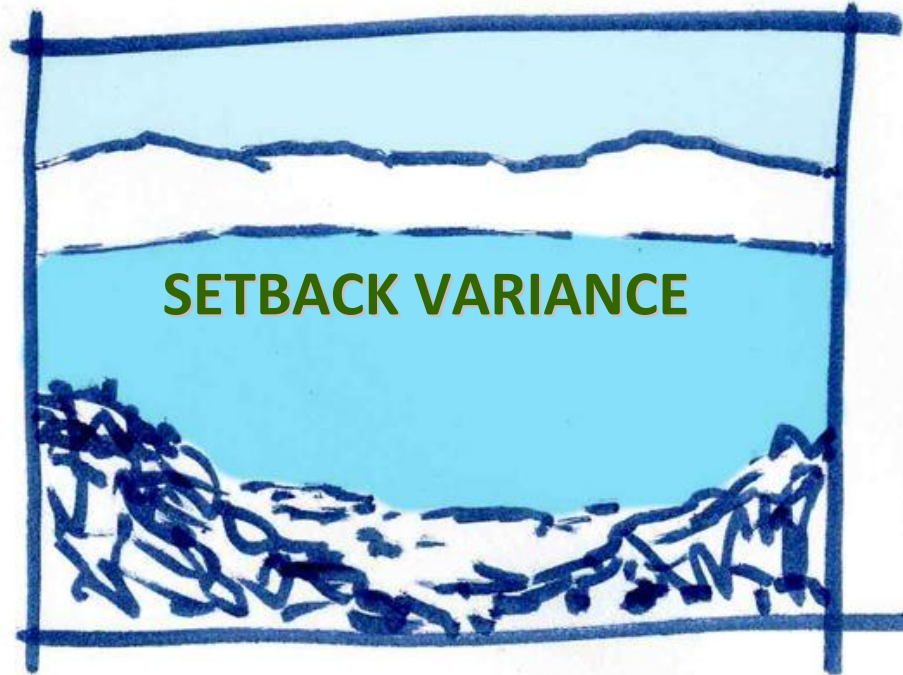


# 565 COUNTRY CLUB DRIVE



Prepared by:



**AUGUST 17, 2015**

Job # 237-01

# **565 COUNTRY CLUB DRIVE**

## **VARIANCE APPLICATION**

**Prepared for:**

Joshua Myers

565 Country Club Drive

Incline Village, Nevada 89451

**Prepared by:**

Rubicon Design Group, LLC

100 California Avenue, Suite 202

Reno, Nevada 89509

(775) 425-4800

**August 17, 2015**



**565 COUNTRY CLUB DRIVE – SETBACK VARIANCE**

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- Washoe County Development Application
- Owner Affidavit
- Variance Application
- IVGID Support Letter
- Property Tax Verification
- Preliminary Title Report

**Map Pocket:**

- Preliminary Site Plan
-



## 565 COUNTRY CLUB DRIVE – SETBACK VARIANCE

### Introduction

This application includes the following request:

- A **Variance** to allow for a reduction in the required side and rear yard setbacks within the Medium Density Suburban (MDS) zone.

### Project Location

The project site is located at 565 Country Club Road in Incline Village. Specifically, the property (APN 131-080-16) consists of 0.59± acres and is located on the west side of Country Club Road, south of Driver Way. The property adjoins the Incline Village Golf Course to the west. Figure 1 (below) depicts the project location. Note: the parcel is highlighted in yellow.

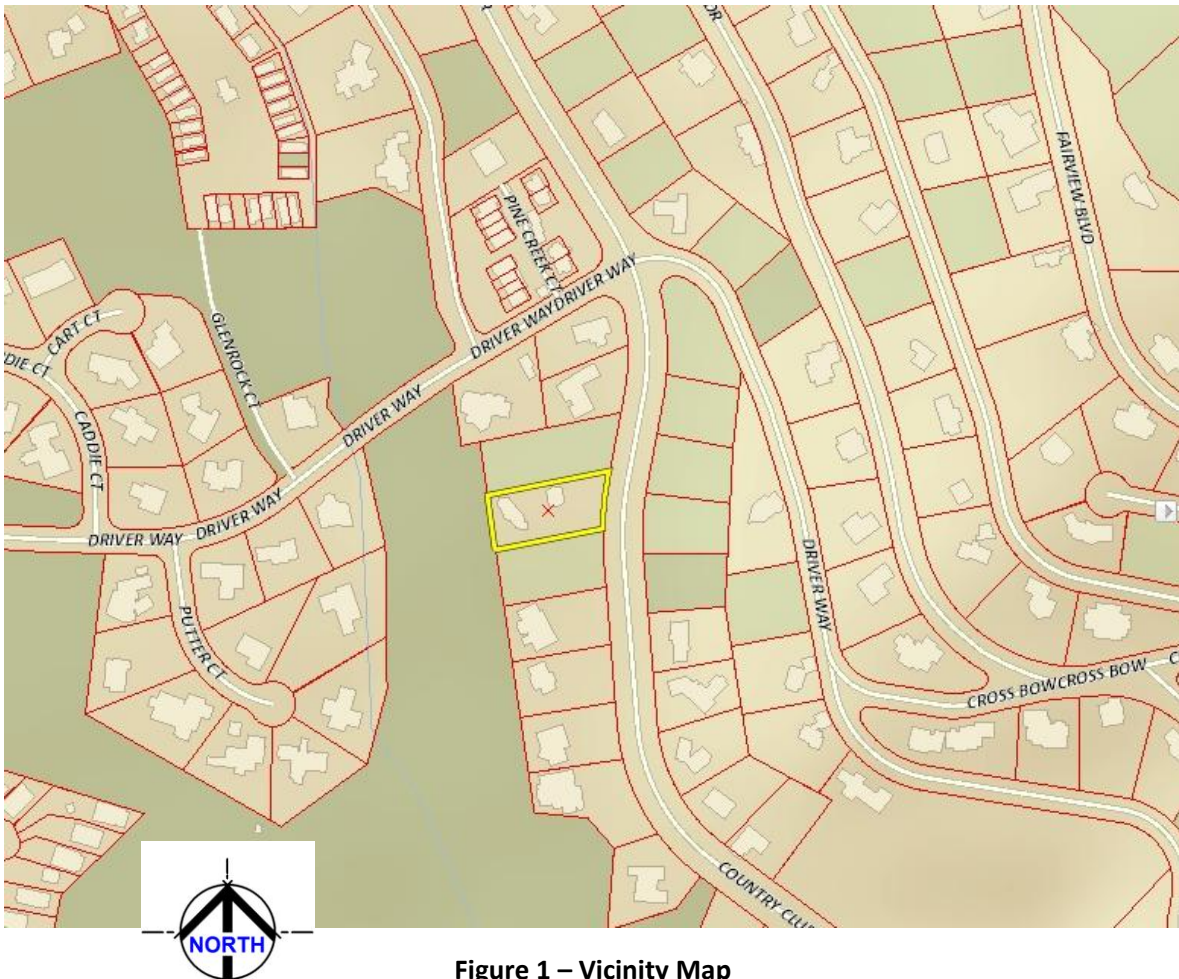


Figure 1 – Vicinity Map





## 565 COUNTRY CLUB DRIVE – SETBACK VARIANCE

### Existing Conditions

The subject property is zoned Medium Density Suburban (MDS) and is developed with a single family residence. Surrounding land use includes vacant parcels to the north, south, and east, and the Incline Village Golf Course (owned and operated by the Incline Village General Improvement District) to the west. Other single family homes are located within the neighborhood. These are shown on the vicinity map previously included in Figure 1. Like most of the lots in the area, the subject parcel is heavily wooded.

As noted, the site is currently developed with a 3,180± square foot house and 720± square foot detached garage. A small stream traverses the property from north to south. Thus, the existing home lies west of the stream and the garage lies to the east. A pedestrian bridge crosses the stream, providing connection between the house and garage.

Figure 2 (below) provides an aerial view of the site while Figures 3 and 4 (following pages) depict the existing onsite conditions.

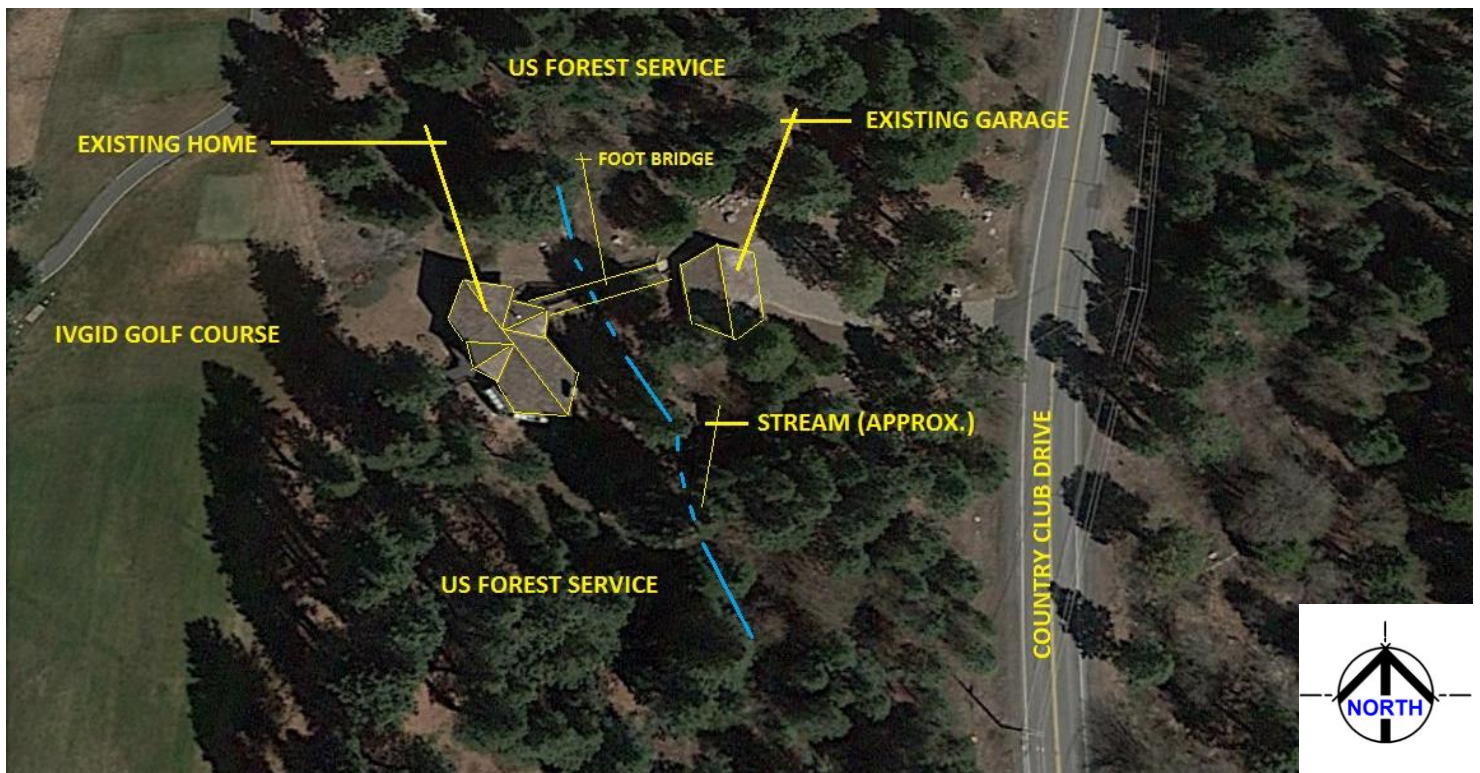


Figure 2 – Aerial View



## 565 COUNTRY CLUB DRIVE – SETBACK VARIANCE

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Figure 3 – Existing Conditions

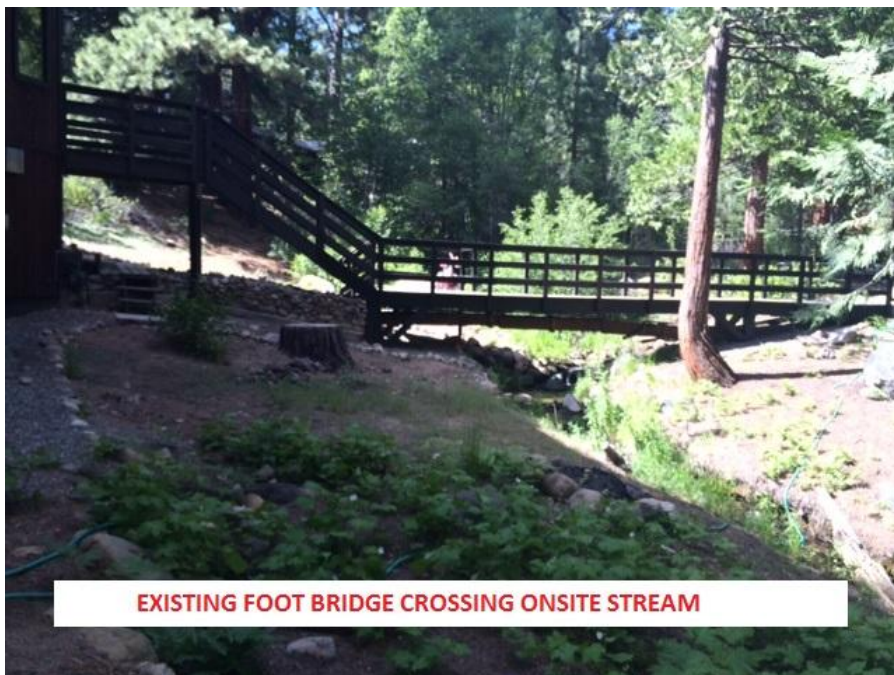




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**565 COUNTRY CLUB DRIVE – SETBACK VARIANCE**

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**Figure 4 – Existing Conditions**



## 565 COUNTRY CLUB DRIVE – SETBACK VARIANCE

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### Project Request

This application includes a request for a Variance to allow for a reduction in the required rear and side yard setbacks. The applicant is contemplating a comprehensive remodel and expansion of the home and based on a variety of unique and unusual circumstances, it is not feasible to meet the required setbacks on the north and west sides of the property.

The current home was built in the early 1970's and incorporates an unusual triangular shape. At the time of construction very building regulations existed in the Lake Tahoe Basin, as compared to today. Based on the stream that flows through the property (from north to south), the existing building footprint does not conform to current setback standards. Additionally, in reviewing the original plot plans, it appears that the home was not constructed per the final approved plans (not uncommon within the Tahoe Basin) and currently has a minor intrusion in to the rear yard setback. From an access perspective, the current home does not meet current building or ADA standards. In fact, the spiral staircase located inside of the house would not be permitted under current life/safety regulations.

Since acquiring the property in 2013, the applicant has completed a number of upgrades to the home. At this time, the applicant wishes to remodel and expand the existing homes in order to bring the interior into compliance with access requirements as well as eliminate the odd triangular configuration of the home which results in numerous inefficiencies.

Upon completing architectural analysis and plans, it was realized that in order to expand the home and remove the current triangular shape, it would be necessary to expand outward on all sides. As a result, the proposed remodeled home would intrude into the required rear and side setbacks. Specifically, the rear setback would be reduced to 10 feet (20 is required) and the northern side setback would be reduced to 6 feet from the required 8 feet.

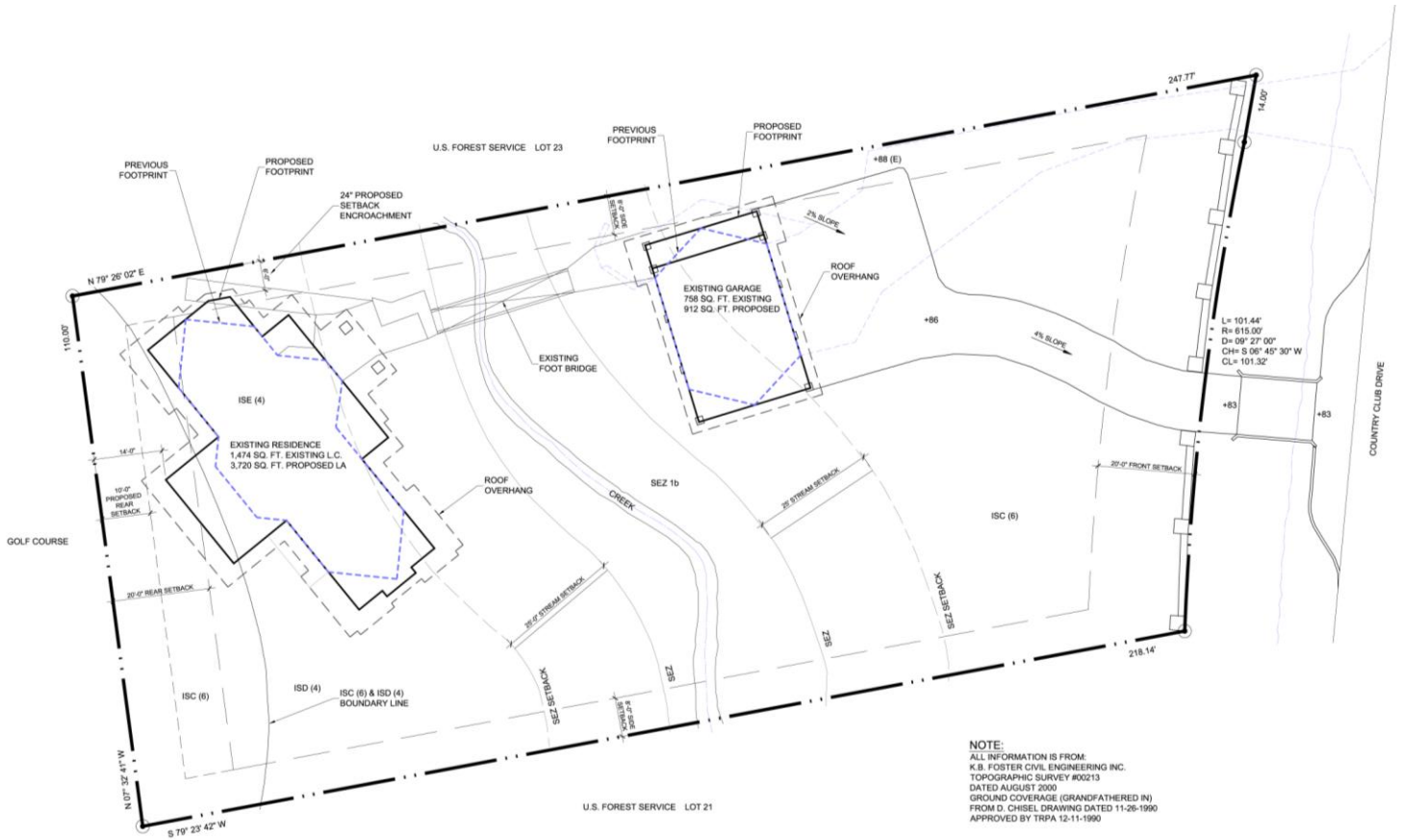
There are a variety of unique and unusual circumstances that prevent the required setbacks from being made. Most notably, the stream that bisects the property prevents further expansion to the east. Thus, there is no option but to expand westward. Although the western expansion area results in intrusion into the setbacks, there is a unique circumstance in that the parcel adjoins the IVGID golf course. As such, there is no impact whatsoever to any existing homes or residential lots. From an outside perspective, the setback variation is unnoticeable. On the north side of the home, intrusion into the side yard setback (2 feet) is necessary to eliminate the triangular configuration and allow for interior modifications that support a new safety compliant staircase. The parcel to the north is owned by the US Forest Service. Therefore, this lot will not be developed. As such, like the rear setback on the west, there is no impact to existing homes or residential parcels.

Figure 5 (following page) depicts the proposed site plan that includes the home remodel, while Figure 6 (page 7) depicts the proposed architectural elevations.





# 565 COUNTRY CLUB DRIVE – SETBACK VARIANCE



## SITE PLAN

SCALE 1"=10'-0" (WHEN ON 24" X 36" PAPER)



Note: A full size site plan is included in the attached map pocket.

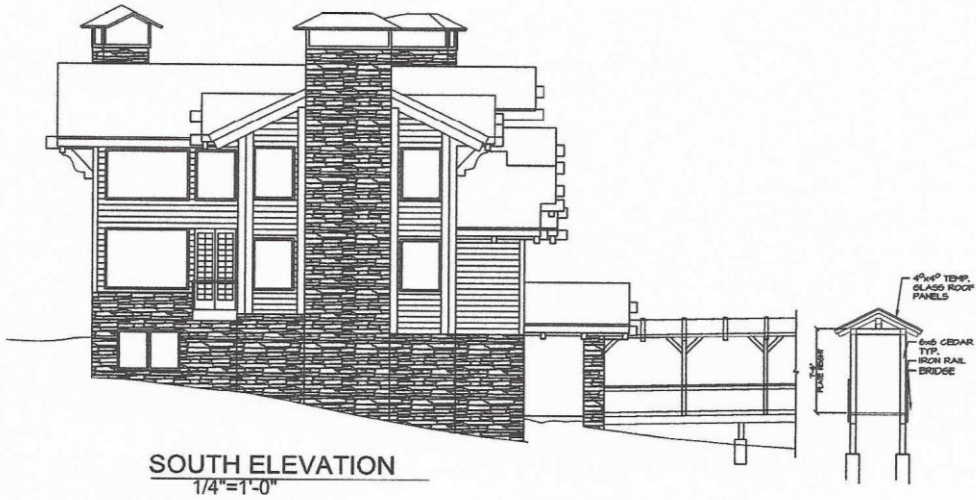
Figure 5 – Preliminary Site Plan



565 COUNTRY CLUB DRIVE – SETBACK VARIANCE



EAST ELEVATION  
1/4"=1'-0"



SOUTH ELEVATION  
1/4"=1'-0"

Figure 6 – Architectural Elevations



## 565 COUNTRY CLUB DRIVE – SETBACK VARIANCE

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As part of the home design process, the project applicant met with IVGID to discuss the reduced setbacks adjacent to the golf course. IVGID concurred that a hardship and unique circumstance exist and provided a letter in support of this Variance request stating *“IVGID recognizes that Mr. Myers’ property has unique and unusual circumstances that will require him to receive approval of a variance in order to complete the proposed home addition and bring his property into more acceptable standards for the community. Based on the unique circumstances, with the creek running through the middle of the property and US Forest Service land adjacent to this property, the District understands that a hardship may exist and offers this letter in support of his variance request for modifications to the property setbacks.”* The letter goes on to state that *“there are a number of properties built adjacent to the District’s 18-hole golf course that have received a variance to build into the property setbacks.”* A copy of the referenced IVGID letter is included in the appendices of this report.

The stream zone certainly creates a unique situation and hardship upon the property owner as it limits the ability to remodel the home and bring it into compliance with current codes and standards. A separate review process is occurring with the Tahoe Regional Planning Agency (TRPA) to address intrusions into the stream zone. As to be expected, TRPA will require new construction to be focused on the west side of the home and will allow only limited life/safety improvements to the east side. The stream zone setbacks are handled entirely by TRPA and are not a part of this variance request.

With the approval of this Variance request, the aesthetics of the property will be greatly enhanced through architectural enhancements. Additionally, new building and site disturbance will be completed in accordance with TRPA, Washoe County, and current building code requirements which will bring an existing non-conforming property into compliance with essential health and safety regulations in addition to closer compliance with strict TRPA development and coverage standards.

The impact of this Variance request is essentially zero. The fact that the lot is not, and will not ever be adjacent to another residence guarantees that no visual impacts will occur. IVGID has the greatest potential impact and has provided a letter in support of this request. Also, as noted in the IVGID letter, Washoe County has repeatedly granted setback variances for other property owners in the area, including other parcels on Country Club Drive. Examples of these variances can be seen in Figure 1 (previous) as it included building footprints overlaid on the parcel base. As such, Washoe County has established a precedent in their interpretation of the circumstances surrounding variance approvals that is consistent with the request presented herein. Furthermore, this request has additional unique circumstances and hardships that go above and beyond those associated with other Variances in the area. Granting of this Variance will therefore not result in any special privileges being granted to the property owner.

Below is an overall summary of the Variance being requested:

Setback Area	Required Setback	Proposed Setback
Rear Yard (adjacent to golf course)	<b>20 feet</b>	<b>10 feet</b>
Side Yard (north side/USFS)	<b>8 feet</b>	<b>6 feet</b>





## 565 COUNTRY CLUB DRIVE – SETBACK VARIANCE

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### Variance Findings

The Washoe County Development Code (Section 110.804.25) establishes legal findings that must be made by the Board of Adjustment or Planning Commission in order to approve a Variance request. These findings are listed below and are addressed in **bold face** type.

- (a) Special Circumstances. Because of the special circumstances applicable to the property, including either the:
- (1) Exceptional narrowness, shallowness or shape of the specific piece of property, or
  - (2) By reason of exceptional topographic conditions, or
  - (3) Other extraordinary and exceptional situation or condition of the property and/or location of surroundings,

**As noted previously, there are several unique circumstances and a significant hardship that exists which warrant the granting of a Variance in this particular case. Specifically, the stream zone that traverses the site does not allow for any adjustments to the structure on the east side. As such, expansion must occur on the west. Additionally, the expansion is needed to accommodate up-to-date life and safety code issues and will greatly enhance the home and overall neighborhood with the proposed architectural improvements. Other exceptional conditions that are unique to the property are the fact that the parcel is surrounded by properties that will never be developed (US Forest Service to the north and south and IVGID to the west). Therefore, the Variance request results in no impact whatsoever. Further reinforcing this is the fact that IVGID has offered their official support and further recognizes that unique characteristics and a hardship exist.**

- (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.

**This request results in a zero impact to the general public and, in fact, will not be visually noticeable from any surrounding residence or roadway. The intent of the setback requirements are to create a buffer and reasonable separation between structures. In this case, the adjoining properties will never be developed. Thus, the intent of the ordinance is upheld based on the fact that proper separation will be maintained.**

- (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; and

**As noted, depicted, and verified by IVGID, Washoe County has granted numerous setback variances in Incline Village, including Country Club Drive. As such, a precedence has been established and the granting of this request will not result in a special privilege being granted to the property owner.**



## 565 COUNTRY CLUB DRIVE – SETBACK VARIANCE

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- (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.

**The existing home and proposed expansion comply with the regulations of the Medium Density Suburban (MDS) zone in terms of allowable land use, etc. and complies with all other applicable requirements excluding setbacks.**

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

**Not applicable.**

# APPENDICES



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.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: 565 Country Club Drive - Setback Variance			
Project Description: A request to reduce the required rear and side yard setbacks for a home located at 565 Country Club Drive in Incline Village (MDS zone).			
Project Address: 565 Country Club Drive, Incline Village			
Project Area (acres or square feet): 0.59 acres			
Project Location (with point of reference to major cross streets <b>AND</b> area locator): The property (565 Country Club Drive) is located on the west side of Country Club Drive, south of Driver Way.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
131-080-16	.59 acres		
Section(s)/Township/Range: Section 10, T16N, R18E			
<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>		<b>Professional Consultant:</b>	
Name: Joshua Myers		Name: Rubicon Design Group, LLC	
Address: 565 Country Club Drive		Address: 100 California Ave., Suite 202	
Incline Village, NV	Zip: 89451	Reno, NV	Zip: 89509
Phone: 520-400-4845	Fax:	Phone: 775-425-4800	Fax:
Email: jgm@blackstonedevelopmentgroup.com		Email: mrailey@rubicondesigngroup.com	
Cell: Same as Above	Other:	Cell: 775-250-3455	Other:
Contact Person: Joshua Myers		Contact Person: Mike Railey	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: Same as Above		Name:	
Address:		Address:	
	Zip:		Zip:
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
<b>For Office Use Only</b>			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	



## 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?

This application request to vary standards contained within Article 406 - Building Placement Standards. Specifically, it is requested to vary the MDS setback standards identified in Table 110.406.05.1 (Part 3). Refer to attached report for a detailed description.

**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 site is bisected by a stream that reduces overall building area and is bordered by IVGID and US Forest Service lands that will never be developed. Refer to attached report for a detailed description, variance rationale, and analysis of applicable findings.



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 requested variance results in no measurable impacts to existing homes in the area based on the fact that it abuts properties that will not develop. Refer to attached report for a highly detailed explanation.

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 variance will ensure that the onsite stream is protected and will greatly enhance the aesthetics of the neighborhood. Refer to the attached report for a highly detailed description.

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

Setback variances, similar to the one included with this application, have been granted throughout the neighborhood. Therefore no special privilege will be granted with this request. Refer to attached report for additional details and analysis.

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
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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
---	--



July 17, 2015

Washoe County Community Services Department  
Attn: Planning and Zoning  
1001 E. Ninth St.  
Reno, NV 89505

**Subject: 565 Country Club Drive, APN 131-080-16  
Mr. Josh Myers, Property Owner**

The Incline Village General Improvement District owns and operates an 18-hole golf course in Incline Village. The subject applicant, Mr. Myers, owns the property at 565 Country Club Drive, which borders one of the golf holes along the rear property line. The closest cross street to this golf course hole is Driver Way.

IVGID recognizes that Mr. Myers' property has unique and unusual circumstances that will require him to receive approval of a variance in order to complete the proposed home addition and bring his property into more acceptable standards for the community. Based on the unique circumstances, with the creek running through the middle of the property and US Forest Service land adjacent to this property, the District understand that a hardship may exist and offers this letter in support of his variance request for modifications to the property setbacks.

There are a number of properties built adjacent to the District's 18-hole golf course that have received a variance to build into the property setbacks. Where this has occurred, the District has reviewed the variance request and made appropriate comments during the plan review process. Typically the District requires an additional Hold Harmless Agreement from any claims, loss, etc from the District's use, operation and maintenance of the golf course. The District does not see the currently proposed variance request to impact our use, operation or maintenance of the golf course and would require the additional Hold Harmless Agreement to be recorded on the property.

Please do not hesitate to contact me at 775-832-1269 if you have any questions with regard to this letter.

Sincerely,

A handwritten signature in blue ink that reads "Joseph J. Pomroy".

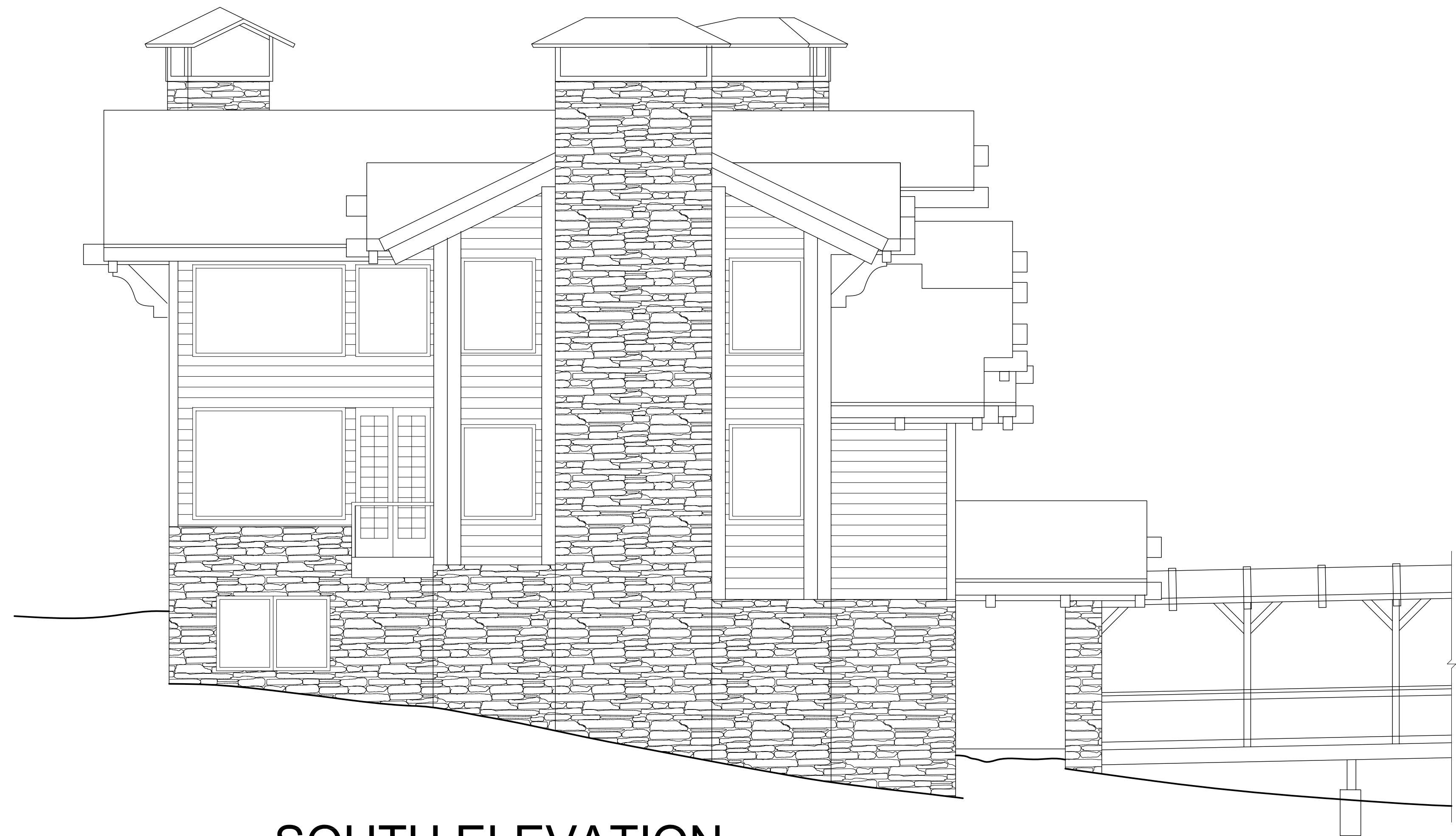
Joseph J. Pomroy, P. E.  
Director of Public Works

C: Property File

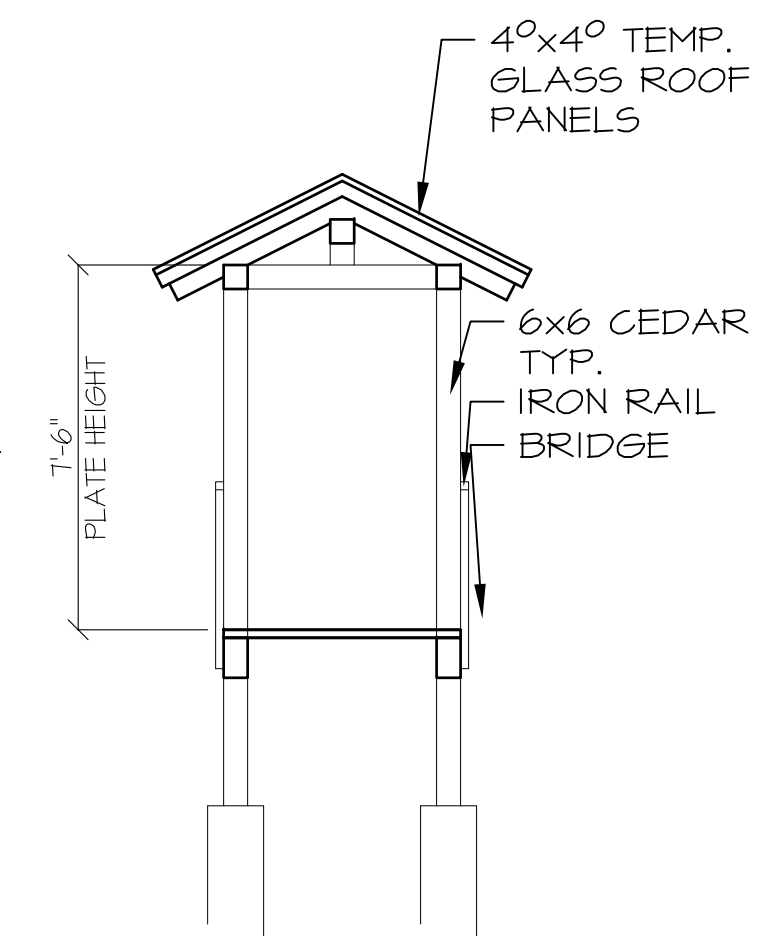




**EAST ELEVATION**  
1/4"=1'-0"



**SOUTH ELEVATION**  
1/4"=1'-0"



**MEYERS RESIDENCE**

LAKE TAHOE, CA

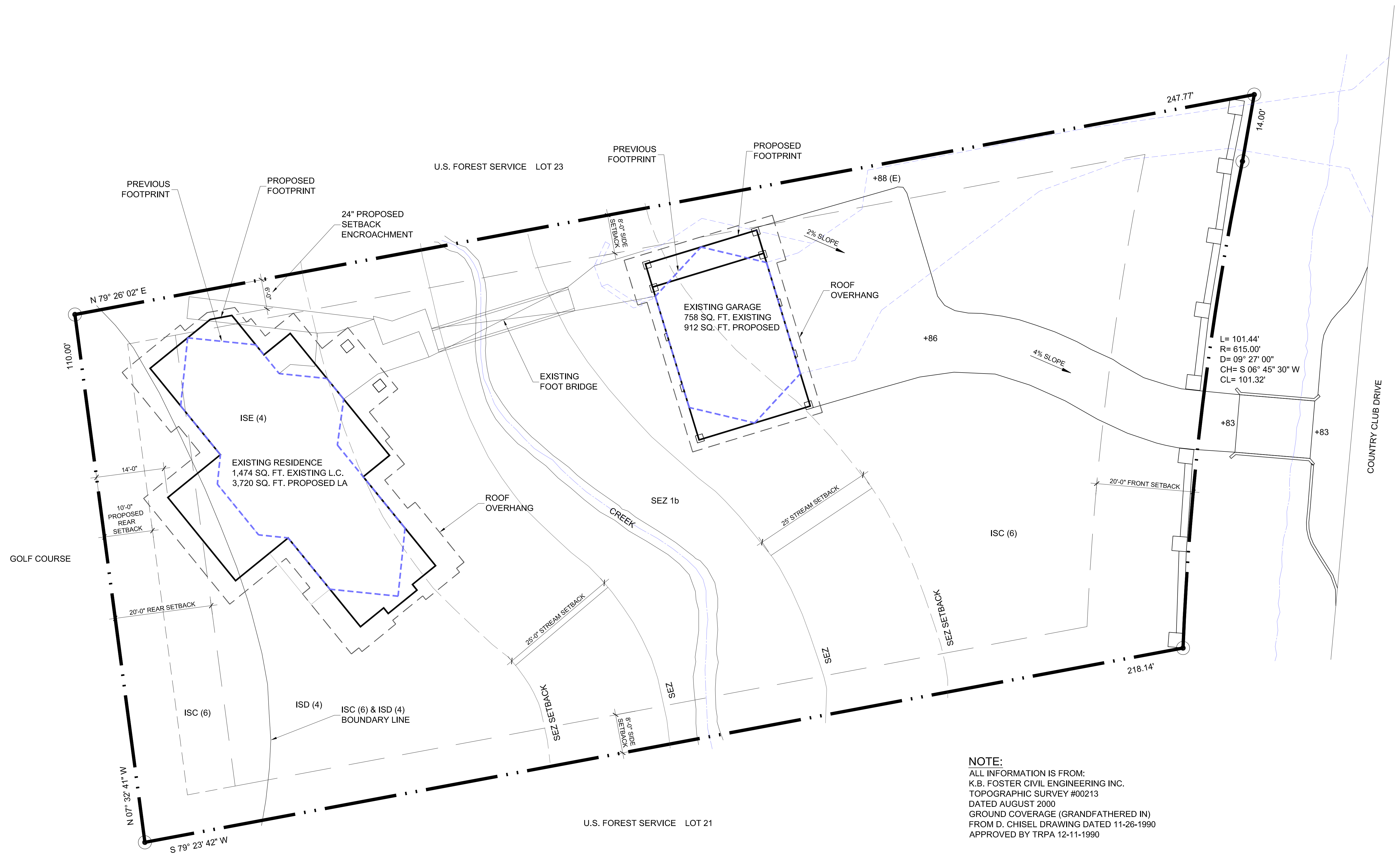
8/17/15

ELEVATIONS

**A3**







GOLF COURSE

U.S. FOREST SERVICE LOT 23

U.S. FOREST SERVICE LOT 21

COUNTRY CLUB DRIVE

**NOTE:**  
 ALL INFORMATION IS FROM:  
 K.B. FOSTER CIVIL ENGINEERING INC.  
 TOPOGRAPHIC SURVEY #00213  
 DATED AUGUST 2000  
 GROUND COVERAGE (GRANDFATHERED IN)  
 FROM D. CHISEL DRAWING DATED 11-26-1990  
 APPROVED BY TRPA 12-11-1990

**SITE PLAN**

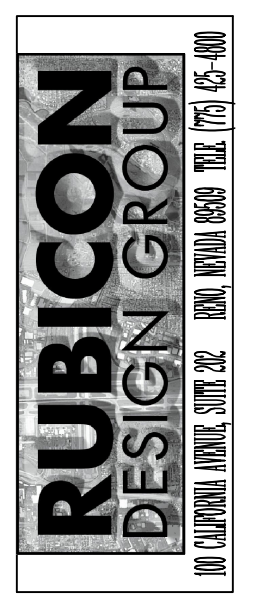
SCALE: 1"=10'-0" (WHEN ON 24" X 36" PAPER)  
 0 5' 10' 15' 20'

EXISTING (GRANDFATHERED IN) & PROPOSED COVERAGE								EXISTING COVERAGE BY CMH APPROVED 12-11-1990						
CAPABILITY CLASS	LOT AREA	% ALLOWED	SQ. FT. ALLOWED	EXISTING COVERAGE	EXISTING EXCESS	PROPOSED REMOVED	ADDED	PAVING	BUILDINGS	DECKS/BRIDGE	WALKS	PATIO	CONC. PAD	TOTAL
CLASS 6	14,350	30%	4,305	3,147	0	1,980	2,952	2,000 SQ. FT.	2,056 SQ. FT.	752 SQ. FT.	437 SQ. FT.	101 SQ. FT.	35 SQ. FT.	CLASS 6 3,147 SQ. FT.
CLASS 4	7,431	20%	1,486	2,155	669	928	781							CLASS 4 2,155 SQ. FT.
CLASS 1	3,844	1%	38	79	41	113	130							CLASS 1 79 SQ. FT.
TOTAL	25,625		5,823	5,381										TOTAL 5,381 SQ. FT.
TOTAL EXCESS					710		539							

FINALIZED 1-16-2014  
 WEST SIDE REV. 01-01-2014  
 MYERS SITE PLAN W/ TRPA 12-25-2013

NO.	REVISIONS	DATE

DATE: 08-13-2015  
 SCALE:  
 DRAWN BY:  
 DESIGNED BY:  
 CHECKED BY:



PRELIMINARY SITE PLAN FOR 565 COUNTRY CLUB DR.  
 INCLINE VILLAGE, NV A.P.N. 131-080-16

ELECTRONIC FILE/  
 PROJECT NO.

SHEET NO.