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[REDACTED]

ADDENDUM

AGENDA ITEM

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COMMITTEE OF ADJUSTMENT

September 7, 2021

RE: COA A163/21 38 VENTANA WAY

Im not opposing the application, however there are concerns to be addressed in order to support this application.

This Sonoma subdivision does not have many pools due to the small size of the backyard of only 24 feet. The lots are only 80 feet in depth. It does not leave much of an area for privacy. Considering the small depth from the property line to the pool is only .91m. a lack of vegetation/evergreens and proper fencing to deflect noise. I will be asking for **a noise retention fence installed in the rear as a condition of approval.** I understand this is not normally a condition of approval, however, in other situations the rear lots are much larger and can support a distance for privacy. In this case it will only be .91m (less than 3 feet) from the property line to where the pool commences. Not much to buffer noise and privacy as the existing fence is very thin and has opening panels. This existing type of fence is not meant to act as a noise retention fence. This should be considered as many more pool applications will surface with lots much smaller than the traditional 150 or 120 feet lots where pools are supported for privacy and noise level. My windows were replaced last year with triple pane windows on the main floor in order to avoid the noise and conversations, which were heard inside my house coming from the applicants home as they use their backyard most of the time with the kids. They do not even realize their family fun impacts the noise level on others.

Please refer to engineering's comments in respect to the water concern. When asking for a pool permit a 2 foot swale will be requested by engineering/grading due to the small lot and concerns for the water run off. If this application is approved for a .91m rear and side yard setback, where is the set back for the swale to be incorporated in a minimum of a 2 foot swale for the low impact landscaping as per engineering's comment? The applicant needs to demonstrate how a .91m set back and a min 2 foot swale be incorporated on the side and rear of the property. It does not leave any room for buffering of noise for evergreens or vegetation. Therefore, a noise retention fence in the rear is more so desired to buffer the noise. **Please consider a condition of approval for the noise retention fence.**

The applicant had a shed in the rear s/w corner abutting my rear property which the shed was removed last year in order to make room for the future pool. The footings and foundation were not removed. The applicant needs to demonstrate that he must remove the foundation wall and footings as this is an obstruction for the water run off. The applicant's property is higher than mine, the applicant has 3 steps and I have 1 step from the sliding door. Issues with the water pooling in the rear of my house is an issue. Pooling of the water is in the exact line of where the shed was constructed. Therefore this validates the foundation wall and footings obstruct the water run off causing the pooling of water on my property. If not removed there will be more

issues with water on my side of the property if not addressed with proper swale and weeping tiles on the applicant's side.

The applicant shows on the sketch that there is existing hard landscaping in the rear, to my knowledge in the rear of the property, which abuts my property, are weeds and dirt, the rest of the property is gravel. There is no existing hard landscaping as shown on sketch except for where the patio tent resides on the north west side, (not shown on the sketch).

Please ensure my comments are provided to engineering and grading department prior to the issuance of the pool permit application. Since I'm not able to address my concerns during the pool permit application I would like my concerns to be provided to the respective departments to ensure the concerns are addressed properly during inspection. As the concerns I have outlined does affect the water run off as per engineering and grading concerns outlined in their recommendation.

I understand an arborist report was submitted which I do not have access to. The arborist addresses the trees on either side of the neighbours but does not address the trees or vegetation in the rear. I have trees and vegetation that I want protected under construction according to by law 052-2018.

I noticed the applicant is placing the pool equipment and air conditioner in the side yard and enclosed it with a 6ft fence along the side to the front of the home. The homes in this area all have maintenance easements on the side of their properties in order to access each other's properties for maintenance. If a 6 ft. fence has been placed along the entire side of the house how can a maintenance easement can be enforced? This is not the norm, most homes do not have maintenance easements.

Are air conditioners allowed in the side yard?

The applicant has not contacted me about the pool application. I'm the neighbour in the rear which the pool application and set backs impacts the most. I was only notified in the mail on Thursday, September 2, 2021 of the COA hearing.

The neighbours did suspect something as in the month of June or July the applicant used a drone throughout the neighbours and my backyard to access pictures of the property. The neighbours were alarmed and scared by this experience. Not even at that time did the applicant ask permission to use a drone, which affected our privacy in our own backyards.

I do hope you consider all of valid concerns and address them accordingly.

Mary Mauti







