



Board of Adjustment Staff Report

Meeting Date: December 1, 2016

Subject: Variance Case Number VA16-005
Applicant: Thomas Lypka
Agenda Item Number: 8C
Project Summary: Request for variances reducing in the rear yard setback from 20 feet to 14 feet, 6 inches and increasing the allowed overhang of the front eaves of the existing dwelling from 2 feet to 4 feet, 6 inches
Recommendation: Denial
Prepared by: Roger D. Pelham, MPA, Senior Planner
Washoe County Community Services Department
Division of Planning and Development
775.328.3622
Phone: 775.328.3622
E-Mail: rpelham@washoecounty.us

Description

Variance Case Number VA16-005 (Thomas Lypka) – Hearing, discussion, and possible action to approve variances: 1) reducing in the rear yard setback from 20 feet to 14 feet, 6 inches; and 2) increasing the allowed overhang of the front eaves of the existing dwelling from 2 feet to 4 feet, 6 inches, into the front yard setback. The variances are requested to facilitate the expansion of the existing dwelling.

- Applicant/Property Owner: Thomas Lypka
PO Box 6683
Incline Village, NV 89450
- Location: 755 Judith Court at the southeast corner if its intersection with Harper Court
- Assessor's Parcel Number: 125-231-19
- Parcel Size: 6,460 square feet
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: High Density Suburban (HDS)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 804, Variances
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 9, T16N, R18E, MDM,
Washoe County, NV

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Variance Definition

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

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

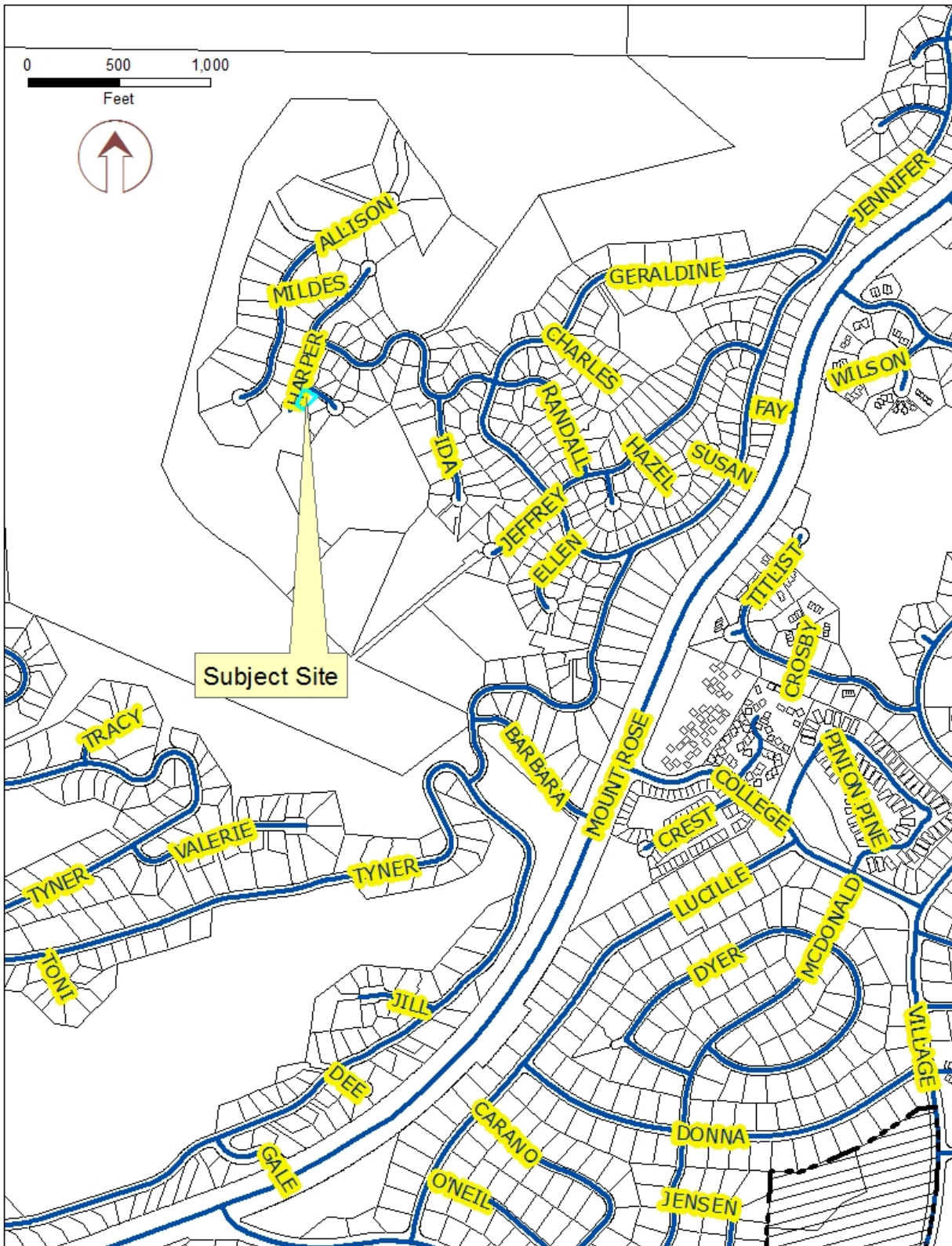
Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application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

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

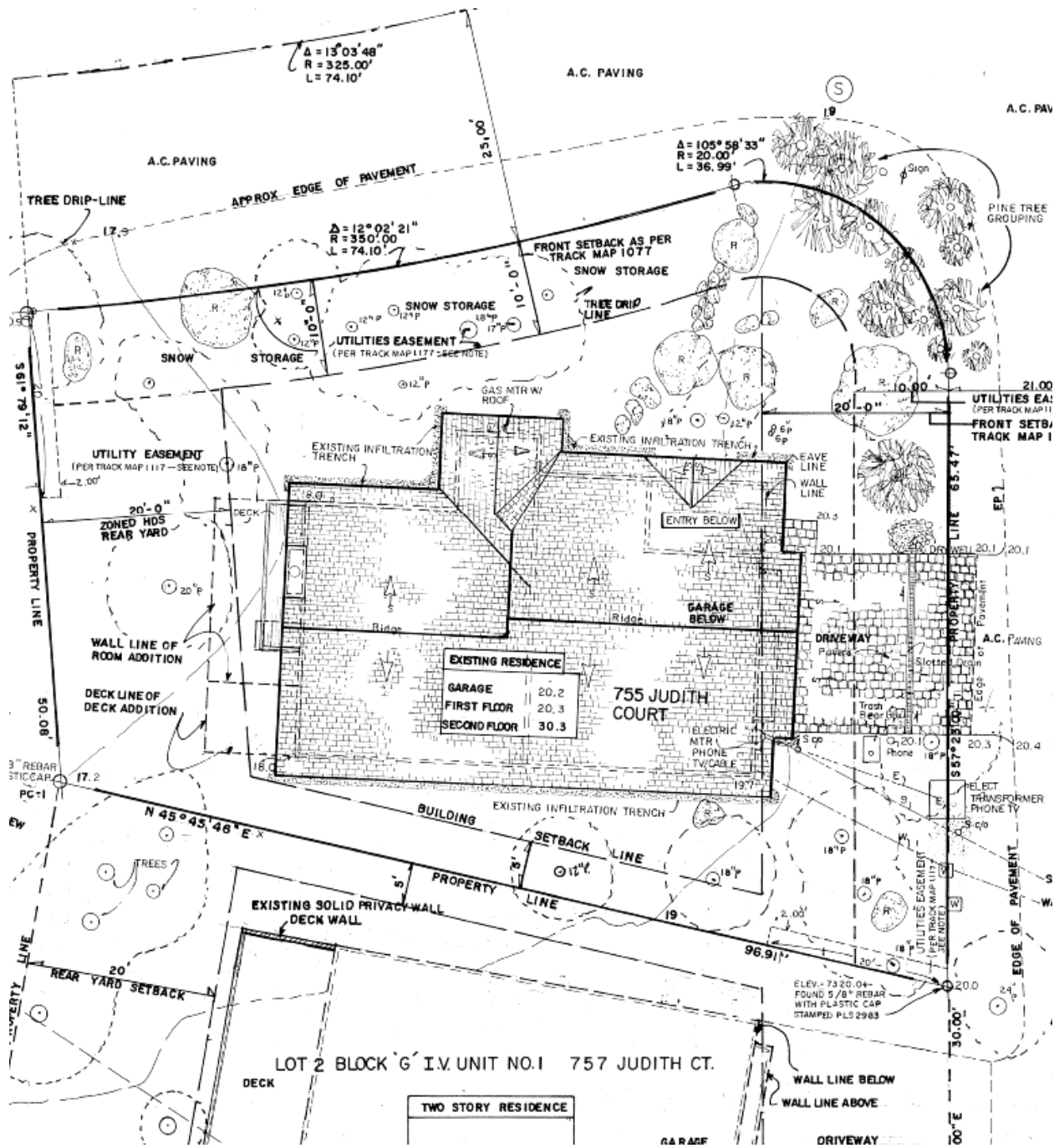
If the Board of Adjustment grants an approval of the Variance, that approval may be subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

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

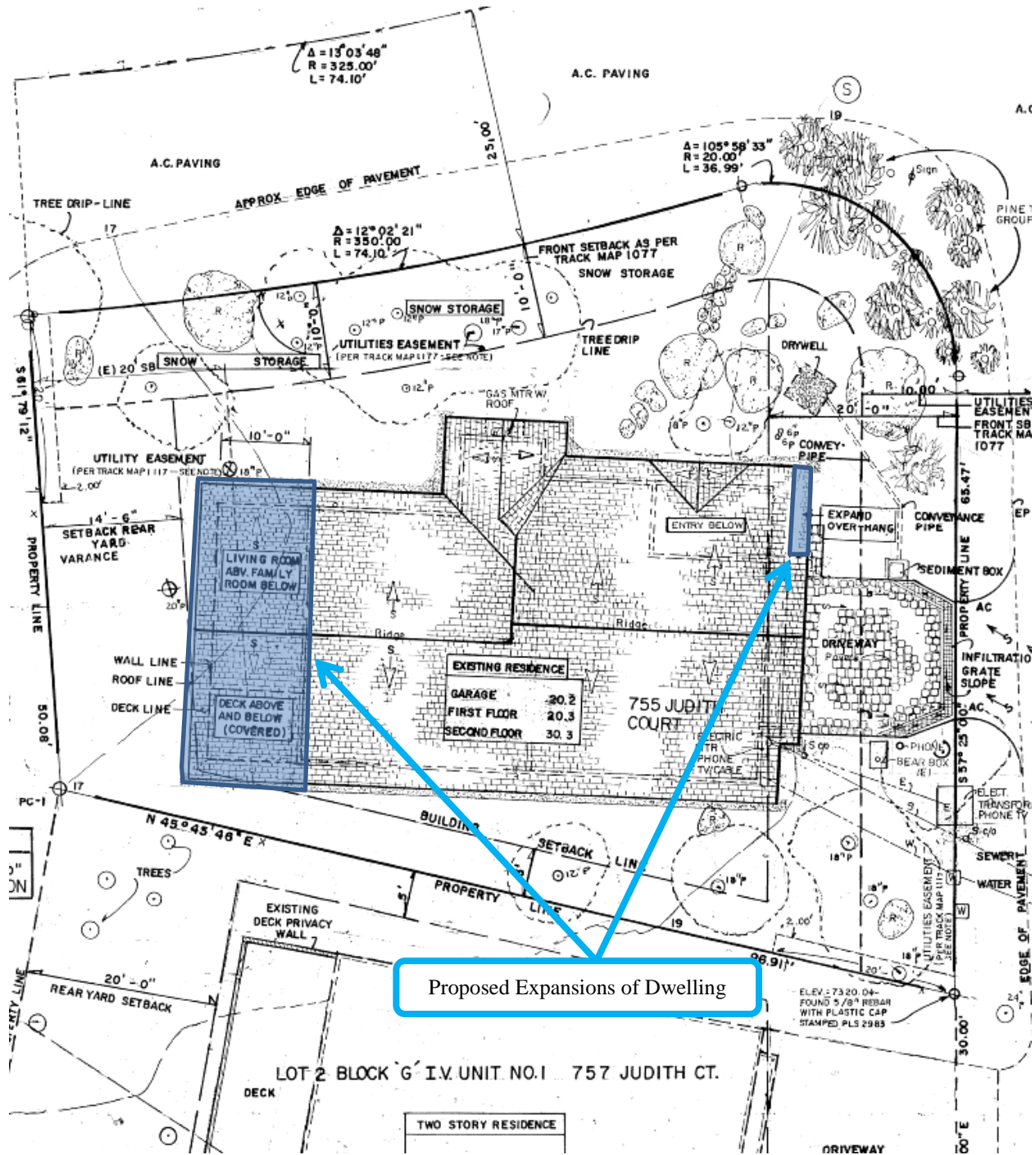
Since a recommendation of denial has been made, there are no Conditions of Approval attached. Should the Board find that special circumstances exist and approve the requested variance; staff will provide Conditions of Approval at the public hearing.



Vicinity Map



Existing Site Plan



Proposed Expansions of Dwelling

Proposed Site Plan

Project Evaluation

The applicant is requesting to reduce the required front yard and rear yard setbacks to facilitate expansion of the existing dwelling. The expansion is proposed to consist of additional living area on two levels in the rear as well as expanding the overhang in the front an additional 2 feet 6 inches to a total of 4 feet 6 inches.

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

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

Exceptional Narrowness: The parcel is located within the High Density Suburban (HDS) regulatory zone. The minimum lot size in that zone is 5,000 square feet. The subject parcel is 6,460 square feet in size. The minimum lot width in that zone is 60 feet. The subject parcel is approximately 65 feet in width at the front property line on Judith Court and is approximately 74 feet in width at the front property line on Harper Court. There are approximately 37 additional feet of frontage in an arc at the corner of the two streets.

The subject parcel is not exceptionally narrow.

Exceptional Shallowness: The depth of the property from Judith Court to the opposite property line is approximately 95 feet. The depth of the property from Harper Court to the opposite property line is approximately 68 feet.

The subject parcel is not exceptionally shallow.

Exceptional Topographic Conditions: The subject parcel is essentially flat with a change in elevation of just two feet across the 95 feet of the parcel depth. In the following overhead photo the distance between the yellow contour lines represent a change in elevation of two feet.

The topography of the subject parcel is not exceptional.



Other Extraordinary and Exceptional Situation or Condition of the Piece of Property: Staff has not been able to identify any characteristic of the property that creates an extraordinary or exceptional situation or condition. The applicant presents the lot sizes of many other parcels and makes the assertion that this parcel, being smaller than “average” in this area is therefore exceptional. The subject parcel is 6,460 square feet in size, as noted previously. The minimum lot size in the High Density Suburban (HDS) regulatory zone is 5,000 square feet so the parcel contains approximately 29% more area than the minimum for the zone. The minimum lot size for the next larger regulatory zone, Medium Density Suburban (MDS) is 12,000 square feet.

Thus, any parcel size between 5,000 and 12,000 square feet is appropriate in the HDS zone. The size of the parcel is neither extraordinary nor exceptional.

The existing dwelling, according to Washoe County Assessor's records, contains 2,388 square feet of living space and includes a two-car garage. Denial of the variance does not deprive the property owner of any reasonable use or enjoyment of the property.

Staff recommends denial of the variance requests being unable to make the necessary findings of fact as required by both NRS and the Washoe County Development Code.

Incline Village/Crystal Bay Citizen Advisory Board

The proposed project will be presented by the applicant(s) or the applicant's representative at the regularly scheduled Citizen Advisory Board meeting on September 26, 2016. Because the staff report is required to be finished prior to that date, staff will provide any comments made by the CAB to the Board of Adjustment at the public hearing.

Public Comment

One letter in support of the variance request was received from Pete Todoroff, and is attached to this report as Attachment D.

Reviewing Agencies

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

- Washoe County Community Services Department
 - Planning and Development
 - Engineering and Capital Projects
 - Traffic
- Washoe County Health District
 - Air Quality Management Division
 - Vector-Borne Diseases Division
 - Environmental Health Division
- Regional Transportation Commission
- Washoe County Regional Animal Services
- Washoe-Storey Conservation District
- Incline Village General Improvement District
- Nevada Tahoe Conservation District
- North Lake Tahoe Fire Protection District
- Tahoe Transportation District
- US Forest Service

Four out of the fourteen above listed agencies/departments responded that they had no comments on the proposed variance.

Staff Comment on Required Findings

Section 110.804.25 of Article 804, *Variances*, within the Washoe County Development Code, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the abandonment request. Staff has completed an analysis of the application and has determined that the proposal is not 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: As noted previously, there are no identifiable special circumstances, as required by Code, that results in any hardship.

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: As there are no identifiable special circumstances, granting the relief will impair the intent and purpose of the Development Code by allowing development that does not conform to generally applicable Code requirements.

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: As there are no identifiable special circumstances, granting the relief will constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated by allowing development that does not conform to generally applicable Code requirements.

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

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

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

Staff Comment: There is no military installation in the vicinity of the proposed variance; therefore this finding is not required to be made.

Recommendation

After a thorough analysis and review, due to the lack of any special circumstances applicable to the property that result in any exceptional or undue hardships upon the owner of the property, Variance Case Number VA16-005 is being recommended for denial. Staff offers the following motion for the Board's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment deny Variance Case Number VA16-005 for Thomas Lypka, being unable to make the four applicable findings in accordance with Washoe County Development Code Section 110.804.25:

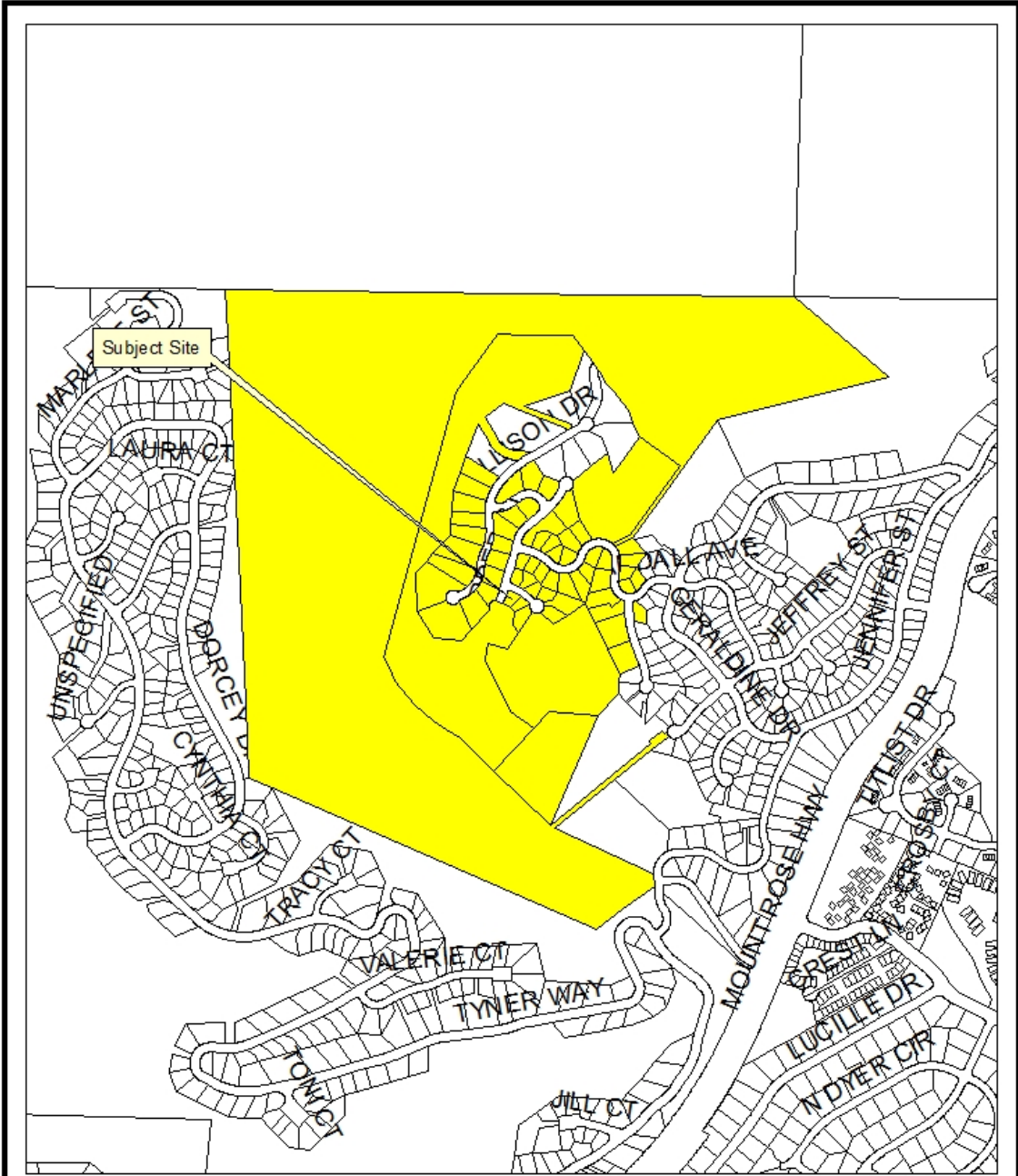
1. Special Circumstances. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location 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 original applicant.

xc: Property Owner: Thomas Lypka
 PO Box 6683
 Incline Village, NV 89450

 Representatives: Wayne Ford
 PO Box 4775
 Incline Village, NV 89450



Mailing Label Map

Variance Case No VA16-005
Thomas Lypka Front and Rear Yard Setback Reduction

62 Parcels selected at 700 feet.



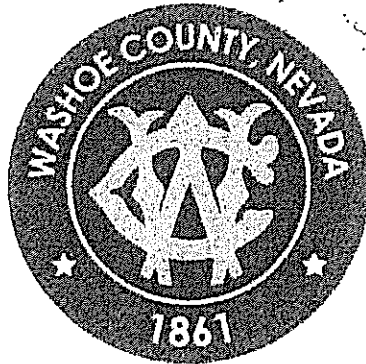
Community Services
 Department
 Planning and
 Development Division
 WASHOE COUNTY
 NEVADA

Post Office Box 11130
 Reno, Nevada 89522
 (775) 325-2600

Source: Planning and Development Division

Date: August 2016

Community Services Department
Planning and Development
VARIANCE
APPLICATION



Community Services Department
Planning and Development
1001 E. Ninth St., Bldg A
Reno, NV 89520

Telephone: 775.328.3600

Washoe County Development Application

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

Project Information		Staff Assigned Case No.: _____	
Project Name: Lypka Remodel and Addition			
Project Description: Expand living area on south side of residence. Add deck south side of residence Two story Add/ Add to front eave of roof ovhg.			
Project Address: 755 Judith Court			
Project Area (acres or square feet): Parcel area 6,460 SF			
Project Location (with point of reference to major cross streets AND area locator): Corner of Harper Court and Judith Court Incline Village, NV.			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
125-231-19	0.148 Acre		
Section(s)/Township/Range: Lot 1 Block G IV No.1			
Indicate any previous Washoe County approvals associated with this application: Case No(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner: Thomas Lypka		Professional Consultant:	
Name: Thomas Lypka		Name: Wayne Ford	
Address: P.O.Box 6683		Address: P.O.Box 4775	
Incline Vill. Nv. Zip: 89450		Incline Vill. Nv. Zip: 89450	
Phone: (408) 460-4722 Fax: Na.		Phone: (775) 772-2495 Fax: Na	
Email: tplyka@gmail.com		Email: waynefordresidentialdesigner@yahoo.com	
Cell: Same Other: Na		Cell: Same Other: Na	
Contact Person: Thomas Lypka		Contact Person: Wayne Ford	
Applicant/Developer:		Other Persons to be Contacted:	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone:		Phone:	
Fax:		Fax:	
Email:		Email:	
Cell:		Cell:	
Other:		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):	

Property Owner Affidavit

Applicant Name: Thomas Lypka

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, THOMAS P LYPKA
(please print name)

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

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

Assessor Parcel Number(s): 125-231-19

Printed Name Thomas Lypka

Signed [Signature]

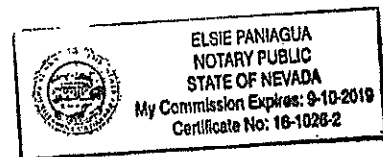
Address 755 Judith Court

Incline Village NV 89451

Subscribed and sworn to before me this 18 day of July, 2016

(Notary Stamp)

Elli Parraga
Notary Public in and for said county and state



My commission expires: 9-10-2019

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

- Owner
- Corporate Officer/Partner (Provide copy of recorded 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?

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 you be denied 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?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, please attach a copy.
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7. What is your type of water service provided?

<input type="checkbox"/> Well	<input checked="" type="checkbox"/> Community Water System IVGID
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8. What is your type of sanitary waste disposal?

<input type="checkbox"/> Individual Septic System	<input checked="" type="checkbox"/> Community Sewer System IVGID
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THOMAS LYPKA VARIANCE 755 JUDITH COURT INCLINE VILLAGE NV.

1. Rear Yard Setback . Existing is 20 feet Per Washoe County Development Code. Parcel is HDS. Reduce rear yard setback from 20 feet to 14 feet 6 inches, for the expansion of the rear of the residence. Add first and second level decks on rear of residence.

Vary : Washoe County Development Code 110.406.30 Front Yards Architectural Features may extend into front yard not to exceed 2 feet. Request is to allow for architectural feature, eave to be allowed to extend 4 feet 6 inches .

2. The shape of the parcel is the hardship. The parcel is small as compared to other parcels in the same regulatory zone . A study was done and it was found that in the review of 96 parcel in the same area and the same regulator zone the average parcel size was 9,652 SF. The parcel at 755 Judith Court is 6,461 Square feet. (see exhibit 4).

The added restriction is the parcel is a corner lot. The setbacks further restrict the parcel and the area of allowed for development, thus the need to reduce the rear yard setback.

The neighbors parcel is at 757 Judith Court is 6,201 sf and has a allowed area to build in of 3,081 sf. The applicants parcel at 755 Judith Court has a lot area of 6,461 Sf yet due to the corner parcel and the setbacks only has a allowed building area of 2,787 Sf. This is some 294 square feet less area to build in on the parcel, than the next door neighbor to the east.

The variance request is only asking for 203 +/- square feet to expand the allowed building area to offset the loss of area due to the small corner parcel.

The small parcel and the shape of the area to building within created by the current setbacks have created a hardship.

When the maps for this area were recorded in 1968, no rear yard setbacks were put on this parcel. That was based on the fact that the property owner to the south is IVGID land and will never have development on it.

The street of Harper Court also has added impacts on the parcel . When snow is removed and plowed from Harper Court it is pushed into the front yard on the parcel at 755 Judith Court. This area that has some room to expand has a recorded 10 foot setback, yet is area that if built on would greatly limit the snow storage even more for the County.

The area we have selected will keep the snow removal as available as it has been sense the home was built in 2001. It should be noted that this area is known for very heavy snows due to the topography of the area .

3. The neighbor at 757 Judith Court understands the hardship due to the restricted building area on 755 Judith Court. He presently has a similar home and has a rear deck off the rear. In looking at any impacts that could take place for this request non was found due to the neighbor having any loss or privacy or loss of view.

The owner at 757 Judith Court has submitted a letter supporting the request being made to reduce the rear yard from 20 feet to 14 feet 6 inches at 755 Judith Court. (See exhibit 1 for site plans of both parcels and locations of current development.

By not building on the Harper side of the parcel we will maintain the existing safety for snow storage off of the street. Thus keeping as safe a travel rout for Harper to other homes and not reducing any safety.

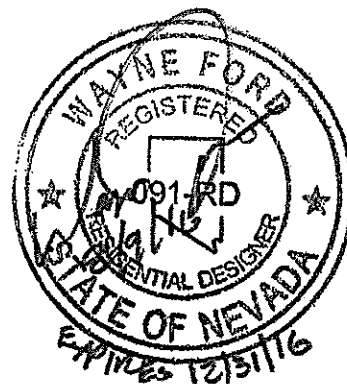
4. The proposed expansion is on the end of the residence. The area of where this takes place will maintain the same volume of the home. The expansion is a modest one of only 10 feet on the upper level and a deck of 12 feet. The total homes area now is 2388 SF with a two car garage of 460 SF. The addition on the second level is 185 SF / the lower floor is addition is 129 SF = 314 added living area. The new total for the residence will be 2702 SF. The added deck area for both levels will be 228 SF. Keeping the same ridge line and development width will allow for the existing room , living and family room to have the proper depth . Keeping all the glass facing south will make the existing architecture of the home the same. This will keep the scale of the home the same as most homes in the neighbor hood which have parcels that are much larger , yet in the same regulator zone (HDS) .

Note : The current deck is only a small balcony and has no ability to be used due to a vent system for the fireplace that encroaches into the hear room for the deck. A chair cannot even be place on the deck for there is not room.

The new covered decks will allow for a use that other in the area enjoy for home that have more allowed building area due to not being on a corner parcel .

5. See question 4 for other areas that currently the neighbors have and this residence does not. The current home meets the off street parking needs due to the 20 foot setback on Judith Court. Then there is a two car garage of 460 SF. The rest of the residence is modest in size as it is built from the north to the south. What was eliminated due to the 20 foot rear yard setback was proper depth for the family and living rooms. Along with this is no deck area on the upper or lower levels. By making a small change to the rear yard setback the home will now have what other owners have for homes of similar size , yet build on parcels with more area to develop.

WAYNE FORD RESIDENTIAL DESIGN
P.O.BOX 4775
INCLINE VILLAGE, NV. 89450
LIC NO. 091-RD
(775) 772-2495
EMAIL ; waynefordresidentialdeisgner@yahoo.com



THOMAS LYPKA VARIANCE 755 JUDITH COURT.

Note : Add to front overhang. The current drip from the jog in the roof falls over the entry walk . It causes ice and a dangerous situation when it freezes . Attempts have been made to install a heated gutter system , yet the location being on the North Side of the residence the area gets very little sun . Gutters do not work.

The final solution needs to be to expand the roof so no drip will take place at this location. To move the path below is not possible for this is the most efficient use of coverage, which is very limited on the site.

Coverage: The current parcel is limited to 1800 square feet. Due to the new coverage program for making sure the BMPs are up to date, some coverage credits now can be gotten with a new pervious driveway system.

To: Thomas Lypka
755 Judith Court
Incline Village, NV, 89451

From: Tom Annese
757 Judith Court
Incline Village, NV, 89451

Date: July 16, 2016

Subject: Comments on addition to rear of 755 Judith Court

My name is Tom Annese and I live next door to Thomas Lypka.

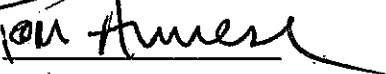
On Thursday, July 14, 2016, Thomas Lypka showed me the architectural drawings for a proposed extension of approximately 8 feet to the rear of his house at 755 Judith Court. This is the side that faces the IVGID land and has a view of Lake Tahoe.

This proposed extension does not have any affect my own view of the IVGID lands.

In fact, I support this extension because it blocks part of my view of Harper Court giving me more privacy.

Thus, I support this extension and any variance necessary for Mr. Lypka to build according to the proposed architectural drawings.

Sincerely,

A handwritten signature in black ink that reads "Tom Annese". The signature is written in a cursive style and is positioned below the word "Sincerely,".

Tom Annese

THOMAS LYPKA VARIANCE : 755 JUDITH COURT INCLINE VILLAGE , NEVADA

CHECK OF PARCLE AREA FOR HDS ZONING IN INCLINE VILLAGE NO 1.

CHECK 96 PARCELS FOR AVERAGE SIZE OF PARCEL IN HDS ZONING NEAR AND AROUND
PARCEL : Lot 1 block "G" Incline Village No 1.

List of Parcels

APN	Square Footage	Address
125-231-19	6,461	755 Judith Ct.
125-231-18	6,197	757
125-231-17	10,879	759
125-231-15	9,744	764
125-231-14	14,985	762
125-231-13	7,865	760
125-231-12	6,627	758
125-231-11	7,744	756
125-231-10	6,539	752 Harper
125-253-01	7,318	753
125-253-02	6,882	757
125-253-03	8,320	759 Randall
125-253-04	10,149	761
125-231-09	14,443	763
125-231-08	14,734	765
125-253-05	9,017	767
125-253-06	10,542	769
125-253-07	9,496	771
125-253-08	14,505	773
125-231-21	(17,885)	775 Not used
125-231-22	18,413	779 Ida
125-231-05	30,143	781
125-231-04	23,954	783
125-231-03	10,701	789
125-231-02	11,169	791
125-232-26	9,911	793
125-232-22	12,980	794
	<hr/>	
total	263,044 SF	
125-232-27	14,944	792 Ida
125-232-20	13,201	790
125-232-19	10,235	788
125-232-18	9,102	786
125-232-17	8,345	784
125-232-16	8,665	782
125-232-15	9,381	780
125-232-14	6,815	779

Review Continued page 2

125-232-12	-----not used	
125-232-13	7,012	785 Ida
125-232-11	13,629	799 Geraldine
125-232-10	11,018	803
125-232-09	11,516	805
125-232-08	11,932	807
125-232-07	11,842	809
125-232-06	14,040	811
125-232-28	6,849	818 Jeffery
125-232-29	11,163	816
125-232-03	10,796	814
125-232-24	10,343	812
125-232-25	11,192	810
125-223-32	10,309	807
125-223-31	11,187	809
125-223-30	10,050	811
125-223-29	8,056	813
125-223-28	7,041	815
125-223-27	6,432	817

total 265,095 SF

125-223-26	6,554	819 Jeffery
125-223-25	6,936	819 Geraldine
125-223-24	7,274	821
125-223-23	6,429	831 Ellen Ct.
125-223-22	6,014	830
125-223-21	6,192	828
125-223-20	9,995	826
125-223-19	8,469	824
125-223-18	9,000	822
125-223-17	10,107	820
125-223-16	9,810	818
125223-15	13,159	815
125-223-14	9,757	819
125-223-13	13,604	821
125-223-12	9,187	823
125-223-11	7,334	825
125-223-10	7338	829
125-223-09	7,800	831
125-223-08	6,763	825 Geraldine
125-223-07	8,068	827
125-223-06	7,176	829
125-223-05	8,131	828 Jennifer
125-223-04	8,235	826
125-223-03	7,388	824

125-223-02	9,133	822 Jennifer
125-223-01	11,588	820

total	----- 221,441 SF
-------	---------------------

125252-07	8,886	754 Randall
125-252-06	8,712	756
125-252-05	7,405	758
125-252-04	9,017	760
125-252-03	12,981	762
125-252-02	11,892	764
125-251-14	12,240	770
125-251-13	11,238	772
125-251-12	7,654	774
125-251-11	7,449	778
125-251-10	7,884	782
125-251-09	9,583	784
125-251-08	14,418	786
125-251-07	10,890	793 Geraldine
125-251-04	10,498	787
125-251-02	12,676	783
125-251-01	13,591	781

total	----- 177,014 SF
-------	---------------------

totals 263,044
 265,095
 221,441
 177,014

total 926,594 SF / 96 Properties = 9,652 Square foot average for a parcel in this area of HDS Zoning

Property Tax Reminder Notice

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

PIN: 12523119
 AIN:

Balance Good Through:	08/10/2016
Current Year Balance:	\$5,004.40
Prior Year(s) Balance: (see below for details)	\$0.00
Total Due:	\$5,004.40

AUTO
 :894513:
 THOMAS P LYPKA
 755 JUDITH CT
 INCLINE VILLAGE NV 89451

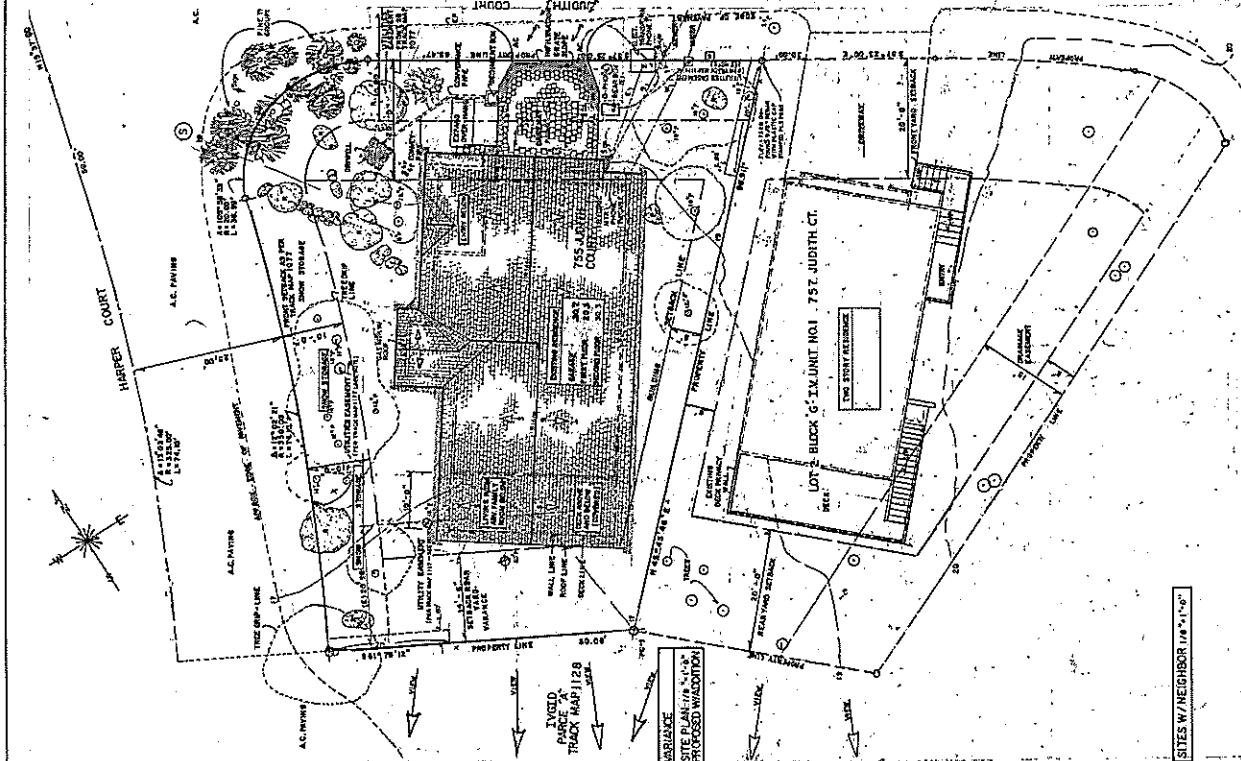
Description: SubdivisionName INCLINE VILLAGE 1
 Block G Lot 1

Situs: 755 JUDITH CT
 INCL

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

Current Charges									
PIN	Year	Bill Number	Inst	Due Date	Charges	Interest	Pen/Fees	Paid	Balance
12523119	2016	2016098241	1	08/15/2016	1,668.14	0.00	0.00	1,668.14	0.00
12523119	2016		2	10/03/2016	1,668.14	0.00	0.00	0.00	1,668.14
12523119	2016		3	01/02/2017	1,668.13	0.00	0.00	0.00	1,668.13
12523119	2016		4	03/06/2017	1,668.13	0.00	0.00	0.00	1,668.13
Current Year Totals					6,672.54	0.00	0.00	1,668.14	5,004.40

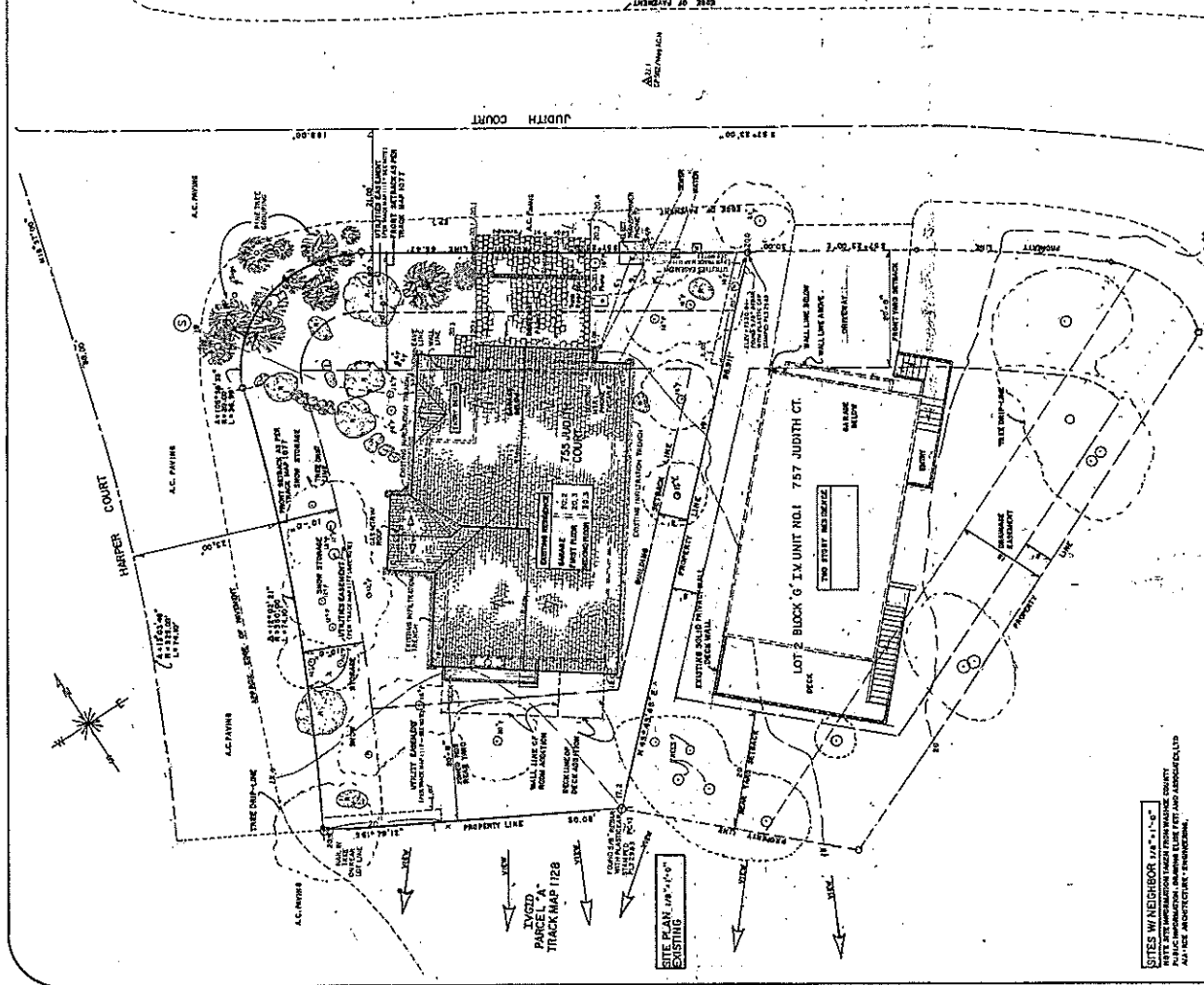
Prior Years								
PIN	Year	Bill Number	Charges	Interest	Pen/Fees	Paid	Balance	
Prior Years Total								



SITES W/ NEIGHBOR 1/4" = 1'-0"

VARIANCE: REAR YARD REDUCE FROM 20'-0" TO 14'-0"
 CHANGES LANDS OF OTHERS WILL BE REMOVED. ALL FEATURES MAY EXTEND INTO A FRONT YARD NOT TO EXCEED 10' (10 FEET)
 RECORDED MAP OFFICIAL KAT INCLINE VILLAGE NO. 1077 RECORDED 1968. LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 HARPER SET BACK 20' JUDITH CT. NO REAR OR SIDE YARDS
 ZONING ADOPTED WASHOE COUNTY HAS HIGH DENSITY SUBURBAN 1988. IMPOSED 20'-0" REAR YARD 5'-0" SIDE YARD
 TREES TO BE REMOVED 2 - (10) 8" P (1) 20" P

RESIDENCE: 755 JUDITH COURT INCLINE VILLAGE, NEVADA. A.P.N. 125-231-19 WASHOE COUNTY
 RESIDENCE BUILT 2001
 IPES SCORE 746. BASE LAND COVERAGE 20%. LOT AREA 6,461 SQ. FT. X 20% = 1,292.0 SQ. FT.
 TRPA 30.4.2 TRANSPIERED LAND
 LOT AREA 4,001 - 8,000 SF = 1,800.0 SF
 LOT AREA 4,001 - 8,000 SF = 1,800.0 SF
 CRITICAL AREA SENSITIVE TO EROSION CONTROL MEASURES
 MUST INSTALL PERMANENT BEST MANAGEMENT PRACTICES (BMP)
 25% GREAT PERVIOUS DRIVEWAY WALKWAY (P) TO B STOP
 OVERHANG ALLOWANCE HEIGHT REDUCTION 3' 6" MAX.



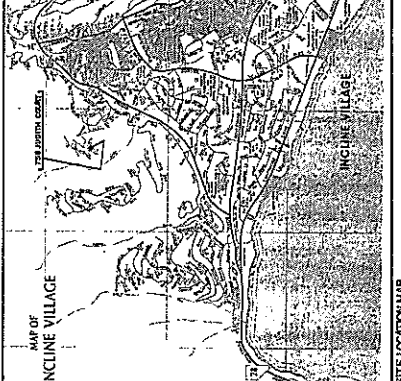
SITES W/ NEIGHBOR 1/4" = 1'-0"

VARIANCE: REAR YARD REDUCE FROM 20'-0" TO 14'-0"
 CHANGES LANDS OF OTHERS WILL BE REMOVED. ALL FEATURES MAY EXTEND INTO A FRONT YARD NOT TO EXCEED 10' (10 FEET)
 RECORDED MAP OFFICIAL KAT INCLINE VILLAGE NO. 1077 RECORDED 1968. LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 HARPER SET BACK 20' JUDITH CT. NO REAR OR SIDE YARDS
 ZONING ADOPTED WASHOE COUNTY HAS HIGH DENSITY SUBURBAN 1988. IMPOSED 20'-0" REAR YARD 5'-0" SIDE YARD
 TREES TO BE REMOVED 2 - (10) 8" P (1) 20" P

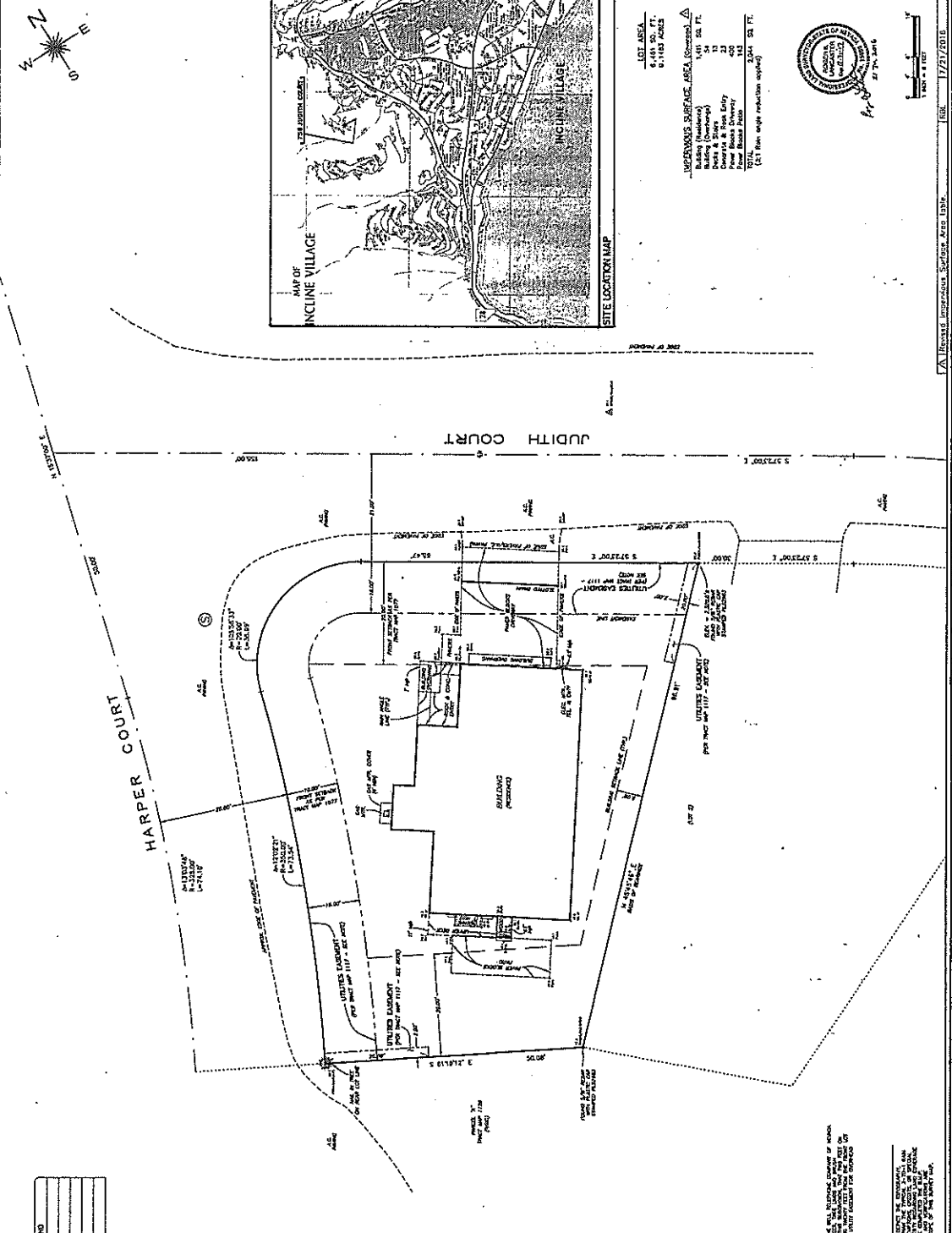
OWNER: THOMAS R LYRKA
 PROJECT LOCATION: 755 JUDITH COURT
 INCLINE VILLAGE, WASHOE COUNTY
 A.R.N. 125-231-19
 PROJECT: ROOM AND DECK ADDITION, NEW PERVIOUS PAVED DRIVEWAY,
 LEGAL: LOT 1, BLOCK 6, 1/4 UNIT, MOUNTAIN TOWNSHIP 16, RANGE 18



As-Built Survey Map
 Lot 1, Block 6, Incline Village Unit No. 1, Sheet
 A.R.N. 125-231-19 / Washoe County
 755 Judith Court, Incline Village, Nevada
 Scale: 1/2" = 10' 0"



LOT AREA	1.41 AC. FT.
PERVIOUS SURFACE AREA (CONCRETE)	6,115.7 ACRES
PERVIOUS SURFACE AREA (ASPHALT)	1,411 AC. FT.
PERVIOUS SURFACE AREA (GRAVEL)	11 AC. FT.
PERVIOUS SURFACE AREA (TOTAL)	7,537.7 ACRES
PERVIOUS SURFACE AREA (TOTAL)	11.2 AC. FT.
PERVIOUS SURFACE AREA (TOTAL)	11.2 AC. FT.

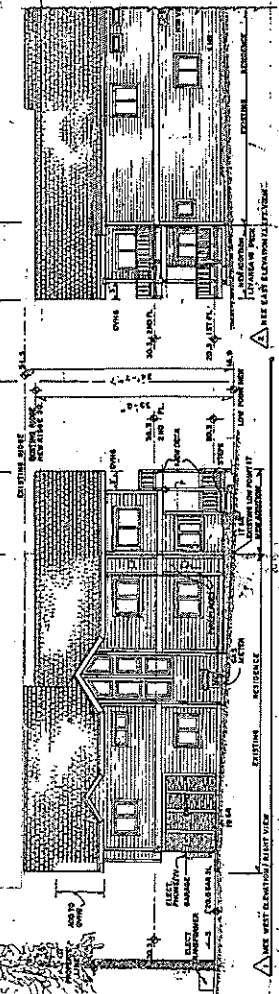
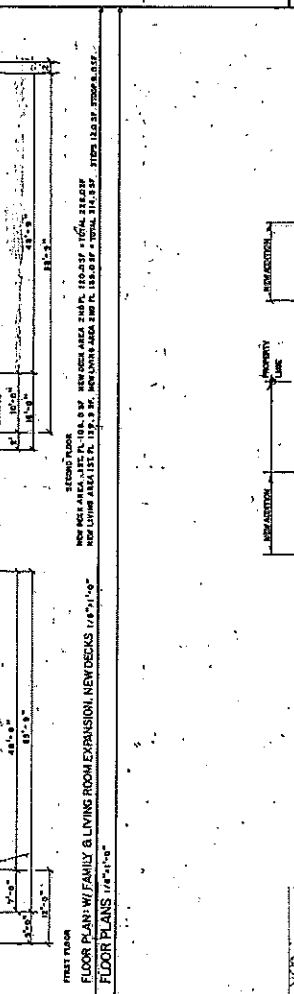
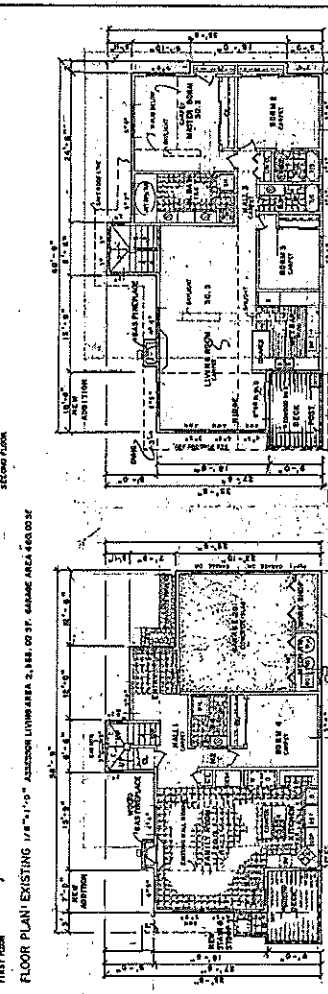
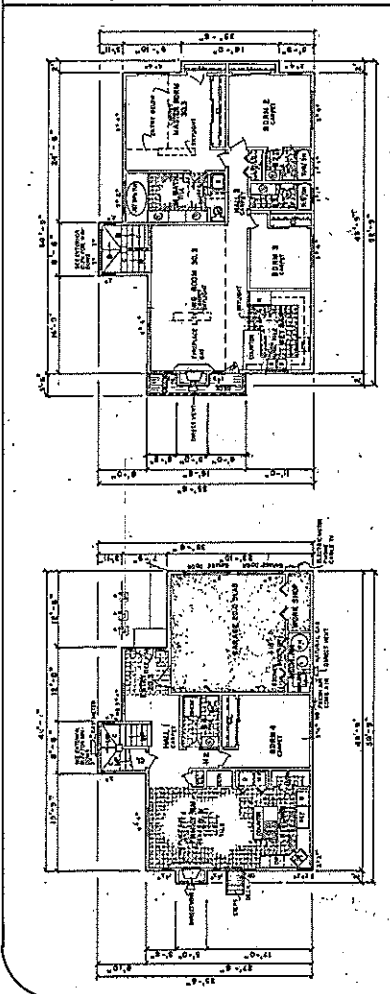
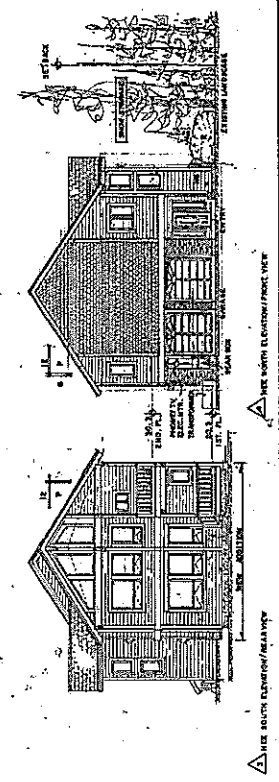
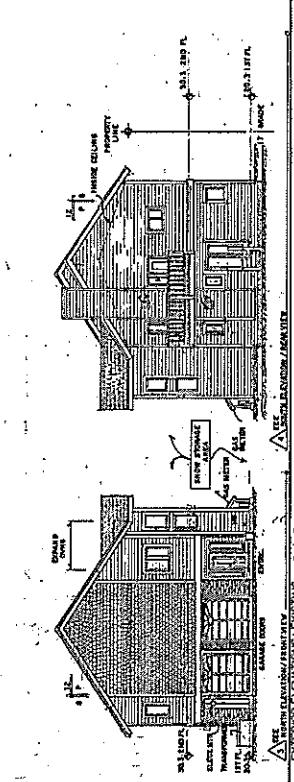
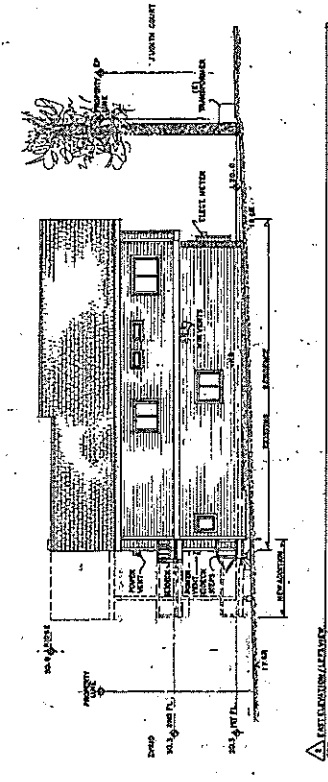
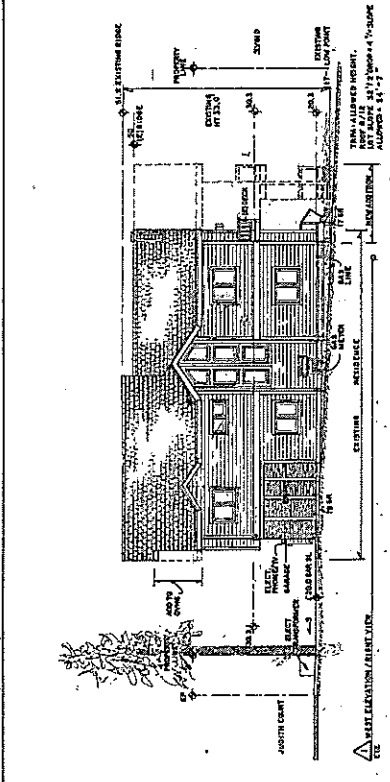


STANDARD LEGEND
Survey Control Point
Property Boundary
Utility Easement
Proposed Driveway
Proposed Building
Proposed Deck
Proposed Room Addition
Proposed PerVIOUS Paved Driveway
Proposed PerVIOUS Surface Area
Proposed PerVIOUS Surface Area (Concrete)
Proposed PerVIOUS Surface Area (Asphalt)
Proposed PerVIOUS Surface Area (Gravel)
Proposed PerVIOUS Surface Area (Total)

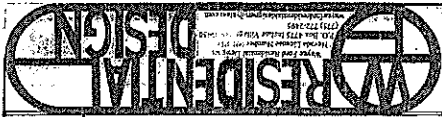
UTILITY EASEMENT NOTE:
 ALL UTILITY EASEMENTS SHOWN ON THIS PLAN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE LOCATION AND DEPTH OF UTILITIES ARE NOT GUARANTEED. THE OWNER SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF UTILITIES PRIOR TO CONSTRUCTION. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF UTILITIES.

LAND COVERAGE NOTE:
 ALL LAND COVERAGE SHOWN ON THIS PLAN IS BASED ON AERIAL PHOTOGRAPHS AND FIELD SURVEY. THE LOCATION AND DEPTH OF UTILITIES ARE NOT GUARANTEED. THE OWNER SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF UTILITIES PRIOR TO CONSTRUCTION. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF UTILITIES.

SITE PLAN EXISTING 1/4" = 1" = 0'



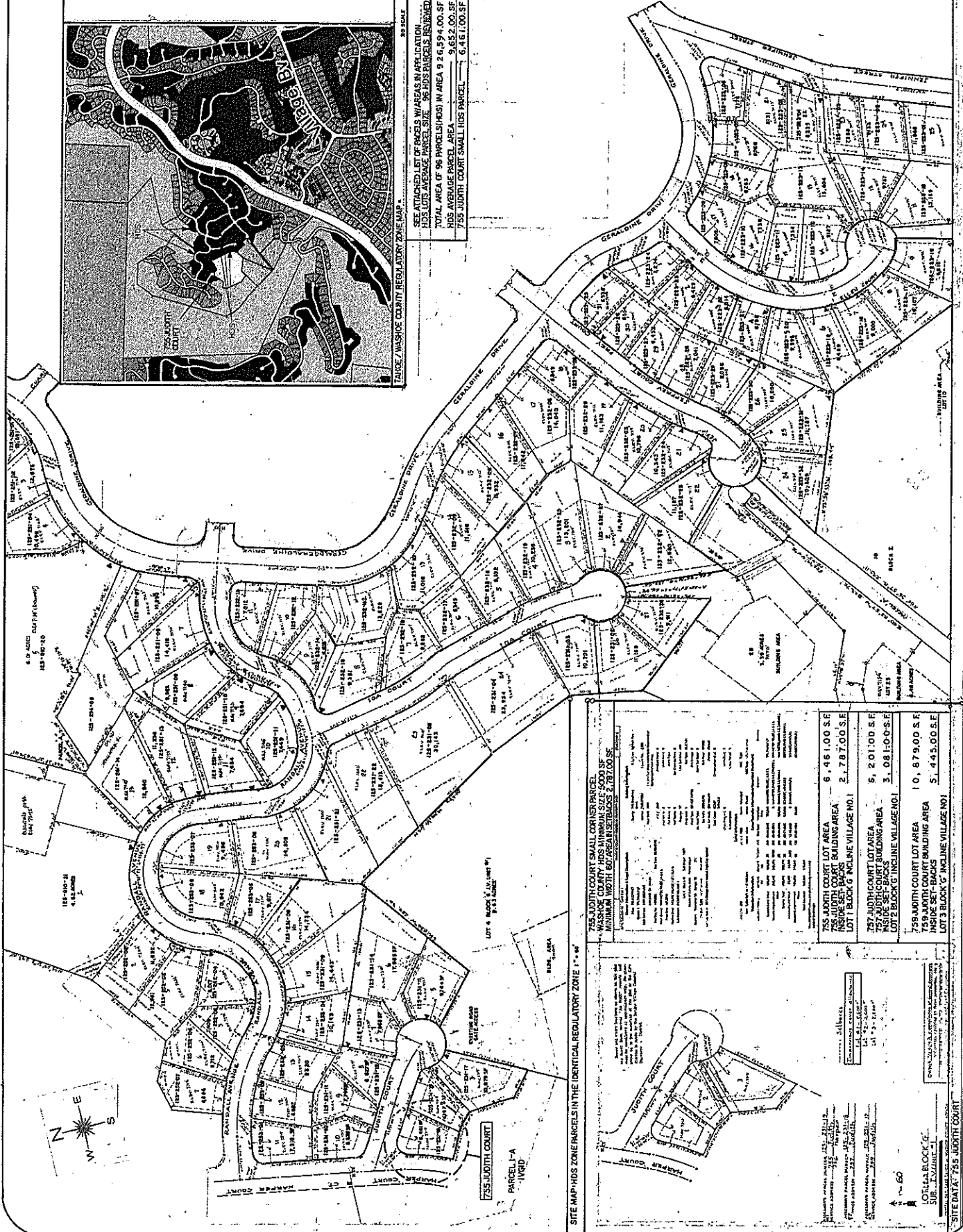
EXISTING EXTERIOR WALL
 PROPOSED EXTERIOR WALL
 EXISTING ROOF LINE
 PROPOSED ROOF LINE
 EXISTING EXTERIOR FINISH
 PROPOSED EXTERIOR FINISH
 EXISTING PERVIOUS PAYER DRIVEWAY
 PROPOSED PERVIOUS PAYER DRIVEWAY
 EXISTING LIVING ROOM
 PROPOSED LIVING ROOM
 EXISTING DECK
 PROPOSED DECK
 EXISTING PERVIOUS PAYER DRIVEWAY
 PROPOSED PERVIOUS PAYER DRIVEWAY



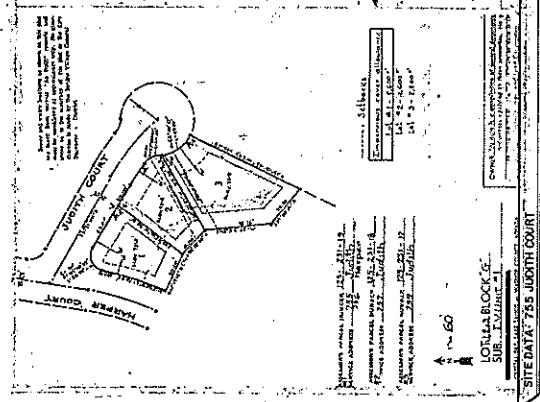
OWNER: THOMAS P LYRKA
 PROJECT LOCATION: 755 JUDITH COURT, INCLINE VILLAGE, NEVADA 89451
 A.P.N.: 125-231-19 WASHOE COUNTY
 PROJECT: ROOM AND DECK ADDITION, NEW PERVIOUS PAVED DRIVEWAY,
 EXTEND FRONT ROOF LINE
 LEGAL: LOT 1 BLOCK G IN UNIT NO. 1 TOWNSHIP 16 RANGE 18



SEE ATTACHED LIST OF PARCELS WITH AREAS IN APPLICATION
 HDS LOTS AVERAGE PARCEL SIZE: 9% HDS PARCELS REVIEWED
 TOTAL AREA OF 96 PARCELS (HDS) IN AREA: 9,26,594.00 SF
 HDS AVERAGE PARCEL AREA: 9,652.00 SF
 755 JUDITH COURT SMALL HDS PARCEL: 6,416.100 SF



755 JUDITH COURT SMALL CORNER PARCEL	755 JUDITH COURT BUILDING AREA	755 JUDITH COURT BUILDING AREA	755 JUDITH COURT BUILDING AREA	755 JUDITH COURT BUILDING AREA
6,416.100 S.F.	6,416.100 S.F.	6,416.100 S.F.	6,416.100 S.F.	6,416.100 S.F.
2,787.00 S.F.	2,787.00 S.F.	2,787.00 S.F.	2,787.00 S.F.	2,787.00 S.F.
6,201.00 S.F.	6,201.00 S.F.	6,201.00 S.F.	6,201.00 S.F.	6,201.00 S.F.
3,081.00 S.F.	3,081.00 S.F.	3,081.00 S.F.	3,081.00 S.F.	3,081.00 S.F.
10,879.00 S.F.	10,879.00 S.F.	10,879.00 S.F.	10,879.00 S.F.	10,879.00 S.F.
5,445.00 S.F.	5,445.00 S.F.	5,445.00 S.F.	5,445.00 S.F.	5,445.00 S.F.



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

August 22, 2016

Roger Pelham
Washoe County Community Services Department
1001 E. Ninth Street, Bldg. A
Reno, NV 89512

Dear Mr. Pelham:

I received your email dated August 19, 2016, requesting a review of the August Agency Review Memo III regarding the variance application (Item 2).

Based on the submitted documentation, it is anticipated that there will be minimal impacts concerning EMS responses to the residential parcel. Additionally, it is not anticipated that there will be impacts concerning access to healthcare services and facilities. Should you need a complete Environmental Impact Assessment, please contact the Washoe County Health District's Division of Environment Health Services at (775) 328-2434.

Advanced Life Support (ALS) fire and ambulance services are provided by the North Lake Tahoe Fire Protection District. The closest station to the residential parcel is approximately 1 mile away.

There is also a hospital within proximity to the Judith Court site, should residents require such services. The Incline Village Community Hospital is approximately 2.5 miles away from the residence. There are also several other acute care hospitals and healthcare resources available in Washoe County.

It is recommended the residential structure has the house number clearly marked on the curb and the dwelling so the residents can be quickly located by public safety agencies.

Please feel free to contact me if you have any questions.

Sincerely,



Christina Conti
EMS Program Manager
cconti@washoecounty.us
(775) 326-6042

From: Corbridge, Kimble
Sent: Tuesday, August 23, 2016 3:35 PM
To: Pelham, Roger
Cc: Vesely, Leo; Smith, Dwayne E.
Subject: VA16-005 Thomas Lypka

Roger,
I have reviewed the referenced variance for Engineering and have no conditions or comments.
Thx,
Kimble



Development Review Status Sheet

Date: 8-25-16		
Attention: Roger Pelham		
RE:	Variance Case Number VA16-005	
APN:	125-231-19	
Address:	755 Judith	
Owner:	Thomas Lypka	
Phone:	Fax:	Email:
Mailing Address: N/A		
<p>Hearing, discussion, and possible action to approve: 1) a reduction in the rear yard setback from 20 feet to 14 feet, 6 inches; and 2) to allow and increase at the front eaves of the existing dwelling to extend 4 feet, 6 inches, from the existing 2 feet, into the front yard setback. The variances are requested to facilitate the expansion of the existing dwelling.</p> <p>Applicant: Thomas Lypka PO Box 6683 Incline Village, NV 89450 Property Owner: Thomas Lypka PO Box 6683 Incline Village, NV 89450 Location: 755 Judith Court at the southeast corner of its intersection with Harper Court</p> <p>Assessor's Parcel Number: 125-231-19 Parcel Size: 6,460 square feet Master Plan Category: Suburban Residential (SR) Regulatory Zone: High Density Suburban (HDS) Area Plan: Tahoe Citizen Advisory Board: Incline Village/Crystal Bay Development Code: Authorized in Article 804, Variances Commission District: 1 – Commissioner Berkbigler Section/Township/Range: Section 9, T16N, R18E, MDM, Washoe County, NV Staff: Roger Pelham, MPA, Senior Planner Washoe County Community Services Department Planning and Development Division Phone: 775-328-3622</p>		
Comments: No impact to the Incline Village General Improvement District.		

Completed by: Tim Buxton, Chief Inspector

Phone: (775) 832-1246 Fax: (775) 832-1260

Incline Village General Improvement District, 1220 Sweetwater Road, Incline Village NV 89451

The contents of this transmission are intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. 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 US Postal Service. We will reimburse you for your postage. Thank you.



REGIONAL TRANSPORTATION COMMISSION

Metropolitan Planning • Public Transportation & Operations • Engineering & Construction

Metropolitan Planning Organization of Washoe County, Nevada

August 24, 2016

FR: Chrono/PL 183-16

Mr. Chad Giesinger, AICP, Senior Planner
Community Services Department
Washoe County
P.O. Box 11130
Reno, NV 89520

RE: **SB16-004 (Verizon Arrowcreek Golf Course)**
VA16-005 (Thomas Lypka)
VA16-006 (Eget Residence)

Dear Mr. Giesinger,

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

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

Sincerely,

Rebecca Kapuler
Planner

RK/jm

Copies: Bill Whitney, Washoe County Community Services
Roger Pelham, Washoe County Community Services
Trevor Lloyd, Washoe County Community Services
Daniel Doenges, Regional Transportation Commission
Julie Masterpool, Regional Transportation Commission
Tina Wu, Regional Transportation Commission
David Jickling, Regional Transportation Commission

Washoe County no comment 090716

Washoe County Citizen Advisory Boards CAB Member Worksheet



Citizen Advisory Board: Incline Village / Crystal Bay Nevada

Meeting Date (if applicable): September 20, 2016

Topic or Project Name (include Case No. if applicable): VA16-006

Please check the appropriate box:

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

Identified issues and concerns:

SEE WORD ATTACHMENT

Suggested alternatives and/or recommendations:

SEE WORD ATTACHMENT

Name Pete Todoroff Date: 08/29/2016

(Please Print)

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.

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: stone@washoecounty.us

Lypka Variance Request 755 Judith Court Incline Village NV.

Request to vary the rear yard set back from 20 feet too 14 feet 6 inches to construct a remodel to the rear living room and family room. Add a deck on the first and second floor.

Request to vary the W. C. Development Code Section 110.406.30 to allow for addition overhang into the front yard to prevent the dripping and freezing of water below on the entry walk.

To deny the rear yard variance would deprive the property owner of privileges enjoyed by other properties with the identical regulatory zone because of the constraints unique to the property.

In reviewing the site data submitted of the review of over 96 parcels in the same regulatory zone the applicant found that the average parcel size is 9,652 square feet and on a corner with the restriction of the corner lot setbacks needs to be allowed to vary the rear yard to have the building area like other parcels in that regulatory zone.

It was submitted that even though the neighbors parcel is 6,201 square feet, smaller than the applicants the neighbor to the east has a 294 square foot more area to build in because of not being a corner parcel.

The modest size home now is set on the parcel and has the 20 foot setback at the garage that now allows for two covered parking spaces and two off – street spaces. This is at the current sacrifice of not having any rear yard area for decks and the normal area for a family room and living room.

In addition to this restraint where some parcel area appears available on the west side the area is used by Washoe County for snow storage from Harper Court.

I support the request for there are no impacts that affect the neighbors which are to the east. The parcel to the south is who's owner is IVGID and will not have any development on it in the future. The neighbor Tom Annese supports the request. The parcel is restrained due to the small size and corner lot set backs which come from the County Zoning of HDS and the recorded track

map 1077. There is a demonstrated hardship because of the small side of the parcel and the corner lot setbacks imposed.

Request to allow for more overhang in front yard. The site is restricted in coverage only allowing for 1800 Square Feet. The walk cannot be moved to avoid this drip for there is no coverage left to make it longer. Due to safety I support the request.

Pete Todoroff Chairman of the CAB.