

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information		Staff Assigned Case No.: _____	
Project Name: 310 Tuscarora Road Administrative Permit			
Project Description: Request to expand existing second story balcony an additional three feet into the front yard setback in accordance with WCC 110.220.60(b).			
Project Address: 310 Tuscarora Rd., Crystal Bay, NV 89402			
Project Area (acres or square feet): 2,921 sq ft			
Project Location (with point of reference to major cross streets AND area locator): Crystal Bay - located between Wassau Rd & Tuscarora Rd			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
123-125-01	0.133 acres		
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Jim Buckley & Carolyn Benson		Name: Lewis Roca Rothgerber Christie	
Address: P.O. Box 1605		Address: One East Liberty Street, Suite 300	
Crystal Bay, NV	Zip: 89402	Reno, Nevada	Zip: 89501
Phone: 425-233-5404	Fax:	Phone: 775-321-3420	Fax:
Email: jimb_runner@hotmail.com		Email: ggordon@lewisroca.com	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person: Garrett Gordon	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Jim Buckley & Carolyn Benson		Name: Kevin Agan	
Address: P.O. Box 1605		Address: 120 Country Club Drive, Suite 19	
Crystal Bay, NV	Zip: 89402	Incline Village, NV	Zip: 89451
Phone: 425-233-5404	Fax:	Phone: 775-832-9300	Fax:
Email: jimb_runner@hotmail.com		Email: kevin@aganconsulting.com	
Cell:	Other:	Cell:	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):	

**Administrative Review Permit Application
for a Detached Accessory Dwelling
Supplemental Information**

(All required information may be separately attached)

1. What is the size (square footage) of the main dwelling or proposed main dwelling (exclude size of garage)?

The main dwelling is 2,921 squarefeet.

2. What is the size of the proposed detached accessory dwelling (exclude size of garage)? If a manufactured or modular home is the secondary dwelling, list the age and size of the unit.

N/A - no detached accessory dwelling is proposed with this request.

3. How are you planning to integrate the main dwelling and secondary dwelling to provide architectural compatibility of the two structures?

N/A

5. How many off-street parking spaces are available? Parking spaces must be shown on site plan. Are any new roadway, driveway, or access improvements be required?

N/A

6. What will you do to minimize any potential negative impacts (e.g. increased lighting, removal of existing vegetation, etc.) your project may have on adjacent properties?

Given the location and slope of the residence, there are no anticipated negative impacts on adjacent properties.

7. Is the subject property part of an active Home Owners Association (HOA) or Architectural Control Committee?

Yes No If yes, please list the HOA name.

8. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that may prohibit a detached accessory dwelling on your property?

Yes No If yes, please attach a copy.

9. Only one accessory dwelling unit, whether attached or detached, is allowed per parcel. Is there a guest apartment, mother-in-law unit, next-gen addition with kitchen or any other type of secondary dwelling on the subject property?

Yes No If yes, please provide information on the secondary unit.

10. List who the service providers are for the main dwelling and accessory dwelling:

	Main Dwelling	Accessory Dwelling
Sewer Service	IVGID	
Electrical Service	NV Energy	
Solid Waste Disposal Service	Waste Management	
Water Service	IVGID	

O. 775.823.2900
One East Liberty Street
Suite 300
Reno, NV 89501-2128
lewisroca.com

Garrett D. Gordon
Partner
Admitted in Nevada
775.321.3420 direct
775.321.5569 fax
GGordon@lewisroca.com



June 8, 2023

Our File Number: 309947.00001

VIA HAND DELIVERY

Washoe County Community Services Department
Planning and Building
1001 E. Ninth Street, Building A
Reno, Nevada 89512

Dear Washoe County Planning Staff:

I. INTRODUCTION; BACKGROUND; OVERVIEW OF REQUEST

On behalf of Jim Buckley and Carolyn Benson, the owners and applicants in this matter ("Applicants"), we hereby submit the enclosed application for an administrative review permit per Washoe County Code 110.220.60(b) to modify a second story deck that will encroach approximately three (3) feet further into the front yard setback. Per the Washoe County Code ("WCC"), encroachment of the primary structure into the front yard setback on sloped lots is permitted through approval of an administrative permit. WCC 110.220.60(b).

The subject property contains a two-story, 2,921 square foot single family home built in 2015. The existing second story deck—the subject of this administrative review permit—currently encroaches approximately two to three feet into the front yard setback. The Applicants are requesting to modify the second story deck such that it would encroach approximately three (3) additional feet into the front yard setback. The modified deck will only aerially encroach into the front yard setback as the deck sits approximately twenty-four (24) feet above natural grade. The expanded deck will require two new support posts which make up less than two (2) square feet of land coverage.

Setbacks are determined by lot size in the Tahoe planning area. The subject property is approximately 5,793 square feet. Pursuant to the table found in WCC Section 110.220.55, for lots that are between 5,000 square feet and 11,999.99 square feet in size, the standard front and rear yard setbacks are 20 feet and side yard setbacks are 5 feet.

The subject property is on a corner parcel that is wedged tightly between two right of ways and is characterized by a significant slope, which is not unusual for the Tahoe Area. The Tahoe Area Plan—most recently updated in April 2021—anticipates the difficulties such slopes pose to development in the area with flexible development standards. WCC 110.220.60(b) allows primary structures to be built up to the front lot line "where the slope of the front half of the lot is greater than a two (2) foot rise (or fall) for every ten (10) feet above (or below) the established street grade." In other words, under WCC 110.220.60(b) allows primary structures to be built up to the front lot line when slopes in the front half of the lot exceed 20%. Here, the primary structure is on

a slope of 39%, making this provision of WCC applicable. While the detached accessory dwelling administrative review process is used for this request in accordance with WCC 110.220.60(b), the Applicants are not proposing an additional dwelling.

II. ANALYSIS OF APPLICABLE FINDINGS

This application is required to comply with the findings specific to the administrative review permit. WCC 110.220.60(a)(1-6). This application meets or exceeds all requirements and all findings are met, as set forth herein.

1. *The Engineer Division must be able to determine the county right-of-way maintenance and road work operations will not be impeded or sufficient measures have been incorporated in the structure's design to mitigate an impediment to county right-of-way maintenance and road work operations. The county may also require that the county be held harmless from liability resulting from its right-of-way maintenance and road work operations.*

Response: No impediments to any right-of-way maintenance or road work operations is anticipated by the proposed structure.

2. *The Engineering Division must be able to determine that the speed of traffic and volume of traffic of the street is such that the placing of the garage within the front yard setback will not cause a safety problem for vehicles using the street.*

Response: A garage is not proposed as part of this request and no safety problems are anticipated for vehicles using the street.

3. *The Engineering Division must be able to determine that the placement of the structure within the front yard setback will not impede the ability of the county to widen the street in accordance with the adopted Capital Improvements Program, or in accordance with a possible widening of the street as shown in the adopted master plan.*

Response: It is not anticipated that the modification of the second story deck would have any impediment on the county's possible ability to widen the street.

4. *The placement of the structure is not sited closer than fifteen (15) feet from the edge of pavement of the abutting street.*

Response: The placement of the residence with the modification of the second story deck is sited at eighteen (18) feet from the edge of pavement of the abutting street.

5. *The maximum square foot of the portion of the structure designed to encroach on the established setback shall not exceed 25% of the size of the primary structure.*

Response: The square footage of the main dwelling is 2,921 square feet. The second story deck will measure 296 square feet with approximately 265 square feet encroaching into the 20' front yard setback. The encroaching portion of the structure will therefore account for approximately 9% of the size of the primary structure, below the 25% maximum.

6. Structures proposed within 20 feet of the rights-of-way of State Routes 28 or 431 may only be approved pursuant to Subparagraph 36.5.4.A.2. of the TRPA Code of Ordinances.

Response: The structure is not within 20 feet of the rights-of-way of State routes 28 or 431.

III. CONCLUSION

For the reasons stated herein, this application meets or exceeds all requirements, and all findings under WCC are met. The Applicants therefore respectfully request that the County approve this administrative review permit for the proposed encroachment into the front yard setback.

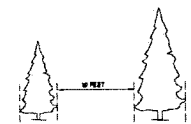
Please do not hesitate to contact this office at (775) 321-3420 if we can provide additional information.

Sincerely,

/s/ Garrett D. Gordon

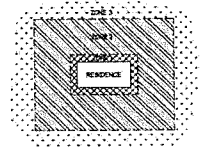
Garrett D. Gordon
Lewis Roca Rothgerber Christie LLP

GDG

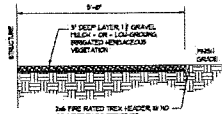


ON FLAT OR GENTLY SLOPING TERRAIN, TREES SHOULD BE PLANTED TO PROVIDE AN AVERAGE SEPARATION BETWEEN THE CANOPIES OF AT LEAST 10 FEET. SMALL, TIGHTLY BRANCHED OR SPREADER SPECIES, THE SEPARATION DISTANCE SHOULD BE GREATER. STUMP SHOULD BE CUT TO THE GROUND FOR TREES LESS THAN 4 INCHES IN DIAMETER AT BREAST HEIGHT AND TO 6 INCHES IN DIAMETER OF THE GROUND FOR LARGER TREES. STUMP CUT SURFACE SHOULD BE GRASSY OR COVERED WITH MULCH TO PREVENT THE GROWTH OF WEEDS. BRANCHES SHOULD BE REMOVED TO THE BRANCH COLLAR. BRANCHES SHOULD BE REMOVED TO THE BRANCH COLLAR. BRANCHES SHOULD BE REMOVED TO THE BRANCH COLLAR. BRANCHES SHOULD BE REMOVED TO THE BRANCH COLLAR.

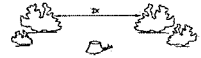
FOREST TREES



DEFENSIBLE SPACE LIMITS

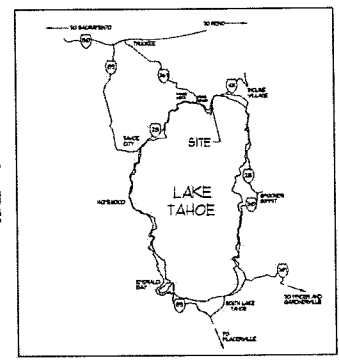


NON-COMBUSTIBLE ZONE DETAIL



MODERATE MAINTENANCE AND REMOVAL OF DEAD BRANCHES ON FLAT TO GENTLY SLOPING TERRAIN, MODERATE MAINTENANCE ON SMALL CLUMPS OF SHRUBS WITHIN THE DEFENSIBLE SPACE SHOULD BE PERFORMED FROM THE JUNCTION OF AT LEAST TWO OF THE BRANCHES. THE SEPARATION DISTANCE SHOULD BE GREATER FOR SHRUBS. THE SEPARATION DISTANCE SHOULD BE GREATER FOR SHRUBS. THE SEPARATION DISTANCE SHOULD BE GREATER FOR SHRUBS.

SEPARATION BETWEEN TREES AND SHRUBS



REGIONAL MAP

NOTES:

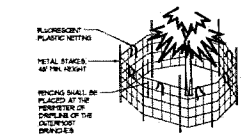
1. LOCATION OF EXISTING STRUCTURES AND TOPOGRAPHY ARE APPROXIMATE. COVERAGE AND TOPOGRAPHIC SURVEY USE ORANGE AND PINK SHEETS. ALL DATA MUST BE USED SUBSEQUENT FIELD VERIFICATION MUST BE PERFORMED BY A QUALIFIED PROFESSIONAL ENGINEER FOR SURVEY AND FIELD APPLICATIONS ARE UTILIZED TO PREPARE THIS SITE PLAN DRAWING.
2. THIS SITE PLANNING DOES NOT CONSTITUTE A BOUNDARY SURVEY AND IS TO BE CONSIDERED AS A PRELIMINARY DESIGN. ALL PLANS REFER TO ANGLE, DISTANCE, BEARING, AND/OR CONTIGUOUS PLANS FOR ALL BUILDING PERMIT DETAILS.
3. THE PRESENT COLOURS OF THE EXISTING BUILDING AND PROPOSED IMPROVEMENTS SHALL BE IN CONFORMANCE WITH THE EXISTING AND PROPOSED COLOURS. REFER TO BUILDING PERMIT DETAILS FOR ALL BUILDING PERMIT DETAILS.
4. MAINTAIN AND MAINTAIN OPEN SPACE SURROUNDING STRUCTURES IN ACCORDANCE WITH THE FIRE DEPARTMENT'S FIRE PREVENTION CODE. ALL OPEN SPACE SURROUNDING STRUCTURES IN ACCORDANCE WITH THE FIRE DEPARTMENT'S FIRE PREVENTION CODE. ALL OPEN SPACE SURROUNDING STRUCTURES IN ACCORDANCE WITH THE FIRE DEPARTMENT'S FIRE PREVENTION CODE.
5. ALL OPEN AREAS AND AREAS SURROUNDING THE CONSTRUCTION ACTIVITY ASSOCIATED WITH THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS SHALL BE MAINTAINED IN ACCORDANCE WITH THE FIRE DEPARTMENT'S FIRE PREVENTION CODE. ALL OPEN AREAS AND AREAS SURROUNDING THE CONSTRUCTION ACTIVITY ASSOCIATED WITH THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS SHALL BE MAINTAINED IN ACCORDANCE WITH THE FIRE DEPARTMENT'S FIRE PREVENTION CODE.
6. NO EXISTING TREES SHALL BE REMOVED OR TOPED FOR FIRE MANAGEMENT PURPOSES WITHOUT THE APPROVAL OF THE LOCAL FIRE DEPARTMENT. ALL REMOVALS SHALL BE APPROVED BY THE LOCAL FIRE DEPARTMENT.
7. PERMITS FOR THE PROPOSED IMPROVEMENTS SHALL BE OBTAINED FROM THE LOCAL FIRE DEPARTMENT. ALL PERMITS SHALL BE OBTAINED FROM THE LOCAL FIRE DEPARTMENT.

LAND CAPABILITY:

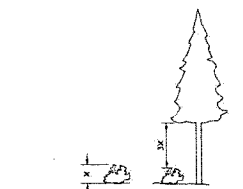
UNCLASSIFIED (LOCAL APPROVAL)	150 SF
CLASS 1	40 SF
CLASS 2	100 SF
CLASS 3	200 SF
CLASS 4	300 SF
CLASS 5	400 SF
CLASS 6	500 SF
CLASS 7	600 SF
CLASS 8	700 SF
CLASS 9	800 SF
CLASS 10	900 SF
CLASS 11	1000 SF
CLASS 12	1100 SF
CLASS 13	1200 SF
CLASS 14	1300 SF
CLASS 15	1400 SF
CLASS 16	1500 SF
CLASS 17	1600 SF
CLASS 18	1700 SF
CLASS 19	1800 SF
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CLASS 21	2000 SF
CLASS 22	2100 SF
CLASS 23	2200 SF
CLASS 24	2300 SF
CLASS 25	2400 SF
CLASS 26	2500 SF
CLASS 27	2600 SF
CLASS 28	2700 SF
CLASS 29	2800 SF
CLASS 30	2900 SF
CLASS 31	3000 SF
CLASS 32	3100 SF
CLASS 33	3200 SF
CLASS 34	3300 SF
CLASS 35	3400 SF
CLASS 36	3500 SF
CLASS 37	3600 SF
CLASS 38	3700 SF
CLASS 39	3800 SF
CLASS 40	3900 SF
CLASS 41	4000 SF
CLASS 42	4100 SF
CLASS 43	4200 SF
CLASS 44	4300 SF
CLASS 45	4400 SF
CLASS 46	4500 SF
CLASS 47	4600 SF
CLASS 48	4700 SF
CLASS 49	4800 SF
CLASS 50	4900 SF
CLASS 51	5000 SF
CLASS 52	5100 SF
CLASS 53	5200 SF
CLASS 54	5300 SF
CLASS 55	5400 SF
CLASS 56	5500 SF
CLASS 57	5600 SF
CLASS 58	5700 SF
CLASS 59	5800 SF
CLASS 60	5900 SF
CLASS 61	6000 SF
CLASS 62	6100 SF
CLASS 63	6200 SF
CLASS 64	6300 SF
CLASS 65	6400 SF
CLASS 66	6500 SF
CLASS 67	6600 SF
CLASS 68	6700 SF
CLASS 69	6800 SF
CLASS 70	6900 SF
CLASS 71	7000 SF
CLASS 72	7100 SF
CLASS 73	7200 SF
CLASS 74	7300 SF
CLASS 75	7400 SF
CLASS 76	7500 SF
CLASS 77	7600 SF
CLASS 78	7700 SF
CLASS 79	7800 SF
CLASS 80	7900 SF
CLASS 81	8000 SF
CLASS 82	8100 SF
CLASS 83	8200 SF
CLASS 84	8300 SF
CLASS 85	8400 SF
CLASS 86	8500 SF
CLASS 87	8600 SF
CLASS 88	8700 SF
CLASS 89	8800 SF
CLASS 90	8900 SF
CLASS 91	9000 SF
CLASS 92	9100 SF
CLASS 93	9200 SF
CLASS 94	9300 SF
CLASS 95	9400 SF
CLASS 96	9500 SF
CLASS 97	9600 SF
CLASS 98	9700 SF
CLASS 99	9800 SF
CLASS 100	9900 SF
CLASS 101	10000 SF

DEFENSIBLE SPACE CRITERIA:

1. ZONE 1: 0' - 5' NON-COMBUSTIBLE AREA. THE AREA WITHIN 5 FEET OF THE FOUNDATION OR SUPPORT SHALL BE NON-COMBUSTIBLE MATERIALS INCLUDING COMBUSTIBLE PLANT MATERIAL. A 3" GRAVEL TIE-IN IS THE MINIMUM MATERIAL OF USE. DRIP LINES SHALL BE INSTALLED AT THE AREA.
2. ZONE 2: 5' - 10' LEAN-CLEAN AND GREEN AREA. THE AREA WITHIN 5 FEET TO 10 FEET FROM THE FOUNDATION SHALL BE LEAN, CLEAN AND GREEN AREA. LEAN MEANS NO BRANCHES OR DEAD BRANCHES WITHIN THE DEFENSIBLE SPACE. CLEAN MEANS NO BRANCHES OR DEAD BRANCHES WITHIN THE DEFENSIBLE SPACE. GREEN MEANS NO BRANCHES OR DEAD BRANCHES WITHIN THE DEFENSIBLE SPACE. LEAN, CLEAN AND GREEN AREA SHALL BE MAINTAINED AT ALL TIMES. LEAN, CLEAN AND GREEN AREA SHALL BE MAINTAINED AT ALL TIMES. LEAN, CLEAN AND GREEN AREA SHALL BE MAINTAINED AT ALL TIMES.
3. ZONE 3: 10' - 20' LEAN AND FUEL REDUCTION AREA. THE AREA WITHIN 10 FEET TO 20 FEET FROM THE FOUNDATION SHALL BE LEAN AND FUEL REDUCTION AREA. LEAN MEANS NO BRANCHES OR DEAD BRANCHES WITHIN THE DEFENSIBLE SPACE. FUEL REDUCTION MEANS NO BRANCHES OR DEAD BRANCHES WITHIN THE DEFENSIBLE SPACE. LEAN AND FUEL REDUCTION AREA SHALL BE MAINTAINED AT ALL TIMES. LEAN AND FUEL REDUCTION AREA SHALL BE MAINTAINED AT ALL TIMES. LEAN AND FUEL REDUCTION AREA SHALL BE MAINTAINED AT ALL TIMES.
4. ZONE 4: 20' - 30' LEAN AND FUEL REDUCTION AREA. THE AREA WITHIN 20 FEET TO 30 FEET FROM THE FOUNDATION SHALL BE LEAN AND FUEL REDUCTION AREA. LEAN MEANS NO BRANCHES OR DEAD BRANCHES WITHIN THE DEFENSIBLE SPACE. FUEL REDUCTION MEANS NO BRANCHES OR DEAD BRANCHES WITHIN THE DEFENSIBLE SPACE. LEAN AND FUEL REDUCTION AREA SHALL BE MAINTAINED AT ALL TIMES. LEAN AND FUEL REDUCTION AREA SHALL BE MAINTAINED AT ALL TIMES. LEAN AND FUEL REDUCTION AREA SHALL BE MAINTAINED AT ALL TIMES.

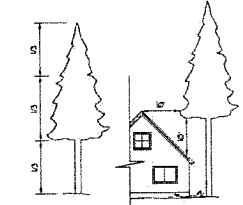


TREE/VEGETATIVE PROTECTION FENCING



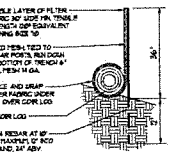
IF TREES ARE PRESENT WITHIN THE DEFENSIBLE SPACE THERE SHOULD BE A SEPARATION BETWEEN THE LOWER GROWING VEGETATION AND THE LOWER TREE BRANCHES. VEGETATION THAT CARRY FIRE DURING IN LOW-GROWING PLANTS TO TALLER PLANTS IS CALLED "LIGNUM NALL". FOR LARGE TREES THE RECOMMENDED SEPARATION FROM LIGNUM NALL IS 10 FEET. THE SEPARATION FROM LIGNUM NALL IS 10 FEET. THE SEPARATION FROM LIGNUM NALL IS 10 FEET. THE SEPARATION FROM LIGNUM NALL IS 10 FEET.

SEPARATION BETWEEN TREE BRANCHES AND LOWER GROWING PLANTS

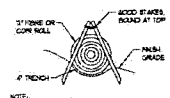


ALL RESIDUAL TREES SHALL BE TRIMMED TO A HEIGHT OF 10 FEET FROM THE GROUND. NOT TO EXCEED 50% OF THE TOTAL TREE HEIGHT. ALL RESIDUAL TREES SHALL BE TRIMMED TO A HEIGHT OF 10 FEET FROM THE GROUND. NOT TO EXCEED 50% OF THE TOTAL TREE HEIGHT. ALL RESIDUAL TREES SHALL BE TRIMMED TO A HEIGHT OF 10 FEET FROM THE GROUND. NOT TO EXCEED 50% OF THE TOTAL TREE HEIGHT.

GUIDELINES FOR TRIMMING TREES



TEMPORARY EROSION CONTROL FENCING



FIBRE ROLL PLACEMENT

Call Two Working Days Before You Dig



Dig Safely, Dig Right, 1-800-227-2600

AGAN CONSULTING CORPORATION
LAND & SHOREZONE CONSULTANTS
SITE EVALUATION • PROJECT COORDINATION • PERMIT ASSISTANCE
10000 COUNTY ROAD 200, SUITE 200, LAS VEGAS, NEVADA 89135
10000 COUNTY ROAD 200, SUITE 200, LAS VEGAS, NEVADA 89135
PHONE: (702) 735-8800 FAX: (702) 735-8801 WWW.AGANCORP.COM



APR/23/2024

RESIDENTIAL DECK PROJECT
BUCKLEY PROPERTY
310 TUCCARORA ROAD
WASHOE COUNTY
CRYSTAL BAY
NEVADA

REVISIONS:	
JOB:	RESIDENTIAL
DATE:	JUNE 2023
SCALE:	AS NOTED
DRAWN:	CTA
SHEET:	1 OF 1

