



Incline Village/Crystal Bay Citizens Advisory Board

MEMORANDUM

Date: July 25, 2017
To: Kelly Mullen, Washoe County Planner
Re: [Variance Case Number WPVAR17-0005 \(McLendon Residence\)](#)
From: Misty Moga, Recording Secretary

The following is an excerpt from the Incline Village/Crystal Bay Citizen Advisory Board on July 24, 2017.

7. DEVELOPMENT PROJECTS – The project description is provided below with links to the application or you may visit the Planning and Development Division website and select the Application Submittals page: http://www.washoecounty.us/comdev/da/da_index.htm.

8B. [Variance Case Number WPVAR17-0005 \(McLendon Residence\)](#) - For possible action, hearing and discussion to approve a variance to reduce the required front yard setback from 20-feet to 3-feet for the garage portion of a new residence.

- **Applicant/Developer:** Walton AE Attn: Tara Santos
- **Property Owner:** Bryon and Tania McLendon 2006 Trust
- **Location:** 487 Eagle Drive, approximately 600 feet south of its intersection with Cross Bow
- **Assessor's Parcel Number:** 131-224-07
- **Staff:** Kelly Mullin, Planner Washoe County Community Services Department Planning and Development Division, Phone: 775-328-3608, Email: Kmullin@washoecounty.us.
- **Reviewing body:** The following case is tentatively scheduled to be heard by the Board of Adjustment on August 3, 2017.

Andy Wolf recused himself from discussion since this project is in relation with his law firm.

Clara Walton with Walton Engineering gave an overview:

The applicant is requesting front setback from 20 to 3 feet for construction of a garage.. She showed the site plan. There is an area of SEZ that is unbuildable with 25% downslope on the property. She said they are working to build a garage with a 3 feet setback which will leave ample space to the road.

Pete Todoroff asked about feedback from the neighbors. Clara said she spoke with the neighbor about the SEZ and height requirements. Clara said the plan isn't encroaching into the side setback. The part the neighbors are speaking of is actually the front setback. Pete said the neighbors ask to move the property south. Clara said they are restricted with SEZ and slope.

Gerry Eick asked if retaining wall is encroaching on the setback. Clara said it's permitted use, but not part of it. It's for grading.

Public Comment

Bill Simmons said he is the neighbor, and lived there for 12 years. He said they don't have issue with conversation about the set back providing the front yard and doesn't impede into the side yard. The

issue is the clear cut of trees and he said he doesn't believe it has to do with setback. It's the driveway location.

Mrs. Simmons said she built her property from scratch, so she understands the rules and regulations. She said the side is a concern for us. There are a lot of trees removed already. There is a solution. We as neighbors want to work together. We don't want to have conflict. We want to be recognized. In Nevada, trees that are 24 inches in diameter, you can't cut down, unless it's in the way. She said she would like to know about the plans with landscaping and how it impacts their property. She said she wants the integrity to be uphold. She said the neighbors knew about SEZ and restrictions when they bought the property.

Tom Cardinale said the maximum size for a tree is 14 inches unless deemed a dangerous tree and would require permission with TRPA and the fire department. Ava said you need permission to remove a tree that measured 14 inches in diameter, and 24 inches is considered old. You really need to have a good reason to remove a 24 inch tree. Eva said TRPA doesn't look at variances.

MOTION: Judy Miller recommended submitting comments and individual evaluations on this project. Kevin Lyons seconded the motion to submit comments and individual evaluations. Motion passed unanimously.

From: Jean Marley
To: [Mullin, Kelly](#)
Subject: Case number WPVAR17-005 (McLendon)
Date: Friday, July 28, 2017 1:33:53 PM

I own the property at 477 Alpine View Drive. In receiving this variance application I am amazed that you would even consider a setback of only 3(three feet). I appose this. Keep it at 20 feet.

Jean Marley
477 Alpine view Drive
Incline Village, NV.

Sent from my iPhone

Ms. Clare Walton, Principal Architect
Walton Architecture + Engineering, Inc.
740 North Lake Boulevard
Tahoe City, CA 96145

**Subject: McLendon Proposed Residential Project
487 Eagle Drive, Incline Village, NV**

Dear Ms. Walton,

The purpose of this letter is to respond to the Notice received for the proposed Washoe County Development Application your firm filed on behalf of Mr. and Mrs. McLendon requesting a setback variance for the proposed residential project. In the effort to provide some input as the adjacent property owner, we offer the following:

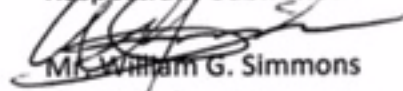
- Will the proposed residence entirely comply with the 8-foot sideyard setback up to the front property line at Eagle Drive? Our concern is the proximity and crowding of the new building that is proposed to be built adjacent to our existing residence at 485 Eagle Drive.
- After observing the recent survey staking and string lines depicting the proposed building footprint, this footprint appears to be out of relationship with the large conifer trees in excess of 24" dbh. Our comment is there appears to be more available development area on the southwesterly area portion of the parcel that with some shifting of the proposed building, more of a view may be captured with the preservation of about five (5) of the affected large trees.
- The present orientation of the new master bedroom is proposed to overlook our existing recreational deck area of our residence where privacy and use may be of a mutual concern between both property owners. You may want to relook at this orientation and how it may impact the concerns of your client, as well as ours.

- Additionally, one of our primary comments is that we question whether the proposed residence has been assessed and designed as it relates to the terrain, topography, vegetation, and view characteristics of this property. After living here for many years, we are observing that instead of the new home being fitting to scale and character of the down sloping property that possesses large trees, there seems to be a propensity of removing these large trees instead of working around these existing large trees that have remained after the property has recently experienced significant tree and vegetation clearing already.
- We have noticed the plans accompanying the Notice appears to be prepared by a California architect. Does your firm have a Nevada license?

While our comments may appear critical, our purpose is to stimulate dialogue and discussion of measures that will further address the size, scale, and location of this proposed development. We believe this project as it is presently proposed warrants further refinement to have it blend in with the "knoll" where our residences will be located and not create conflict of our mutual enjoyment and use of our respective properties.

Should you have any comments or questions, please do not hesitate to contact me at 775-336-8457. Thank you for your consideration of our comments.

Respectfully Submitted



Mr. William G. Simmons

Property Owner

simmons.bill@sbcglobal.net

930 Tahoe Blvd 802-372

Incline Village, NV 89451

WGS:

pc: Mr. and Mrs. Byron McLendon
Washoe County Community Development