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Dear APAC and Napa Planning Commission members,

I have had the opportunity to attend all of the meetings to date, and also to voice my opinions during these meetings. I would like to thank you for that opportunity. However I will not be in attendance on June 22, and therefor would like to offer this opinion via email.

The issue I would like to discuss is the use of variances. This is becoming a hot topic, as a small but vocal part of our community believes that use of variances is being abused. I believe this is not the case. The idea of a variance was wisely put into our planning process because not all parcels are the same, and this allows the members of the planning commission or BOS to evaluate each parcel based on what is best for that parcel.

I would like to show you a very poignant example. We all know that currently parcels larger than 10-acres are permitted to have a winery on them. But do any of you really know what a 10 acre parcel looks like? If you were to think of a 10-acres plot as a square, and if you do the math (43,560 sq. ft. per acre, or 435,600 sq ft per 10 acres) and find out that a square 10 acre parcel is 660' x 660' (see the diagram below). Given that many parcels in Napa border a major highway and therefor fall under a mandated 600' set-back, most 10 acre parcels in Napa, unless they are shaped abnormally, would not be able to fulfil that setback requirement. It therefor seems that these two rules, the 10-acre minimum and the 600' set-back, contradict each other.

That is why the variance was mandated as part of the process. The applicant has a right to petition why a certain use is appropriate for their parcel, and the planners have the right to decide on that request. Obviously if a parcel has too many problems, the request may be turned down. However if the requested use fits in with the topography, neighborhood, etc., the planners have the authority to accept. For instance if a 20 ft access road requires heritage trees to be removed, the planners may allow for that road to be narrower in certain sections. If a parcel is in an existing area of other commercial developments, it may be more appropriate to develop it as a winery than as a residential site.

In summary, properties are not all the same. Since zoning rules are black and white, the variance is an important tool to allow applicants and planners to find an appropriate use for individual parcels.

Thank you for your time.

Rudy von Strasser

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v. Strasser

