

Board of Adjustment Staff Report

Meeting Date: August 3, 2017

Subject:	Variance Case Number WPVAR17-0006
Applicant:	The Chalets HOA
Agenda Item Number:	9F
Project Summary:	Variance to reduce the front yard setback from 15 feet to 3 feet, 8 inches to construct a 5 vehicle carport
Recommendation:	Approval with Conditions
Recommendation: Prepared by:	Approval with Conditions Eva Krause, Planner Washoe County Community Services Department Planning and Building Division

Description

Variance Case Number WPVAR17-0006 (The Chalets) – For possible action, hearing, and discussion to approve a variance to reduce the front yard setback from 15 feet to 3 feet, 8 inches to construct a 5 vehicle carport.

- Applicant/Property Owner:
- Location:
- Assessor's Parcel Number:
- Parcel Size:
- Master Plan Category:
- Regulatory Zone:
- Area Plan:
- Citizen Advisory Board:
- Development Code:
- Commission District:
- Section/Township/Range:

The Chalets HOA 944 Northwood Blvd. Incline Village, NV 89450 131-290-00 31,755 sq. ft. UR LDU Tahoe Incline Village/Crystal Bay Authorized in Article 804 (Variances) 1 - Commissioner Berkbigler Section 15, T16N, R18E, MDM, Washoe County, NV

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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.

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 (WCC) 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.

As noted, the subject property is zoned Low Density Urban (LDU). Generally, applicable front yards setback requirements for LDU properties are established in WCC Table 110.406.05.1 (Part Three); 15 feet is the minimum. However, WCC Section 110.804.25 allows the Board of Adjustment to reduce the required front yard setback by granting a variance if the findings to support a variance can be made. The applicant is, therefore, seeking approval from the Board for the proposed variance request. The conditions of approval for Variance Case Number WPVAR17-0006 are attached to this staff report, and if granted approval, will be included with the Action Order.



Vicinity Map



Site Plan

Project Evaluation

The requested variance would permit the construction of a 5 bay carport within the front yard setback of the common area for the Chalet condominiums. Because the common area is shared equally amongst the condominium units, any amenity built within the common area shall be owned and managed as a common amenity by the Owners of Chalets Home Owner Association (HOA). If approved, the carports shall be owned, managed and maintained by the HOA.

The subject property is a one acre site with 6 freestanding condominiums, built in 1969. The unusual shaped lot abuts the Incline Village Championship Golf Course on the north and east sides. There is another condominium development to the south. The property fronts on Northwood Boulevard to the west. The parking lot for the condominium development is approximately 16 feet lower than the road grade so it is not visible from Northwood Boulevard. There is a stream that runs under the parking lot and through the property. The property was developed before Stream Environment Zone (SEZ) regulations were created by the Tahoe Regional Planning Agency (TRPA). The existing parking area is recognized by TRPA as existing disturbed area so it is permitted to remain, but new development within the SEZ is prohibited.

The Chalet's parking lot is south of the golf course's driving range. Golf balls from the driving range frequently fly over the driving range's protective fence into the parking lot, damaging vehicles and creating safety hazards to the residents. The existing parking lot encroaches a few feet into the front yard setback. The applicant is proposing to build the new carport structure further into the front yard setback to take advantage of the trees and hillside to protect the parking area from golf balls coming over the driving range fence.



The distance between the proposed carport and the edge of pavement of Northwood Boulevard is approximately 40 feet. Incline Roads Department has commented that the carport will not cause any issues for road maintenance or snow removal. As a standard condition for construction within the front yard setback, Engineering and Capital Projects Division requires a hold harmless agreement from the HOA.



Incline Village/Crystal Bay Citizen Advisory Board (IV/CB CAB)

The proposed project is scheduled to be heard at the Incline Village/Crystal Bay Citizen Advisory Board meeting on July 24, 2017. Staff will provide a summary of the CAB meeting at the Board of Adjustment public hearing on August 3, 2016.

Reviewing Agencies

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

- Washoe County Community Services Department
 - Planning and Building Division
 - Planning Program
 - Building Program
 - Engineering and Capital Projects Division
 - Land Development
 - Operations Division
 - Incline Village Roads Department
- Washoe County Health District
 - Air Quality Management Division
 - Environmental Health Services Division
- Incline Village General Improvement District
- North Lake Tahoe Fire Protection District
- Nevada State Lands

- Nevada Tahoe Conservation District
- US Forest Service LTBMU
- Charter Communications
- Washoe Storey Conservation District

Five of the above listed agencies/departments provided comments and/or recommended conditions of approval or stated they had no comment in response to their evaluation of the project application. A summary of the comments and/or recommended conditions of approval provided by the agencies is provided listed below. The Conditions of Approval document is attached to this staff report and will be included with the Action Order, if the Variance application is approved by the Board.

• <u>Washoe County Planning and Building Division, Planning Program</u> reviewed the application and recommends approval be granted to the HOA, subject to standard conditions,

Contact: Eva Krause, 775.328.3628, ekrause@washoecounty.us

- <u>Washoe County Engineering and Capital Projects, Land Development</u> requires a hold harmless agreement for structures in the front yard setback.
 Contact: Leo Vesely, 775.328.2313, lvesely@washoecounty.us
- <u>Washoe County Engineering and Capital Projects, Incline Roads</u> stated the variance would not impact road maintenance or snow removal.
 Contact: Rich Thompson, 775.328.2180, rthompson@washoecounty.us

Staff Comment on Required Findings

WCC Section 110.804.25 requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the abandonment request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

 <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.

<u>Staff Comment</u>: Due to the odd shape of the property, the SEZ that runs through the property and the safety hazards created by being located below the driving range of the Incline Village Championship Golf Course, there are special circumstances that result in an undue hardship upon the property owners.

2. <u>No Detriment.</u> 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 carport will not impact nor be visible from any public area or street. By locating the carports over the existing parking lot and further into the front yard setback very little site disturbance is required. Approval of the carport in the setback will provide some protection to vehicles and the Chalet residents while in the

parking area. No detriment to the public good will result from granting of the variance.

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> Like many residential developments built in the 1960's and 70's, the Chalets were built without garages. In order to permit garages or carports for many of the older development, the County has granted variance of setbacks, where site conditions have limited the possibility for where such structures can be built. Granting of the variance will not constitute a grant of special privileges not enjoyed by similarly situated properties.

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.

<u>Staff Comment:</u> Carports or garages are a required accessory structure for multifamily developments. The addition of the carports will bring the development into compliance with current Code parking requirements.

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 are no military installations within the required noticing distance; therefore, this finding is not required.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project, or had no comment. Therefore, after a thorough analysis and review, Variance Case Number WPVAR17-0006 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

<u>Motion</u>

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 WPVAR17-0006, with the conditions included as Exhibit A for this matter, for The Chalets HOA, having made all four of the following findings in accordance with Washoe County Code Section 110.804.25:

- <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;
- 2. <u>No Detriment.</u> 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;

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 and mailed to the original 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 after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant.

Property Owner: Owners of Chalets HOA 944 Northwood Blvd. Incline Village, NV 89450



Conditions of Approval

Variance Case Number WPVAR17-0006

The project approved under Variance Case Number WPVAR17-0006 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on August 3, 2017. 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. <u>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 or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property.</u>

<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 Building 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 institution 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.

Washoe County Planning and Building Division

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

Contact Name – Eva Krause, 775.328.3628, ekrause@washoecounty.us

- a. The carports are being built within the common area of the Chalet condominium development. Each property owner within the development has an equal shared interest in the carports. To maintain common ownership, the variance is granted to the Chalet Home Owners Association. The HOA is responsible for obtaining all permits, construction, maintenance and ownership of the carports. Individual property owners within the development shall not own said carports.
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this variance permit. Modification to the site plan may require amendment to and reprocessing of the variance.
- c. 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. Compliance with this condition shall be determined by Planning and Building.
- d. 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.
- e. Prior to submission of a building permit for the approved 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 across the 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. note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

g. The use of straw bales shall be prohibited during construction of the project. A filterfabric fence or other acceptable alternative shall be utilized for erosion control.

Washoe County Engineering and Capital Projects Division

2. The following conditions are requirements of the Engineering and Capital Projects Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Leo Vesely, 775.325.2313, lvesely@washoecounty.us

a. Prior to issuance of a building permit, the applicant execute Hold Harmless Agreement to the satisfaction of the Engineering and Capital Projects Division for the purposes of road maintenance and snow removal. The applicant shall submit a copy of the executed document with the building permit.

*** End of Conditions ***



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: July 03, 2017
- TO: Eva Krause, Planning and Development Division
- FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division

SUBJECT: WPVAR17-0006 APN 131-290-00 THE CHALETS HOA

I have reviewed the referenced variance case and recommend the following condition:

1. Provide a hold-harmless agreement to the satisfaction of the District Attorney and the Engineering Division.

LRV/lrv

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 60 separate property owners.



NOTICING MAP

Community Services Department Planning and Development VARIANCE APPLICATION



Community Services Department Planning and Development 1001 E. Ninth St., Bldg. A Reno, NV 89520

Telephone: 775.328.3600

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

Project Information St		Staff Assigned Case No.:		
Project Name: The Chalets Carport Variance				
		en carport structure (5 vehic acent Northwood Blvd. righ		
Project Address: 944 Northwoo	od Blvd., Incline Villa	ge, NV 89450		
Project Area (acres or square feet): 1229 square feet (plus 929 sq ft in removed impervious coverage				
Project Location (with point of re	ference to major cross	streets AND area locator):		
Easterly end and east-sid	e of the Northwo	ods Blvd loop and south o	f Fairway Drive.	
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:	
131-290-00				
Section(s)/Township/Range:Sl	E 1/4 Sec 15, Towns	hip 16N, Range 18E		
Indicate any previous Washo Case No.(s).	e County approval	s associated with this applicat	ion:	
Applicant Inf	ormation (attach	additional sheets if necess	ary)	
Property Owner: The Chalets	HOA	Professional Consultant: Wy	att Ogilvy	
Name: c/o Brent Terry, HOA F	President	Name: Ogilvy Consulting		
Address: 944 Northwood Blvd		Address: 850 North Lake Blvd		
	Zip: 89450		Zip: 96145	
Phone:	Fax:	Phone: 530.583.5800	Fax: 530.583.58	
Email:		Email: wyatt@ogilvylanduse.c	om	
Cell:	Other:	Cell:	Other:	
Contact Person:		Contact Person: Wyatt Ogilvy		
Applicant/Developer: same		Other Persons to be Contacted:		
Name:		Name:		
Address:	·	Address:		
	Zip:		Zip:	
Phone:	Fax:	Phone:	Fax:	
Email:		Email:		
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):		

Property Owner Affidavit

ha Applicant Name:

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 Ptan or the applicable area plan, the applicable regulatory zoning, or t hat the application is deemed complete and will be processed.

STATE OF NEVADA

COUNTY OF WASHOE

(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 Development.

(A separate Affidavit must be provided by each property owner named in the title report.)

(property owner maned in the the report?
Assessor Parcel Number(s) 131-290-(0
Pān	ited Name Brent N. Terry
	Signed RAN. The
	Address 944 Northwood BLud.
Subscribed and swom to before me this day of UNL, 2017 Notary Public in and for said county and state My commission expires: <u>9-10-2019</u>	Incline Uillage, NU 89451 (Notary Stamp) ELSIE PANIAGUA Mai TARY PUBLIC Mai Tary PUBLIC Mai Tary Expires: 9-10-2019 To: 16-1026-2
*Owner refers to the following: (Please mark appropria X Owner President Of Chale Corporate Officer/Partner (Provide copy of real Power of Attorney (Provide copy of Power of A	ord document indicating authority to sign.)

Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)

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Property Agent (Provide copy of record document indicating authority to sign.)

D Letter from Government Agency with Stewardship



October 2016

Variance Application Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to variances may be found in Article 804, Variances.

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

The proposed project requests a reduction in the front yard setback adjacent to the Northwood Blvd right-of-way. The required setback is 15' pursuant to Article 406, Building Placement Standards, Table 110.406.05.1, of the Washoe County Code for the applicable LDU (Low Density Urban) zoning district. The project proposes a front yard setback of 3'8" from the common property line/right-of-way boundary (at closest location - proposed Carport Unit 1).

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 proposed project is located within the common area parcel of The Chalets residential development consisting of five (5) detached and independent residential structures. On-site parking for these residential units, consisting of only six (6) formal paved and uncovered parking spaces, is located within the northwest corner of the common area parcel. An expansion of this parking area for needed additional on-site parking toward the Northwood Boulevard right-of-way as proposed best utilizes the existing disturbed parking area and represents the only available location within the common area parcel, particularly with the Stream Environment Zone (SEZ) discussed in Item 4 below. The Northwoods Boulevard roadway grade (6426') is +/-16' above the finished grade (6410') of the proposed carport and +/-8' above the flat roof (6418') of the proposed carport. This topographic condition, particularly as this grade differential is largely contained within the right-of-way, visually and functionally creates both adequate vertical and horizontal separation from the adjoining public roadway, maintaining the intent of the setback requirement under the Code. The proposed project will also provide covered parking to protect vehicles and curtail damage that has been incurred previously from errant golf balls from the north-adjoining golf course.

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Washoe County Planning and Development VARIANCE APPLICATION SUPPLEMENTAL INFORMATION October 2016

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 project will have no impact to adjacent properties or uses. The project involves a minor expansion of an existing paved parking area in a corner portion of the common area parcel abutting a public right-of-way and private golf course. The proposed open carport structure is well-below the adjacent roadway grade and visually screened from the (north) adjacent golf course by dense tree cover. The proposed open carport has been designed with a flat roof and low +/-9' maximum roof height to minimize its visual appearance. An additional beneficial and intended result of the proposed project is to provide covered protection of parked vehicles from errant golf balls from the north-adjoining golf course.

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 proposed open carport structure will improve the existing uncovered and limited parking condition for the five (5) residential units with negligible to no impact to any environmental resource or aesthetic. The expanded parking area will provide an additional five (5) total covered, but unenclosed, parking spaces, resulting in eleven (11) total on-site parking spaces with negligible to no visual or physical impact. The project necessitates only minor grading and will not change existing drainage patterns. Neither the mapped SEZ nor its associated 15' setback existing within the project area (see exhibit attached to LCAP2016-0429 accompanying this Variance application) will be effected or impacted with the proposed project.

The addition of additional parking as proposed will also bring The Chalets residential development into conformance with Article 410, Parking and Loading, Table 110.410.10.1, of the Washoe County Code for multi-family residential uses (requiring 2.1 spaces per two-bedroom+ units; 1 space to be within an enclosed garage or carport)

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Washoe County Planning and Development VARIANCE APPLICATION SUPPLEMENTAL INFORMATION October 2016

5. What enjoyment or use of your property would you be denied that is common to other properties in your neighborhood?

The Chalets residential development currently maintains only six (6) on-site parking spaces and all uncovered, unenclosed and unprotected from the north-adjoining golf course. In addition to providing additional needed parking for each of the five (5) residential units beyond that existing, the proposed covered, open carport structure will provide protection of parked vehicles from errant golf balls from the north-adjoining golf course. The proposed project will result in compliance with the parking standards of the Washoe County Code as discussed and referenced above.

6. Are there any restrictive covenants, recorded conditions or deed restrictions (CC&Rs) that apply to the area subject to the variance request?

Yes | No | If yes, please attach a copy to be subsequently submitted with title report

7. What is your type of water service provided?

The Chalets is currently provided domestic water service by the local public water purveyor, IVGID. The proposed project does not require any additional nor modified water service.

8. What is your type of sewer service provided?

The Chalets is currently provided sewer service by the local public sewer purveyor. IVGID. The proposed project does not require any additional nor modified sewer service.

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Washoe County Planning and Development VARIANCE APPLICATION SUPPLEMENTAL INFORMATION

October 2016





June 14, 2017

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

Subject: The Chalets, Common Area – Proposed Carport Project Variance Application 944 Northwood Blvd., Incline Village, Nevada Placer County APN: 131-290-00

To Whom It May Concern:

Enclosed please find a signed Washoe County Variance application proposing a reduction in the front yard setback for a new open carport project at the above referenced property. In accordance with the application requirements, please find the following supporting items enclosed:

- Application fee in the amount of \$1,719.00 (check #5403)
- Email Correspondence between Wyatt Ogilvy and Marquette Smith, Washoe County Treasurer (1 page dated 6/13/17)
- Email Correspondence between Wyatt Ogilvy and Eva M. Krause, Washoe County Community Services Department regarding Preliminary Title Report (1 page dated 6/13/2017)
- TRPA Land Capability Verification Application, Verification of Land Capability and Land Coverage Letter, and Approved Land Capability Exhibit (7 pages, TRPA File No.'s VBOC2016-1047 and LCAP2016-0429 dated 12/1/16)
- Project Site Plan and Carport Elevations (1 sheet by James Costalupes General Contractor, dated 6/13/17)

This Variance application proposes a reduction to the front setback requirement of the Washoe County Code for an open carport structure. The project proposes at its closest location to the Northwood Boulevard right-of-way (carport Unit 1), a setback of 3'-8" from the shared property line as detailed on the submitted project plans. The project also involves the removal and relocation of land coverage for the 847 square feet of added paved area in support of the proposed open carport structure as also detailed on the submitted project plans.

Phone: 530.583.5800

www.ogilvylanduse.com

Fax: 530.583.5858

The Chalets Property Variance Application - Carport Project Page 2 of 2

By way of the attached email correspondence and as noted on the attached application, please note our commitment to submit the required title report and The Chalets CC&R's to be provided no later than 6/23/17.

Should you have any questions or require additional information, please do not hesitate to contact our office. Your efforts in the processing of this application are greatly appreciated.

Sincerely,

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Ogil

WO: Attachments

cc: Brent Terry, The Chalets HOA President



From: Krause, Eva EKrause@washoecounty.us Subject: RE: The Chalets - 944 Northwood Boulevard: Prospective Carport and Variance Date: June 13, 2017 at 1:58 PM

To: Wyatt Ogilvy wyatt@ogilvylanduse.com

If the application is complete except for the title report, you can submit it on June 15th. You will have to get the title report to staff by the end of the following week. (no later than June 23, 2017).

Eva M. Krause, AICP

Planner | Washoe County Community Services Department |Planning & Development Division <u>ekrause@washoecounty.us</u> |0775.328.3628 | f 775.328.6133 | 1001 E. Ninth St., Bldg. A, Reno, NV 89512



Connect with us: cMail | Twitter | Facebook | www.washoecounty.us

From: Wyatt Ogilvy [mailto:wyatt@ogilvylanduse.com]
Sent: Tuesday, June 13, 2017 01:44 PM
To: Krause, Eva
Subject: Re: The Chalets - 944 Northwood Boulevard: Prospective Carport and Variance

Hi Eva,

We have this variance application compiled, however title is dragging on completing a preliminary title report. Given Thursday's submittal date and not wanting to lose two month's time, is there anyway that we could append our submittal several days after June 15th with the preliminary title report? Everything else is in order.

Thanks for your consideration of this request.

Wyatt Ogilvy Ogilvy Consulting | Land Use & Development Strategies

Phone: (530) 583-5800 | Fax: (530) 583-5858 Mailing: Post Office Box 1636 | Kings Beach, CA 96143 Office/Delivery: 850 North Lake Blvd., Suite 17 | Tahoe City, CA 96145-6315

On May 19, 2017, at 11:58 AM, Krause, Eva <<u>EKrause@washoecounty.us</u>> wrote:

I have you on the schedule for 11:00 on Wednesday May 24.

Eva M. Krause, AICP Planner | Washoe County Community Services Department |Planning & Development Division <u>ekrause@washoecounty.us</u> |0775.328.3628 | f 775.328.6133 | 1001 E. Ninth St., Bldg. A, From: Wyatt Ogilvy wyatt@ogilvylanduse.com & Subject: Fwd: The Chalets Common Area, APN: 131-290-00 Date: June 13, 2017 at 12:14 PM

To: Brent's iPad b9751@aol com

Brent,

I took care of this item with the Treasurer, se following.

Wyatt Ogilvy Ogilvy Consulting I Land Use & Development Strategies

Phone: (530) 583-5800 | Fax: (530) 583-5858 Mailing: Post Office Box 1636 | Kings Beach, CA 96143 Office/Delivery: 850 North Lake Blvd., Suite 17 | Tahoe City, CA 96145-6315

Begin forwarded message:

From: "TAX," <<u>tax@washoecounty.us</u>> Subject: RE: The Chalets Common Area, APN: 131-290-00 Date: June 13, 2017 at 12:08:33 PM PDT To: Wyatt Ogilvy <<u>wyatt@ogilvylanduse.com</u>>

Hi Wyatt,

There is no tax owing for parcel 131-290-00. The next tax bill will be mailed out mid-July with the first payment due 8/21/17.

Please let us know if you have any other questions.

Thank you,

Marquette Smith

Account Clerk I Washoe County Treasurer The Washoe County Treasurer's Office will retain email correspondence for 30 days. Thank you

masmith@washoecounty.us IO 775.328.2510 IF 775-328-2500I 1001 E 9th St Bldg D Rm 140 Reno NV 895012

Pay Online: I www.washoecounty.us/treas

Mail : I PO Box 30039 Reno, NV 89520-3039



From: Wyatt Ogilvy [mailto:wyatt@ogilvylanduse.com] Sent: Tuesday, June 13, 2017 11:07 AM To: TAX, <<u>tax@washoecounty.us</u>> Subject: Re: The Chalets Common Area, APN: 131-290-00

Morquette





Mail PO Box 5310 Stateline, NV 89449-5310 Location 128 Market Street Stateline, NV 89449 Contact Phone: 775-588-4547 Fax: 775-588-4527 www.trpa.org

December 1, 2016

Kristina Hill P.O. Box 6139 Incline Village, NV 89450

VERIFICATION OF LAND CAPABILITY & LAND COVERAGE 944 NORTHWOOD BOULEVARD, WAHOE COUNTY, NEVADA ASSESSOR'S PARCEL NUMBER 131-290-00 TRPA FILE NUMBERS VBOC2016-1047 & LCAP2016-0429

Dear Ms. Hill:

This letter is to inform you that Tahoe Regional Planning Agency (TRPA) staff has conducted a site visit to the above referenced property. Based upon the site visit, and review aerial photos and information submitted with the application, TRPA will recognize the following:

LAND CAPABILITY

	Percent		Base Allowable Coverage
Land Capability District	Coverage	Area (sq. ft.)	(sq. ft.)
Class 1b	1%	1,165	12
Class 6	30%	42,149	12,645
Total Base Allowable Coverage			12,657
	LAND C	OVERAGE	
Verified Existing Class 1b Covera	ige		Square Feet
Asphalt Driveway & Parking Lot			277
Paver Walkway (House #4)			o

Asphalt Driveway & Parking Lot		277
Paver Walkway (House #4)		8
Total Existing Class 1b Coverage	 14	285

Verified Existing Class 6 Coverage	Square Feet		
Asphalt Driveway & Parking Lot	5,314		
House #1	603		
Compacted Dirt Path & Patio (House #1)	349		
Stone Steps/Path (House #1)	75		
Deck W/Height Red. (House #1)	324		
House #2	600		
Compacted Dirt Path & Patio (House #2)	238		
Deck W/Height Red. (House #2)	168		

Log Round Patio (House #2)	190
House #3	601
Stone Path (House #3)	89
Deck W/Height Red. (House #3)	148
Stone Patio (House #3)	132
Concrete Pad (House #3)	26
House #4	601
Paver Walkway (House #4)	369
Deck W/Height Red. (House #4)	327
Concrete Pad (House #4)	15
House #5	601
Paver Walkway (House #5)	318
Deck W/Height Red. (House #5)	296
Total Existing Class 6 Coverage	16.975
*	

LAND COVERAGE SUMMARY

Coverage Summary- Project Area	Square Feet
Total Verified Class 1b Coverage	285
Total Verified Class 6 Coverage	16,975
Total Verified Coverage ¹	17,260 ¹

¹ Per the TRPA Code of Ordinances, the coverage listed in the "Verified Coverage" table above is considered legal coverage (or "grandfathered-in"), even though it exceeds the base allowable coverage for the parcel.

COVERAGE EXEMPTIONS

TRPA Code of Ordinances 30.4.6 allows for certain coverage exemptions or credits for parcels that are located within high capability land (.e. land capability class 4 -7, or an IPES score of 726 or greater), either currently have, or will install, Best Management Practices (BMPs) and for which all excess coverage is mitigated. Please visit the following web link: http://www.trpa.org/permitting/homeowner-info/land-coverage-exemptions.

TRANSFER OF DEVELOMENT RIGHTS (TDR) EXCHANGE

Actions associated with this TRPA approval may have resulted in verification of a transferable commodity. Transferable commodities can be bought and sold within the Tahoe basin and include commercial floor area, tourist accommodations units, residential units of use, residential allocations, residential development rights and land coverage. TRPA has created a Transfer of Development Rights (TDR) Exchange system. This online tool is a means to bring buyers and sellers of commodities together to facilitate the transfer of development within the Lake Tahoe Basin. For additional information please visit the following web page: http://www.trpa.org/permitting/transfer-development-rights/

Thank you for your attention to this matter. If you have any questions, please contact me by phone at (775) 589-5247 or by email at jroll@trpa.org.

Sincerely,

Inlie Ru

Julie Roll Associate Planner Current Planning Department

CC. The Chalets HOA, Brent Terry 930 Tahoe Blvd Ste. 802-603 Incline Village, NV 89457

(



OFFICE 128 Market St. Stateline, NV

MAIL PO Box 5310 RECEIVED Stateline, NV 89449-5310

HOURS A10 RECEIVED Monday-Friday 449-5310 9:00 am-5:00 pm NOV 0 4 2016 New Applications Until 4:00 pm

trpa@trpa.org

Phone: (775) 588-4547 Fax: (775) 588-4527

www.trpa.org TAHOE REGIONAL PLANNING AGENCY

L (APZOIG- OHDELAND CAPABILITY VERIFICATION APPLICATION

Representative or Agent Kristing H	III, HILL P	lanning Inc.	
Mailing Address P.O. Box. 6139	and the second sec	ity Indine Village	State NV
Zip Code 89450 Email taheeh		Phone 775. 837.5735 FAX	
Owner The Chalets HDA;	Brent Terr	Y, Pres. Same as Appl	icant
Mailing Address \$130 Takre Blvd. Ste &		ity Incline Village	State NV
Zip Code 89451 Email 697510		Phone 775 745 8704 FAX	
Project Location/Assessor's Parcel Number	(APN) 3]-	290-00	
Street Address 944 Northwood		Subdivision	Lot #
	Previous APN		
	(if c	changed by county assessor since 1	987)
Date Received:///////	FOR OFFICE USE OB:	DNLY AA	
Fee: \$_(DD- ⁰⁰	Receipt No:	123580	
Mapped Land Capability		Mapped Soil Unit	
1. 💪	1.	IsC	O '
2. 16	2.		
3.	3.		
4.	4.		2
	Results		
Date: 12/1/16 By: 1. Ro	11	Verified as Mapped? Yes	No S
Verified Land Capability Class	Verified Soil Map U	Unit Observed SI	оре
a.			
b. (a	ISC		
с.			
d			
Verification of Stream Environment Zone(SEZ):/Yes)	No	Extent or Amount of SEZ on	Parcel:
	140	1165	<u>- 21</u> 1911
Comments:			
131-290-00 // LCAP2016-0429 // 11/04/2016		ې ۱۹ مېر ۱۹۹۵ کې د د د	<u> </u>
OWNERS OF CHALETS KRISTINA HILL			
0 NORTHWOOD BLVD - Washoe County 080 - Land Capability Verification	3 of 6		03/14

LAND CAPABILITY VERIFICATION CHECKLIST

APPLICATIONS LACKING ANY OF THE FOLLOWING ITEMS WILL NOT BE ACCEPTED. TRPA OR YOUR LOCAL JURISDICTION MAY REQUIRE ADDITIONAL INFORMATION ABOVE AND BEYOND THE CHECKLIST ITEMS TO REVIEW THIS APPLICATION.

Each item and number corresponds to TRPA's <i>Master Checklist</i> available at our offices or online at <u>www.trpa.orq</u> Click "Permits & Documents" and look for the <i>Master Checklist</i> under "other documents." Refer to the <i>Master</i> <i>Checklist</i> for more information on any item.			
PROJECT NAME: The Chalets			
CURRENT ASSESSOR'S PARCEL NUMBER (APN): 131-290-00			
PREVIOUS ASSESSOR'S PARCEL NUMBER (APN): NA			
Applicant TRPA			
2. Complete Application with <u>original</u> signed authorization and checklist.			
3. Application Fee: Please refer to the TRPA Filing Fee Schedule (275k pdf) available at TRPA offices or online. Filing Fee: \$534 + Information Technology (IT) surcharge: \$68	İ		
7. Three (3) copies of the site plan, minimum size of 18"x24" on blackline or blueprint paper. The site plan must include the following information:			
a. All property lines, easements, and building setbacks.			
b. Map scale and north arrow.			
c. Assessor's Parcel Number (APN) and property address.			
d. Property owner's name(s).			
e. Parcel area in square feet.			
i. Contour lines at two feet intervals.			
51. Parcel boundaries flagged per instructions.			

TRPA-LCV

DECLARATION:

I hereby declare under penalty of perjury that this application and all information submitted as part of this application is true and accurate to the best of my knowledge. I am the owner of the subject property, or have been authorized in writing by the owner(s) of the subject property to represent this application, and I have obtained authorization to submit this application from any other necessary parties holding an interest in the subject property. I understand it is my obligation to obtain such authorization, and I further understand that TRPA accepts no responsibility for informing these parties or obtaining their authorization. I understand that should any information or representation submitted in connection with this application be inaccurate, erroneous, or incomplete, TRPA may rescind any approval or take other appropriate action. I hereby authorize TRPA to access the property for the purpose of site visits. I understand that additional information may be required by TRPA to review this project. (Edited 7/10)

Signature: /(Original signature required.) Person Preparing Application At Washae Date 11/3/16 County	
--	--

AUTHORIZATION FOR REPRESENTATION (Original signatures required):

The following person(s) own the subject property (Assessor's Parcel Number(s) 131-740-00 or have sufficient interest therein to make application to TRPA:

Print Owner(s) Name(s):

Brent	Terry	, President HDA	
			
L	1.2		

I/We authorize Kristuma Hull, Hull Planning True to act as my/our representative in connection with this application to TRPA for the subject property and agree to be bound by said representative. I understand that additional information may be required by TRPA beyond that submitted by my representative, to review this project. Any cancellation of this authorization shall not be effective until receipt of written notification of same by TRPA. I also understand that should any information or representation submitted in connection with this application be incorrect or untrue, TRPA may rescind any approval or take other appropriate action. I further accept that if this project is approved, I, as the permittee, will be held responsible for any and all permit conditions.

Owner(s) Signature(s): (Original signature required.)

P	Bret N. Tim	Date: 76	-19-16
4			

TRPA-LCV

Date:



THE CHALETS CARPORT PROJECT PIJ SITE PLAN STUDY 6/13/17



THE CHALETS CARPORT PROJECT PIJ SITE PLAN STUDY 6/23/17