

Washoe County Board of Adjustment



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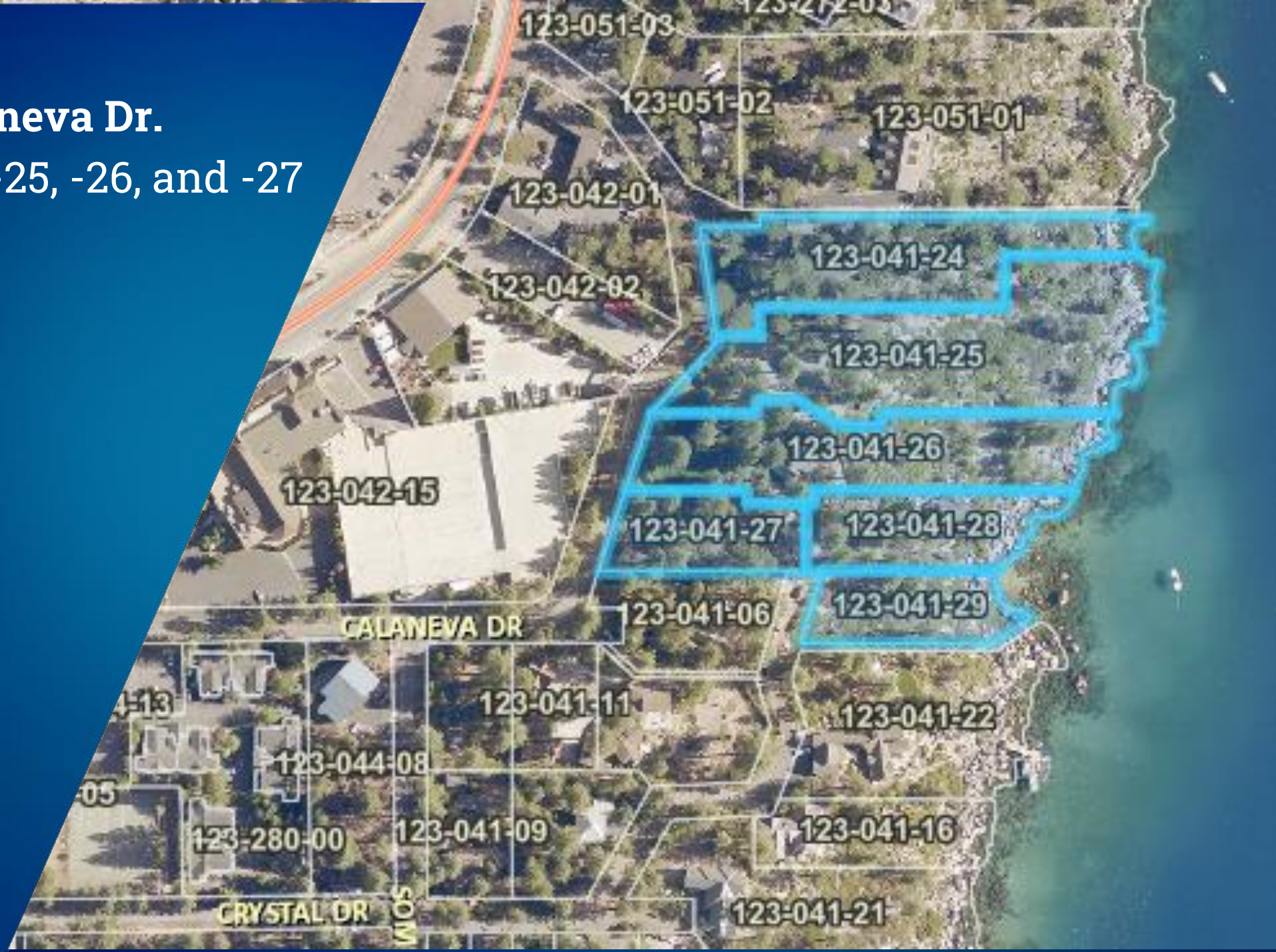
**COMMUNITY  
SERVICES DEPARTMENT**

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# **Variance Case Number WPVAR23-0005 (Summertide)**

April 4, 2024

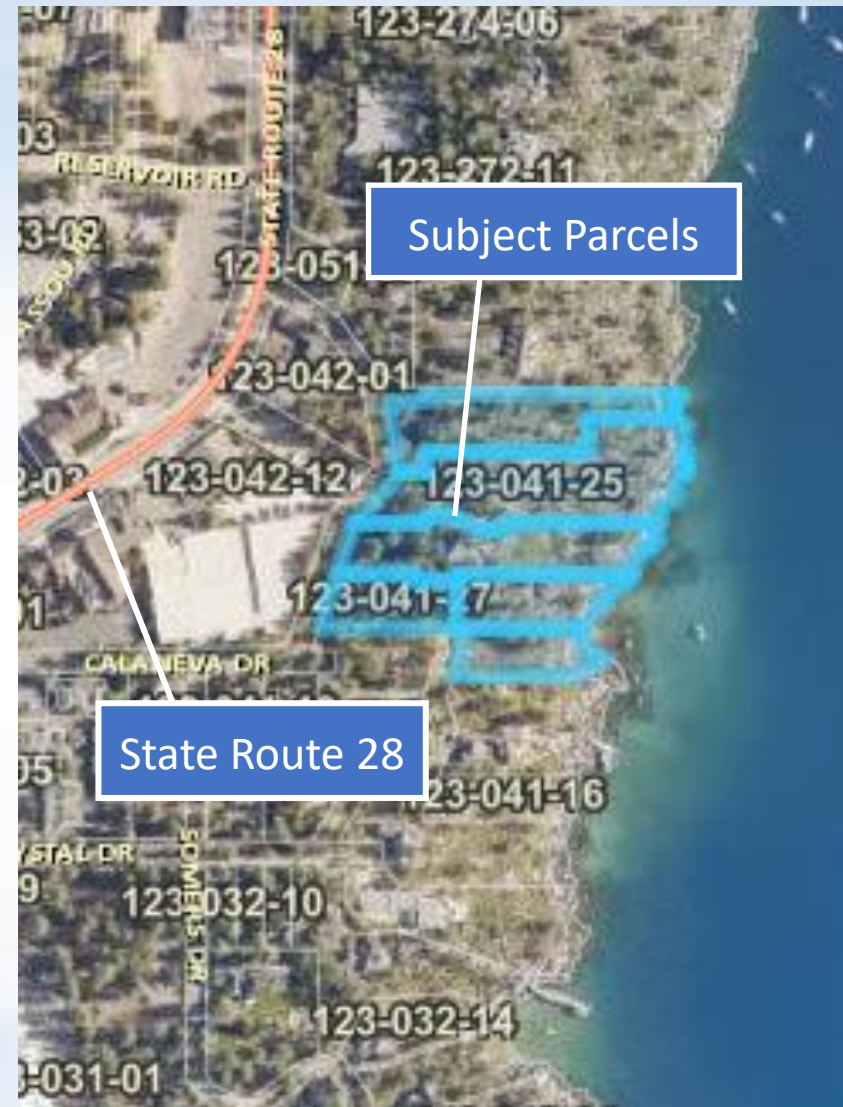
**24, 26, 28, 32 Calaneva Dr.**  
**APN 123-041-24, -25, -26, and -27**



# Vicinity Map



- Parcel sizes: 1.042 acres, 1.692 acres, 1.156 acres, 0.472 acres, 0.591 acres, and 0.445 acres
- Surrounding parcels are similarly developed with single-family dwellings
- Tahoe
- Zoned Stateline Point



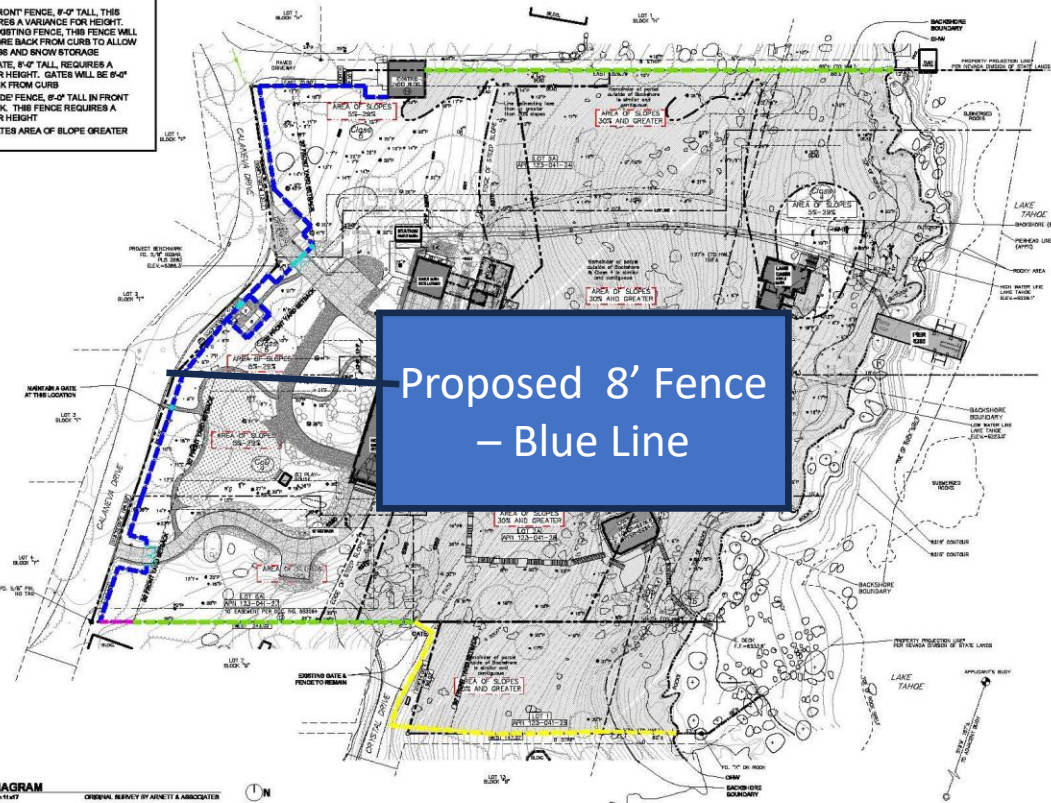
## The request is for:

- A variance to vary the fence height along the front property line from four and one-half (4.5) feet to eight (8) feet for security and aesthetic purposes on four (4) parcels along Calaneva Drive.

# Site Plan



- KEY**
- EXISTING SITE FENCE & GATE TO REMAIN
  - PROPOSED 'SIDE' FENCE, 8'-0" TALL, THIS FENCE WILL MEET CODE & DOES NOT REQUIRE A VARIANCE
  - PROPOSED 'FRONT' FENCE, 8'-0" TALL, THIS FENCE REQUIRES A VARIANCE FOR HEIGHT. UNLIKE THE EXISTING FENCE, THIS FENCE WILL BE 8'-0" OR MORE BACK FROM CURB TO ALLOW FOR PLANTINGS AND SNOW STORAGE
  - PROPOSED GATE, 8'-0" TALL, REQUIRES A VARIANCE FOR HEIGHT. GATES WILL BE 6'-0" OR MORE BACK FROM CURB
  - PROPOSED 'SIDE' FENCE, 8'-0" TALL IN FRONT YARD SETBACK. THIS FENCE REQUIRES A VARIANCE FOR HEIGHT
  - HATCH INDICATES AREA OF SLOPE GREATER THAN 30%



1 PROPOSED SITE DIAGRAM  
SCALE: 1/4" = 10'-0" (SEE PLAN) ORIGINAL, REVEY BY ANNETT & ASSOCIATES

REIKAMP LARSON ARCHITECTS INC.  
 2732 West 43rd Street, Moab, MN 55410  
 Tel. 612-285-7275 Fax. 612-285-7274

SUMMERTIDE FENCE  
 24-26-28-32 Callanave Drive  
 CRYSTAL BAY, NV 89503

PROJECT NAME:  
 VARIANCE REQUEST  
 PROJECT NUMBER:  
 18-041  
 ISSUE DATE:  
 DEC 29, 2023

DRAWN BY:

**A6**  
 PROPOSED SITE DIAGRAM

# Elevations



1 STREET VIEW LOOKING NORTH SHOWING TALL PARKING RAMP WALL - 3.5 STORIES TALL  
SOURCE: GOOGLE MAPS



2 STREET VIEW LOOKING SOUTH SHOWING COMMERCIAL WALL & FENCE - APPX 17' TALL



3 EXISTING SITE FENCE ALONG STREET (24-26-28-30 CALA NEVA DRIVE) - APPX 5.5' TO 6' TALL



4 EXISTING NEIGHBOR STREET FENCE AT 20 CALANEVA DRIVE - APPX 9' TALL

REHKAMP LARSON ARCHITECTS INC.  
2732 West 43rd Street, Miss. MN 55410  
Tel. 612-285-7275 Fax. 612-285-7274

SUMMERTIDE FENCE  
24-26-28-32 Calaneva Drive  
CRYSTAL BAY, NV 89503

PROJECT PHASE:  
VARIANCE REQUEST  
PROJECT NUMBER:  
18-041  
ISSUE DATE:  
OCT 8, 2023

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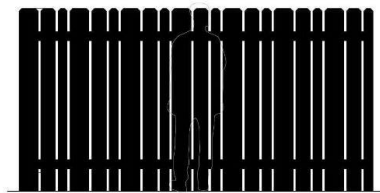


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A3  
EXISTING SITE IMAGES

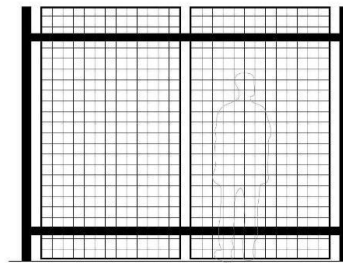
# Elevations



1 EXISTING FENCE - SILHOUETTE (ILLUSTRATING TRANSPARENCY)  
1" = 1'-0" (AS SHOWN) 1/8" = 1'-0" (AS NOTED)



1 IMAGE OF EXISTING FENCE  
1" = 1'-0" (AS SHOWN) 1/8" = 1'-0" (AS NOTED)



2 PROPOSED FENCE - SILHOUETTE (ILLUSTRATING TRANSPARENCY)  
1" = 1'-0" (AS SHOWN) 1/8" = 1'-0" (AS NOTED)



4 IMAGES SIMILAR TO PROPOSED FENCE  
1" = 1'-0" (AS SHOWN) 1/8" = 1'-0" (AS NOTED)

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 2732 West 43rd Street, Minneapolis, MN 55410  
 Tel. 612-285-7275 Fax. 612-285-7274

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 OCT 8, 2023

DRAWN BY:  
 RL, ML

**A5**  
 SITE FENCE COMPARISON

Approval of a variance is limited to particular circumstances. Nevada Revised Statutes (NRS 278.300) limits the power of the Board of Adjustment to grant variances and only under particular circumstances.

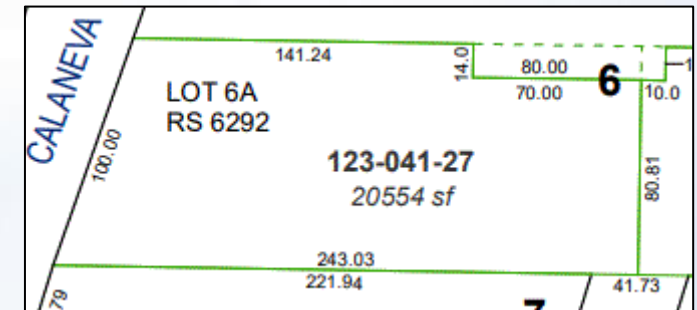
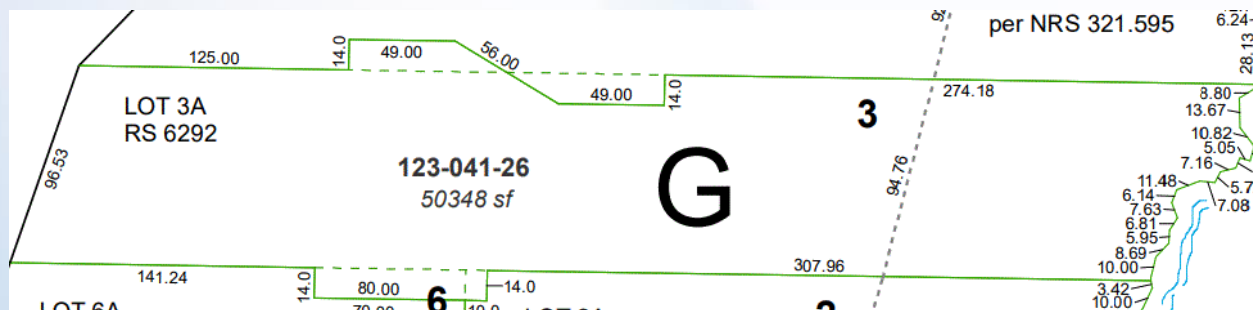
The applicant has the responsibility to demonstrate that the subject property exhibits one or more of the following characteristics to demonstrate a hardship:

- 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.



## Exceptional Narrowness and Shape of the Property

- Narrowest parcel (bottom left) that would have the proposed fence is APN 123-041-26 which has a width of 96.53 feet
- WCC 110.220.55, Yard and Lot Standards, requires a minimum width of 80 feet.
- Shallowest parcel (bottom right) that would have the proposed fence along its front property line is APN 123-041-27 with a length of 243.03 feet.
- Length is related to the parcel size; this parcel is 20,554 square feet (0.472 acres).
- WCC Section 110.220.55, *Yard and Lot Standards*, requires a minimum parcel size of 3,700 square feet for Stateline Point.
- The parcel size being 20,554 square feet is 5.5 times greater than that required by the Code.



## *Exceptional Topographic Conditions*

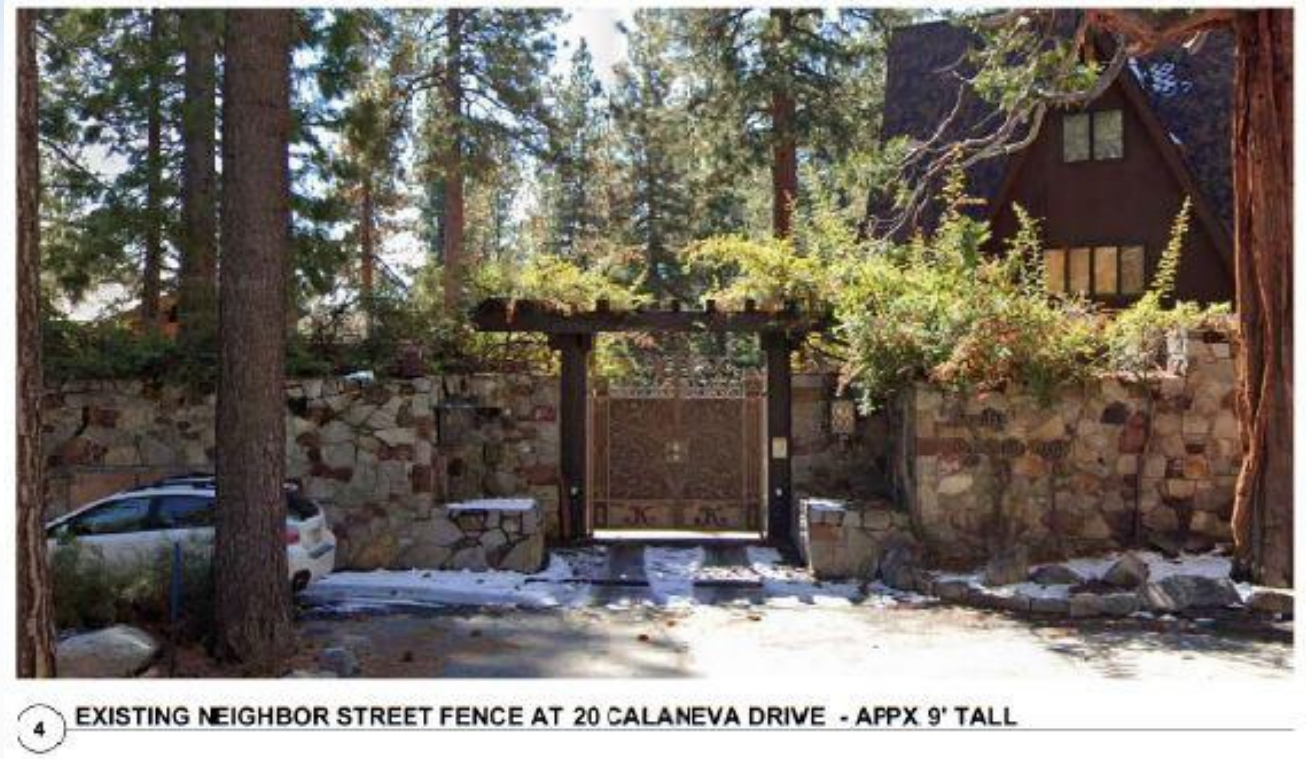
- The applicant states the following on the application:

“The site topography and compromised size of the building envelope proves this to be an exceptional situation for this Variance. Only 1/3rd of the property is usable because of the steep slope that falls at 30% slope from the back of the home to Lake Tahoe. This forces the structure to be setback near the street (and commercial zone). The fence is needed to help mitigate this proximity and provide privacy and safety.”
- Property has steep topography on approximately 66.7% of the property, limiting the building area to being closest to the commercially zoned property with the 4-story parking garage.
- Application states that an eight (8) foot fence would provide much needed security and privacy that other properties in the vicinity enjoy.
- Other properties in the area have similar topography and do not have an eight (8) foot fence, except for the property located at 20 Calaneva Drive (APN 123-041-07).

# Evaluation

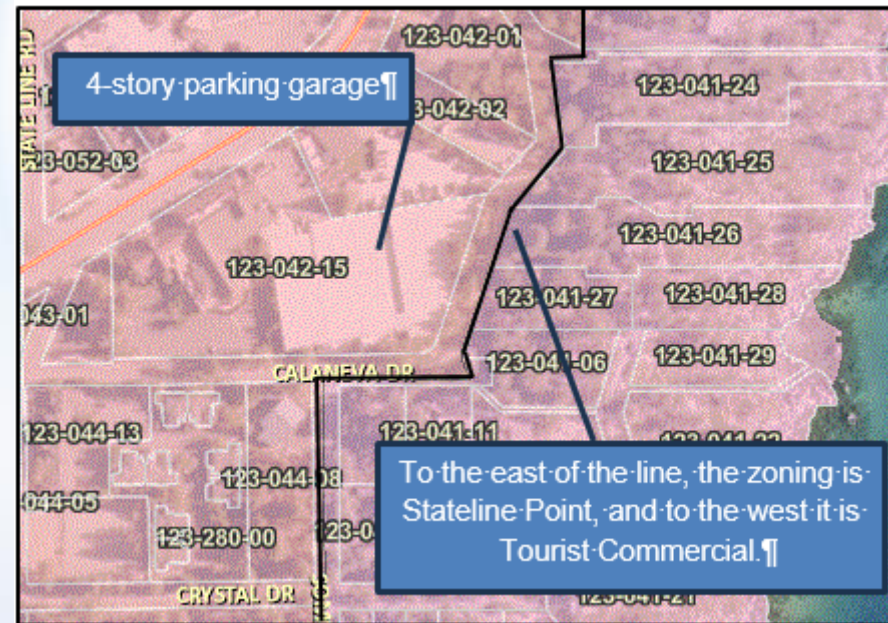


- Structure at 20 Calaneva Dr. was built in 1952 – exact date of wall construction is unknown.
- Existence of the wall does not factor into being able to make the findings for the variance.



## *Extraordinary & Exceptional Situation or Condition*

- Applicant states there's an extraordinary and exceptional situation due to:
  1. The land use relationship of the existing residential zoning being directly across the street from a 4-story commercial parking garage in a Tourist Commercial zone; and
  2. Hardship upon the owner of the property because of the imposing height/intensity of that commercial scale without regard for adjacent low intensity residential.



# Reviewing Agencies



- The project application was sent to fifteen (15) agencies for review.
- Agency comments are included in Exhibit A of the staff report.

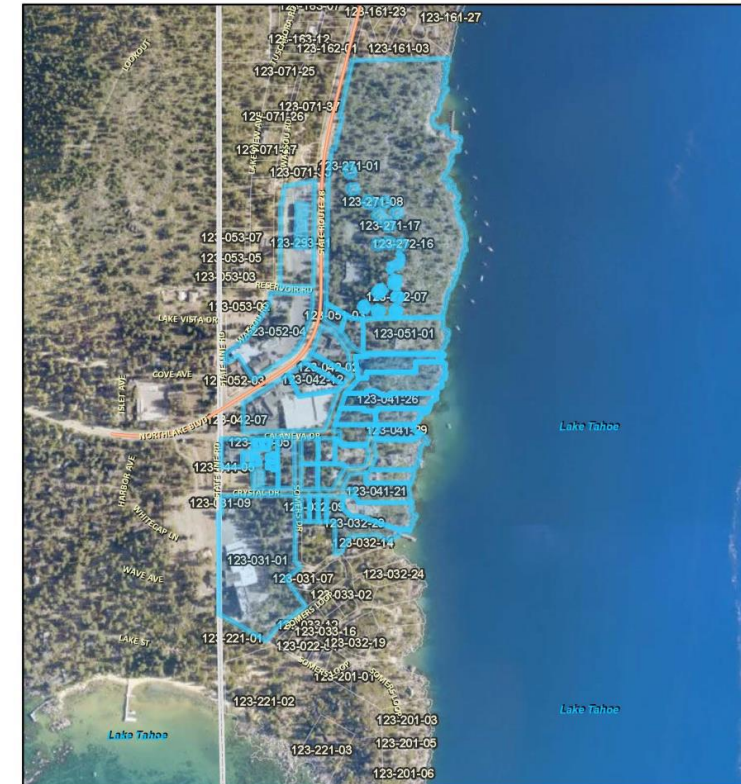
Agencies	Sent to Review	Responded	Provided Conditions	Contact
NV Water Resources	X			
Washoe County Building & Safety	X			
Washoe County Sewer	X			
Washoe County Traffic	X			
Washoe County Water Rights Manager (All Apps)	X	X		
Washoe County Engineering (Land Development) (All Apps)	X	X	X	Rob Wimer, <a href="mailto:rwimer@washoecounty.gov">rwimer@washoecounty.gov</a> ; Janelle Thomas, <a href="mailto:jkthomas@washoecounty.gov">jkthomas@washoecounty.gov</a>
Washoe County Engineering & Capital Projects Director (All Apps)	X			
NNPH Air Quality	X			
NNPH Environmental Health	X			
AT&T	X	X		
NV Energy	X			
Incline Village Roads	X			
IVGID	X			
North Lake Tahoe FPD	X			
Tahoe Regional Planning Agency	X			

# Public Notice

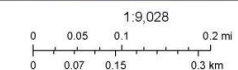


COMMUNITY  
SERVICES DEPARTMENT

- Sixty-two (62) parcels noticed
- Seven (7) public comments received



October 12, 2023



Washoe County GIS, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

This information for illustrative purposes only. Not to be used for boundary.

## **Staff is unable to make all 5 required findings, as detailed on pages 13 & 14 in the staff report.**

- a) 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;
- b) 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;
- c) 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;
- d) 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;
- e) Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

**Staff recommends the Board of Adjustment deny Variance Case Number WPVAR23-0005 and provides the following motion as shown on pages 14 and 15 of the staff report:**

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 WPVAR23-0005 for Deep Blue Water LLC, having been unable to make all five (5) required findings in accordance with Washoe County Development Code Section 110.804.25. Specifically, the Board is unable to make a finding of special circumstances either due to the exceptional property dimensions or shape, extraordinary topographical features, or an extraordinary and exceptional situation specific to the property.



# Thank you

Tim Evans, Planner  
Washoe County CSD – Planning Division  
TEvans@washoecounty.gov  
775-328-2314



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SERVICES DEPARTMENT

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