

Board of Adjustment Staff Report

Meeting Date: October 1, 2015

Subject: Variance Case Number VA15-008

Applicant: Joshua Myers

Agenda Item Number: 9B

Project Summary: A request to reduce the required rear yard setback from 20 feet to

10 feet and reduce the required north, side yard setback from 8

feet to 6 feet

Recommendation: Approval with Conditions

Prepared by: Grace Sannazzaro, Planner

Washoe County Community Services Department

Division of Planning and Development

Phone: 775.328.3627

E-Mail: <u>gsannazzaro@washoecounty.us</u>

Description

Variance Case Number VA15-008 (Myers) – Hearing, discussion, and possible action to approve a variance to reduce the rear yard setback from 20 feet to 10 feet and to reduce the north, side yard setback from 8 feet to 6 feet in order to renovate and expand an existing single family dwelling.

Applicant/Property Owner: Joshua Myers

Location: 565 Country Club Drive, Incline Village

Assessor's Parcel Number: 131-080-16Parcel Size: 0.59 acres

Master Plan Category: Suburban Residential (SR)

Regulatory Zone: Medium Density Suburban (MDS)

Area Plan: Tahoe

Citizen Advisory Board: Incline Village/Crystal Bay

• Development Code: Authorized in Article 804, Variances

Commission District: 1 – Commissioner Birkbigler
 Section/Township/Range: Section 10, T16N, R18E, MDM,

Washoe County, NV

Staff Report

Variance Definition Vicinity Map Aerial Photo Project Evaluation Citizen Advisory Board (CAB) and Public Comment Reviewing Agencies Motion	4 10 11		
		Appeal Process	
		Exhibits Contents	
		Conditions of Approval	Exhibit A
		Reviewing Agency Conditions of Approval and Comments	Exhibit B

Incline Village General Improvement District Letter...... Exhibit C

Public Notice Map..... Exhibit D

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.

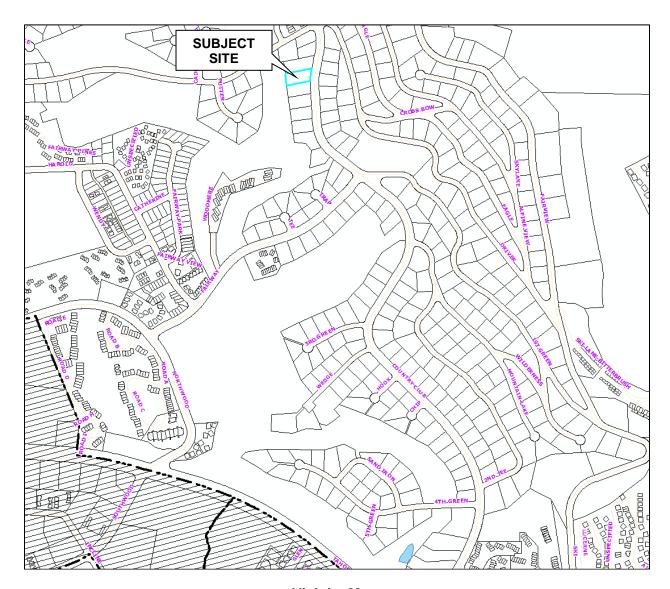
NRS 278.300 (1) (c) limits the power of the Board of Adjustment to grant variances only under the following circumstances:

Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any regulation enacted under NRS 278.010 to 278.630, inclusive, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, the Board of Adjustment has the power to authorize a variance from that strict application so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

The statute is jurisdictional in that if the circumstances are not as described above, the Board does not have the power to grant a variance from the strict application of a regulation. Along that line, under Washoe County Code Section 110.804.25, the Board must make four findings which are discussed below.

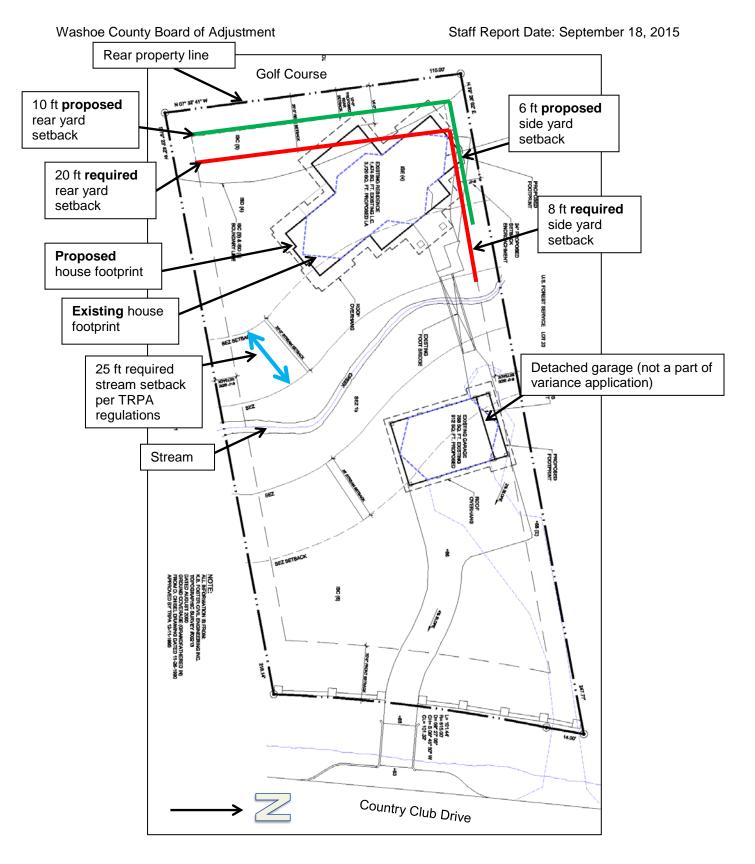
If the Board of Adjustment grants an approval of the Variance, that approval may be subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

- 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

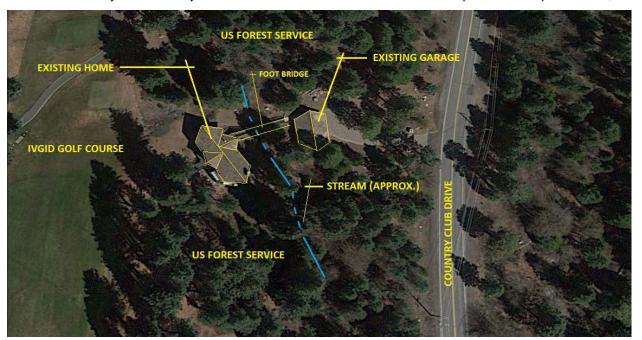


Vicinity Map

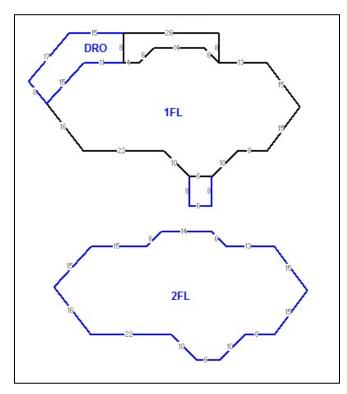
The subject site is addressed as 565 Country Club Drive, Incline Village, NV. APN: 131-080-16



Site Plan

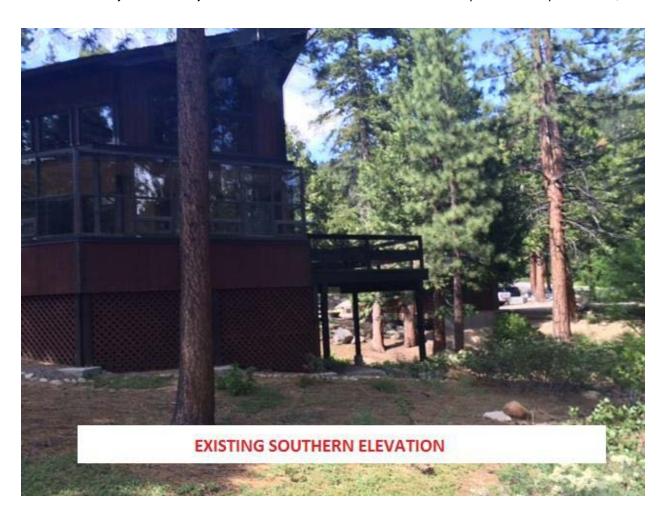


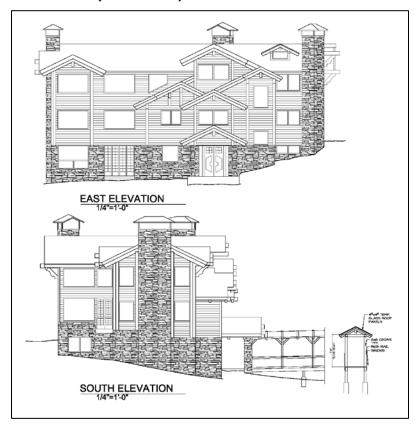
Aerial Photo



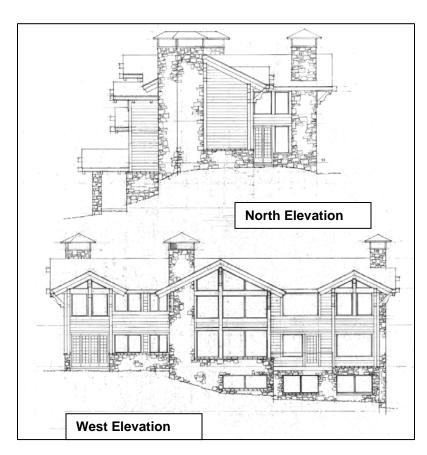
<u>Footprint of Existing House</u> (Source: Washoe County Assessor)







Elevations of Remodel



Project Evaluation

The subject ±.59 acre parcel is zoned Medium Density Suburban and is developed with a ±3,182 square foot house and a detached garage. The applicant is requesting a variance to the rear yard setback reducing it from 20 feet to 10 feet, and to the north, side yard setback reducing it from 8 feet to 6 feet to renovate and enlarge the existing house built in the early 1970's. The detached garage sits on the front portion of the parcel and is not a part of this variance request. The existing house is an odd triangular shape which the applicant states creates numerous inefficiencies including an existing spiral staircase which is not up to code. In order to renovate the existing house, which includes correcting the odd shape, it is necessary to expand outward on all sides, resulting in an encroachment into the rear and north side yard setbacks.

The applicant bought the property in 2013, and states that the house when originally built in 1973 was not constructed according to the final approved plans, resulting in an encroachment of approximately 3 feet into the rear yard setback. The existing house is approximately 3.75 feet from the north side yard setback line. There is an existing encroachment into a stream setback, identified as a "Stream Environment Zone" (SEZ) that is required by the Tahoe Regional Planning Agency (TRPA).

The stream bisects the subject parcel and runs in a north/south direction, resulting in a limited amount of space for improvements. The detached garage sits to the east of the stream and the house is west of the stream, with a foot bridge crossing the stream providing connection between the house and garage. The stream is identified on the Official Plat of Fairway Estates No. 2 as a 20 foot wide drainage easement. TRPA requires a 25 foot wide SEZ (Stream Environment Zone) setback on either side of the stream. A portion of the existing house footprint encroaches into the SEZ setback and the proposed renovation will encroach into the SEZ setback. The applicant advises that the encroachment into the SEZ setback is under review by TRPA. It should be noted that the stream encroachment is not a part of the variance application before Washoe County. In summary, between the stream setbacks and required rear and side yard setbacks, there is little room to update the existing house. This situation creates an exceptional and undue hardship upon the property owner.

The applicant states the existing spiral staircase presents a safety hazard, which necessitates the redesign of the stairs and a reconfigured stair design is necessary to meet current building and safety standards. The lack of needed land to redesign a new staircase in the area of the existing spiral staircase creates an exceptional hardship for the property owner. This is essentially a replacement of existing stairs in a location that is historically established and is not a condition established by the applicant. In order to have enough space to replace the existing spiral staircase and renovate and enlarge the existing house, encroachments into the north side yard (from 8 to 6 feet) and rear yard setbacks (from 20 to 10 feet) are necessary.

Joseph Pomroy, Public Works Director of the Incline Village General Improvement District (IVGID), wrote a letter of support that was submitted with the variance application (Attachment C). Mr. Pomroy states there are a number of surrounding properties that have received a variance allowing them to build inside the required rear yard setback adjacent to the golf course. Mr. Pomroy further states that IVGID does not see any impacts to the golf course if the subject variance is granted, and prior to receiving a Certificate of Occupancy from Washoe County Building and Safety, IVGID will require a Hold Harmless Agreement to be recorded on the property.

The adjacent parcel to the north that could be affected by the 2 foot side yard encroachment is an undeveloped parcel owned by the US Forest Service (USFS). This parcel is one among several properties in the surrounding neighborhood that were sold to the USFS in the late 1980's due to development constraints. This parcel and others in the neighborhood that are owned by the USFS will never be developed. The USFS responded to the subject application, having no issues with the variance request. However, the USFS advised that personal use of National Forest System land is prohibited for any type of private use, including but not limited to a construction staging area, parking area, dumping of pine needles, dirt, etc., and can carry extensive fines and/or jail time for individuals and/or businesses (USFS letter included as part of Attachment B).

Three primary concerns relating to side and rear yard setbacks are the potential for the spread of fire from one property to another, water run-off onto adjacent properties, and the ability to properly maintain structures. In this instance, all three of those concerns are not applicable. The variance request, if granted, will not adversely affect neighboring properties or the character of the surrounding neighborhood.

Citizen Advisory Board (CAB) and Public Comment

The proposed project is to be presented by the applicant's representative at the September 28, 2015, meeting of the Incline Village/Crystal Bay Citizen Advisory Board. At the time of this writing, the CAB meeting has not taken place. Staff's intent is to discuss the CAB meeting minutes during the October 1, 2015 Board of Adjustment meeting.

Public Comment

Staff received one phone call from a property owner who stated that the existing house does not complement the surrounding neighborhood and is in dire need of renovation. This was the only public comment staff received regarding this application.

Reviewing Agencies

The following Reviewing Agencies received a copy of the project application for review and evaluation:

- Washoe County Planning and Development Division
- Incline Village/Crystal Bay Citizen Advisory Board
- U.S. Forest Service
- Washoe County Engineering and Capital Projects Division
- Washoe County Building and Safety Department
- Washoe County Health District
- Incline Village General Improvement District
- North Lake Tahoe Fire Protection District
- Tahoe Regional Planning Agency

Listed below are the Reviewing Agencies that responded and/or recommended conditions of approval in response to their evaluation of the variance application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information

Variance Case Number: VA15-008 (Myers)
Page 11 of 14

are provided below. The Conditions of Approval document is attached to this staff report and will be included with the Action Order if the application is granted approval.

• <u>Washoe County Planning and Development</u> provided standard conditions and is recommending approval subject to the conditions of approval.

Contact: Grace Sannazzaro, 775.328.3627, gsannazzaro@washoecounty.us

• <u>Incline Village General Improvement District (IVGID)</u> stated that due to the reduction of the rear yard setback and its relationship to the District's golf course, IVGID will require a Hold Harmless Agreement form to be signed at permit final.

Contact: Tim Buxton, Chief Inspector, 775.832.1246

<u>U.S. Forest Service (USFS)</u> has no issues with the subject variance request, and therefore had no comments or conditions of approval. However, the USFS advised that construction activities must be contained to the subject parcel, and any type of personal/exclusive use of National Forest System lands is strictly prohibited. They further advised the property owner to have dialogue with all contractors to insure that the contractors understand that all construction activity is to be contained within the property lines of the subject parcel. The USFS strongly advised that the subject property be surveyed and that all property corners be visibly marked throughout all phases of construction.

Contact: Jeff Marsolais, Forest Supervisor, 530.573.2600

- The following Reviewing Agencies responded stating they have no comment or conditions of approval regarding the subject variance application:
 - North Lake Tahoe Fire Protection District
 - Washoe County Environmental Health Services Division
 - Washoe County Engineering & Capital Projects Division

Staff Comment on Required Findings

Section 110.804.25 of Article 804, *Variances*, within the Washoe County Development Code, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the variance request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

 Special Circumstances. Because of the special circumstances applicable to the property, including either the 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.

<u>Staff Comment</u>: An exceptional situation exists on the parcel, which is constrained by a stream that consists of a 20 foot wide drainage easement, and a 25 foot wide TRPA required stream (SEZ) setback on either side of the stream and the strict application of the rear and side yard setback regulations results in exceptional and undue hardship upon the owner of the subject property.

Variance Case Number: VA15-008 (Myers)
Page 12 of 14

- 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.
 - <u>Staff Comment</u>: The relief requested will not create a substantial detriment to the public good, impair affected natural resources or impair the intent and purpose of the Development Code. Approval of the variance will not create a substantial detriment to the public good as many of the surrounding properties already have similar setback relief. The lots on either side of the subject parcel are owned by the USFS and will remain undeveloped. Staff cannot identify any significant impacts to neighboring properties or views as a result of the renovation and expansion of the existing residence.
- 3. <u>No Special Privileges.</u> 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.
 - <u>Staff Comment</u>: The relief requested will not constitute a grant of special privileges inconsistent with the limitations of other properties in the vicinity. Surrounding properties have similar limitations, have been granted similar variances and have built or expanded dwellings/structures within the required setbacks.
- 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.
 - <u>Staff Comment.</u> The subject parcel is designated with the Medium Density Suburban (MDS) Regulatory Zone. Pursuant to Washoe County Development Code, Article 302 Allowed Uses, a single family dwelling is allowed with building permits in the Medium Density Suburban (MDS) Regulatory Zone.
- 5. <u>Effect on a Military Installation</u>. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.
 - <u>Staff Comment</u>. There is no military installation within 3,000 feet of the subject property. Therefore, this finding does not apply to the subject property and is not required to be a part of the motion pursuant to Washoe County Development Code Section 110.804.25.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Variance Case Number VA15-008 is being recommended for approval with conditions. 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 approve Variance Case Number VA15-008 for Joshua Myers, having made all four findings in accordance with Washoe County Development Code Section 110.804.25:

- 1. <u>Special Circumstances</u>. 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;
- 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;
- 3. <u>No Special Privileges.</u> 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; and
- 4. <u>Use Authorized.</u> The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

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, 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 Development Division within 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment.

xc: Property Owner/Applicant: Joshua Myers

565 Country Club Dr. Incline Village, NV 89451

Consultant: Rubicon Design Group, LLC

Attn: Mike Railey

100 California Ave., Ste 202

Reno, NV 89509



Conditions of Approval

Variance Case Number VA15-008

The project approved under Variance Case Number VA15-008 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on October 1, 2015. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

<u>Unless otherwise specified</u>, all conditions related to the approval of this Variance shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Development Division.

Compliance with the conditions of approval related to this Variance is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Variance may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Variance should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- 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 project or business.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Planning and Development Division

1. The following conditions are requirements of the Planning and Development Division, which shall be responsible for determining compliance with these conditions.

Contact: Grace Sannazzaro, 775.328.3627, gsannazzaro@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this variance. Modification to the site plan may require amendment to and reprocessing of the variance.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits.
- c. A copy of the Final Order stating conditional approval of this variance shall be attached to all applications for administrative permits, including building permits, issued by Washoe County.
- d. Prior to the issuance of a Certificate of Occupancy or building permit final sign-off the applicant shall install an automatic garage door opener.
- e. Prior to submission of a building permit for the remodel of the approved single family dwelling and attached garage, the front property line shall be surveyed and marked by a surveyor licensed in Nevada. Approval of the variance shall not convey any rights or approval to construct any portion of a structure or dwelling across a property line, or in the County right-of-way. Neither shall any roof eaves, light fixtures or other structural or architectural elements project over the front property line.
- f. The use of straw bales shall be prohibited during construction of the project. A filter-fabric fence or other acceptable alternative shall be utilized for erosion control.

Incline Village General Improvement District (IVGID)

2. The following condition is a requirement of the Incline Village General Improvement District, which shall be responsible for determining compliance with this condition.

Contact: Joseph Pomroy, 775.832.1269

a. Due to a reduction of the rear yard setback and its relationship to the Incline Village Golf Course, a signed Hold Harmless Agreement will be required prior to building permit final and/or Certificate of Occupancy.

*** End of Conditions ***



Development Review Status Sheet

Date: 8-25-15

Attention: Grace Sannazzaro

Washoe County Department of Community Development

PO Box 11130, Reno NV 89520

RE: 565 Country Club

APN: 131-080-16 Service Address: 565 Country Club

Incline Village NV 89451

Owner: Joshua Myers

Phone: Fax: Email:

Mailing Address: N/A

Variance Case Number VA15-008 (Myers) — Hearing, discussion, and possible action to approve a variance to reduce the rear yard setback from 20 feet to 10 feet and to reduce the north side yard setback from 8 feet to 6 feet to remodel and expand an existing single family dwelling.

Applicant/Property Owner: Joshua Myers

Location: 565 Country Club Drive, Incline Village

Assessor's Parcel Number: 131-080-16Parcel Size: 0.59 acres

Master Plan Category: Suburban Residential (SR)
 Regulatory Zone: Medium Density Suburban (MDS)

• Area Plan: Tahoe

Citizen Advisory Board: Incline Village/Crystal Bay

Development Code: Authorized in Article 804, Variances

Commission District: 1 — Commissioner Birkbigler

Section/Township/Range: Section 10, T16N, R18E, MDM,

Washoe County, NV

Staff: Grace Sannazzaro, Planner Washoe County Community

Services Department Planning and Development Division

• Phone: 775-328-3627

• E-mail: gsannazzaro@washoecounty.us

<u>Comments and Conditions:</u> Due to the rear setback request and its relationship to the district golf course, IVGID will require a hold harmless agreement form to be signed at permit final.

Completed by: Tim Buxton, Chief Inspector Phone: (775) 832-1246 Fax: (775) 832-1260

Incline Village General Improvement District, 1220 Sweetwater Road, Incline Village NV 89451

The contents of this transmission are intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original to us at the above address via US Postal Service. We will reimburse you for your postage. Thank you.



Forest Service Lake Tahoe Basin Management Unit 870 Emerald Bay Road, Suite 1 South Lake Tahoe, CA 96150 (530) 573-2600 (530) 541-4036 TTY

File Code: 5510

Date: September 8, 2015

Joshua Myers 565 Country Club Drive Incline Village, NV 89451

Dear Mr. Myers:

My office has recently been notified of your construction plans at 565 Country Club Drive, located in Incline Village, NV. I would like to take this opportunity to inform you of the federal regulations regarding the use of the National Forest lands adjacent to your property.

During the construction phase, we have noticed many builders, contractors and homeowners have used adjacent vacant lands for a variety of uses including vehicular access, parking, storage of building material and supplies, installation of filter fencing, trenching for sewer and water-lines outside of the dedicated utility easements, and portable toilets. This type of use is unauthorized on the National Forest System lands adjacent to your property and will not be permitted. Please contain construction activities to your property.

Personal use of National Forest System lands for private/exclusive use is also prohibited. This commonly occurs after residential use of the property begins and includes dumping of pine needles and yard waste, boat/vehicle storage or parking, dog houses or dog runs, pet containment fencing (sold as "Invisible Fencing"), playhouse's and forts, sheds, landscaping, irrigation systems, and fencing, etc...

As the property owner, you are ultimately responsible for the actions of the contractors, sub-contractors and tenants who are working/living on your property. Personal use of National Forest System lands is prohibited under 36 CFR 261.10 and can carry a maximum penalty of \$5000.00 for individuals, \$10,000 for businesses and/or a jail sentence of up to six months per violation.

In order to avoid any possible penalties for unauthorized use of National Forest land, I encourage you to have dialog with the contractors who are conducting timber harvest and construction activities on your property to insure that they understand that all construction activities are to be contained to your property. I also strongly encourage that you have your property surveyed and have all property corners visibly marked throughout all phases of construction.

We appreciate your help and cooperation in protecting your National Forest lands. If you have any questions regarding the above, please contact Brian Hansen, Realty Specialist at (530) 543-2870.

Sincerely,

JEFF MARSOLAIS Forest Supervisor

CC: Washoe County Building Department, TRPA, Law Enforcement





From: Mark Regan [mailto:mregan@nltfpd.net] Sent: Friday, September 04, 2015 9:25 AM

To: Sannazzaro, Grace

Subject: Re: VARIANCE APPLICATIONS VA15-007 (Miller) and VA15-008 (Myers)

NLTFPD is good with both. Dale Drive will need a fire sprinkler system but that I will comment on when I see the building permit.

Mark Regan Battalion Chief/Assistant Fire Marshal NLTFPD 775-461-6200



September 4, 2015

Grace Sannazzaro, Planner Washoe County Community Services Planning and Development Division PO Box 11130 Reno, NV 89520-0027

RE:

Myers; 565 Country Club Drive, Incline Village, WCTY

Variance; VA15-008

Dear Ms. Sannazzaro:

The Washoe County Health District, Environmental Health Services Division (Division) Engineering has reviewed the above referenced project. The parcel is served by public water and sewer. This Division has no conditions or objections to the proposed Project.

If you have any questions regarding the foregoing, please call Chris Anderson at 328-2632 or Jim Shaffer 785-4599 regarding engineering or vector comments, respectively.

Sincerely,

Chris Anderson, P.E.
Registered Engineer
Land Development Program
Environmental Health Services

J.L. Shaffer
Program Coordinator/Planner
Vector-Borne Diseases Program
Environmental Health Services

CA/JE:ca

Cc: File - Washoe County Health District





WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects Division

"Dedicated to Excellence in Public Service"

1001 East 9th Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

INTEROFFICE MEMORANDUM

DATE:

September 03, 2015

TO:

Grace Sannazzaro, Planning and Development Division

FROM:

Leo R. Vesely, P.E., Engineering and Capitol Projects Division

SUBJECT:

VA15-008

APN 131-080-16 MYERS VARIANCE

I have reviewed the referenced variance case and have no conditions or comments.

LRV/Irv



July 17, 2015

Washoe County Community Services Department Attn: Planning and Zoning 1001 E. Ninth St. Reno, NV 89505

Subject:

565 Country Club Drive, APN 131-080-16

Mr. Josh Myers, Property Owner

The Incline Village General Improvement District owns and operates an 18-hole golf course in Incline Village. The subject applicant, Mr. Myers, owns the property at 565 Country Club Drive, which borders one of the golf holes along the rear property line. The closest cross street to this golf course hole is Driver Way.

IVGID recognizes that Mr. Myers' property has unique and unusual circumstances that will require him to receive approval of a variance in order to complete the proposed home addition and bring his property into more acceptable standards for the community. Based on the unique circumstances, with the creek running through the middle of the property and US Forest Service land adjacent to this property, the District understand that a hardship may exist and offers this letter in support of his variance request for modifications to the property setbacks.

There are a number of properties built adjacent to the District's 18-hole golf course that have received a variance to build into the property setbacks. Where this has occurred, the District has reviewed the variance request and made appropriate comments during the plan review process. Typically the District requires an additional Hold Harmless Agreement from any claims, loss, etc from the District's use, operation and maintenance of the golf course. The District does not see the currently proposed variance request to impact our use, operation or maintenance of the golf course and would require the additional Hold Harmless Agreement to be recorded on the property.

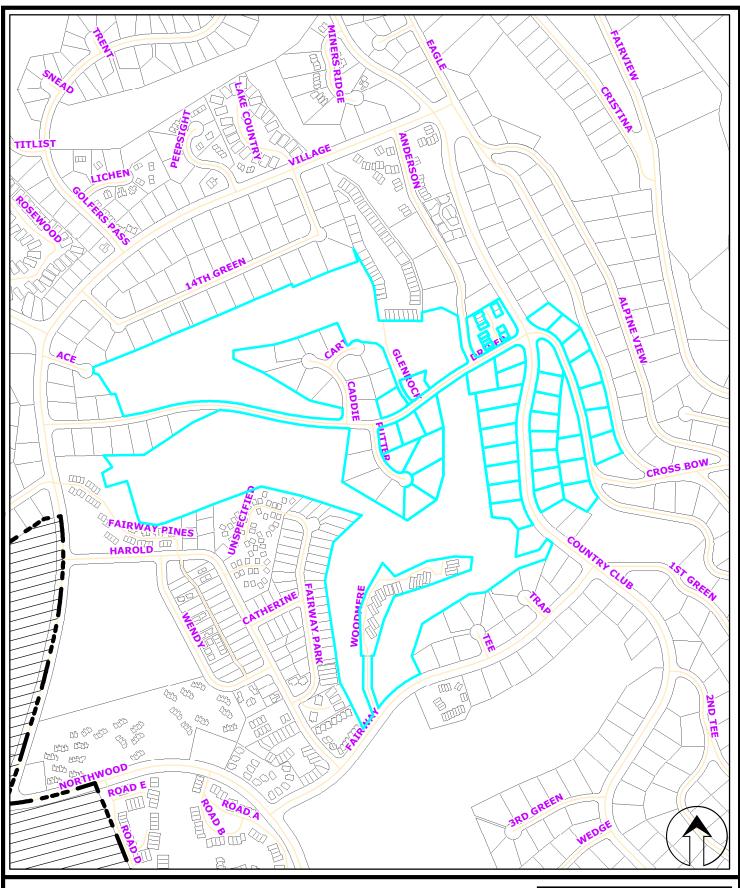
Please do not hesitate to contact me at 775-832-1269 if you have any questions with regard to this letter.

Sincerely,

Joseph J. Pomroy, P. E.

Director of Public Works

C: Property File



Public Noticing Map Variance Case No. VA15-008 565 Country Club Drive, Incline Village APN: 131-080-16

500 Foot Noticing Radius

Date: August 2015

Community Services Dept.
Planning & Development Division

WASHOE COUNTY NEVADA

Post Office Box 11130 Reno, Nevada 89520 (775) 328-3600



Source: Planning & Development