CITY OF SUNNYVALE CALIFORNIA

June 16, 2006

Charles and Margaret Klugherz
1633 Edmonton Avenue
Sunnyvale, CA 94087

Subject: Tree Removal Permit – 1633 Edmonton Ave., Sunnyvale, CA 94087
File No.: 2006-0565

Dear Mr. and Mrs. Klugherz:

The Department of Community Development has reviewed your application for a Tree Removal Permit for a **Redwood tree** located in the front yard at the above address and has **denied** your request. In order to grant a tree removal permit, at least one of the following findings is necessary: (1) the tree is not healthy, (2) it represents a potential hazard, or (3) it unreasonably restricts the use of your property or your neighbor's use of their property. Based on an examination of the subject tree, none of these findings can be made. We recommend trenchless sewer replacement to address your concern regarding roots in the sewer lines on your and your neighbor's property (a number of plumbing contractors provide this service). This method would resolve the problem and at the same time save the tree.

The Sunnyvale Tree Preservation Ordinance was adopted to protect the diversity of trees in Sunnyvale. Trees are a valuable asset to the community in terms of aesthetics, protection of habitat, and enhancement of economic value of property and may be removed only under the circumstances noted above. The City Arborist indicates that the subject tree is not diseased, damaged, or posing a hazard, and has 40-60 years of remaining life expectancy.

You may appeal this decision to the Planning Commission by filing a written appeal within fifteen calendar days of the receipt of this notice. There is a $113.00 filing fee for the appeal.

If you have questions on tree maintenance, you may consult with the City Arborist, Steve Sukke, at (408) 730-7505. If you have any questions regarding this permit, please contact me at (408) 730-7423. Thank you for your cooperation.

Sincerely,

Mariya Hodge
Project Planner

The roots from the tree are getting into my neighbor's sewer and she is quite upset about it.

21 August 2006

Ryan Kuchenig
Project Planner
Community Development Department
Sunnyvale, CA 94088

Reference: Appeal of Project no. 2006-0565

Dear Ryan Kuchenig:

After having Ian Geddes Tree Care service out to check for redwood tree roots at the foundation of the house, Steve Sukke, City Arborist came by to inspect the excavation. He suggested that we file for the removal of the redwood tree on the basis of the tree roots getting into not only our sewer line but into the sewer line of our neighbor, Mrs. B. Fernandes at 1637 Edmonton Ave. The base of the tree is less than 4 feet from the property line. I measured 36 inches to what I believe is the property line. Mrs. Fernandes' house is on a cul-de-sac lot that has a minimum amount of street frontage which puts her sewer line closer to our property line than would normally be expected. Mrs. Fernandes is quite unhappy with having to have the redwood tree roots cleaned out of her sewer line, which is quite understandable. In the interest of neighborhood peace, we believe that a permit should be granted for the removal of the redwood tree.

Sincerely,

Margaret Klugherz

Margaret Klugherz
1633 Edmonton Ave.
Sunnyvale, CA 94087-5202
(408) 739-4895

Shetal Divatia
Associate Planner
Planning Department
Sunnyvale, CA

RE: Appeal of Denial to Remove Redwood Tree

The trunk of the redwood tree is approximately 9 feet from the house and has grown such that the sewer line is under the east side of the tree. Roots clog the sewer line such that we have to call Roto Rooter or other service provider (frequently on a holiday) a couple of times a year to have the roots removed from the sewer line.

The house is an atrium model Eichler with a concrete slab floor with the radiant heating system embedded in the concrete slab.

Each spring when digging in the dirt in the atrium, in order to put in summer plants, buckets of fibrous roots have to be removed in order to prepare a bed for plants. Two or three years ago a one inch diameter root was removed from one of the beds.

Because of the vertical crack that has developed in the corners of each of 2 bedrooms nearest the tree, we are highly concerned with the potential of the tree roots to cause a problem with the radiant heating system in the floor. The crack nearest the tree was brought to our attention by a guest. Further inspection revealed the other crack.

Steve Sukke, city arborist, gave our name to Chris Derr of 1436 Lewiston Drive who gave us the following cost information relative to removing a redwood tree of similar size to ours (his application for removal was denied). Steve Sukke had given Mr. Derr the names of several companies to contact. Below is information provided to us by Mr. Derr.

> Bruce Bowden from Biota Tech (408-248-3266) gave Mr. Derr an estimate of approximately $6,000 (5K + 500 grinding + 500 hauling wood) as the cost to remove the tree.
>
> Ian Geddes Tree Care (408-374-8233) does air blasting to remove dirt to expose the roots of trees. His charge would have been $150/hr plus $80 for the compressor rental and he thought two or three hours would be needed to drill enough to expose the roots and analyze the problem. (3 hours = $530) Mr. Derr did not have this done.

It would probably cost as much, or more, to install a furnace and insulated ductwork on the roof of the house as it would to remove the tree. I suspect that the neighbors would not be happy about the appearance of the house with ductwork all over the roof. Anchoring the ductwork to the roof could also be a problem (and a potential cause of leaks) with the flat, foam insulated, tar and gravel roof. Removal of the tree appears to be the best option to prevent future problems.

Charles R. and Margaret T. Klugherz

30 June 2005

RECEIVED
JUL 05 2005
PLANNING DIVISION

Shetal Divatia, AICP
Dept. of Community Development
P. O. Box 3707
Sunnyvale, CA 94088-3707

Dear Shetal Divatia:

Attached are receipts that I had stashed in a file. My husband puts all paid bills into the trash. I traveled a lot on my job and was out of town when some of the services were done. I went through my husband's Quicken files and came up with the following payments.

Date	Ck. No.	Payee	Purpose	Amount
3/30/94		Roto Rooter #	Main drain	$ 76.50
7/3/01	2654	Roto Rooter	Plumbing	695.28
12/26/01	2769	Drain Doctor	Main drain	95.00
7/13/02	2890	Drain Doctor	Shower	85.00
6/28/03	3160	Roto Rooter *	Plumbing – main	111.60
12/23/03	3260	Roto Rooter *	Plumbing – main	136.00
11/6/04	316	Roto Rooter *	Plumbing – main	154.80
1/20/05	369	Roto Rooter	Plumbing	125.10

Receipt from prior to Quicken account therefore no check number
* Receipt attached

Sorry to have taken so long to get this to you. My daughter was in the hospital so I was spending most of my time there.

Sincerely,

Margaret Klugherz

Margaret Klugherz