



Board of Adjustment Staff Report

Meeting Date: June 1, 2017

Subject: Variance Case Number: WPVAR17-0002
Applicants: Michael Fisher and Susanna Kintz
Agenda Item Number: 9E
Project Summary: Reduction of the required front yard setback from 20 feet to 10 feet 2 inches for expansion of a dwelling
Recommendation: Denial
Prepared by: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Division of Planning and Development
Phone: 775.328.3622
E-Mail: rpelham@washoecounty.us

Description

Variance Case Number WVAR17-0002 (Fisher/Kintz Front Yard Setback Reduction) – For possible action, hearing, and discussion to approve a variance to reduce the required front yard setback from 20 feet to 10 feet 2 inches for expansion of a dwelling that is currently permitted and under construction (the total encroachment, including the overhang, is proposed to be 9 feet 10 inches). The proposed encroachment into the front yard setback includes a cover for the front porch with a depth of 7 feet 10 inches and an additional 2 feet of roof eave overhang within the front yard setback. The variance request also includes a reduction in the front yard setback from 20 feet to 19 feet 6 inches for a “decorative truss” at the front of the garage.

- Applicant/Property Owner: Michael Fisher and Susanna Kintz
567 Alden Lane
Incline Village, NV 89451
- Location: 567 Alden Lane, approximately 150 feet
northeast of its intersection with Tyner Way
- Assessor's Parcel Number: 122-133-02
- Parcel Size: ±0.39 acres (±16,988 square feet)
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 804, Variances
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 17, Township 16 N, Range 18 E, MDM
Washoe County, NV

Staff Report Contents

Variance Definition..... 3

Vicinity Map 4

Site Plan 5

Project Evaluation..... 7

Reviewing Agencies..... 9

Recommendation.....11

Motion.....11

Appeal Process.....12

Exhibits Contents

Agency Comments..... Exhibit A

Public Notice Map..... Exhibit B

Project Application Exhibit C

Variance Definition

The purpose of a Variance is to provide a means of altering the requirements in specific instances where the strict application of those requirements would deprive a property of privileges enjoyed by other properties with the identical regulatory zone because of special features or constraints unique to the property involved; and to provide for a procedure whereby such alterations might be permitted by further restricting or conditioning the project so as to mitigate or eliminate possible adverse impacts.

NRS 278.300 (1) (c) limits the power of the Board of Adjustment to grant variances only under the following circumstances:

Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any regulation enacted under NRS 278.010 to 278.630, inclusive, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, the Board of Adjustment has the power to authorize a variance from that strict application so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

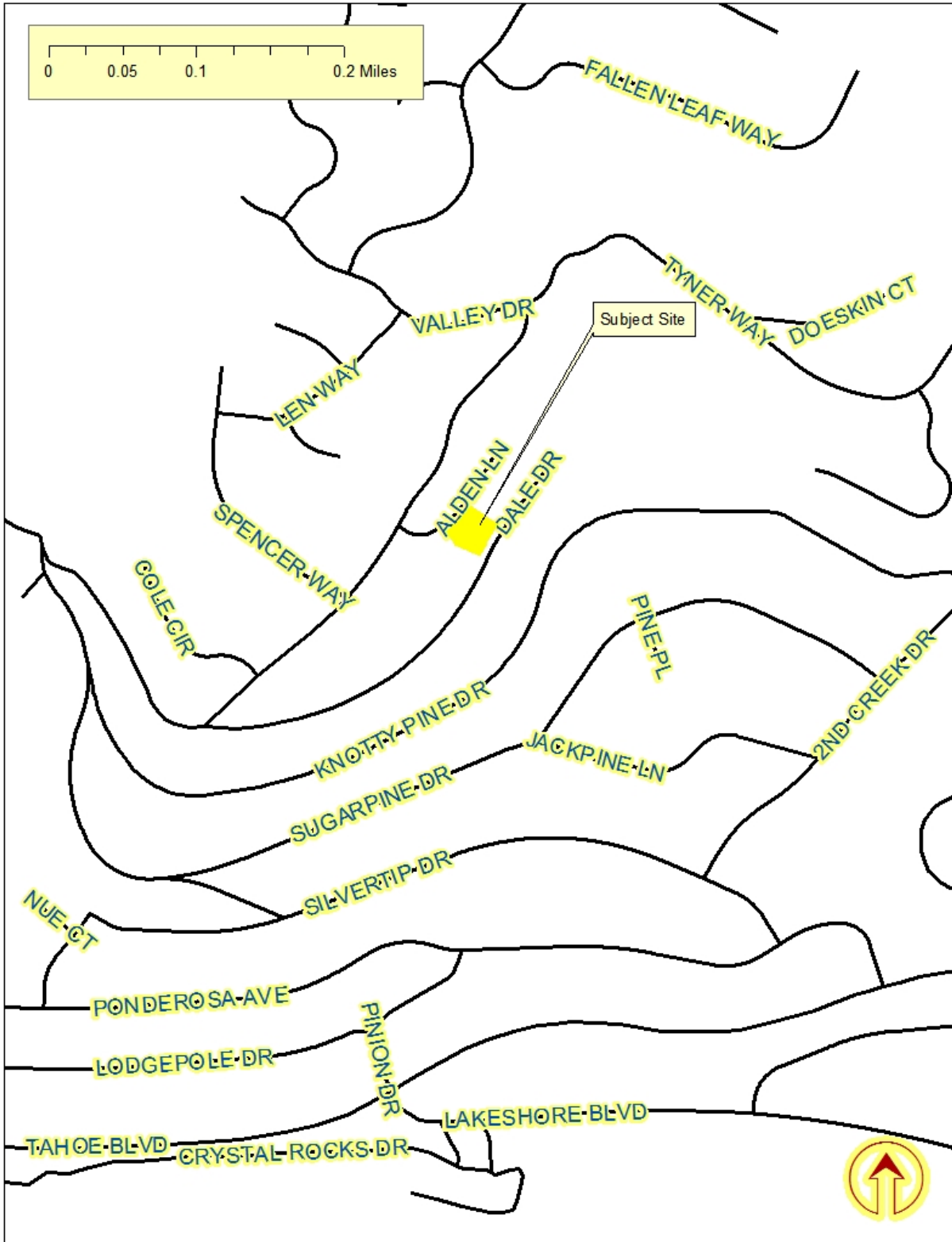
The statute is jurisdictional in that if the circumstances are not as described above, the Board does not have the power to grant a variance from the strict application of a regulation. Along that line, under Washoe County Code Section 110.804.25, Variance, the Board must make four findings which are discussed below.

If the Board of Adjustment grants an approval of the Variance, that approval may be subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

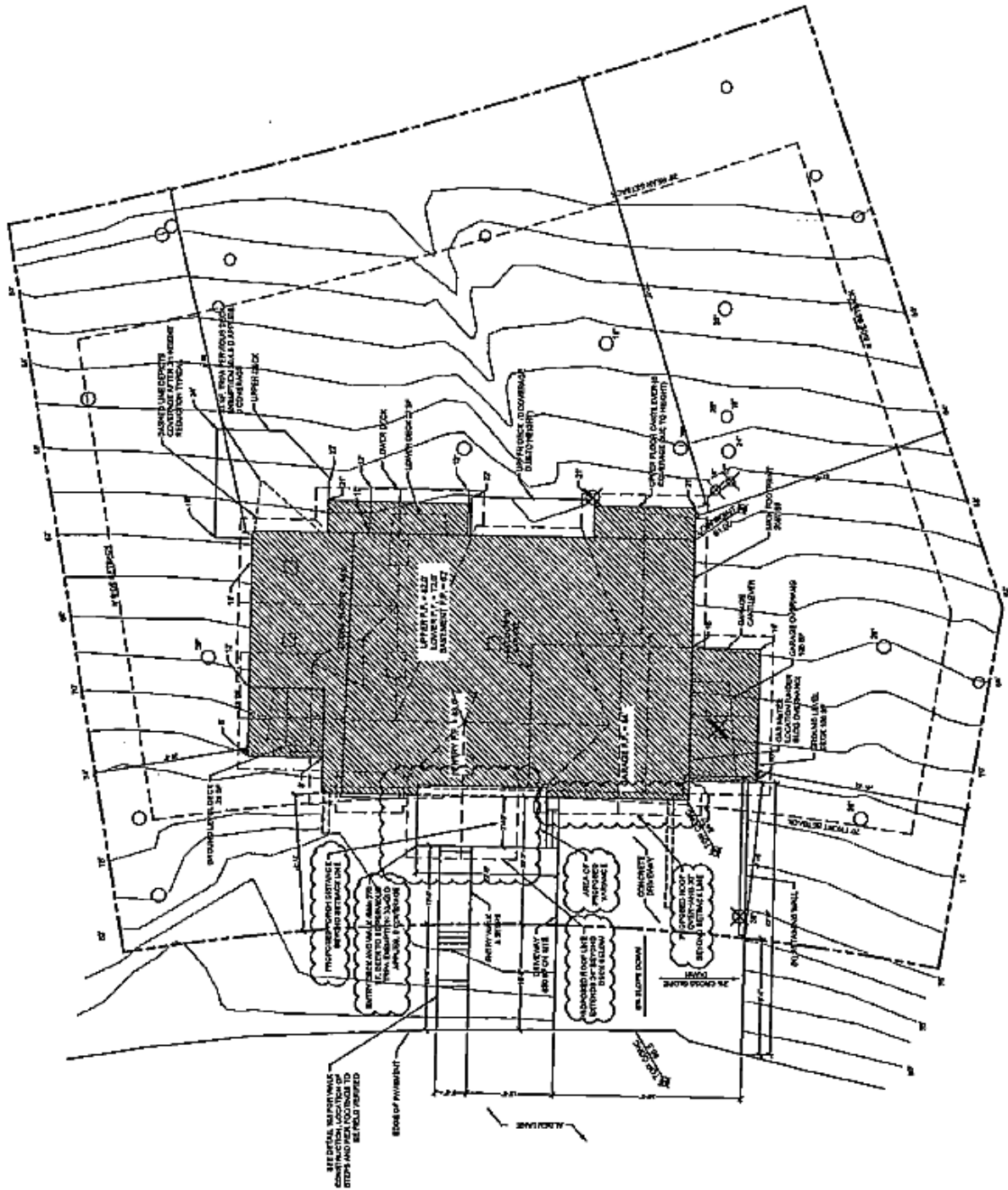
- Prior to permit issuance (i.e., a grading permit, a building permit, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure.
- Prior to the issuance of a business license or other permits/licenses.
- Some Conditions of Approval are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the business or project.

Since a recommendation of denial has been made, there are no Conditions of Approval attached to this report. Should the Board find that special circumstances exist and approve the requested variance staff will provide proposed Conditions of Approval at the public hearing.

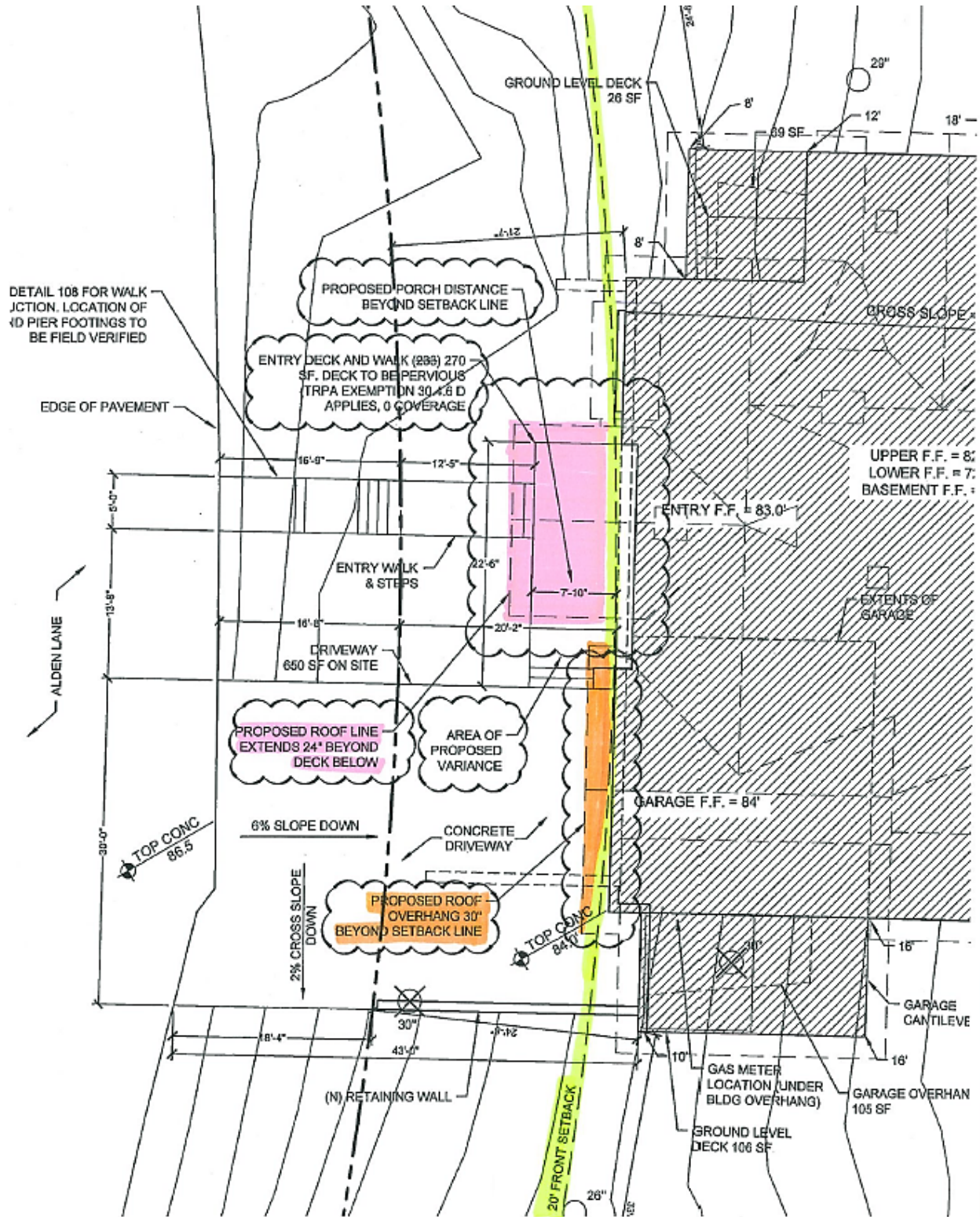
The subject property is designated Medium Density Suburban (MDS). The proposed reduction of the front yard setback from 20 feet to 10 feet 2 inches may be permitted in the MDS zone if a Variance per WCC 110.804 is approved. Therefore the applicant is seeking approval of this variance from the Board of Adjustment.



Vicinity Map



Site Plan



Site Plan Detail



Left Elevation, showing setback and proposed Covered Entry



Front Elevation

Project Evaluation

The applicant is requesting to reduce the required front yard setback to facilitate expansion of a dwelling that is currently under construction. The expansion is proposed to consist of additional covered area at the entry to the dwelling and a “decorative truss” at the front of the garage. The total encroachment into the required 20-foot front yard setback is 9 feet, 10 inches.

It is important to recognize that the approval of any variance is jurisdictional, that is to say that Nevada Revised Statutes limits the power of the Board of Adjustment to grant variances only under particular circumstances. Among those circumstances are: 1) exceptional narrowness, shallowness, or shape of a specific piece of property; or 2) by reason of exceptional topographic conditions; or 3) other extraordinary and exceptional situation or condition of the piece of property. If such a finding of fact can first be made, then the Board must also show that the strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property.

A 3-story, 4-bedroom, 3-bath dwelling of 4,795 square feet, with a 3-car garage, is currently under construction on the subject parcel. The plans approved for that dwelling show compliance with all required yard setbacks.

Evaluation of the request to vary standards will follow the criteria as required above.

Exceptional Narrowness: The parcel is located within the Medium Density Suburban (MDS) regulatory zone. The minimum lot size required in that zone is 12,000 square feet. The subject parcel is approximately 16,988 square feet in size. The minimum lot width in that zone is 80 feet. The subject parcel is approximately 140 feet in width at the midpoint of the property.

The subject parcel is not exceptionally narrow.

Exceptional Shallowness: The depth of the property from Alden Lane to the Dale Drive is approximately 120 feet.

The subject parcel is not exceptionally shallow.

Exceptional Topographic Conditions: The subject parcel is sloped. The elevation at Alden Lane is approximately 6718 feet above sea level and the elevation at Dale Drive is approximately 6680 feet above sea level. This equates to a drop of approximately 38 feet over a distance of approximately 120 feet or a slope of about 31%. Such a slope might create a challenge to development if the dwelling were being remodeled or if there were other constraints in addition to the slope. Sloped lots, however, are commonplace in the Tahoe Area Plan, and by themselves are not exceptional. In this case, a dwelling that was previously located on the parcel was completely removed. There were no constraints prohibiting the applicant from designing a covered entry way within the required setbacks. There is a substantial amount of area on the subject parcel which might have allowed the design of the dwelling to include the entryway that the variance is seeking to allow. It is clear that the topography, by itself, does not create a hardship to development of the parcel of land, as a new dwelling was approved to be constructed within the required setbacks. It is noted within the variance application that, “If the variance is not granted, we simply will not have a covered entrance.”

The topography of the subject parcel is not exceptional.

Other Extraordinary and Exceptional Situation or Condition of the Piece of Property: Staff has not been able to identify any characteristic of the property that creates an extraordinary or exceptional situation or condition. The application asserts that the applicant, "...tried many different design ideas none of which made practical or aesthetic sense given the height and other TRPA restrictions we had to comply with." The height restriction imposed by the Tahoe Regional Planning Agency are consistent throughout the Tahoe Basin and are, therefore neither extraordinary or exceptional. "Aesthetic sense" is not a condition of the parcel of land and, therefore, does not create an Extraordinary and Exceptional Situation or Condition. Finally, the "practicality" of the plan requiring a variance is called into question when one considers that the applicant has approved construction plans for a dwelling on the parcel, that conforms with all required setbacks.

There is no extraordinary and exceptional situation or condition on this piece of property.

The applicant included photos of several other dwellings in the area that are located within front yard setbacks. Each variance is evaluated on its own merits and other past approvals on other parcels, each with a unique set of circumstances, do not create a precedent for approval of any future variance request.

Staff recommends denial of the variances requested, being unable to make the necessary findings of fact as required by both Nevada Revised Statutes and the Washoe County Development Code. The lack of peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property is demonstrated by the current approval of a building permit for a 3-story, 4-bedroom, 3-bath dwelling of 4,795 square feet, with a 3-car garage within the required setbacks on the subject site.

Citizen Advisory Board

The Incline Village Citizen Advisory Board did not meet during the review period for this variance. The variance application was provided to all CAB members individually and comments were requested. No CAB members provided comments to staff.

Reviewing Agencies

The following agencies received a copy of the project application for review and evaluation:

- Washoe County Community Services Department
 - Planning and Development Division
 - Engineering and Capital Projects Division
 - Utilities/Water Rights
 - Parks and Open Spaces
- Washoe County Health District
 - Air Quality Management Division
 - Vector-Borne Diseases Program
 - Environmental Health Services Division
- North Lake Tahoe Fire Protection District
- Regional Transportation Commission
- Washoe – Storey Conservation District
- Incline Village General Improvement District

- Nevada State Lands
- Tahoe Regional Planning Agency
- Tahoe Transportation District

Five out of the ten above listed agencies/departments provided comments and/or letters in response to their evaluation of the project application. The Washoe County Traffic Engineer, Incline Village GID and Washoe County Health District indicated that they had no comment. A **summary** of the two agency's comments that provided substantive comments, and their contact information, is provided. There are no Conditions of Approval attached to this staff report as the variance has been recommended for denial.

- *Washoe County Planning and Development Division evaluated the request and has recommended that the variance be denied as there are no special circumstances that necessitate the variance requested.*

Contact: Roger Pelham, 775.328.3622, rpelham@washoecounty.us

- *Washoe County Public Works and Engineering responded that a hold-harmless agreement is needed, if a variance is approved.*

Contact: Leo Vesely, 775.328-2040 lvesely@washoecounty.us

Staff Comment on Required Findings

WCC Section 110.804.25 requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the abandonment request. Staff has completed an analysis of the application and has determined that the proposal cannot meet required findings 1, 2 and 3 as follows.

1. **Special Circumstances.** Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property.

Staff Comment: As noted in the Project Evaluation portion of this staff report there are no peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property. This is demonstrated by the current approval of a building permit for a dwelling, within the required setbacks, on the subject site. Therefore, this finding cannot be made to support approval of the variance request.

2. **No Detriment.** The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted.

Staff Comment: Because there no identifiable special circumstances applicable to the piece of property, granting the relief will impair the intent and purpose of the Development Code by allowing development that does not conform to generally applicable Code requirements. Therefore, this finding cannot be made to support approval of the variance request.

3. **No Special Privileges.** The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated.

Staff Comment: Because there are no identifiable special circumstances, granting the relief will constitute a grant of special privileges inconsistent with the limitations upon

other properties in the vicinity and the identical regulatory zone in which the property is situated by allowing development that does not conform to generally applicable Code requirements. Therefore, this finding cannot be made to support approval of the variance request.

4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

Staff Comment: Granting the relief will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

5. Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

Staff Comment: There is no military installation within the area required to be noticed for this variance request.

Recommendation

Staff has been unable to identify any special circumstances applicable to the piece of property that would allow support of approval of the variance request. Therefore, after a thorough analysis and review, Variance Case Number WPVAR17-0002 is being recommended for denial. Staff offers the following motion for the Board's consideration. **Motion**

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment deny Variance Case Number WPVAR17-0002 for Michael Fisher and Susanna Kintz, being unable to make findings 1, 2 and 3 in accordance with Washoe County Development Code Section 110.804.25:

1. Special Circumstances. There are no special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; and the strict application of the regulation does not result in exceptional and undue hardships upon the owner of the property. Therefore, this finding cannot be made to support approval of the variance request.
2. No Detriment. Because there are no identifiable special circumstances applicable to the piece of property, granting the relief will impair the intent and purpose of the Development Code by allowing development that does not conform to generally applicable Code requirements. Therefore, this finding cannot be made to support approval of the variance request.
3. No Special Privileges. Because there are no identifiable special circumstances, granting the relief will constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated by allowing development that does not conform to generally applicable Code requirements. Therefore, this finding cannot be made to support approval of the variance request.
4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;

Appeal Process

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the original applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Development Division within 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant.

Property Owner: Michael Fisher and Susanna Kintz
567 Alden Lane
Incline Village, NV 89451

Professional Consultant: Structural Design and Engineering
Attn: Brian Harrison
2958 Glenview Drive
Reno, NV 89503

Others to be Contacted: Mike Rehberger
688 Bridger Ct.
Incline Village, NV 89451



REGIONAL TRANSPORTATION COMMISSION

Metropolitan Planning • Public Transportation & Operations • Engineering & Construction

Metropolitan Planning Organization of Washoe County, Nevada

May 1, 2017

FR: Chrono/PL 183-17

Mr. Roger Pelham, Senior Planner
Community Services Department
Washoe County
PO Box 11130
Reno, NV 89520

RE: WADMIN17-0004 (Classical Tahoe)
WPVAR17-0002 (Fisher/Kintz Front Yard Setback Reduction)
WSUP17-0008 (Quilici Group Care)
WSUP17-0009 (Truckee Meadows Water Authority)
WTPM17-0006 (Smith)
WTPM17-0007 (Kauffmann)

Dear Mr. Pelham,

We have reviewed the above application and have no comments at this time.

Thank you for the opportunity to comment on this application. Please feel free to contact me at 775-332-0174 or email me at rkapuler@rcwashoe.com if you have any questions or comments.

Sincerely,

Rebecca Kapuler
Planner

RK/jm

Copies: Mojra Hauenstein, Washoe County Community Services
Chad Giesinger, Washoe County Community Services
Kelly Mullin, Washoe County Community Services
Jae Pullen, Nevada Department of Transportation, District II
Daniel Doenges, Regional Transportation Commission
Tina Wu, Regional Transportation Commission
Julie Masterpool, Regional Transportation Commission
David Jickling, Regional Transportation Commission

/Washoe County no comment: 05052017

RTC Board: Ron Smith (Chair) • Bob Lucey (Vice Chair) • Paul McKenzie • Marsha Berkbigler • Neoma Jardon
PO Box 30002, Reno, NV 89520 • 1105 Terminal Way, Reno, NV 89502 • 775-348-0400 • rcwashoe.com

WPVAR17-0002
EXHIBIT A



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Engineering and Capital Projects Division

"Dedicated to Excellence in Public Service"

1001 East 9th Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

INTEROFFICE MEMORANDUM

DATE: May 03, 2017
TO: Roger Pelham, Planning and Development Division
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division
SUBJECT: **WPVAR17-0002**
APN 122-133-02
FISHER/KINTZ SETBACK

I have reviewed the referenced variance case and recommend the following condition:

1. Provide a hold-harmless agreement to the satisfaction of the District Attorney and the Engineering Division.

LRV/lrv

**WASHOE COUNTY
HEALTH DISTRICT**
ENHANCING QUALITY OF LIFE

May 2, 2017

Roger Pelham, MPA, Senior Planner
Washoe County Community Services
Planning and Development Division
PO Box 11130
Reno, NV 89520-0027

RE: Fisher/Kintz; APN 122-133-02
Variance; WPVAR17-0002

Dear Mr. Pelham:

The Washoe County Health District, Environmental Health Services Division (WCHD) has reviewed the above referenced project. Approval by the WCHD is subject to the following conditions:

1. The WCHD has no objections to the approval of the variance as proposed.

If you have any questions or would like clarification regarding the foregoing, please contact Wes Rubio, Senior Environmental Health Specialist at wrubio@washoecounty.us regarding all Health District comments.

Sincerely,



James English, REHS, CP-FS
EHS Supervisor
Waste Management/Land Development Programs

JE:wr

Cc: File - Washoe County Health District

ENVIRONMENTAL HEALTH SERVICES
1001 East Ninth Street | P.O. Box 11130 | Reno, Nevada 89520
775-328-2434 | Fax: 775-328-6176 | washoecounty.us/health
Serving Reno, Sparks and all of Washoe County, Nevada | Washoe County is an Equal Opportunity Employer



**WPVAR17-0002
EXHIBIT A**



Development Review Status Sheet

Date: 4-24-17

Attention: rpelham@washoecounty.us

RE: WPMVAR17-0002
APN: 122-133-02
Service Address: 567 Alden
Owner: Michael Fisher

Phone: Fax: Email:

Mailing Address: N/A

Variance Case Number WPMVAR17-0002 (Fisher/Kintz Front Yard Setback Reduction) - For possible action, hearing, and discussion to approve a variance to reduce the required front yard setback from 20 feet to 10 feet 2 inches for expansion of a dwelling that is currently permitted and under construction.

- Applicant/Property Owner: Michael Fisher and Susanna Kintz
Location: 567 Alden Lane, approximately 150 feet northeast of its intersection with Tyner Way
Assessor's Parcel Number: 122-133-02
Parcel Size: +/-0.39 acres (+/-16,988 square feet)
Master Plan Category: Suburban Residential (SR)
Regulatory Zone: Medium Density Suburban (MDS)
Area Plan: Tahoe
Citizen Advisory Board: Incline Village/Crystal Bay
Development Code: Authorized in Article 804, Variances
Commission District: 1 - Commissioner Berkgigler
Section/Township/Range: Section 17, Township 16 N, Range 18 E, MDM, Washoe County, NV
Staff: Roger Pelham MPA, Senior Planner
Phone: 775-328-3622
E-mail: rpelham@washoecounty.us

Comments and Conditions: No impact to the Incline Village General Improvement District

Completed by: Tim Buxton, Chief Inspector
Phone: (775) 832-1246 Fax: (775) 832-1260
Incline Village General Improvement District, 1220 Sweetwater Road, Incline Village NV 89451

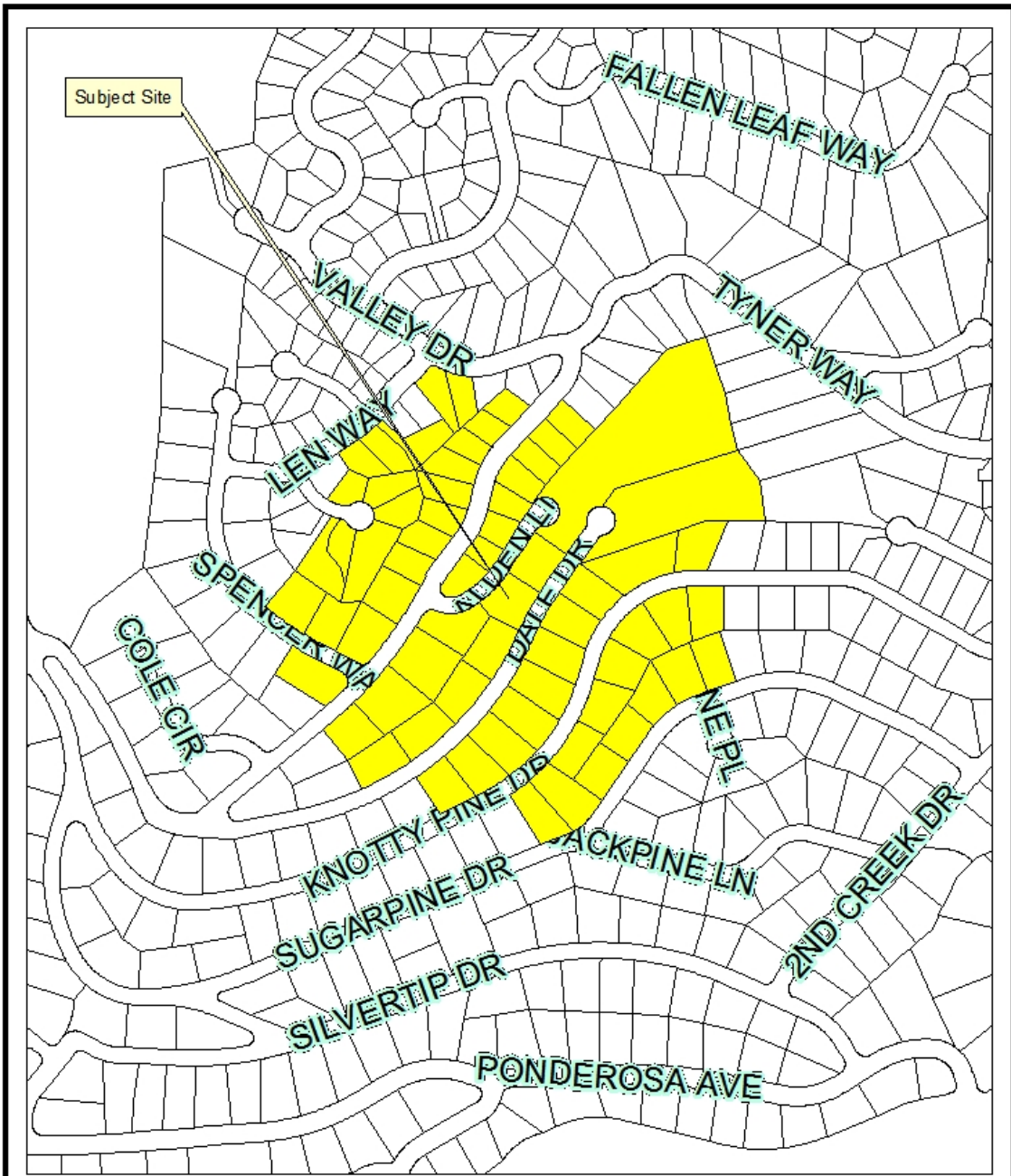
The contents of this transmission are intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law.

Note: Send information to the case planner as prescribed on the memo from Dawn or the Washoe County Development. TLB

From: Lawson, Clara
Sent: Monday, April 24, 2017 9:30 AM
To: Pelham, Roger
Subject: 567 Alden Ln AR17-0002 Variance

I don't have any objection to the proposed set back variances.

Clara Lawson, PE, PTOE, Licensed Engineer
Washoe County | Community Services Dept | Engineering Division 1001 E. Ninth St., Reno NV
89520
clawson@washoecounty.us | o 775-328-3603 | fax 775-328-3699
Connect with us: cMail | Twitter | Facebook | www.washoecounty.us



Mailing Label Map
Variance Case Number WPMAR17-0002
(Fisher / Kitner Front Yard Setback Reduction)

67 Parcels selected at 500 feet.

Source: Planning and Development Division



Date: April 2017

Community Services
 Department
 Planning and
 Development Division
WASHOE COUNTY
NE VADA
Post Office Box 11120
 Reno, Nevada 89520
 (775) 328-2800

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

Project Information		Staff Assigned Case No.: _____	
Project Name: Fisher/Kintz Residence			
Project Description: Construction of Personal Residence/Request for Setback Variance			
Project Address: 567 Alden Lane, Incline Village, NV 89451			
Project Area (acres or square feet): .39 Acres			
Project Location (with point of reference to major cross streets AND area locator): Alden Lane and Tyner Way			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
122-133-02	.39		
Section(s)/Township/Range:			
Indicate any previous Washoe County approvals associated with this application: Case No.(s). Permit #: 16-2272 (Construction 3 story home)			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Michael Fisher & Susanna Kintz		Name: Structural Desing & Engineering	
Address: 567 Alden Lane, Incline Village Zip: 89451		Address: 2958 Glenview Drive, Reno Zip: 89503	
Phone: 775-742-7210 Fax:		Phone: 775-657-1951 Fax:	
Email: skintz@rkglawyers.com		Email: brian@sdesignengineering	
Cell: 775-742-7210 Other:		Cell: 775-657-1951 Other:	
Contact Person: Susanna Kintz		Contact Person: Brian Harrison	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Owner Builder		Name: Mike Rehberger	
Address: 567 Alden Lane, Incline Village Zip: 89451		Address: 688 Bridger Ct., Incline Village Zip: 89451	
Phone: 775-742-7210 Fax:		Phone: 775-831-7765 Fax:	
Email: skintz@rkglawyers.com		Email: mikepwc@sbcglobal.net	
Cell: 775-742-7210 Other:		Cell: 775-846-9676 Other:	
Contact Person: Susanna Kintz		Contact Person: Mike Rehberger	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Property Owner Affidavit

Applicant Name: Michael Fisher & Susanna Kintz

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA)
)
COUNTY OF WASHOE)

I, _____
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Development.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 122-133-02

Printed Name Michael A. Fisher JR.

Signed Michael A. Fisher JR.

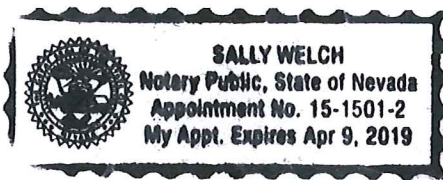
Address 567 Alden Lane Incline Village NV 89451

Subscribed and sworn to before me this
17 day of April, 2017.

(Notary Stamp)

Sally Welch
Notary/Public in and for said county and state

My commission expires: 4/9/19



*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

Property Owner Affidavit

Applicant Name: Michael Fisher & Susanna Kintz

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA)
)
COUNTY OF WASHOE)

I, _____,
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Development.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 122-133-02

Printed Name Susanna Truax Kintz

Signed _____
[Signature]

Address 567 Alden Lane, Indian Village
NV 89451

Subscribed and sworn to before me this
17 day of April, 2017.

(Notary Stamp)

Sally Welch
Notary Public in and for said county and state

My commission expires: 4/9/19



*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

Variance Application Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to variances may be found in Article 804, Variances.

1. What provisions of the Development Code (e.g. front yard setback, height, etc.) must be waived or varied to permit your request?

Section 110.406.05. A new residence is currently under construction on this site. (Permit # 16-2272). The permitted plans allow for roof over 1 ½' of the front entry porch. We are requesting a variance to permit the extension of the roof over the entire front porch. If granted, the roof will cover 7'8" of porch within the 20' setback (not including a 2' roof eave). This is the minimum amount of space necessary to both allow access to the driveway, and sufficient snow storage between the house and the driveway walkway. Alden Lane is approximately 10' from the property line, thus the structure will be more than 20' from the road, which is farther from the road than most of the homes in the neighborhood that sit on similar downhill grades. (See Exhibit 13 photos of neighboring homes). The Exhibit 14.a and 14.b photos of the residence show the length of the ridge beams if the variance is granted. We are also requesting a variance of 6" for the garage eave to permit a decorative truss. A portion of the Garage sits behind the 20' setback thus that portion will fall within the set back.

You must answer the following questions in detail. Failure to provide complete and accurate information will result in denial of the application.

2. What are the topographic conditions, extraordinary or exceptional circumstances, shape of the property or location of surroundings that are unique to your property and, therefore, prevent you from complying with the Development Code requirements?

The lot has steep 30% downward grade, thus the farther the structure is placed from the street, the higher above grade level the structure must be suspended. (See Exhibit 14.c. and 14.d. showing the slope of the lot). Thus, for safety and aesthetic reasons, it is preferable to situate the residence as close to the street as possible. The structure that was torn down had a substantial 40' long retaining wall that sits on the 20' setback line. It was both practical and the best option safety-wise given the lot's steep grade, to situate the new structure directly on this existing retaining wall.

By situating the new structure on the existing retaining wall, we were unable to accommodate a covered front entry within the setback. We tried many different design ideas none of which made practical or aesthetic sense given the height and other TRPA restrictions we had to comply with. We went forward with construction without first obtaining a variance with the knowledge and understanding that there was a risk we would not be granted a variance, because we did not see any other option. If the variance is not granted, we simply will not have a covered entrance.

The home has an elevation of approximate 6700' above sea level and can get a significant amount of snow, thus there is a need for a covered entry to the home.

3. What steps will be taken to prevent substantial negative impacts (e.g. blocking views, reducing privacy, decreasing pedestrian or traffic safety, etc.) to other properties or uses in the area?

The covered entry was designed so that it will not impede neighbor views, impact neighbor privacy, or have any other negative impact on the neighborhood, and is consistent with the existing neighborhood set backs. (See Exhibit 14.a.and 14.b.). The owners of the three homes that are impacted by the variance all support the variance and have signed letters expressing their support. (See Exhibit 12). Further, the design achieves the smallest possible encroachment while allowing access to the home from the driveway and permitting sufficient snow storage along the side of the house.

4. How will this variance enhance the scenic or environmental character of the neighborhood (e.g. eliminate encroachment onto slopes or wetlands, provide enclosed parking, eliminate clutter in view of neighbors, etc.)?

The covered entry enhances the aesthetic appeal of the home, which serves to increase the values of the surrounding homes. The majority of the homes in the neighborhood sit within the 20' setback line and thus the variance lends itself to the existing character of the neighborhood. (See Exhibit 13 photos)

The existing deck is permitted to 7.8" into the setback. We are requesting a variance that would permit us to cover the deck with a standard 2' eave. There should be little to no negative impact on the environment, because the covered roof would be approximately 11 1/2' above grade at its lowest point and the deck below will be permeable. The deck size allows sufficient room to store snow shedding off the roof between the garage walkway and the home. In the event the variance is granted we will amend our permit accordingly. We reserved coverage for this purpose.

The proposed extension of the garage roof eave only partially infringes the setback. The extension permits the addition of a truss that will enhance the design of the home.

5. What enjoyment or use of your property would you be denied that is common to other properties in your neighborhood?

The majority of the surrounding homes are built within the 20' setback and are closer to the street than our residence even with the variance. The majority of these homes have covered entries. Given the amount of snow and inclement weather the home is exposed to, the covered entry would significantly improve the enjoyment of the home.

6. Are there any restrictive covenants, recorded conditions or deed restrictions (CC&Rs) that apply to the area subject to the variance request?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, please attach a copy.
------------------------------	--	-------------------------------

7. What is your type of water service provided?

Community Water Service

8. What is your type of sewer service provided?

Community sewer service

Click

More

Gmail

COMPOSE

Property tax printout for 567 Alden Lane

Inbox x

Inbox (142)

Important

Sent Mail

Drafts (5)

All Mail

Trash

[Imap]/Sent

Cancelled Reservations

Italy

MCLE (5)

Notes

Personal

Travel

More labels

Riordan, Catherine <CRiordan@washoecounty.us>

to me

Please see the attachment for your information.

Cathy

Catherine Riordan

Account Clerk | Washoe County Treasurer

criordan@washoecounty.us | O 775.328.2510 | F 775-328-2500 | 1001 E 9th St Bldg C

Pay Online: | www.washoecounty.us/treas

Mail : | PO Box 30039 Reno, NV 89520-3039



Property Tax Reminder Notice

WASHOE COUNTY PO BOX 30039 RENO NV 89520-3039 775-328-2510	PAY TO: WASHOE PAY TO: WASHOE	<table border="1"> <tr> <th>Account Debt Summary</th> <th>Balance</th> </tr> <tr> <td>General Fund Property</td> <td>0.00</td> </tr> <tr> <td>Water Property/Services</td> <td>0.00</td> </tr> <tr> <td>Sanitation Property</td> <td>0.00</td> </tr> <tr> <td>Total Due</td> <td>0.00</td> </tr> </table>	Account Debt Summary	Balance	General Fund Property	0.00	Water Property/Services	0.00	Sanitation Property	0.00	Total Due	0.00
Account Debt Summary	Balance											
General Fund Property	0.00											
Water Property/Services	0.00											
Sanitation Property	0.00											
Total Due	0.00											

ADDITIONAL INFORMATION:
 WASHOE COUNTY TREASURER
 1001 E 9th ST BLDG C
 RENO NV 89520-3039

CALL 775-328-2500

Property Tax Reminder Notice

WASHOE COUNTY
 PO BOX 30039
 RENO, NV 89520-3039
 775-328-2510

PIN: 12213302
 AIN:

Balance Good Through:	03/08/2017
Current Year Balance:	\$0.00
Prior Year(s) Balance: (see below for details)	\$0.00
Total Due:	\$0.00

AUTO
 :894513:

MICHAEL A JR & SUSANNA FISHER
 567 ALDEN LN
 INCLINE VILLAGE NV 89451

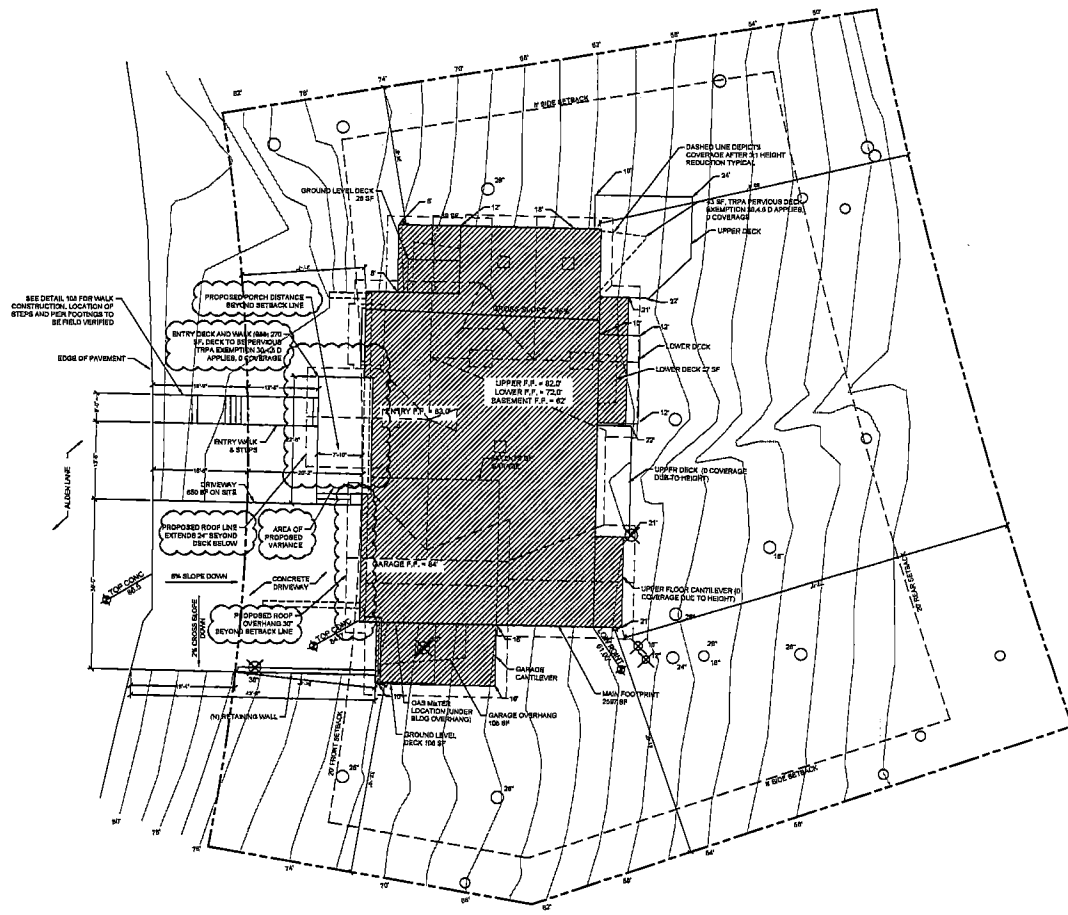
Description:

Situs: 567 ALDEN LN
 INCL

This is a courtesy notice. If you have an impound account through your lender or are not sure if you have an impound account and need more information, please contact your lender directly. Please submit payment for the remaining amount(s) according to the due dates shown. Always include your PIN number with your payment. Please visit our website: www.washoecounty.us/treas

Current Charges									
PIN	Year	Bill Number	Inst	Due Date	Charges	Interest	Pen/Fees	Paid	Balance
12213302	2016	2016096923	1	08/15/2016	1,147.63	0.00	0.00	1,147.63	0.00
12213302	2016		2	10/03/2016	1,147.43	0.00	0.00	1,147.43	0.00
12213302	2016		3	01/02/2017	1,147.43	0.00	0.00	1,147.43	0.00
12213302	2016		4	03/06/2017	1,147.43	0.00	0.00	1,147.43	0.00
Current Year Totals					4,589.92	0.00	0.00	4,589.92	0.00

Prior Years								
PIN	Year	Bill Number	Charges	Interest	Pen/Fees	Paid	Balance	
Prior Years Total								



NOTES:

- 1) THIS PLAN IS BASED ON RECORD INFORMATION ONLY. (D BOUNDARY SURVEY WAS PERFORMED.)
- 2) EXISTING AND ALLOWABLE COVERAGES SHOWN BELOW ARE BASED ON THE PREVIOUS PERFORMED SITE ASSESSMENT BY TRPA.
- 3) TOPO INFORMATION IS BASED ON THE PREVIOUS SURVEY PERFORMED BY BEN BARRONS.

ALLOWABLE LAND COVERAGE	
LOT SIDE TABLE BY 20% =	3,652 SF
EXISTING LAND COVERAGE	
RESIDENCE FOOTPRINT	1,348 SF
DECK/STAIRS	204 SF
PAVING	888 SF
TOTAL	2,440 SF

PROPOSED LAND COVERAGE	
BUILDING FOOTPRINT	2,507 SF
SEELING OVERHANGS	204 SF
DECKS (SEE "NOTE BELOW")	0 SF
PARKING DECK	498 SF
TOTAL	3,209 SF

* NOTE: TOTAL DECK COVERAGE AFTER 5:1 HEIGHT REDUCTION = 425 SF. TRPA PERVIOUS DECK EXEMPTION 20.4 D D APPLIES. EX COVERAGE COUNTED FOR DECKS

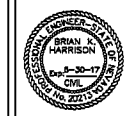
OFF SITE COVERAGE	
EXISTING	205 SF
PROPOSED	498 SF

- NOTES:**
- 1) ALL IMPROVEMENTS WITHIN THE COUNTY RIGHT-OF-WAY SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST COUNTY ORDINANCES AND THE LATEST COUNTY STANDARD SPECIFICATIONS AND DETAILS.
 - 2) A STREET ELEVATION PERMIT IS REQUIRED FOR ANY WORK TO BE PERFORMED WITHIN THE WARHOLE COUNTY RIGHT-OF-WAY.
 - 3) THE WARHOLE COUNTY ROAD DEPARTMENT (225-180) MUST APPROVE THE NEW DRIVEWAY APPROACH PRIOR TO PERMIT FINAL CERTIFICATE OF OCCUPANCY.
 - 4) AN ADDRESS SIGN WITH A MINIMUM 8" TALL LETTERING ON CONTRASTING BACKGROUND SHALL BE VISIBLE FROM THE FRONTAGE ROAD.

PREPARED BY:
BRIAN K. HARRISON, P.E.
STRUCTURE DESIGN & ENGINEERING
2858 GLENVIEW DRIVE, RENO NV 89503
(775) 857-1951



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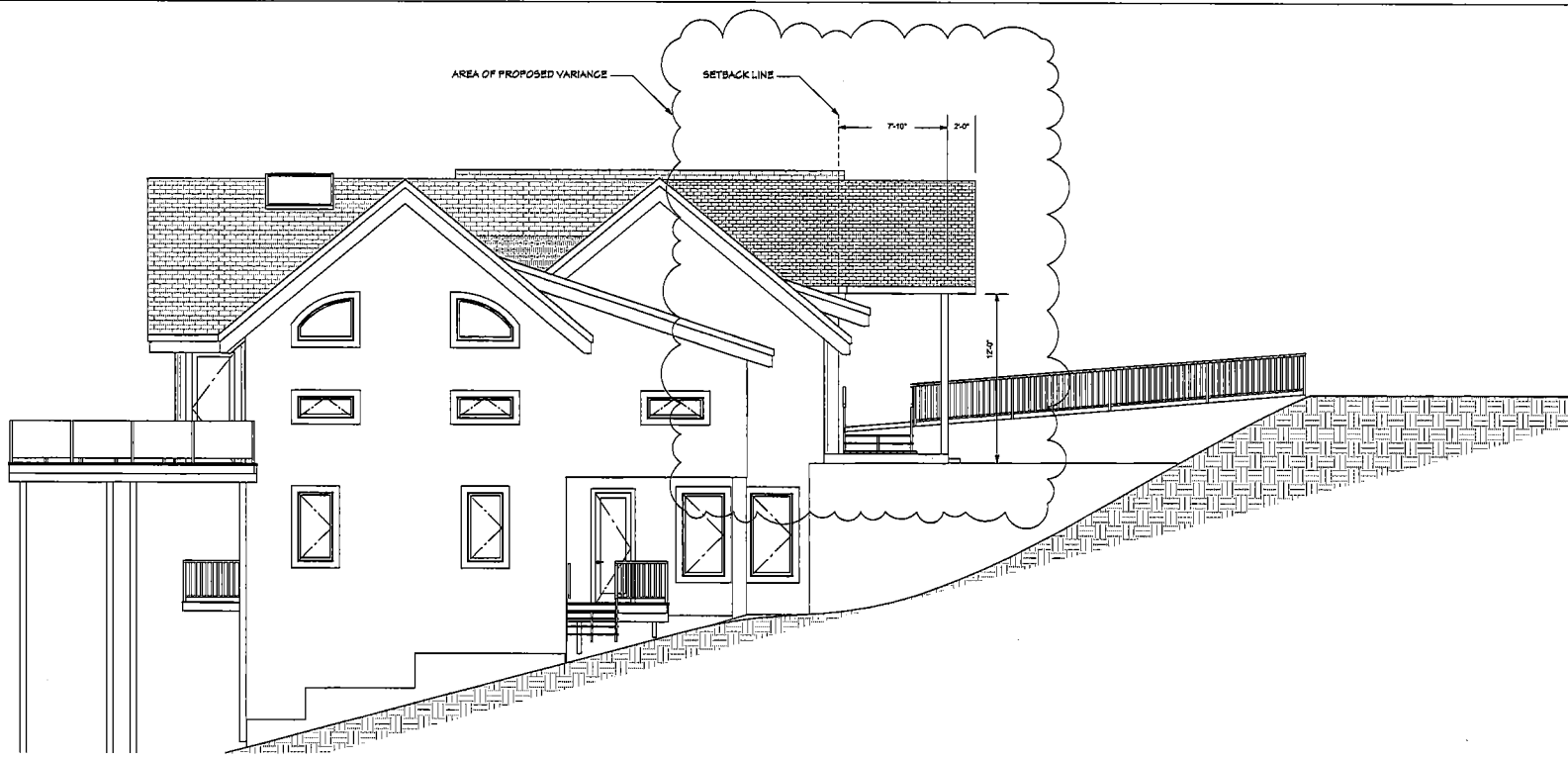
FISHER/KINTZ RESIDENCE
PREPARED FOR:
SUSANNA KINTZ
ENGAGED LOCATION:
427 W. VALLEY, NV
APRIL 122-133-02

SITE PLAN
SCALE: 1" = 17'

SHEET INDEX

V1	PROPOSED SITE PLAN
V2	PROPOSED ELEVATION
A1	UPPER FLOOR PLAN

DATE	SEPTEMBER 9, 2018
DRAWN BY	BKH
JOB NO.	1024
PROJECT NO.	V1



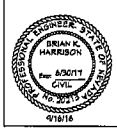
LEFT ELEVATION

SCALE
1/4" = 1'-0"

PREPARED BY:
BRIAN K. HARRISON, P.E.
STRUCTURE DESIGN & ENGINEERING
BRIAN@SDESIGNENGINEERING.COM
2558 CLAYVIEW DRIVE, BERND, NY 13623
(719) 857-1951



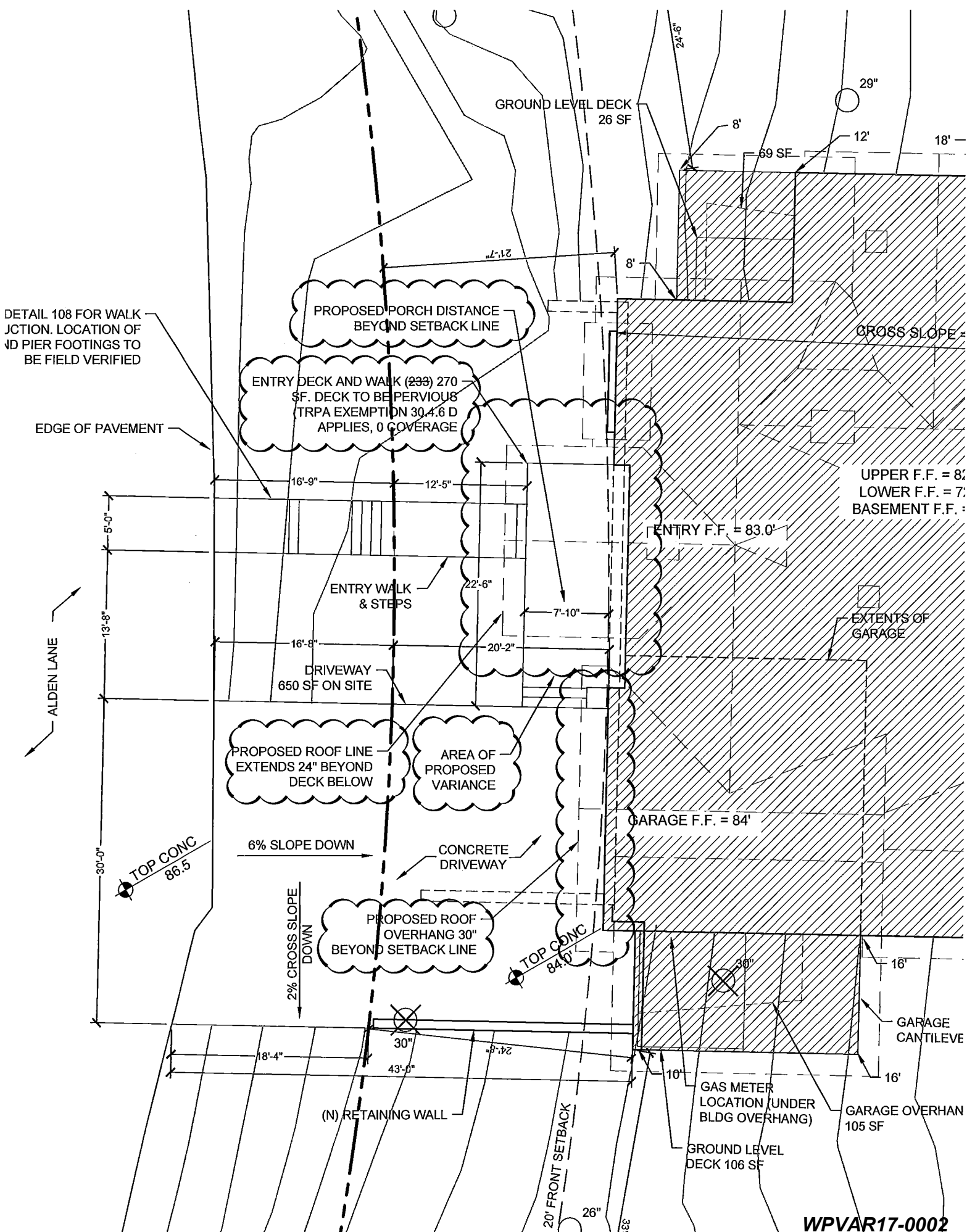
This drawing is the property of S Design Engineering, Inc. and shall not be used for any other project without the express written consent of S Design Engineering, Inc.



FISHERKINTZ RESIDENCE
PREPARED FOR
SUSANNA KINTZ
PROJECT LOCATION
100 WEST ALLEN
APRIL 22, 2012

REV. 2	07/17/12
DATE	05/18/12
DRAWN BY	BKH
JOB NO.	10073
DRAWING NO.	

V2



DETAIL 108 FOR WALK JUNCTION. LOCATION OF WALK PIER FOOTINGS TO BE FIELD VERIFIED

EDGE OF PAVEMENT

PROPOSED PORCH DISTANCE BEYOND SETBACK LINE

ENTRY DECK AND WALK (270) 270 SF. DECK TO BE PERMISSIVE TRPA EXEMPTION 30.4.6 D APPLIES, NO COVERAGE

ENTRY WALK & STEPS

DRIVEWAY 650 SF ON SITE

PROPOSED ROOF LINE EXTENDS 24" BEYOND DECK BELOW

AREA OF PROPOSED VARIANCE

PROPOSED ROOF OVERHANG 30" BEYOND SETBACK LINE

GARAGE F.F. = 84'

ENTRY F.F. = 83.0'

UPPER F.F. = 83'
LOWER F.F. = 77'
BASEMENT F.F. = 71'

EXTENTS OF GARAGE

GARAGE CANTILEVER

GARAGE OVERHANG 105 SF

GAS METER LOCATION (UNDER BLDG OVERHANG)

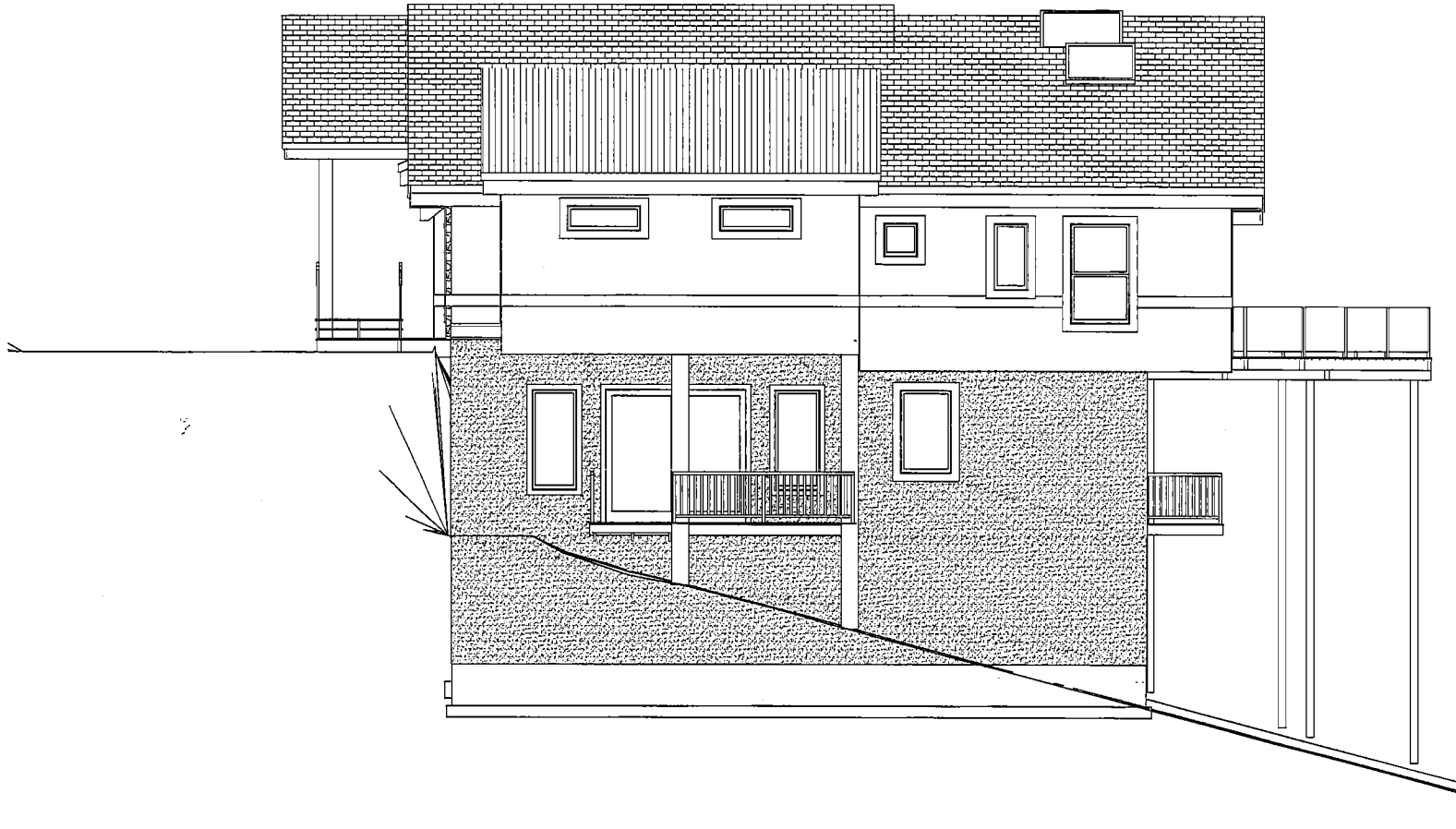
GROUND LEVEL DECK 106 SF

20' FRONT SETBACK

FRONT ELEVATION



WEST ELEVATION



Charlotte Jones
565 Alden Lane
Incline Village, NV
March 2, 2017

Washoe County Building Department
1001 East Ninth Street
Reno, Nevada 89520

Re: Support of Fisher/Kintz Request for Setback Variance at 567 Alden Lane, Incline Village, NV

Dear Sirs and Madams:

The purpose of this letter is to support the Fisher/Kintz Family request for a variance for an eight foot (8') variance to allow for a covered front porch and a six inch (6") variance for the roof eave to accommodate a decorative truss over the garage door. We support the request for the following reasons:

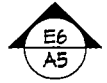
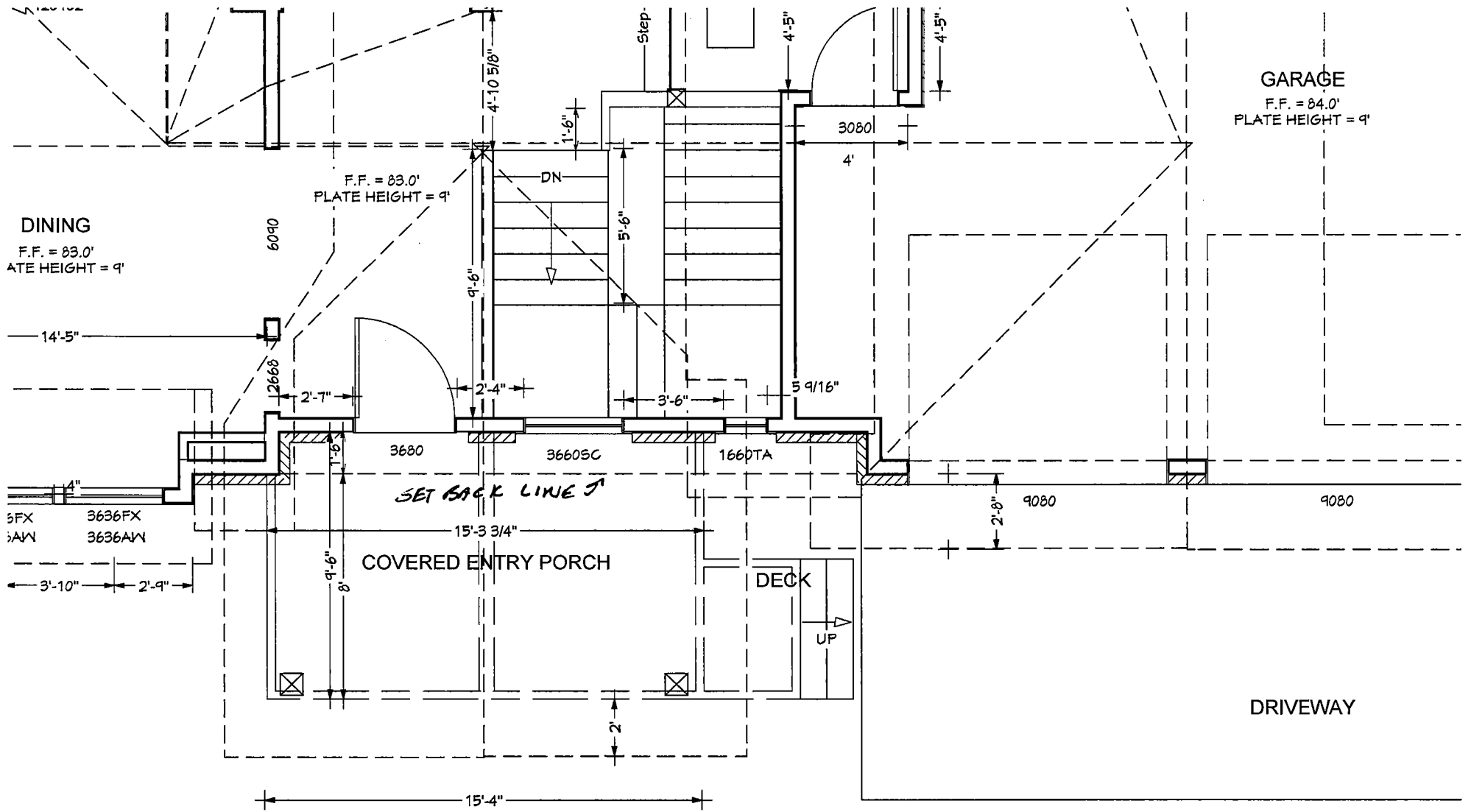
1. The proposed covered front porch and truss work over the porch and garage are aesthetically pleasing and will enhance the value of the homes in the neighborhood.
2. The variance should not be an issue with other neighbors because even with the variance, the residence is set back further from the street than neighboring houses and structures will not block views.
3. Having a covered front porch provides shelter from our inclimate mountain weather.

I hope that letter is helpful to the Department and that the variance request is approved.

Sincerely,



Charlotte Jones





Rick and Jacque Coddington

567 Tyner Way

Incline Village, NV

February __, 2017

Washoe County Building Department

1001 East Ninth Street

Reno, Nevada 89520

Re: Support of Fisher/Kintz Request for Setback Variance at 567 Alden Lane, Incline Village, NV

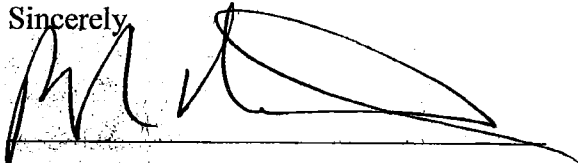
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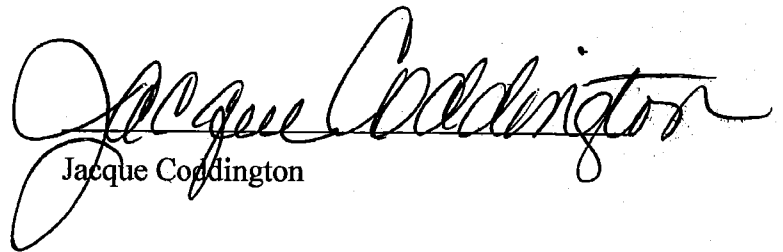
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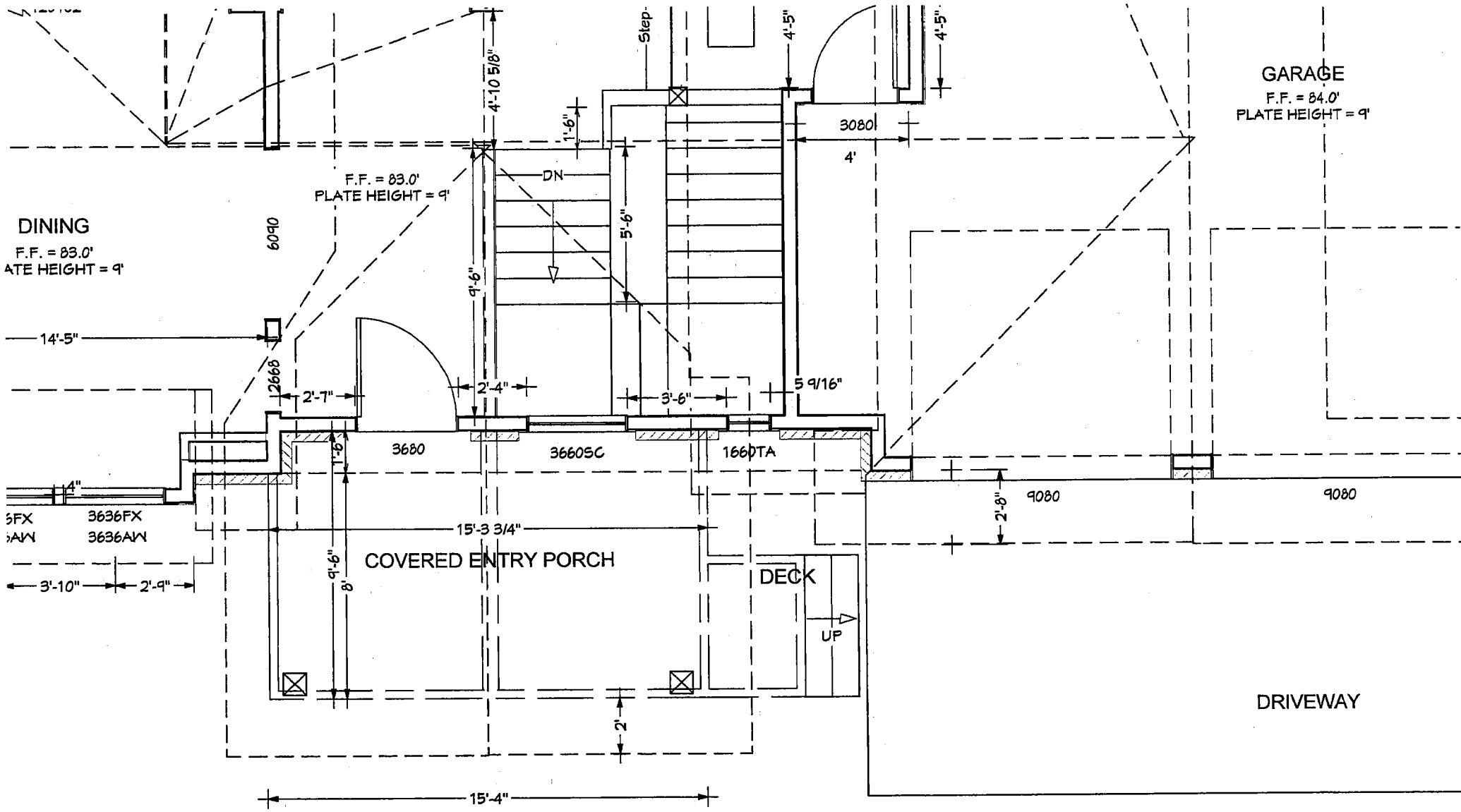


Rick Coddington



Jacque Coddington





Richard and Shari Liotta

569 Alden Lane,
Incline Village, NV
February __, 2017

Washoe County Building Department
1001 East Ninth Street
Reno, Nevada 89520

Re: Support of Fisher/Kintz Request for Setback Variance at 567 Alden Lane, Incline Village, NV

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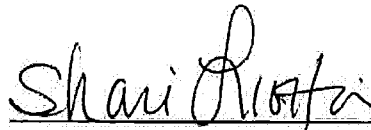
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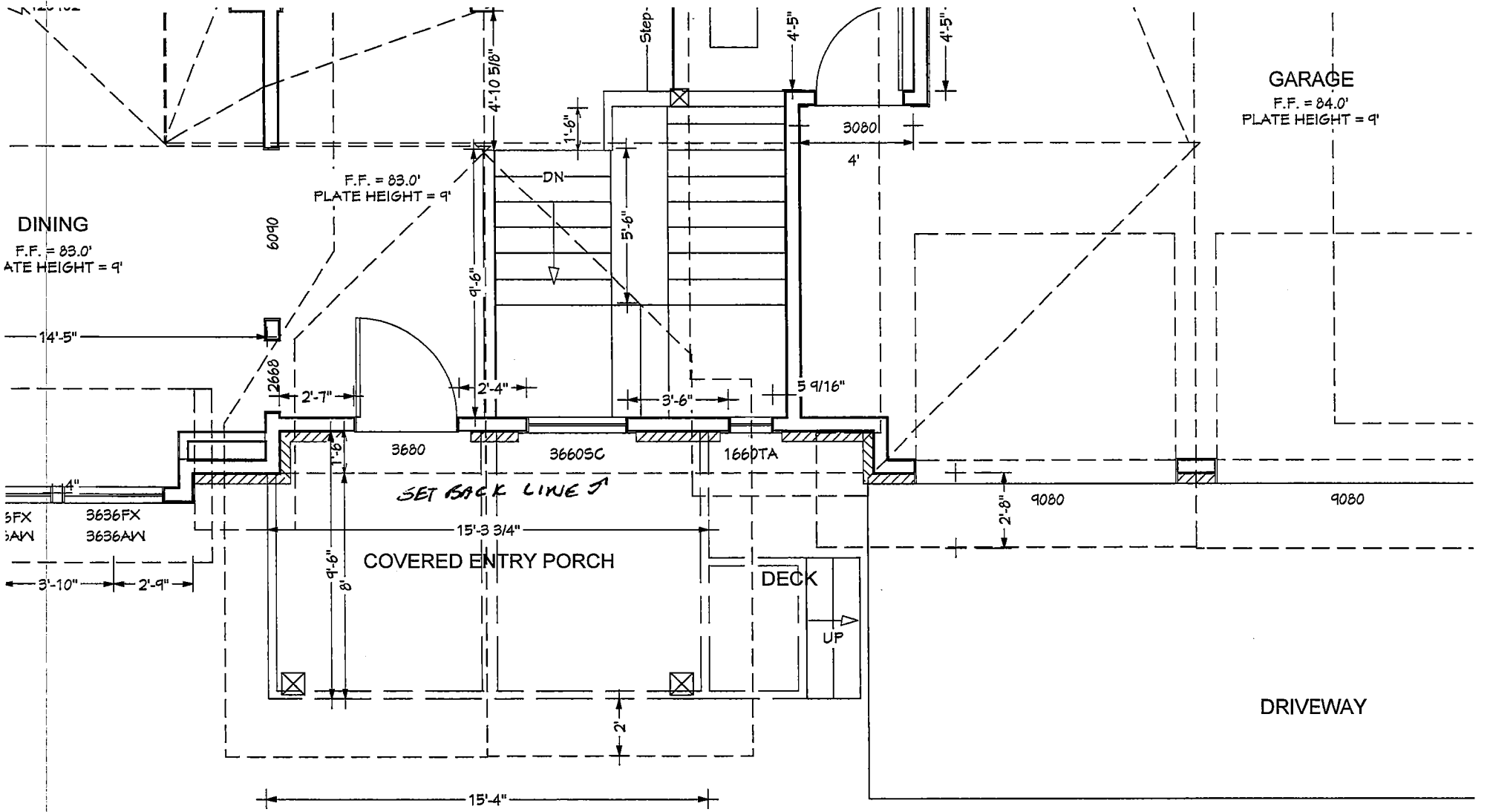
Sincerely,



Richard Liotta



Shari Liotta



DINING
 F.F. = 83.0'
 PLATE HEIGHT = 9'

F.F. = 83.0'
 PLATE HEIGHT = 9'

GARAGE
 F.F. = 84.0'
 PLATE HEIGHT = 9'

SET BACK LINE J

COVERED ENTRY PORCH

DECK

DRIVEWAY

DECK







555







30 YD

5157







561

YUKON XL



663









569

02BNUSA

373-ARW

4x4
OFF ROAD



567

PACIFIC
CONSTRUCTION

NO
TRESPASSING





