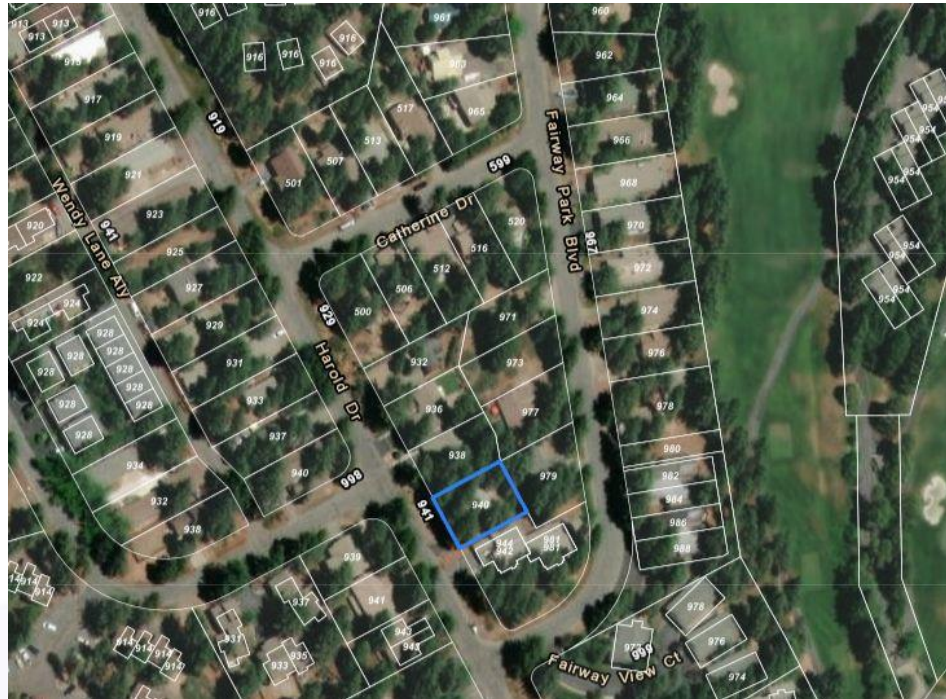


940 Harold Dr. Variance

Washoe BOA - 06/01/2023





Human Health and Safety & Washoe County Code Requirements

- An enclosed parking space is 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.

Residential Use Types (Section 110.304.15)	Spaces Required
Family Residential	
Attached Accessory Dwelling	1 per attached accessory dwelling unit, in addition to other required spaces
Detached Accessory Dwelling	1 per detached accessory dwelling unit, in addition to other required spaces
Detached Accessory Structure	None
Duplex	2 per dwelling unit, 1 of which must be in an enclosed garage
Fabricated Home	*2 per fabricated home
Multi Family	1.6 for 1 bedroom units, 2.1 for 2 bedroom and larger units; 1 of which must be in an enclosed garage or carport
Single Family Attached	2 per dwelling unit, 1 of which must be in an enclosed garage
Single Family Detached	2 per dwelling unit, 1 of which must be in an enclosed garage
Manufactured Home Parks	1.5 per manufactured home, plus 1 per 5 units for guest parking
Group Home	.25 per bed, plus 1 per employee during peak employment shift
Short-Term Rental (All Tiers)	As identified in Article 319, <i>Short-Term Rentals (STRs)</i>

Environmental & Financial Realities

Per Washoe County Tahoe Area Plan:

- *“TRPA’s approach to planning throughout the Region promotes and favors environmental redevelopment, or the redevelopment of aging development consistent with the current strict environmental standards. (pg. 2-1)”*

Residential Regulatory Zones (Fairway)

- *“The primary vision for these areas is to maintain safe and functional residentially focused regulatory zones, with development that contributes to the desired community character and attainment of the TRPA environmental thresholds. **The maintenance of existing infrastructure is critical to this vision.** (pg. 2-19)”*



Due to the precedents as established in the Washoe County Tahoe Area Plan, the environmental realities of demolishing and rebuilding an existing single-family home in order to comply within the setbacks for the construction of a garage is unrealistic.

By retaining the existing residence and allowing the construction of an attached garage within new setbacks, it accomplishes the goals set within the Washoe Tahoe Area Plan.

Incline Village Community Today

- 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.
- Incline Village has now transition in to year-round majority community of residents.

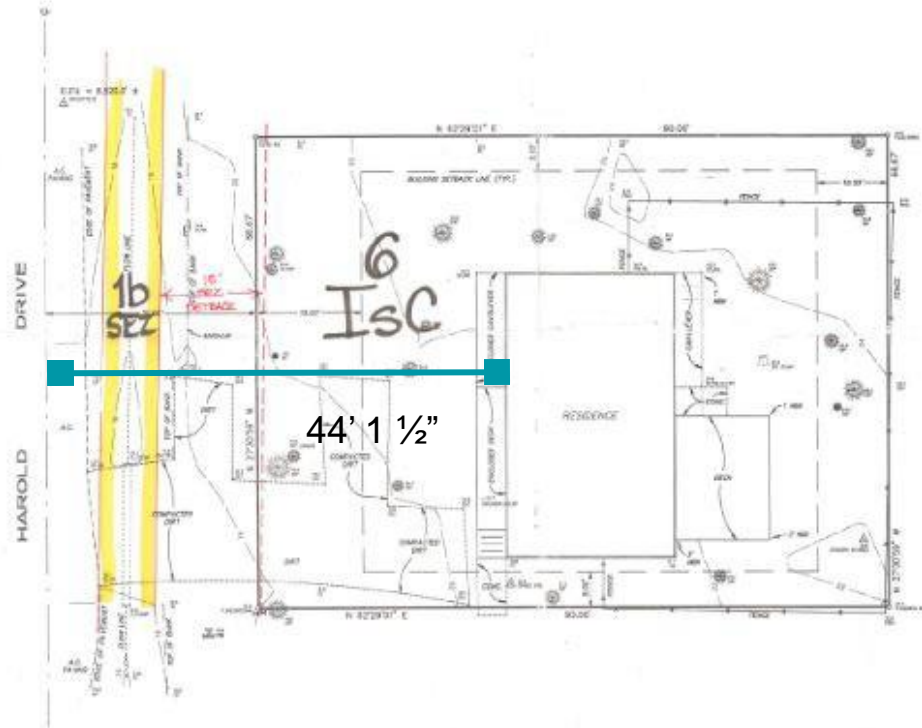
As acknowledged by the Washoe Tahoe Area Plan:

- *“Environmental redevelopment offers the best path to sustainable development by directing the remaining development capacity in the Region into areas with existing development and infrastructure, promoting economic activity, replacing sub-standard development with more energy-efficient and environmentally friendly structures...(pg. 2-19)”*

- Denial of the proposed variance for the construction of an attached garage to an existing residence thwarts the remaining development capacity and its path of improvements to sub-standard development(s) in an environmentally conscious manner.

Existing Condition Site Plan

- The Subject Parcel is relatively small (6,000 SF) and maintains an existing residence without a garage.
- ~44' 1 1/2" from Harold Dr



NOTE: ZEMING IS "LDU".

CA

DO NOT REMOVE
THIS SIGNAGE, PLEASE

Revised 10/16/16

Existing Condition



**Lack of garage
Creates human health &
safety issues**



Hardship

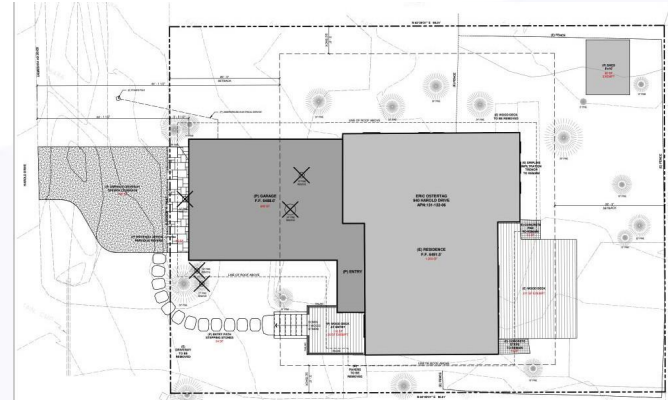
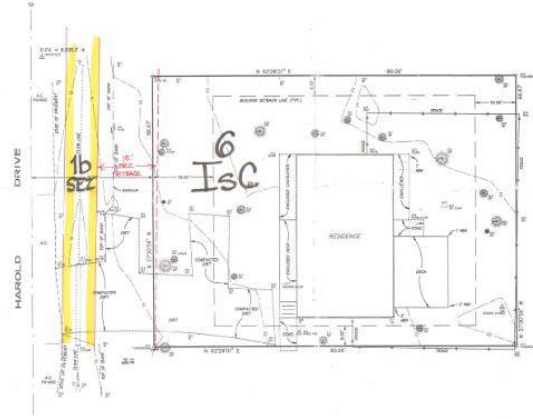
- **Narrow Parcel:** Given the location of the existing residence and the functional/regulatory requirements of a garage dimensions there is no possibility to add a garage without encroaching into the existing 20' front setback.
- The inability to install a garage that has been established to constitute a human health & safety benefit because the existing residence and parcel dimensions don't allow for it constitutes a hardship of the land.
- 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.



Parcel Conditions

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 20' front setback. The distance between the existing residence and the front setback cannot accommodate a garage.

- The difference of street to residence clearance from the existing residence would be altered from ~44' 1 ½" from Harold Drive to 24' 1 ½" from Harold Drive.



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.
- 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.



Granting of previous variances allowed for human health & safety benefits

Why is 940 Harold different?



Exhibit 1

APN: 131-121-07

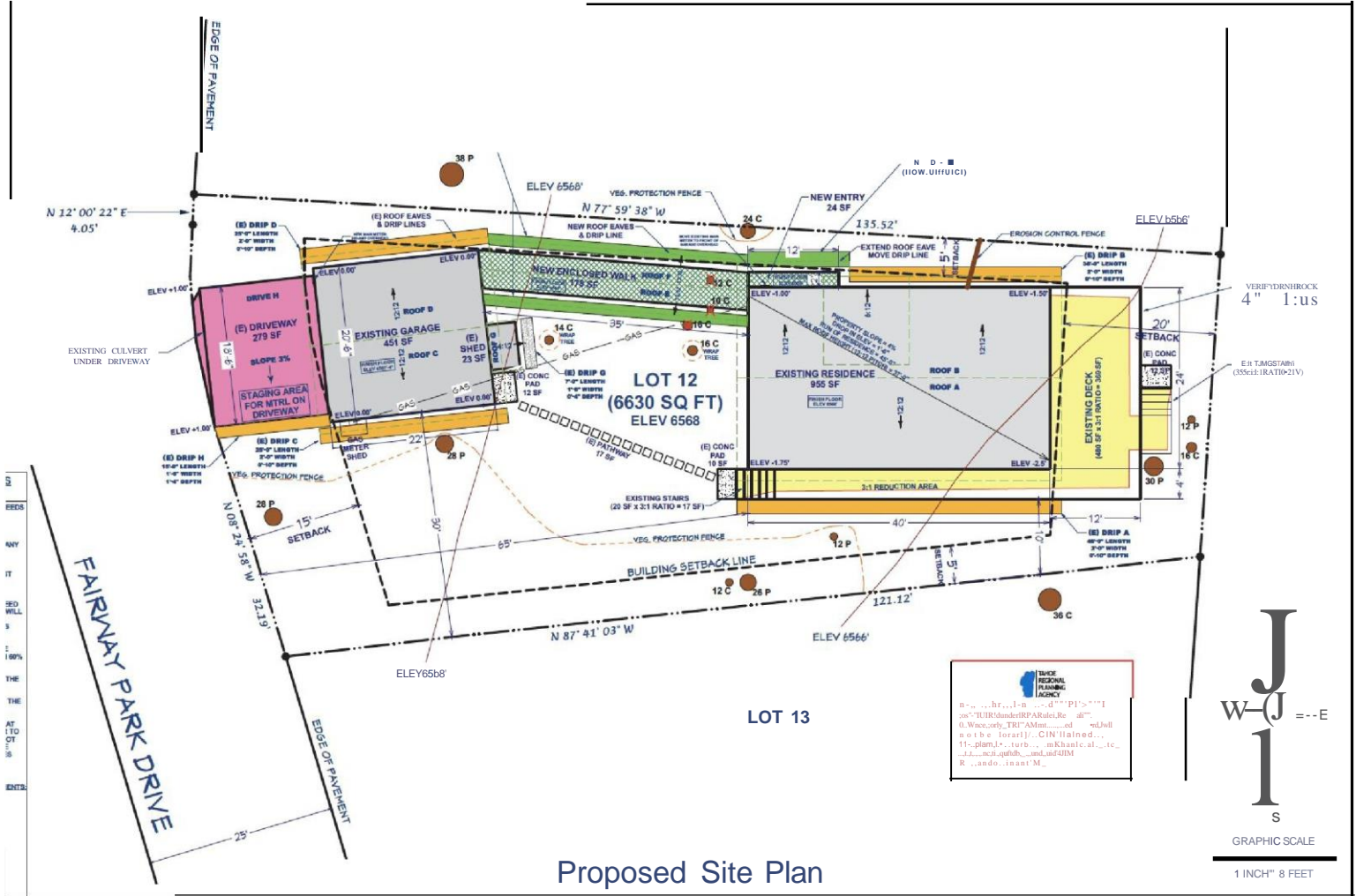
Address: 960 Fairway Park Dr

Variance File No: V-8-78W

Variance Request: "To waive rear yard setback requirements from 30 to 20 in the construction of a single family residence"







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FAIRWAY PARK DRIVE

Proposed Site Plan

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GRAPHIC SCALE
 1 INCH = 8 FEET

Exhibit 2

APN: 131-121-09

Address: 956 Fairway Park Dr

Variance File No: V4-30-96

Variance Request: "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"





Exhibit 3

APN: 131-132-01

Address: 520 Catherine Dr

Variance File No: V1-6-98

Variance Request: "To reduce the required front yard setback within Section 110 406 05 1 from 15 feet to 13 feet to bring an existing residence into conformance with code"





Agency Comments

- The engineering department recommended approval of the variance case with no additional conditions of approval (As seen in Exhibit A).



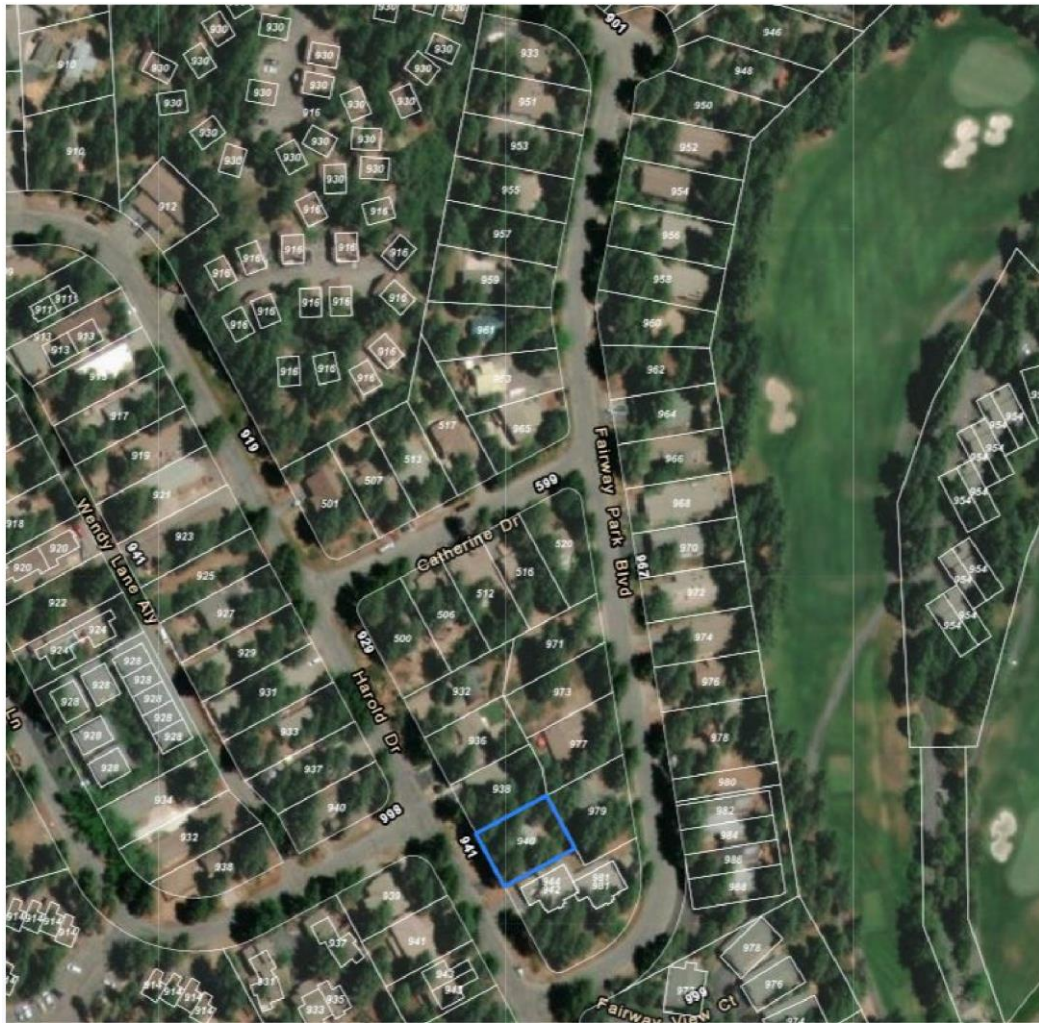
Approval of this variance would not cause a safety issue for the property and vicinity per the engineering department's approval.



Denial of this variance constitutes a safety issue through the absence of a garage.



**Questions or
Comments?**





Incline Village, Nevada
G Google Street View
Apr 2022 See more dates

