



Board of Adjustment Staff Report

Meeting Date: December 7, 2017

Agenda Item: 8B

STAFF REPORT CASE NUMBER: WPVAR17-0008

BRIEF SUMMARY OF REQUEST: To approve a variance to reduce the front yard setback from 20 feet to 2 feet and reduce the side yard setback from 8 feet to 3 feet to allow for the construction of a two car attached garage.

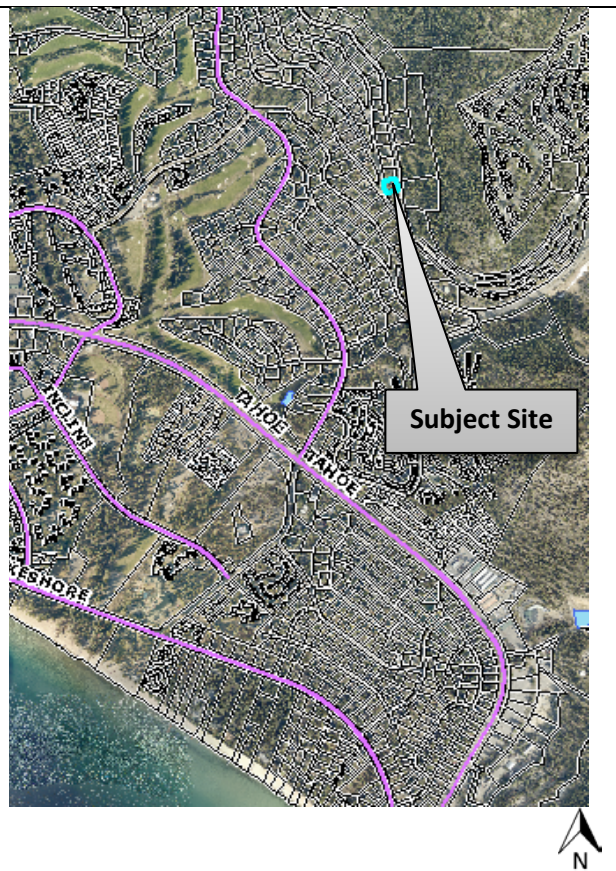
STAFF PLANNER: Planner's Name: Julee Olander
Phone Number: 775.328.3627
E-mail: jolander@washoecounty.us

APPLICANT/PROPERTY OWNER: Michael & Corinne Jennings

CASE DESCRIPTION

For possible action, hearing, and discussion by the Washoe County Board of Adjustment to approve a variance to reduce the front yard setback from 20 feet to 2 feet and reduce the side yard setback from 8 feet to 3 feet to allow for the construction of a two car attached garage.

- ◆ Applicant/Owner: Michael & Corinne Jennings
- ◆ Location: 423 Fairview Blvd., Incline Village
- ◆ APN: 131-221-02
- ◆ Parcel Size: ±.56 acres
- ◆ Master Plan: Suburban Residential (SR)
- ◆ Regulatory Zone: Medium Density Suburban (MDS)
- ◆ Area Plan: Tahoe
- ◆ CAB: Incline Village/Crystal Bay
- ◆ Dev Code: Authorized in Article 804, Variances
- ◆ Comm. District: 1 – Commissioner Berkbigler
- ◆ Sec/Town/Range: Section 14, T16N, R18E, MDM, Washoe County, NV



STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE 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 approve with the conditions included as Exhibit A to this matter, Variance Case Number WPVAR17-0008 for Michael & Corinne Jennings, having made all five findings in accordance with Washoe County Code Section 110.804.25.

(Motion with Findings on Page 12)

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Application V7-26-86Exhibit B

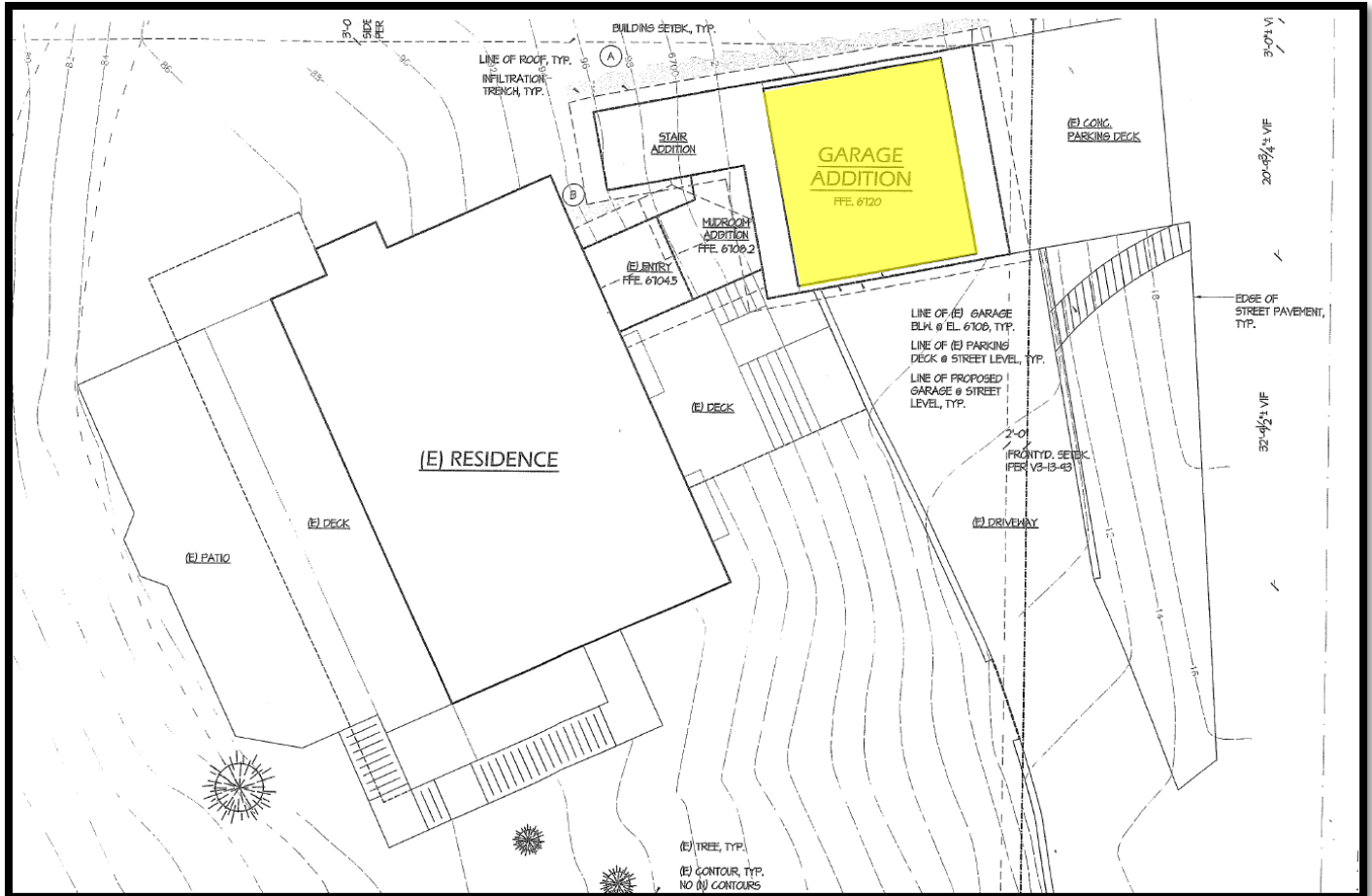
Application V3-13-93Exhibit C

Agency CommentsExhibit D

CAB CommentsExhibit E

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Project Application..... Exhibit G



Site Plan

Project Evaluation

The applicant is requesting to reduce the front yard setback from 20 feet to 2 feet and north side yard setbacks from 8 feet to 3 feet to accommodate the construction of a 2 car attached garage. The subject property has a regulatory zone of Medium Density Suburban (MDS) which requires a 20 foot front yard setback and an 8 foot side yard setback. The garage will be constructed above an existing garage and where an existing parking deck is located.

The existing 3,856 square foot residence was built in 1973 as part of the Country Club subdivision. Adjacent properties have the regulatory zone of MDS. The undeveloped parcels across Fairview Boulevard are owned by the U.S. Forest Service and have a regulatory zone of General Rural (GR). There are steep slopes throughout the Country Club subdivision which has resulted in the use of a stepped-down building design to work with the contours of the property, with garages at street elevation. Many neighboring properties have obtained variances to build garages at the street level and in the front yard setbacks.

There have been two previous variance applications submitted for a garage addition for this property. Application V7-26-86 was submitted in 1986 to construct a detached accessory garage over an existing parking deck and to vary the front yard setback from 5 feet to 4 feet. The variance was approved on September 23, 1986 (See Exhibit B). Application V3-13-93 was submitted in 1993 to vary the front yard setback from 15 feet to 2 feet and the north side setback from 8 feet to 3 feet to construct a new garage and entry as a second story over an existing garage and parking

deck. The variance was approved on May 25, 1993 (See Exhibit C). Both of these variances expired before the garage and entry were constructed.



Driveway, garage and parking deck

The 423 Fairview Boulevard property is on a steep slope with an enclosed garage that is under the street level parking deck and the existing garage is accessed off a steep driveway that is approximately at 16% slope. The maximum grade for residential driveways is 14% per Washoe County Code Section 110.436.30(3). There is no direct access to the residence from the parking deck; the home is accessed by the stairway from the street to the driveway. The applicant is requesting the variance to build a new garage at street level because in the winter months it is difficult to keep the driveway to the existing garage clear of snow and ice. The proposed garage will be built where the paved parking deck is located over the garage. The applicant is also proposing to build a new entry with an enclosed stairway from the new garage to the residence. The area between the back of the garage and the street will provide two additional off-street parking spaces.

The location of the proposed new garage and entry will not block neighboring properties views or impact adjacent properties. A portion of the parking deck, stairway and driveway are in the public right-of-way (ROW). The distance between the property line by the parking deck and the edge of pavement of Fairview Boulevard is approximately 16-½ feet (See page 9). A condition will require the property owner to obtain an encroachment permit for existing or planned construction in the ROW (See Exhibit A). A similar condition was required by previous variance permit V3-13-93 (See Exhibit C). As noted above, this variance expired and the encroachment permit was never obtained. The Engineering and Capital Projects Division will require a condition for a hold harmless agreement from the property owner for construction within the front yard setback.



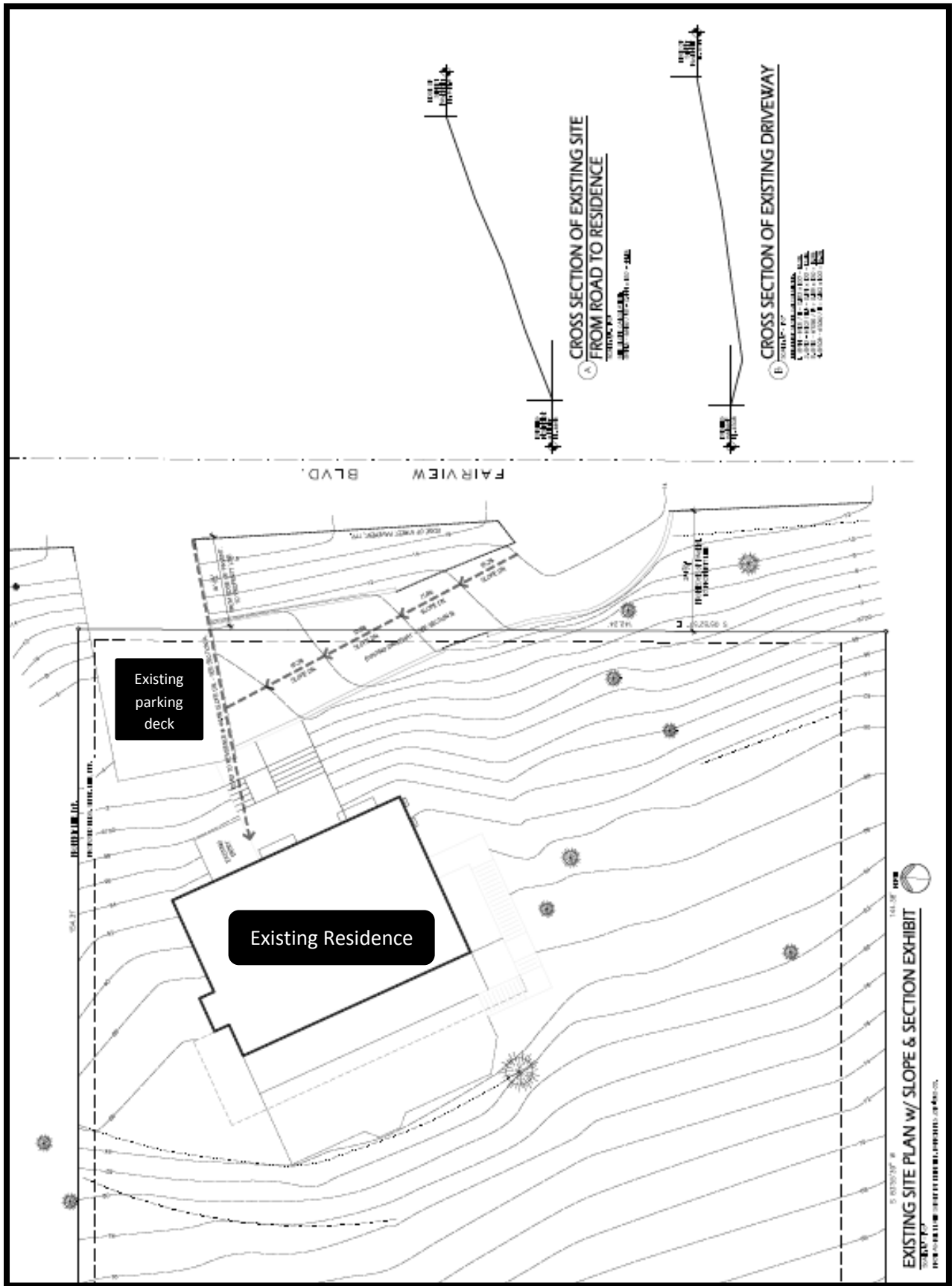
Parking Deck



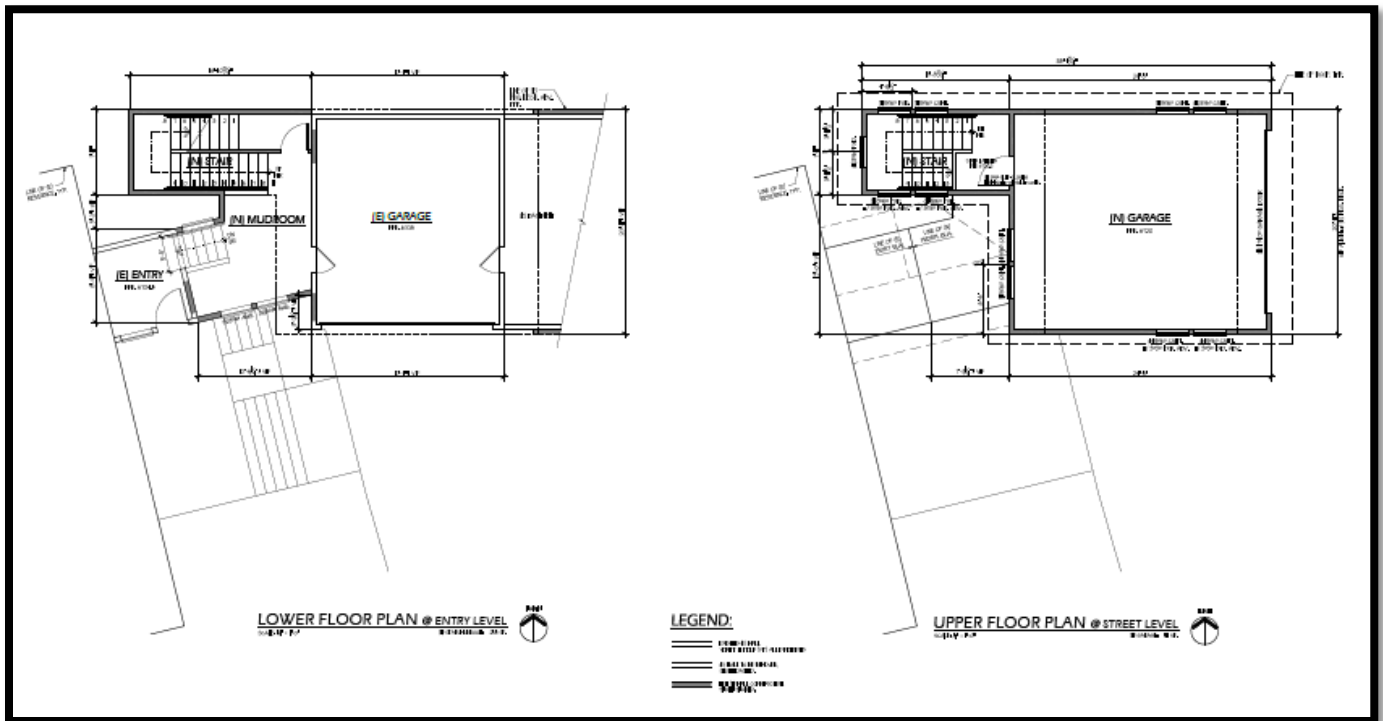
Driveway to garage



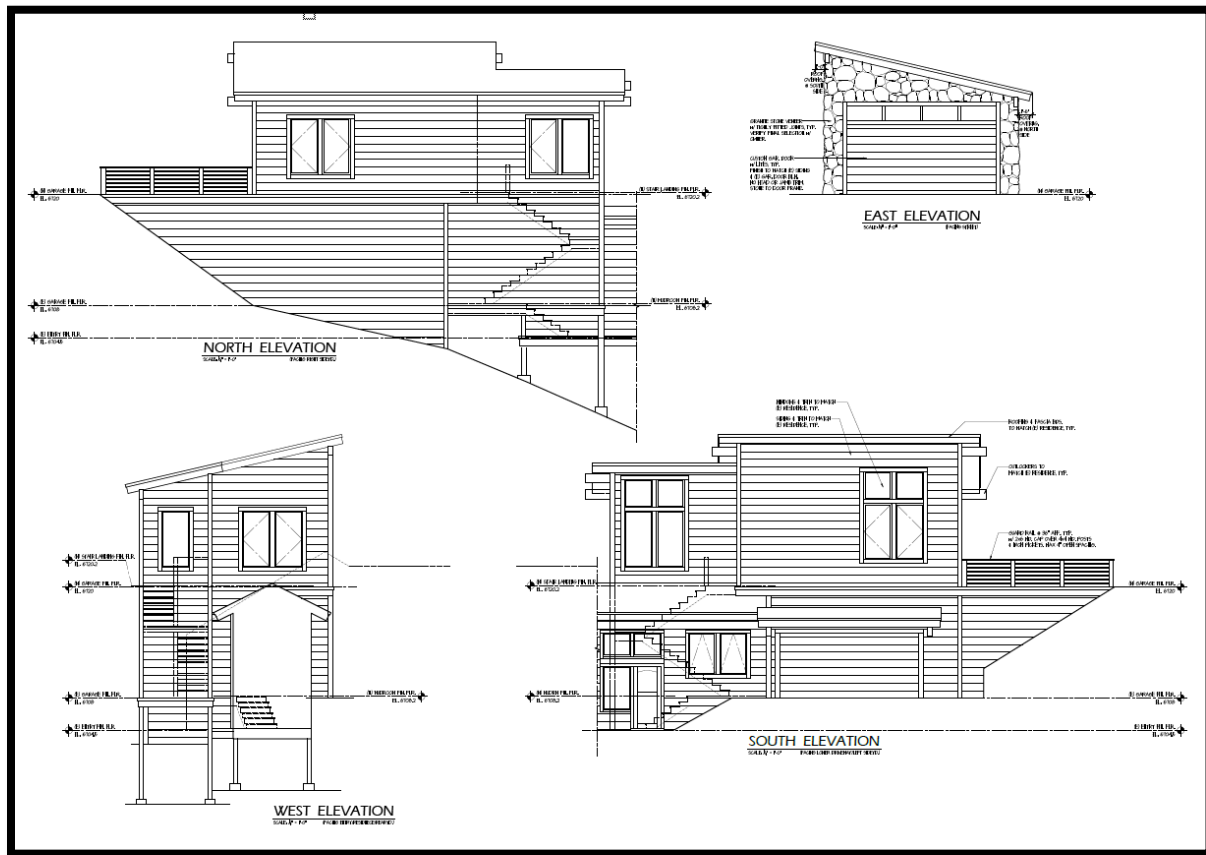
Stairway to driveway



Slope and Cross Section Map



Floor Plans



Elevations

Incline Village/Crystal Bay Citizen Advisory Board (IV/CB CAB)

The Incline Village/Crystal Bay 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. Two CAB members did provide comments to staff. One CAB member was in favor of the variance and another requested proof that guest parking was being provided (See Exhibit C).

Reviewing Agencies

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

- Washoe County Community Services Department
 - Planning and Building Division
 - Planning Program
 - Building Program
 - Engineering and Capital Projects Division
 - Land Development
- Operations Division
 - Incline Village Roads Program
- Washoe County Health District
 - Air Quality Management Division
 - Environmental Health Services Division
- Washoe County District Attorney
- Incline Village General Improvement District
- North Lake Tahoe Fire Protection District
- Nevada Tahoe Conservation District
- Nevada State Lands
- Regional Transportation Commission
- Charter Communications

5 out of the 13 above listed agencies/departments provided comments. 3 agencies/departments had no comments and 2 departments recommended conditions of approval in response to their evaluation of the project application. A **summary** of the 2 departments with recommended conditions of approval and their contact information is provided below. The Conditions of Approval document is attached to this staff report (See Exhibit A) and will be included with the Action Order with the specific recommended conditions, if the Variance is approved by the Board of Adjustment.

- *Washoe County Planning and Building Division, Planning Program reviewed the application and recommends approval subject to standard conditions since staff can make the required findings for approval of a variance.*
Contact: Julee Olander, 775-328-3627, jolander@washoecounty.us
- *Washoe County Engineering and Capital Projects Division requires the Hold Harmless Agreement and automatic garage door openers.*
Contact: Leo Vesely P.E., 775.328.2313, ivesely@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 variance request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings 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: Special circumstances exist on the property, including steep topography of approximately 44% from the edge of the property to the front of the existing residence. Undue hardship and environmental impact would therefore result from strict application of the setback regulations.

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: No detriment to the public good will result from granting of the variance. The location of the proposed new garage and entry will not block neighboring properties views or impact adjacent properties. The public safety will be improved by providing enclosed off-street parking and two off-street parking spaces, resulting in fewer cars potentially parked along Fairview Boulevard.

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: Granting of the variance will not constitute a grant of special privileges not enjoyed by similarly situated properties, most properties on Fairview Blvd have similar garages at street level. Neighboring properties also, have the same regulatory zone, similarly steep slopes, and structures within the front yard setback.

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: The proposed construction of a garage is an allowed accessory use on the 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 are no military installations within the required noticing distance; therefore, this finding is not required.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project, or provided no comments. Therefore, after a thorough analysis and review Variance Case Number WPVAR17-0008 is being recommended for approval with conditions. 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 approve Variance Case Number WPVAR17-0008 with the conditions included as Exhibit A for this matter,

for Michael and Corinne Jennings, having made all four of the following findings in accordance with Washoe County Code Section 110.804.25:

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;
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;
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; and
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.

Applicant/Owner: Michael & Corinne Jennings
930 Tahoe Blvd., Ste 802-401
Incline Village, NV 89451

Consultant: Midkiff & Associates, Inc.
P.O. Box 12427
Zephyr Cove, NV 89448



Conditions of Approval

Variance Case Number WPVAR17-0008

The project approved under Variance Case Number WPVAR17-0008 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on December 7, 2017. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property.

Unless otherwise specified, all conditions related to the approval of this Variance shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the conditions of approval related to this Variance is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Variance may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Variance should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, “may” is permissive and “shall” or “must” is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- 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 project or business.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Building Division

1. The following conditions are requirements of the Planning and Building Division, which shall be responsible for determining compliance with these conditions.

Contact Name –Julee Olander, Planner, 775-328-3628, jolander@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this variance permit. Modification to the site plan may require amendment to and reprocessing of the variance.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County or the Tahoe Regional Planning Agency, if required, whichever is later. The applicant shall complete construction within the time specified by the building permits.
- c. A copy of the Final Order stating conditional approval of this variance shall be attached to all applications for administrative permits, including building permits, issued by Washoe County.
- d. Prior to submission of a building permit for the approved garage, the front and north side property line shall be surveyed and marked by a surveyor licensed in Nevada. Approval of the variance shall not convey any rights or approval to construct any portion of a structure across the property line, or in the county right-of-way. Neither shall any roof eaves, light fixtures or other structural or architectural elements project over a property line.
- e. A revocable encroachment permit shall be required by Washoe County Engineering and Capital Projects Division for the existing parking deck, stairway and driveway with in the County right-of-way prior to issuance of a building permit. Any future construction in the right-of-way shall also require a revocable encroachment permit by the Washoe County Engineering and Capital Projects Division.
- f. If the residential structures are removed or demolished and the site is re-developed the variance shall be null and void. All redevelopment shall be required to conform to current regulations, including the garages, or approval of a new variance shall be required.
- g. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

- h. The use of straw bales shall be prohibited during construction of the project. A filter-fabric fence or other acceptable alternative shall be utilized for erosion control.

Washoe County Engineering and Capital Projects Division

2. The following conditions are requirements of the Engineering and Capital Projects Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Leo Vesely, 775.328.2313, ivesely@washoecounty.us

Washoe County Conditions of Approval

- a. Prior to issuance of a building permit, the applicant will provide a hold-harmless agreement to the satisfaction of the District Attorney and the Engineering Division.
- b. The applicant shall install an automatic garage door opener prior the issuance of a Certificate of Occupancy or building permit final sign-off.

*** End of Conditions ***

WASHOE COUNTY DEVELOPMENT APPLICATION

RECEIVED

DATE BY

7-18-86 MK

ACTION REQUESTED:

- ABANDONMENT
- ADMINISTRATIVE WAIVER
- CHANGE OF LAND USE DISTRICT
- DIVISION INTO LARGE PARCELS
- MAJOR PROJECT REVIEW
- PARCEL MAP
- SPECIAL USE PERMIT
- SPECIAL USE PERMIT (M-E)
- TENTATIVE SUBDIVISION MAP
- VARIANCE

For Planning Dept. Use Only:

CASE NO. (S): 117-26-86 FEE: 200⁰⁰

TOTAL FEE: 200⁰⁰ REC'D. BY JIVE DATE 7-18-86

PROJECT NAME: SHIPSTEAD GARAGE ADDITION

PROJECT DESCRIPTION: BUILD DETACHED GARAGE

PROJECT ADDRESS: 413 FAIRVIEW BLVD.

PROPERTY SIZE: 21068 # ASSESSORS PARCEL NO. (S): 131-221-02

LEGAL DESCRIPTION OF PROPERTY: SECTION TOWNSHIP RANGE

LOT 2 BLOCK E SUBDIVISION INDIAN VILLAGE COUNTRY CLUB OF INDIAN

EXISTING ZONING: RESIDENTIAL E-1 PROPOSED ZONING: SAME

MASTER PLAN DESIGNATION

EXISTING LAND USE: SINGLE FAMILY RESIDENCE

PROPERTY OWNER:

NAME: WESTON SHIPSTEAD ADDRESS: P.O. BOX F3431 FREERPT. BAHAMAS ZIP PHONE: 702 831-1431 / (809) 372-5606

PERSON/FIRM PREPARING PLANS:

NAME: BRUCE BARTH ADDRESS: P.O. BOX 2101 TRUCKEE CALIF ZIP 95734 PHONE: (916) 507-7530

APPLICANT/DEVELOPER:

NAME: BRUCE BARTH ADDRESS: P.O. BOX 2101 TRUCKEE CALIF ZIP 95734 PHONE: (916) 507-7530

OTHER PERSON TO BE CONTACTED:

NAME: ADDRESS: ZIP PHONE:

(OVER)



WASHOE COUNTY

"To Protect and To Serve"



WASHOE COUNTY BOARD OF ADJUSTMENT
DEPARTMENT OF COMPREHENSIVE PLANNING
Robert N. Young, Director

241 RIDGE STREET
POST OFFICE BOX 11130
RENO, NEVADA 89520
PHONE (702) 785-4043

M E M O R A N D U M

TO: The Board of County Commissioners
FROM: Current Planning Division
RE: Variance Case No. V7-26-86
(Applicant: Shipstead/APN: 131-221-02)
DATE: September 10, 1986

RECOMMENDATION:

After careful consideration and following a public hearing on September 4, 1986, the Washoe County Board of Adjustment recommended approval of the above-referenced case, subject to the following conditions:

1. If applicable, application for a building permit or other administrative permit and receipt of same within six months of approval by the Tahoe Regional Planning Agency, if required, and commencement and completion of construction in accordance with the time periods required by said permits.
2. Conformance to plans approved as part of the variance.
3. Full compliance with all applicable rules and regulations of the District Health Department.
4. Review by the Planning Department in two years from the date of approval by the Tahoe Regional Planning Agency, if required, said review to be an assessment of compliance with conditions of the variance. The failure of the applicant to meet any and all conditions, stipulations or limitations contained in the approval of the variance shall render the variance null and void.
5. Applicant shall submit to the District Attorney for review and approval a hold harmless agreement, releasing Washoe County from all responsibility for any damage incurred due to snow removal operations. This shall be done prior to issuance of a building permit.

WASHOE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

WPVAR17-0008
EXHIBIT B

BACKGROUND:

This variance is a request to construct a detached garage over an existing parking deck in a required front yard area and to waive the setback requirement for a detached accessory building from five feet to four feet in an E-1 (1st Estates) zone, located on Lot 2, Block E, Country Club of Incline, being 423 Fairview Boulevard, Incline Village, Tahoe Planning Area, Washoe County, Nevada.

Mr. Bruce Barth, representing the applicant, was present at the public hearing. He advised the Board that this request was approved by the Incline Village Advisory Board the previous night.

No persons appeared to speak in favor of or in opposition to the request. No letters were received from the public in support of or in opposition to the request. No conditions were proposed by the three responding agencies.

FINDINGS:

The Board of Adjustment based its recommendation on the following finding: The location of the existing parking deck necessitates the location of the garage, as an alternative site would create environmental impacts not easily mitigated.

VOTING FOR APPROVAL:

Fink, Flatt, Highwood, Whitmore, Yoshihara

Absent: None

The applicant, by copy of this letter, is hereby advised that the decision of the Board of Adjustment may be appealed within ten (10) days after this letter has been stamped received in the office of the County Clerk. If no appeal is filed, the Clerk will schedule the recommendation of this Board for consideration by the Board of County Commissioners. Information regarding scheduling land appeals to the Board of County Commissioners may be obtained from the County Clerk.

CA/mt

Encls: Maps; Application

Xc: County Clerk; Rusty Nash, Deputy D.A.; District Health Department; County Building Department; County Engineer; Incline Village/Crystal Bay Citizens Advisory Board; TRPA; Applicant: Weston Shipstead, P. O. Box F3431, Freeport, Bahamas; Bruce Barth, P. O. Box 2101, Truckee, CA 95734



OFFICE OF THE WASHOE COUNTY CLERK

COUNTY COURTHOUSE, VIRGINIA AND COURT STS.
P.O. BOX 11130, RENO, NEVADA 89520
PHONE (702) 785-6180

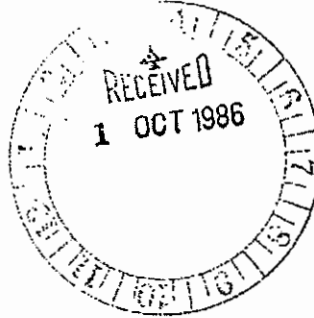
Planning

CA

XC:CA

JUDI BAILEY
County Clerk

September 30, 1986



Mr. Weston Shipstead
Post Office Box 2101
Freeport, BAHAMAS

Mr. Bruce Barth
Post Office Box 2101
Truckee, CA 95734

I, Judi Bailey, County Clerk and Clerk of the Board of County Commissioners, Washoe County, Nevada, do hereby certify that at a regular meeting of the Board held September 23, 1986, Chairman King issued the following order:

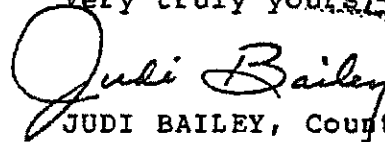
86-965 VARIANCE CASE NO. V7-26-86 - SHIPSTEAD [APN 131-221-02]

There being no appeals filed, upon recommendation of the Board of Adjustment, on motion by Commissioner Williams, seconded by Commissioner Ritter, which motion duly carried, Vice Chairman Lillard ordered that Variance Case No. V7-26-86 be granted to Shipstead to construct a detached garage over an existing parking deck in a required front yard area and to waive the setback requirement for a detached accessory building from five feet to four feet in an E-1 (1st Estates) zone, located on Lot 2, Block E, Country Club of Incline, being 423 Fairview Boulevard, Incline Village, Tahoe Planning Area, Washoe County, Nevada, subject to the following 5 conditions:

1. If applicable, application for a building permit or other administrative permit and receipt of same within six months of approval by the Tahoe Regional Planning Agency, if required, and commencement and completion of construction in accordance with the time periods required by said permits.
2. Conformance to plans approved as part of the variance.
3. Full compliance with all applicable rules and regulation of the District Health Department.
4. Review by the Planning Department in two years from the date of approval of the Tahoe Regional Planning Agency, if required, said review to be an assessment of compliance with the conditions of the variance. The failure of the applicant to meet any and all conditions, stipulations or limitations contained in the approval of the variance shall render the variance null and void.

5. Applicant shall submit to the District Attorney for review and approval a hold harmless agreement, releasing Washoe County from all responsibility for any damage incurred due to snow removal operations. This shall be done prior to issuance of a building permit.

Very truly yours,



JUDI BAILEY, County Clerk
and Clerk of the Board
of County Commissioners,
Washoe County, Reno, Nevada

pr

cc: Planning
Building
Engineer
Public Works
Health (Envir.)
Incline Village/Crystal Bay Advisory Board

- N.B. A copy of this letter should be attached to your plans when you apply for a building permit.



WASHOE COUNTY

"To Protect and To Serve"



WASHOE COUNTY BOARD OF ADJUSTMENT
DEPARTMENT OF DEVELOPMENT REVIEW
Michael A. Harper, AICP, Director

1001 E. NINTH STREET
POST OFFICE BOX 11130
RENO, NEVADA 89520
PHONE: (702) 328-3600
FAX #: (702) 328-3648

MEMBERS:
Karin Highwood, Chair
Alex Kanwetz, Vice Chair
Stephen Amesbury
Richard Mills
Bill Hilke

MEMORANDUM

TO: Washoe County Board of County Commissioners

FROM: Washoe County Board of Adjustment

RE: Variance Case No. 3-13-93

DATE: May 11, 1993

Initialed By: BK

GENERAL INFORMATION SUMMARY

APPLICANT: Thomas J. Menning, Jr./ Synergos, Inc.

REQUESTED ACTION: To reduce the front yard setback from 15 feet to 2 feet, and the north side setback from 8 feet to 3 feet, to facilitate a remodel consisting of a new garage and entry. The addition will be constructed as a second story over an existing garage and parking deck with a current front setbacks of 4 1/2 feet. A enclosed stairway/bridge will connect the addition to the main dwelling. The home is located at 423 Fairview Boulevard, in Lot 2, Block E, Country Club of Incline Subdivision. The \pm .524 acre parcel is zoned E-1 (First Estates) and designated Medium Density Suburban (MDS) in the Tahoe Area Plan and is situated in a portion of Section 14, T16N, R18E, MDM, Washoe County, Nevada. (APN: 131-221-02)

WCOBA RECOMMENDATIONS/FINDINGS

At its regular meeting of May 6, 1993, the Washoe County Board of Adjustment considered the above referenced case and, following a public hearing, recommended approval of Variance Case No. V3-13-93 with the attached conditions. This recommendation is based upon the following findings:

1. That the current driveway entrance to the garage is extremely steep and hazardous in winter;
2. that due to the steepness of the parcel, TRPA coverage constraints and the location and configuration of the existing house, the property has a number of development constraints generally not found on E-1 parcels;
3. that the request does not adversely affect adjacent properties; and
4. that the Board gave reasoned consideration to the information contained within the staff report and information received during the meeting.

property whose views would be impacted. The new design and remodel updates the current residence and as such, secondarily, is a positive impact to the vicinity.

Because the garage is located in close proximity to the edge of pavement, ± 15 feet, staff is requesting the installation of an automatic garage door opener to alleviate any potential of creating hazards to vehicular traffic with garage access.

Agency Comments: The plans were submitted to involved agencies and no adverse comments were received. A standard condition required by the Roads Division requires the execution of a hold-harmless agreement involving county snow maintenance activities. The Engineering Division does require a revocable encroachment permit for the concrete parking deck as noted in Condition No. 6.

APPLICABLE REGULATIONS

Nevada Revised Statutes Chapter 278; Washoe County Code Chapter 110

SK/nh (V1393T)

Attachments: Conditions, Maps.

xc: County Clerk; County Manager; Rusty Nash, Deputy D.A.; Regional Transportation Commission; Department of Development Review; Truckee Meadows Regional Planning Agency, 1400-A Wedekind Road, Reno, NV 89512; Applicant: Thomas J. Menning, Jr., 3 Imperial Promenade, Santa Ana, CA 92707; Synergos, Inc., Attn: Dale Munsterman, P. O. Box 266, Crystal Bay, NV 89402

D.R.
SHARON



OFFICE OF THE WASHOE COUNTY CLERK

COUNTY COURTHOUSE, VIRGINIA AND COURT STS.
P.O. BOX 11130, RENO, NEVADA 89520
PHONE (702) 328-3260

JUDI BAILEY
County Clerk

JUN 17 1993¹

June 16, 1993

Thomas J. Menning, Jr.
3 Imperial Promenade
Santa Ana, CA 92707

Dear Mr. Menning:

I, Judi Bailey, County Clerk and Clerk of the Board of County Commissioners, Washoe County, Nevada, do hereby certify that at a regular meeting of the Board of County Commissioners, held on May 25, 1993, Chairman Beck issued the following order:

93-501 VARIANCE CASE NO. V3-13-93 - THOMAS J. MENNING, JR./SYNERGOS, INC. (APN: 131-221-02)

There being no appeals filed, upon recommendation of the Board of Adjustment, on motion by Commissioner Cornwall, seconded by Commissioner Bradhurst, which motion duly carried, Chairman Beck ordered that Variance Case No. V3-13-93 for Thomas J. Menning, Jr./Synergos, Inc., to reduce the front yard setback from 15 feet to 2 feet, and the north side setback from 8 feet to 3 feet, to facilitate a remodel consisting of a new garage and entry to be constructed as a second story over an existing garage and parking deck with a current front setback of 4 1/2 feet, utilizing an enclosed stairway/bridge to connect the addition to the main dwelling, on a ±.524-acre parcel located at 423 Fairview Boulevard, in Lot 2, Block E, Country Club of Incline Subdivision, zoned E-1 (First Estates), designated Medium Density Suburban (MDS) in the Tahoe Area Plan and situated in a portion of Section 14, T16N, R18E, MDM, Washoe County, Nevada, be granted subject to the following conditions:

ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO ISSUANCE OF A BUILDING PERMIT, UNLESS OTHERWISE SPECIFIED.

COMPLIANCE WITH THE CONDITIONS OF THIS VARIANCE IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE VARIANCE MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

ALL AGREEMENTS, EASEMENTS OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE DEPARTMENT OF DEVELOPMENT REVIEW.

THE BOARD OF COUNTY COMMISSIONERS RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

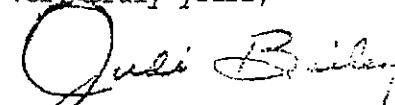
WPVAR17-0008
EXHIBIT C

1. The applicant shall obtain a valid Washoe County building permit or other administrative permit in the time period set forth as follows:
 - a. For projects which require a Tahoe Regional Planning Agency (TRPA) permit, within one year from the date of approval by TRPA; or
 - b. For projects which require a TRPA permit and which have TRPA approval (or conditional approval), within one year from the date of approval by the Washoe County Board of County Commissioners (BCC) or;
 - c. For projects which do not require a TRPA permit, within one year from the date of approval by the Washoe County Board of County Commissioners.

The applicant shall commence and complete construction in accordance with the time periods required by said permit(s).

2. The applicant shall demonstrate substantial conformance with the plans approved as part of this variance. Modification to the site plan may require amendment to and reprocessing of the variance. Conformance shall be determined by the Department of Development Review.
3. A copy of the variance's Clerk's order and approved site plan shall be attached to all building permit applications issued by Washoe County. Building plans will not be reviewed unless the Clerk's order and site plan are attached.
4. The applicant shall execute a hold harmless agreement with the District Attorney's office for snow removal purposes. A copy of the agreement shall be submitted to the Department of Development Review.
5. Applicant shall install an automatic garage door opener prior to a Washoe County Building and Safety Division #260, Grading and Final Inspection sign-off.
6. A revocable encroachment permit shall be required by the Engineering Division of Washoe County Department of Public Works for the concrete parking deck within the County right-of-way.

Very truly yours,


JUDI BAILEY, County Clerk
and Clerk of the Board of
County Commissioners

slg

cc: Building, Engineer, Health, Development Review, Public Works,
Utility Division; Incline Village/Crystal Bay Advisory Board,
PO Drawer 7896, Incline Village, NV 89450



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: November 09, 2017
TO: Julee Olander, Planning and Development Division
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division
SUBJECT: **WPVAR17-0008**
APN 131-221-02
JENNINGS VARIANCE

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

1. Provide a hold-harmless agreement to the satisfaction of the District Attorney and the Engineering Division.
2. The applicant shall install automatic garage door openers.

LRV/lrv

WPVAR17-0008
EXHIBIT D



Washoe County Citizen Advisory Boards CAB Member Worksheet

Citizen Advisory Board: Incline Village/Crystal Bay

Meeting Date (if applicable): _____

Topic or Project Name (include Case No. if applicable): _____

Washoe County Planner Julee Olander

Please check the appropriate box:

My comments were (or) were not discussed during the meeting.

Identified issues and concerns:

The first comment I have is the Planner didn't stamp date or show Logo who submitted the plans for the Owner

The second comment I have is if I give approval of this Variance where will the Guest Parking be located. It looks like to me on the
on the street. It is my understanding there has to be two parking spaces on the property for Guest Parking. It appears to me the snow
will be put on the neighbors property. It also appears to me that guest have to go through the Garage to go through the entry of the house.

Suggested alternatives and/or recommendations:

I would need proof if the Guest Parking is going to be on the Property or on the Street.

If on the Street I am unable to approve this Variance. As of now I am unable to approve this variance unless I can see that my
concerns up above are addressed.

Name Pete Todoroff (Please Print) Date: 10/30/2017

Signature: Pete Todoroff

This worksheet may be used as a tool to help you take notes during the public testimony and discussion on this topic/project. Your comments during the meeting will become part of the public record through the minutes and the CAB action memorandum. Your comments, and comments from other CAB members, will and shall not collectively constitute a position of the CAB as a whole.

****Due to Nevada Open Meeting Law considerations, please do not communicate with your fellow CAB members on items outside of the agenda discussions held at your regular CAB meetings.****

If you would like this worksheet forwarded to your Commissioner, please include his/her name.

Commissioner's Name: _____

Marsha Berkbigler

Use additional pages, if necessary.

Please mail, fax or email completed worksheets to: Washoe County Manager's Office
Attention: CAB Program Coordinator
Post Office Box 11130, Reno, NV 89520-0027
Fax: 775.328.2491
Email: cab@washoecounty.us



Washoe County Citizen Advisory Boards CAB Member Worksheet

Citizen Advisory Board: Incline Village Crystal Bay _____

Meeting Date (if applicable): _____

Topic or Project Name (include Case No. if applicable): WPVAR17-0008 (Jennings)

Washoe County Planner Julee Olander _____

Please check the appropriate box:

My comments were (or) were not discussed during the meeting.

Identified issues and concerns:

Applicant has established the hardship that existed at the time of granting the original variance remains in place. Their proposed construction is consistent with the neighborhood character.

Suggested alternatives and/or recommendations:

I recommend acceptance and approval of the variance request as presented.

Name Gerald W. Eick _____ Date: October 25, 2017

Signature: Gerald W. Eick

This worksheet may be used as a tool to help you take notes during the public testimony and discussion on this topic/project. Your comments during the meeting will become part of the public record through the minutes and the CAB action memorandum. Your comments, and comments from other CAB members, will and shall not collectively constitute a position of the CAB as a whole. ****Due to Nevada Open Meeting Law considerations, please do not communicate with your fellow CAB members on items outside of the agendaized discussions held at your regular CAB meetings.****

If you would like this worksheet forwarded to your Commissioner, please include his/her name.

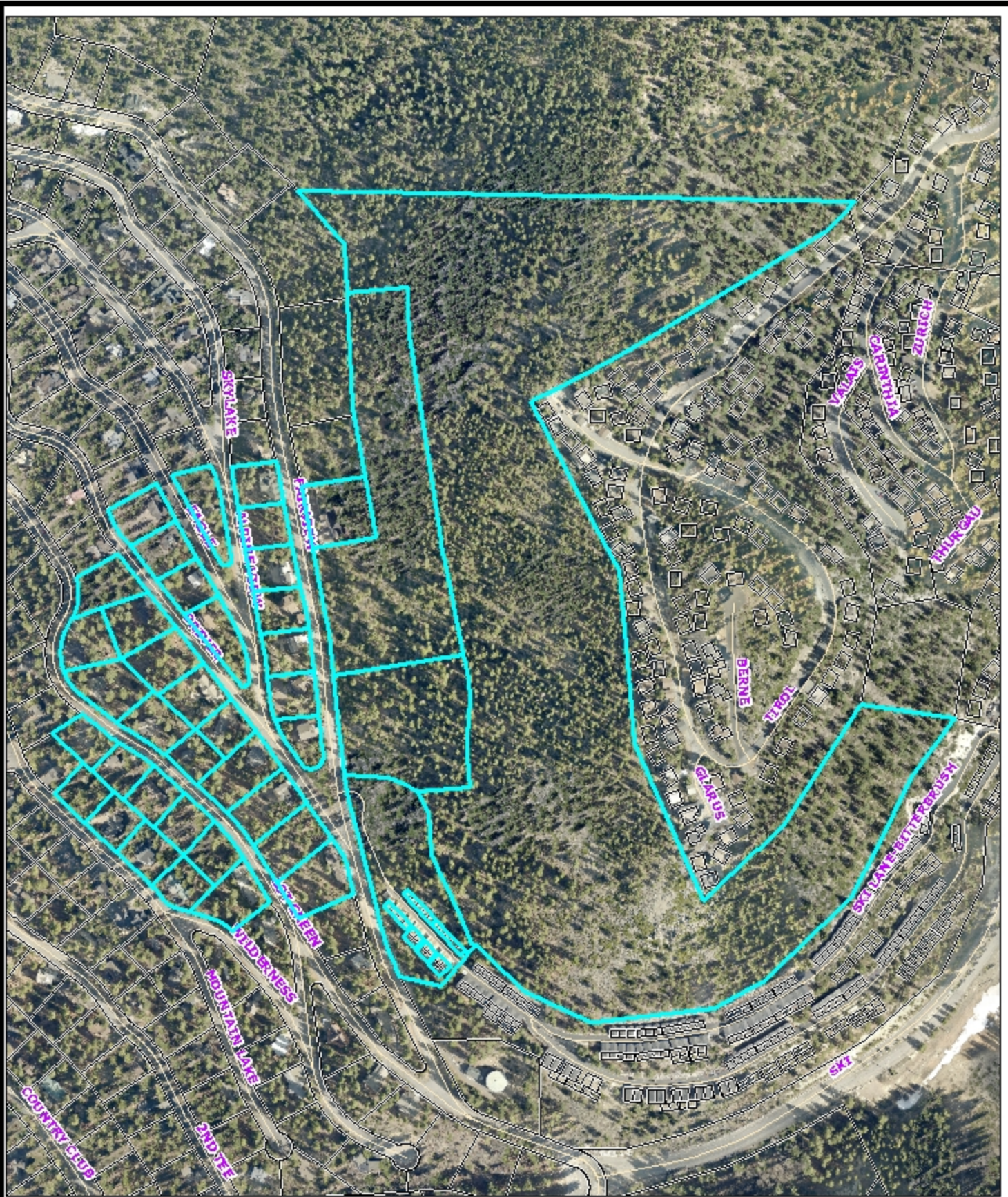
Commissioner's Name: _____

Use additional pages, if necessary.

Please mail, fax or email completed worksheets to: Washoe County Manager's Office
Attention: CAB Program Coordinator
Post Office Box 11130, Reno, NV 89520-0027
Fax: 775.328.2491
Email: cab@washoecounty.us

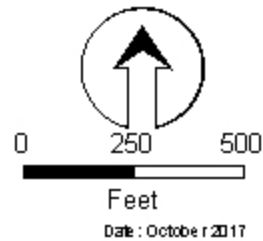
Washoe County Development Code
(Chapter 110 of the Washoe County Code)
Definition of Applications

Type of Application	Definition	Chapter/Article
Parcel Maps; and Second or Subsequent Parcel Maps	A parcel map is required for all minor subdivisions of four or fewer lots or common-interest units. If the application is subdividing a lot or lots created within five years from the creation of the original lot, a public notice card shall be sent to advisory boards indicating the review criteria and date and time of meeting.	110.606
Tentative Subdivisions	A tentative subdivision application is required for all proposed subdivisions of five or more lots and all common-interest units consisting of five or more units.	110.608
Variances	Standards within the Development Code may be varied (e.g. such as building height, setback requirements, landscape modifiers, etc.). Different standards apply in different land use designations. Typical requests are for lots with unique physical conditions that create a hardship (i.e. shape, topography, wetlands, public easements, etc.).	110.804
Use Permits	Civic, residential, commercial and industrial uses on a property may require a use permit. The type of use permit, if required, is noted on the <i>Table of Uses</i> in the <i>Development Code (110.302.05)</i> . Administrative Permits are approved by the Hearing Examiner and usually involve relatively small impacts from a use. A Special Use Permit may be required for a proposed project when the intensity or size of the project, traffic generation, noise, impact on public facilities or compatibility with surrounding uses or other impacts must be evaluated.	110.808 and 110.810
Development Agreements	Allows for any person having a legal or equitable interest in land to enter into an agreement with Washoe County concerning the development of that land.	110.814
Development Code Amendment	Provides a method for amending the Development Code.	110.818
Master Plan Amendment	Provides a method for amending the Master Plan (e.g. changes of land use).	110.820
Regulatory Zone Amendment	Provides a method for amending regulatory zone boundaries (i.e. zone changes).	110.821



WPVAR17-0008 (Jennings)
 Noticing Map (600 feet - 33 property owners)

Source: Program Name



Community Services
 Department, Planning
 and Building Division



Real Office of
 Reno, Nevada 89520
WPVAR17-0008

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information		Staff Assigned Case No.: _____	
Project Name: Jennings Garage Variance			
Project Description: The applicant is seeking a variance to allow for the construction of a attached garage as a result of slope and health and safety hardships.			
Project Address: 423 Fairview Blvd., Incline Village, NV, 89451			
Project Area (acres or square feet): 24,644 SF			
Project Location (with point of reference to major cross streets AND area locator): Fairview-Mt. Rose Highway.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
131-221-02	.56		
Section(s)/Township/Range: T 16 R 18			
Indicate any previous Washoe County approvals associated with this application: Case No.(s). Previous variance approval V3-13-93			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant: Midkiff & Associates, Inc.	
Name: Jennings, Michael & Corinne		Name: Nick Exline	
Address: 930 Tahoe Blvd, Ste 802-401		Address: P.O. Box 12427	
Incline Village, NV 89451 Zip:		Zephyr Cove, NV	Zip: 89448
Phone: Contact Agent	Fax:	Phone: 775-588-1090	Fax: 775-588-1096
Email: Contact Agent		Email: nick@midkiffandassoc.com	
Cell: Contact Agent	Other:	Cell: 775-240-9361	Other:
Contact Person:		Contact Person: Nick Exline	
Applicant/Developer:		Other Persons to be Contacted:	
Name: TBD		Name:	
Address:		Address:	
	Zip:		Zip:
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

July 1, 2017

Property Owner Affidavit

Applicant Name: Corinne Jennings

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, Corinne Jennings
(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 Building.

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

Assessor Parcel Number(s): 131-221-02

Printed Name Corinne Jennings

Signed Corinne Jennings

Address 423 Fairview Blvd

Included: Waiver N089451

Subscribed and sworn to before me this 7 day of October, 2017

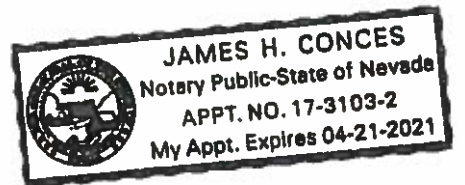
State of Nevada
County of Washoe

[Signature]

Notary Public in and for said county and state

My commission expires: 04-21-2021

(Notary Stamp)



*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 Jennings

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, MICHAEL JENNINGS (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 Building.

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

Assessor Parcel Number(s): 131-221-02

Printed Name MICHAEL JENNINGS ***

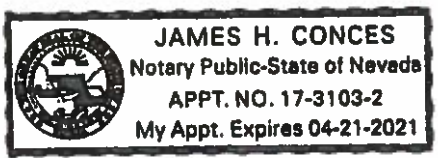
Signed [Signature]

Address 423 FAIRVIEW BLVD
INCLINE VILLAGE, NV 89451

STATE OF NEVADA
COUNTY OF WASHOE
Subscribed and sworn to before me this
23rd day of SEPTEMBER, 2017.

(Notary Stamp)

[Signature]
Notary Public in and for said county and state
My commission expires: 04-21-2021



*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?

The existing single family residential parcel is currently zoned Medium Density Suburban (MDS). The Applicant is seeking a variance to the front setback and side yard setback as outlined in table 110.406.05.1 of the Washoe County Development Code. Current setbacks for an MDS zoned parcel are front/rear: 20' and side: 8'.

As discussed throughout this document and the attached, the applicant is seeking to reduce the front yard setback to two (2) feet and three (3) feet for the side yard setback to allow for the construction of a two (2) car attached/enclosed garage. The proposed garage will be constructed above an existing portion of the residence and parking deck that already extend into the setbacks. The proposed variance will not increase encroachment further into the setback than currently exists. The proposed garage will be maintain the same footprint as the existing parking pad. Important to note, that garage would be two (2) feet from the property line, but 18 feet from the edge of pavement on Fairview.

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 parcel maintains a very steep slope. The approximate slope from the edge of the property boundary to the front of the existing residence is 41 percent. The driveway that provides access to the existing one car garage maintains a very steep slope (approximately 20%) in excess of what is allowed by Washoe County. Washoe County Development Code establishes the maximum driveway slope at 14 percent.

The elevation of the existing parking deck is approximately 6720. As a result of elevation height the Subject Parcel receives heavy amounts of snow and ice. The snowy/icy winter conditions and a steep driveway with an approximately 20% slope poses a significant human health and safety concern and is why Washoe County established the maximum driveway slope at 14 percent. The existing steep slope makes it very difficult to clear snow from the driveway, makes it impossible for pedestrians to access the residence in the winter and is a safety concern for ingress/egress to the residence in the winter as a result of sliding. This is very detrimental because this is the Applicants primary residence and not having access during the winter months is simply not an option.

The property owners are in their 50s and have elderly parents that visit several times a year. The existing steep slope of the driveway and residence ingress/egress will result in the property owners need to stop using the residence in the winter months as a result of the safety concerns.

It is of paramount importance to note, that Washoe County approved a near identical variance in 1993 (V3-13-93/attached). In 1993 the Washoe County Board of Adjustment found, "That the current driveway entrance to the garage is extremely steep and hazardous in winter."

The abutting parcel to the west (469 Fairview) also obtained a front yard setback variance (V12-78-97/attached) utilizing similar rational as the proposed.

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?

No negative impacts are anticipated as a result of the proposed variance. The parcels located directly across the street from the Subject Parcel are owned by the U.S. Forest Service and will not be developed. The proposed variance will not block views, reduce privacy or negatively impact safety for these U.S. Forest Service parcels.

The abutting parcels to the east and west are single family dwellings. As the attached photo packet represents the proposed variance will not impact currently enjoyed views by the neighbors. The view corridors for the abutting residence is focused away from the proposed garage and toward the lake. In addition, the proposed variance will have no impact on the neighbors privacy or have any impact on safety.

The photo packet also demonstrates that existing vegetation screens the proposed location of the garage when traveling east on Fairview. As a result of grade changes it is not anticipated that a scenic impact will take place when traveling west on Fairview.

In 1993 the Washoe County Board of Adjustment found when approving a near identical variance that, "the request does not adversely affect adjacent property owners."

Many parcels along Fairview maintain a similar bridge and garage design. The abutting parcel to the west (469 Fairview) also received a variance (V12-78-97) utilizing similar rational as the proposed. This abutting variance demonstrates that a garage proposed in the front yard setback does not negatively impact views when traveling along Fairview.

No impacts are anticipated for pedestrians or traffic.

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 proposed addition of a two (2) car garage will provide enclosed parking that will remove parking and clutter currently visible from the street. Nearly all residences on Fairview maintain a two (2) car enclosed garage accessed via a bridge from Fairview and internal access from the garage to the residence. The proposed variance will allow the Subject Parcel to better conform to the scenic character of the neighborhood, which will improve the scenic quality and character of the neighborhood.

In addition to the improvements discussed above, the proposed variance will not have a negative impact on the surrounding community. In 1993 the Washoe County Board of Adjustment permitted a near identical variance and the Board found, "the request does not adversely affect adjacent properties."

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

The property currently does not enjoy the same level of safe ingress/egress to their residence as other properties. As a result of topographic and regulatory realities most parcels along Fairview maintain a bridge connected to a garage and internal access to the residence. This design is extremely important because it provides safe access to residences along Fairview during snowy/icy conditions. The current property owner does not enjoy any of these common benefits utilized by nearly all residents along Fairview. This is very detrimental because this is the Applicants primary residence and not having access during the winter months to their residence from an enclosed garage is simply not an option.

The abutting parcel to the west (469 Fairview) received a similar variance (V12-78-97) for the construction of a garage within the front yard setback utilizing the same hardship as the proposed. The lack of safety is established within Section 2 of this document and within the attached submittal letter.

In 1993 the Washoe County Board of Adjustment found, "that due to the steepness of the parcel, TRPA coverage constraints and the location and configuration of the existing house, the property has a number of development constraints generally not found on E-1 parcels."

The hardship of the parcel created by topographic realities in which the existing non-compliant driveway exceeds Washoe County standards in combination with harsh winters at elevation 6720 poses a significant health and human safety concerns.

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?

Water service is provided by the Incline Village General Improvement District (IVGID).

8. What is your type of sewer service provided?

Sewer service is being provided by the IVGID.

October 16, 2017

Washoe County
Community Services Department
Planning Division
1001 E. 9th Street,
Reno, NV 89512

**SUBJECT: JENNINGS RESIDENTIAL VARIANCE APPLICATION (GARAGE ADDITION), 423
FAIRVIEW BLVD., INCLINE VILLAGE, NEVADA, ASSESSOR'S PARCEL NUMBER (APN) 131-221-02**

To Whom It May Concern:

The attached Variance Application ("the Application") is being submitted by Midkiff and Associates, Inc. ("the Agent") on behalf of Michael and Corinne Jennings ("the Applicants") for the Subject Parcel.

Project Description

The Applicant is proposing to construct a new, attached two (2) car garage over an existing parking platform (see attached plan sheet for proposed garage dimensions and design). The parking platform already extends into the setbacks. The proposed variance will not increase encroachment further into the setback than currently exists.

As a result of the topographic realities onsite (discussed below) the Applicant is seeking the proposed variance to reduce the front yard setback to 2' and side yard setback to 3' to allow for the construction of the proposed garage. The Subject Parcel is zoned Medium Density Suburban (MDS) with 20' front and rear and 8 foot side setback requirements (Washoe County Code 110.406.05.1). It is important to note, that the proposed variance would result in the proposed garage being 2' from the front property line, but 18' from the edge of pavement.

This submittal letter documents the existing condition, hardship pertaining to the subject parcel, human health and safety concerns, past variance approvals on the subject parcel, community character, and abutting variances. In addition, this document references the attached photo packet that establishes the existing condition of the parcel and need for the proposed variance.

Existing Condition

The existing residence is the Applicants primary residence and safe access to the residence during the winter months is very important. The Subject Parcel is at a high elevation. The approximate elevation of the existing parking pad is 6720'. As a result of the high elevation, the Subject Parcel receives heavy amounts of snow and ice in the winter months, which poses access and human health and safety concerns (discussed below).

The Subject Parcel maintains an existing one car garage accessed via a very steep (approximately 20 percent slope) driveway (photos 4-6). The existing steep driveway is in excess of the 14 percent slope

that is allowable per Washoe County Code. The steep driveway makes it near impossible to access the garage during winter months as a result of sliding concerns.

In winter months if the Applicants cannot utilize the garage as a result of the steep (approximately 20% slope) driveway and sliding concerns they have the option to utilize the existing parking platform (photos 1 -4), but neither the parking platform nor the existing garage have direct ingress/egress to the residence. When parking on parking pad the Applicants would be required to utilize either the steep driveway or numerous steps (photos 7-8) to enter the residence. As photos 7 and 8 represent clearing the snow from the steps in the winter months would be very challenging and even when cleared would result in very unsafe conditions as a result of ice. Currently there is no safe ingress/egress to the residence when parking on the parking platform in the winter months. This poses a significant hardship because the existing residence is the primary residence of the Applicants.

The Applicants are in their 50s with parents in their 70s who regularly use the residence as well as two (2) grown children living full time at the residence. As the Applicants and their parents continue to age the residence will become increasingly difficult to utilize in the winter months without the addition of an enclosed two (2) car garage and internal access to the residence.

Neither the steps nor steep driveway provides safe ingress/egress to the residence. The proposed garage and internal access to the residence, in which the variance is being sought, would remove these human health and safety concerns posed by the existing hazardous access conditions to the residence.

Subject Parcel Hardship / Human Health & Safety Concerns

The parcel maintains a very steep slope. The approximate slope from the edge of the property boundary to the front of the existing residence is 41 percent. The driveway that provides access to the existing garage maintains a very steep slope (approximately 20 %) in excess of what is allowed by Washoe County. Washoe County Development Code establishes the maximum driveway slope at 14 percent.

As a result of snowy/icy winter conditions in Incline Village a steep driveway slope poses a significant human health and safety concern and is why Washoe County established the maximum driveway slope at 14 percent. The existing steep slope makes it very difficult to clear snow from the driveway, makes it impossible for pedestrians to access the residence via the driveway and is a safety concern for ingress/egress to the existing garage in an automobile in the winter as a result of sliding concerns.

The property owners are in their 50s and have elderly parents that reside there several times a year. The existing steep slope of the driveway and residence ingress/egress will result in the property owners need to stop using the residence in the winter months as a result of the safety concerns. This is their primary residence so the loss of winter usage is not an option.

It is of paramount importance to note, that Washoe County approved a near identical variance in 1993 (V3-13-93/attached). In 1993 the Washoe County Board of Adjustment found, "That the current

driveway entrance to the garage is extremely steep and hazardous in winter.” The only proposed change from the 1993 variance to today is providing internal access from the garage to the residence, which further improves safety onsite.

The abutting parcel to the west (469 Fairview) also obtained a front yard setback variance (V12-78-97/attached) utilizing similar findings as the proposed.

Past Variance Approval (V3-13-93)

As previously stated, a near identical variance was approved by the Washoe County Board of Adjustment (BOA) for the Subject Parcel in 1993. During that 1993 approval the BOA Board concluded:

- That the current driveway entrance to the garage is extremely steep and hazardous in winter;
- That due to the steepness of the parcel, TRPA Coverage constraints and the location and configuration of the existing house, the property has a number of development constraints generally not found on E-1 parcels;
- That the request does not adversely affect the adjacent properties.

As a result of the Applicants bringing forth a near identical proposal (setback deviation exactly the same) as was approved by the Washoe County BOA in 1993 we would request that Washoe County staff recommend approval of the proposed variance. As previously stated, that the current proposal provides greater safety benefits than the 1993 approval because it provides internal ingress/egress to the residence from the proposed garage.

Community Character

Nearly all residences along Fairview Blvd maintain a very similar design to what the Applicants are proposing. The common design includes a bridge from Fairview accessing a garage at street level with internal access to the residence. The Applicants proposal mimics the design and parking configuration as utilized by nearly all residences along Fairview.

No negative impacts are anticipated as a result of the proposed variance. The parcels located directly across the street from the Subject Parcel are owned by the U.S. Forest Service and will not be developed. The proposed variance will not block views, reduce privacy or negatively impact safety for the U.S. Forest Service parcels (photos 13 – 17).

The abutting parcels to the east and west are single family dwellings. As the attached photo packet represents the proposed variance will not impact currently enjoyed views by the neighbors. The view corridors for the abutting residence are focused away from the proposed garage and toward the lake. In addition, the proposed variance will have no impact on the neighbors' privacy or have any impact on safety.

The photo packet also demonstrates that existing vegetation screens the proposed location of the garage when traveling east on Fairview (photos 9-10). As a result of grade changes it is not anticipated that a scenic impact will take place when traveling west on Fairview.

Abutting 469 Fairview Variance (V12-78-97)

In 1997 the Washoe County BOA granted a variance for the abutting parcel to the west (469 Fairview Blvd). The approved Variance reduced the front yard setback to 4 feet to allow for the construction of a garage in a very similar to design to what the Applicants are proposing (photos 11 -12).

As a component of that approval, the BOA found:

- That the request will allow the construction of a single family residence without creating a detriment to the scenic or environmental character of the surrounding area;
- That no applicable policies exist to make the finding consistency or non-consistency with the policies, action programs, standards and maps of the Comprehensive plan and the Tahoe Area Plan.
- That granting of the request will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the MDS land use designation.

The past 1993 variance on the Subject Parcel and the variance on the abutting parcel document the hardship and need for the variance in which the Applicants are now seeking.

Conclusion

As discussed throughout this document, the Subject Parcel maintains a hardship as a result of the steep slope of the parcel and very steep slope of the existing driveway that exceeds Washoe County slope requirements for residential driveways. The existing parking pad does not provide direct access to the residence and forces the Applicants to either utilize the steep driveway or steps to access the residence. During the winter months access from the parking pad or driveway is very difficult and dangerous/hazardous as a result of the volumes of snow and ice that accumulate at the elevation in which the Subject Parcel is located. As a result of the Applicants age and the age of their parents (who routinely use the residence) the residence in its current configuration will not be usable during the winter months as a result of the human health and safety concerns posed by the hardship of the land. This is the Applicants primary residence so losing access to the residence in the winter is not a viable option.

The proposed design of the garage is consistent with nearly all residence along Fairview Blvd and will bring the existing residence more into conformance with the character of the area. The Subject Parcel received a near identical variance (identical setback deviation) approval in 1993 and the abutting parcel to the west in 1997. The rationale utilized by the BOA in 1993 and 1997 to approve the previous variance is identical to what is being sought today. The proposed garage will not block scenic views or impact privacy.

The granting of the proposed variance will allow year round access to the residence, remove the existing human health and safety concerns and will fit the character of the community. Utilizing this rationale we would request that Washoe County staff recommend approval of the proposed variance.

I trust the above (and attached) is acceptable. If you require any additional information, or have any further questions/comments, please do not hesitate to contact me.

Sincerely,



Nicholas D. Exline
Senior Planner, AICP

Enc.

Amount	Document
1	Original Owner Affidavit
2	Copies Owner Affidavit
1	Original Application
2	Application Copies
1	Submittal Fee (\$1,546)
3	Title Report
3	Proof of Tax Payment
3	Plan Set
3	V3-13-93 File
3	V12-78-97 File
3	Photo Packet

Bill Detail

[Back to Account Detail](#)

[Change of Address](#)

[Print this Page](#)

Pay By Check

Please make checks payable to:
WASHOE COUNTY TREASURER

Mailing Address:
P.O. Box 30039
Reno, NV 89520-3039

Overnight Address:
1001 E. Ninth St., Ste D140
Reno, NV 89512-2845

Change of Address

All requests for a mailing address change must be submitted in writing, including a signature (unless using the online form).

To submit your address change online [click here](#)

Address change requests may also be faxed to: (775) 328-2500

Address change requests may also be mailed to:
Washoe County Treasurer
P O Box 30039
Reno, NV 89520-3039

Washoe County Parcel Information

Parcel ID	Status	Last Update
13122102	Active	10/10/2017 2:10:48 AM
Current Owner: JENNINGS, MICHAEL & CORINNE 930 TAHOE BLVD STE 802 401 INCLINE VILLAGE, NV 89451		SITUS: 423 FAIRVIEW BLVD INCLINE VILLAGE NV
Taxing District		Geo CD:
Legal Description		
Township 16 Section Lot 2 SubdivisionName COUNTRY CLUB OF INCLINE Range 18 Block E		

Installments

Period	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	8/21/2017	2017	\$0.00	\$0.00	\$0.00	\$0.00
INST 2	10/2/2017	2017	\$0.00	\$0.00	\$0.00	\$0.00
INST 3	1/1/2018	2017	\$3,029.90	\$0.00	\$0.00	\$3,029.90
INST 4	3/5/2018	2017	\$3,029.90	\$0.00	\$0.00	\$3,029.90
Total Due:			\$6,059.80	\$0.00	\$0.00	\$6,059.80

Tax Detail

	Gross Tax	Credit	Net Tax
Incline Recreati	\$830.00	\$0.00	\$830.00
Incline Village	\$413.13	(\$26.06)	\$387.07
North Lake Tahoe 2	\$2,198.81	(\$138.69)	\$2,060.12
State of Nevada	\$594.18	(\$37.48)	\$556.70
Washoe County	\$4,864.24	(\$306.79)	\$4,557.45
Washoe County Sc	\$3,979.25	(\$250.99)	\$3,728.26
LAKE TAHOE WATER BASIN	\$0.20	\$0.00	\$0.20
Total Tax	\$12,879.81	(\$760.01)	\$12,119.80

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2017	2017103690	B17.111472	\$3,029.90	9/29/2017
2017	2017103690	B17.59457	\$3,030.10	8/21/2017

THOMAS J/MENNING, JR.

CASE NO. V3-13-93

CROSS REFERENCE

APPLICANT:

Thomas J. Menning, Jr.
3 Imperial Promenade
Santa Ana, CA 92707
(714) 957-7339

PROPERTY OWNER

XC: Synergos, Inc., Attn: Dale Munsterman, P. O. Box 266, Crystal Bay, NV 89402, (702) 831-1440

REQUEST: To reduce the front yard setback from 15 feet to 2 feet to facilitate a remodel consisting of a new garage and entry. The addition will be constructed as a second story over an existing garage and parking deck with a current front setbacks of 4 1/2 feet. A enclosed stairway/bridge will connect the addition to the main dwelling. The home is located at 423 Fairview Boulevard, in Lot 2, Block E, Country Club of Incline Subdivision. The ±.524 acre parcel is zoned E-1 (First Estates) and designated Medium Density Suburban (MDS) in the Tahoe Area Plan and is situated in a portion of Section 14, T16N, R18E, MDM, Washoe County, Nevada. (APN: 131-221-02)

RECOMMENDATION/ACTION:

STAFF ROMANY WOODBECK

PC *APP*
BCC *APP*

DATE 5-6-93
DATE 5-25-93

WASHOE COUNTY DEVELOPMENT APPLICATION

ACTION REQUESTED:

SHADED AREA FOR DEPARTMENT USE ONLY
CASE NUMBER(S) FEE

ABANDONMENT
ADMINISTRATIVE WAIVER
CHANGE OF LAND USE DISTRICT
DIVISION INTO LARGE PARCELS
MAJOR PROJECT REVIEW
PARCEL MAP
SPECIAL USE PERMIT (BOA)
SPECIAL USE PERMIT (M-E) (WCPC)
TENTATIVE SUBDIVISION MAP
<input type="radio"/> VARIANCE

<i>6 13-13-93</i>

SECTION <u>14</u> TOWNSHIP <u>16N</u> RANGE <u>18E</u>
EXISTING ZONING: <u>E-1</u>
PROPOSED ZONING: _____
EXISTING LAND USE: _____

TOTAL FEE <u>\$2000</u>
RECEIVED BY: <u>[Signature]</u>
DATE OF RECEIPT: <u>3/25/93</u>
ACCEPTANCE DATE: _____ INITIAL: _____

COUNTRY CLUB OF INCLINE ETR

PROJECT DESCRIPTION: <u>GARAGE/ENTRY ADDITION OVER EXISTING GARAGE/PARKING DECK</u>	
PROJECT ADDRESS: <u>423 FAIRVIEW BLVD. INCLINE VILLAGE, NV.</u>	
PROPERTY SIZE: <u>21,665 SQ. FT.</u>	ASSESSOR'S PARCEL NO(S). <u>131-221-02</u>
<u>1,524 ac.</u> (PLEASE ATTACH LEGAL DESCRIPTION)	

PROPERTY OWNER:

NAME: THOMAS J. MENNING, JR.

ADDRESS: 3 IMPERIAL PROMENADE
SANTA ANA, CA. ZIP 92707

PHONE: TOME (714) 957-7339

CONTACT PERSON: TKM

PERSON/FIRM PREPARING PLANS:

NAME: SEE "APPLICANT/DEVELOPER"

ADDRESS: _____

PHONE: _____ / _____ ZIP _____

CONTACT PERSON: _____

APPLICANT/DEVELOPER:

NAME: SYNERGOS, INC.

ADDRESS: P.O. BOX 2666
CRYSTAL BAY, NV. ZIP 89402

PHONE: (702) 831-0220 1440

CONTACT PERSON: DALE MUSTERMAN

OTHER PERSON TO BE CONTACTED:

NAME: _____

ADDRESS: _____

PHONE: _____ / _____ ZIP _____

(OVER)

WASHOE COUNTY DEPARTMENT OF DEVELOPMENT REVIEW
VARIANCE APPLICATION
SUPPLEMENTAL INFORMATION

General Location: 423 FAIRVIEW BLVD., INCLINE VILLAGE, NV.

Section(s) of ordinance to be varied: _____

Proposed variance: REDUCE 15' FRONT-YARD SETBACK (W/ EXISTING STRUCTURE AT 4.5' FROM PROPERTY LINE) TO 1'-0" AND REDUCE 8' SIDE-YARD SETBACK (W/ EXISTING STRUCTURE AT 3.5' FROM PROPERTY LINE) TO 2'-4". THIS WILL LEAVE APPROX. 8" BUFFER BTW. SCALED BLDG.-LINE AND PROPERTY LINE - SEE SITE PLAN.

Reason for request: EXISTING 2-CAR GARAGE IS AT BOTTOM OF EXTREMELY STEEP DRIVEWAY. OWNER WISHES TO LOCATE GARAGE (W/ NEW ENTRY) UP AT STREET LEVEL LIKE HIS NEIGHBORS. HE WOULD TURN LOWER GARAGE INTO LIVING AREA AND TIE INTO EXISTING RESIDENCE WITH ENCLOSED STAIRWAY / BRIDGE.

Identify the impacts or effects of the proposed variance on adjacent properties: ALTHOUGH GARAGE STRUCTURE AS PROPOSED HAS A GREATER VISUAL IMPACT THAN THE EXISTING PARKING DECK / GARAGE, IT IS CONSISTENT WITH ALMOST ALL NEIGHBORS ON FAIRVIEW.

Identify those special conditions/circumstances which would render it a hardship for you to comply with the zoning requirements: BUILDING HEIGHT AND UNPERMITTED COVERAGE ISSUES PROHIBIT MOVING THE GARAGE FROM ITS PROPOSED SITE (I.E., FARTHER FROM THE PROPERTY LINE).

Do these conditions/circumstances apply generally to other properties in your neighborhood? YES - ZERO SETBACKS ARE COMMON ON FAIRVIEW BLVD.

Are there any deed restrictions that condition or prevent the use of this property as requested? Yes _____ No X If yes, attach a copy of the pertinent sections of the deed restrictions.

Nearest community services:

Fire N.T.P.D. - MT. ROSE SUB-STATION

Police WASHOE CO. SHERIFF - MT. ROSE SUB-STATION

Type of water service or provider: I.V.G.I.D.

Type of sewer service or provider: I.V.G.I.D.

OWNER AFFIDAVIT

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, THOMAS J. MERRING JR
being duly sworn, depose and say that I am an owner of property involved in this petition 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. Applicants are hereby advised that no assurance or guarantee can be given by members of the Department of Development Review staff.

Signed *Thomas J. Merring Jr*

Subscribed and sworn to before me this 18th day of February, 19 93

Carol Branch
Notary Public in and for said county and state

My commission expires: _____



WASHOE COUNTY
DEPARTMENT OF DEVELOPMENT REVIEW

1001 E. NINTH STREET
P.O. BOX 11130
RENO, NEVADA 89520
PHONE: (702) 328-3600
FAX: (702) 328-3648

WASHOE COUNTY
DEPARTMENT OF DEVELOPMENT REVIEW
FILING FEE SUMMARY

ACCOUNT NAME: Variance ACCOUNT NO. 5173 DATE: _____

CASE NO./NAME	APPLICANT/AGENT	PLANNING FEES	HEALTH FEES	TOTAL FEES COLLECTED
M 3- 8-'93	Michael/Paula Perlch	200.-		200.-
M 3- 9-'93	J.C. DeLores Leppe	200.-		200.-
M 3- 10-'93	Milagaine/ Weststar Land	400.-		400.-
M 3- 11-'93	Wm S. Cherry	200.-		200.-
M 3- 13-'93	Thomas Menning	200.-		200.-
TOTALS		\$	\$	\$

THOMAS J. MENNING, JR.
MARISA MENNING
6 MT. HOLYOKE 619-324-2262
RANCHO MIRAGE, CA 92270

PAY TO THE ORDER OF Washoe County \$ 200.00 DOLLARS

16-1/1220 M 3- 13-'93
Check # 1923

Two Hundred and 00/100

SECURITY PACIFIC BANK
Eastland Office #0135
2901 Eastland Center Dr., West Covina, CA 91791

MEMO

⑆ 2200004314058 ⑆ 135 054749 ⑆

D.R.
SHARON



OFFICE OF THE WASHOE COUNTY CLERK

COUNTY COURTHOUSE, VIRGINIA AND COURT STS.
P.O. BOX 11130, RENO, NEVADA 89520
PHONE (702) 328-3260

JUDI BAILEY
County Clerk

JUN 17 1992¹

June 16, 1993

Thomas J. Menning, Jr.
3 Imperial Promenade
Santa Ana, CA 92707

Dear Mr. Menning:

I, Judi Bailey, County Clerk and Clerk of the Board of County Commissioners, Washoe County, Nevada, do hereby certify that at a regular meeting of the Board of County Commissioners, held on May 25, 1993, Chairman Beck issued the following order:

93-501 VARIANCE CASE NO. V3-13-93 - THOMAS J. MENNING, JR./SYNERGOS, INC. (APN: 131-221-02)

There being no appeals filed, upon recommendation of the Board of Adjustment, on motion by Commissioner Cornwall, seconded by Commissioner Bradhurst, which motion duly carried, Chairman Beck ordered that Variance Case No. V3-13-93 for Thomas J. Menning, Jr./Synergos, Inc., to reduce the front yard setback from 15 feet to 2 feet, and the north side setback from 8 feet to 3 feet, to facilitate a remodel consisting of a new garage and entry to be constructed as a second story over an existing garage and parking deck with a current front setback of 4 1/2 feet, utilizing an enclosed stairway/bridge to connect the addition to the main dwelling, on a ±.524-acre parcel located at 423 Fairview Boulevard, in Lot 2, Block E, Country Club of Incline Subdivision, zoned E-1 (First Estates), designated Medium Density Suburban (MDS) in the Tahoe Area Plan and situated in a portion of Section 14, T16N, R18E, MDM, Washoe County, Nevada, be granted subject to the following conditions:

ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO ISSUANCE OF A BUILDING PERMIT, UNLESS OTHERWISE SPECIFIED.

COMPLIANCE WITH THE CONDITIONS OF THIS VARIANCE IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE VARIANCE MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

ALL AGREEMENTS, EASEMENTS OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE DEPARTMENT OF DEVELOPMENT REVIEW.

THE BOARD OF COUNTY COMMISSIONERS RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

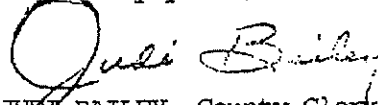
WPVAR17-0008
EXHIBIT G

1. The applicant shall obtain a valid Washoe County building permit or other administrative permit in the time period set forth as follows:
 - a. For projects which require a Tahoe Regional Planning Agency (TRPA) permit, within one year from the date of approval by TRPA; or
 - b. For projects which require a TRPA permit and which have TRPA approval (or conditional approval), within one year from the date of approval by the Washoe County Board of County Commissioners (BCC) or;
 - c. For projects which do not require a TRPA permit, within one year from the date of approval by the Washoe County Board of County Commissioners.

The applicant shall commence and complete construction in accordance with the time periods required by said permit(s).

2. The applicant shall demonstrate substantial conformance with the plans approved as part of this variance. Modification to the site plan may require amendment to and reprocessing of the variance. Conformance shall be determined by the Department of Development Review.
3. A copy of the variance's Clerk's order and approved site plan shall be attached to all building permit applications issued by Washoe County. Building plans will not be reviewed unless the Clerk's order and site plan are attached.
4. The applicant shall execute a hold harmless agreement with the District Attorney's office for snow removal purposes. A copy of the agreement shall be submitted to the Department of Development Review.
5. Applicant shall install an automatic garage door opener prior to a Washoe County Building and Safety Division #260, Grading and Final Inspection sign-off.
6. A revocable encroachment permit shall be required by the Engineering Division of Washoe County Department of Public Works for the concrete parking deck within the County right-of-way.

Very truly yours,


JUDI BAILEY, County Clerk
and Clerk of the Board of
County Commissioners

slg

cc: Building, Engineer, Health, Development Review, Public Works,
Utility Division; Incline Village/Crystal Bay Advisory Board,
PO Drawer 7896, Incline Village, NV 89450

**WASHOE COUNTY BOARD OF ADJUSTMENT
STAFF REPORT**

TO: Members of the Washoe County Board of Adjustment
RE: Variance Case No. 3-13-93
DATE: April 23, 1993 **Prepared By:** SK

GENERAL INFORMATION SUMMARY

APPLICANT: Thomas J. Menning, Jr./ Synergos, Inc.
REQUESTED ACTION: To reduce the front yard setback from 15 feet to 2 feet, and the north side setback from 8 feet to 3 feet, to facilitate a remodel consisting of a new garage and entry. The addition will be constructed as a second story over an existing garage and parking deck with a current front setbacks of 4 1/2 feet. A enclosed stairway/bridge will connect the addition to the main dwelling. The home is located at 423 Fairview Boulevard, in Lot 2, Block E, Country Club of Incline Subdivision. The ±.524 acre parcel is zoned E-1 (First Estates) and designated Medium Density Suburban (MDS) in the Tahoe Area Plan and is situated in a portion of Section 14, T16N, R18E, MDM, Washoe County, Nevada. (APN: 131-221-02)

RECOMMENDATION/FINDINGS

Based upon the staff analysis, comments received, and the site inspection, staff recommends approval of the request with conditions and offers the following motion for your consideration:

The Washoe County Board of Adjustment recommends approval of Variance Case No. V3-13-93 with the attached conditions, having made the findings:

- 1. That the current driveway entrance to the garage is extremely steep and hazardous in winter;
- 2. that due to the steepness of the parcel, TRPA coverage constraints and the location and configuration of the existing house, the property has a number of development constraints generally not found on E-1 parcels;
- 3. that the request does not adversely affect adjacent properties; and
- 4. that the Board gave reasoned consideration to the information contained within the staff report and information received during the meeting.

washoe county development review

ANALYSIS

Background: The existing home is located on a heavily sloped property. A parking pad at street level is situated atop a two car garage. Currently there is an extremely sloped driveway to access the garage. In the winter, especially when any moisture or ice is on the driveway, access to the garage would be extremely hazardous. The applicant proposes to construct a new garage on the parking deck and convert the existing garage to habitable space with a enclosed stairway/bridge to the existing home.

Hardship: The current sloped driveway is hazardous. The current garage may become inaccessible during winter ice and snow conditions.

Impacts: The new garage would project 2 1/2 feet closer to the street than the present parking deck. The height of the garage will impact the views of motorists on Fairview Boulevard who can currently look across the parking pad to Lake Tahoe. However, there are no homes upslope of the property whose views would be impacted. The new design and remodel updates the current residence and as such, secondarily, is a positive impact to the vicinity.

Because the garage is located in close proximity to the edge of pavement, ±15 feet, staff is requesting the installation of an automatic garage door opener to alleviate any potential of creating hazards to vehicular traffic with garage access.

Agency Comments: The plans were submitted to involved agencies and no adverse comments were received. A standard condition required by the Roads Division requires the execution of a hold-harmless agreement involving county snow maintenance activities. The Engineering Division does require a revocable encroachment permit for the concrete parking deck as noted in Condition No. 6.

APPLICABLE REGULATIONS

Nevada Revised Statutes Chapter 278; Washoe County Code Chapter 110

SK (V1393S)

Attachments: Conditions, Maps.

XC: Thomas J. Menning, Jr., 3 Imperial Promenade, Santa Ana, CA 92707; Synergos, Inc., Attn: Dale Munsterman, P. O. Box 266, Crystal Bay, NV 89402

CONDITIONS
for
VARIANCE CASE NO. V3-13-93

ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO ISSUANCE OF A BUILDING PERMIT, UNLESS OTHERWISE SPECIFIED.

COMPLIANCE WITH THE CONDITIONS OF THIS VARIANCE IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE VARIANCE MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.

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THE BOARD OF COUNTY COMMISSIONERS RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

GENERAL CONDITIONS

1. The applicant shall obtain a valid Washoe County building permit or other administrative permit in the time period set forth as follows:
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 - b. For projects which require a TRPA permit and which have TRPA approval (or conditional approval), within one year from the date of approval by the Washoe County Board of County Commissioners (BCC); or
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The applicant shall commence and complete construction in accordance with the time periods required by said permit(s).

2. The applicant shall demonstrate substantial conformance with the plans approved as part of this variance. Modification to the site plan may require amendment to and reprocessing of the variance. Conformance shall be determined by the Department of Development Review.

3. A copy of the variance's clerk's order and approved site plan shall be attached to all building permit applications issued by Washoe County. Building plans will not be reviewed unless the clerk's order and site plan are attached.
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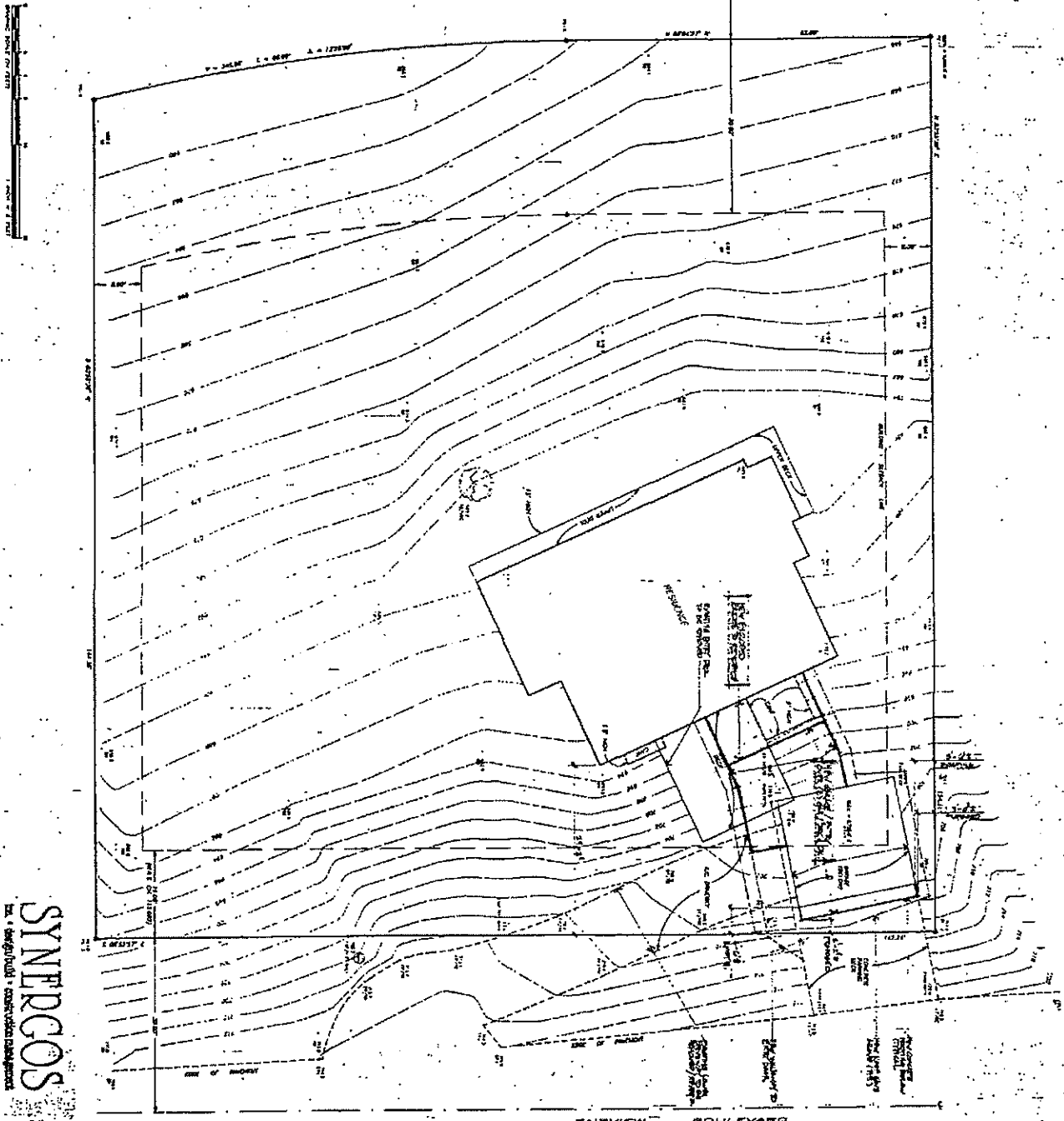
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6. A revocable encroachment permit shall be required by the Engineering Division of Washoe County Department of Public Works for the concrete parking deck within the County right-of-way.

washoe county development review



V3-13-93

EAGLE



SYNERGOS
 Inc. • design/build • construction management
 10000 S. 28th Street, Suite 100
 Las Vegas, NV 89148
 702.735.1800

INTERPOLAR SURVEY AREA

RESURFACED	1,898 SQ. FT.
REPAIR / PATCH	338
CONCRETE	537
AS. PAVEMENT	433
TOTAL	3,198 SQ. FT.

LOT AREA
 11,643 SQ. FT.
 0.4831 ACRES



AS-BUILT CONTOUR SURVEY

LOT 2, BLOCK E, COUNTRY CLUB OF PIGLINE SUBDIVISION
 INCLINE VILLAGE, WASHOE COUNTY, NEVADA
 A.P.N. 131-221-02 423 FARMER BOULEVARD

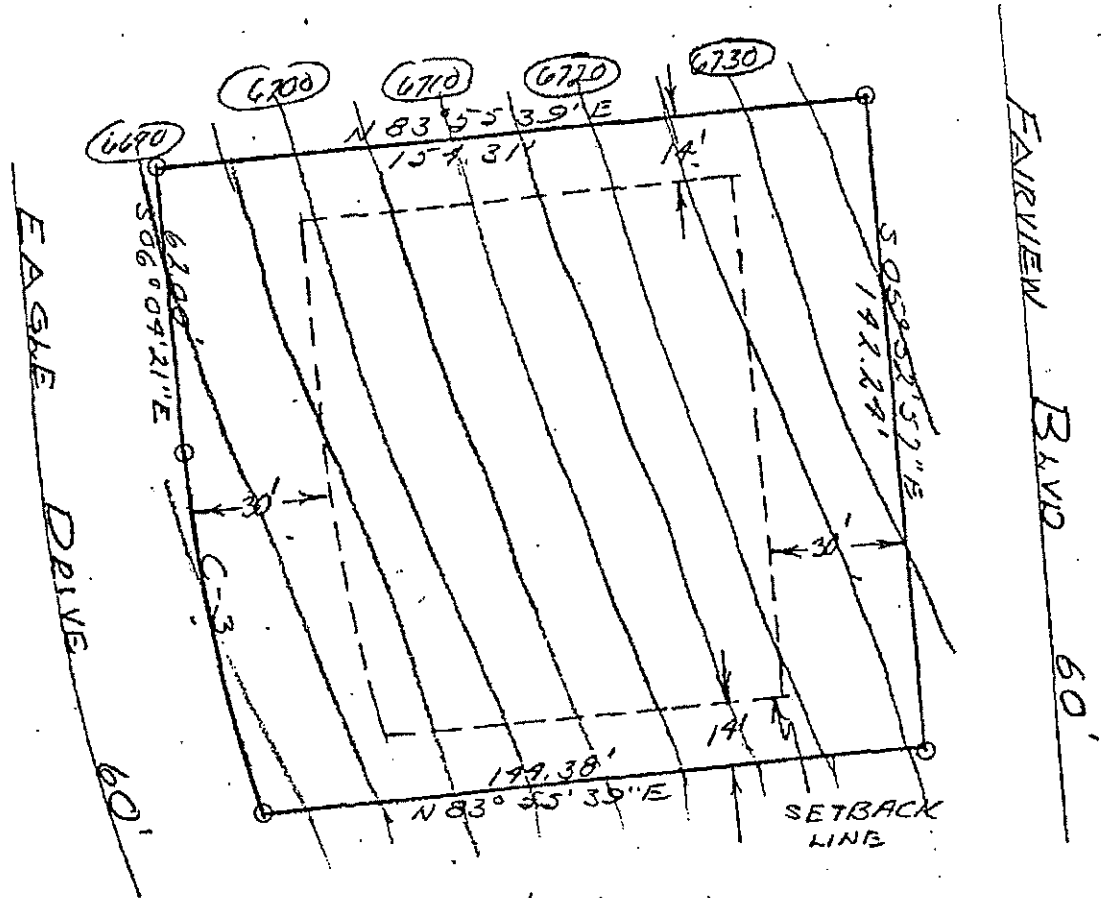
Kenneth F. Barrow P.L.S.

LAND SURVEYOR
 P.O. DRAWER 7000 INCLINE VILLAGE, NEVADA 89460
 702 - 831 - 1370

DATE	05/11/02
BY	DAVID M. BARROW
REVISION	AS-BUILT
DATE	05/11/02
BY	DAVID M. BARROW
REVISION	AS-BUILT
DATE	05/11/02
BY	DAVID M. BARROW
REVISION	AS-BUILT

Land capability #1-A - U.M.F. 1/2
 Impervious Cover Allowance 3,200 sq'

LOT 3



LOT 1

C-3
 $\Delta = 13-26-59$
 $R = 345.00'$
 $T = 40.68'$
 $h = 80.99'$



1" = 40'

This data is a compilation of several documents, maps and ordinances applying to these properties. No guarantee as to the accuracy of these plats or data is made by the Boise Cascade Home and Land Corporation.

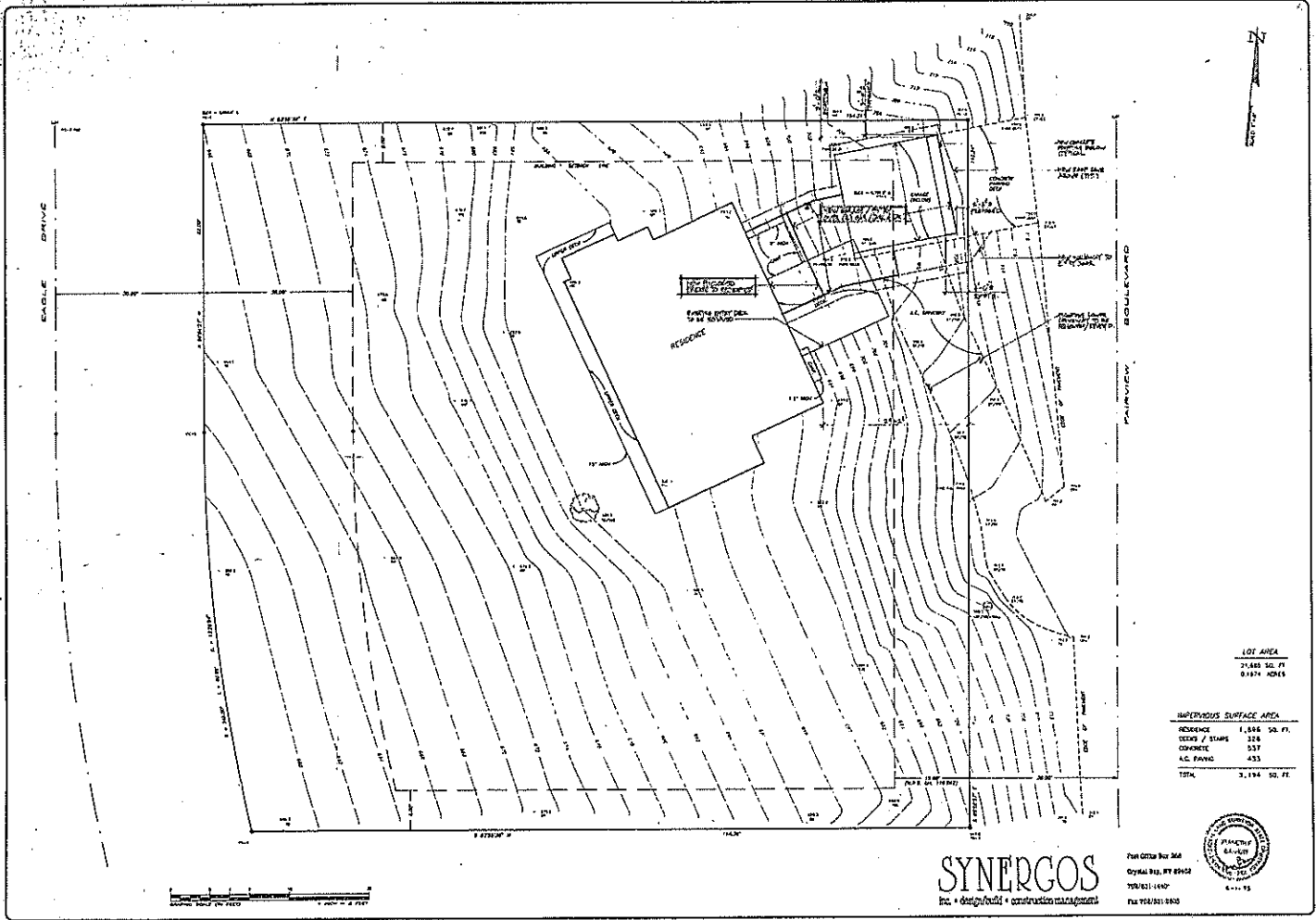
LOT 2 BLOCK E
 SUB. COUNTRY CLUB OF INCLINE
 CRYSTAL BAY DEVELOPMENT CO.
 CRYSTAL BAY, LAKE TAHOE - WASHOE COUNTY, NEVADA

OWNER _____

NOTE: TOPO TAKEN FROM 1"=100'
 (5' CONTOURS) AERIAL TOPG

WPVAR17-0008

EXHIBIT G



LOT AREA	
21489 SQ. FT.	84874 SQ. FT.
IMPERVIOUS SURFACE AREA	
RESIDENCE	1,806 SQ. FT.
DRIVE / STAIRS	388
CONCRETE	537
A.C. PAVING	433
TOTAL	3,164 SQ. FT.

SYNERGOS
INC. • design/build • construction management

Plan 02218 Rev. 044
Original No. 871 8/10/82
7/10/82 (140)
Plan 102/101 8/80



Kenneth F. Barrow P.E.
LAND SURVEYOR
NOVA 1940
P.O. BOX 780
337-81-101

AS-BUILT CONTOUR SURVEY
LOT 21, BLOCK C, COMPTON CREEK OF WATERS SUBDIVISION
421 FAIRVIEW BOULEVARD, NOVA
A.P.N. 131-031-02 421 FAIRVIEW BOULEVARD

SCALE	1" = 40'
DATE	05 DEC 82
DESIGN	64-007
APPROVED	6/1/82
REVISED	25 JULY 82
NO.	232-22

V12-78-97

Fuller, Theodore/
Keown, Don

Building permit

NO. 98-2285

Washoe County Development Application

Application Type

<input type="checkbox"/> Abandonment	<input type="checkbox"/> Reversion to Acreage
<input type="checkbox"/> Administrative Permit	<input type="checkbox"/> Site Plan Review
<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Single-Family Residential
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Multiple-Family Res., Comm. & Ind.
<input type="checkbox"/> Development Agreement	<input type="checkbox"/> Special Use Permit
<input type="checkbox"/> Preliminary	<input type="checkbox"/> Tentative Map of Division into Large Parcels
<input type="checkbox"/> Final	<input type="checkbox"/> Tentative Parcel Map
<input type="checkbox"/> Design Review	<input type="checkbox"/> Tentative Subdivision Map
<input type="checkbox"/> Major Map Amendment	<input checked="" type="checkbox"/> Variance

Project Name: Mr. and Mrs. Theodore J. Fuller Residence

Project Address: 469 Fairview Blvd.

Assessor's Parcel Number(s):	Parcel Acreage:	Land Use Designation:
131-221-07	.4858	MDS

Project Size:	Section:	Township:	Range:
CAB(s):	Planning Area: Incline Village		

PLEASE CHECK IF APPLICABLE

- Application for Comprehensive Plan Amendment has been made.
- Comprehensive Plan Amendment previously approved. (Case No. _____)

Applicant Information

Property Owner:	Person/Firm Preparing Plans:
Name: Donald B. & Judith K. Keown	Name: Doug G. Eddy Architect, A.T.A.
Address: P.O. Box 4564	Address: P.O. Box 4126
Sunriver OR Zip: 97797	Incline Village, NV Zip: 89450
Phone: 541-593-6831 Fax: _____	Phone: 702-833-3737 Fax: 833-2777
Contact Person: Donald Keown	Contact Person: Doug Eddy
Applicant/Developer:	Other Persons to be Contacted:
Name: Theodore J. Fuller	Name: _____
Address: P.O. Box 9223	Address: _____
Incline Village, NV Zip: 89452	Zip: _____
Phone: 702-831-3479 Fax: 831-3401	Phone: _____ Fax: _____
Contact Person: Theodore J. Fuller	Contact Person: _____

For Office Use Only

Date Received:	Initial: SK	Case Numbers:
Deemed Complete:	Initial: _____	V12-78-97

WASHOE COUNTY
DEPARTMENT OF DEVELOPMENT REVIEW
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 reference to Variances may be found in Sections 110.804.00 through 110.804.65.

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

Front yard set back reduced from 15 ft. to 4 ft.

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

2. 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 proposed residence will be sited with a 38 ft. set back from
the residence to the north, and 12 ft. from a Forest Service lot
to the south. The building is on a down slope lot, and will
project only 15' - 7" above street at highest point .

3. How will this variance enhance the scenic or environmental character (eliminate encroachment onto slopes or wetlands, etc.) of the neighborhood?

It will allow a residence to be built which is very compatible with
the neighborhood with similar variances, preventing the construction
of a long (35'-0") elevated driveway.

4. What are the conditions or circumstances that are unique to your property that prevent you from complying with the Development Code requirements?

This site is a down hill sloping lot with a 40% grade. The house
would exceed the allowable TRPA height and coverage restrictions
if the 15'-0" front yard setback is maintained.

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

A residence could not be constructed comparable in size and ascetic
architectural appeal to other residences in this neighborhood
maintaining a 15'-0" front yard set back

6. Are there any deed restrictions, restrictive covenants, or recorded conditions that apply to the area subject to the variance request? YES _____ NO X If so, please attach a copy.

7. Type of water service or provider: Public IVGID

8. Type of sewer service or provider: Public IVGID

9. Community Services: (Provider and nearest facilities)

a. Fire Station Incline Fire Station Mt. Rose Hwy.

b. Health care facility Tahoe Forest Incline Village

c. Elementary School Incline Village

d. Middle School Incline Village

e. High School Incline Village

f. Parks Incline Beach, Ski, and Burnt Cedar

g. Library Wahoe Co. Incline Village

h. Cityfare bus stop Tart Country Club Dr.

OWNER AFFIDAVIT

(An Affidavit must be provided by all owners with 20 percent or greater interest.)

Project Name: Mr. and Mrs. Theodore J. Fuller Residence	
Application Type	
<input type="checkbox"/> Abandonment	<input type="checkbox"/> Reversion to Acreage
<input type="checkbox"/> Administrative Permit	<input type="checkbox"/> Site Plan Review
<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Single-Family Residential
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Multiple-Family Res., Comm., & Ind.
<input type="checkbox"/> Development Agreement <input type="checkbox"/> Preliminary <input type="checkbox"/> Final	<input type="checkbox"/> Special Use Permit
	<input type="checkbox"/> Tentative Map of Division into Large Parcels
	<input type="checkbox"/> Tentative Parcel Map
<input type="checkbox"/> Design Review	<input type="checkbox"/> Tentative Subdivision Map
<input type="checkbox"/> Major Map Amendment	<input checked="" type="checkbox"/> Variance

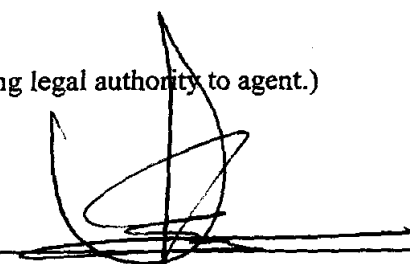
STATE OF NEVADA)
)
COUNTY OF WASHOE)

I, Doug G. Eddy

being duly sworn, depose and say that I am an owner* of property involved in this petition 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 the Department of Community Development staff.

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

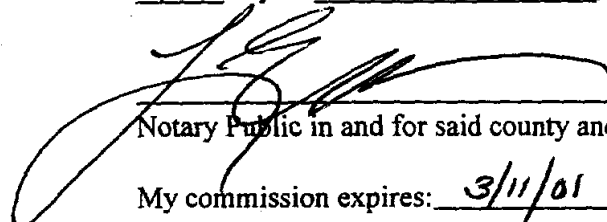
- Owner/Joint Owner
- Corporate Officer/Partner
- Power of Attorney (Provide copy of Power of Attorney.)
- Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Letter from Government Agency with Stewardship

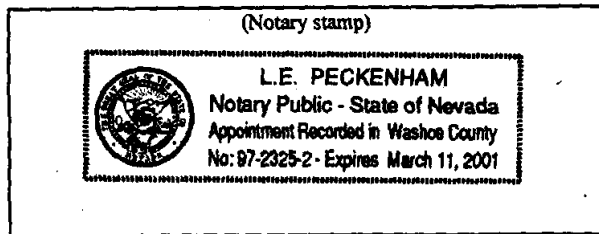
Signed 

Address P.O. Box 4126

Incline Village, NV 89450

Subscribed and sworn to before me this
15th day of DECEMBER, 1997.


Notary Public in and for said county and state
My commission expires: 3/11/01



Monday, November 24, 1997

To: Washoe County &
Tahoe Regional Planning Agency

From: Donald B. Keown & Judith K. Keown

Re: 469 Fairview Blvd. (APN: 131-221-07), Incline Village, Nevada 89451

As the owners of record of the above referenced parcel, WE authorize Doug G. Eddy, A.I.A. and/or Stephen M. Spencer to act as our representative in connection with any and all applications to TRPA and or Washoe County agencies with respect to the above referenced subject property and agree to be bound by said representatives. Said individuals are further authorized to access the subject property for the purpose of conducting soil and/or water level testing.

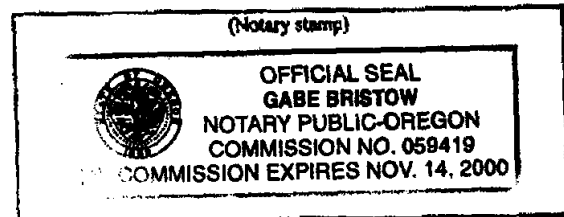
Any cancellation of this authorization shall not be effective until receipt of written notification of same by TRPA or involved county agencies.

Donald B. Keown Judith K. Keown
 Donald B. Keown Judith K. Keown

Subscribed and sworn to before me this
01 day of December, 1997.

Gabe Bristow
Notary Public in and for said county and state

My commission expires: Nov. 14, 2000





FINAL ORDER

**Washoe County
Department of
Community
Development**

1001 E. Ninth St., Bldg A
Post Office Box 11130
Reno, NV 89520-0027
Tel: 702-328-3600
Fax: 702-328-3648

February 17, 1998

Theodore J. Fuller
P. O. Box 9223
Incline Village, NV 89452

Dear Mr. Fuller:

At its regular meeting of February 5, 1998, the Washoe County Board of Adjustment conditionally approved (5 conditions) the following:

Variance Case No. V12-78-97: To vary the required front yard setback within Section 110.406.05.1 from 15 feet to no less than 4 feet in order to construct a single family residence. The property is located at 469 Fairview Boulevard, Lot 7, Block E, Country Club of Incline Village Subdivision. The \pm .485 acre parcel is designated MDS (Medium Density Suburban) in the Tahoe Area Plan and situated in a portion of Section 3, T16N, R18E, MDB&M, Washoe County, Nevada. (APN: 131-221-07)

The conditional approval for the variance was based on the following findings:

1. That due to Tahoe Regional Planning Agency (TRPA) coverage constraints, height requirements, and slopes in excess of 40% the applicant has no options other than to encroach into the setback;
2. That the request will allow the construction of a single family residence without creating a detriment to the scenic or environmental character of the surrounding area;
3. That no applicable policies exist to make the finding of consistency or non-consistency with the policies, action programs, standards and maps of the Comprehensive Plan and the Tahoe Area Plan;
4. That granting of the request will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the Medium Density Suburban (MDS) land use designation; and
5. That the Board gave reasoned consideration to the information contained within the staff report and information received during the meeting.

John B. Hester, AICP
Director

W. Dean Diederich, AICP
Planning Manager

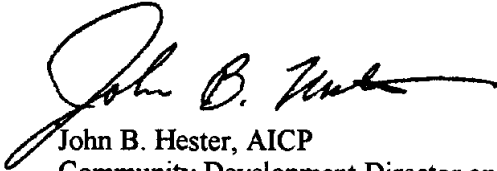
Jess S. Traver, P.E.
County Building
Official



WPVAR17-0008
EXHIBIT G

As no appeals have been filed in the time period stipulated in the Washoe County Development Code, the decision by the Board of Adjustment is final.

Yours truly,



John B. Hester, AICP
Community Development Director and
Secretary to the Board of Adjustment

JBH/SD/ma (V7897FO)

Attachments: Conditions

xc: Rusty Nash, DA's Office; Judy Ramos, Assessor's Office; John Faulkner, Assessor's Office; Donald and Judith Keown, P.O. Box 4564, Sunriver, OR 97797; Doug Eddy, AIA, P.O. Box 4126, Incline Village, NV 89450; Incline Village/Crystal Bay Citizen Advisory Board; Incline Village General Improvement District;

**CONDITIONS
FOR
VARIANCE CASE NO. V12-78-97**

(As approved by the Washoe County Board of Adjustment on February 5, 1998)

1. The applicant shall obtain a valid Washoe County building permit or other administrative permit in the time period set forth as follows:
 - a. For projects which require a Tahoe Regional Planning Agency (TRPA) permit, within one year from the date of approval by TRPA; or
 - b. For projects which require a TRPA permit and which have TRPA approval (or conditional approval), within one year from the date of approval by Washoe County; or
 - c. For projects which do not require a TRPA permit, within one year from the date of approval by Washoe County.

The applicant shall commence and complete construction in accordance with the time periods required by said permit(s).
2. The applicant shall demonstrate substantial conformance with the plans approved as part of this variance. Modification to the site plan may require amendment to and reprocessing of the variance. Conformance shall be determined by the *Department of Community Development*.
3. A copy of the Final Order and approved site plan for the variance shall be attached to all building permit applications issued by Washoe County. Building plans will not be reviewed unless the Final Order and site plan are attached.
4. The applicant shall execute a hold-harmless agreement with the District Attorney's office for snow removal purposes. A copy of the agreement shall be submitted to the *Department of Community Development*.
5. The applicant shall install an automatic garage door opener prior to the issuance of the Certificate of Occupancy from Washoe County Building and Safety Division.

WASHOE COUNTY BOARD OF ADJUSTMENT

STAFF REPORT

To: Members of the Washoe County Board of Adjustment
Re: Variance Case No. V12-78-97
Date: January 22, 1998 **Prepared By:** Sandra Dutton, Assistant Planner

GENERAL INFORMATION SUMMARY

Applicant: Theodore J. Fuller

Requested Action: To vary the required front yard setback within Section 110.406.05.1 from 15 feet to no less than 4 feet in order to construct a single family residence. The property is located at 469 Fairview Boulevard, Lot 7, Block E, Country Club of Incline Village Subdivision. The ±.485 acre parcel is designated MDS (Medium Density Suburban) in the Tahoe Area Plan and situated in a portion of Section 3, T16N, R18E, MDB&M, Washoe County, Nevada. (APN: 131-221-07)

RECOMMENDATIONS/FINDINGS

Based upon the staff analysis, comments received, and the site inspection, staff recommends conditional approval of the request and offers the following motion for your consideration:

The Washoe County Board of Adjustment conditionally approves Variance Case No. V12-78-97, having made the findings:

1. that the request will allow the construction of a single family residence without creating a detriment to the scenic or environmental character of the surrounding area;
2. that no applicable policies exist to make the finding of consistency or non-consistency with the policies, action programs, standards and maps of the Comprehensive Plan and the Tahoe Area Plan;
3. that granting of the request will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the Medium Density Suburban (MDS) land use designation; and

4. that the Board gave reasoned consideration to the information contained within the staff report and information received during the meeting.

ANALYSIS

Background:

The subject property is located at 469 Fairview Boulevard within the Tahoe Planning Area. This application seeks to vary the front yard setback from 15 feet to not less than 4 feet in order to facilitate the construction of a 2,858 square foot, three (3) story, single family residence on a half (1/2) acre parcel.

Special Circumstances/Hardship:

Due to coverage constraints and slopes greater than 40% the applicant is unable to maintain the required front yard setback of 15 feet without exceeding Tahoe Regional Planning Agency's (TRPA) height requirements. By allowing the proposed front yard setback of 4 feet, the applicant will be able to maintain height requirements set forth by TRPA.

Agency Comments:

The plans were submitted to involved agencies. Any comments received have been incorporated into the standard conditions of the staff report.

Citizen Advisory Board Comments:

Plans were submitted to the Incline Village / Crystal Bay Citizens Advisory Board for review. Staff has received no comments at this time.

LAND USE SUMMARY

Land Use Designation: Medium Density Suburban

Development Suitability Constraints: Yes, slopes greater than 15%.

Article 302 Allowed use Type: **Section 110.304.15 - Residential Use Types**

The adjacent land use designations for the parcels surrounding the subject property, and their compatibility with the proposed land use designation of Medium Density Suburban, are listed in Figure 1. The "High" land use compatibility rating with the surrounding land uses generally indicates that minimal conflicts could occur with adjacent land uses, and little or no screening or buffering measures are necessary. The "Medium" land use compatibility rating generally indicates that limited screening and buffering is necessary. The "Low" land use compatibility indicates significant screening and buffering is necessary.

Figure 1

ADJACENT PARCELS COMPATIBILITY WITH MEDIUM DENSITY SUBURBAN

Direction	Land Use Designation	Land Use Compatibility
North	Medium Density Suburban	High
South	Medium Density Suburban	High
East	Medium Density Suburban	High
West	Medium Density Suburban	High

Source: Table 3, Land Use Compatibility Matrix of the adopted Washoe County Comprehensive Plan Land Use and Transportation Element.

Area Plan Modifiers: Tahoe Area Modifiers

Parking: Two (2) required Parking Spaces

Landscaping: No Required Landscaping

APPLICABLE REGULATIONS

Nevada Revised Statutes Chapter 278; Washoe County Code Chapter 110

SD (V7897S)

Attachments: Conditions, Maps.

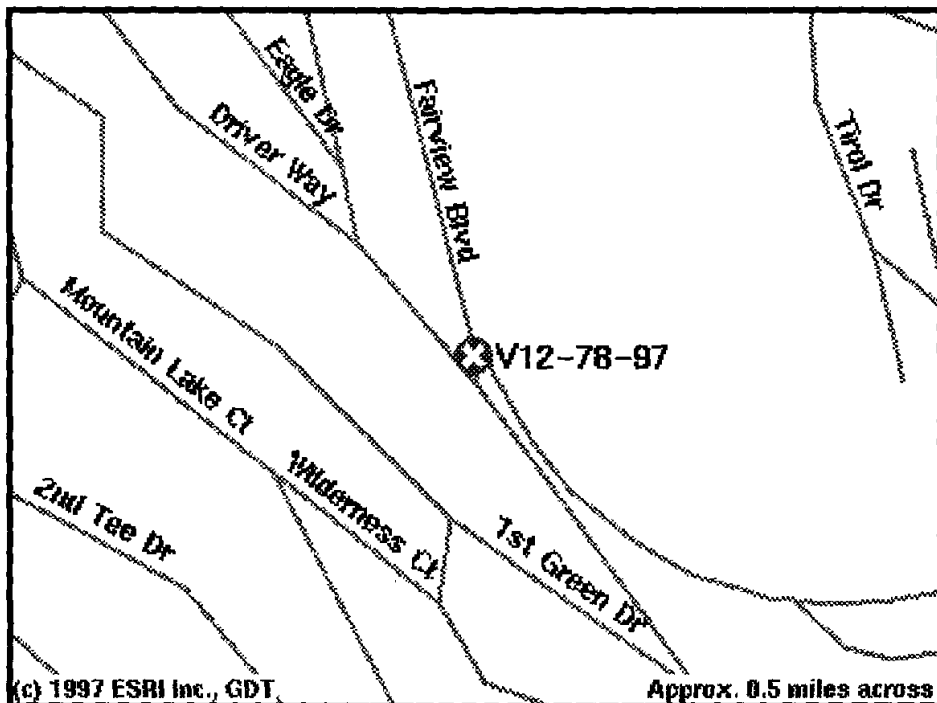
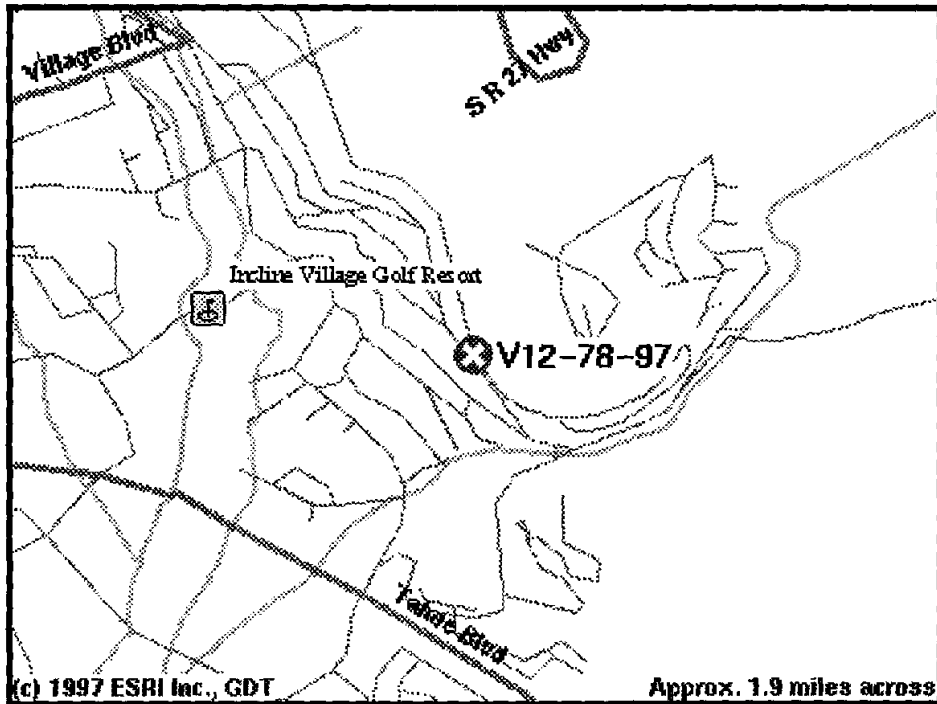
XC: Applicant: Donald and Judith Keown, P.O. Box 4564 Sunriver, OR 97797
Representatives: Theodore J. Fuller, P.O. Box 9223, Incline Village, NV 89452 and
Doug Eddy Architect, AIA, P.O. Box 4126, Incline Village, NV 89450
Agencies: Incline Village/Crystal Bay Citizen's Advisory Board

CONDITIONS
to
VARIANCE CASE NO. V12-78-97

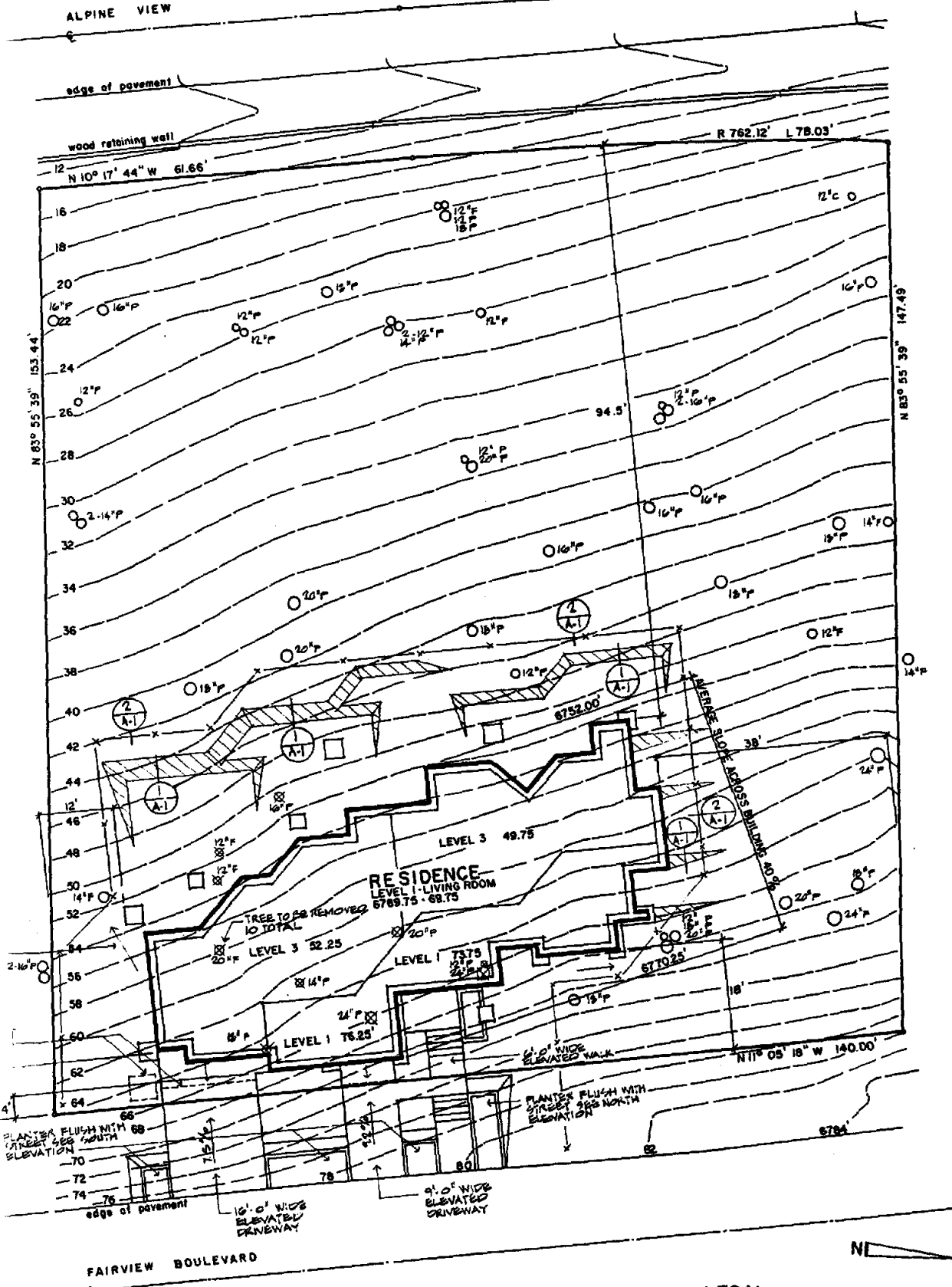
(As recommended by Department of Community Development and attached to
Staff Report January 22, 1998)

1. The applicant shall obtain a valid building permit or other administrative permit within six months from the date of approval by the Washoe County Building Department. The applicant shall commence and complete construction in accordance with the time periods required by said permit(s).
2. The applicant shall demonstrate substantial conformance with the plans approved as part of this variance. Modification to the site plan may require amendment to and reprocessing of the variance. Conformance shall be determined by the Department of Community Development.
3. A copy of the Final Order and approved site plan for the variance shall be attached to all building permit applications issued by Washoe County. Building plans will not be reviewed unless the Final Order and site plan are attached.
4. The applicant shall obtain a Hold Harmless Agreement from the Department of Public Works, Road Division, and shall maintain a 15 foot minimum setback from front of garage to the edge of pavement for road maintenance purposes.

VICINITY MAPS OF
469 FAIRVIEW BOULEVARD
VARIANCE CASE NO. V12-78-97



ALPINE VIEW



LEGAL :
 LOT 7, BLOCK E, COUNTRY CLUB
 OF INCLINE SUBDIVISION
 469 FAIRVIEW BOULEVARD, INCLINE
 VILLAGE, WASHOE COUNTY,
 NEVADA
 APN 131-221-07

SITE INFORMATION

LOT AREA 0.488 ACRES 21,460 SQ. FT.
 LAND CAPABILITY CLASS NO. 1
 PERCENT COVERAGE ALLOWED 1%
 COVERAGE ALLOWED 211 SQ. FT.
 COVERAGE TRANSFERRED 2,888 SQ. FT.
 TOTAL COVERAGE 3,099 SQ. FT.

PROPOSED COVERAGE BREAKDOWN ONSITE:

RESIDENCE GARAGE AND COLUMNS 2,888 SQ. FT.
 DRIVEWAYS 83 SQ. FT.
 TOTAL ONSITE COVERAGE 3,000 SQ. FT.
 TOTAL OFFSITE COVERAGE 517 SQ. FT.

BUILDING SQUARE FOOTAGE

LEVEL ONE 2,888 SQ. FT.
 LEVEL THREE 1,980 SQ. FT.
 LOFT 578 SQ. FT.
 TOTAL 5,446 SQ. FT.
 GARAGE 704 SQ. FT.

NOTE:

ALL EXISTING AREAS AND AREAS DISTURBED BY CONSTRUCTION SHALL BE REVEGETATED IN ACCORDANCE WITH THE T.R.F.A. (HANDBOOK OF BEST MANAGEMENT PRACTICES)

PROPOSED BARBERS TO RESTRICT PARKING TO APPROXIMATE PARKING SPACES ONLY.

PERMITS FOR THE PROPERTY SHALL BE MAINTAINED TO INCLUDE EROSION CONTROL, SLOPE STABILIZATION, AND TEMPORARY EROSION CONTROL. EROSION CONTROL EQUIPMENT SHALL BE LIMITED TO THE FURNISHMENT OF EROSION CONTROL MATS AND MULCH. ANY REQUIRED EROSION CONTROL EQUIPMENT SHALL BE INCORPORATED INTO THE PROJECT DESIGN. CONTRACTORS SHALL PROVIDE TEMPORARY EROSION CONTROL STRUCTURES LOCATED DOWN SLOPE OF THE PROPOSED CONSTRUCTION AREA. (SEE DETAIL 31 - A)

EROSION CONTROL EQUIPMENT SHALL BE LIMITED TO THE PROPOSED PARKING AND ASSOCIATED CURB & GULLY SLOPES TO MAINTAIN SITE SURFACE.

1. DO NOT SCALE DRAWINGS. USE DIMENSIONS AS CALLED FOR. ALL DIMENSIONS ARE FROM FACE OF STUD CONCRETE OR CURBLINE.
2. ALL WORK SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL STATE AND LOCAL BUILDING CODES & ORDINANCES CURRENTLY IN FORCE.
3. IF ANY ERRORS, OMISSIONS OR DISCREPANCIES ARE NOTED ON THE PLANS, SUBCONTRACTORS AND SUPPLIERS SHALL VERIFY EXISTING CONDITIONS AND CONDITIONS OF WORK IN QUESTION. FAILURE TO CORRECT WITH THE ABOVE SHALL RESULT IN SUBCONTRACTOR / SUPPLIER BEING HELD RESPONSIBLE.
4. IT IS THE INTENT OF THESE DRAWINGS TO PROVIDE THE GENERAL CONTRACTOR WITH AN OVERALL SCOPE OF THE REQUIREMENTS. DETERMINE THE EXTENT OF ACTUAL REQUIREMENTS PRIOR TO CONSTRUCTION.
5. PROVIDE CONSTRUCTION & TEST DATA APPLICABLE PER SUBCONTRACTORS REQUIREMENTS.
6. ALL FINISHING FIXTURES, FIXTURES ETC TO MEET ENERGY CONSERVATION AND / OR GREENING AGENCY REQUIREMENTS.
7. VERIFY MECHANICAL, ELECTRICAL, AND PLUMBING REQUIREMENTS FOR SINK, SINKS AND STEAM EQUIPMENT PER VENDOR/AGENCY SPECIFICATIONS.
8. ALL FIXTURES TO MEET EMISSION STANDARDS AND VENTED PER U.S.C. REQUIREMENTS.
9. FLUAT JOINT BETWEEN SPECIALLY AND WEATHER WITH 20 GAUGE GALVANIZED FLASHING LINE THROUGH CHASE WITH 1/2" TYPE "X" GROUND ROUGH FELL HEIGHT AND PROVIDE DRAIN ALL OVERHANGS 3" HIGH. ALL HORIZONTALS 3" ABOVE MOISTURE FIELD. 4" MAX. BALLASTER SPACING PER CODE.
10. LIGHTING AT WALLS AND CEILING TO BE THICK TYPE, 1/16" QUANTITY & LOCATION TO BE DETERMINED IN FIELD.
11. DISCONNECT LIGHTING TO BE SHUT OFF BY A 1/2" BALLAST LIGHT WALK SWITCHES QUANTITY & LOCATION TO BE DETERMINED IN FIELD.
12. VERIFY ALL EXISTING UTILITIES IN FIELD. ALL EXISTING UTILITIES TO BE PROTECTED. SINKING CLASS ROOMS AND ANY SINKING WITHIN 12" OF S.C.D. SHALL BE REVEGETATED ANY EXISTING SINKING WITHIN 12" OF S.C.D. SHALL BE REVEGETATED. ALL EXISTING SINKING SHALL BE 1/2" THICKENED.
13. ALL WOODWORK SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE CODES AND SPECIFICATIONS AND U.S.C. 1801.
14. ALL EQUIPMENT, FIXTURES, FRESH WATERLINE AND DRAINAGE, AND/OR GAS LINES SHALL BE INSTALLED BY CONTRACTOR.
15. PROVIDE ALL FINISHING AS REQUIRED TO ACQUIRE AN ESTIMELY LEAD PROGRAM ASSEMBLY.
16. PROVIDE POSITIVE DRAINAGE AROUND AND AWAY FROM BUILDING CONSTRUCTION TO VERIFY DRAINAGE OF SUBSTANCE DRAINAGE FROM TO BE DRAINAGE.
17. PROVIDE VENTILATION AT OFFICE, ATTIC, AND DRAIN SPACE AS REQUIRED BY STATE AND LOCAL BUILDING CODES & ORDINANCES IN FORCE.

GENERAL NOTES

SITE INFORMATION

LOT AREA 0.488 ACRES 21,460 SQ. FT.
 LAND CAPABILITY CLASS NO. 1
 PERCENT COVERAGE ALLOWED 1%
 COVERAGE ALLOWED 211 SQ. FT.
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PROPOSED COVERAGE BREAKDOWN ONSITE:

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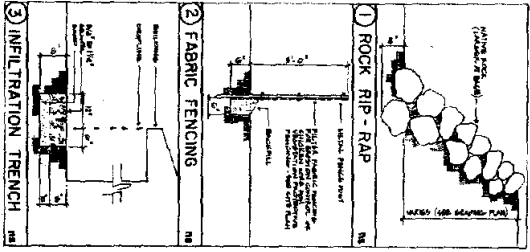
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PROPOSED BARBERS TO RESTRICT PARKING TO APPROXIMATE PARKING SPACES ONLY.

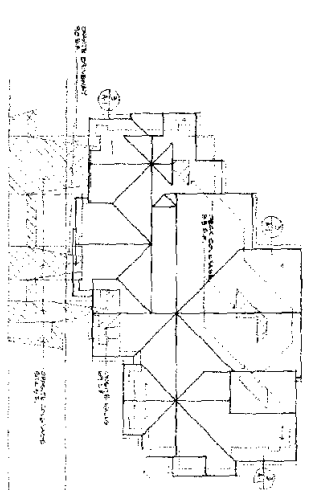
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EROSION CONTROL EQUIPMENT SHALL BE LIMITED TO THE PROPOSED PARKING AND ASSOCIATED CURB & GULLY SLOPES TO MAINTAIN SITE SURFACE.

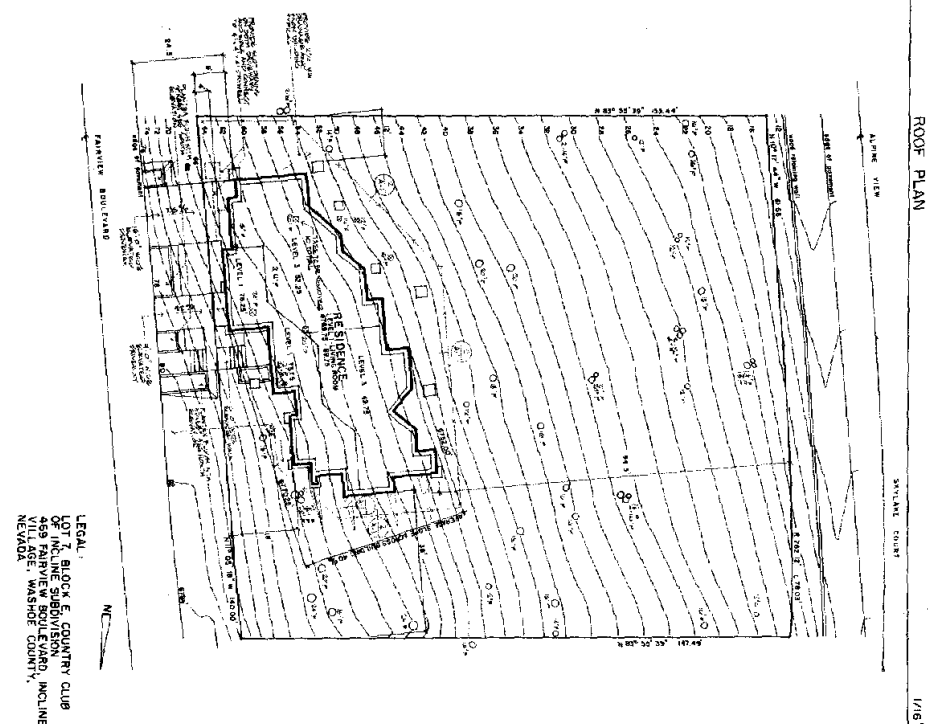


SITE INFORMATION

ROOF PLAN



SITE PLAN



DATE: _____
 SHEET: _____
 TOTAL SHEETS: _____
 A. 1

A RESIDENCE FOR:
 MR. and MRS. THEODORE J. FULLER
 469 FAIRVIEW BOULEVARD INCLINE VILLAGE, NEVADA

DOUG G. EDDY ARCHITECTS, A.L.A.
 ARCHITECTS AND PLANNERS
 4555 SOUTH 20TH AVENUE, SUITE 100, DENVER, CO 80202
 PHONE: 303.755.1100 FAX: 303.755.1101

THIS DOCUMENT IS THE PROPERTY OF DOUG G. EDDY ARCHITECTS, A.L.A. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DOUG G. EDDY ARCHITECTS, A.L.A.

To: SDUTTON@WASHOE (SDUTTON),
MFujii@MAIL.co.washoe.nv.us ("Fujii, Mimi")
Date-posted: 13-Jan-98 12:51:41
Sender: MFujii@MAIL.co.washoe.nv.us (MFujii)
Date: 13-Jan-98 15:54:28 -0500
From: MFujii@MAIL.co.washoe.nv.us (Fujii, Mimi)
Subject: VARIANCE 12-78-97
O-SMTP-Envelope-From: <MFujii@MAIL.co.washoe.nv.us>
IAANAACBNC,
IAANAACCAJ,
IAANAACCAK,
IAANAACBND,
IAANAACDPA

SANDRA,

I HAVE REVIEWED THE ABOVE REFERENCED VARIANCE AND RECOMMEND
APPROVAL.

MIMI

**Incline Village General Improvement District
Development review Status Sheet**

**From: Art Johnson, Chief Inspector, Ph. (702)832-1224 Fax:(702)832-1260
1220 Sweetwater Road, Incline Village Nevada 89451**

Delivered Via Fax On	To	Fax No.	Re:	APN
01/02/98	328-6133		V12-78-97	131-221-07

**Washoe County Dept. of Community Development
P.O. Box 11130
Reno, Nevada 89520**

Attention:

Sandra Dutton

Service Address:	Lot:	Blk:	Subdivision
469 Fairview	7	E	CC-I

Owner:	Ph.	Fax
Donald B. & Judith K. Keown	541-593-6831	

Mailing Address:

P.O. Box 4564
Sunriver, OR 97132-7797

Contact Person:	Ph.	Fax
Theodore J. Fuller	831-3479	831-3401

Request:

VARIANCE CASE NO. V12-78-97 (KEOWN) - To vary the required front yard setback within Section 110.406.05.1 from 15 feet to no less than 4 feet in order to construct a single family residence. The property is located at 469 Fairview Boulevard, Lot 7, Block E, Country Club of Incline Subdivision. The ±.485 acre parcel is designated MDS (Medium Density Suburban) in the Tahoe Area Plan and situated in a portion of Section, T16N, R18E, MDB&M, Washoe County, Nevada. (APN: 131-221-07) Staff: Sandra Dutton - 328-3608

Comments and Conditions:

No impact to IVGID Utilities.

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. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original to us at the above address via U.S. Postal Service We will reimburse you for your postage. Thank You.



WASHOE COUNTY

"To Protect and To Serve"



DEPARTMENT OF PUBLIC WORKS
ROAD DIVISION

3101 LONGLEY LANE
POST OFFICE BOX 11130
RENO, NEVADA 89520-0027
PHONE: (702) 328-2180
FAX #: (702) 328-2110

December 31, 1997

SD
RECEIVED

TO: W.C. Board of Adjustment, Department of
Comprehensive Planning

FROM: W.C. Department of Public Works, Road Division

SUBJECT: V12-79-97 - Falke
V12-78-97 - Keown
V12-77-97 - Van Delinder

DEC 30 1997

WASHOE COUNTY
RECEIVED

RECOMMENDATION

Approve these variance requests with a Hold Harmless Agreement an needs to maintain 15' minimum from front of garage to the edge of the pavement.

REASON

The variance is within our setback and may interfere with Road maintenance.

W. Dean Wall
Manager of Road Operations
and Maintenance

hz

cc: David Roundtree, Public Works Director
Dave Price, County Engineering

INCLINE VILLAGE/CRYSTAL BAY

CASE # ~~12-78-97~~ V12-78-97 (KEDWN)

AGENCY REVIEW CHECKLIST

FEDERAL

- Army Corps of Engineers
- Bureau of Indian Affairs
- Bureau of Land Management
- U.S. Fish & Wildlife
- U.S. Forest Service
- U.S. Postal Service
- Washoe-Storey Conservation District

TAHOE

- U.S. Forest Service (LTBMU)
- Incline/Crystal Bay CAB (5)
- IVGID
- North Lake Tahoe FPD
- Roads
- Tahoe Regional Planning Agency
- TCI Cable Vision of Tahoe

STATE

- Environmental Protection
- Division of Forestry
- Division of Parks
- Dept. of Transportation
- Division of Water Resources
- Dept. of Wildlife

GID'S/UTILITIES

- Black Springs GID
- Gerlach GID
- Horizon Hills GID
- Sun Valley GID
- Palomino Valley GID
- Nevada Bell
- Southwest Gas
- Sierra Pacific Power
- Reno Park Water Co.
- Silver Lake Water Dist. Co.
- Sky Ranch Utility

COUNTY

- County Manager
- Building & Safety (*Incline*)
- District Attorney, Civil Division
- Engineering
- Health
- Library
- Parks & Recreation
- Roads Division
- Sheriff
- Truckee Meadows Air Quality
- Truckee Meadows Fire Protection
- Utility Division
- Washoe County School District
- Airport Authority
- Regional Transportation Commission

CITIZEN ADVISORY BOARDS

- Truckee River Advisory Board
- Geiger Grade/Mt. Rose
- Gerlach/Empire
- North Valleys
- Southwest Truckee Meadows
- Spanish Springs
- Sun Valley
- Truckee River Canyon
- Verdi Township
- Warm Springs
- East Washoe Valley
- West Washoe Valley
- Other _____

REGIONAL/CITIES

- Reno Community Development
- Sparks Planning Dept.
- Sparks Public Works
- TM Regional Planning

OTHER/STAFF

- Growth Management
- Leonard Crowe
- _____
- _____
- _____
- _____
- _____
- _____

HISTORIC PRESERVATION

- NV Historic Pres. & Archaeology
- Pyramid Lake Paiute Tribe
- Reno/Sparks Indian Colony
- Washoe Tribe of NV

DATE: January 22, 1998

RE: VARIANCE CASE NO. V12-78-97 (KEOWN)

You are hereby notified that an application for a variance has been filed with the Washoe County Board of Adjustment.

This application requests permission to vary the required front yard setback within Section 110.406.05.1 from 15 feet to no less than 4 feet in order to construct a single family residence. The property is located at 469 Fairview Boulevard, Lot 7, Block E, Country Club of Incline Subdivision. The \pm .485 acre parcel is designated MDS (Medium Density Suburban) in the Tahoe Area Plan and situated in a portion of Section, T16N, R18E, MDB&M, Washoe County, Nevada.
(APN: 131-221-07)

A public hearing will be held in the Commission Chambers, 1001 East Ninth Street, Reno, Nevada, on February 5, 1998, at 2:30 p.m., or as soon thereafter as may be practicable. As an owner of property in the vicinity, you are invited to present testimony relative to this application.

STAFF: SANDRA DUTTON - 328-3608

The Incline Village/Crystal Bay Citizen's Advisory Board (IV/CBCAB) meets the evening prior to the Board of Adjustment in the Incline Village General Improvement District Conference Room, at 893 Southwood Blvd., Incline Village at 7:00 p.m. This Committee's recommendation is transmitted to the Board of Adjustment. Your attendance is recommended.

V12.78.97 KEOWN

131-221-07

SANDRA DUTTON

Done 12.30.97

✓ 131-221-*	11
✓ 131-222-*	3
✓ 131-223-*	8
✓ 131-224-01-06	6
✓ 126-210-03	1
✓ 126-280-01-04, 23-26	8
✓ 126-220-*	7
✓ 126-010-39	1
✓ 126-020-52	1
✓ 126-231-01-02, 07	3

Tahoe + 3

TOM L III & DONNA R JOHNSON
930 TAHOE BV #302 - STE 211
INCLINE VILLAGE NV 89451-9436

13122406

~~UNITED STATES OF AMERICA~~

12621003

KAZUO & ETSUKO YAMAZAKI
P O BOX 72057
DAVIS CA 95617

12628001

BLP FAMILY ESTATE TRUST
C/O PAYNTER WM C & LEE
400 FAIRVIEW NO 12
INCLINE VILLAGE NV 89451

12628002

CLARENCE F & NANCY A HOFER
P O BOX 5046
INCLINE VILLAGE NV 89450

12628003

LARRY V & BONNIE L HUGHES
2606 EDGEROCK RD
RENO NV 89509

12628004

THEODORE O & VILMA H STARNES
P O BOX 557
CHICO CA 95927

12628023

BALVEER & SANTOSH BHATI
27676 VIA CERRO GORDO
LOS ALTOS HILLS CA 94022

12628024

TERRY L & OLINA K ERMERT
P O BOX 242
ORANGEVALE CA 95662

12628025

MARVIN & YVONNE M FIORINI
15030 LOMBARDY AV
TURLOCK CA 95380

12628026

~~UNITED STATES OF AMERICA~~

12622001

THOMAS A JR & WANDA P DEAN
P O BOX 4689
INCLINE VILLAGE NV 89450

12622002

~~UNITED STATES OF AMERICA~~

12622003

~~UNITED STATES OF AMERICA~~

12622004

~~UNITED STATES OF AMERICA~~

12622005

NEVADA STATE OF
C/O STATE LAND REGISTRAR
CAPITOL COMPLEX
CARSON CITY NV 89710

12622007

GERRIT & MAE BROUWER
P O BOX 2778
LANCASTER CA 93539

12622009

~~UNITED STATES OF AMERICA~~

12601039

~~UNITED STATES OF AMERICA~~

12602052

DANIEL J & MARY H MCCLUER
536 FAIRVIEW BV
INCLINE VILLAGE NV 89451

12623101

~~UNITED STATES OF AMERICA~~

12623102

~~UNITED STATES OF AMERICA~~

12623107

00000

WPVAR17-0008
EXHIBIT G

JOSEPH J & JEAN M D'ANDRE
73 CUSHING AVE
SAN RAFAEL CA 94903

13122101

THOMAS J JR MENNING
P O BOX 8663
INCLINE VILLAGE NV 89450

13122102

RITA B GARANT
MARTZ N MARIE
435 FAIRVIEW BV
INCLINE VILLAGE NV 89451

13122103

RAYMOND L & ANNA ANDERSON
P O BOX 3029
INCLINE VILLAGE NV 89450

13122104

CHARLES L RUTHE
16 VINTAGE CT
LAS VEGAS NV 89113

13122105

UNITED STATES AMERICA

13122106

DONALD B & JUDITH K KEOWN
P O BOX 4564
SUNRIVER OR 97707

13122107

GUY A & JOANN L FORTIER
P O BOX 3570
INCLINE VILLAGE NV 89450

13122108

KENT T & KIMBERLY R WOOD
1550 MONTE VISTA DRIVE
RENO NV 89511

13122109

FRANK B & TERYL M MOLTER
P O BOX 4776
INCLINE VILLAGE NV 89450

13122110

DANIEL S & IRENE S SCHWARTZ
P O BOX 6414
INCLINE VILLAGE NV 89450

13122111

RICHARD I & JOAN E POST
2582 BRIARWOOD DRIVE
SAN JOSE CA 95125

13122112

CHIPMAN FOURTH FAMILY LTD PTSP THE
CHIPENT LLC GENERAL PARTNER
P O BOX 7216
INCLINE VILLAGE NV 89452

13122201

HERMAN & ERIN SCHELLER
P O BOX 6300
INCLINE VILLAGE NV 89450

13122202

MICHAEL A & PEGGY A SILVERI
483 SKYLAKE CT
INCLINE VILLAGE NV 89451

13122203

EDWARD W & JEANNE G SMITH
464 EAGLE DR
INCLINE VILLAGE NV 89451

13122301

JOAN F & JOHN C DUNKLEE
P O BOX 4166
INCLINE VILLAGE NV 89450

13122302

KEMPER JR & JEAN M MARLEY
18001 N 52ND ST
SCOTTSDALE AZ 85254

13122303

MICHAEL & EVELYN CHIPMAN
P O BOX 7216
INCLINE VILLAGE NV 89452

13122304

WAYNE L PETERSON
P O BOX 3545
INCLINE VILLAGE NV 89450

13122305

HAL LASHLEE
C/O EKLUND MGMT SERVICES
P O BOX 1417
BOCA RATON FL 33429

13122306

BYRNE E JR & ELIZABETH P FALKE
650 VILLAGE BV
INCLINE VILLAGE NV 89451

13122307

FREDERICK L & VIRGINIA KOST
P O BOX 5113
INCLINE VILLAGE NV 89450

13122308

ROBERT C & DELL M ELIAS
P O BOX 6174
INCLINE VILLAGE NV 89450

13122401

BERNARD D & SUSAN W MORGAN
6216 APPIAN WY
RIVERSIDE CA 92506

13122402

SEYMOUR & JANICE KOSTER
P O BOX 3987
INCLINE VILLAGE NV 89450

13122403

CHARLES P KERBER
P O BOX 4460
INCLINE VILLAGE NV 89450

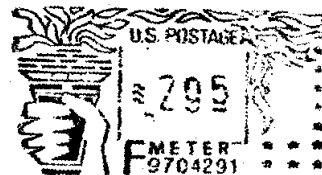
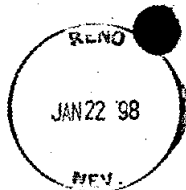
13122404

JOHN G & ALICE T COLLING
P O BOX 7636
INCLINE VILLAGE NV 89452

13122405



**PRESORT
FIRST CLASS MAIL**



**Washoe County
Department of
Community
Development**

1001 E. Ninth St., Bldg. A
Post Office Box 11130
Reno, NV 89520-0027

**Washoe County
Board of
Adjustment**

**Washoe County Department of
Community Development
1001 E. Ninth St. • P.O. Box 11130
Reno, Nevada 89520**



**COMMUNITY
DEVELOPMENT**

89520-0027



**WPVAR17-0008
EXHIBIT**

DATE: January 22, 1998

RE: VARIANCE CASE NO. V12-78-97 (KEOWN)



U.S. POSTAGE

00.025

METER 511415

You are hereby notified that an application for a variance has been filed with the Washoe County Board of Adjustment.

This application requests permission to vary the required front yard setback within Section 110.406.05.1 from 15 feet to no less than 4 feet in order to construct a single family residence. The property is located at 469 Fairview Boulevard, Lot 7, Block E, Country Club of Incline Subdivision. The \pm .485 acre parcel is designated MDS (Medium Density Suburban) in the Tahoe Area Plan and situated in a portion of Section, T16N, R18E, MDB&M, Washoe County, Nevada.
(APN: 131-221-07)

A public hearing will be held in the Commission Chambers, 1001 East Ninth Street, Reno, Nevada, on February 5, 1998, at 2:30 p.m., or as soon thereafter as may be practicable. As an owner of property in the vicinity, you are invited to present testimony relative to this application.

STAFF: SANDRA DUTTON - 328-3608

The Incline Village/Crystal Bay Citizen's Advisory Board (IV/CBCAB) meets the evening prior to the Board of Adjustment in the Incline Village General Improvement District Conference Room, at 893 Southwood Blvd., Incline Village at 7:00 p.m. This Committee's recommendation is transmitted to the Board of Adjustment. Your attendance is recommended.

WPVAR17-0008
EXHIBIT G

COPY - has not been compared
with the Original Document - WCR

DOC # 2908514

WHEN RECORDED RETURN TO:

Washoe County District Attorney
Civil Division, Attn: Jim Barnes
PO Box 30083
Reno, NV 89520-3083
(775) 337-5700 - FAX (775) 337-5732

Conformed Copy
08/20/2003 04:36P Fee:NC
RPTT 0.00
BK1
Requested By
WASHOE COUNTY DA
Washoe County Recorder
Kathryn L. Burke - Recorder

ACKNOWLEDGEMENT AND ASSUMPTION OF RISK
AND COVENANT NOT TO SUE

THIS AGREEMENT, made this 19th day of August, 2003, by and
between FULLER FAMILY LIMITED PARTNERSHIP, THEODORE J. FULLER, President of
FULCO, Inc. and JOAN L. FULLER, Secretary of FULCO, Inc. FULCO, Inc. is the General
Partner of the Fuller Family Limited Partnership, hereinafter sometimes called "Owners," and the
COUNTY OF WASHOE, STATE OF NEVADA, hereinafter sometimes called "County":

W I T N E S S E T H :

WHEREAS, FULLER FAMILY LIMITED PARTNERSHIP, THEODORE J. FULLER,
President of FULCO, Inc. and JOAN L. FULLER, Secretary of FULCO, Inc., are the Owners of
that certain parcel of land located at 469 Fairway Blvd, Incline Village, Washoe County, Nevada,
and more particularly described as Lot 7, Block E, Country Club Subdivision, Incline Village,
Washoe County, Nevada according to the map thereof, filed in the Office of the County
Recorder of Washoe County, State of Nevada (APN 131-221-07); and

WHEREAS, Owners petitioned for a variance from the provisions of Chapter 110 of the Washoe County Code (Land Use Ordinance) to modify the required front yard setback from 15 feet to 4 feet for the purpose of constructing a structure on a \pm .0484 acre parcel designated Medium Density Suburban (MDS); and

WHEREAS, the Washoe County Road Department is opposed to all such variance requests and has asked that all such Owners be required to locate any and all structures at least fifteen (15) feet back from their property line in order to facilitate snow removal operations; and

WHEREAS, the approval of said variance would result in considerable benefit to said Owners; and

WHEREAS, the Washoe County Board of Adjustment, at a Hearing held on February 5, 1998, agreed to grant the variance requested by said Owners if said Owners would covenant with Washoe County not to sue the County for damage to said Owners' property which might arise out of normal snow removal operations by reason of any structures being constructed closer than fifteen (15) feet to the property line; and

WHEREAS, because of the benefits which would accrue to them, said Owners are willing to assume the risk of any damage to this property which might arise out of normal snow removal operations by reason of any structures being closer than fifteen (15) feet to the property line; and

WHEREAS, said Owners are willing to enter into such a covenant not to sue for themselves, their heirs, successors and assigns.


NOW, THEREFORE, in consideration of the County of Washoe authorizing them to construct any structures closer than fifteen (15) feet back from said property line, FULLER FAMILY LIMITED PARTNERSHIP, THEODORE J. FULLER, President of FULCO, Inc. and JOAN L. FULLER, Secretary of FULCO, Inc., do hereby covenant on behalf of themselves, their heirs, successors and assigns, not to sue the County of Washoe, State of Nevada, nor its employees, agents or representatives, for any damage which may be sustained to their property situate on the above-described premises by reason of the construction of any structure closer than fifteen (15) feet back from the property line of said lot and arising from normal snow removal operations. It is understood and agreed that normal snow removal operations may include adverse working conditions because of storms of unusual severity or length, but it is also understood and agreed that this covenant shall not apply to gross negligence or intentional misconduct. This covenant is intended as a covenant that shall run with the above-described real property.

IT IS FURTHER UNDERSTOOD AND AGREED by said Owners that there is an increased risk of damage from normal snow removal operations which may arise by reason of their construction of any structures closer to their property line than was recommended by the Washoe County Road Department. Such risk includes the danger that a rotary snowplow operator may inadvertently throw snow or other materials or objects in the directions of, against, or onto their property and the chances of damaging said property are greater when any structures are constructed closer to the road. The Owners assume the risk of damage to said property that may be occasioned by reason of the location of any structure closer than fifteen (15) feet back

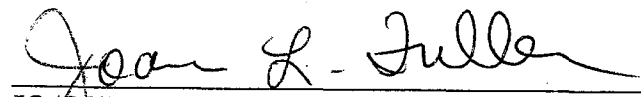
from the edge of their property line. Said Owners do not assume the risk of gross negligence or intentional misconduct. The foregoing covenant not to sue is recognition of the assumption of risk by said Owners.

IN WITNESS WHEREOF, the parties have set their hands the day and year first above written.

OWNERS: FULLER FAMILY LIMITED PARTNERSHIP

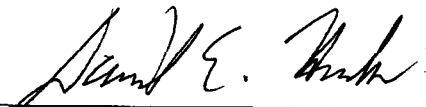


THEODORE J. FULLER, President of FULCO, Inc.



JOAN L. FULLER, Secretary of FULCO, Inc.

WASHOE COUNTY

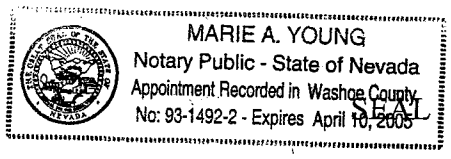
By  8/19/03

DAVID E. HUMKE
Board of County Commissioners of
Washoe County

STATE OF Nevada
COUNTY OF Washoe : ss.

On this 8th day of August, 2003, personally appeared before me, a Notary Public in and for said County and State, FULLER FAMILY LIMITED PARTNERSHIP, THEODORE J. FULLER, President of FULCO, Inc. known to me to be the person described in and who acknowledge to me that he executed the foregoing instrument freely and voluntarily and for the uses and purposes therein mentioned.

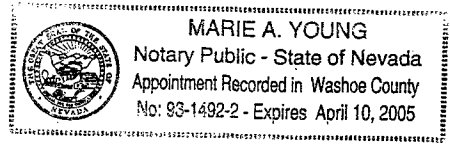
Marie A. Young
NOTARY PUBLIC



STATE OF Nevada
COUNTY OF Washoe : ss.

On this 8th day of August, 2003, personally appeared before me, a Notary Public in and for said County and State, FULLER FAMILY LIMITED PARTNERSHIP, JOAN L. FULLER, Secretary of FULCO, Inc. known to me to be the person described in and who acknowledge to me that she executed the foregoing instrument freely and voluntarily and for the uses and purposes therein mentioned.

Marie A. Young
NOTARY PUBLIC

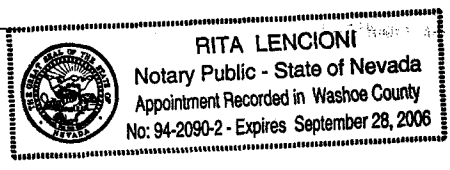


SEAL

STATE OF NEVADA)
 : ss.
COUNTY OF WASHOE)

On this 19th day of August, 2003, personally appeared before me, a Notary Public in and for said County and State, DAVID E. HUMKE, Chairman of the Board of County Commissioners of Washoe County, known to me to be the Chairman of the Board of County Commissioners of Washoe County, who acknowledge to me that he executed the above instrument freely and voluntarily and for the uses and purposes therein mentioned.

Rita Lencioni
NOTARY PUBLIC



SEAL

REVOCABLE ENCROACHMENT PERMIT

Pursuant to the provisions of Chapter 244 of the Nevada Revised Statutes and the Washoe County Code, WASHOE COUNTY hereby grants a revocable permit to Fuller Family L.P.
~~Fuller Family L.P.~~ [owner(s) name(s)]

hereinafter referred to a "Owner", to construct STONE METER STAND OF
APPROX. 55 CUBIC FEET.
[describe encroachment(s)]

partially within the right-of-way of FAIRVIEW BLVD.
[street name]

The authority hereby granted permits the installation of STONE METER STAND as
[list encroachment(s)] shown on the drawing attached hereto as Exhibit "A" and hereby made a part hereof.

The improvements permitted hereby are for the benefit of the Owner's real property and all restrictions and conditions set forth herein shall be binding upon the Owner, his legal representatives and assigns.

Said Owner's real property is more particularly described as follows:

Physical Address: 469 FAIRVIEW BLVD.

Mail: P.O. Box 9223 INCLINE VILLAGE, NV. 89452

APN: 131-221-07 Lot: 7 Block: E

Subdivision: COUNTRY CLUB OF INCLINE

This permit is subject to the following conditions:

1. This permit is issued contingent upon the Washoe County Engineer's approval, prior to the beginning of construction, of the construction schedule, safety and traffic control measures, and any other facet of the permitted encroachment which he deems prudent to control in the interest of the County and the traveling public. Failure to secure such approval from the County Engineer shall render this permit null and void.
2. During the construction operation, proper barricades, warning and directional signs, flags, flares or other protective devices shall be installed and maintained as a protection to the traveling public when determined necessary by the County Engineer. In the event that cutting of the street or trenching within the right if way is required in the work of construction, a "Street Cut Permit" shall be obtained prior to such work, and the work shall be carried out in conformance with the requirements of the "Street Cut Permit".
3. All work not specifically provided for and which will affect the public road or vehicular traffic thereon shall be performed in such a manner as may be directed by the Washoe County Engineer to insure a minimum delay or inconvenience.

273535
09/18/2002
1 of 5



4. Any surface or public road appurtenance damaged or disturbed shall be returned to its original condition within two (2) days of completion of work, and if not so performed, the Washoe County Engineer reserves the right to make necessary replacements and repairs and the Owner hereby agrees to pay the actual cost of such work performance by the County upon receipt of proper billing of such work.
5. Nothing in this permit is to be construed as relieving the Owner hereunder from obtaining permits as may be necessary under Chapter 100 of the Washoe County Code, generally known as the Washoe County Building Ordinance, and the work which is the subject of this permit shall be performed in accordance with said ordinance when applicable.
6. The Owner shall indemnify the County of Washoe and save it harmless from and against any and all liability for injury to persons or damage to properties whether said properties may belong to Owner, County or to third parties, which injury or damage is sustained by reason of any cause directly resulting from the exercise of the privilege herein granted.
7. The Owner shall make any and all repairs to the facilities installed by authority given in this permit as soon as the need therefore arises and shall at all times maintain said facilities. The Owner further agrees to indemnify the County of Washoe and save it harmless from and against any and all liability for damages to said facilities which may result from road maintenance operations.
8. Upon notification in writing from the County of Washoe of the necessity therefor, the Owner shall adjust or remove the encroachment at its own expense, within thirty (30) days after receipt of such notice, unless the emergency of the situation requires the work to be done in a shorter time.
9. No brush, shrubs, trees or other flora now located within the public road right of way or that which hereafter may be planted or grown within said right of way shall be cut, trimmed, mutilated, removed or disturbed in any manner whatever without the written consent, approval and supervision of the Washoe County Engineer.



2733535
09/10/2002
2 of 5

THE OWNER(S) AGREE(S) TO THE ABOVE RESTRICTIONS AND CONDITIONS AND ACKNOWLEDGE(S) THAT SAID RESTRICTIONS AND CONDITIONS SHALL RUN WITH THE OWNER'S REAL PROPERTY AND BE BINDING UPON HIS LEGAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS.

Dated this 22nd day of August, 2002.

Full Family L.P. by J. Fuller
Property Owner(s)
General Partner THEODORE J. FULLER

Property Owner(s)

STATE OF NEVADA)
)SS:
COUNTY OF WASHOE)

On this 22nd day of August, 2002, personally appeared before me, a Notary Public, Theodore J. Fuller, who acknowledged that he/she/they executed the above instrument.

 **MARIE A. YOUNG**
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 93-1492-2 - Expires April 10, 2005

Marie A. Young
NOTARY PUBLIC

[Remainder to be completed by Washoe County only]

David T. Price
WASHOE COUNTY
By DAVID T. PRICE
Washoe County Engineer

STATE OF NEVADA)
)SS:
COUNTY OF WASHOE)

On this 10th day of SEPTEMBER, 2002, personally appeared before me, a Notary Public, DAVID T. PRICE, who acknowledged that he executed the above instrument.

Mimi Fujii-Strickler
NOTARY PUBLIC

cc: Road Division
Building & Safety
Utility Services Division

 **MIMI FUJII-STRICKLER**
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No. 93-0366-2 - Expires December 1, 2004

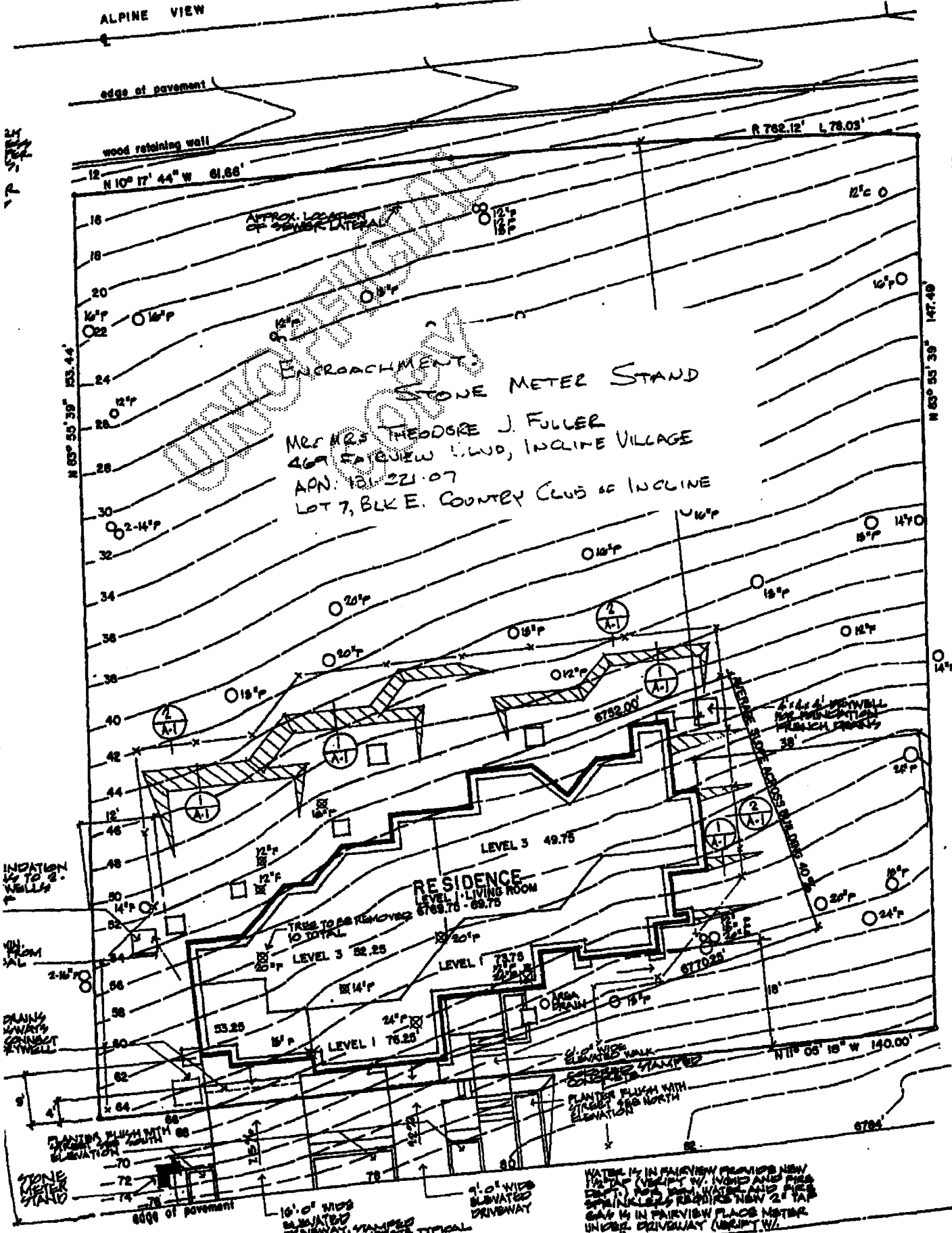
RETURN TO:
WASHOE COUNTY ENGINEERING
PO BOX 11130
RENO, NV 89520

2733535
89/18/2982
3 of 5



ALPINE VIEW

1' P. 5/12

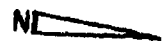


ENCROACHMENT:
 STONE METER STAND
 MR. & MRS. THEODORE J. FULLER
 469 FAIRVIEW BLVD, INCLINE VILLAGE
 APN: 181-221-07
 LOT 7, BLK E. COUNTRY CLUB OF INCLINE

2733535
 88/10/2862
 4 of 5



WATER IN FAIRVIEW PROVIDES NEW
 1/2" DIA. CURB W. 1" DIA. AND FIRE
 1/2" DIA. FOR NEW WATER AND FIRE
 SPRINKLER REQUIRES NEW 2" DIA.
 GAV IN FAIRVIEW PLACE METER
 UNDER DRIVEWAY (VERIFY W.
 7160)



UNOFFICIAL
COPY

DOC # 2733535

09/10/2002 04:13P Fee:18.00

BK1

Requested By

FULLER FAMILY LIMITED PARTNERSHIP

Washoe County Recorder

Kathryn L. Burke - Recorder

Pg 5 of 5 RPT 0.00



WPVAR17-0008
EXHIBIT G



Existing Parking Pad

Photo #: 1
423 Fairview
APN 131-221-02
WPVAR17-0008
EXHIBIT G



Existing Parking Pad

Photo #: 2
423 Fairview
APN 131-221-02
WPVAR17-0008
EXHIBIT G



Existing Parking Pad

Photo #: 3
423 Fairview
APN 131-221-02
WPVAR17-0008
EXHIBIT G



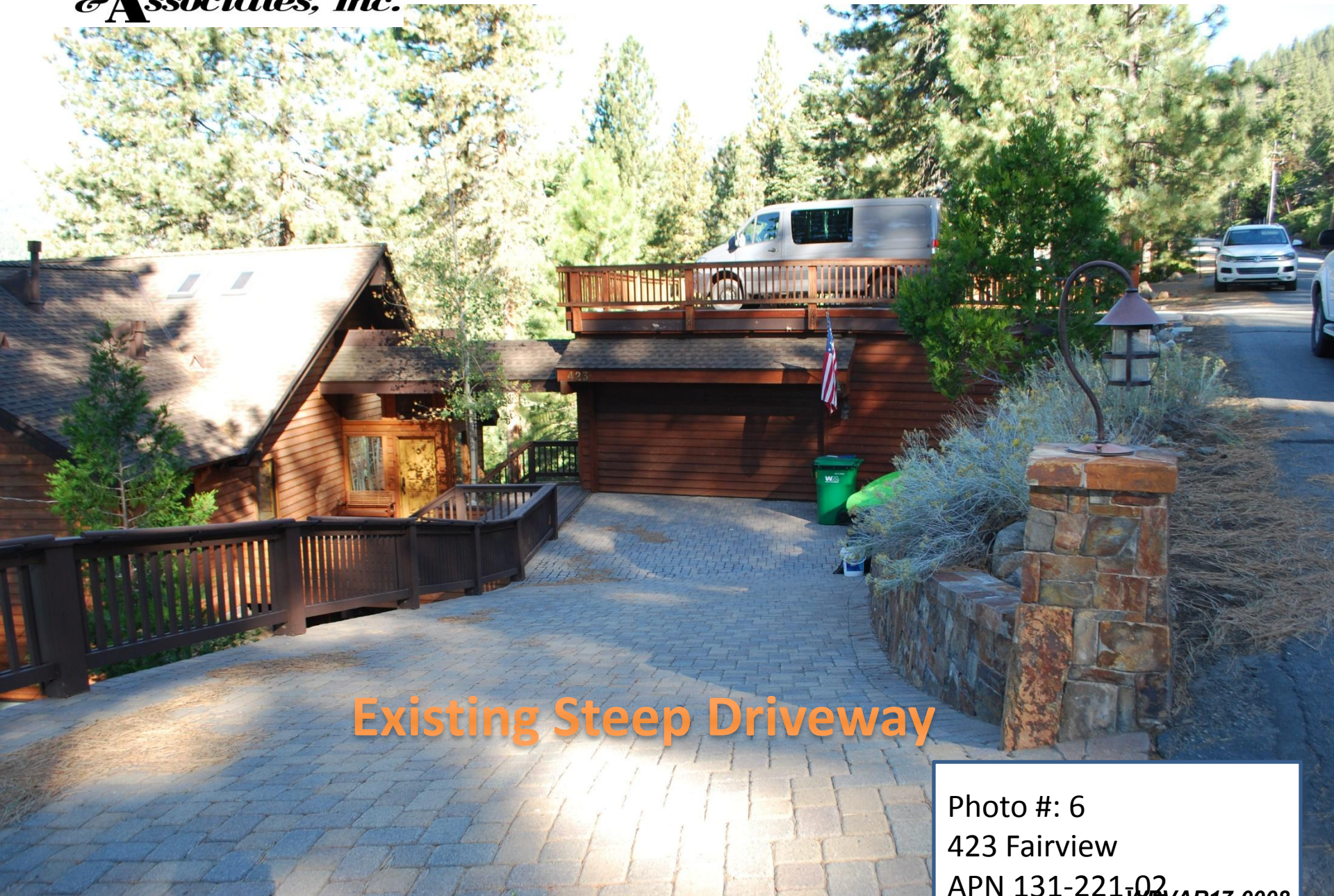
Existing Steep Driveway

Photo #: 4

423 Fairview

APN 131-221-02

WPVAR17-0008
EXHIBIT G



Existing Steep Driveway

Photo #: 6
423 Fairview
APN 131-221-02
WPVAR17-0008
EXHIBIT G



Existing Steep Driveway

Photo #:
423 Fairview
APN 131-221-02
WPVAR17-0008
EXHIBIT G



Photo #: 7
423 Fairview
APN 131-221-02

Existing Stairs Ingress/Egress



Existing Stairs Ingress/Egress

Photo #: 8

423 Fairview

APN 131-221-02

WPVAR17-0008
EXHIBIT G

Proposed Garage Location

Existing Vegetative Screening

Photo #: 9

423 Fairview

APN 131-221-02

WPVAR17-0008

EXHIBIT G

Proposed Garage Location

Existing Vegetative Screening

Photo #: 10

423 Fairview

APN 131-221-02

WPVAR17-0008
EXHIBIT G

**Abutting 469 Variance
Parcel**

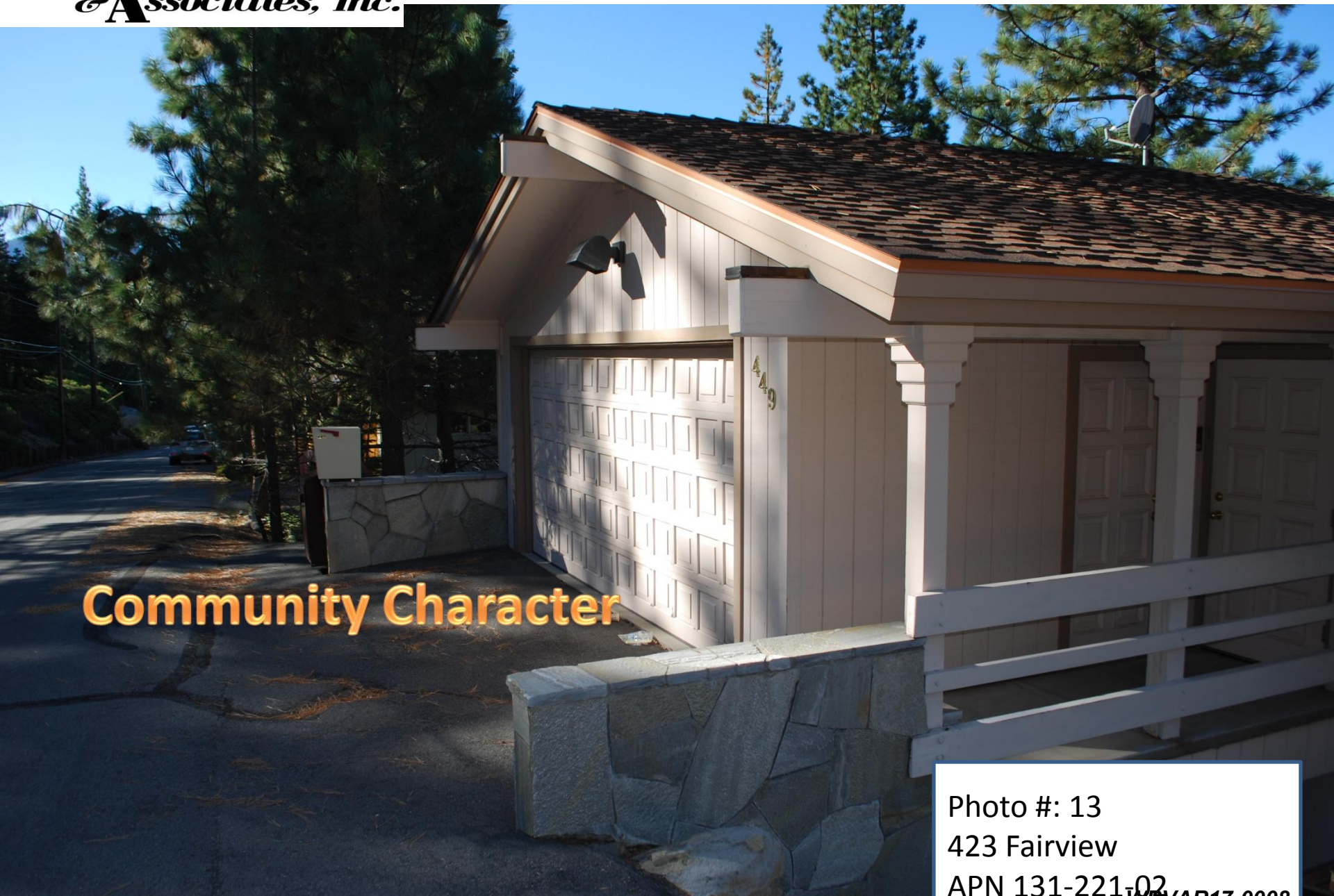


Photo #: 11
423 Fairview
APN 131-221-02
WPVAR17-0008
EXHIBIT G



**Abutting 469 Variance
Parcel**

Photo #: 12
423 Fairview
APN 131-221-02
WPVAR17-0008
EXHIBIT G



Community Character

Photo #: 13
423 Fairview
APN 131-221-02
WPVAR17-0008
EXHIBIT G

Community Character

Photo #: 14

423 Fairview

APN 131-221-02

WPVAR17-0008

EXHIBIT G

Community Character

Photo #: 15

423 Fairview

APN 131-221-02

WPVAR17-0008
EXHIBIT G

Community Character

Photo #: 16

423 Fairview

APN 131-221-02

WPVAR17-0008
EXHIBIT G

Community Character

Photo #: 17

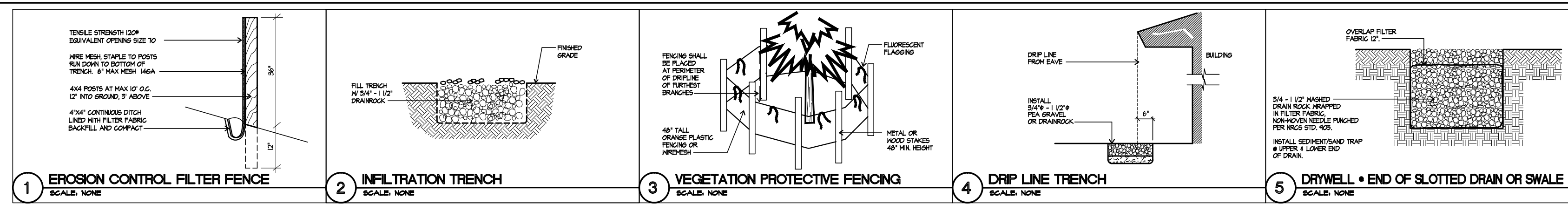
423 Fairview

APN 131-221-02

WPVAR17-0008
EXHIBIT G

BEST MANAGEMENT PRACTICES:

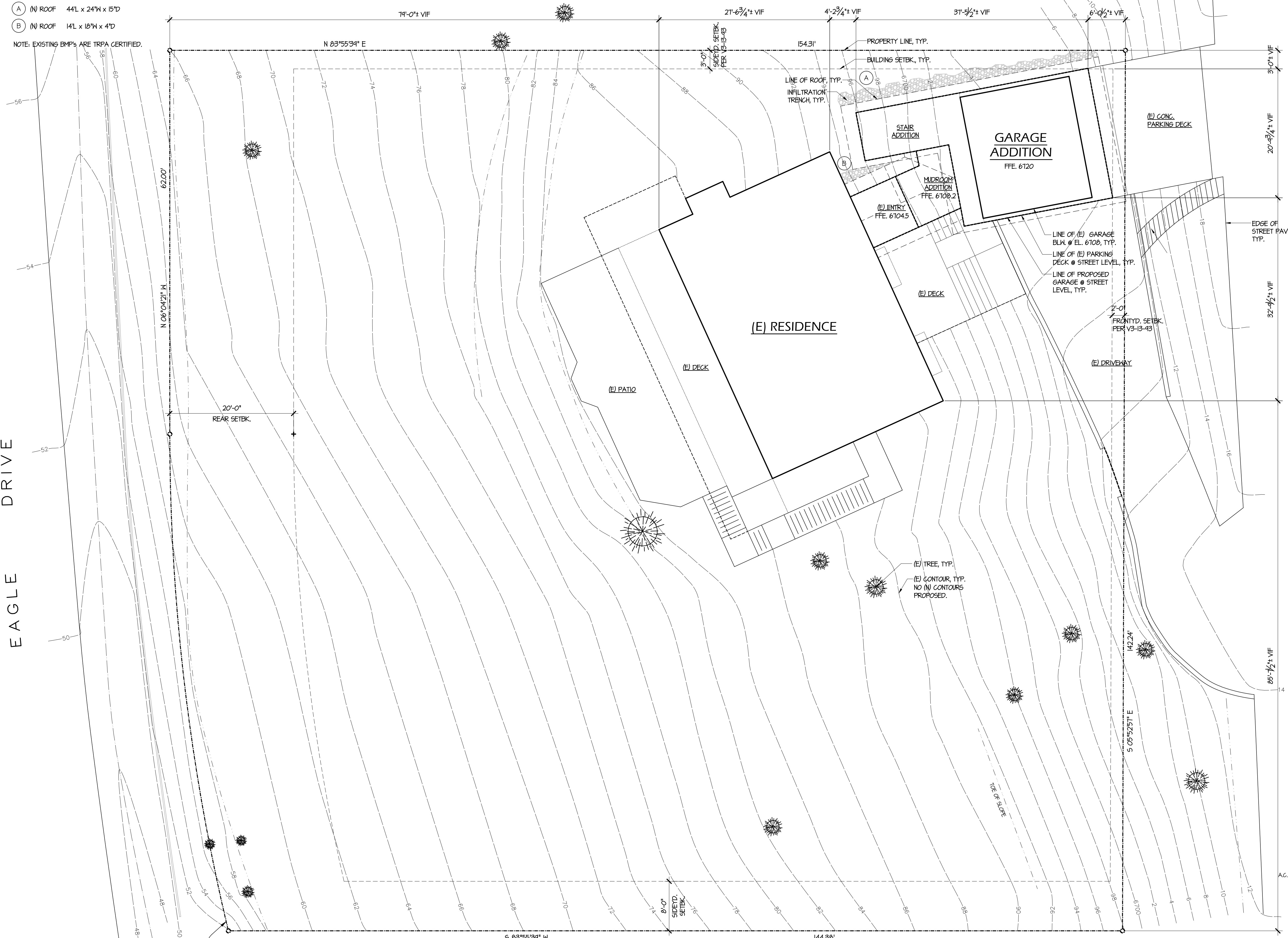
PROVIDE TEMPORARY BMP INSTALLATION DURING CONSTRUCTION TO CAPTURE SEDIMENT RUN-OFF FOR THE CONSTRUCTION AREA AND TO PROTECT EXISTING VEGETATION. PROVIDE PERMANENT BMP INSTALLATION BY PROJECT COMPLETION, INCLUDING: RE-VEGETATION OF BARREN AREAS; DRIP LINE INFILTRATION TRENCHES; DRIVEWAY INFILTRATION PARKING BARRIERS; SLOPE STABILIZATION AND GRAVEL BENEATH



INFILTRATION TRENCH SIZES:

- (A) (N) ROOF 44L x 24W x 15'D
- (B) (N) ROOF 14L x 18W x 4'D

NOTE: EXISTING BMP'S ARE TRPA CERTIFIED.



①=13°26'54"
R=345.00'
L=80.44'

SITE PLAN

SCALE: 1/8" = 1'-0"

AS-BUILT INFORMATION ON THIS DRAWING OBTAINED FROM FIELD VISIT & TOPO SURVEY BY KENNETH F. BARRON LAND SURVEYOR, DATED 3/27/03.

VARIANCE SUBMITTAL SHEET INDEX:

- A1.0 SITE PLAN/COVER SHEET
- A2.0 FLOOR PLANS
- A3.0 EXTERIOR ELEVATIONS

PROJECT DESCRIPTION:

PROPOSED PROJECT WILL ADD A GARAGE OVER AN EXISTING PARKING DECK, AND A NEW STAIR/MUDROOM ACCESS FROM NEW GARAGE TO EXISTING RESIDENCE. ALL INTERIOR AND EXTERIOR MATERIALS/ FINISHES WILL MATCH EXISTING. NO WORK PROPOSED FOR EXISTING RESIDENCE OR SITE.

APPLICABLE CODES:

ALL CONSTRUCTION SHALL COMPLY WITH: 2012 EDITIONS OF THE IRC, IRC, IEBC, IECC, IFGC, IEGC, IMC, IMLC, IFG, ISFGC, UFG, UFG, NNCC & 2011 EDITIONS OF THE NEC.

GENERAL INFORMATION:

PROJECT SITE: APN 181-221-02
LOT 2, BLOCK E
COUNTRY CLUB OF INCLINE
WASHOE COUNTY, NV.
PROJECT ADDRESS: 423 FAIRVIEW BLVD.
INCLINE VILLAGE, NV.
PROJECT OWNER: MIKE & CORINNE JENNINGS
930 TAHOE BLVD. #802-401
INCLINE VILLAGE, NV. 89451
PARCEL SIZE: 21,644 SF.

FAIRVIEW BLVD.

EAGLE DRIVE

Susie Yanagi
ARCHITECT

Garage Addition
for
The Jennings
423 Fairview Blvd.
Incline Village, Nv.

NOTE: All drawings and written material appearing herein constitute original and unpublished work of the designer and may not be duplicated, used or disclosed without written consent of Susie Yanagi Architect.

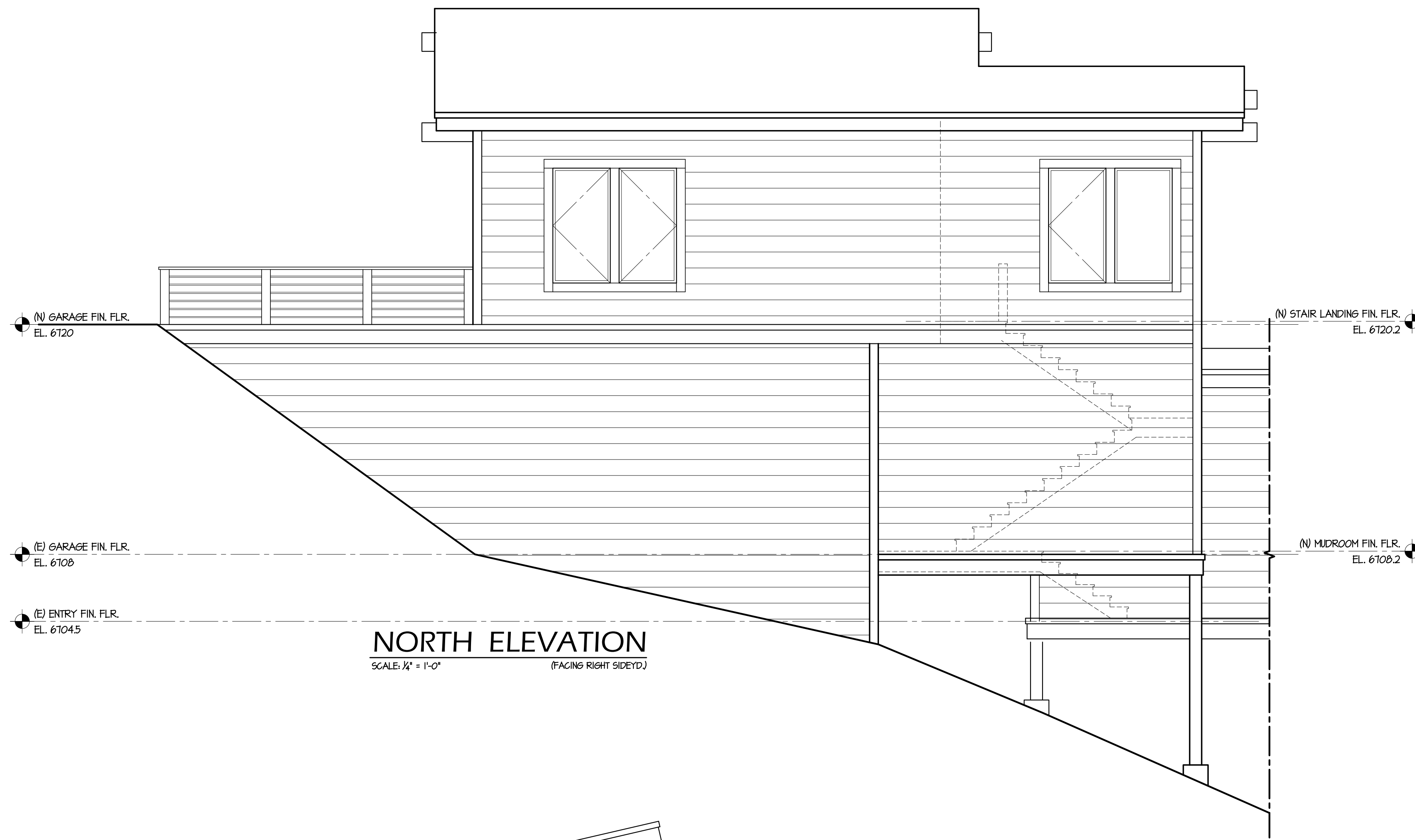
ITERATIONS:	PERMIT SUBMITTAL SET
8/1/11	PLN CHK
8/31/11	COMMENTS
10/16/11	VARIANCE SUBMITTAL SET

JOB NO. JEN-3112
DRAWN/CHECKED BY: EZ/SY

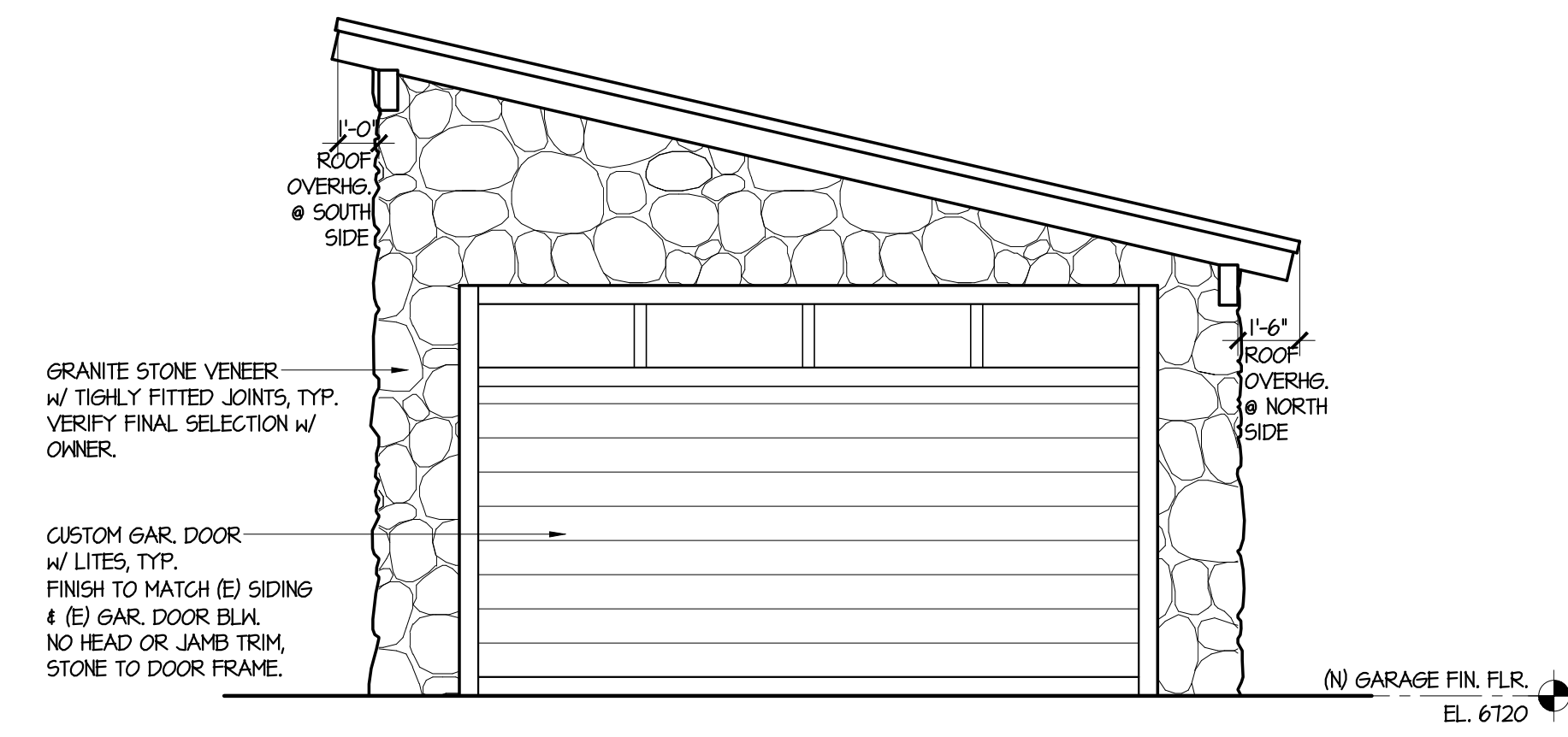
SHEET TITLE: SITE PLAN/ COVER SHEET

SHEET NO.

A1.0



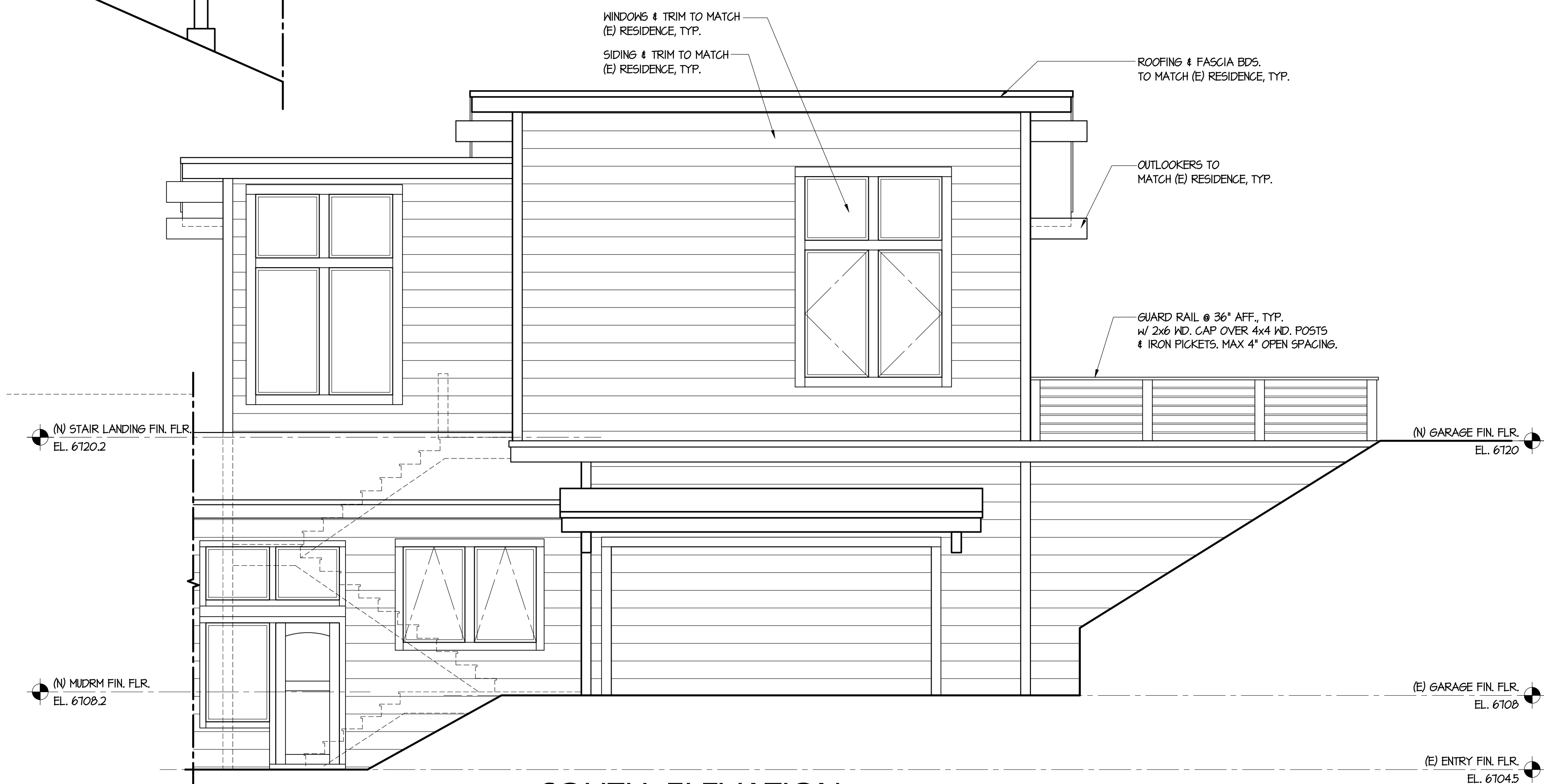
NORTH ELEVATION
SCALE: 1/4" = 1'-0"
(FACING RIGHT SIDEYD.)



EAST ELEVATION
SCALE: 1/4" = 1'-0"
(FACING STREET)



WEST ELEVATION
SCALE: 1/4" = 1'-0"
(FACING ENTRY/RESIDENCE REAR YD.)



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"
(FACING LOWER DRIVEWAY/LEFT SIDEYD.)

Susie Yanagi
ARCHITECT

530 / 583-1789
susie@jps.net

590 High Street
P.O. Box 1662
Carmelita Bay, CA 96140

Garage Addition
for
The Jennings
423 Fairview Blvd.
Incline Village, Nv.

PROJECT:

NOTE:
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ITERATIONS:	PERMIT
8/1/17	SUBMITTAL SET
PLN CHK	
8/31/17	COMMENTS
VARIANCE	
10/16/17	SUBMITTAL SET

JOB NO. JEN-3112

DRAWN/CHECKED BY: EZ/SY

SHEET TITLE:

EXTERIOR ELEVATIONS

SHEET NO.:

A3.0