## Board of Adjustment Staff Report

Phone Number: 775.328.3608
Email: cweiche@washoecounty.gov

| CASE DESCRIPTION |  |
| :--- | :--- |
| For hearing, discussion, and possible action to <br> approve a variance to reduce the required front yard <br> setback from twenty (20) feet to one (1) foot in order <br> to construct an addition to an existing single-family <br> residence. |  |
| Applicant: Elise Fett \& Associates, Ltd. <br> Property Owner: Kenneth Easter \& J'nee <br> Hilgers Easter  <br> Location: 666 Tumbleweed Cir. Incline <br> APN: Village, NV 89451 <br> Parcel Size: 125-522-01 <br> Master Plan: T,160 sq. ft. <br> Regulatory Zone: Tahoe - Incline Village \#4 <br> Area Plan: Tahoe Area Plan Village \#4 <br> Development Code: Authorized in Article 804, <br> Commission District: Variances <br> 1 - Commissioner Hill  |  |



STAFF RECOMMENDATION
APPROVE
APPROVE WITH CONDITIONS
DENY

## POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment deny Variance Case Number WPVAR22-0002 for Kenneth Easter \& J'nee Hilgers Easter, being unable to make all five required findings in accordance with Washoe County Development Code Section 110.804.25.
(Motion with Findings on Page 8)

## Staff Report Contents

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## Variance Definition

The purpose of a variance is to provide a means of altering the requirements in specific instances where the strict application of those requirements would deprive a property of privileges enjoyed by other properties with the identical regulatory zone because of special features or constraints unique to the property involved; and to provide for a procedure whereby such alterations might be permitted by further restricting or conditioning the project so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the variance, that approval is subject to conditions of approval. Conditions of approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

- $\quad$ Prior to permit issuance (i.e., a grading permit, a building permit, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure.
- Prior to the issuance of a business license or other permits/licenses.
- Some conditions of approval are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the business or project.
The conditions of approval for Variance Case Number WPVAR22-0002 are attached to this staff report and if granted approval, will be included with the action order.
The applicant is seeking variance on the required front yard setback requirement. The Board of Adjustment will be ruling on this request.


## Variance Requested <br> Front Yard Setback <br> Relevant Code 110.220.55

There are no recommended conditions of approval for Variance Case Number WPVAR22-0002 because denial is recommended.

The subject property has a regulatory zone of Incline Village \#4. Setbacks are determined by lot size in the Tahoe planning area. See table below from WCC Section 110.220.55. For lots that are between 5,000 square feet and 11,999.99 square feet in size, front and rear yard setbacks are 20 feet and side yard setbacks are 5 feet. The subject property is .16 acres, which is approximately 7,160 square feet. Reductions to required setbacks are permissible subject to approval of a variance in accordance with Article 804 of the Development Code.

| Use Type and <br> Parcel Size | Required Setback |  |  | Minimum <br> Parcel Width | Minimum <br> Parcel Size |
| :--- | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  |
|  | Front <br> (Feet) | Side <br> (Feet) | Rear <br> (Feet) | (Feet) | (Square Feet) |
| Residential | 30 | 15 | 30 | $80 \mathrm{ft}$. | $3,700 \mathrm{sf}$. |
| Greater Than 2.5 Acres | 30 | 12 | 30 | $80 \mathrm{ft}$. |  |
| 35,000 Square Feet to 2.5 <br> Acres | 30 | 20 | 8 | 20 | $60 \mathrm{ft}$. |
| 12,000 Square Feet to <br> 34,999.99 Square Feet | 20 | 5 | 20 | $60 \mathrm{ft}$. |  |
| 5,000 Square Feet to <br> 11,999.99 Square Feet | 20 | 5 |  |  |  |



Site Plan


## South Elevation



West and East Elevations


Garage and Ground Level Floor Plan


## Second and Third Level Floor Plan

## Project Evaluation

The applicant is seeking to reduce the required front yard setback from 20 feet to 1 foot. The applicant is proposing to remodel and add an addition to an existing single-family residence. The existing home is 3 -stories with a built-in garage that encroaches into the setback along the front yard property line.

The most critical aspect of evaluation of a proposed variance is to recognize that Nevada Revised Statues (NRS 278.300) limits the power of the Board of Adjustment to grant variances only under particular circumstances. The applicant has the responsibility to demonstrate that the subject property exhibits one or more of the following characteristics to demonstrate a hardship:

1) exceptional narrowness, shallowness, or shape of a specific piece of property; or
2) by reason of exceptional topographic conditions; or
3) other extraordinary and exceptional situation or condition of the piece of property.

If such a finding of fact can first be made, then the Board must also determine that the strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property.
Staff would like to emphasize that a hardship is based only upon characteristics of the land, not the convenience of the applicant.
Exceptional Narrowness:

The subject site has a regulatory zone of Tahoe Incline Village \#4. In accordance with the Tahoe Area Plan, the minimum lot width for that zone, subject to the lot size, is 60 feet, as shown in the table on page 3 of this staff report. The subject parcel is averages 65 feet in width and in no portion is less than the minimum 60'. This exceeds the minimum lot width requirement by approximately 5-10 feet.

Thus, the subject parcel is not exceptionally narrow.


Parcel width - Image from Assessor's Parcel Map

## Exceptional Shallowness:

The minimum lot dimension, as noted above, for the Incline Village \#4 regulatory zone and subject to the lot size is 60 feet. The northern (side) property line is 111.28 feet in length, and the southern (side) property line is 118.85 feet in length, which results in an average depth of approximately 115 feet. This exceeds the minimum lot dimension by approximately 55 feet.
Thus, the subject parcel is not exceptionally shallow.

## Exceptional Shape:

The subject parcel is essentially rectangular; please see the image above from the Assessor's map.

Thus, the parcel is not exceptionally shaped.

## Exceptional Topographic Conditions:

The subject parcel slopes from an elevation of approximately 6,962 feet at the south property line to an elevation of approximately 6,984 at the west property line. This is a difference of 22 feet over a distance of approximately 110 feet. This results in a slope of approximately $22 \%$. See image below. Slopes of $15 \%$ or greater over $20 \%$ or more of the subject site may be considered hillside development under Article 424 of the Development Code. The slope of the applicant's property is not unique to the subject parcel; parcels to the north and south of the subject parcel have similar slopes.


## Contours / Slope

## Extraordinary and exceptional situation or condition of the property and/or location of surroundings.

The applicant has stated that the purpose of the variance request is to construct a new garage at the front of the home and to convert the existing garage to living space; as well as expanding all three existing levels over the proposed new garage. The applicant further states "the bulk of the new garage will feature a roof deck to minimize the mass at the street level".

It should be noted the existing structure already protrudes into the front yard setback by about 10'. According to Article 904, Nonconformance, this house is considered a nonconforming structure, because it does not meet current setbacks. WCC Section 110.904.30 states that a nonconforming structure may not be enlarged by more than ten (10) percent. Remodeling the existing garage and adding an addition which protrudes even further into the front yard setback would result in an increase in nonconformance. It is staff's opinion that there is not an exceptional situation specific to this parcel of land and does not meet the requirements for a variance.

Further findings of fact are also required for the Board to approve the requested variance. These include that 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. Staff is unable to make this finding. Because there are no special circumstances applicable to the subject site, approval of a variance would impair the intent of the Development Code which requires that a finding of hardship be made for approval of a variance to be granted. Also, virtually eliminating the front yard setback could have additional impacts to the neighboring property, such as drainage impacts, snow storage, etc.
Another required finding is that 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. This finding cannot be made. Because there are no special circumstances applicable to the subject site, approval of a variance to reduce the front yard setback results in a special privilege to this applicant that is not consistent with the limitations on other properties.
An additional required finding is that the requested variance does not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property. This finding can be made. A home addition is permissible on the subject site.

Finally, a finding that issuance of the permit will not have a detrimental effect on the location, purpose or mission of a military installation can be made as there is no military installation within the area that is required to be provided with public notice for the variance request.

Staff recommends denial of the variance, as there is no hardship of the land and no extraordinary conditions, as required by NRS and WCC, necessary to support the approval of the variance request.

## Reviewing Agencies

The following agencies/individuals received a copy of the project application for review and evaluation.

| Agencies $\quad \dagger \dagger$ | Sent to <br> Review | Responded | Provided Conditions | Contact |
| :---: | :---: | :---: | :---: | :---: |
| NDOT (Transportation) | $\times$ |  |  |  |
| Washoe County Building \& Safety | $\times$ |  |  |  |
| Washoe County Land Development | $x$ |  | $x$ | Walt West, wwest@washoecounty.gov: Rob Wimer, rwimer@washoecounty.gov |
| Washoe County Operations Division | $\times$ |  |  |  |
| Washoe County Planning \& Building Director | $x$ |  |  |  |
| Washoe County Traffic | X |  |  |  |
| WCHD Air Quality | X |  |  |  |
| WCHDEMS | X |  |  |  |
| WCHD Environmental Health | $\times$ | $\times$ |  |  |
| Regional Transportation Commission (All Apps) | $x$ |  |  |  |
| Washoe-Storey Conservation District (All Apps) | $x$ | $x$ |  |  |
| Charter Communications | $x$ |  |  |  |
| Incline Village Roads | X |  |  |  |
| \|VGID | $\times$ | $\times$ |  |  |
| Nevada Division of State Lands | $\times$ |  |  |  |
| Nevada Tahoe Conservation District | $x$ |  |  |  |
| North Lake Tahoe FPD | $\times$ |  |  |  |
| Tahoe Regional Planning Agency | X |  |  |  |
| Tahoe Transporation District | $x$ |  |  |  |
| US Forest Service (LTBMU) <br> Lake Tahoe Basin | $x$ | $x$ |  |  |

## Staff Comment on Required Findings

Washoe County Development Code Section 110.804.25, Article 804, Variances, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the request. Staff has completed an analysis of the variance application and has determined that the proposal is in compliance with the required findings as follows.
(a) Special Circumstances. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict
application of the regulation results in exceptional and undue hardships upon the owner of the property.

Staff Comment: There are no special circumstances applicable to the property, as demonstrated in this report. The parcel has no exceptional narrowness, shallowness or shape of the specific piece of property; no exceptional topographic conditions; no extraordinary and exceptional situation or condition of the property and/or location of surroundings. The strict application of the regulation does not result in exceptional and undue hardships upon the owner of the property, as the owner is not being deprived of anything.
(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.
Staff Comment: Because there are no special circumstances applicable to the subject site, approval of a variance would impair the intent of the Development Code which requires that a finding of hardship be made. Also, the 1 -foot setback could create a detrimental impact to the neighboring properties.
(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.
Staff Comment: Because there are no special circumstances applicable to the subject site, approval of a variance to reduce the side yard setback results in a special privilege to this applicant that is not consistent with the limitations on other properties.
(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.
Staff Comment: A home addition is permissible on the subject site.
(e) Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment: There is no military installation within the area that is required to be provided with public notice for the variance request

## Recommendation

After a thorough analysis and review, Variance Case Number WPVAR22-0002 is being recommended for denial, primarily because there are no special circumstances applicable to the property that result in a hardship. Staff offers the following motion for the Board's consideration.

## Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment deny Variance Case Number WPVAR22-0002 for Kenneth Easter \& J'nee Hilgers Easter, being unable to make all five required findings in accordance with Washoe County Development Code Section 110.804.25:
(a) Special Circumstances. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict
application of the regulation results in exceptional and undue hardships upon the owner of the property;
(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;
(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;
(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;
(e) Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

## Appeal Process

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant.

Applicant: Elise Fett \& Associates, Ltd. julie@elisefett.com

Property Owner: J'nee Hilgers Easter nate.easter@tti.com

Tahoe Agencies: Tahoe Regional Planning Agency
wjepson@trpa.org
North Lake Tahoe Fire Protection District
jdonogue@nltfpd.net
Incline Village General Improvement District
tim_buxton@ivgid.org
Tahoe Transportation District
info@tahoetransportation.org
USFS
kkuentz@fs.fed.us
Nevada Tahoe Conservation District mkelly@ntcd.org

| From: | Rosa, Genine |
| :--- | :--- |
| Sent: | Friday, March 18, 2022 9:53 AM |
| To: | Weiche, Courtney |
| Subject: | Review of Applications Submitted March 2022 - Memo II |

Variance Case Number WPVAR22-0002 (Easter Setback Reduction)
No Comments
P.S. - Please be sure to click the link below and sign up to receive air quality news, updates, public notices and more via e-mail.

Genine Rosa
Environmental Engineer II | Air Quality Management Division | Washoe County Health District grosa@washoecounty.gov | O: (775) 784-7204 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512
*My work hours are $\mathrm{M}-$ Th 7am-4:30 pm and Friday 7-11 am
www.OurCleanAir.com | Subscribe to get Air Quality Updates!
WASHOE COUNTY HEALTH DISTRICT
ENHANCING QUALITY OF LIFE
Publchenalth
Please take our customer satisfaction survey by clicking here

## Weiche, Courtney

| From: | Kuentz, Karen -FS [karen.kuentz@usda.gov](mailto:karen.kuentz@usda.gov) |
| :--- | :--- |
| Sent: | Monday, March 14, 2022 2:57 PM |
| To: | Weiche, Courtney |
| Subject: | Variance Case Number WPVAR22-0002 (Easter Setback Reduction) - Forest Service <br> comment |
| Follow Up Flag: Follow up <br> Flag Status: Flagged <br> Categories: WVAR22-0002 |  |

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello - the LTBMU has no comment on this project.
Thank you for including us in this review.

Karen Kuentz
Realty Specialist
Forest Service
Lake Tahoe Basin Management Unit
c: 530-721-9599
I am working remotely. The best way to reach me is by email.
karen.kuentz@usda.gov
35 College Drive
South Lake Tahoe, CA 96150
www.fs.fed.us
lsod fif
Caring for the land and serving people

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Date: March 28, 2022
To: Courtney Weiche, Planner, Planning and Building Division
From: Robert Wimer, P.E., Engineering and Capital Projects Division
Re: Variance Case WPVAR22-0002 - Easter Setback Reduction Variance
APN 125-522-01

## GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff has reviewed the above referenced application. The application, prepared by Elise Fett \& Associates, is for a variance to reduce the required building front yard setback for a residence along the southeast border of the parcel to one foot.

The Engineering and Capital Projects Division recommends approval of this variance case subject to the following conditions of approval:

1. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
2. A Revocable Occupancy Permit and Encroachment/Excavation Permit from Washoe County shall be obtained prior to any construction in Washoe County right-of-way.
3. The proposed garage addition is within the 5' Public Utility (PUE) and Snow Storage Easement. The County would allow the proposed structure within the County's Snow Storage Easement with a recorded Release of Liability Document to the County. Written permission shall be obtained from each affected Public Utility utilizing this PUE, allowing the structure to reside within this easement. A copy of the document(s) shall be submitted to the County Engineer prior to approval.

| From: | Program, EMS |
| :--- | :--- |
| Sent: | Tuesday, March 15, 2022 11:50 AM |
| To: | Weiche, Courtney |
| Cc: | Program, EMS |
| Subject: | FW: March Agency Review Memos I \& II |
| Attachments: | March Agency Review Memo II.pdf |
| Categories: |  |
|  |  |
| Hello, |  |

The EMS Oversight Program has reviewed Variance Case Number WPVAR22-0002 (Easter Setback Reduction) and does not currently have any questions, comments or concerns regarding this application.

Thank you,
Sabrina.

Sabrina Brasuell<br>EMS Coordinator | Epidemiology and Public Health Preparedness<br>Washoe County Health District<br>sbrasuell@washoecounty.gov |O: (775) 326-6043<br>1001 E. Ninth St., Bldg. B. Reno, NV 89512

From: Kerfoot, Lacey [LKerfoot@washoecounty.gov](mailto:LKerfoot@washoecounty.gov)
Sent: Monday, March 14, 2022 3:38 PM
To: Rosa, Genine [GRosa@washoecounty.gov](mailto:GRosa@washoecounty.gov); Restori, Joshua [JRestori@washoecounty.gov](mailto:JRestori@washoecounty.gov); Program, EMS [EMSProgram@washoecounty.gov](mailto:EMSProgram@washoecounty.gov); English, James [JEnglish@washoecounty.gov](mailto:JEnglish@washoecounty.gov); Rubio, Wesley S [WRubio@washoecounty.gov](mailto:WRubio@washoecounty.gov); Kelly, David A [DAKelly@washoecounty.gov](mailto:DAKelly@washoecounty.gov)
Cc: EHS Plan Review [EHSPlanReview@washoecounty.gov](mailto:EHSPlanReview@washoecounty.gov); Albarran, Adriana [AAlbarran@washoecounty.gov](mailto:AAlbarran@washoecounty.gov);
Pelham, Roger [RPelham@washoecounty.gov](mailto:RPelham@washoecounty.gov); Bronczyk, Christopher [CBronczyk@washoecounty.gov](mailto:CBronczyk@washoecounty.gov); Stark, Katherine [KRStark@washoecounty.gov](mailto:KRStark@washoecounty.gov); Olander, Julee [JOlander@washoecounty.gov](mailto:JOlander@washoecounty.gov); Weiche, Courtney [CWeiche@washoecounty.gov](mailto:CWeiche@washoecounty.gov)
Subject: March Agency Review Memos I \& II

Good afternoon,
Please find the attached Agency Review Memo I \& Agency Review Memo II with cases received in March by the Washoe County Community Services Department, Planning and Building Division.

You've been asked to review the following applications:

- Air Quality: Memo I - Items 1 and 3; Memo II - Item 7
- EMS: Memo I - Items 1 and 3; Memo II - Items 2, 3 and 7
- Environmental Health: Memo I - Items 1 and 3; Memo II - Items 2, 3, 4, 5, 7 and 8

The item descriptions and links to the applications are provided in the memo. Comments are due by March 28, 2022.


## WASHOE COUNTY <br> Community Services INTEGRITY COMMUNICATION SERVICE

March 24, 2022

TO: Courtney Weiche, Senior Planner, Washoe County Community Services Department Planning and Building Division

FROM: Timber Weiss, Licensed Engineer, CSD
SUBJECT: Variance Case Number WPVAR22-0002 (Easter Setback Reduction)
Project description: - For hearing, discussion, and possible action approve a variance to reduce the required front yard setback from twenty (20) feet to one
(1) foot in order to construct an addition to an existing single-family residence.

Location: 666 Tumbleweed Cir. Incline Village, Assessor's Parcel Number: 125-52201.

The Community Services Department (CSD) offers the following Water Rights conditions and /or comments regard these amendments:

No comments.
Recommend approval.


## Washoe-Storey Conservation District

1365 Corpotate Eivd.
RenoNV 89502
775 857-8500 ext. 131
nevadaconservation.com
March 21, 2022

Washoe County Community Services Department
C/O Courtney Weiche, Senior Planner

1001 E Ninth Street, Bldg. A

Reno, NV 89512

R: WPVAR22-0002 Easter Setback Reduction

Dear Courtney,

In reviewing the variance to reduce the required front yard setback, the Conservation District has the following comment.

We support the applicant use of the same exterior finishes and roofing material to the addition of this residence.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources and any questions call us (775) 750-8272.

Sincerely,
Jim Shaffer

| From: | skitumbleweed [skitumbleweed@gmail.com](mailto:skitumbleweed@gmail.com) |
| :--- | :--- |
| Sent: | Thursday, April 7, 2022 6:06 PM |
| To: | Weiche, Courtney |
| Subject: | The topic of 666 Tumbleweed Incline Village NV 89451 |
|  |  |
| Follow Up Flag: | Follow up |
| Flag Status: | Flagged |
|  |  |
| Categories: | WPVAR22-0002 |

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Hello Courtney,
Cannot agree with this plan for 666 Tumbleweed. Are these new homeowners? Who are these folks that own 666 Tumbleweed.

I say this because these particular Incline Village homes are over 7000 FT. That's not big snow. That's super huge snow. All our homes have that 20 ft setback for a reason. The reason is SNOW.

I don't want anyone thinking this is ok to do up here ever. So if you're thinking of sleeps 50? Or you are thinking of extra living space and affordable living or housing the workforce or whatever it is you must shelve the idea.

The setback is for the state snow removal vehicles to have somewhere to throw the snow. And that setback is for snow removal from the homes themselves. It would be highly unusual and unacceptable to remove the setback. And totally unfair to the neighborhood and neighbors. I already have more snow at my property than all others because of wind direction and topology and the ability of the state of Nevada folks clearing the road and my need to remove snow from my roof.

I don't want anyone hauling snow my way when my home is already the neighborhood ice cave. And I am sure the other folks, if they have half a brain, will rebel against this idea for 666 Tumbleweed.

I have lived in Tahoe since 1970. And in Incline since 1974.

This is the way it works. There are very very few over 7KFT homes in the world. Even the gas regulators don't perform correctly because all energy companies don't want to make a special regulator for me. So we try many until we get a defective one that works. It's a physics issue.

For matters like this it is important the planning department takes direction from an old guy that really knows. Building codes in Tahoe were made because politicians and government folks did not like watching me clear roofs in 1983. They made those building codes to save my life.

So it's important for folks new to the area or new to planning Tahoe homes that are over 7KFT to step back and ask themselves or some old guy that has lived up there forever why things are as they are.

My wife and I were surprised to hear of this. And we want to make sure folks are being smart and that this is not a trend and is well thought out or and idea that will be ditched because you all will realize you are not knowledgeable and should not be making such decisions.

The setbacks are there for a reason. They should not be tampered with.
So you know. I saved homes in 1983. Not all I could save. My neighbor's home I discovered was crushed when I came home from school. The snow crushed the home.

I shovel my roof every year or other year. I can have you shovel that roof and clear the home after a big storm. That'll cause you to think long and hard about that setback. Also vehicles do slip out. A setback of $\mathbf{1} \mathrm{ft}$. is very unwise. Plow could hit it too. Or a UPS truck.

Tim Delaney

## Public Notice

Pursuant to Washoe County Code Section 110.804.20 public notification consists of notification by mail of at least 30 separate property owners within a minimum 500 -foot radius of the subject property. This proposal was noticed within a 500 foot radius of the subject property, noticing 51 separate property owners.


NOTICING MAP

## Washoe Country 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: |  |  |  |
| NJEA - Easter \& Hilgers Easter Remodel/Addition |  |  |  |
| Project Full interior remodel with new garage, entry \& office. The existing garage is Description: to become a family room. |  |  |  |
| Project Address:666 Tumbleweed Cir. Incline Village, NV 89451 |  |  |  |
| Project Area (acres or square feet): $3,346 \mathrm{sf}$ |  |  |  |
| Project Location (with point of reference to major cross streets AND area locator): <br> 666 Tumbleweed Circle, halfway btwn Fallen Leaf Way \& Pinto Ct. |  |  |  |
| Assessor's Parcel No.(s): | Parcel Acreage: | Assessor's Parcel No.(s): | Parcel Acreage: |
| 125-522-01 | . 1644 (7,160sf) |  |  |
| Indicate any previous Washoe County approvals associated with this application: Case No.(s). |  |  |  |
| Applicant Information (attach additional sheets if necessary) |  |  |  |
| Property Owner: Kenneth Easter \& |  | Professional Consultant: |  |
| Name: J'nee Hilgers Easter |  | Name: same as applicant |  |
| Address: 774 Mays Blvd. Suite 10 PMB 722 |  | Address: |  |
| Incline Village | Zip: 89451 |  | Zip: |
| Phone: | Fax: | Phone: | ax: |
| Email:nate.easter@tti.com |  | Email: |  |
| Cell: 678-473-7411 | Other: | Cell: | Other: |
| Contact Person: |  | Contact Person: |  |
| Applicant/Developer: |  | Other Persons to be Conta |  |
| Name:Elise Fett \& Associates, Ltd. |  | Name: |  |
| Address: PO Box 5989 |  | Address: |  |
| Incline Village | Zip:89450 |  | Zip: |
| Phone: 775-833-3388 | Fax: | Phone: | ax: |
| Email:julie@elisefett.com |  | Email: |  |
| Cell: 775-315-3086 | Other: | Cell: | Other: |
| Contact Person: Julie Soules |  | Contact Person: |  |
| For Office Use Only |  |  |  |
| Date Received: | Initial: | Planning Area: |  |
| County Commission District: |  | Master Plan Designation(s): |  |
| CAB(s): |  | Regulatory Zoning(s): |  |

## Variance Application <br> Supplemental Information

(All required information may be separately attached)

1. What provisions of the Development Code (e.g. front yard setback, height, etc.) must be waived or varied to permit your request?

Reduction of the front yard setback to 1' at the nearest point of proposed garage.
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 slope of the property is exceedinlgy steep at $>20 \%$ and the existing driveway slope is non-compliant at 23\%.
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 proposed garage is sunken and only one story w/a green roof deck instead of a pitched roof to minimize the mass.
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 current driveway slope renders the exisitng garage useless in the winter, the new garage will allow cars and gear to be stowed in the garage year round.
5. What enjoyment or use of your property would be denied to you that is common to other properties in your neighborhood?

A safe driveway and parking will be denied without the variance.
6. Are there any restrictive covenants, recorded conditions or deed restrictions (CC\&Rs) that apply to the area subject to the variance request?

| ㅁ Yes | $\times$ No | If yes, please attach a copy. |
| :--- | :--- | :--- | :--- |

7. How is your current water provided?

## IVGID

8. How is your current sewer provided?

## IVGID

## NJEA - Easter \& Hilgers-Easter Remodel/Addition

666 Tumbleweed Circle
Incline Village, NV 89451
APN: 125-522-01

## Project Description

This project proposes a remodel and addition to an existing single-family residence. The existing home is 3 -stories with a built-in garage that is nearly inaccessible with the existing $23 \%$ driveway slope. The proposed plan includes a dug-out garage at the front of the home in order to achieve a useable driveway and garage for the owners. The existing garage will be converted to living space and there will be a partial pop-out/expansion of all three existing levels over the new garage. However, the bulk of the new garage will feature a roof deck to minimize the mass at the street level.

## Supplemental Questions

1. The proposed structure will be $1^{\prime}$ from the property line at the nearest corner, but it has been angled to match the angle of the existing structure and minimize the overall encroachment. The garage goes from $1^{\prime}$ at the nearest point to $14^{\prime}$ at the furthest. It is by enlarge a single-story addition and would be allowed to be built at the property line if it were a detached structure. However, placement of the existing structure prevents the structure from being detached, therefore the variance is being requested.
2. The slope and width of the property are the main items preventing compliance with the development code. The slope at the front of the property is greater than $20 \%$ and, as previously noted, the existing driveway slope is $23 \%$. The terrain is steep along the street and many of the properties have had a reduced setback to allow for garages and functional driveways.
3. The proposed garage will be sunk and only one story at the street to limit view blocking and massing at the property line. The roof will be a green roof deck, which will add visual aesthetics to the front of the home.
4. The current driveway slope renders the existing garage useless in the winter and even in the summer, guests routinely elect to park at the street rather than navigate the steep slope. The proposed garage will allow gear and cars to be stowed out of sight year-round.
5. Without the variance, the owners will be denied safe parking and a code compliant driveway. If the variance were denied, they would be forced to keep the existing non-conforming and dangerously steep driveway.

Property Owner Affidavit
Applicant Name: $\qquad$ Kenneth Nathaniel Easter

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA
COUNTY OF WASHOE $\quad$ )

1. Kenneth Nathaniel Easter
(please print name)
being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.
(A separate Affidavit must be provided by each property owner named in the title report.)

$$
\text { Assessor Parcel Numbers): } 125-522-01
$$



Subscribed and sworn to before me this


*Owner refers to the following: (Please mark appropriate box.)
4 Owner

- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
$\square$ Power of Attorney (Provide copy of Power of Attorney.)
[ Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

Property Owner Affidavit
Applicant Name: J'nee Hilgers-Easter

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.
(A separate Affidavit must be provided by each property owner named in the title report.)
$\qquad$


Subscribed and sworn to before me this

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O Owner

- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
$\square$ Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship






K EASTER \& J HILGERS-EASTER REM.

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INCLINE VILLAGE, NV 89451
APN: $125-522-01$



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INCLINE VILLAGE, NV 89451 APN: 125-522-01


ELISE FETT
\& ASSOCIATES, LTD. RCHITECTUR ARCHITECTURE ENGINĖERING
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P.O. BOX 5989
INCLINE VILLAG

Nowatin
PHONE: (775)833-3:
FAX: $(775) 833-238$
elise@elisefett.com
NPVAR22-0002 EXHIBIT D



WPVAR22-0002










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WPVAR22-0002 EXHIBIT D




|  | ' |  | K EASTER \& J HILGERS-EASTER REM. 666 TUMBLEWEED CIRCLE INCLINE VILLAGE, NV 89451 APN: 125-522-01 |
| :---: | :---: | :---: | :---: |

ELISE FETT

ARCHITECTURE
ENGINEERINE PHONE: (775) $8339-3838$
FAX: $(775) 833-2388$
eliseeelisefett.com

WPVAR22-0002 EXHIBIT D


