

# 940 Harold Dr.

## Variance Application

APN 131-132-06

*Washoe County Community Services Department*





April 5, 2023

Washoe County  
Community Services Department - Planning and Building  
1001 E. Ninth St., Bldg. A  
Reno, NV 89512

**VARIANCE APPLICATION, 940 HAROLD DR. RENO, NV., 89451 ASSESSOR'S PARCEL NUMBER (APN) 131-132-06**

Dear CSD Staff:

The attached Variance application is being submitted by Exline & Company, Inc. ("the Agent") on behalf of Eric Ostertag ("the Applicant") for the Subject Parcel.

**Existing Parcel Condition:**

The Subject Parcel is 6,000 square feet in size and has been verified by TRPA via a full site assessment in 1998 as entirely class 6, with 1,800 square feet of allowable coverage and 2,069 square feet of on-site and 488 square feet of off-site existing coverage. (See attached). Additionally, there is a class 1b SEZ setback adjacent to Harold Dr.

The Subject Parcel maintains an existing single-family residence. The existing single-family residence contains the main residence and an enclosed front deck and an uncovered rear deck. There is currently no garage on the Subject Parcel. The proposed project is located in Incline Village near the Championship Golf Course.

**Proposed Project:**

Given Tahoe's snowy winter conditions and the record snowfall received this year, an enclosed garage has been found to be a necessity for human health & safety as demonstrated by an enclosed parking space being required by Washoe Section 110.410.10 Required Parking Spaces. Washoe County Code requires two (2) parking spaces for single-family residences, one of which may be enclosed. The Washoe County Code requires enclosed parking for single-family residences because Washoe County understands and has established the human health and safety necessity of having a garage. This is specifically true in Tahoe due to the harsh winter conditions.

The residence on the Subject Parcel was constructed in 1977 pre the current development Code and when residences in Tahoe were typically used in the summer, thus a garage was less significant. This development pattern existed within the vicinity of the Subject Parcel. Surrounding residences similarly didn't have existing garages due to the age in which the residences were constructed and the time in year in which they were used. In an effort to address the lack a garage, property owner's in the vicinity have completed very similar variance

processes with the County to allow for the construction of a garage (see Community Character: Surrounding Variance Approvals).

The Subject Parcel is located within the Washoe County Tahoe Area Plan area, Residential Tahoe Fairway zoning with 30' front and 15' SEZ front, 10' rear and 5' side setbacks. The Applicant is seeking a variance for the proposed attached garage addition within newly proposed setbacks. The Applicant is proposing a 24' 1½" setback from the previously existing 30' setback along Harold Drive to allow for the construction of a two car garage. Additionally, the rear property setback of 10' will be extended to 20' to account for the front setback and the modification of the deck to comply with allowed coverage. The Applicant also proposes the addition of a room above the garage creating a second story to the residence. Please see attached site plan for the complete upper level floor plan layout.

Proposed Colors & Materials:

The proposed colors will adhere to TRPA standard approved earth tone colors for paint, siding and roofs in the Lake Tahoe Region.

Grading:

There will be no grading associated with this project.

Lighting:

There will be no changes to the existing lighting.

BMP Certification:

The Subject Parcel maintains an existing BMP certificate

**Hardship:**

The Subject Parcel is relatively small (6,000 SF) and maintains an existing residence without a garage. For functional and regulatory compliance reasons a garage has to maintain certain dimensions. Given the location of the existing residence and the functional/regulatory requirements of a garage dimensions there is no possibility to add a garage (bringing the residence into Washoe County parking compliance) without encroaching into the existing 30' front setback. The distance between the existing residence and the front setback cannot accommodate a garage.

The inability to install a garage that has been established to constitute a human health & safety benefit because the existing residence and parcel dimensions don't allow for it constitutes a hardship of the land.

**Community Character: Previous Variance Approvals**

While evaluating the character of the surrounding neighborhood, all surrounding single-family dwellings have an attached garage or a detached garage providing an enclosed parking space. For residences built without a garage, most followed a variance process in order to build an attached/detached garage with new proposed variances to be within compliance and incorporating neighborhood characteristics.

As Table 1 below establishes, Washoe County has approved several variances in the past in the near vicinity to allow for the construction of garages.

**Table 1: Washoe County Variance Approvals**

940 Harold Dr - Surrounding Variance Applications					
APN	Address	Variance Description	Status	Washoe File No.	Date Issued
131-133-03	931 Harold Dr	TO REDUCE THE SIDE YARD REQUIREMENT FROM 5 FEET TO 9 FET FOR THE PURPOSE OF CONSTRUCTING AN 8 WIDE ENTRY DECK ON A 16 ACRE PARCEL ZONED R 3 MULTIPLE AND DESIGNATED HIGH DENSITY SUBURBAN HDS IN THE TAHOE AREA PLAN	Approved	V4-18-91	8/14/2002
131-121-33	910 Harold Dr	To allow an accessory building in a required front yard area to facilitate the construction of a detached garage on a 22 acre lot zoned R 3 Multiple and designated Specific Plan Area in the Tahoe Area Plan	Approved	V1-3-92	8/7/2002
131-132-01	520 Catherine Dr	To reduce the required front yard setback within Section 110 406 05 1 from 15 feet to 13 feet to bring and existing residence into conformance with code No further intrusion into the setback is requested The property is located at 520 Catherine Drive Lot 5 Block C Fairway Park Subdivision The 15 acre parcel is designated LDU Low Density Urban in the Tahoe Area Plan and situated in a portion of Section 15 T16N R18E MDB M Washoe County	Approved	V1-6-98	03/05/1998
131-132-02	971 Fairway Park Dr	To reduce the rear yard requirement from 20 feet to 10 feet for the purpose of constructing a bedroom addition on a single family residence The 6 100 square foot parcel is zoned R 3 Multiple and designated High Density Suburban HDS in the Tahoe Area Plan	Approved	V9-39-92	08/26/2002

131-121-10	952 Fairway Park Dr	Reduction of the required rear yard setback from 20 feet to 7 feet to bring an existing deck into conformance and to facilitate a sunroom addition upon that deck The property is located at 952 Fairway Park Drive Lot 8 and 9 Block A Fairway Park Subdivision The 315 acre parcel is designated High Density Suburban HDS in the Tahoe Area Plan	Approved	V6-22-95	07/23/2002
131-121-07	960 Fairway Park Dr	TO WAIVE REAR YARD SETBACK REQUIREMENTS FROM 30 TO 20 IN THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE IN LOT 12 BLOCK A FAIRWAY PARK SUBD INCLINE VILLAGE NV	Approved	V-8-78W	06/19/2002
131-121-09	956 Fairway Park Dr	Amendment of Variance Case No V4 30 96 To amend an earlier approved variance by increasing the previously allowable height of a detached garage in a front yard from 16 5 feet to 25 feet and to increase the maximum allowable stories of a detached garage from one to two The original request was to reduce the required front yard setback from 15 feet to 8 feet and to increase the allowable height of a detached garage in the front yard from 12 feet to 16 5 feet to facilitate the construction of a detached two car garage Additionally the original request would reduce the required rear yard setback from 20 feet to 7 feet to bring an existing deck into compliance with code	Approved	V4-30-96	08/02/2001

The previous variance approvals were approved using very similar to the rationale being currently proposed. In addition, the garage addition will mimic the character of the surrounding residences and the approximate distance those existing, abutting garages sit in comparison to Harold Drive. Please refer to the attached photo exhibit highlighting the approved nearby variances and their attached/detached garage additions.

### Variance Approval Benefits

The variance approval and the ability to construct a garage is beneficial for several reasons.

1. The ability to use a garage given Tahoe's harsh winters constitutes a human health & safety benefit.
2. The construction of a garage will allow the residence to come into compliance with Washoe County's parking requirements.

3. The construction of a garage will match the existing character of the neighborhood allowing the residence to come into character alignment with the surrounding community.

We trust the above (and attached) is acceptable. If you require any additional information, or have any further questions/comments, please do not hesitate to reach out at [general@exlineandcompany.com](mailto:general@exlineandcompany.com) & [andrea@exlineandcompany.com](mailto:andrea@exlineandcompany.com).

Sincerely,

*Andrea Gonzalez*

Andrea Gonzalez  
Assistant Planner

# Table of Contents

Washoe County Variance Application & Supplemental Information

Photo Exhibit

Site Plan (Attached Separately)

Community Services Department  
Planning and Building  
VARIANCE APPLICATION



Community Services Department  
Planning and Building  
1001 E. Ninth St., Bldg. A  
Reno, NV 89512-2845

Telephone: 775.328.6100



## 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.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <b>940 Harold Dr. Variance</b>			
Project Description: The applicant is proposing to obtain a variance from the standard requirements for the construction of a garage connecting to an existing SFD.			
Project Address: 940 Harold Dr, Incline Village, NV 89451			
Project Area (acres or square feet): 2,024 SF			
Project Location (with point of reference to major cross streets <b>AND</b> area locator): 940 Harold Dr. With nearest major cross streets are Village Blvd & Fairway Blvd.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
131-132-06	6,000 SF		
<b>Indicate any previous Washoe County approvals associated with this application:</b> Case No.(s).			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b> Eric Ostertag		<b>Professional Consultant:</b>	
Name:		Name: Exline & Company, Inc.	
Address: 3347 Meridian Ln, Reno, NV 89509		Address:	
Zip:		Zip:	
Phone:		Phone:	
Fax:		Fax:	
Email: eric.ostertag@gmail.com		Email:	
Cell:		Cell:	
Other:		Other:	
Contact Person:		Contact Person:	
<b>Applicant/Developer:</b> Exline & Company, Inc.		<b>Other Persons to be Contacted:</b>	
Name:		Name:	
Address: P.O Box 16789		Address:	
Zip:		Zip:	
Phone: 775-240-9361		Phone:	
Fax:		Fax:	
Email: general@exlineandcompany.com		Email:	
Cell:		Cell:	
Other:		Other:	
Contact Person:		Contact Person:	
<b>For Office Use Only</b>			
Date Received:		Planning Area:	
Initial:		Master Plan Designation(s):	
County Commission District:		Regulatory Zoning(s):	
CAB(s):			

## Variance Application Supplemental Information

(All required information may be separately attached)

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

See attached.

**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?

See attached.

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?

See attached.

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.)?

See attached.

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

See attached.

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

Yes     No    If yes, please attach a copy.

7. How is your current water provided?

See attached.

8. How is your current sewer provided?

See attached.



### **Variance Application Supplemental Information Responses**

- 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 setback & rear yard setback.

- 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?**

Due to the limiting size of the parcel and the respective location of the residence, and the functional/regulatory requirements of a garage dimensions there is no possibility to add a garage (bringing the residence into Washoe County parking compliance) without encroaching into the existing 30' front setback. The distance between the existing residence and the front setback cannot accommodate a garage.

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

The proposed variance will not have any impacts on view, privacy, or pedestrian or traffic safety and will abide by neighborhood characteristics and previously approved variances within the vicinity.

- 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 variance will align the Subject Parcel with the existing character of the surrounding residences, which maintain existing garages. The variance approval and construction of a garage will improve the scenic character consistency and will allow the residence to come into compliance with Washoe County's parking requirements of including an enclosed parking space.

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

The hardship of not having access to a garage that is a common characteristic within the Fairway neighborhood would be denied notably during winter. Given Tahoe's snowy winter conditions and the record snowfall received this year, an enclosed garage has been found to be a necessity for human health & safety as demonstrated by an enclosed parking space being required by Washoe Section 110.410.10 Required Parking Spaces. Washoe County Code requires two (2) parking spaces for single-family residences, one of which may be enclosed. The human health and safety necessity of having a garage would be denied, which is a common characteristic with other properties in the neighborhood.

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

No.

**7. *How is your current water provided?***

Incline Village GID.

**8. *How is your current sewer provided?***

Incline Village GID.

# Photo Exhibit



# 940 Harold Dr. & Surrounding Approved Variances

## *Photo Exhibit*





940 Harold Dr, Incline  
Village, NV 89451  
APN# 131-132-06  
Photo Date: March 31, 2023





**940 Harold Dr, Incline  
Village, NV 89451  
APN# 131-132-06  
Photo Date: March 31, 2023**







**940 Harold Dr, Incline  
Village, NV 89451  
APN# 131-132-06  
Photo Date: March 31, 2023**





**940 Harold Dr, Incline  
Village, NV 89451  
APN# 131-132-06  
Photo Date: April, 2022**





**940 Harold Dr, Incline  
Village, NV 89451  
APN# 131-132-06  
Photo Date: April, 2022**





**520 Catherine Dr, Incline  
Village, NV 89451  
APN# 131-132-01  
Photo Date: March 31, 2023**





**520 Catherine Dr, Incline  
Village, NV 89451  
APN# 131-132-01  
Photo Date: March 31, 2023**





**520 Catherine Dr, Incline  
Village, NV 89451  
APN# 131-132-01  
Photo Date: April, 2022**





**956 Fairway Park Dr, Incline  
Village, NV 89451  
APN# 131-121-09  
Photo Date: March 31, 2023**





**956 Fairway Park Dr, Incline  
Village, NV 89451  
APN# 131-121-09  
Photo Date: March 31, 2023**







**956 Fairway Park Dr, Incline  
Village, NV 89451  
APN# 131-121-09  
Photo Date: April, 2022**





960 Fairway Park Dr, Incline  
Village, NV 89451  
APN# 131-121-07  
Photo Date: March 31, 2023





**960 Fairway Park Dr, Incline  
Village, NV 89451  
APN# 131-121-07  
Photo Date: March 31, 2023**

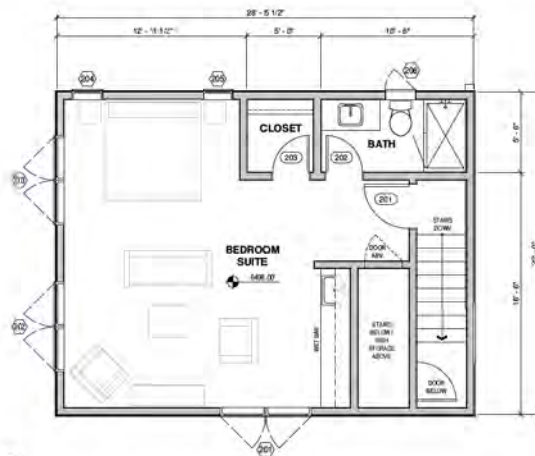




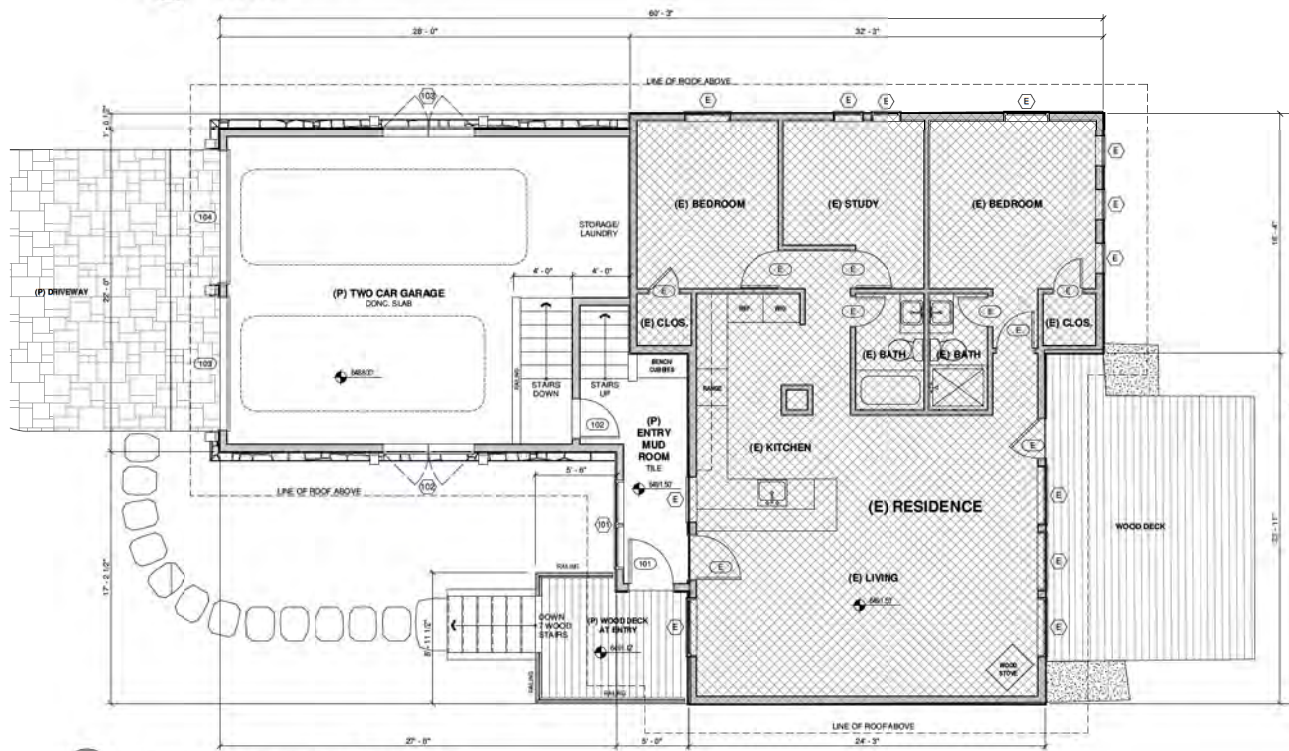
**960 Fairway Park Dr, Incline  
Village, NV 89451  
APN# 131-121-07  
Photo Date: April, 2022**







2 UPPER LEVEL FLOOR PLAN  
1/4" = 1'-0"



1 GARAGE AND ENTRY LEVEL FLOOR PLAN  
1/4" = 1'-0"

FLOOR PLANS

THESE DRAWINGS HAVE BEEN PREPARED BY DALE COX ARCHITECTS  
940 HAROLD DRIVE  
WAGNER, MISSOURI 64093  
PHONE (816) 550-9448 FAX (816) 550-9435

REVISIONS  
**PROGRESS SET  
NOT FOR CONSTRUCTION**

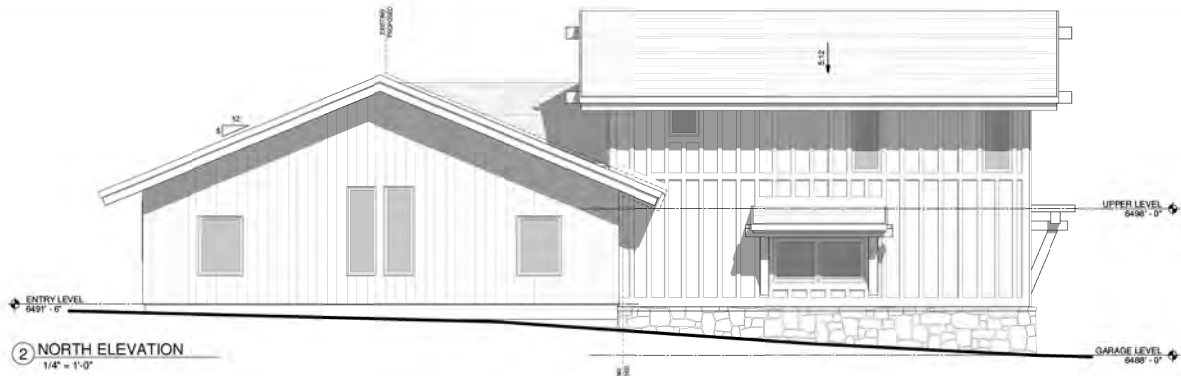
940 HAROLD DRIVE

INCLINE VILLAGE, WY 89451  
WAGNER COUNTY  
APN: 131-132-06

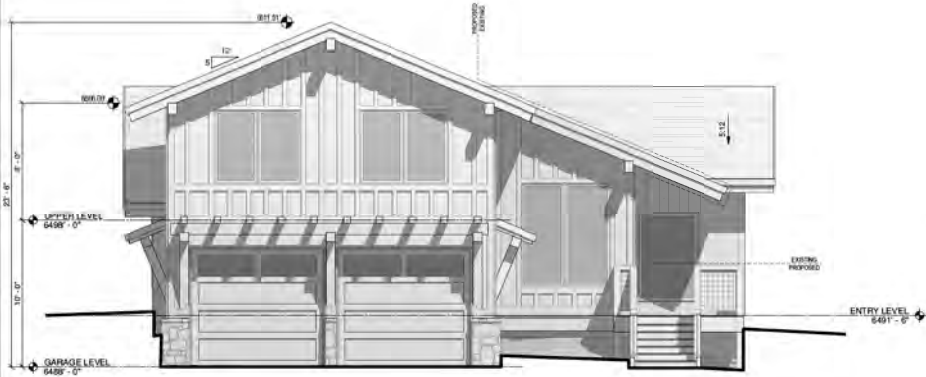
DALE COX ARCHITECTS  
ARCHITECTURE - PLANNING - CONSTRUCTION MANAGEMENT  
4780 Cagle Parkway #417  
P.O. Box 885193  
Phone: (816) 550-9448 Fax: (816) 550-9435

DRAWN BY: JW  
DATE: 3-29-22  
SCALE: 1/4" = 1'-0"  
JOB #: 2020-07

SHEET  
**A2.1**



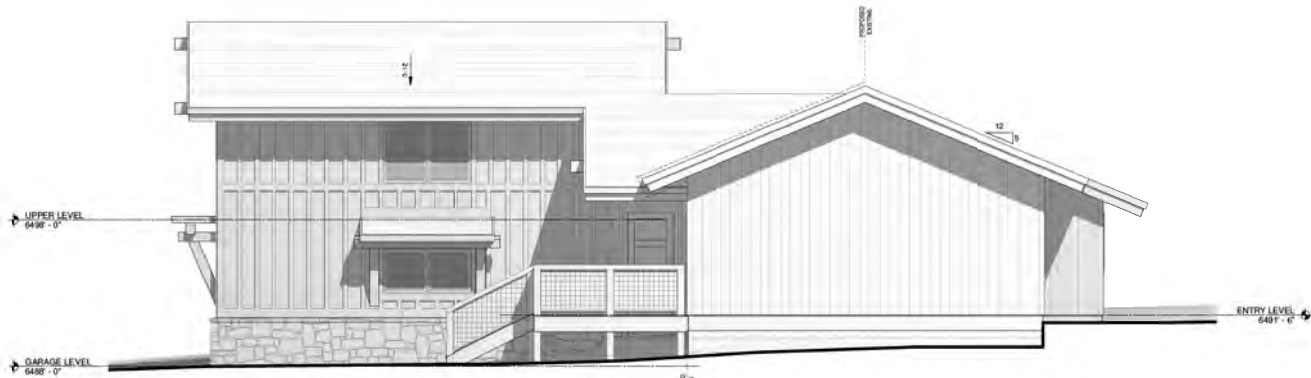
② NORTH ELEVATION  
1/4" = 1'-0"



④ WEST ELEVATION  
1/4" = 1'-0"



① EAST ELEVATION  
1/4" = 1'-0"



③ SOUTH ELEVATION  
1/4" = 1'-0"

ELEVATIONS

THESE DRAWINGS HAVE BEEN PREPARED BY DALE COX ARCHITECTS  
940 HAROLD DRIVE  
WAGNER, MO 64093  
PH: 660-251-1111 FAX: 660-251-1112  
WWW.DALECOXARCHITECTS.COM

REVISIONS

PROGRESS SET  
NOT FOR CONSTRUCTION

940 HAROLD DRIVE

INCLINE VILLAGE, W 69451  
WAGNER COUNTY  
APN: 131-132-06

DALE COX ARCHITECTS  
ARCHITECTURE - PLANNING - CONSTRUCTION MANAGEMENT  
4780 Cagle Parkway #417  
P.O. Box 885153  
St. Louis, MO 63188-5153  
Phone: (314) 555-2444 Fax: (314) 555-9455

DRAWN BY: JW  
DATE: 3-29-23  
SCALE: 1/4" = 1'-0"  
JOB #: 2020-07

SHEET  
A3.1



① VIEW FROM SOUTHWEST



② VIEW FROM NORTHWEST



③ OVERHEAD VIEW FROM SOUTHWEST



④ OVERHEAD VIEW FROM NORTHWEST

PERSPECTIVE VIEWS

THESE DRAWINGS HAVE BEEN PREPARED BY DALE COX ARCHITECTS  
 940 HAROLD DRIVE  
 WAUCHO COUNTY, MISSOURI 64485  
 PHONE (816) 550-9448 FAX (816) 550-9435

REVISIONS

**PROGRESS SET  
 NOT FOR CONSTRUCTION**

940 HAROLD DRIVE

INCLINE VILLAGE, WY 89451  
 WAUCHO COUNTY

DALE COX ARCHITECTS  
 ARCHITECTURE - PLANNING - CONSTRUCTION MANAGEMENT  
 4780 Cagle Parkway #417  
 Reno, NV 89515-3007  
 Phone: (833) 550-9448 Fax: (833) 550-9435

DRAWN BY:	JW	SHEET
DATE:	3-29-23	
SCALE:		
JOB #	2020-07	<b>A9.1</b>