

January 9, 2023

Zoning Design Review Board  
Ken McNabb, Planning Director

Town of Yountville  
6550 Yount Street  
Yountville, CA 94599

RE: 1878 Heritage Way request for an exception to the property line setback

Dear Mr. McNabb and the members of the Zoning, Design, Review Board:

We are requesting an exception to the setback from the property line to allow the construction of a very small pool in our side yard. Our property is located on the eastern corner of Heritage Court and Heritage Way, and does not have adequate space for a pool in the back yard. As shown in the aerial picture previously attached, many of the neighbors have a pool. Because ours is a corner property, the setback is ten feet from the property line, which is located six feet into our yard from the curb on Heritage Court, making the required setback a total of sixteen feet from the curb. As proposed on the site plan, we are requesting the Board authorize a three-foot setback from the property line to afford us similar rights as our neighbors. This will result in the pool being set back nine feet from the curb. As shown in the pictures of our property, the pool will be surrounded by an existing, tall, mature hedge, blocking view of the pool from the street or adjacent property.

Please see below, which addressed all the findings that are required for Board to approve an exception (Yountville Municipal Code Section 17.208.060):

A. There are unusual circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district.

YES. This is a corner lot, which has a larger side setback requirement. As shown in the aerial image attached, some neighborhood pools are located 3-5 feet from the side setback, consistent with our request. Except for our lot, all of the other corner lots in Heritage Estates appear to have sufficient room in their rear yards for a pool, thereby avoiding the additional setback requirements from the property line and from the street.

B. Due to unusual circumstances not created or attributable to the applicant or owner of the property, the literal enforcement of the provisions

of Title 17 would result in practical difficulty.

YES. The situation was not create by the applicant and the literal enforcement would result in an unnecessary hardship by only allowing the construction of a two foot wide pool.

C. This exception will not constitute a grant of special privilege that is inconsistent with limitations imposed on similarly zoned properties.

YES. The granting of the exception will not constitute a special privilege as similar zoned properties don't have the same side yard setback requirement and furthermore many of them already have a pool.

D. This excepton will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity.

YES. By granting this exception the pool will be constructed to all building codes and standards, three feet to the property line, and nine feet to the curb, and will not affect the public safety and welfare.

E. The granting of such exception will be in harmony with the general purposes and intent of Title 17 and will not adversely affect the General Plan. (Ord. 21-105 § 9).

YES. By granting this exception the proposal meets all intentions of Title 17 and the General Plan.

Thank you for your consideration. Please don't hesitate to contact me with any further questions or to come by and take a look at the property in question.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. M. J.', written in a cursive style.

John Hauswirth

1878 Heritage Way

Yountville, CA 94599

[hauswirth@gmail.com](mailto:hauswirth@gmail.com)

707-971-0862