

CE
Item 8B
POA 2/2/17

Response to Variance

Application WPVAR16-0001

380 Tuscarora, Crystal Bay

Submitted By John Sell, 390 Tuscarora, Crystal Bay NV
February 2, 2017

January 30, 2017.

Chad Giesinger
Senior Planner
Washoe County Community Services Department
Planning And Development Department
Via e-mail: cgiesinger@washoecounty.us (letter only)

RE: Variance case #WPVAR16-0001, 380 Tuscarora Road, Crystal Bay, Washoe County AP#123-142-15, Nevada

Dear Chad:

I am providing a response to variance case number WPVAR16-0001 (Meyer-McSherry). This is a variance request for property located at 380 Tuscarora Crystal Bay NV. I am the property owner of the house next door (390 Tuscarora - APN 123-142-04)) which is adjacently North. My property is directly affected by the Front and North setback variances requested in the application.

The requested variances will negatively affect my visual quality and privacy and create maintenance, snow loading/snow storage issues and safety concerns/issues for my property.

The proposed 380 Tuscarora design centers on "preservation" of a large secondary white fir tree. This tree is unlikely to survive the proposed construction. The previous owner of 380 Tuscarora had obtained a permit to remove the tree in 2010 because of health and safety issues. (*TRPA permit #TREE2010-1216, see copy attached.*) The tree is co-dominate with multiple tops. The permit to remove it expired in 2013. The owner mentioned to me she did not want to spend the money. The house was sold to the present owners in 2015.

Tree removal/preservation is not governed by Washoe County and stating that the tree is an old growth tree is misleading as the tree was marked by TRPA to be removed as being a potential hazard due to the multiple tops and proximity to the existing residence. Since the tree could be removed, the owners are creating a self-induced hardship. I have had two similar trees on my property that have died and had to be removed. I understand the loss, but this is not a special circumstance.

Designing around this tree is a logical fallacy considering the negative impact of the proposed design to my property. It appears to me that this tree is simply being used as rationale for other considerations. The tree needs to go and a different design be proposed. Instead of building a new structure by my property line and connecting it to the residence with a "bridge in lieu of conventional construction", get rid of the tree and propose something connected to their house. In other words, put it by the 380 house, not my house.

Regarding question #2, item #4, of the variance application, the applicant has not addressed Washoe County Code section 110.220.25 "requirement for the construction of a garage": There is coverage available to transfer onto the parcel under the "health and safety" provision. Crystal Bay parcels are generally steep and narrow, have limited coverage and little or no onsite parking. The above referenced code section allows for coverage transfers for the purposes of providing 1-2 enclosed parking spaces per parcel.

The proposed structure will also impact slope stabilization improvements previously approved and constructed at 390 Tuscarora Road: Washoe County permit #04-4462, 10/13/04, finalized 4/11/06; TRPA permit #2004-1122STD, BMP retrofit certificate #2058. Rockery walls were also permitted and constructed at 380 Tuscarora Road in 2012 (Washoe County permit #12-1792), and were connected to my rockery wall to stabilize the hillside between our houses which is in excess of a 50% downslope.

The proposed side setback of 3'6" for the building, and the proposed additional 14" beyond that of the roof eaves, is too close to my property line. This leaves no room for snow removal/storage for each of our properties. Additionally, snow sliding off the roof of the proposed garage will impact my property by affecting snow removal/storage and could damage my rockery slope stabilization. The proposed reduced setback will also affect my property and my rockery slope stabilization during the course of construction. Also, there is a power pole just inside the property line of 380 Tuscarora Road which will be affected if the reduced side setback is approved.

The proposed project should be redesigned and include removal of the subject tree, placement of the proposed structure closer to the existing residence and elimination of the request for a reduced side setback. I will not grant access onto my property for the construction of this poorly designed project, nor will I grant an easement for the maintenance of a structure placed too close to my property line.

Furthermore, when I look at the proposed area for the garage it appears at least 4 large trees (maybe 5) would have to be removed close to my property line. These are trees which would provide better privacy and visual quality and frankly are better candidates for preservation if that is the interest.

In section 3 of the application it states "the proposed location of the garage will have no effect on the views from the neighboring properties". That is not true. I have two windows on the side of my house that would view the proposed garage/living area and that would be a quite different view from the trees and partial lake view I see now.

Also, the statement "There will be no detrimental impact on the neighbors privacy given the location of adjacent homes and the absence of view window(s) adjacent to the garage" is a little confusing, but if it is referring to my house and my privacy, I am very much affected. I have two windows in my master bedroom and bathroom that will be in view of the proposed structure with its facing window. This is a big privacy issue for me and a change from present.

Parking is a significant concern in this area and generally getting worse, particularly during periods of snow removal. 380 Tuscarora currently has a parking pad that has regularly accommodated two vehicles. The proposed project creates covered space for one vehicle and one parking pad space, so total parking remains the same but new living space additions may increase parking demand in an area already too congested and limited. The proposed plan adds to the general problem.

This is an unnecessary design that puts a new structure (garage and living space) 3.5 ft. from my property and creates various detrimental impacts for me. If a garage is desired by the residents of 380 Tuscarora they should build it next to their house, not mine.

I'm enclosing the following documents to show the as-built conditions as they currently exist with respect to my property and the subject property:

1. *Site plan, existing conditions, partial.*
2. *Copy of Washoe County permit #04-4462, for my rockery walls.*
3. *Copy of TRPA permit #TREE-2010-1216, for removal of subject tree.*
4. *Copy of Washoe County permit #12-1792, for the rockery walls at 380 Tuscarora Road.*
5. *Copy of applicant's plan, sheet A1.1-A1.4.*
6. *6 photographs of the existing winter conditions taken the week of 1/23/17.*
7. *1 photograph of the rockery walls at 390 Tuscarora Road taken during non-snow conditions.*

Thank you for allowing me the opportunity to comment on this project. I think my concerns are quite legitimate under the circumstances.

Sincerely,



John Sell
390 Tuscarora
Crystal Bay NV 89402

OFFICIAL NOTICE OF PUBLIC HEARING

DATE: January 20, 2017

You are hereby notified that the **Washoe County Board of Adjustment** will conduct a public hearing at the following time and location:

1:30 p.m., Thursday, February 2, 2017

County Commission Chambers, 1001 East Ninth Street, Reno, NV 89512

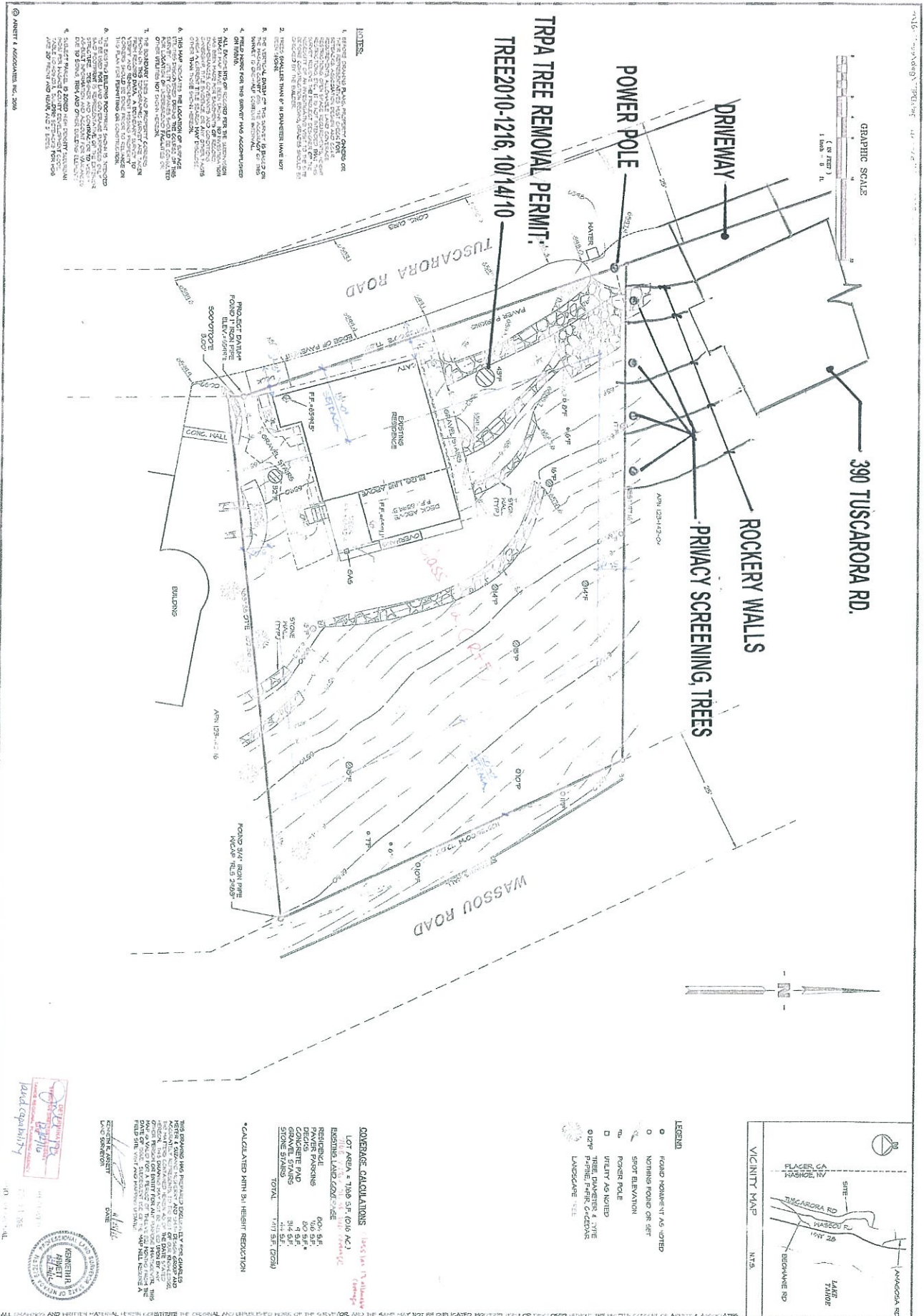
RE: Variance Case Number WPMAR16-0001 (Meyer-McSherry) – Hearing, discussion, and possible action to approve a variance to the front and side yard setbacks to allow for the construction of a garage and associated hallway connection. The front yard setback would be reduced from 20 feet to 7.1 feet and the side yard setback would be reduced from 5 feet to 3.5 feet.

- Applicant: Charles Meyer and Suzanne McSherry
- Property Owner: Meyer-McSherry Family Trust
- Location: 380 Tuscarora Road, Crystal Bay, 89402
- Assessor's Parcel Number: 123-142-15
- Parcel Size: .16 acres
- Master Plan Category: Suburban (S)
- 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 19, T16N, R18E, MDM,
Washoe County, NV
- Staff: Chad Giesinger, AICP, Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775-328-3626
- E-mail: cgiesinger@washoecounty.us

As an owner of property in the vicinity, you are invited to present testimony relative to these matters.

To access additional information about this item, please visit our website at www.washoecounty.us/csd/planning_and_development/, choose **Boards and Commissions**, then **Board of Adjustment, Meetings, +2017**. Then click on the above referenced meeting date.

EXISTING CONDITIONS, PARTIAL



TRPA TREE REMOVAL PERMIT:
TREE2010-1216, 10/14/10

- NOTES:**
1. EXISTING CONDITIONS SHOWN ARE BASED ON AERIAL PHOTOGRAPHS AND FIELD SURVEY. THE EXISTING CONDITIONS MAY VARY FROM THE SHOWN CONDITIONS. THE EXISTING CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF WORK.
 2. THE EXISTING CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF WORK. THE EXISTING CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF WORK.
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THIS SURVEY WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF LAND SURVEYORS AND ENGINEERS OF THE STATE OF NEVADA. THE SURVEY WAS MADE ON THE 14th DAY OF OCTOBER, 2010. THE SURVEY WAS MADE BY THE SURVEYOR, AND THE SURVEY WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF LAND SURVEYORS AND ENGINEERS OF THE STATE OF NEVADA.

COVERAGES CALCULATIONS

LOT AREA = 7188 SF (0.16 AC)

EXISTING LAND COVER

RESIDENCE	600.5 SF
PLAYER PARKING	160.5 SF
DRIVE	80.5 SF
GRAVEL PAD	314.5 SF
STONE STAIRS	314.5 SF
TOTAL	1470.5 SF (20%)

* CALCULATED WITH 5% HEIGHT REDUCTION

LEGEND

- FOUND REMAINT AS NOTED
- NOTHING FOUND OR SET
- SPOT ELEVATION
- POWER POLE
- UTILITY AS NOTED
- 01ZP* PINE, FIR, CEDARS
- LANDSCAPE



PROPERTY INFORMATION

APN 123-142-15

WASHOE COUNTY NEVADA

OWNER: C WARI F MEYER & SUZANNE McSPERRY ADDRESS: 3360 TUSCARORA RD



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Detail for Permit 04-4462

Permit Information

Permit Number: [04-4462](#) **Parcel Number:** [123-142-04](#)
Type Description of Permit: RESIDENTIAL BLDG PERMIT
Sub-Type Description of Permit: Additions, Sunrooms & Remodels
Address: 390 TUSCARORA RD, INCL

Permit Description: 190 LF ROCKERY WALL

Permit Status: FINAL

Date Applied: 10/13/2004 **Date Issued:** 10/14/2004 **Date Finalized, Certificate of Occupancy, or Complete:** 04/11/2006

Permit Fees

Total Fees \$53.16 **Total Paid** \$53.16 **Balance Outstanding** \$0.00

Permit Parties

Name	Relationship
SELL JOHN	OWNER
GAIL WILLEY	CONTACT
GAIL WILLEY	CONTRACTOR

Permit Inspections

Date	Inspection ID	Description	Action Entered	Status	Comments
04/11/2006	260	GRADING & FINAL	AP	Approved	

Search for permits

You may search the database by address, permit number, or parcel.

Search By

Tahoe Basin Tree Removal Permit

Tahoe Regional Planning Agency
PO Box 5310, 128 Market Street, Stateline, NV 89449
(775) 588-4547

06384
TREE 2010-1216

REASON FOR REMOVAL (Circle): (Insect/Disease) (Defensible Space) (Hazard) (Thin) (Solar w/ TRPA Permit)

SPECIES/NO: PP _____ JP _____ LP _____ WF 3 RF _____ IC _____ SP _____ Other _____ TOTAL: 3 (THREE)

OWNER(S) OF RECORD OR AUTHORIZED AGENT:

Name (s): Catherine Katz Telephone: 775-831-4628

Mailing Address: PO Box 1155 Crystal Bay, NV 89402

Location of Property: 380 Tuscarora Rd. County: Washoe

Only those trees approved by a forester may be cut, and the following STANDARD CONDITIONS shall be met during tree removal operations:

Permit mailed – not valid unless signed by owner/authorized agent.

Permit must be on site during work.

Stump height shall be 6" or less.

Tops of live pine & fir stumps shall be covered with powdered borax immediately after felling to retard the spread of root disease.

Cover and seal green wood with 6 mil clear plastic, or split and scatter in a sunny spot until dry.

Soil conditions must be dry before vehicles are allowed off pavement.

Slash shall be burned, chipped or removed within 15 days. (Burn permit obtained from the Fire Department.)

Date permit issued: 10/14/2010

Permit is void after: 10/14/2013

SPECIAL CONDITIONS:

Notes

- 2 WF marked on slope in back w/ fir engraver beetle.
- 1 WF marked on L side of house - old w/ multiple tops. (only remove if you are concerned about it snapping / hitting ~~garage~~ house).

The Permittee, for himself, his contractors, and employees, agrees to save, indemnify, and hold harmless TRPA or its representative from all liabilities and claims for damages by reason of injury or death to any person or persons, or damage to property from any cause whatsoever while in, upon, or in an way connected with the work covered by this tree cutting permit, and does further agree to defend TRPA in any claim arising out of or as a result of the work done under this permit.

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all ordinances and state laws, and regulations of the Department of Industrial Relations and Industrial Accident Commission, relating to the character of work, equipment, and labor personnel involved in the project. I also certify that trees being removed are on the property as described as above.

Owner's/Agent Signature _____ Date _____

Forester/Designee Authorization: Megan Sheehy Date: 10/14/10



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[Handouts](#) | [InclineVillage](#) | [Manufactured Buildings](#) | [Links](#) | [Offices](#) | [Statistical Data](#) | [Call Before You Dig](#)

Detail for Permit 12-1792

Permit Information

Permit Number: [12-1792](#) **Parcel Number:** [123-142-15](#)
Type Description of Permit: RESIDENTIAL BLDG PERMIT
Sub-Type Description of Permit: Fences, Retaining & Rock Walls
Address: 380 TUSCARORA RD, INCL

Permit Description: 96' OF 4' HIGH TERRACED RETAINING ROCKERY WALLS & 80' OF 6' HIGH ROCKERY RETAINING WALL

Permit Status: FINAL

Date Applied: 08/13/2012 **Date Issued:** 09/07/2012 **Date Finalized, Certificate of Occupancy, or Complete:** 12/03/2012

Permit Fees

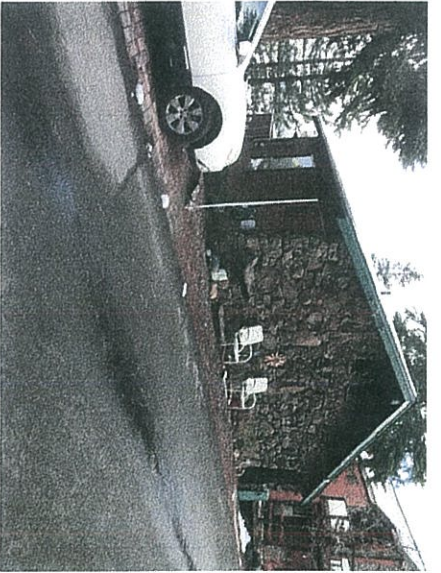
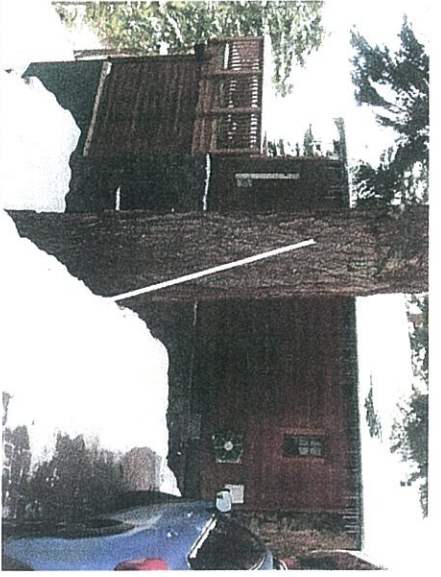
Total Fees \$186.91 **Total Paid** \$186.91 **Balance Outstanding** \$0.00

Permit Parties

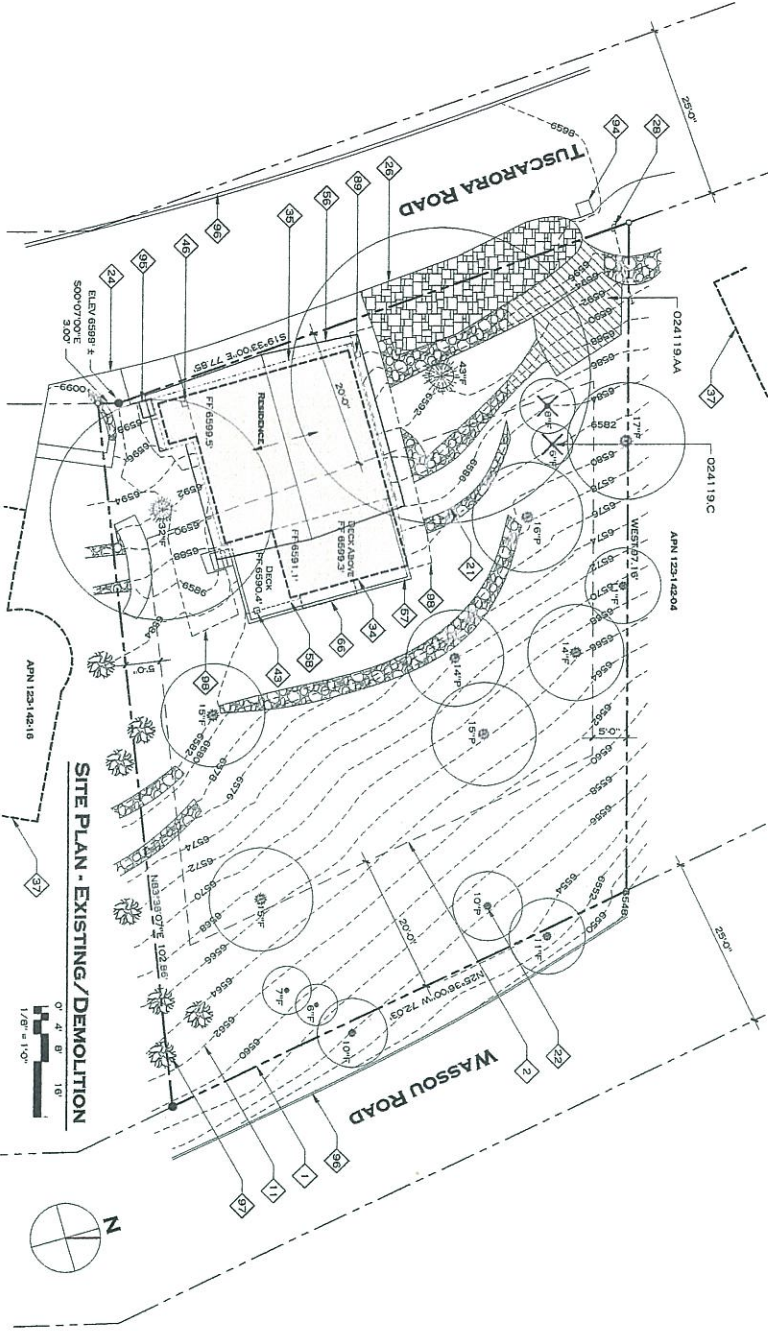
Name	Relationship
KATZ CATHERINE	OWNER
GAIL WILLEY LANDSCAPING INC CONTACT	
GAIL WILLEY LANDSCAPING INC CONTRACTOR	

Permit Inspections

Date	Inspection ID	Description	Action Entered	Status	Comments
08/23/2012	159	SPECIAL INSPECTION REQUIRED	REQD	Inspection Required	
12/03/2012	159	SPECIAL INSPECTION REQUIRED	AP	Approved	
11/30/2012	260	GRADING & FINAL	CA	Cancelled	
12/03/2012	260	GRADING & FINAL	AP	Approved	



NORTH AND EAST ELEVATIONS
SHOWING 43" DBH OLD-GROWTH TREE AND PARKING PAD



SITE PLAN - EXISTING/DEMOLITION
SCALE: 1/8" = 1'-0"

PROJECT KEYNOTES
024119.AA REMOVE ED ROCKERY RETAINING WALL.
024119.C SHOWN HATCHED REMOVE ED TREE, SHOWN WITH AN 'X' IN CIRCLE.
024119.CA

S M I T H
smithhome
DESIGN
G R O U P
120 CONANT CLUB DRIVE, NO. 17
INGATE VALLEY, NEVADA, 89451
TEL. 775.831.2155
FAX 775.831.2161
www.smithhomegroup.com

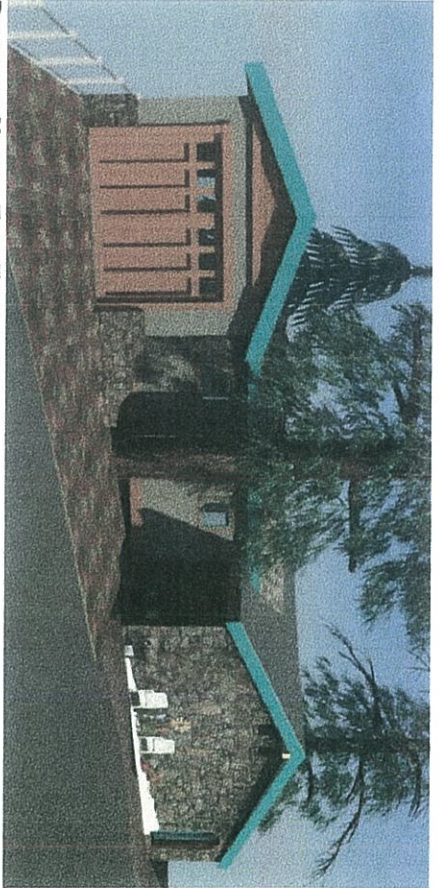
PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT
GARAGE ADDITION FOR
CHARLES AND SUZANNE
MEYER AND MCSHERRY
380 TUSCARORA ROAD
CRYSTAL BAY, NEVADA 89402
WASHOE COUNTY, APN 123-142-15

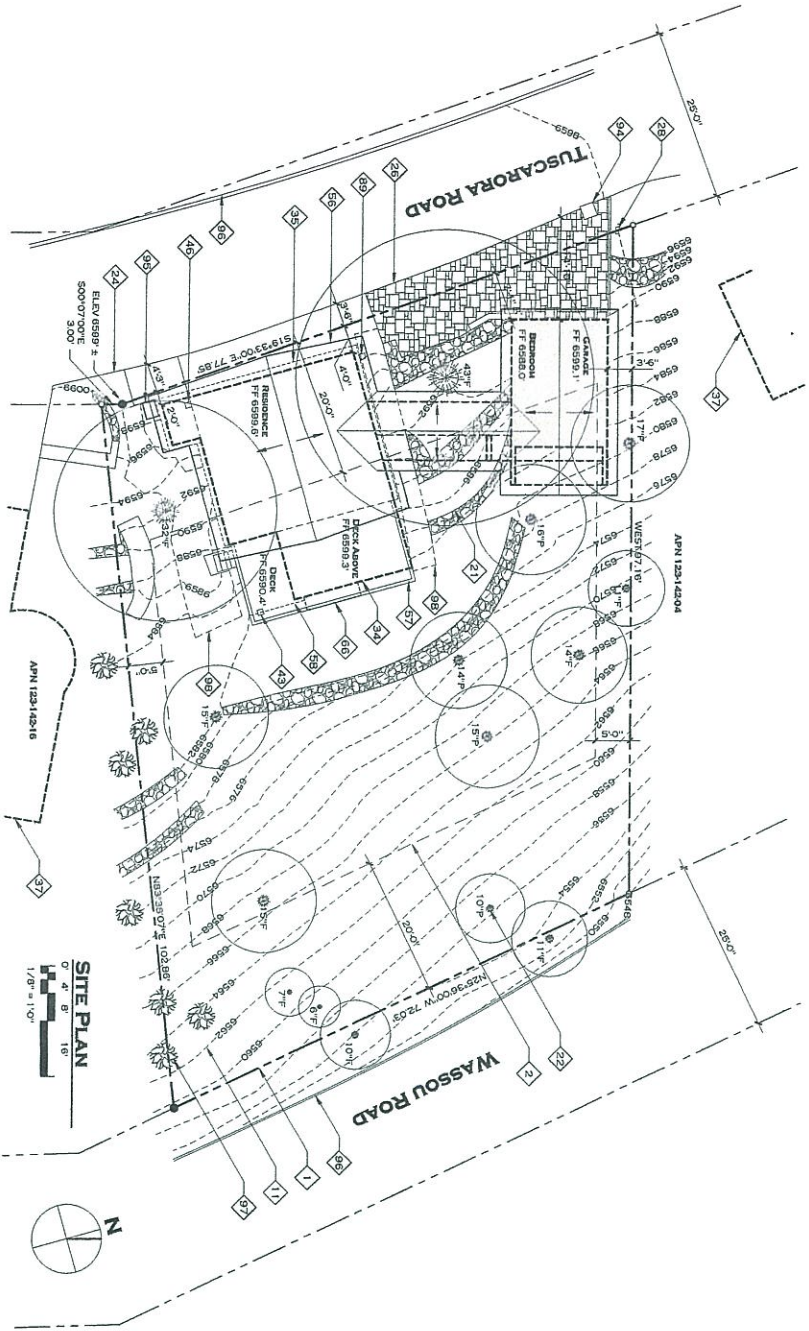
REFERENCE NOTES

1. PROPERTY LINE
2. BUILDING SETBACK LINE
3. CONTOUR LINE, EXISTING, INDICATED DASHED
21. ROCKERY WALL
22. TREE EXISTING TO NEWMAN
24. EDGE OF TRAVELED WAY
26. DRIVEWAY, BRICK PAVING
28. JOINT POLE
34. RESIDENCE
35. STONE VENEER
37. ADJACENT STRUCTURE EXISTING, TO NEWMAN
43. NATURAL GAS METER
46. MAIN PANEL, FOR ELECTRICAL SERVICE
56. ROOF
57. DECK ABOVE
58. DECK BELOW
66. CANTILEVER/ARCHITECTURAL PROJECTION, BELOW DECK
69. CABLE SERVICE BOX AND TELEPHONE SERVICE BOX
94. WATER METER
95. BEAR BOX, TRASH BIN
96. CONCRETE CURB
97. LANDSCAPING TREES
98. TERRACED LANDSCAPING

SHEET CONTENTS
SITE PLAN - EXISTING/DEMOLITION
SHEET NUMBER
A1.1



PROPOSED NORTH - EAST ELEVATION
 SHOWING 43' SHIM OLD GROWTH TREE, PARKING PAD, GARAGE AND BRIDGE



PROJECT
PRELIMINARY
 NOT FOR CONSTRUCTION

PROJECT
 GARAGE ADDITION FOR
 CHARLES AND SUZANNE
MEYER AND MCSHERRY
 380 TUSCARORA ROAD
 CRYSTAL BAY, NEVADA 89402
 WASHOE COUNTY, APN 123-142-15

S M I T H
architects
D E S I G N
partners
G R O U P
 120 COURTYARD DRIVE, NO. 17
 INCLINE VILLAGE, NEVADA 89451
 TEL. 775.631.7158
 FAX 775.631.7161

REFERENCE NOTES

1. PROPERTY LINE
2. BUILDING SETBACK LINE
11. CONTOUR LINE, EXISTING, INDICATED DASHED
21. ROCKERY WALL
22. TREE, EXISTING TO REMAIN
24. EDGE OF TRAVELED WAY
26. DRIVEWAY BRICK PAVING
20. JOINT POLE
34. RESIDENCE
35. STONE WENCHER
37. ADJACENT STRUCTURE, EXISTING, TO REMAIN
43. NATURAL GAS METER
46. MAIN PANEL FOR ELECTRICAL SERVICE
56. ROOF
57. DECK ABOVE
58. DECK BELOW
66. CANTILEVER/ARCHITECTURAL PROJECTION, BELOW DECK
69. CABLE SERVICE BOX AND TELEPHONE SERVICE BOX
94. WATER METER
95. BEAR BOX, TRASH BIN
96. CONCRETE CLIMB
97. LANDSCAPING TREES
98. TERRACED LANDSCAPING

REVISIONS:

DATE OF ISSUE:	13 DEC 2016
ISSUED FOR:	VALANCE
DRAWN BY:	RNG
CHECKED BY:	
SCALE:	1/8" = 1'-0"
PROJECT NO.:	1013102

SHEET CONTENTS

SITE PLAN

SHEET NUMBER

A1.2

6,612'-7"
 HIGHEST POINT
 OF PROPOSED
 ROOF

6,599'-1"
 (6,599,10)
 TOP OF GARAGE
 SLAB



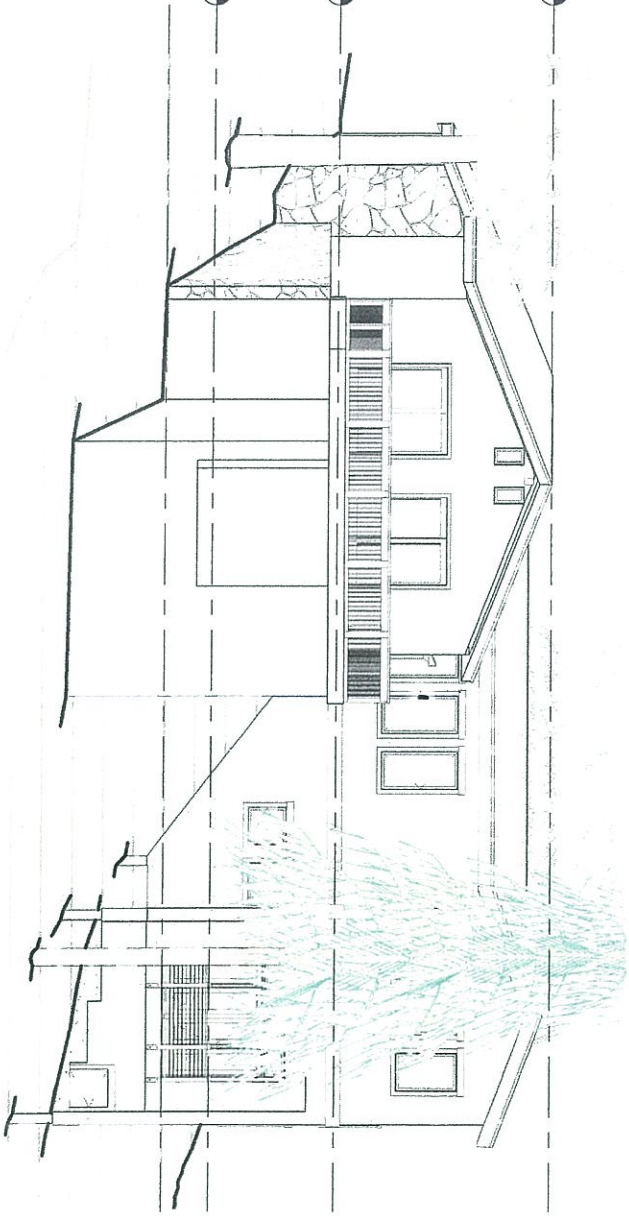
STREET ELEVATION

SCALE: 1/8" = 1'-0"

6,613'-1"
 (6,613,11)
 HIGHEST POINT
 OF EXISTING
 ROOF

6,599'-1"
 (6,599,10)
 TOP OF GARAGE
 SLAB

6,591'-1"
 (6,591,10)
 LOWER LEVEL
 FINISH FLOOR



BACK ELEVATION

SCALE: 1/8" = 1'-0"

S M I T H
architects
D E S I G N
group
G R O U P
 1320 COMMERCE CLUB DRIVE, SUITE 117
 INDEPENDENCE, NEVADA 89402
 TEL: 775.853.1715
 FAX: 775.851.7161
 www.smithdesigngroup.com

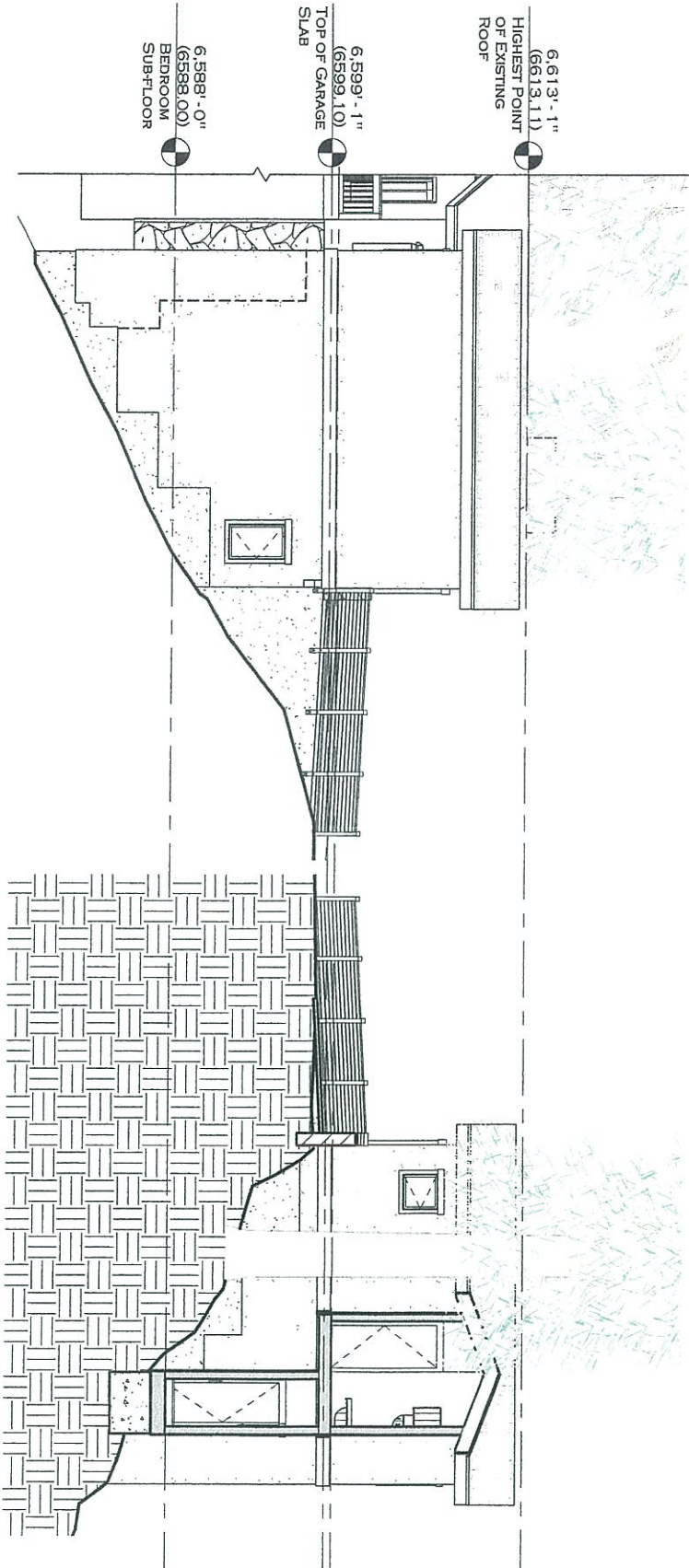
PRELIMINARY
 NOT FOR CONSTRUCTION

PROJECT

A GARAGE ADDITION FOR
**CHARLES AND SUZANNE
 MEYER/MCShERRY**
 380 TUSCARORA ROAD
 CRYSTAL BAY, NEVADA 89402
 WASHOE COUNTY APN 123-142-15

DATE OF ISSUE:	13 DEC 2016
DESIGNED BY:	VAHANICE
DRAWN BY:	AMIRIS
CHECKED BY:	CHERRIE
SCALE:	1/8" = 1'-0"
PROJECT NO.:	1612100
SHEET CONTENTS	
EXTERIOR ELEVATIONS	
SHEET NUMBER	

A1.3



NORTH GARAGE ELEVATION

SCALE: 1/8" = 1'-0"

SOUTH GARAGE ELEVATION

SCALE: 1/8" = 1'-0"

S M I T H
architects
DESIGN
group
GROUP
 150 GARDEN COURT SUITE 100, 17
 FLOOR WILSON, NEVADA 89401
 TEL: 775.851.2715
 FAX: 775.851.2711
www.smithdesigngroup.com

PRELIMINARY
 NOT FOR CONSTRUCTION

PROJECT

A GARAGE ADDITION FOR
CHARLES AND SUZANNE MEYER/MCShERRY
 380 TUSCARORA ROAD
 CRYSTAL BAY, NEVADA 89402
 WASHOE COUNTY APN 123-142-15

REVISIONS:

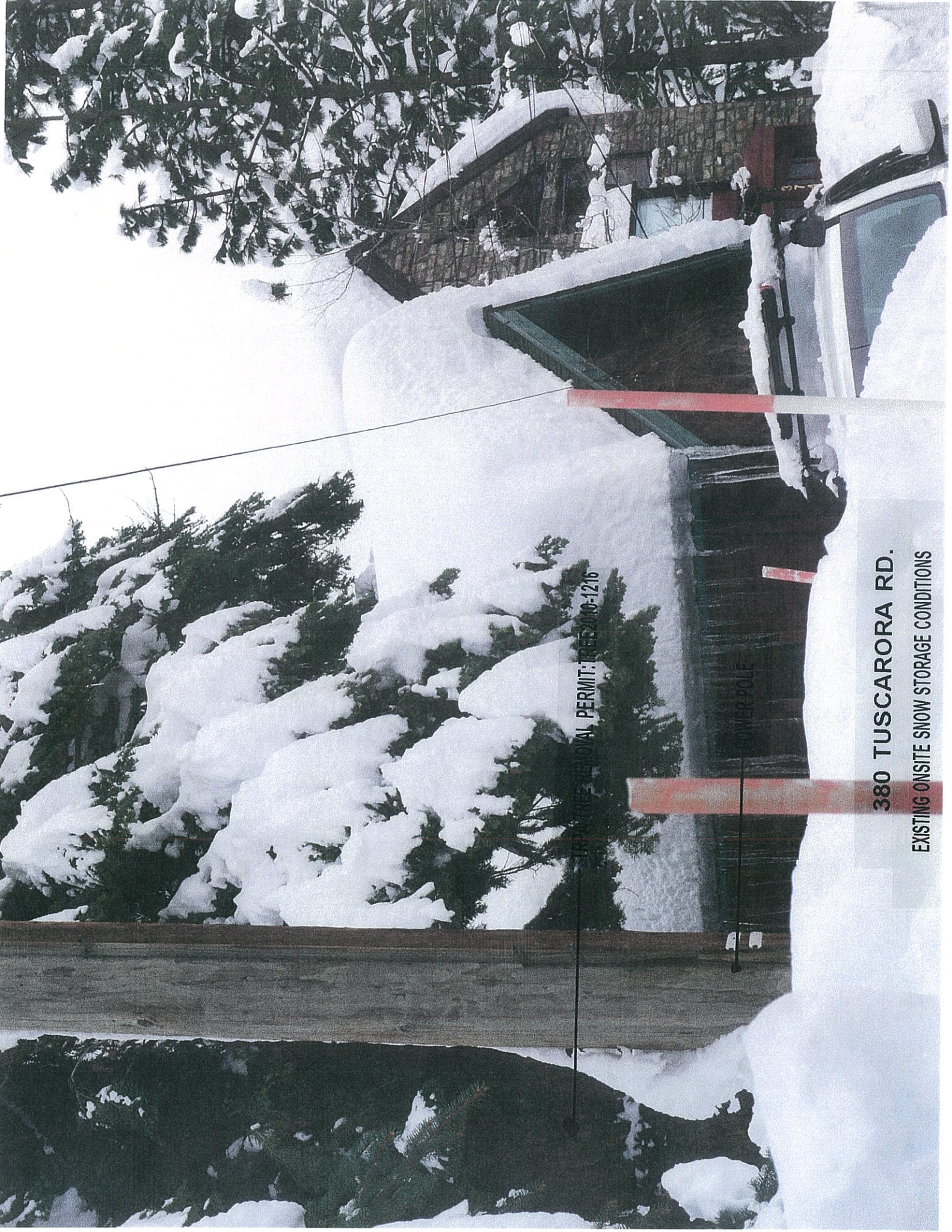
DATE OF ISSUE: 13 DEC 2016
 ISSUED FOR: VARIANCE
 DRAWN BY: AJM/MS
 CHECKED BY: CAG/MS
 SCALE: 1/8" = 1'-0"
 PROJECT NO.: 1612100

SHEET CONTENTS

EXTERIOR ELEVATIONS

SHEET NUMBER

A1.4



PERMITS AND REMOVAL PERMIT: TREE 010-1216

380 TUSCARORA RD.

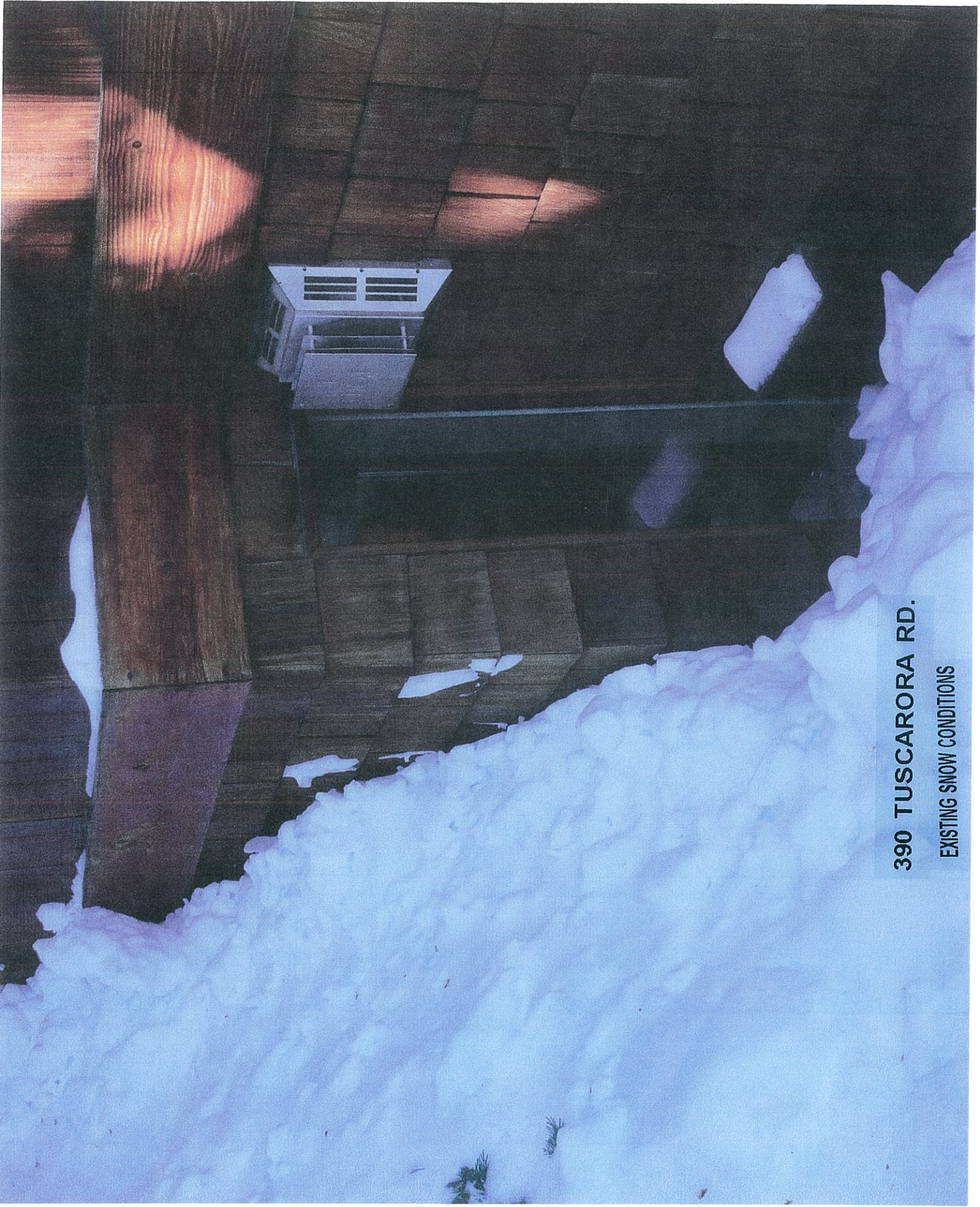
EXISTING ONSITE SNOW STORAGE CONDITIONS



380 TUSCARORA RD.

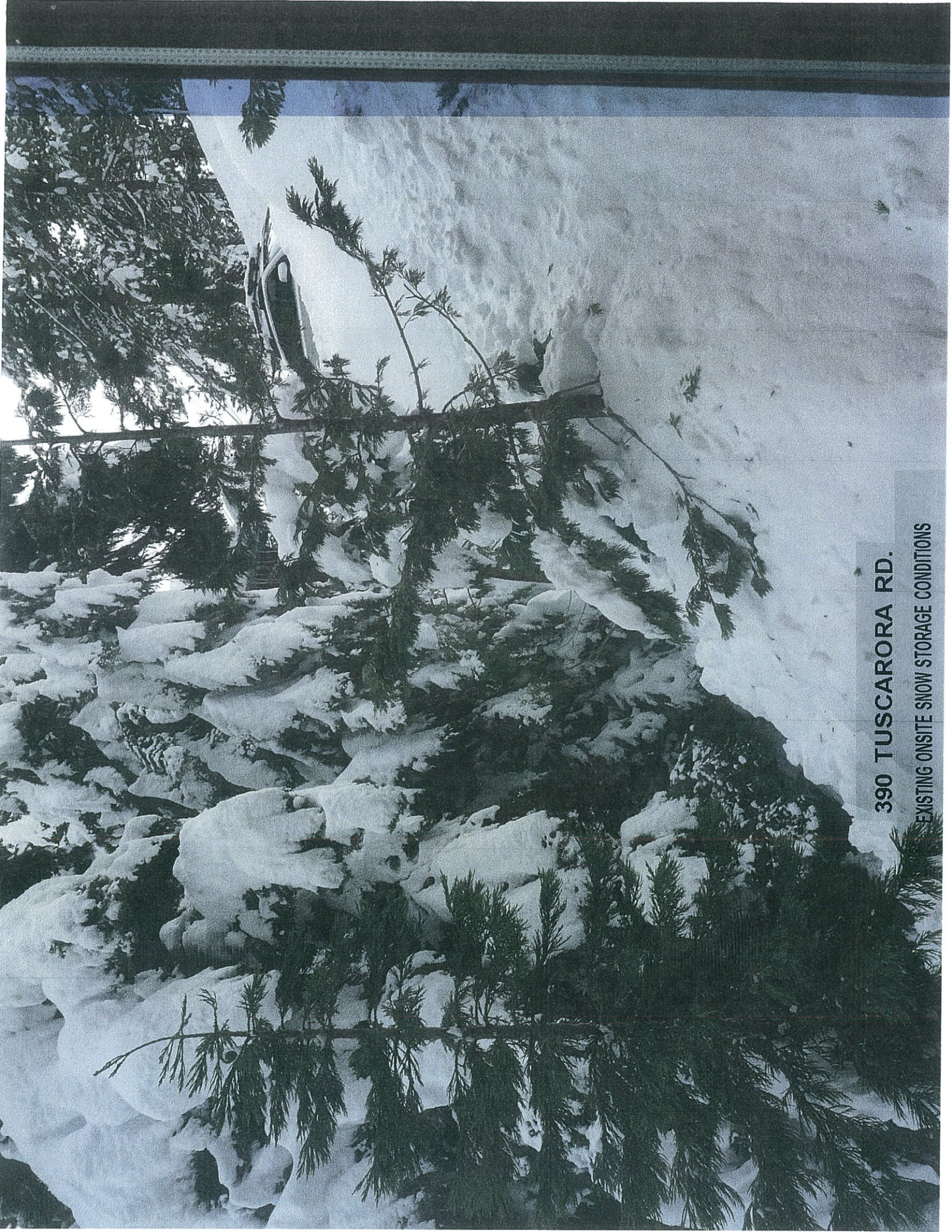


EXISTING SNOW CONDITIONS



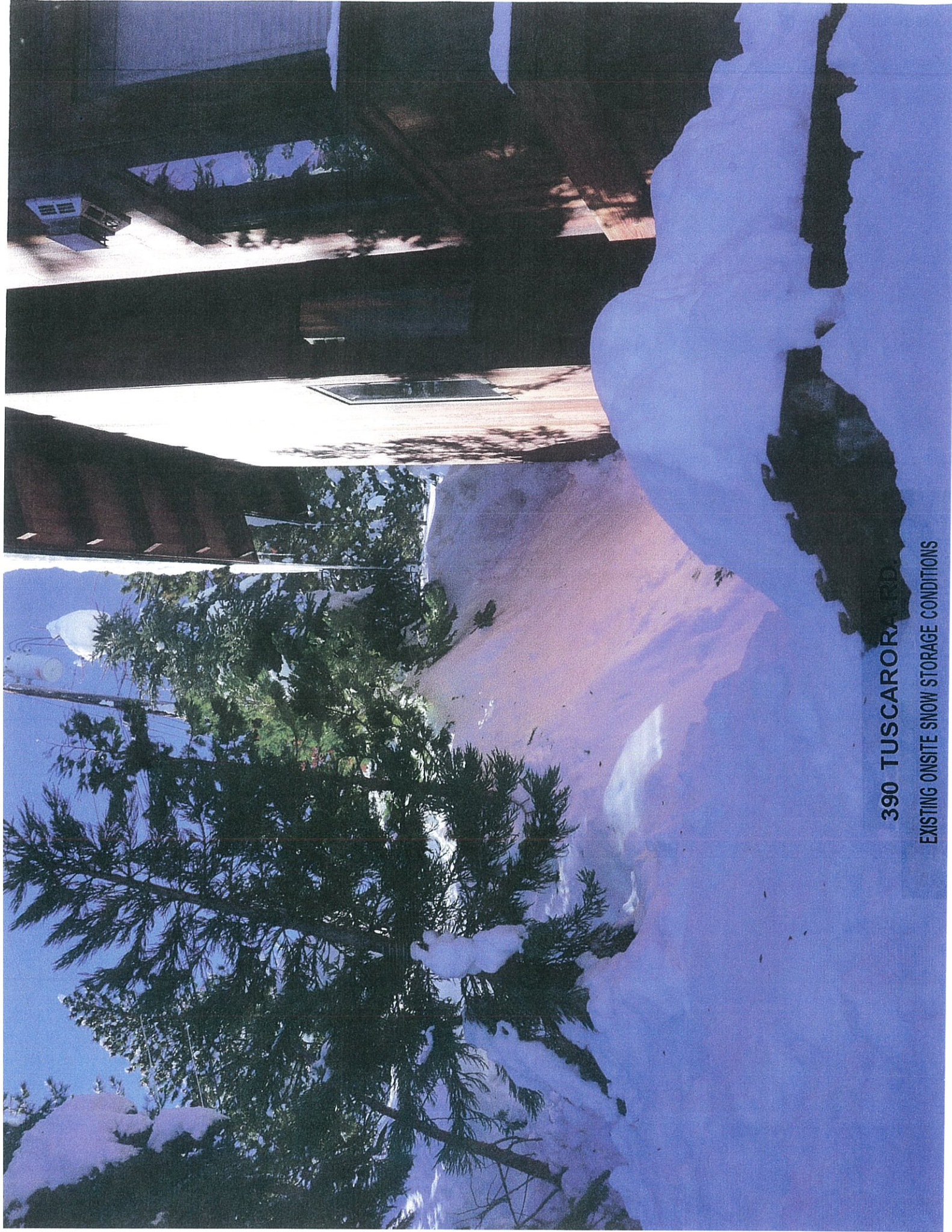
390 TUSCARORA RD.

EXISTING SNOW CONDITIONS



390 TUSCARORA RD.

EXISTING ONSITE SNOW STORAGE CONDITIONS



390 TUSCARORA RD
EXISTING ONSITE SNOW STORAGE CONDITIONS



390 TUSCARORA RD.

EXISTING ROCKERY WALLS AND PRIVACY SCREENING, TREES

