-Pac Engineering, Inc. (Los Angeles, California)

Dec. 2002 to August 2003

His duties include construction management, estimating, site coordination, management subcontractors and clients.

Assistant Engineering Manager / Structural Engineer

Daewoo Engineering and Construction Company, LTD. (Palau)

Dec. 1999 to Oct. 2002

Duties include geotechnical and structural engineering, construction inspection, material testing and project coordination with owner and subcontractors.

Various Construction and Engineering Companies in the Philippines

1987 to 1999

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EXHIBIT 6
(Construction Sequence)

