

Board of Adjustment Staff Report

Meeting Date: May 2, 2024 Agenda Item: 8B

VARIANCE CASE NUMBER: WPVAR24-0003 (Marelich)

BRIEF SUMMARY OF REQUEST: Request to vary fence height from four

and one-half feet (4.5) to six (6) feet

STAFF PLANNER: Tim Evans, Planner

> Phone Number: 775.328.2314 E-mail: TEvans@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve a variance to vary the fence height along the front property line from four and one-half (4.5) feet to six (6) feet for security and aesthetic purposes.

Applicant/Owner: Mark & Megan Marelich

Location: 511 Jensen Circle

APN: 124-072-06

Parcel Size: 0.42 acres

Master Plan: Wood Creek

Regulatory Zone: Wood Creek

Area Plan: Tahoe

Development Code: Authorized in Article 804,

Variances

Commission District: 1 – Commissioner Hill



Vicinity Map

STAFF RECOMMENDATION

DENY **APPROVE APPROVE WITH CONDITIONS**

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 WPVAR24-0003 for Mark and Megan Marelich, having been unable to make all four (4) required findings in accordance with Washoe County Development Code Section 110.804.25. Specifically, the Board is unable to make a finding of special circumstances either due to the exceptional property dimensions or shape, extraordinary topographical features, or an extraordinary and exceptional situation specific to the property.

(Motion with Findings on Page 13)

Staff Report Contents

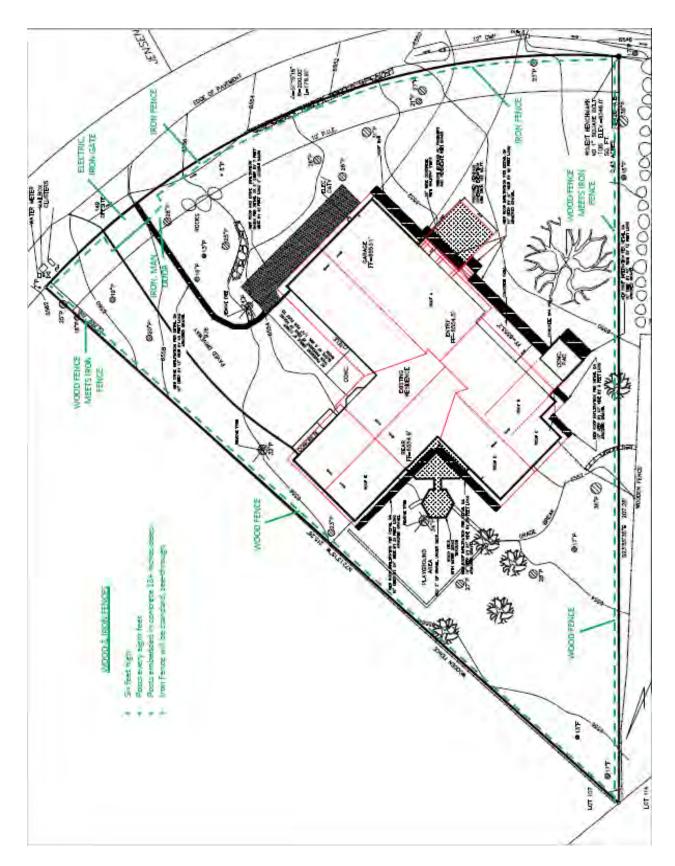
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Variance Definition

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:

- 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 subject property has a regulatory zone of TA_WC (Wood Creek) and the parcel size is 0.42 acres. Pursuant to Article 220.1, *Tahoe Design Standards*, Chapter 3, *Setbacks of Structures*, Section I, *Visual Obstructions*, the maximum height allowed for a fence within the front yard setback is four and one-half (4.5) feet. As shown on the site plan on page 4, the proposed six (6) foot fence will be located within the front yard setback of the parcels, necessitating the request for a variance.



Site Plan

Project Evaluation

The applicant is requesting to increase the maximum fence height limit from four and one-half (4.5) feet to six (6) feet to allow the construction of a six (6) foot tall wrought iron fence along the front property line adjacent to Jensen Circle.

As detailed on the site plan on page 4 of this staff report, the property has a dwelling on the property and an existing six (6) foot wood fence along the side (northern and southern) property lines.

Pursuant to Article 220.1, *Tahoe Design Standards*, Chapter 3, *Setbacks of Structures*, Section I, *Visual Obstructions*, "Walls, fences, planting and other visual obstructions not over six (6) feet in height may be erected, placed or grown on lot lines, except in required front yard areas. Walls, fences, planting and other visual obstructions not over four-and-one-half (4-1/2) feet in height may be erected, placed or grown anywhere on the lot except as provided in Section F, Front Yards."

Assessor Parcel Number	Required Front Yard Setback Pursuant to
	WCC Sec. 110.220.55
124-072-06	20 feet

Therefore, as the proposed fence will be located along the front property line, it will be within the front yard setback and cannot be taller than four and one-half (4.5) feet.

As stated in the variance application (Exhibit C), the applicant provides the following rationale for requesting the variance:

"The arc of our pie-shaped parcel is already restricted an average of 8' from the road, so the Code greatly diminishes usage and security of our property."

"It would allow us to construct a strong retaining wall and fence across the property line, to which the 8' of county property can be better utilized in snow plowing and storage."

"The other properties included in our findings have full (or nearly) use and enjoyment of the entirety of the property they pay to own."

Approval of a variance is limited to special circumstances. Nevada Revised Statutes (NRS 278.300) limits the power of the Board of Adjustment to grant variances and 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 be made, then the Board must 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 subject property.

Building Permit WBLD20-104675

On December 19, 2020, a building permit application was submitted for the remodel and an addition to the existing dwelling built in 1964, which included the following:

- Expand south and southwest walls
- Redesigned front entry
- Addition of a full bathroom to loft bedroom
- Remodel/relocation of pantry, kitchen, mechanical room, and master bathroom

- Existing patios to decks
- Redirect garage to newly designed driveway
- Four and one-half (4.5) foot wrought iron fence

On January 2, 2020, Planning staff conducted an initial review of the building plans for the building permit WBLD20-104675 and requested the following corrections:

- 1. Call out require building setbacks on all sides of parcel.
- 2. Fence height is limited to 4 ½ feet within front vard setback.
- 3. Call out distance from closest point of dwelling to each property line.

Corrections and a narrative (Exhibit D) detailing the corrections made to the plans by the applicant's engineer was submitted on March 3, 2020, which stated that the fence height of four and one-half (4.5) feet was noted on the plans.

The Planning review was subsequently approved by Planning staff on March 4, 2020, as the corrections were addressed and the fence height was indicated on the site plan (Exhibit E) that the height of the proposed wrought iron fence was four and one-half (4.5) feet.

The building permit for the remodel, which included the four and one-half (4.5) foot wrought iron fence, was issued on October 6, 2021.

Tahoe Area Plan

The following section of the Tahoe Area Plan are applicable to the requested variance.

Article 220.1, Tahoe Area Design Standards, Chapter 1, Site Design, Section 25, Landscaping:

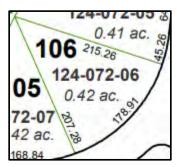
"All fences, walls and other structural landscape features should be accompanied by landscaping to better integrate the structures with the site and to reduce their visual impacts. An exception to this is in urban areas where the wall is to be used as an architectural feature. See Chapter 6, *Landscaping*, for guidelines regarding landscaping."

Staff Comment: The Code section is a recommendation and the applicant is not proposing a landscape buffer along with the fence to address the Code section.

Hardships

Exceptional narrowness and shape of the property

The fence is proposed along the front property line, which has a width of 178.91 feet (as detailed in the figure below). The minimum parcel width required by WCC Section 110.220.55 for a parcel of 18,295 square feet (0.42 acres) is 60 feet.

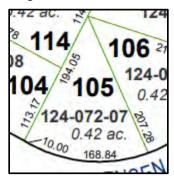


Narrowness of a parcel is not a limiting factor in the applicant being able to construct a fence to meet the height requirement of 4.5 feet.

The shallowest side of the parcel would be the western property line with a length of 207.28 feet (as detailed in the figure above). The length is related to the parcel size; this parcel is 18,295 square feet (0.42 acres). Pursuant to WCC Section 110.220.55, *Yard and Lot Standards*, the

minimum parcel size for a residential zoning such as Wood Creek is 3,700 square feet. The parcel size being 18,295 square feet is 4.9 times greater than that required by the Code.

Additionally, the parcel shape is not unique to this property as the adjacent property to the west has the same shape as shown in the figure below.



Therefore, the parcels' width, shallowness, or shape is not a limiting factor in the applicant being able to construct a fence to meet the four and one-half (4.5) foot requirement and does not meet the criteria for an exceptional situation or condition of the property.

Topographic

As shown on the site plan on page 4 and in the figure below, the contour lines indicate fairly level and gently sloping topography on the subject property. Other properties in the area have similar topography and do not have a six (6) foot fence along the front property line.



Therefore, the parcels topography is not a limiting factor in the applicant being able to construct a fence to meet the four and one-half (4.5) foot height requirement and does not meet the criteria for an exceptional situation or condition of the property.

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

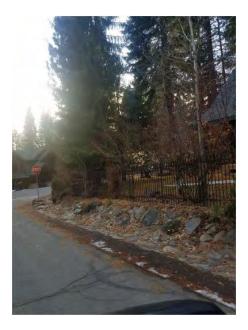
The applicant states the following on the application:

"The arc of our pie-shaped parcel is already restricted an average of 8' from the road, so the Code greatly diminishes usage and security of our property."

And

"The other properties included in our findings have full (or nearly) use and enjoyment of the entirety of the property they pay to own."

Therefore, the extraordinary and exceptional situation or condition of the property per the application is the level of privacy and security compared to that afforded to other properties in the area. To demonstrate the level of privacy and security of other properties in the area, the applicant provided examples in the application (Exhibit C). The first example being 115 Abbey Peak Lane, which is shown in the figure below.



115 Abbey Peak Lane



The property at 115 Abbey Peak Lane is nearly three-quarters (0.75) of a mile from the subject property and has a different regulatory zoning of "Lakeview." This property at 115 Abbey Peak Lane was granted an administrative permit to vary the fence height by the Washoe County Zoning Administrator on October 1, 1991, pursuant to Washoe County Code Sec. 110.210 (3), which allowed administrative waivers for fence height with the following findings (Exhibit F):

- 1. The request does not exceed the maximum 6 feet fence height.
- 2. The request will not adversely affect adjacent properties.

However, the Code section allowing an administrative waiver is no longer in place as Washoe County Code as well as the Tahoe Area Plan has since been changed. Therefore, it should be noted that the fence at 115 Abbey Peak Lane was constructed prior to the current zoning regulations. While staff acknowledges the existence of the fence at 115 Abbey Peak Lane, it does not factor into the ability to make the findings for a variance on the subject parcel.

Additional examples similar to that of 115 Abbey Peak Lane were provided in the application, along with pictures (Exhibit C) for properties in the Tahoe area that have six (6) foot fences:

757 Champagne – zoned Chateau and an Administrative Waiver was approved for fence height in 1989.

849 Lakeshore Boulevard – zoned Lakeview and no permit was located concerning the existing fence

915 Lakeshore Boulevard – zoned Lakeview and no permit was located concerning the existing fence

923 Lakeshore Boulevard – zoned Lakeview and no permit was located concerning the existing fence

881 Lakeshore Boulevard – zoned Lakeview and no permit was located concerning the exiting fence

395 Mountain Lake Court – zoned Chateau and a withdrawn variance application was located for a height variance for the driveway gate to be seven (7) feet and the fence height to be four and one-half feet. The heights proposed were allowed by the Code and the variance was withdrawn.

906 Ace Court – zoned Fairway and a building permit (permit #52623B) was issued on August 14, 1984, for a fence.

While staff acknowledges the existence of a fence at each of the locations mentioned previously, they do not factor into the ability to make the findings for a variance on the subject parcel.



As indicated by the figure above, there are parcels within the vicinity of the subject property that are also zoned "Wood Creek" and have the same level of privacy and security. Therefore, the privacy and security of the subject property is not unique as other properties in the area are also subject to the same level of privacy and security.

Per NRS 278.300, the Board may grant a variance only by reason of the exceptional shape of the property, exceptional topographic conditions, or other extraordinary situations. As detailed above, staff does not find that this request falls within any of those three categories. However, if the Board does find that the request meets one of those special conditions, additional findings of fact are required for the Board to approve the requested variance; such findings include 1) that the relief will not create a substantial detriment to the public good, 2) the relief will not substantially impair affected natural resources, and 3) the relief will not impair the intent and purpose of the Development Code or applicable policies under which a variance could be granted.

Although the fence will be wrought iron and mostly see through, staff is not able to make the finding that the proposed fence will not be a detriment to the public good as it will not be in compliance with all the design requirements of the Tahoe Area Plan. Due to the location of the fence being along the front property line, there would be a worse environment for snow storage during the winter months and a decreased line of sight on the roadway as the six (6) foot fence will be located on the front property line which is on a curve.

An additional finding requires that the granting of the variance will not constitute special privileges inconsistent with the same limitations applicable for properties in the same regulatory zone and within the vicinity of the subject parcel.

Staff is unable to make this finding as the approval of the variance would result in the granting of special privileges as the maximum allowable fence height for all residential properties in the TA_WC (Wood Creek) regulatory zone is 4½ tall. None of the residential properties within this regulatory zone enjoy the privilege of erecting a 6 fence within the front yard setback. The granting of this variance would result in a granting of a special privilege inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone and would therefore result in a violation of the 'no special privileges' finding.

Staff finds that the applicant has not demonstrated that the subject property exhibits one or more of the criteria needed to make the first finding of special circumstances and third finding of no special privileges as required by Nevada Revised Statutes and recommends denial of the variance. Staff is able to make the additional findings as required by Washoe County Code, Article 804, Variances Required Findings: No Detriment and Use Authorized.

Reviewing Agencies

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

Agencies	Sent to Review	Responded	Provided Conditions	Contact
NV Water Resources	Х	X		
Washoe County Building	Х			
& Safety	^			
Washoe County Sewer	X			
Washoe County Traffic	X			
Washoe County Water	х	х		
Rights Manager (All	^	^		
Washoe County		х	х	Rob Wimer puimer@washeeseupty.gov.lanelle
Engineering (Land	X			Rob Wimer, rwimer@washoecounty.gov; Janelle Thomas, jkthomas@washoecounty.gov
Development) (All Apps)				
Washoe County				
Engineering & Capital	X			
Projects Director (AII				
NNPH Environmental	Х			
Health	^			
AT&T	X	X		
NV Energy	X			
IVGID	Х	X		
North Lake Tahoe FPD	Х	X	X	Ryan Sommers, rsommers@nltfpd.net; John James,
Tahoe Regional Planning Agency	x			

All comments provided by the contacted agencies can be found in Exhibit A, Agency Comments.

Neighborhood Meeting

No neighborhood meeting was required for this residential variance application.

Public Comment

Washoe County Code requires that public notification for a variance must be mailed to a minimum of 30 separate property owners within a minimum 500-foot radius of the subject property a minimum of 10 days prior to the public hearing date. A notice setting forth the time, place, purpose of hearing, a description of the request and the land involved was sent within a 500-foot radius of the subject property. A total of 92 separate property owners were noticed a minimum of 10 days prior to the public hearing date.

No public comments were received as a result of the noticing.

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 not in compliance with the required findings as follows.

- (a) <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> 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 developing the property in the same manner as surrounding properties.
- (b) <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> There will be a detriment to the public as the location of the fence will be along the front property line, which is on a curve, creating a decreased line of sight.
- (c) <u>No Special Privileges.</u> The granting of the variance <u>will</u> 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> There are no special circumstances applicable to the property, approval of the requested variance has the potential to grant special privileges by allowing a fence height greater than that permitted by Washoe County Code. Allowing development that does not conform to generally applicable Code requirements, such as fence height, with no special circumstances, means a finding of 'no special privileges' cannot be made to support approval of the variance request. Additionally, none of the residential properties within this regulatory zone enjoy the privilege of erecting a 6' fence within the front yard setback. The granting of this variance would result in a granting of a special privilege inconsistent with the limitations upon other properties in the vicinity and within the identical regulatory zone and would therefore result in a violation of this finding.
- (d) <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>: The variance will not authorize a use or activity which is not expressly authorized by the regulatory zone as a fence is an allowable use in the Wood Creek regulatory zone.

Recommendation

After a thorough analysis and review, Variance Case Number WPVAR24-0003 is being recommended for denial. 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 WPVAR24-0003 for Mark and Megan Marelich, having been unable to make all four (4) required findings in accordance with Washoe County Development Code Section 110.804.25. Specifically, the Board is unable to make a finding of special circumstances either due to the exceptional property dimensions or shape, extraordinary topographical features, or an extraordinary and exceptional situation specific to the property.

- (a) <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;
- (b) <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;
- (c) <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;
- (d) <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 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/Owner: Mark and Megan Marelich; mmarelich33@gmail.com

From: COOPER, CLIFFORD E
To: Evans, Timothy

Subject: RE: Variance Case Number WPVAR24-0003 (Marelich Variance)

Date: Monday, March 18, 2024 7:32:27 AM

Attachments: image001.png

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March Agency Review Memo II.pdf

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

Tim,

AT&T does not have any adverse comments regarding this project.

CLIFF COOPER SR SPECIALIST-OSP DESIGN ENGINEER AT&T NEVADA 1375 Capital Blvd rm 115

Reno, NV 89502

ROW Office: 775-453-7578

Cell: 775-200-6015 Email: <u>cc2132@att.com</u>

TEXTING and DRIVING...It Can Wait

Date	3-18-24
Attention	Tim Evans
Re	Variances Case Number WPVAR24-0003
APN	124-072-06
Service Address	511 Jensen Circle
Owner	Mark & Megan Marelich

<u>Variance Case Number WPVAR24-0003 (Marelich Variance)</u> – For hearing, discussion, and possible action to approve a variance to vary the fence height along the front property line from four and a half (4.5) feet to six (6) feet for security and aesthetic purposes.

Applicant / Property Owner: Mark & Megan Marelich

Location: 511 Jensen Circle

Assessor's Parcel Number(s): 124-072-06
 Parcel Size: 0.42 acres
 Master Plan Category: Wood Creek
 Regulatory Zone: Wood Creek
 Area Plan: Tahoe

Development Code: Authorized in Article 804, Variances

Commission District: 1 – Commissioner Hill
 Staff: Tim Evans, Planner

Washoe County Community Services Department

Planning and Building Division

Phone: 775-328-2314

E-mail: tevans@washoecounty.gov

IVGID Comments: No impact to the Incline Village General Improvement District (IVGID)

 From:
 Steve Shell

 To:
 Evans, Timothy

 Subject:
 WPVAR24-0003

Date: Wednesday, March 20, 2024 9:25:08 AM

Attachments: <u>image001.png</u>

image002.png image003.png image006.png image008.png

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The Division of Water Resources has no comment.

As of June 1, 2021, the Office of the State Engineer is open to the public. Please call 684-2800 upon arrival and a representative will come down to escort you to our office.

Steve Shell
Water Rights Specialist II
Department of Conservation and Natural Resources
Nevada Division of Water Resources
901 S. Stewart St., Suite 2002
Carson City, NV 89701
sshell@water.nv.gov
(O) 775-684-2836 | (F) 775-684-2811

From: John James **Evans, Timothy** To:

Subject: Item 2. Variance Case Number WPVAR24-0003 (Marelich Variance)

Date: Thursday, March 21, 2024 8:08:44 AM

[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 Mr. Evans.

The NLTFPD has assessed Item 2, the Marelich Variance (Variance Case Number WPVAR24-0003), and provided the following comments and/or conditions:

For instances where access is obstructed by automatic or locked gates, an approved method for emergency operation such as a key box, key switch, padlock, or another authorized means is mandatory.



John James Fire Marshal

Office: 775.831.0351 x8131 | Cell: 775.413.9344

Email: jjames@nltfpd.net

866 Oriole Way | Incline Village | NV 89451











Engineering and Capital Projects

Date: March 25, 2024

To: Tim Evans, Planner

From: Robert Wimer, P.E., Licensed Engineer

Janelle Thomas, P.E., Senior Licensed Engineer

Re: Variance Case WPVAR24-0003- Marelich

APN 124-072-06

GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff have reviewed the above referenced application. The application, prepared by Mark & Megan Marelich, is for a variance to allow the installation of a black, iron fence around the perimeter of the property.

The Engineering and Capital Projects Division recommends approval of this variance case with the comments and conditions of approval below:

Conditions:

- 1. The gate shall be a minimum of 20 feet from the edge of the pavement on Jensen Circle.
- 2. Large, decorative, masonry or rock-faced type fence posts or similar fence post design that inhibit sight visibility will not be allowed. The design shall comply with AASHTO sight distance standards.



Engineering and Capital Projects

Date: March 27, 2024

To: Tim Evans, Planner

From: Timber Weiss, P.E., Licensed Engineer

Re: Variance Case Number WPVAR24-0003 (Marelich Variance)

GENERAL PROJECT DISCUSSION

For hearing, discussion, and possible action to approve a variance to vary the fence height along the front property line from four and a half (4.5) feet to six (6) feet for security and aesthetic purposes.

The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

No water rights conditions for this variance.

Public Notice

Washoe County Code requires that public notification for a variance must be mailed to a minimum of 30 separate property owners within a minimum 500-foot radius of the subject property a minimum of 10 days prior to the public hearing date. A notice setting forth the time, place, purpose of hearing, a description of the request and the land involved was sent within a 500-foot radius of the subject property. A total of 92 separate property owners were noticed a minimum of 10 days prior to the public hearing date.



Public Notice Map
Variance Case Number WPVAR24-0003

Community Services Department Planning and Building VARIANCE APPLICATION



Community Services Department Planning and Building 1001 E. Ninth St., Bldg. A Reno, NV 89512-2845

Telephone: 775.328.6100

Washoe County Development Application

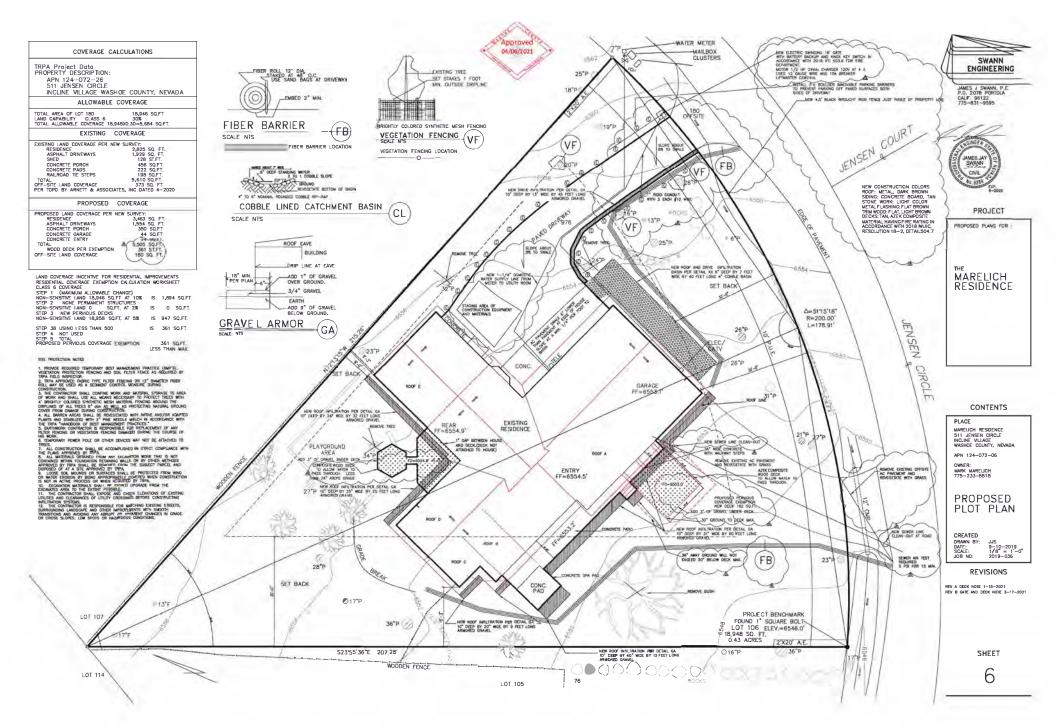
Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

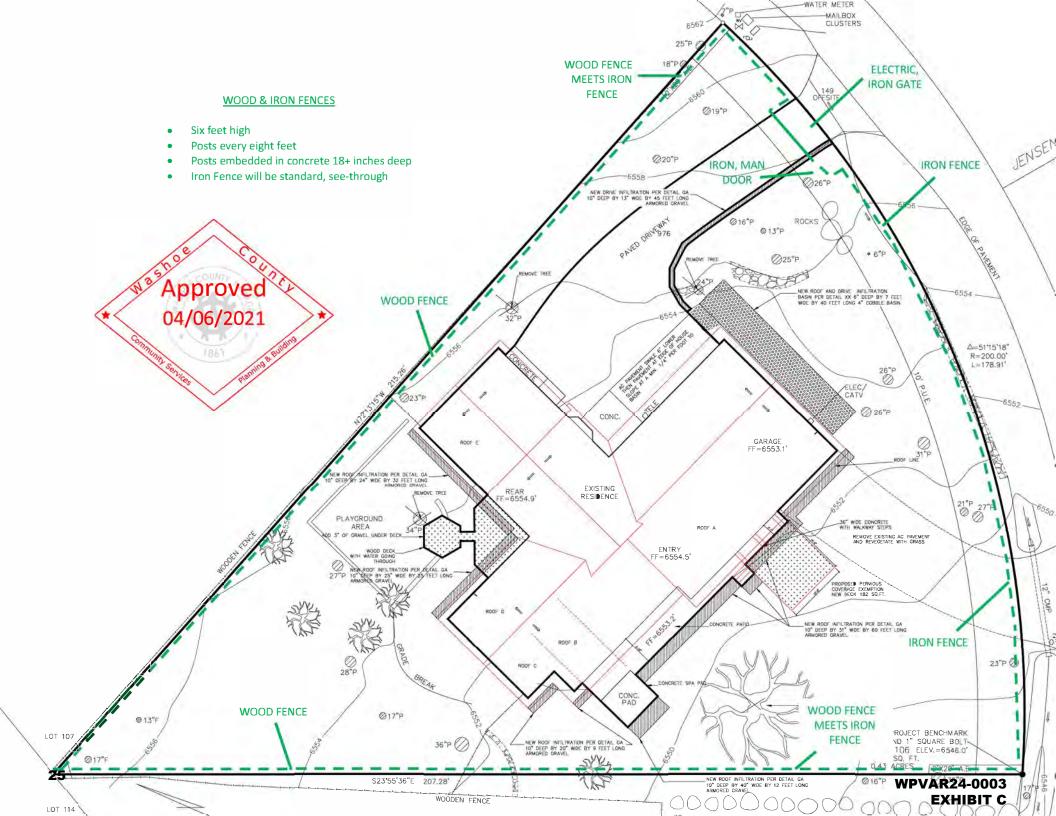
Project Information	S	Staff Assigned Case No.:	
Project Name: Marelich P	erimeter Fence		
		ently fenced on the two straight side ing perimeter's edge (the arc) with	
Project Address: 511 Jensen	Circle, Incline Village, N	V 89451	
Project Area (acres or square	feet): 0.420 Acres		
Project Location (with point of	reference to major cross	streets AND area locator):	
SE area of Jensen Circle,	across from the cul-	de-sac	
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
124-072-06	0.420		
Case No.(s). WBLD20-10	4675	s associated with this applica	
Property Owner:	normation (attach	Professional Consultant:	
Name: Mark & Megan Marelio	ch	Name: N/A	
Address: 511 Jensen Circle		Address:	
Incline Village, NV	Zip: 89451		Zip:
Phone: 775-233-8818	Fax: N/A	Phone:	Fax:
Email: mmarelich33@gmail.com		Email:	
Cell: 775-233-8818	Other: N/A	Cell:	Other:
Contact Person: Mark Marelia	ch	Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Same as above		Name: N/A	
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):	

Variance Application Supplemental Information

(All required information may be separately attached)

	Front yard setback & Height for fencing				
	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 arc of our pie-shaped parcel is already restricted an average of 8' from the road, so the Code greatly diminishes usage and security of our property.				
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 arc of our parcel already offers an average 8' offset from the road, and the iron fencing would be see-through. Both aspects aiding in the visibility of the "corner" and would be far less intrusive-looking than solid fencing.				
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.)?				
	It would allow us to construct a strong retaining wall and fence across the property line, to which the 8' of county property can be better utilized in snow plowing and storage.				
5.	What enjoyment or use of your property would be denied to you that is common to other properties in your neighborhood?				
	The other properties included in our findings have full (or nearly) use and enjoyment of the entirety of the property they pay to own.				
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.				
7.	How is your current water provided?				
	IVGID Public Utilities - mainline off the street				
8.	How is your current sewer provided?				
	IVGID Public Utilities - mainline into the street				





To Whom It May Concern:

As you see on the first page, our hope is to construct six-foot iron fencing around the remaining, unfenced perimeter of our property.

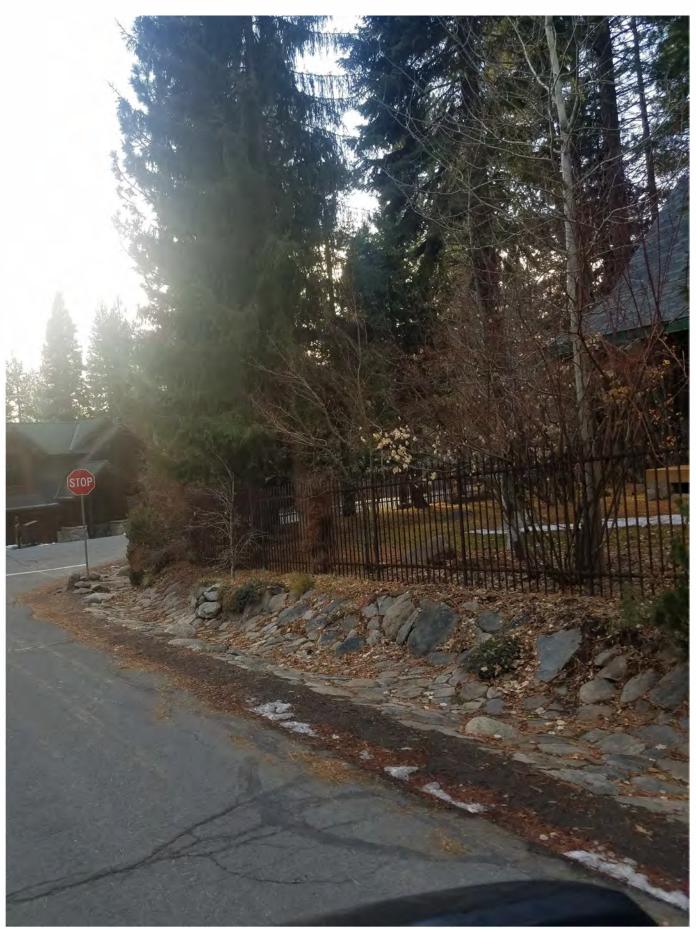
We would like to use the following precedent examples we found, from our neighborhood, to appeal for a special variance – or apply for an Administrative permit if necessary. These examples have six-foot-high fences on or very near the perimeter of their properties.

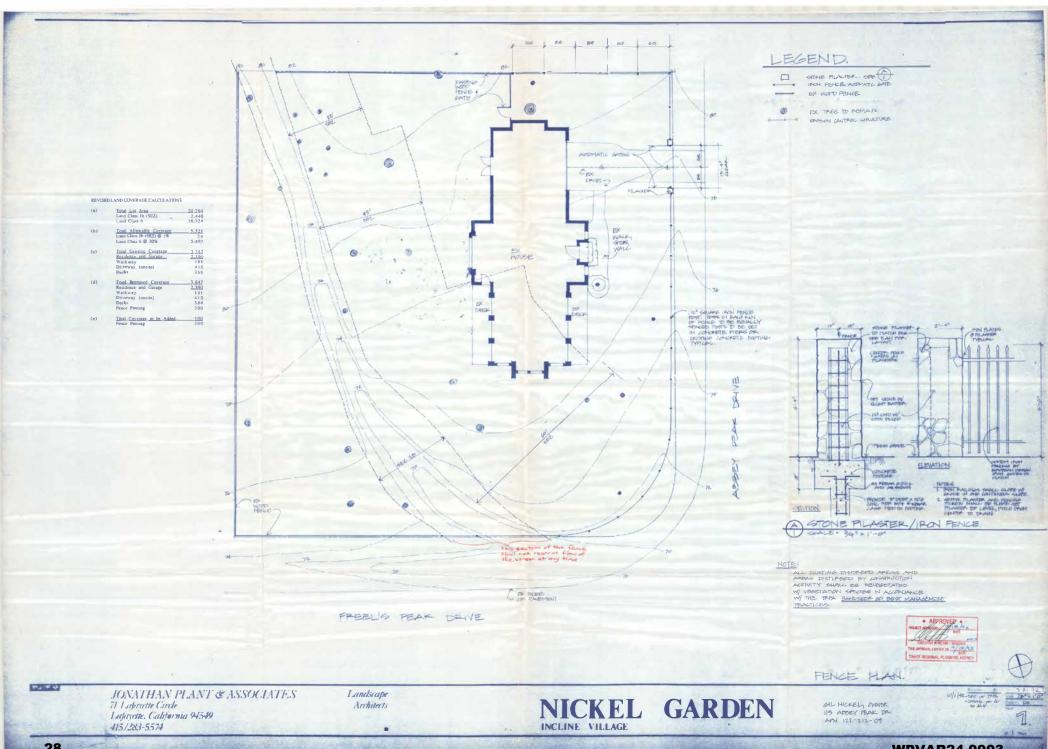
In your determination, I would also like you to please consider that the proposed iron fencing would be seethrough and is also offset from the road an average of 8' – both aspects would not hinder a car's line of sight coming around the curve.

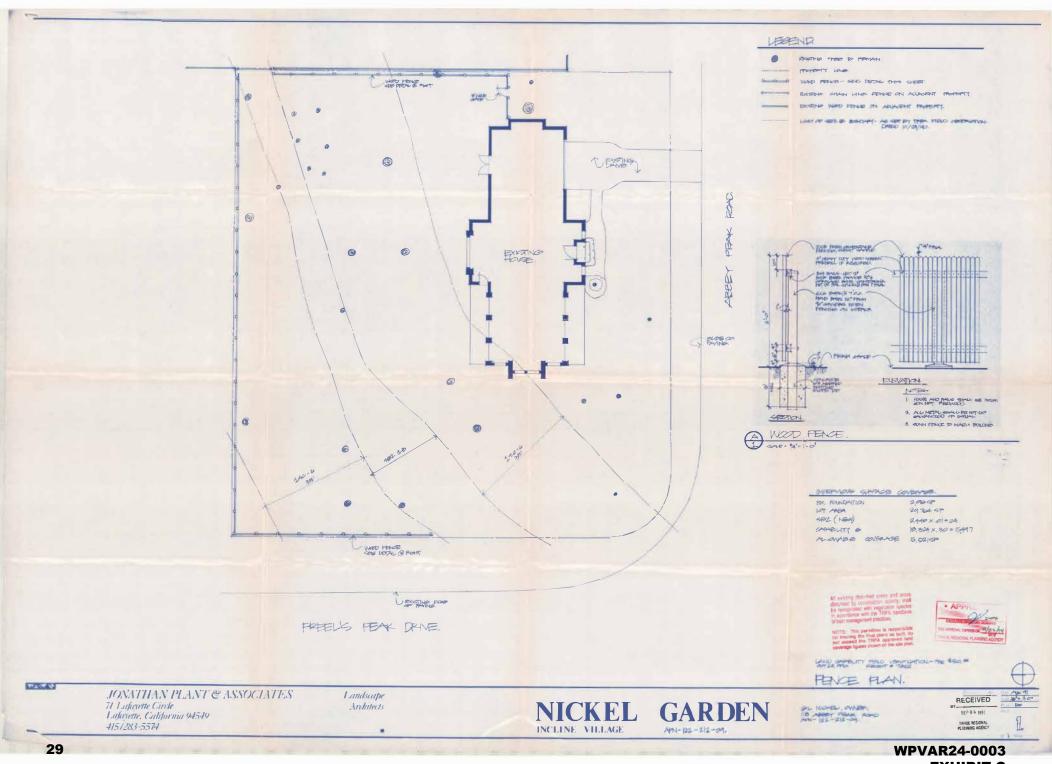
Thank You for your consideration.

Mark & Megan Marelich

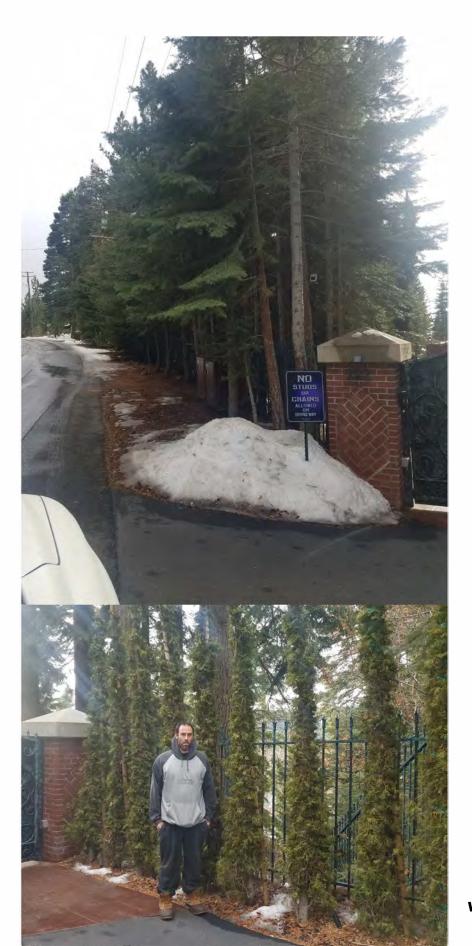
115 Abbey Peak

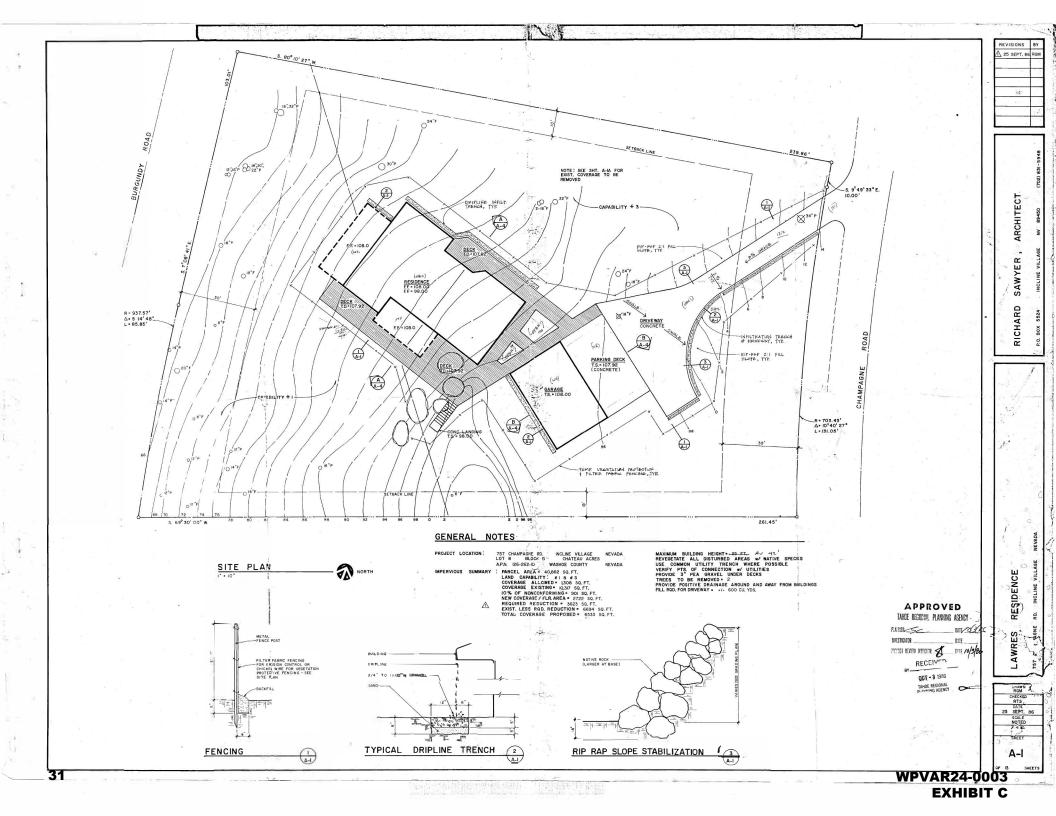


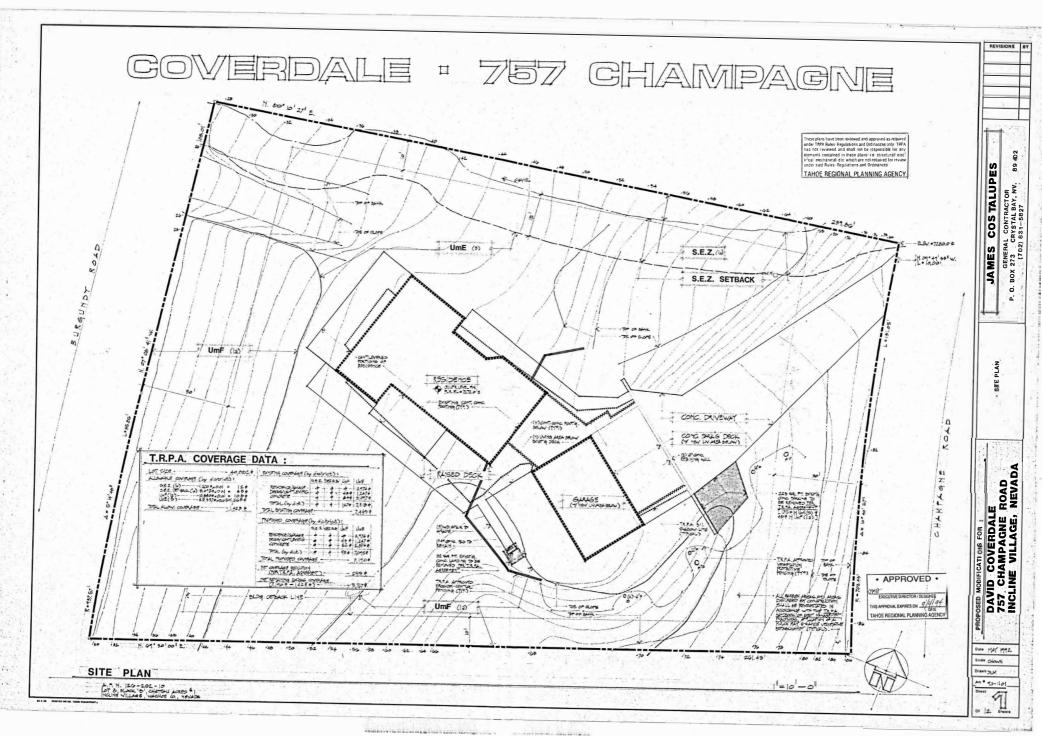




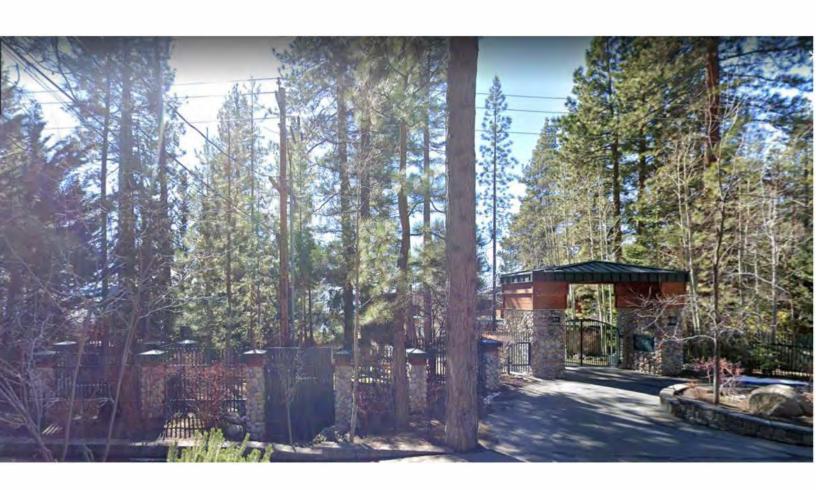
757 Champagne







849 Lakeshore



These plans have been reviewed and approved as required under fREs Railes, Regulations and Urdinances only. TRPA has not removed and shall not be responsible for any mechanical, etc. which are not required for review under said EXISTING ROCK SCOPE / WALL STED elements and smed in these plans, i.e. structural, electrical, TO BE REPAIRED TAHOE REGION 02700.0 FOR REFERENCE LAKE TAHOE 1) PROPERTY LINE 5 PROJECT LIMITS AFFE122101-10 APPROX LOCAT 8 LASEMENTUNE TOP OF SLOPE (B) TOE OF SLOPE ADJACENT STRUCTURE 11) LIMITS OF ROOF 3 FILTER FENCE

INSTALL AN EROSION BARRIER FENCE

(TEMP. WIRE BACK SALT FENCE)

QUALIFIED EXEMPT DECLARATION RECEIVED

DATE: 5/11/18

MATERIAL KEYNOTES

VICETATION FENCE PAREFURCE 2% SLOPE PHEZAIRALISMS HYPICAL AT EAGINT

HALL BAVERS, MATCH LAUSTING KOOK HERIOWANT, MATCHER GIRING STONE FLOOR TRE. GRANTE 48"K49"X3/4

REFERENCE NOTES

- 2 BUILDING BY TRACK UNF.
- (A) ERISTING CONTOUR LINE (DASHESS)
- S NEW CONTOUR LINE (SOLID)

- (10) LIMITS OF FOUNDATION

- (13) LIMITE OF CO RCOP ABOVE

SITE PROTECTION NOTES

- TRPA APPROVED PARTIC TYPE PLITER FENCING.

- ANY SUCH REMOVAL ON TIBUMPHOUSE A VIOLATION OF FROMET APPROVAL

SITE NOTES

RECEIVED SEP 1 1 2002

TEL 775.831,7159



PROJECT

AKESHORE STMENTS

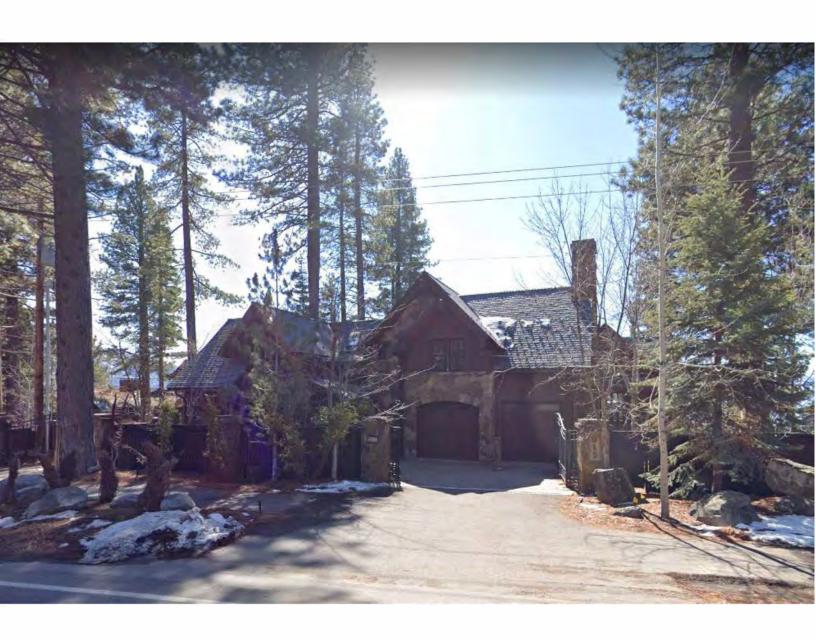
PROJECT NO.:

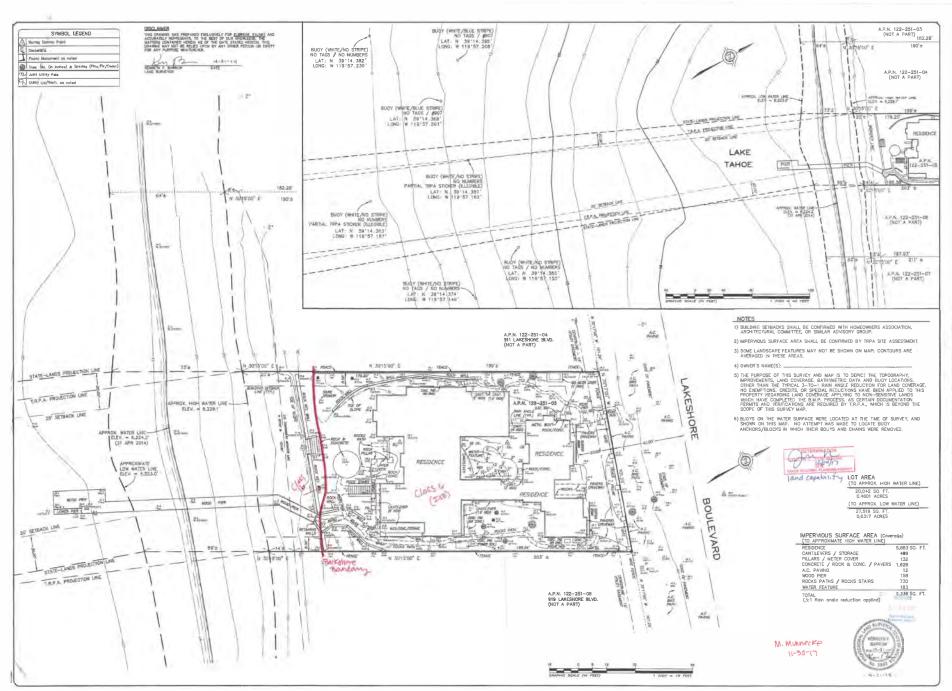
SHEET CONTENTS

CHECKED BY:

SHEET NUMBER

915 Lakeshore



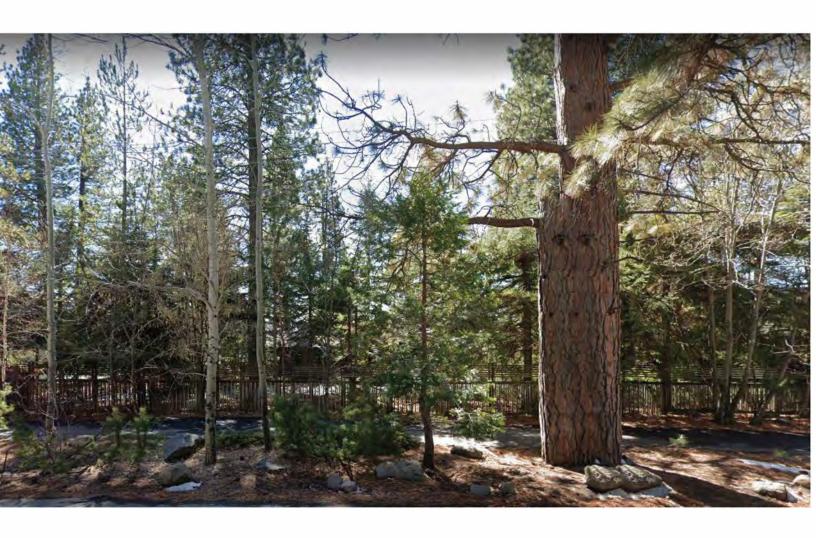


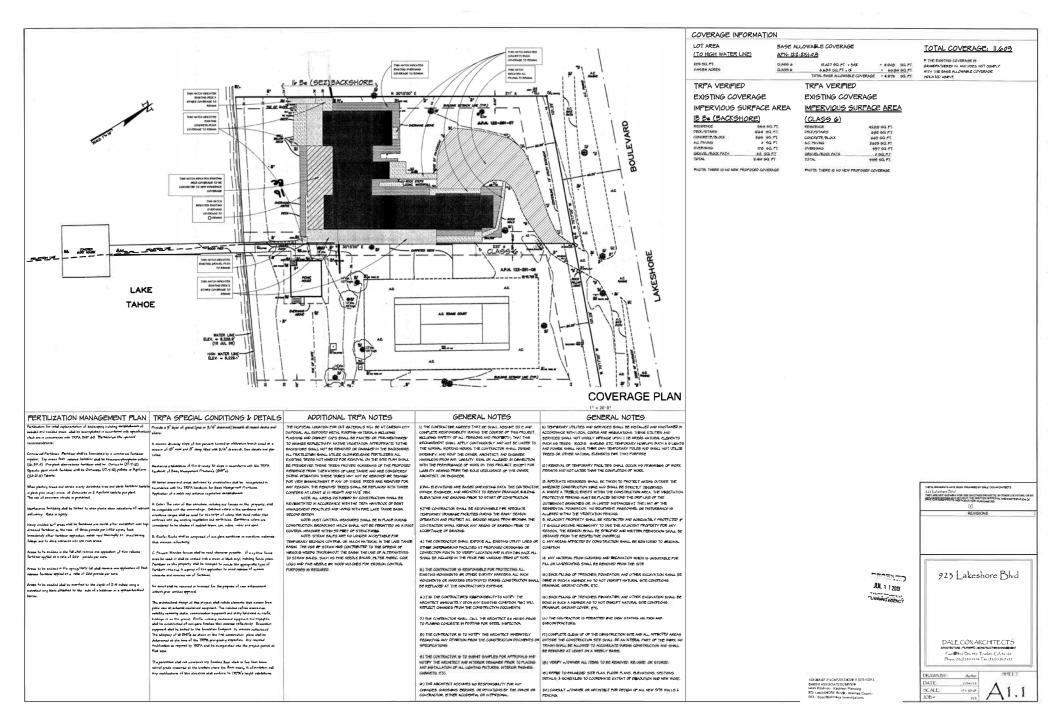
KENNETH F. BARROW P.L.S.
LAND SURVEYOR
P.D. BOWLEN STORM SHIPS
775 - 831 - 1701 FAX 775 - 831 - 1795

AS—BUILT TOPOGRAPHIC (BATHYMETRIC) SURVEY A PORTION OF THE W. 1,4 OF SECTION 22, T. 16 N., R. 16 E., M.O.B. & M. M. MADAN VILLE, MISHIC CONTY, PRINDA APP. 122–251–05

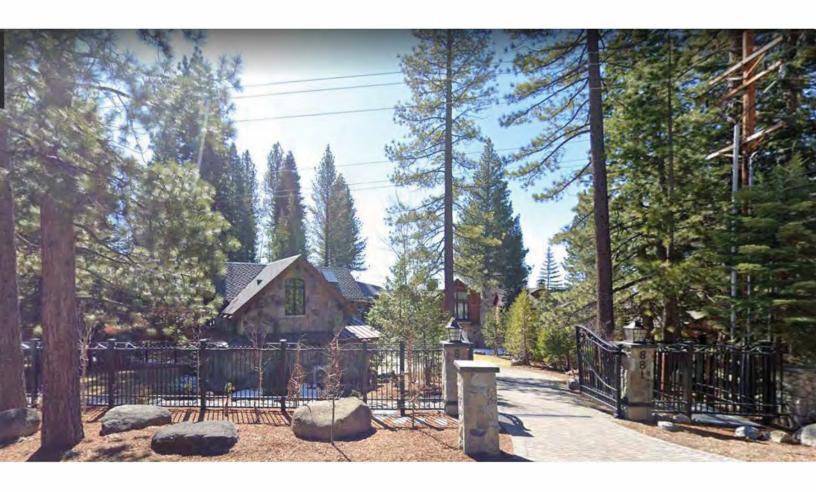
SCALE
AS NOTED
DATE
21 APR 2014
DRAWN
RBL
APPROVED
KFB
REVISED
JOB NO.
011-14

923 Lakeshore





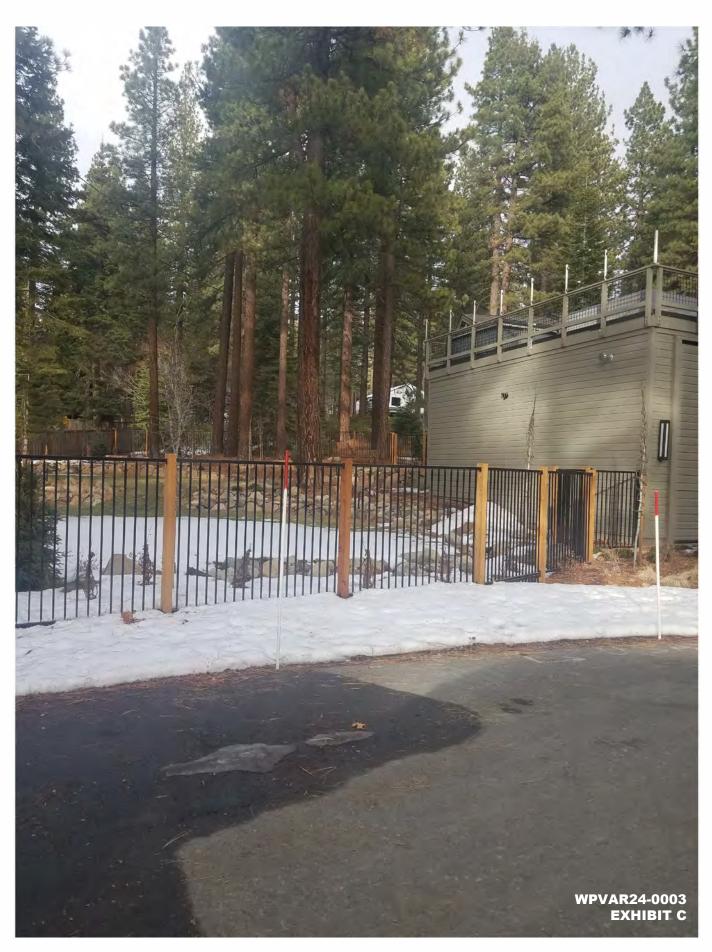
881 Lakeshore

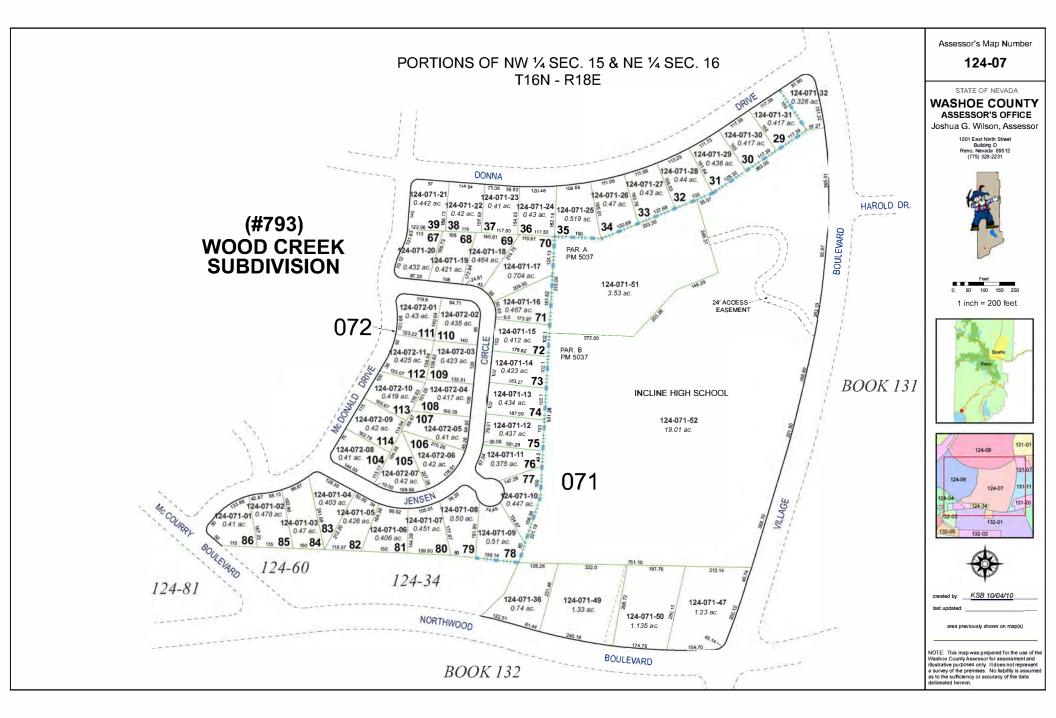


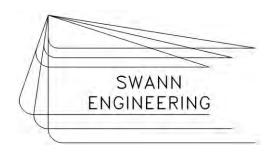
395 Mountain Lake



906 Ace







January 20, 2021 Washoe County Bldg. Dept. Reno, Nevada

Gentlemen: Re: Marelich Residence

511 Jensen

Incline Village, NV

The following is in responses to the Plan View Corrections dated January 5, 2021. Please note the item numbers below correlate to the numbers on the corrections.

RES Check:

Item 1: Modified to the 2018 IECC and signed RES Check.

Structural Calculations:

Item 2: Expiration date added. Item 3: Modified to 1,500 psf.

Site Plan:

Item 4: Schematic added to plans.

Item 5: Added manufacturer's sheet to plan package.

Floor Plan:

Item 6: Added note to windows as requested.

Item 7: Note added for Velux skylights.

Item 8: Added dimensions to plans noting height of deck at open areas.

Item 9: Added dimensions to plans noting ceiling height minimum, Sheet S2, Dormer Section.

Item 10: Added receptacle, Sheet 2.

Elevation:

Item 11: Added labels as requested (See Sheet S3, detail for wall construction).

Washoe County January 20, 2021 Page Two

Fire Review:

Item 1: Added to plans.

Item 2: Added to plans.

Item 3: Added to plans.

Item 4: Not applicable. Deck does not attach to side of house.

Item 5: Added to package.

Item 6: Clarified dimensions.

Item 7: Added switch.

Item 8: Paragraph added to plans, Sheet 1.

GID Review:

Item 1: Added supply line to plans.

Item 2: Added to plans.

Item 3: Note added to plans requiring air test.

Planning Review:

Item 1: Added to survey.

Item 2: Noted on plans.

Item 3: Added to survey.

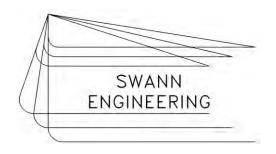
James J. Swann, P.E.

If you have any further questions or need additional information, please give me a call.

Sincerely,

Exp. 6/2022

P.O. Box 2078, Portola, CA 96122 (775) 831-9595 cell



January 20, 2021

Tahoe Regional Planning Agency

Gentlemen: Re: Marelich Residence

511 Jensen

Incline Village, NV

The following is in responses to the TRPA required revisions. Please note the item numbers below correlate to the numbers on the revisions.

Item 1: Added.

Item 2: Table revised.

Item 3: Samples provided by owner.

Item 4: Notes added to plans.

Item 5: Provided by others.

Item 6: Revised.

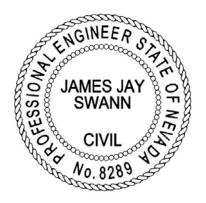
Item 7: Modified plans.

Item 8: By others.

If you have any further questions or need additional information, please give me a call.

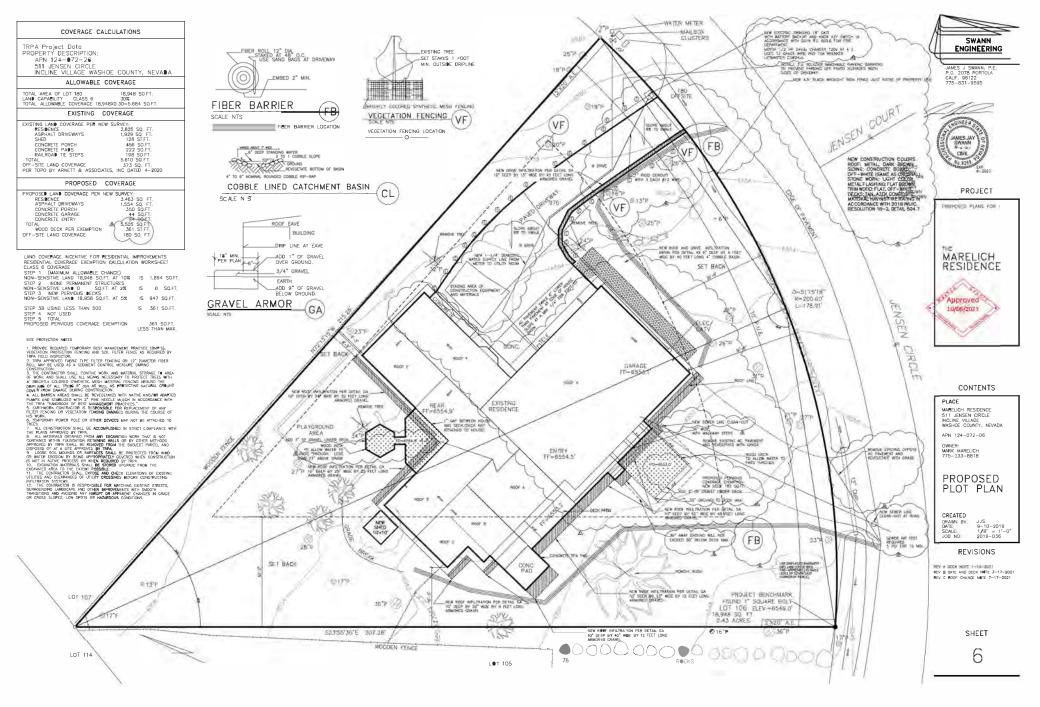
Sincerely,

James L. Swann, P.E.



Exp. 6/2022

P.O. Box 2078, Portola, CA 96122 (775) 831-9595 cell



WASHOE COUNTY DEVELOPMENT APPLICATION

ABANDONMENT ADMINISTRATIVE WAIVER CHANGE OF LAND USE DISTRICT DIVISION INTO LARGE PARCELS MAJOR PROJECT REVIEW PARCEL MAP SPECIAL USE PERMIT (BOA) SPECIAL USE PERMIT (M-E) (WCPC) TENTATIVE SUBDIVISION MAP VARIANCE SECTION TOWNSHIP TO RANGE SECTIVE BY DATE OF RECEIPT 9/3/9/1 EXISTING ZONING: EXISTING LAND USE: PROJECT DESCRIPTION: Wooth TEALE PROJECT ADDRESS: ILS APPLET TRACE DIFFURDED INTIAL PROPERTY SIZE: ASSESSOR'S PARCEL NO(S). 122 - 212 - 09 (PLEASE ATTACH LEGAL DESCRIPTION) PROPERTY OWNER: WAME: NAME: PROPERTY OWNER: MAME: MAME: MAME: AW 10 - 78 - 94 AW 10 - 78 - 94 TOTAL FEE PROJECT DESCRIPTION: ACCEPTANCE DATE INITIAL PROPERTY OWNER: MAME:	
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aller	
ADDRESS: BOX 327 OAKVILLE CA ZIP 94562 PHONE: (707) 944 - 286 CONTACT PERSON: HUGH GCOTT CONTACT PERSON: CONTACT PERSON: CONTACT PERSON:	<u>-</u> -
APPLICANT/DEVELOPER: OTHER PERSON TO BE CONTACTED: NAME: NA	
ADDRESS: 961 MATLEY LH ADDRESS:	
ZIP 89=02 ZIP PHONE: ZIP PHONE: ZIP	

(OVER)

SUPPLEMENTAL INFORMATION ADMINISTRATIVE WAIVER

General Location:	IHCLIHE	VILLAG	E		
Section(s) of ordinand					
				7	
Reason for request:_	CORNER FACE				
dentify the impacts o	r effects of the prop	osed administra	ative waiver on ad	jacent properties	·
NOTE					
dentify those special comply with the zoning	al conditions/circur ng requirements:	nstances which	would render i	t a hardship for	you to
		- 10			
Oo these conditions/	circumstances appl		• •	•	od?
Are there any deed ref				operty as request	ed?_No

48

OWNER AFFIDAVIT

STATE OF NEVADA)	
) ss: "	₩
COUNTY OF WASHOE)	
. GiL NickEL	**:
being duly sworn, depose and say that I am an owner of p	property involved in this petition and that the foregoing
statements and answers herein contained and the information	
and correct to the best of my knowledge and belief. Applica	
can be given by members of the Department of Development	
2 t	
Signed	Gil I wel.
	C_{1}
Subscribed and sworn to before me thisday of	Septemen 199/
\sim 1 \sim 1	
	OFFICIAL SEAL
	HU3H BOONE SCOTT
	NOTARY PUBLIC - CALIFORNIA
141 /2 Sulton	My Comm. Expires April 27, 1993
- / Wa / / Com / Com	
Notary Public in and for said county and state	THE STATE OF THE S
2	93
My commission expires:	

WASHOE COUNTY

DEPARTMENT OF DEVELOPMENT REVIEW

1001 E. NINTH STREET P.O. BOX 11130 RENO, NEVADA 89520 PHONE: (702) 328-3600 FAX: (702) 328-3648



WASHOE COUNTY

"To Protect and To Serve"



1001 E. NINTH STREET POST OFFICE BOX 11130 RENO, NEVADA 89520 PHONE: (702) 328-3600 FAX #: (702) 328-3648

DEPARTMENT OF DEVELOPMENT REVIEW Michael A. Harper, AICP, Director

ADMINISTRATIVE WAIVER

CASE NO .:

AW10-78-91

DATE:

October 1, 1991

APPLICANT:

Isbell Contruction/Gil Hickel

REQUEST:

To walve the maximum fence height per Washoe County Code, Land Use

Ordinance, Article 5, Section 110.092, from 4 1/2 feet to 6 feet.

LOCATION:

The parcel is located at 115 Abbey Peak Road, Incline Village, in a portion

of Section 16, T16N, R18E, MDB&M.

AUTHORITY:

Per Washoe County Code, Land Use Ordinance, Article 50, Section 110.210 (3), the zoning administrator has the authority to grant administrative waivers to waive the maximum fence height provided the

request does not exceed 6 feet in height.

BACKGROUND:

The applicant contacted the Washoe County Department of Development Review staff on September 13, 1991, via correspondence requesting an administrative waiver. The request was made for the purpose of constructing a fence of sufficient height to provide privacy on a corner lot.

ACTION:

The zoning administrator grants the above request and Issues an

administrative waiver as described above.

FINDINGS:

The above administrative waiver is based upon the following findings:

1. The request does not exceed the maximum 6 feet fence height;

2. The request will not adversely affect adjacent properties.

WASHOE COUNTY DEPARTMENT OF DEVELOPMENT REVIEW

Ву:

Cheryl arthur

Cheryl Arthur

Planning Technician

CC:

Washoe County Board of Adjustment Members; County Engineering Division; County

Building Division.

NOTE TO APPLICANT:

A copy of this letter must be attached to your plans when you apply for a building permit.