APPEAL
WPVAR19-0001 (Greenview HOA)

Board of County Commissioners
May 28, 2019
Variance case number WVVAR19-0001 (Greenview HOA Garages) was presented to the Board of Adjustment (BOA) on March 7, 2019 to vary the front and side yard setbacks.

The BOA was not able to make all of the required findings and denied WVVAR19-0001.

On March 11, 2019 it was appealed by the Greenview HOA.
Background

- Greenview is a 4 unit condominium located on a cul-de-sac that was built in 1979 without garages.
- The property is zoned LDU (Low Density Urban), which requires 15 foot front and rear setbacks and 5 foot side yard setback.
- The variance is requesting a reduction to the front yard setback from 15 feet to 1 ½ feet and the side yard setback on the northwest side from 5 feet to 1 foot.
- The request is to construct two car garages in the HOA common area- 1-car garage and 2-car garage.
- No parking garages were required in the 1970’s only one off-street parking space for each dwelling.
In August 2017 the applicant requested a variance to reduce the front yard setback from 15 feet to 1 foot and reduce both side yard setbacks from 5 feet to 1 foot to construct two double car garages.

BOA denied the application saying the Board could not make findings.

The applicant has revised the setback request and is now proposing 1-car garage and 2-car garage garage.
Garage Locations

One car garage location

Two car garage location
Location of 1-car garage
Location of 2-car garage
One car Garage Location

Two Car Garage Location
Proposed 2-car Garages Elevations

1. Garage 1 Back
   1/8" = 1'-0"

2. Garage 1 Side 1
   1/8" = 1'-0"

3. Garage 1 Front
   1/8" = 1'-0"

4. Garage 1 Side 2
   1/8" = 1'-0"
The parcel is sloped and wedge shaped with the narrowest part of the parcel is located along the cul-de-sac.

There is an open space and a sewer easement that crosses the rear of the property just below the condominium units.

Currently the condominiums have no garages.

Parking for the condominium is only on paved parking pads or the street.

Neighboring properties on the cul-de-sac have garages.
Analysis

- Current code requires 2 parking spaces per dwelling unit and 1 space must be in an enclosed garage
- This application would bring the parcel into closer compliance with current code
- Also would better meet the winter parking requirements
The Incline Village/Crystal Bay Citizen Advisory Board meeting on February 4th was canceled because of weather.

All CAB members received worksheets to provide comments concerning the proposed project and 2 CAB members emailed CAB worksheets that were included in the staff report in Exhibit F.

There are numerous emails from the neighboring properties that were included in the staff report in Exhibit E.
A total of 64 properties within 500 feet were noticed
Possible Motion

Should the Board **agree** with the Board of Adjustment’s denial of Variance Case Number WPVAR19-0001 (Greenview HOA Garages), staff offers the following motion:

- “Move to deny the appeal and affirm the decision of the Board of Adjustment to deny Variance Case Number WPVAR19-0001 (Greenview HOA Garages). The denial is based upon the inability to make the findings required by WCC Section 110.804.25, *Findings.*

Should the Board **disagree** with the Board of Adjustment’s denial of Variance Case Number WPVAR19-0001 (Greenview HOA Garages), staff offers the following motion:

- “Move to approve the appeal and reverse the decision of the Board of Adjustment and approve Variance Case Number WPVAR19-0001 (Greenview HOA Garages). The approval is based on the Board’s ability to make all four of the findings required by WCC Section 110.804.25, *Findings.*