



Board of Adjustment Staff Report

Meeting Date: June 5, 2014

Subject: Variance Case Number VA14-004
Applicant: Grable B. Ronning
Agenda Item Number: 8.B.
Project Summary: Reduce the required side yard setback from 8 feet to 3 feet
Recommendation: Denial
Prepared by: Roger D. Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Development Division
Phone: 775.328.3622
E-Mail: rpelham@washoecounty.us

Description

Variance Case Number VA14-004 (Ronning) – To reduce the required side yard setback from eight (8) feet to three (3) feet for construction of a new single-family dwelling.

- Applicant/Property Owner: Grable Ronning
- Location: 400 Gonowabi Road, Crystal Bay, NV
- Assessor's Parcel Number: 123-145-04
- Parcel Size: .52 acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 804, Variances
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 19, Township 16 N Range 18 E
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:

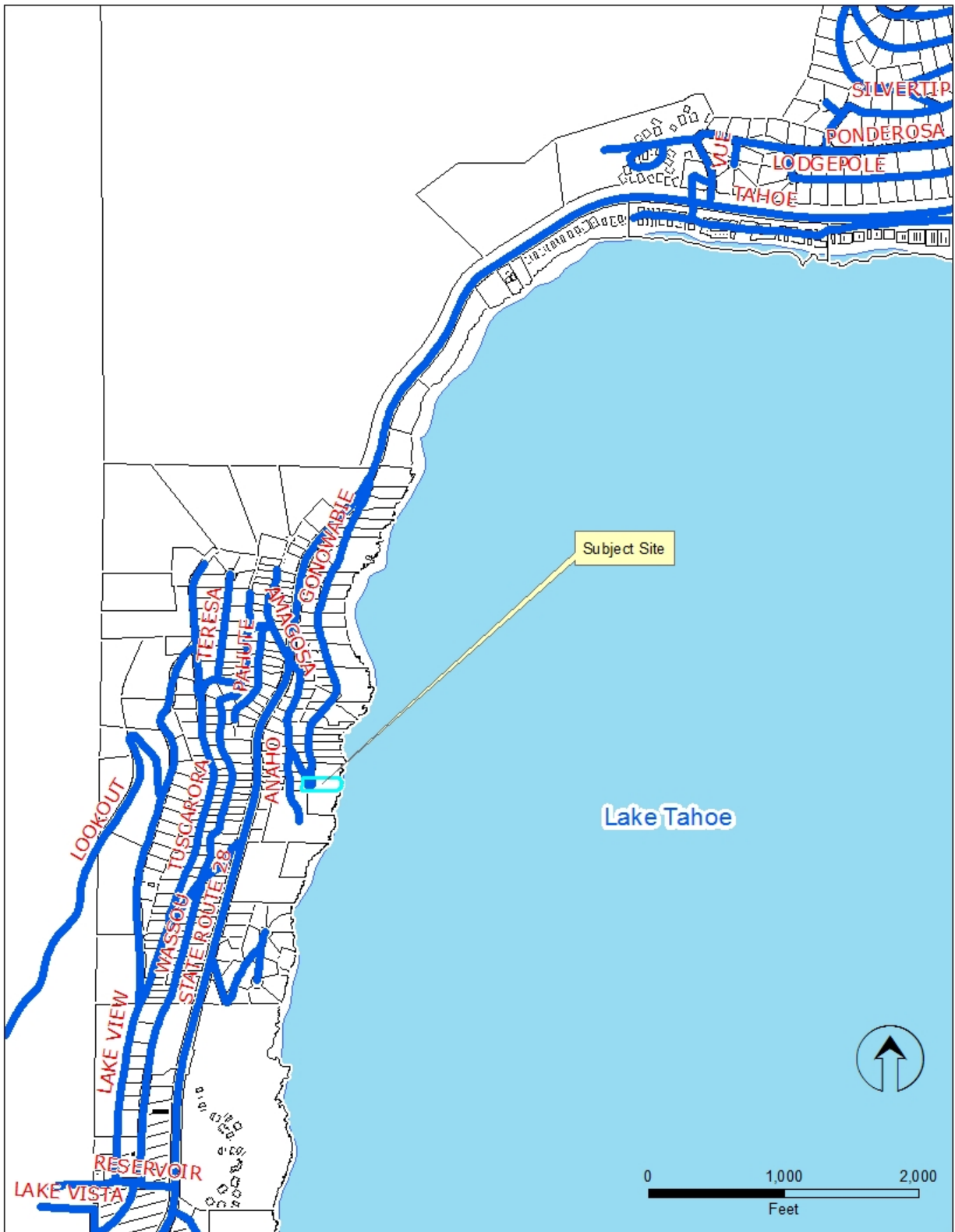
Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application 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 WCC Section 110.804.25, the Board must make four findings which are discussed below.

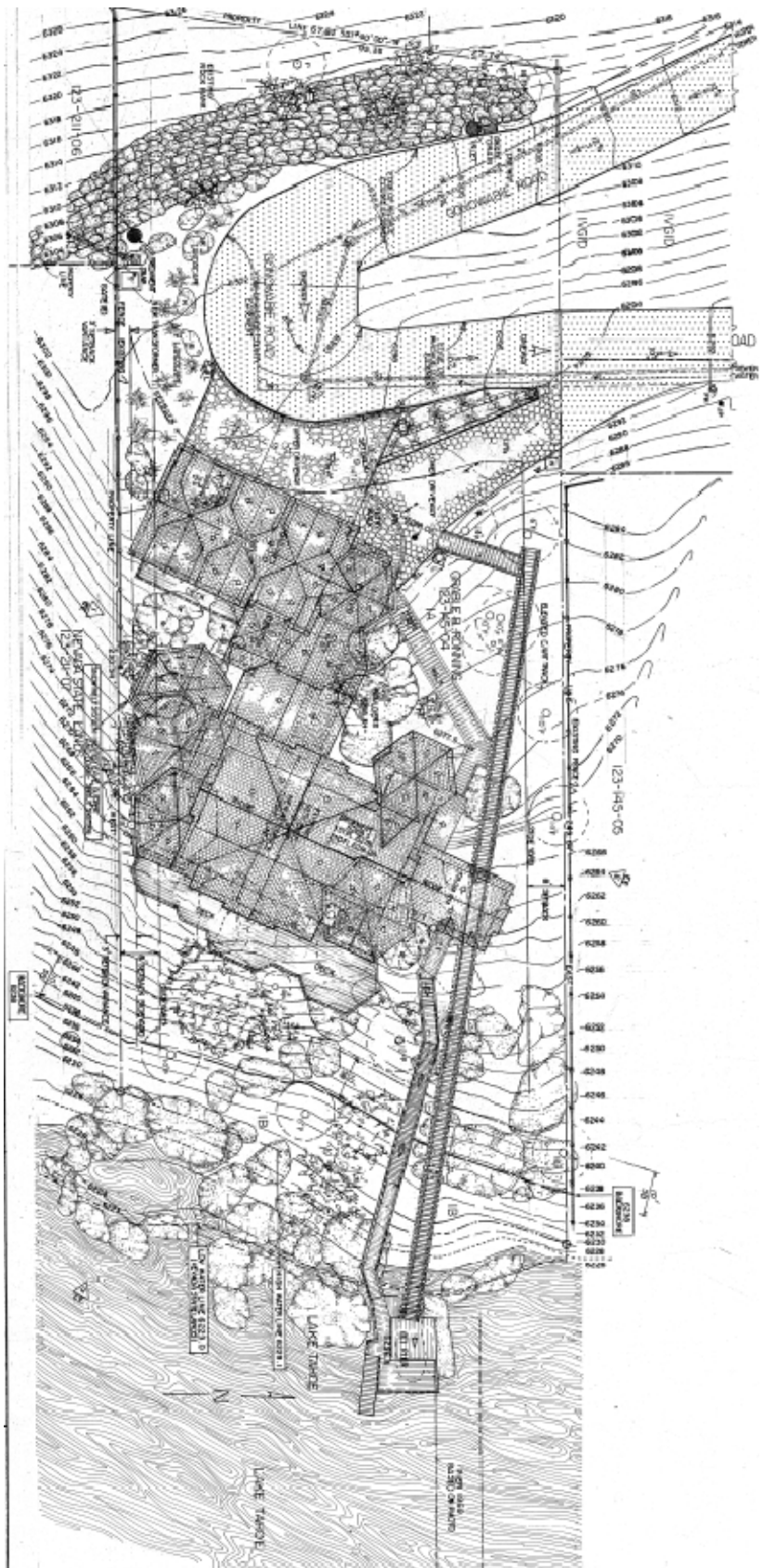
If the Board of Adjustment grants an approval of the Variance, that approval may be subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

- 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.

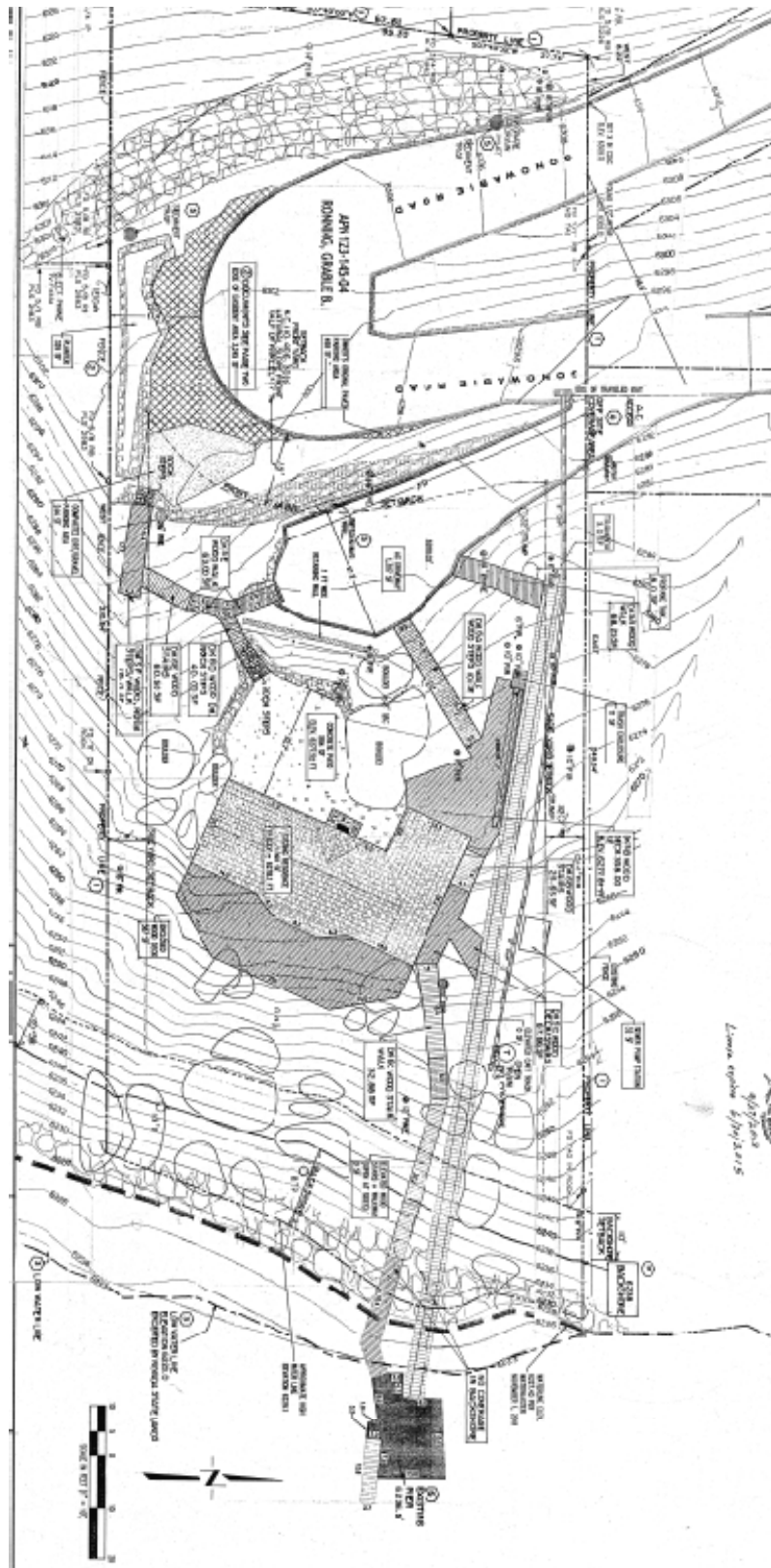
Since a recommendation of denial has been made, there are no Conditions of Approval attached. Should the Board find that special circumstances exist and approve the requested variance, staff will provide Conditions of Approval at the public hearing.



Vicinity Map



Proposed Site Plan



Existing Site Plan

Project Evaluation

The applicant is proposing to demolish an existing dwelling on the subject parcel and construct a new dwelling. The new dwelling is proposed to be located five feet into the required (south) side yard setback area.

For staff to recommend approval of a variance request the Code requires that a series of specific findings be made. Among these is the finding that a special circumstance or hardship is identified. The specific Code language is below.

Section 110.804.25 Findings. Prior to approving an application for a variance, the Board of Adjustment, the Planning Commission or hearing examiner shall find that findings (a) through (d) apply to the property and, if a military installation is required to be noticed, finding (e):

- (a) *Special Circumstances. Because of the special circumstances applicable to the property, including either the:

 - (1) *Exceptional narrowness, shallowness or shape of the specific piece of property, or*
 - (2) *By reason of exceptional topographic conditions, or*
 - (3) *Other extraordinary and exceptional situation or condition of the property and/or location of surroundings, the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;**
- (b) *No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;*
- (c) *No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated; and*
- (d) *Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.*
- (e) *Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.*

- The parcel has a Medium Density Suburban (MDS) Regulatory Zone designation. The minimum lot width specified by the Development Code is 80 feet in that zone. The subject parcel is 95 feet in width. The parcel is not exceptionally narrow.
- The parcel is approximately two-and-a-half times as deep as it is wide (230 feet in depth). The parcel is not exceptionally shallow.

- The parcel is essentially rectangular in shape. There are no special circumstances associated with the shape of the parcel.
- The parcel is located on a down-slope of 20% or greater slope, which entitles the applicant to an automatic front yard setback reduction, but does not affect the required side yard setback.

As can be seen in the following overhead photos, the topography of the subject parcel is substantially similar to all surrounding parcels. There are no exceptional topographic conditions unique to the subject parcel.



Each of the contour lines on the following photo represents a change in elevation of two feet.



There is no other extraordinary and exceptional situation or condition of the property and/or location of surroundings, forcing the reduction in a side yard setback. Gonowabie Road occupies a portion of the western end of the parcel and may be considered to be challenged in terms of a front yard setback, but does not create a special circumstance relative to a side yard setback. The applicant is making use of a standard provision of the Development Code which allows a reduction in front yard setback to fifteen feet for parcels containing slopes 20% or greater.

The existing dwelling on the parcel is constructed well within all required setbacks which shows, without question, that a dwelling can be constructed on the parcel without violating the required setbacks.

The applicant cites boulders on the parcel, and protection of boulders by the Tahoe Regional Plan, as a condition creating a special circumstance. The existence of boulders is neither

extraordinary nor unique to this parcel as many similar boulders are located on surrounding properties all along the lakeshore, as can be seen on the following aerial photo. All similarly situated parcels are subject to those same provisions of the Tahoe Regional Plan. Granting the variance would give the applicant special privileges not enjoyed by other property owners.



The applicant also cites other Tahoe Regional Plan restrictions on height as creating a special circumstance. Those standards are applicable to all similarly situated parcels in the Tahoe area and can be considered neither extraordinary nor unique. The applicant also cites the desire for a relatively flat driveway off of Gonowabie Road as creating a hardship requiring a reduction in the side yard setback, however the garage is proposed to be wide enough to accommodate three cars, with pillars four feet in width between each single-car garage door. If the garage were reduced to two-cars wide, or if one two-car and one single-car door were utilized, the garage could easily be reduced by five feet in width and no setback reduction for the garage would be needed.

The applicant cites the desire to maintain an existing tram as being a special circumstance necessitating reduction in the side yard setback. As noted, a dwelling can be constructed on that parcel while maintaining the tram on the parcel without any reduction in the side yard setback.

The dwelling proposed by the applicant consists of 7,750.81 square feet of living area, 1,680 square feet of garage area and 120 square feet of mechanical room. Less than 250 square feet of the structure is proposed to be located within the required setback area. A reduction of 250 square feet to accommodate the required side yard setback would represent approximately 2.6% of the square footage of the proposed structure.

The applicant cites variances approved for other parcels as being a reason for approval of this request, however, every parcel and project is evaluated on its own merits and previous approval of a variance on another parcel does not create a special circumstance or hardship on the subject parcel.

It is the best professional opinion of staff that there are no unique or extraordinary circumstances specific to the physical constraints of the parcel that would prevent the construction of a dwelling within the required building setbacks. Rather, the dwelling proposed by the applicant simply exceeds size dictated by the reasonable setback limitations. The

proposed dwelling is approximately 85 feet in width at the widest point, although it is proposed to be placed at an angle to the parcel lines, a dwelling with that dimension exceeds the natural limitations of a parcel that is approximately 95 feet in width. Additionally, the desire to maintain the existing tram on the parcel is a convenience to the applicant, but does not create a special circumstance as required by Code.

Staff is also unable to recommend approval of the variance request due to the requirement for a finding of "no detriment." The applicant seeks to reduce the required side yard setback to three feet, measured at the foundation of the dwelling. The Development Code allows over-hang of eaves and other architectural features up to two feet. Approval would create the possibility of eaves and other architectural features as close as one foot from public lands. The plans submitted by the applicant show the eaves proposed to be within the remaining three-foot setback in some locations, but no dimensions are provided. While the proposed design seeks to protect the adjacent public lands, enforcement would be problematic, and detriment, in the form of disturbance of public lands and possible run-off of water and snow may still occur.

Staff is further unable to make the required finding that there would be no special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated. The special privilege results from a reduction in the required side yard setback when there is no physical constraint requiring it. A minor redesign to the home could easily accommodate the required side yard setback. That minor redesign might be to reduce the size of the house by 2.6% or simply to reconfigure the proposed dwelling to move that floor area elsewhere on the parcel.

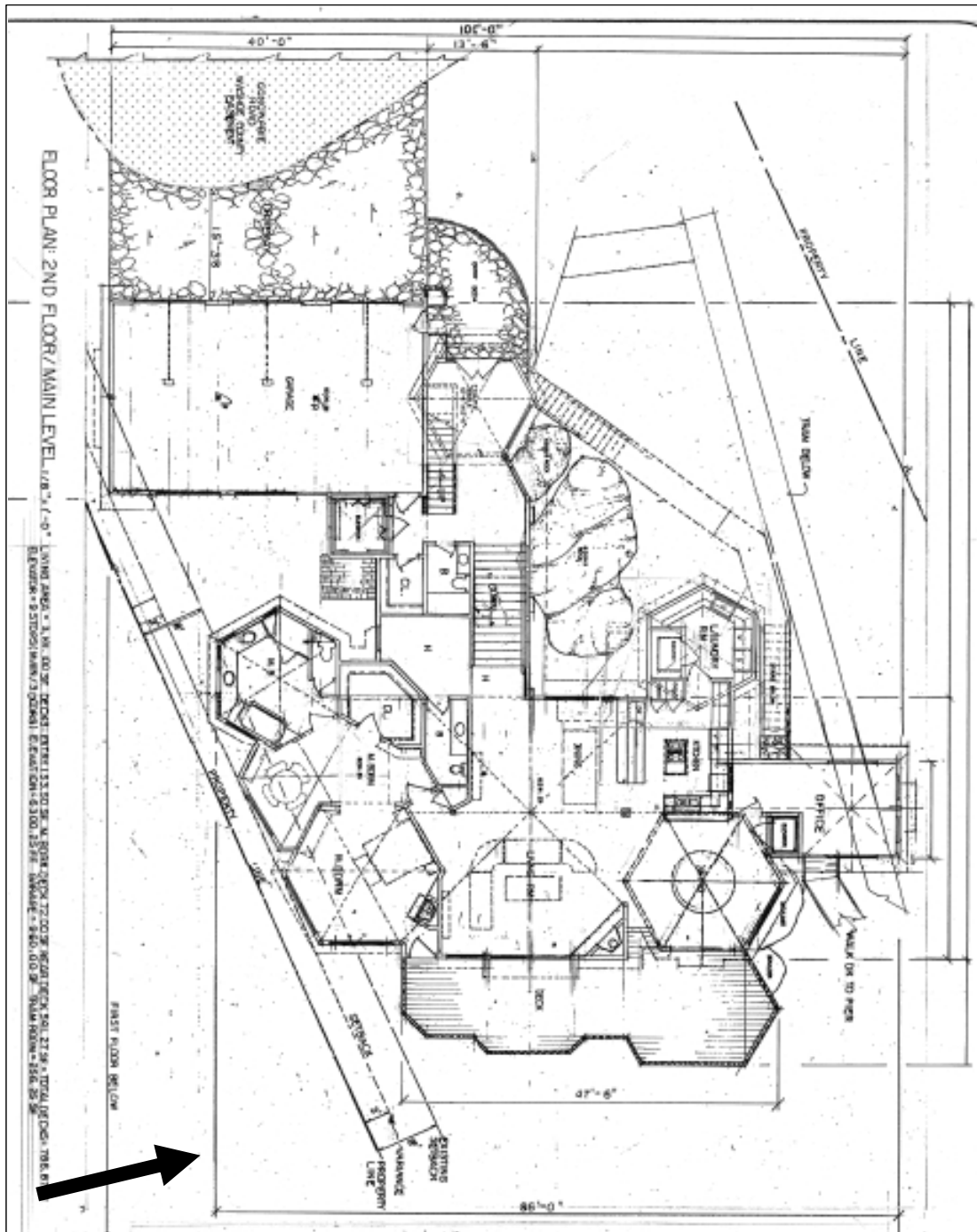
Staff is further unable to make the required finding of fact that the relief requested will not authorize a use not otherwise expressly authorized. Development of a dwelling within a required setback is not authorized unless a variance is granted. A variance cannot be granted when no demonstrable special circumstance resulting in a hardship can be shown. Because no demonstrable special circumstance resulting in a hardship can be shown in this case, approval of the variance would result in approval of a use not authorized within the required setback area.

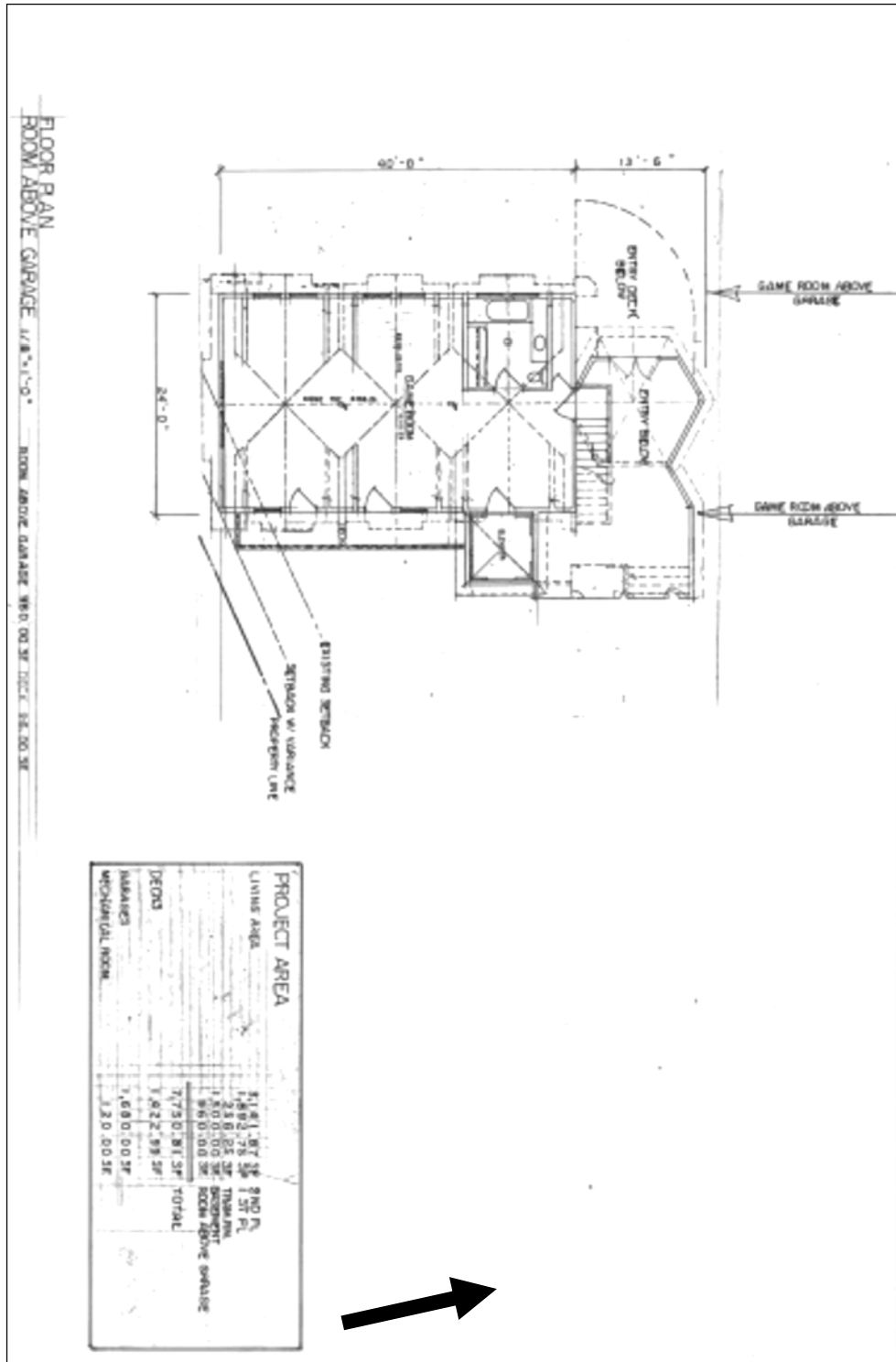
The final required finding of fact for approval of variance is that the proposed variance will not have a detrimental effect on a military installation. There is no military installation in the vicinity of the subject site.

Existing dwelling, looking east from Gonowabi Road

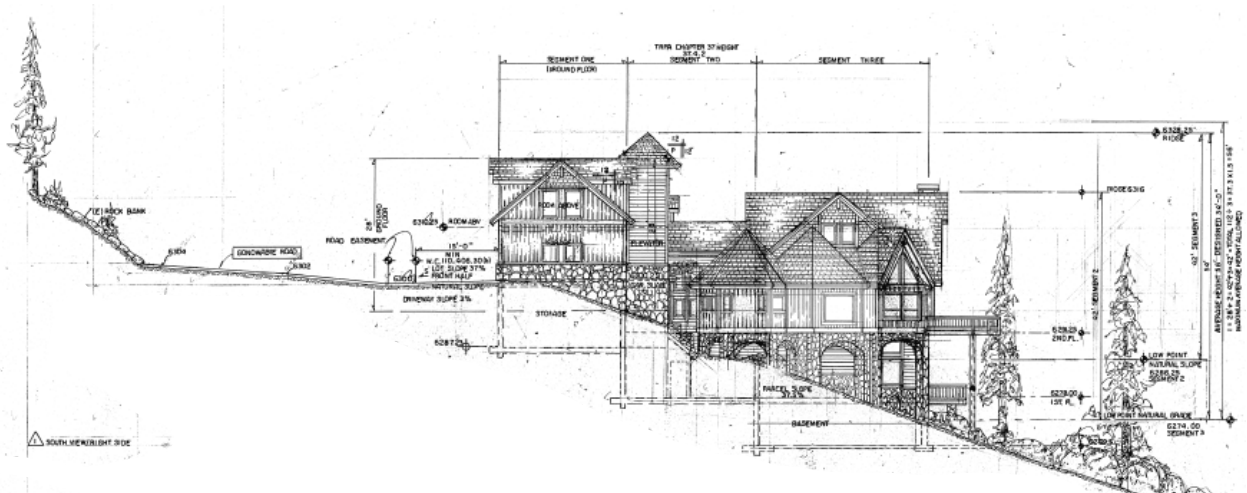


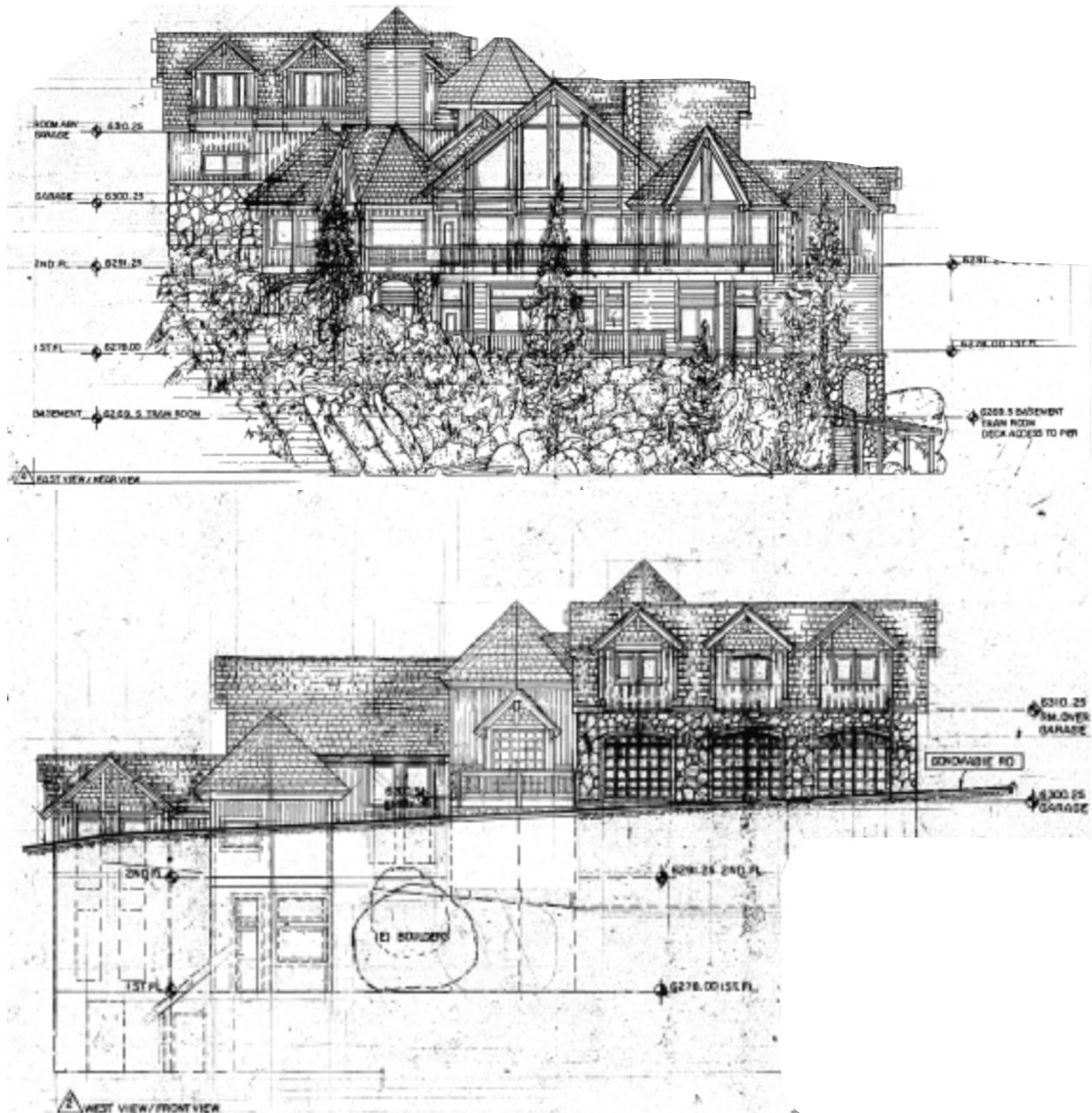
Proposed Floor Plans





Proposed Building Elevations





Incline Village/Crystal Bay Citizen Advisory Board

The proposed project was presented by the applicant's representative at the Incline Village/Crystal Bay Citizen Advisory Board meeting on May 6, 2014. The CAB minutes are attached as Exhibit B to this report. The CAB discussion included the following items, but the CAB did not make a recommendation on the proposed variance. The notes from that meeting are included as Exhibit A to this report.

- Nevada Division of State Lands would not oppose the request.
- Variance request is on one side of the property.
- Concerns were expressed regarding snow removal.
- There is an existing fence (6 feet) on the side of the property.

- Concerns were expressed regarding access for firefighting and access between the dwelling and the fence.
- Concerns were expressed over possible blocking of views.

Reviewing Agencies

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

- Washoe County Community Services Department
 - Planning and Development Division
 - Parks and Open Space
 - Engineering and Capital Projects
 - Traffic
 - Water and Sewer
- Washoe County Health District
 - Air Quality
 - Environmental Health
- Nevada State Lands
- North Lake Tahoe Fire Protection District
- Tahoe Regional Planning Agency
- US Forest Service

Seven out of the eleven above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions and their contact information is provided.

- Washoe County Planning and Development reviewed the application and recommends denial as there is no demonstrable special circumstance resulting in a hardship, as required for a recommendation of approval of a variance.
Contact: Roger Pelham, 775.328.3622, rpelham@washoecounty.us
- Washoe County Water and Sewer responded stating they had no comments or conditions.
Contact: John Cella, 775.954.4600, jcella@washoecounty.us
- Washoe County Engineering and Capital Projects provided two technical conditions, regarding a hold-harmless agreement and requiring the installation of garage door openers, if the request were to be approved.
Contact: Leo Vesely, 775.328.2040, lvesely@washoecounty.us
- Washoe County Traffic Engineering responded stating they had no comments or conditions.
Contact: Clara Lawson, 775.328.3603, clawson@washoecounty.us

- District Health Department (Environmental Health) responded stating they had no comments or conditions.
Contact: James English, 775.328.2610, jenglish@washoecounty.us
- District Health Department (Vector Control) responded stating they had no comments or conditions.
Contact: Jim Shaffer, 775.785.4599, jshaffer@washoecounty.us
- Incline Village General Improvement District responded stating they had no comments or conditions.
Contact: Tim Buxton, 775.832.1246, tim_buxton@ivgid.org

The Nevada Division of State Lands did not respond directly to staff, however, the applicant forwarded an e-mail from NDSL to the applicant's representative. That e-mail indicates that, "Clearly the state agreed to not challenge such a request from your client to the County if the four conditions could be met. After a review of the material and a call to Wayne Ford, I feel comfortable that your client has made a good faith effort to address these conditions and incorporate them into the design and construction of the new home." That correspondence is included as Exhibit D, with this staff report.

Staff Comment on Required Findings

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

1. Special Circumstances. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property.

Staff Comment: There is nothing unique or extraordinary having to do with the physical constraints of the parcel that prevent the construction of a dwelling meeting all required setbacks. Rather, the dwelling proposed by the applicant simply exceeds the reasonable setback limitations.

2. No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted.

Staff Comment: The relief requested will create a substantial detriment to the public good by allowing development within three feet of public lands and will impair the intent and purpose of the Development Code by allowing a reduction in reasonable building setbacks without a demonstrable special circumstance resulting in a hardship.

3. No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated.

Staff Comment: The relief requested will constitute a grant of special privileges inconsistent with the limitations of other properties in the vicinity by allowing development within a required setback when no demonstrable special circumstance resulting in a hardship can be shown.

4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

Staff Comment: The relief requested will authorize a use not otherwise expressly authorized by allowing development within a required setback when no demonstrable special circumstance resulting in a hardship can be shown.

5. Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

Staff Comment: There is no military installation in the vicinity of the proposed project site.

Recommendation

Staff is unable to determine that there is a demonstrable special circumstance resulting in a hardship that is not common to all adjoining parcels and many other parcels in the same area plan. Therefore, after a thorough analysis and review, Variance Case No. VA14-004 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 VA14-004 for Grable B. Ronning, being unable to make four of the five findings required for approval of a variance under Development Code Section 110.804.25. Rather, the Board of Adjustment finds as follows:

1. No Special Circumstances. *Because of the lack of 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 does not result in exceptional and undue hardships upon the owner of the property;*
2. Detriment. *The relief will 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 requested;*
3. Special Privileges. *The granting of the variance will 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. Use Not Authorized. *The variance will authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;*
5. Effect on a Military Installation. *The variance will not have a detrimental effect on the location, purpose and mission of a military installation.*

Appeal Process

Board of Adjustment action will be effective 10 days after the public hearing date, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc: Property Owner: Grabel B. Ronning, PO Box 7804 Incline Village, NV 89450
Representatives: Wayne Ford, PO Box 4775 Incline Village, NV 89450

C. Variance Case Number VA14-004 (Ronning Side Yard Setback Reduction) – To reduce the required side yard setback from 8 feet to 3 feet for construction of a new single-family dwelling located on 400 Gonowabi Road, Crystal Bay, NV. Assessor's Parcel Number: 123-145-04. Staff representative: Roger Pelham, MPA, Senior Planner, Washoe County Community Services Department, Planning and Development Division. Phone: 775-328-3622; email: rpelham@washoecounty.us. Tentative Meeting Date: Board of Adjustment, June 5, 2014. (This item was for information only and no action was taken by the CAB).

Wayne Ford, representative on this project distributed handouts. Wayne said the adjoining land, Nevada State Lands, aren't opposing the variance.

Wayne Ford reviewed issues and proposed plan and answered questions and concerns:

- 1949 development with terraces – 8 foot drop (36% slope – extreme steepness)
- Location of residences in Tahoe Basin – TRPA placement standards, Washoe county Standards. Under the TRPA standards are stricter. Unique conditions that deals with special circumstances – restricted development.
- Special easement for Gonowabi loop. Another loop was created for access to property. Unusable land; 15 foot setback. Most of the properties on Gonowabi have been approved for 0 ft set back. This is the safest plan. Wayne showed diagrams; He said they want to maintain the existing driveway; 3 stories of stairs to the pier; maintaining the tram to get to the lake. Want to build on top of piers to maintain some of the boulders and vegetation.
- The setbacks will be on the corner and bedroom which is next to Nevada State land.
- The garage won't block the view of the neighbors.
- We are taking advantage of the code and integrate into the slope.
- Chairman Alexander asked about the potential fire hazard concern of 3' side yard setback between the proposed structure and the chain link fence separating the properties. Wayne addressed concerns about the layout and space. Also, accessing the property with a gate if the fire department needed to access to the Nevada State Lands. 10 foot wide gate for access.
- Construction requirements are strict with full fire sprinkler suppression. It will be contained within the structure. The fuel reduction will be maintained. Not different than any other properties.
- Wayne encouraged everyone to provide feedback and recommendation

With no further comments or discussion, Chairman Alexander closed item 10.

EXHIBIT B

VA14-004

Variance

Washoe County Development Application

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

Project Information		Staff Assigned Case No.: _____	
Project Name (commercial/Industrial projects only):			
Project Description: Removal of a existing single family residence. Rebuild new residence with attached garage.			
Project Address: 400 Gonowable Road Crystal Bay , Nv.			
Project Area (acres or square feet): 22,954 SF .52 Acre.			
Project Location (with point of reference to major cross streets AND area locator): Crystal Bay, NV. Gonowable Raod/ SR 28			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
123-145-04	.52		
Section(s)/Township/Range: Crystal Bay Park Unofficisl)Sub L4 Blk12			
Indicate any previous Washoe County approvals associated with this application: Case Nos. None			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Grable B.Ronning Trustee		Name: Wayne Ford	
Address: P.O.Box 7804 Incline		Address: P.O.Box 4775 Incline	
Village, Nv. Zip: 89450		Village, Nv. Zip: 89450	
Phone: 775-831-2270 Fax:		Phone: 775-772-2495 Fax: 831-5535	
Email:		Email:	
Cell: Other:		Cell: same Other:	
Contact Person: Grable B.Ronning		Contact Person: Wayne Ford	
Applicant/Developer:		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):	

July 1, 2012

**VA14-004
EXHIBIT B**

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?

Current Zoning is MDS which has 8 foot side yard setbacks. The request for the variance is to reduce the side yard setback on the south side of the parcel to 3 foot. This side will have no development for it is owned by NV. State Lands.

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 parcel has three of the criteria for the finding of (a) Special Circumstances.

(1) Exceptional narrowness, shallowness or shape of the specific piece of property, or.

The parcel width in the building area is 94 feet. The building area is created by the Gonowabie Road being on the parcel. (Easement granted see sheet 5 of the architectural documents.) This is one factor which restricts where the new residence can be placed. We are maintaining the 15 foot setback from the easement for the front yard setback. The second factor is the large boulder field that is present on the parcel. This field sets up locations that will allow for the garage and connecting structures to the main residence below. TRPA considers these boulders to be protected as part of the scenic aspect of the parcel. We also hold the same belief. See attached for continued narrative (A)

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 approval for a 3 foot side yard setback on the south paroperty line will increase the privacy for the only neighbor on the north. All development above the parcel is so removed and at such a elevation to the development area no views will be reduced. In using the new TRPA code which has been discussed the impacts that would have been under the old height code will not now exist. (stepping down the slope).

Many people now , who live in the area walk on Gonowable. In having the garage at 15 feet back and as far to the south with a 3 foot setback it will keep cars parking on the turn. It will make the area at the end of Gonowable Road at the turn a safer area for pedestrian use. Traffic safety was discussed under section 2.

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 need for off street parking on Gonowable is a big issue. This for summer and winter. The ability to plow Gonowable in the winter has been a problem for many homes do not have enough on site or guest parking.

The current design for a three car garage is two more covered parking spaces than the code requjres. The design also allows for three spaces in front of the garage.

In not removing the existing driveway more spaces are provide up to another garage below and parking in front for to or three cars on site.

This plan of having the garage at three feet from the property line at only one of its corners allows for all this parking to be workable above and below.

This get cars into garages and guest cars parked in a manner that keeps most below the road and out of view.

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

The issue of proper placement of the garage will allow for more parking than most homes in the area have now.

The enjoyment of use will come from knowing that even though the Gonowabie Road bisects the parcel the addition of the garage will not impact, in a negative way, the neighbors use of the of it.

By placing the garage and having it attached will be in keeping with the neighbors homes, the majority which have attached garages, the character of the neighborhood.

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. Sheet 5 of plans

7. What is your type of water service provided?

Well Community Water System

8. What is your type of sanitary waste disposal?

Individual Septic System Community Sewer System

See attachments

WAYNE FORD RESIDENTIAL DESIGN LIC. NO. 91-P
P.O. Box 4775
INCLINE VILLAGE, NV.
89450

(775) 772-2495

Continued Narrative:

Attachment 1

2. Topographic Conditions
Special Circumstances

The boulder field causes the building area on the parcel to be of a shallow nature. There is only one logical location for the garage. The relation ship to Gonowabie Road and the garage location is one of being able to have a level transition from the driveway onto the road at the easement line. The need to move the garage as far south as we can and still respect and assure no disturbance to the land owned by the State of Nevada, is based on the design principle

We also have to be sure that the large boulders in the front yard are not disturbed because of the design of the new system to connect the garage to the residence below.

Shape: In all of what is stated the flat areas that now exist on the parcel must be respected to have the least disturbance for doing a new residence. The existance of areas already disturbed by cuts is part of the required findings for the use or relocation of coverage under TRPA Code Section 30.4.5. In the findings required for construction on a 1a parcel, under Baily Established Coverage specific findings are required to be able to relocate this coverage. By using the existing level areas and most of the areas already cut for driveways the findings can be made to allow for construction as proposed.

This kind of regulation leads to forming a very specific shape of the allowed areas that construction can occure. This shape only allow for a very limited set of options which is part of the need to move the residence to a 3 foot side yard setback.

(2) By reason of exceptional topographic conditions, or
Slope on the parcel.

The parcels natural slope is 20 to 54%. In many areas this slope has been modified for the existing development or Gonowabie Road.

We are useing the new TRPA height code. This allows for the

VA14-004
EXHIBIT B

Grable B. Ronning:

Variance Application Findings
(2) Slope on the parcel

Attachment 2

residence's design to be divided into three distinct attached segments. By setting the garage on the 3 foot setback line it helps keep the garage, under this system to not to exceed 28 feet in height, measured from the lowest point of natural grade of each segment for the "ground floor".

The parcel having natural slopes of over 30 % then allows for the lower two segments to meet the TRPA code. The average maximum height of 150% can be met under this code. (37.4.2.)

The placement of the garage and other structures (Master Bedroom below) on the parcel allow for the project to be set back from the Gonowabie Road. In many project approved under the old height code by TRPA two things had to be done. The first was the upper structures would not be attached to the main residence. This under Washoe County Code lead to a variance request for detached front yard structures. The second impact was that tall structures had to be done with a great deal of structural framing being cantilevered to keep the low point for total height measurement as far up the slope to meet the 42 foot allowed height.

In the proposed placement of the garage with the rest of the development moving down the slope the height can be better set into the steep parcel.

In addition to the height it allow for the main part of the residence to be build over where the current residence now sits. The current residence is a small cabin with a 8 foot retaining wall for the lower living area. This area can only be reached by going outside on the north end. Thus the home, built in 1949 was mainly for summer use. The cabin also did not have a garage, that also likely made the use of the home mostly in the summer.

Being able to located the new structure further to the south helps keep the new development away from the historic Tram on the parcel. It also helps keep the new residence somewhat away from the neighbor on the north. It maintains the natural access to the existing pier below. It also allow for more room to not have to provide new utility trenches through unknown locations on the parcel. (The large unknown boulders below would require a great deal of disturbance is they were to be moved).

(3). Other extraordinary and exceptional situation or condition of the property and/ or location of surroundings,

It was touched on in the first section of the narrative that the proposed location of the garage was the best place to be able to access Gonowabie Road. This was a slope from the driveway

Grable B. Ronning

Variance Application Findings

(3) Other extraordinary cont

Attachment 3

to the road issue and one of transition for the driveway to be a level as possible.

Safety: In addition to the transition issue is one of being able to view the turn on Gonowabie. This ability to view back when backing up before the car is onto the turn is very important.

Even though the turn faces south and gets a good deal of sun, the slope into the turn is 12%. The turn itself is 8%. By having the garage, thus driveway as far to the south it allows for a person backing up a car out of the garage to have a full view of the turn. This makes the location of the garage and a 3 foot setback the most safe design for the project.

In the final application if the 8 foot application for a setback on this side was applied it would cause a undue hardship not only on the property owner but also not have the most safe design for the use of Gonowabie Road for the neighbors who use the one way road system.

Portion of setback at 8 feet going to 3 feet at master bedroom area of new residence:

The master bedroom is designed using a hexagon pod system. Each pod is supported at each corner on a stone column pedestal system. Each pedestal in this area is set on a large boulder. This will reduce the disturbance near the parcel owned by Nevada State Lands. It will also keep the area under the rooms above open for lower areas to have a view of Lake Tahoe and the unbuildable land to the south.

The design for new living area for a year around residence is limited by only being able to go so far down the slope. It is also limited by the boulder field and how far you can go down the slope. The tram system also limits how far to north you can go and still maintain the location for the existing system built in 1949. This has put the design for the bedroom to be on the upper level to the south, thus needing the reduction of the side yard. In keeping with the garage findings needing a three foot side yard, the master bedroom works at the lower area with it's deck at the side yard with the least amount of impact to the site.

Grable B. Ronning

Variance Application Findings

Attachment4

Protection of land off site from proposed excavation at south property line.

Protection of vegetation off site from proposed excavation at south property line.

Locations: Corner of New Garage. At Upper area for Master Bedroom Column Support.

Master Bedroom foundations: This area down the slope has some large boulders. The foundation system being proposed is for the support for the upper floor and roof is to have columns set onto the boulders. These boulders based on a Geotechnical Engineers report will support the loads. If the loads do not work for the boulders then the approach will be to have a portion of the boulder removed per the direction of the Geotechnical Engineer. In no case will the removal or the use of the boulder disturb any vegetation or soil on the land owned by Nevada State Lands.

The Geotechnical Engineer will follow a process outlined by OSHA to insure not disturbance of vegetation of soils off site. This is based on OSHA Specific Excavation Requirements in 1926.651(That apply)

Garage Corner: We have identified the boulder location and will have the least amount of excavation at the area that is the nearest to the property line. By using the boulders and or only having a two foot deep excavation we can be assured no soil or vegetation will be disturbed on the parcel owned by Nevada State Lands. Same Geotechnical Engineer oversight and OSHA requirements for this area.

Note: In place now per owner agreement with Nevada State Lands a 6 foot high fence exists. Metal and meets TRPA scenic requirements. This will remain during and after the building of the residence to protect the parcel of land owned by Nevada State Lands to the south.

Snow Control of of build structures and decks:

Decks: Decks have been held back to allow for snow removal with no impact on the property owned by Nevada State Lands.

Snow off roofs. A snow melt system on the eaves to a heated gutter and down spout system will be installed at all locations where snow could fall off the roofs into the limited side yard.

VA14-004
EXHIBIT B

Grable B. Ronning

Variance Application Findings

Attachment 5

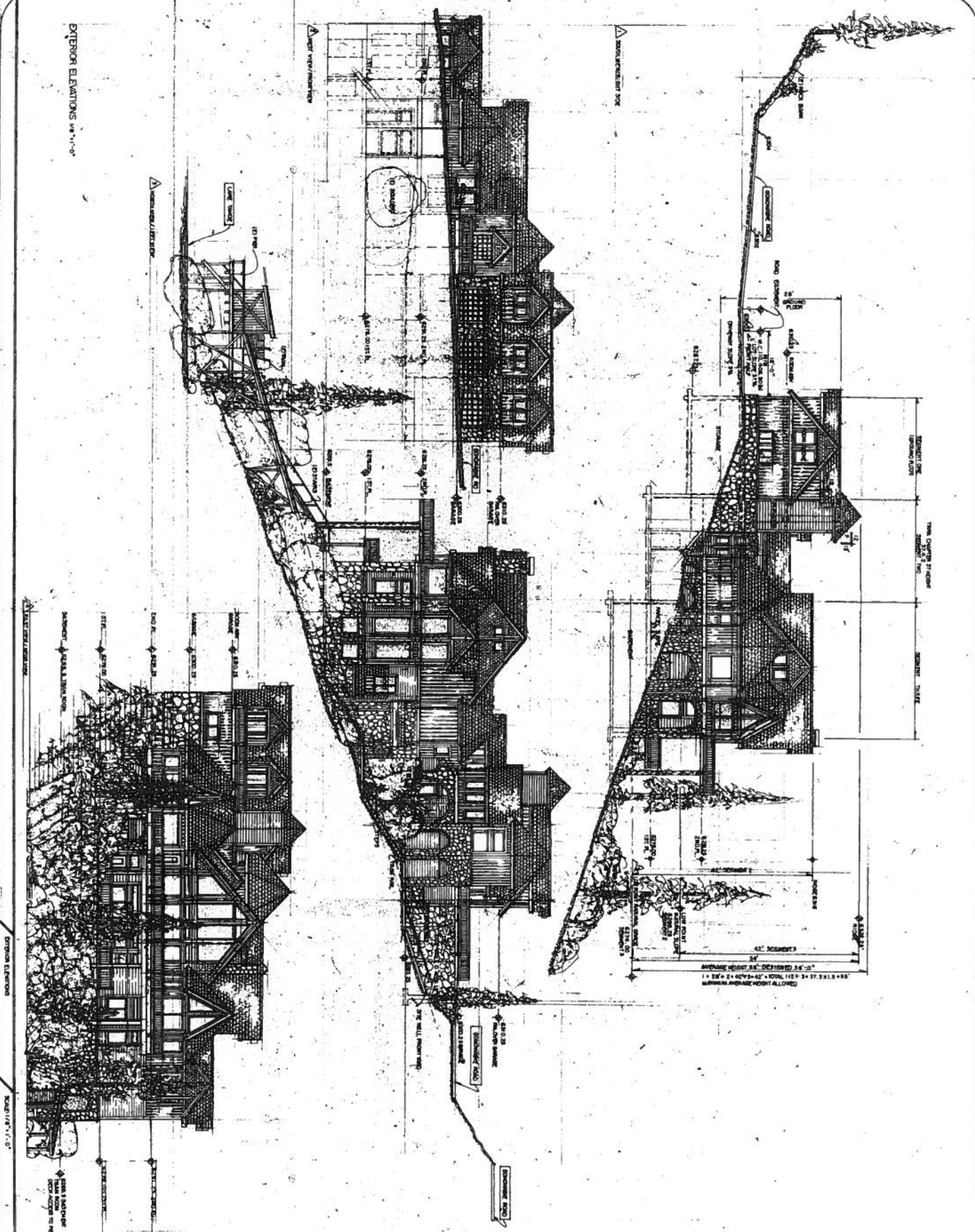
Snow off roofs cont:

The down spouts from these roof areas will have the water discharged taken to on site drywells to be infiltrated. In no case will any water be discharged on to the land owned by Nevada State Lands.

All snow will be held by snow poles per engineer's requirements on the roof system where it might fall onto the limited side yard area.

End of Findings for
Variance Application.

EXTERIOR ELEVATIONS at 1/4" = 1'-0"

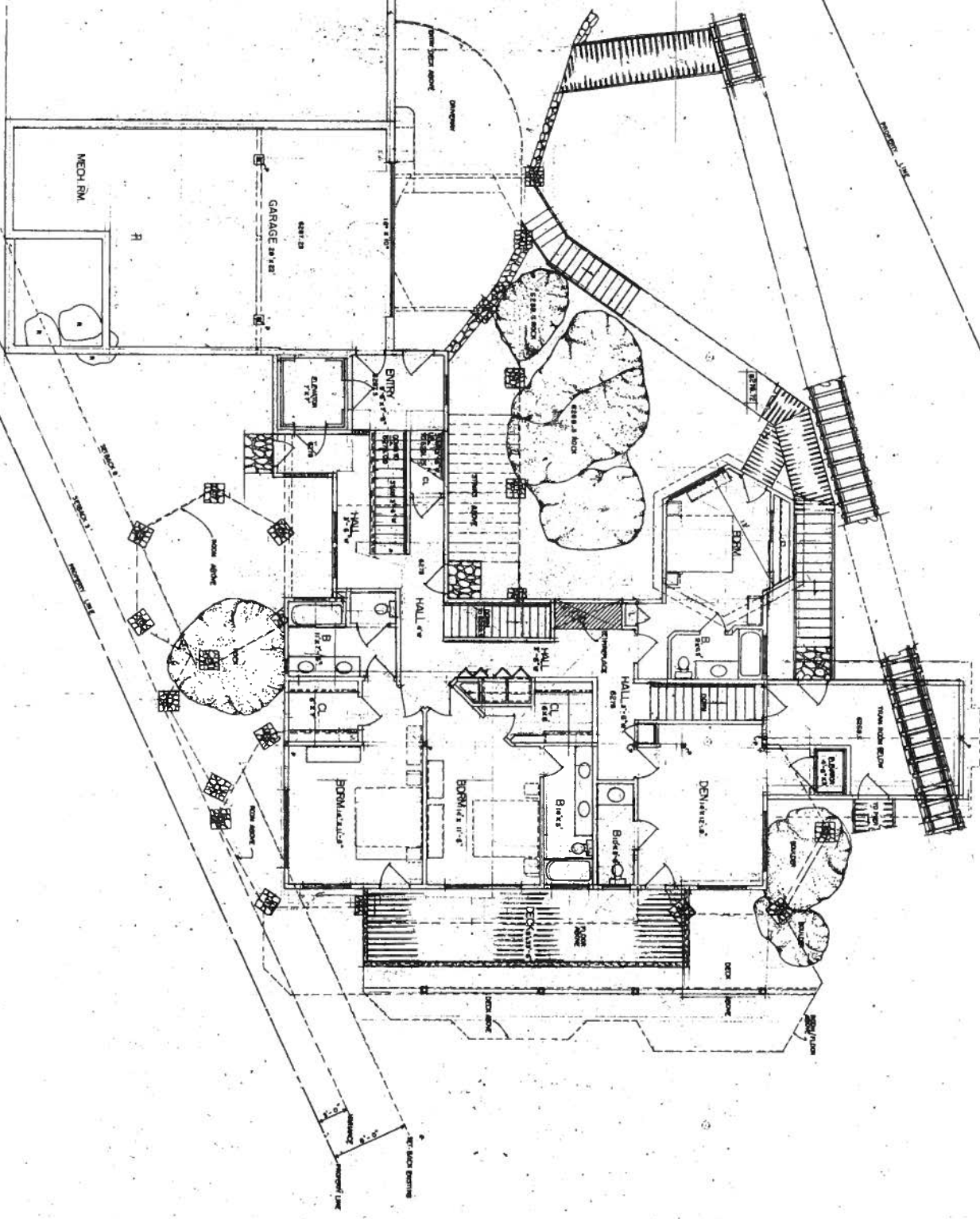


SINGLE FAMILY RESIDENCE
 SITE 400 GONOWABE ROAD CRYSTAL CAY, NEVADA APR 123-145-04
 WASHOE COUNTY LEGAL: CRYSTAL BAY PARK UNOFFICIAL SUB L4 BUK12
 OWNER: GRABLE B RONNING TRUSTEE
 P.O. BOX 7804
 INCLINE VILLAGE, NEVADA 89450



FLOOR PLAN 1ST FLOOR

UNITS AREA: 1,881.00 SQ. FT. TOTAL AREA: 1,881.00 SQ. FT. TOTAL DECK: 482.12 SQ. FT. TOTAL GARAGE: 482.12 SQ. FT. TOTAL AREA: 2,845.24 SQ. FT.

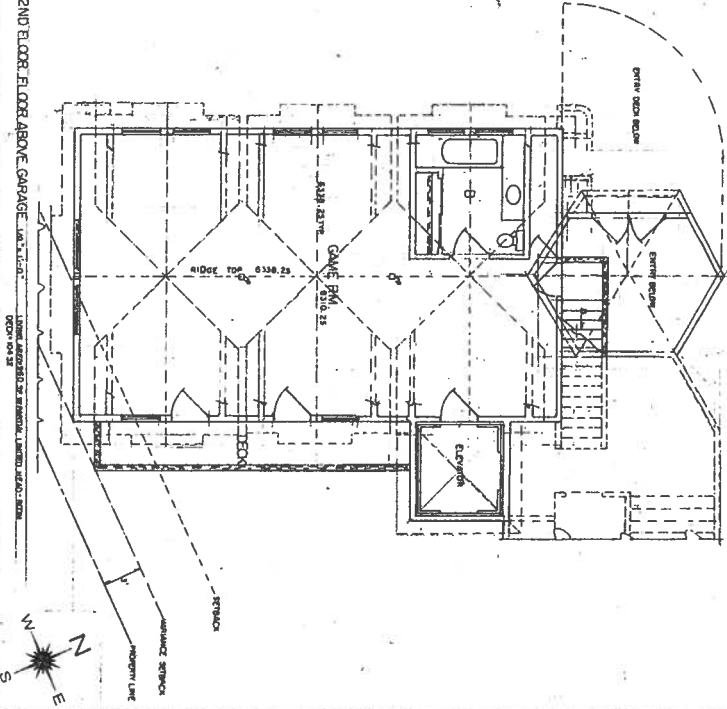


SINGLE FAMILY RESIDENCE
SITE: 400 CONOWABE ROAD CRYSTAL BAY, NEVADA, 89412-145-01
WASHOE COUNTY LEGAL, CRYSTAL BAY PARK UNOFFICIAL SUB. LA BLK. 12
OWNER: GRABLE B. ROWNING TRUSTEE
P.O. BOX 7804
INCLINE VILLAGE, NEVADA 89450

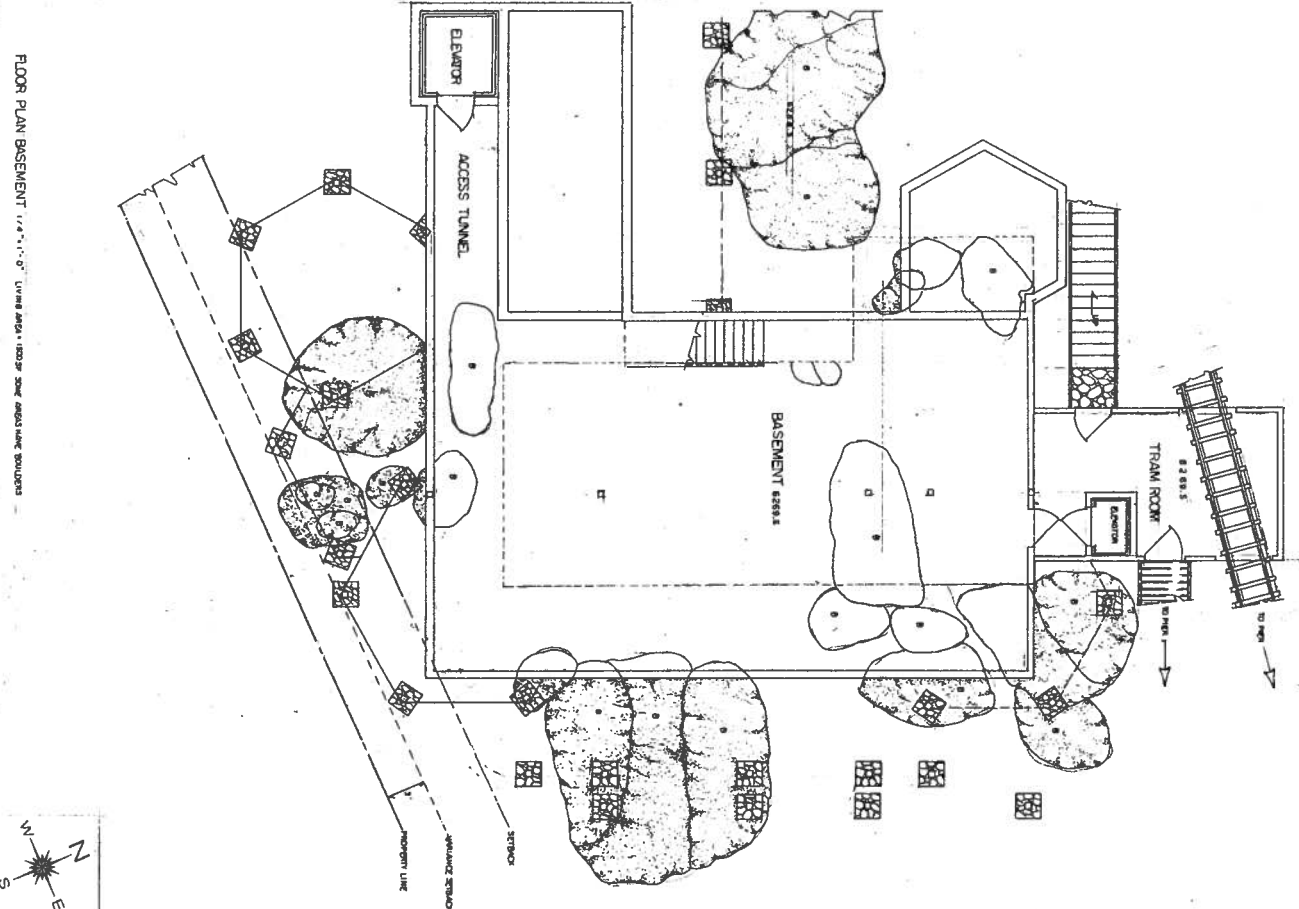


EXHIBIT B

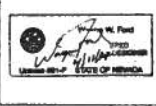
FLOOR PLAN 2ND FLOOR ABOVE GARAGE

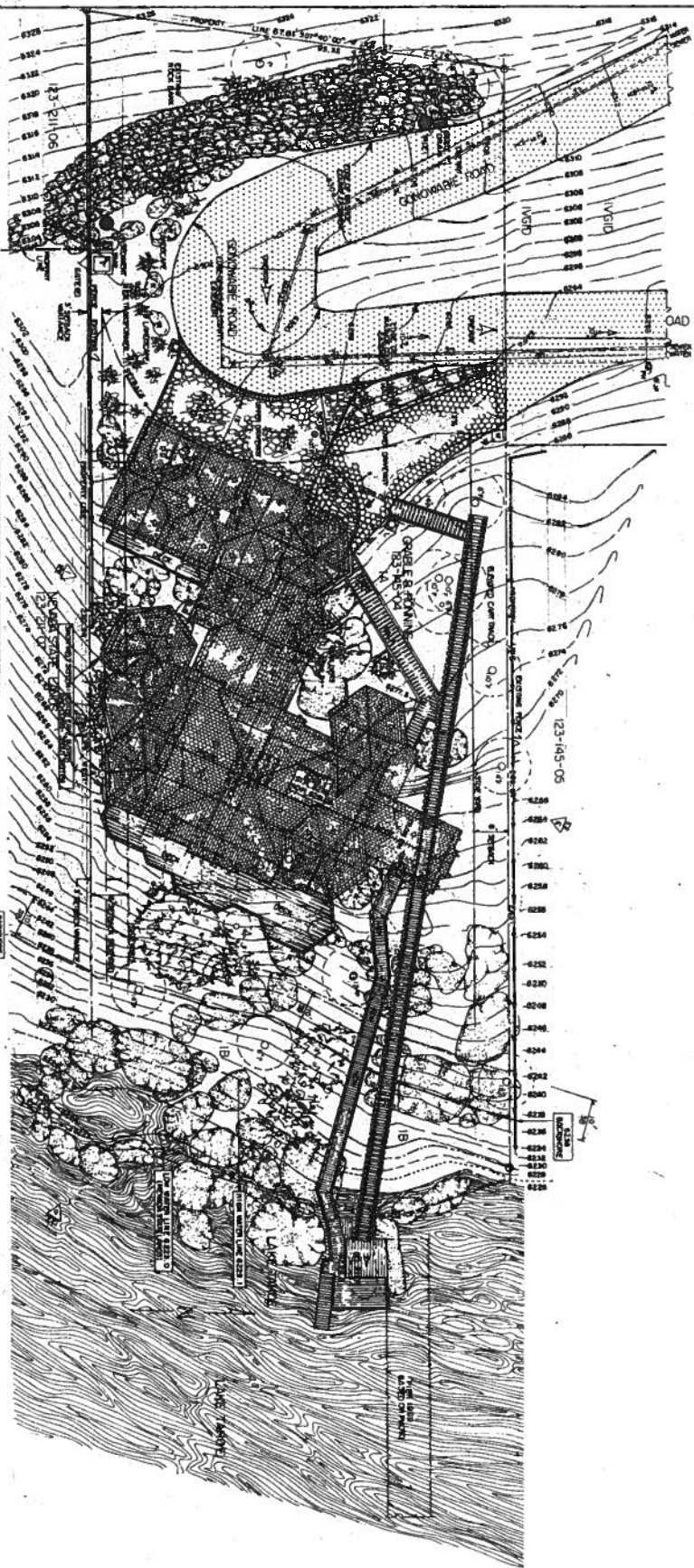


FLOOR PLAN BASEMENT



SINGLE FAMILY RESIDENCE
 SITE: 400 GONOWABE, ROAD CRYSTAL BAY NEVADA, APN: 123-145-04
 WASHOE COUNTY LEGAL, CRYSTAL BAY PARK UNOFFICIAL SUB L4 BLK 12
 OWNER: GRABLE B. RONNING TRUSTEE
 P.O. BOX 7804
 INCLINE VILLAGE, NEVADA 89450





SITE PLAN 1/2" = 1'-0" 1/4" = 1'-0"

SITE DATA

Reference: 1/2" = 1'-0" 1/4" = 1'-0"
 PROPERTY OWNER: GRABLE B RONNING TRUSTEE
 ADDRESS: 400 GONOWABE ROAD, CRYSTAL BAY, NEVADA 89450
 LEGAL: LOT 4, BLOCK 12, CRISTAL BAY SUBDIVISION (UNOFFICIAL)
 ZONING: RESIDENCE SINGLE-FAMILY (RS-1) - 400, 500, 600, 700
 LAND: 1.00 ACRES (APPROXIMATE)
 LAND: 1.00 ACRES (APPROXIMATE)
 SURVEY: 1/2" = 1'-0" 1/4" = 1'-0"

INDEX

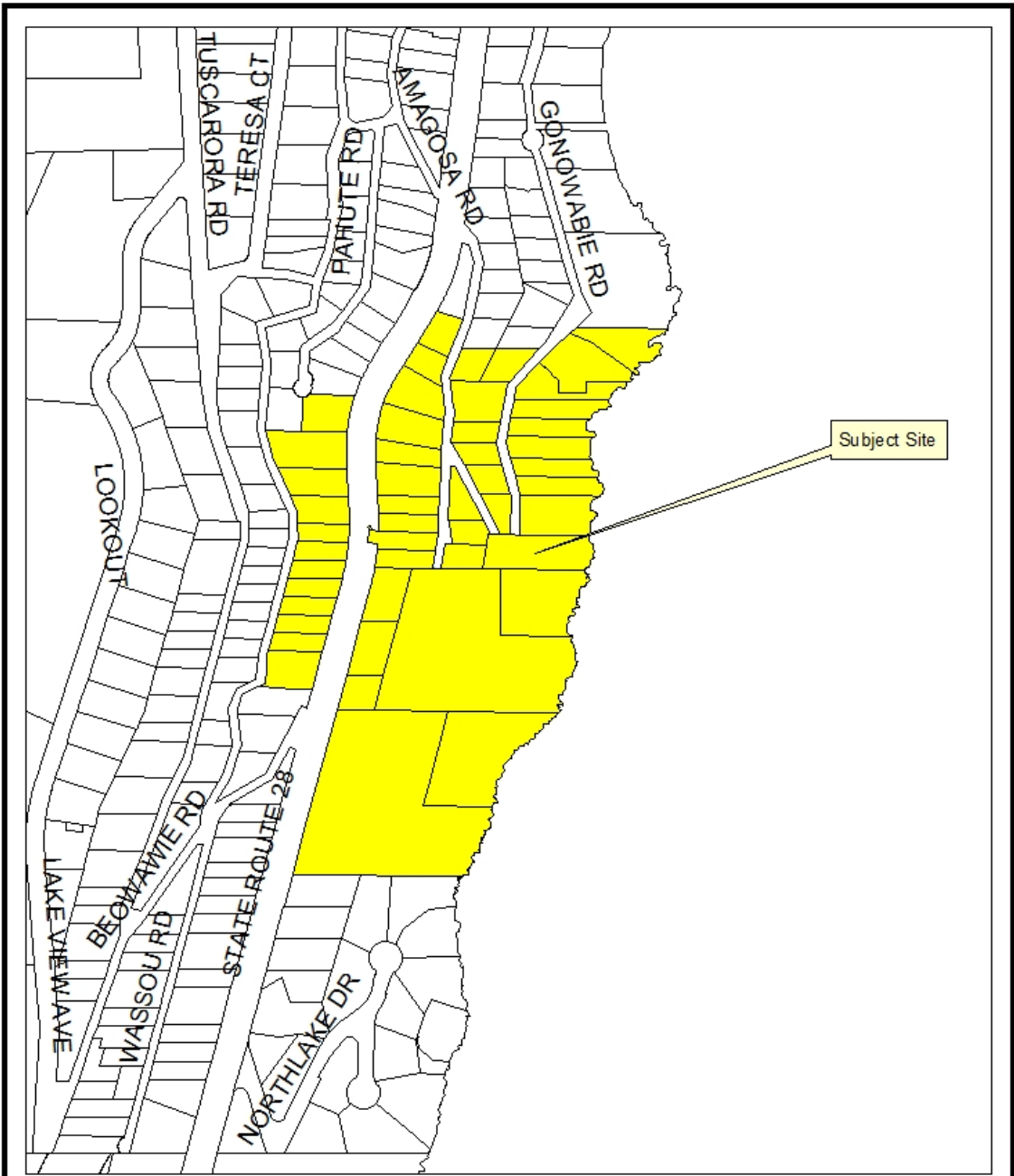
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- 50. SITE PLAN

KEY

EXISTING CONCRETE ROAD SURF (1/2" = 1'-0")

SINGLE FAMILY RESIDENCE
 SITE: 400 GONOWABE ROAD, CRYSTAL BAY, NEVADA 89450
 WASHOE COUNTY LEGAL: CRYSTAL BAY PARK UNOFFICIAL SUB LA BLU 12
 OWNER: GRABLE B RONNING TRUSTEE
 P.O. BOX 7804
 INCLINE VILLAGE, NEVADA 89450





Mailing Label Map

Case No VA14-004
Ronning Side Yard Setback Reduction

49 Parcels selected at 500 feet.

Source: Community Planning Services



Date: April 2014

Department of
 Community
 Development
WASHOE COUNTY
NEVADA
 Post Office Box 11130
 Reno, Nevada 89520
 (775) 335-3500

From: G [snowylake@charter.net]
Sent: Wednesday, May 14, 2014 12:07 PM
To: Pelham, Roger
Cc: 'Eric R'; 'G'
Subject: VA #1400-4

Attention: Mr. Roger Pelham
Senior Planner
Washoe County Planning
May 14, 2014
VA #1400-4

Dear Mr. Pelham:

My name is Grable Ronning. I am the Trustee of 400 Gonowabie Road in Crystal Bay, NV. As you know, my planner and designer, Mr. Wayne Ford, is requesting a 3' setback variance to my Southern side boundary line which I share with an adjacent property owned by Nevada Division of State lands. This variance request, VA #1400-4, is being heard before the Washoe County Board of Adjustments on June 3, 2014.

Below please find a copy of an email from Mr. Charlie Donohue of Nevada Division of State Lands sent to my lawyer, Karen Dennison, Esq. Mr. Donohue's email essentially states that Nevada State Lands will not oppose our request for a side setback variance to State Lands' property. After reviewing the plan sheets and speaking with Mr. Wayne Ford, Mr. Donohue has determined that Nevada State Lands is comfortable that we are making a good faith effort to respect and address all of their concerns and conditions.

It's my understanding that 99% of the properties along Gonowabie Road in Crystal Bay have variances. At our recent hearing before the Crystal Bay Advisory Board it was noted that because the structure is not parallel to the side property line, only a corner of the garage and a corner of the master bedroom are within the side setback, rather than the entire side of both structures.

Please don't hesitate to contact me, Mr. Wayne Ford or Mr. Donahue if you have any questions or concerns. I appreciate your consideration of our variance request and hope you are able to recommend its approval to the Board of Adjustments.

Thank you!

Grable B Ronning
snowylake@charter.net
(775) 832-2270
P. O. Box 7804
Incline Village, NV 89450

From: Charlie Donohue [mailto:cdonohue@lands.nv.gov]
Sent: Monday, April 28, 2014 1:51 PM
To: Karen Dennison
Cc: Kevin A. Benson; Charlie Donohue; GEORGE TAYLOR
Subject: Ronning Variance

Ms. Dennison:

Last week NDSL staff met with George Taylor and our current Deputy Attorney General, Kevin Benson, to review the stipulation and order regarding your client's property and the state's Himmelright property. Specifically we discussed Grable Ronning's redevelopment proposal and a request to Washoe County for a side setback variance. Thank you for the plan sheets and Wayne Ford's additional information regarding construction methodology and bmps associated with both the water runoff and snow melt.

Clearly the state agreed to not challenge such a request from your client to the County if the four conditions could be met. After a review of the material and a call to Wayne Ford, I feel comfortable that your client has made a good faith effort to address these conditions and incorporate them into the design and construction of the new home.

On another matter, the order has the primary contact for this agency listed as Jim Lawrence. Jim is still with the Department but no longer works for State Lands so if both you and your client could make a note to contact me in the future that would be appreciated.

If you have any questions or comments regarding this issue please feel free to contact me directly.

Charlie

Charles Donohue
Acting Administrator
Nevada Division of State Lands
901 S. Stewart Street - Ste. 5003
Carson City NV 89701
Direct Phone - 775- 684-2738
NDSL Main Line - 775-684-2720


**VA14-004
EXHIBIT D**

VA14-004 Agency Comments

From: Cella, John Sent: Thu 05/01/2014 10:51 AM
To: DeLozier, Sara; Sannazzaro, Grace; Monsalve, Sandra; Pelham, Roger; Lloyd, Trevor
Cc: Phinney, Jason; Jones, Alan
Subject: RE: April Planning Applications for Review

With the exception of the comments/questions on SB14-007 by Vahid, CSDWR has no other comments or conditions on the applications.

John Cella
Washoe County Community Services Dept
4930 Energy Way
Reno, NV 89502-4106
775-954-4656 office / 775-954-4610 fax



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: May 2, 2014

TO: Roger Pelham, Planning and Development Division

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

SUBJECT: **VA14-004**
APN 123-145-04
RONNING VARIANCE

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

1. Provide a hold-harmless agreement to the satisfaction of the District Attorney and the Engineering Division.
2. The applicant shall provide automatic garage door openers.

LRV/lrv

VA14-004 Agency Comments

From: English, James J.
Sent: Monday, May 05, 2014 8:32 AM
To: Pelham, Roger
Cc: English, James J.
Subject: Variance Case Number VA14-004 Ronning

The Washoe County Health District Environmental Health Services Division has reviewed the above referenced variance request. This agency has no objections or conditions for this variance. Please contact me with any questions regarding this application.

Regards,

James English, REHS, CP-FS
EHS Supervisor
Waste Management/Land Development Programs

From: Lawson, Clara
Sent: Friday, May 02, 2014 4:53 PM
To: Pelham, Roger
Subject: VA14-004

The variance to reduce the side yard setback from 8 to 3 feet does not affect traffic or sight distance and therefore I have no conditions.

Clara Lawson, PE, PTOE
Washoe County Community Services Dept
Engineering & Capital Projects Division
PO Box 11130 Reno, NV 89520-0027
775-328-3603

From: Shaffer, Jim
Sent: Monday, May 05, 2014 2:26 PM
To: Pelham, Roger
Cc: Cona, Denise
Subject: Ronning

Good afternoon Roger,
Reviewed the Ronning variance (VA14-004) and have no requirements for the project.
Thanks
Jim

VA14-004 Agency Comments



Development Review Status Sheet

Date: 5-6-14

Attention: Roger Pelham
Washoe County Department of Community Development
PO Box 11130, Reno NV 89520

RE: Variance Case Number VA14-004
APN: 123-145-04
Service Address: 400 Gonowabi
Crystal Bay NV 89451
Owner: Grable Ronning

Phone:	Fax:	Email:
--------	------	--------

Mailing Address: 400 Gonowabi Road, Crystal Bay, NV

Request: Variance Case Number VA14-004 (Ronning) – To reduce the required side yard setback from eight (8) feet to three (3) feet for construction of a new single-family dwelling.

- Applicant/Property Owner: Grable Ronning
- Location: 400 Gonowabi Road, Crystal Bay, NV
- Assessor's Parcel Number: 123-145-04
- Parcel Size: .52 acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 804, Variances
- Commission District: 1 – Commissioner Berkgigler
- Section/Township/Range: Section 19, Township 16 N Range 18 E
Washoe County, NV
- Staff: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775-328-3622

Comments and Conditions: No impact to the Incline Village General Improvement District.

Completed by: Tim Buxton, Chief Inspector
Phone: (775) 832-1246 Fax: (775) 832-1260
Incline Village General Improvement District, 1220 Sweetwater Road, Incline Village NV 89451

Washoe County Citizen Advisory Boards CAB Member Worksheet



Citizen Advisory Board: Incline Village/Crystal Bay

Meeting Date (if applicable): 5/6/2014

Topic or Project Name (include Case No. if applicable): VA14-004 Ronning

Please check the appropriate box:

My comments were (or) were not discussed during the meeting.

Identified issues and concerns:

Clearly need variance to allow planned development.

Have address concern for access & respect for topography & vegetation.

Believe they have adequately addressed access to adjacent parcel.

Suggested alternatives and/or recommendations:

My recommendation is to grant the variance. Adjacent property has been reasonably considered & will not be significantly impacted.

Name Gerard W Eick Date: 5/21/14
(Please Print)

Signature: Gerard W Eick

This worksheet may be used as a tool to help you take notes during the public testimony and discussion on this topic/project. Your comments during the meeting will become part of the public record through the minutes and the CAB action memorandum. Your comments, and comments from other CAB members, will and shall not collectively constitute a position of the CAB as a whole.

If you would like this worksheet forwarded to your Commissioner, please include his/her name.

Commissioner's Name: Marsha Berkbigler

Use additional pages, if necessary.

Please provide in person, mail, fax or email completed worksheets to the Administrative Recorder for your CAB.

VA14-004 Public Comments

Richard J. Livoni First Family Limited Partnership
PO Box 218
Crystal Bay, NV 89402
775-831-2206

May 26, 2014

Washoe County Board of Adjustment
County Commission Chambers
1001 E. Ninth Street
Reno, NV 89512

Attn: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Dept.
Planning and Development Division 775-328-3622
rpelham@washoecounty.us

RE: Public Hearing: Variance Case Number VA14-004 Ronning – To reduce the required side yard setback from eight (8) feet to three (3) feet for construction of a new single-family dwelling.

Dear Mr. Pelham,

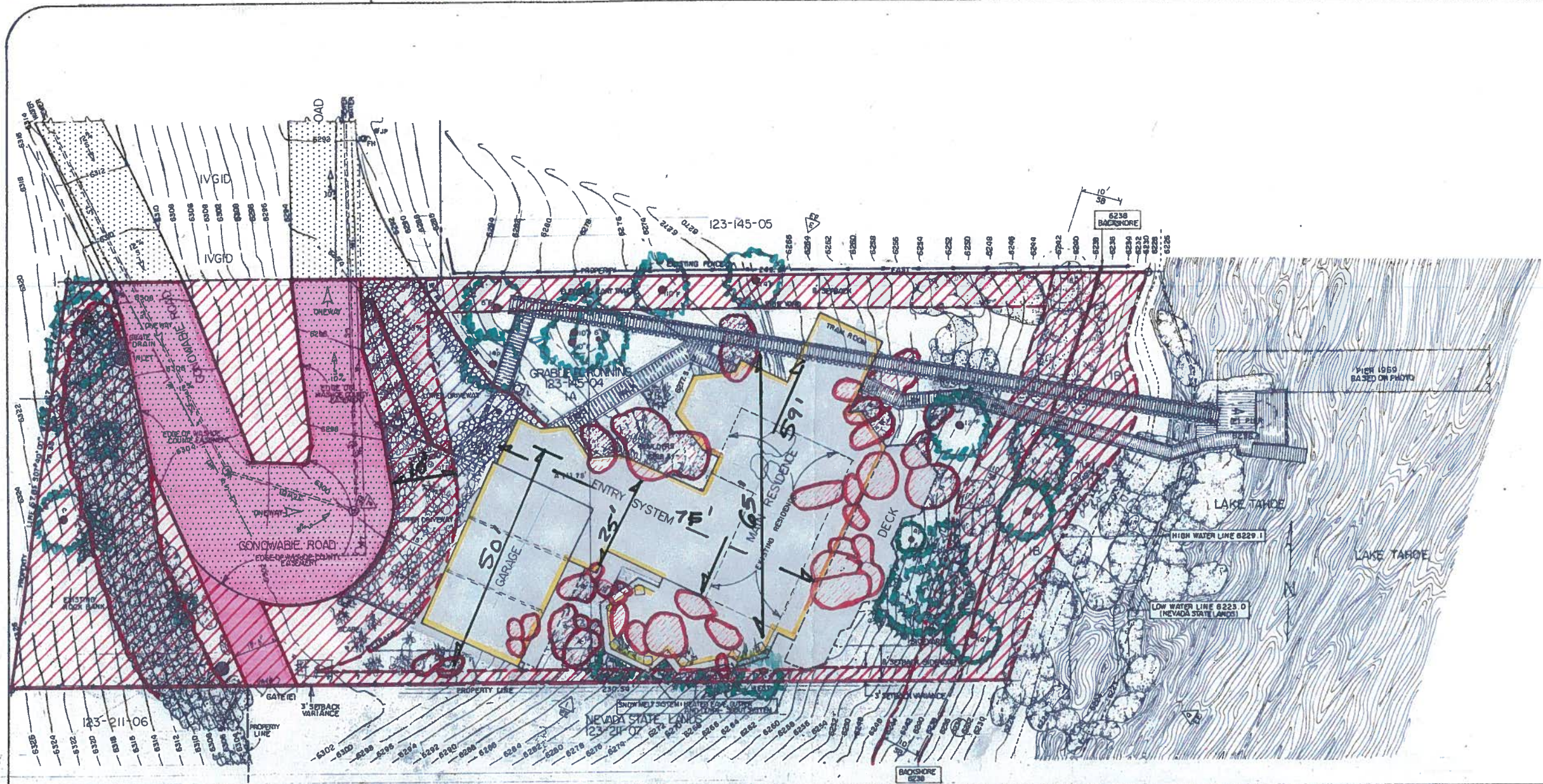
Our property, in the name of Richard J. Livoni First Family Limited Partnership (“Livoni Property”) is located at 410 Gonowabie Rd, Crystal Bay, NV 89402. The “Livoni Property” is next door, to the north of the referenced property, (“Ronning Property.”)

We object to decreasing the side yard setback of “Ronning Property” from eight feet to three feet. Our main concern is for fire protection; defensible space, etc. But, we also wish to maintain the present distance for enjoyment of our property and privacy concerns.

We are unable to attend the hearing set for Thursday, June 5, 2014, as we are taking a trip out of the country and will not return until July 1, 2014.

Sincerely,

Richard J. Livoni First Family Limited Partnership



SITE PLAN 1/10" = 1'-0" * EXTERIOR ELEVATION VIEW	VARIANCE APPROVAL FINDINGS:	SITE DATA	WASHOE COUNTY DEVELOPMENT CODE
<p>WASHOE COUNTY DEVELOPMENT CODE SECTION 110.804.25 FINDINGS.</p> <p>(a) Special Circumstances. Because of the special circumstances applicable to the property, including either the:</p> <ol style="list-style-type: none"> (1) Exceptional narrowness, shallowness or shape of the specific piece of property, or (2) By reason of exceptional topographic conditions, or (3) Other extraordinary and exceptional situation or condition of the property and or location of surroundings, <p>THE STRICT APPLICATION OF THE REGULATION RESULTS IN EXCEPTIONAL AND UNDUHARDSHIPS UPON THE OWNER OF THE PROPERTY;</p> <p>(b) No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;</p> <p>(c) No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated; and</p> <p>(d) Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.</p> <p>(e) Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation</p>	<p>A. FINDINGS FOR UNDUHARDSHIP FOR VARIANCE: VAI400-4</p> <ol style="list-style-type: none"> (1) Shallowness: MDS 80' width / Parcel due to boulder field, trees (scenic parcel) and historic tram is reduced to 75'-78' Shape 'Z' area due to boulder field (2) Topographic conditions: Existing cuts around boulders have to be used to meet TRPA findings Code Section 30.4.5 Relocation of existing land coverage Slope of parcel (Natural) 20 - 54% (3) Extraordinary and exceptional condition: Gonowable Road Easement 6/06/2013 Nevada State Lands Easement Pending ROCK BANK: Crystal Bay Phase IB & IIA - EIP PROJECT WASHOE COUNTY 2009 Project, Easement for road Reduced Building Area of parcel by 50% NO BUILDING <p>SAFETY</p> <p>(4) Garage: Location, safest for visibility when backing a car out of garage on to Gonowable Road Location, best for driveway transition to Gonowable Road surface PARKING: Location provides 3 Covered, Enclosed Spaces / 3 On Site Spaces</p> <p>(5) Historic Tram / Lake access / Pier access Cannot Be Moved: This sets a building area width of the Main Residence to 60 FEET WIDTH (MDS = 80 FEET)</p>	<p>RESIDENCE BUILT IN 1999 SERVICE ADDRESS 400 GONOWABLE ROAD CRYSTAL BAY, NV. ASSESSORS PARCEL NUMBER 123-145-04 WASHOE COUNTY, NV. LEGAL: LOT 4, BLOCK 12 CRYSTAL BAY PARK SUB (UNOFFICIAL) ZONING WASHOE COUNTY MDS + MD, DER. SUBA. T.R.P.A. PLAN AREA 034 LAND CAPABILITY (A To = 20-30% RPE = 30-50%, IB SINGLE FAMILY RESIDENCE</p> <p>KEY</p> <p>EASEMENT GONOWABLE ROAD SEE SHY 5 = [Symbol] PARCEL AREA NOT ABLE TO BUILD ON DUE TO: 1. COUNTY ROAD CUT/RIP-RAP 2. EXISTING DRIVEWAY 3. SET BACKS [Symbol]</p> <p>BOULDERS BUILT-ON, OVER OR AROUND [Symbol]</p> <p>TREES AND VEGETATION [Symbol]</p> <p>GARAGE AND RESIDENCE PROPOSED [Symbol]</p>	<p>Section 110.406.10 T.R.P.A Standards, Requirements for development occurring in the Tahoe area including, but not limited to, Building Placement Standards shall be the Most Restrictive of Tahoe Regional Planning Agency standards and Washoe County standards.</p> <p>(2) T.R.P.A 30.4.5. Relocation of T.R.P.A-Verified Existing Coverage</p> <p>A. The relocation is to an equal or superior portion of the parcel or project area, as determined by reference to the following factors:</p> <ol style="list-style-type: none"> 1. Whether the area of relocation already has been disturbed; 2. The slope of and natural vegetation on the area of relocation 3. The fragility of the soil on the area of relocation 4. Whether the area of relocation appropriately fits the scheme of use of the property; 5. SEZ (NA) 6. The project otherwise complies with the land coverage mitigation program set forth in section 30.6 <p>B. The area from which the land coverage was removed for relocation is restored in accordance with subsection 30.5.3</p> <p>C. (NA) Relocation IA To IA</p> <p>D. (NA) SEZ</p>
<p>SINGLE FAMILY RESIDENCE SITE: 400 GONOWABLE ROAD CRYSTAL BAY, NEVADA. APN: 123-145-04 WASHOE COUNTY LEGAL: CRYSTAL BAY PARK UNOFFICIAL SUB L4, BLK 12 OWNER: GRABBLE B. RONNING TRUSTEE P.O. BOX 7804 INCLINE VILLAGE, NEVADA 89450</p>	<p>Wayne W. Ford REGISTERED RESIDENTIAL DESIGNER M.D.M. LICENSE # 891-P STATE OF NEVADA</p>	<p>RESIDENTIAL DESIGN WAYNE FORD RESIDENTIAL DESIGNER, NEVADA LIC # 891-P P.O. BOX 4778 INCLINE VILLAGE, NEVADA 89450. (775) 722-2205</p>	<p>SCALE 1/10" = 1'-0" SITE PLAN PROPOSED</p>

Variance Case VA14-003

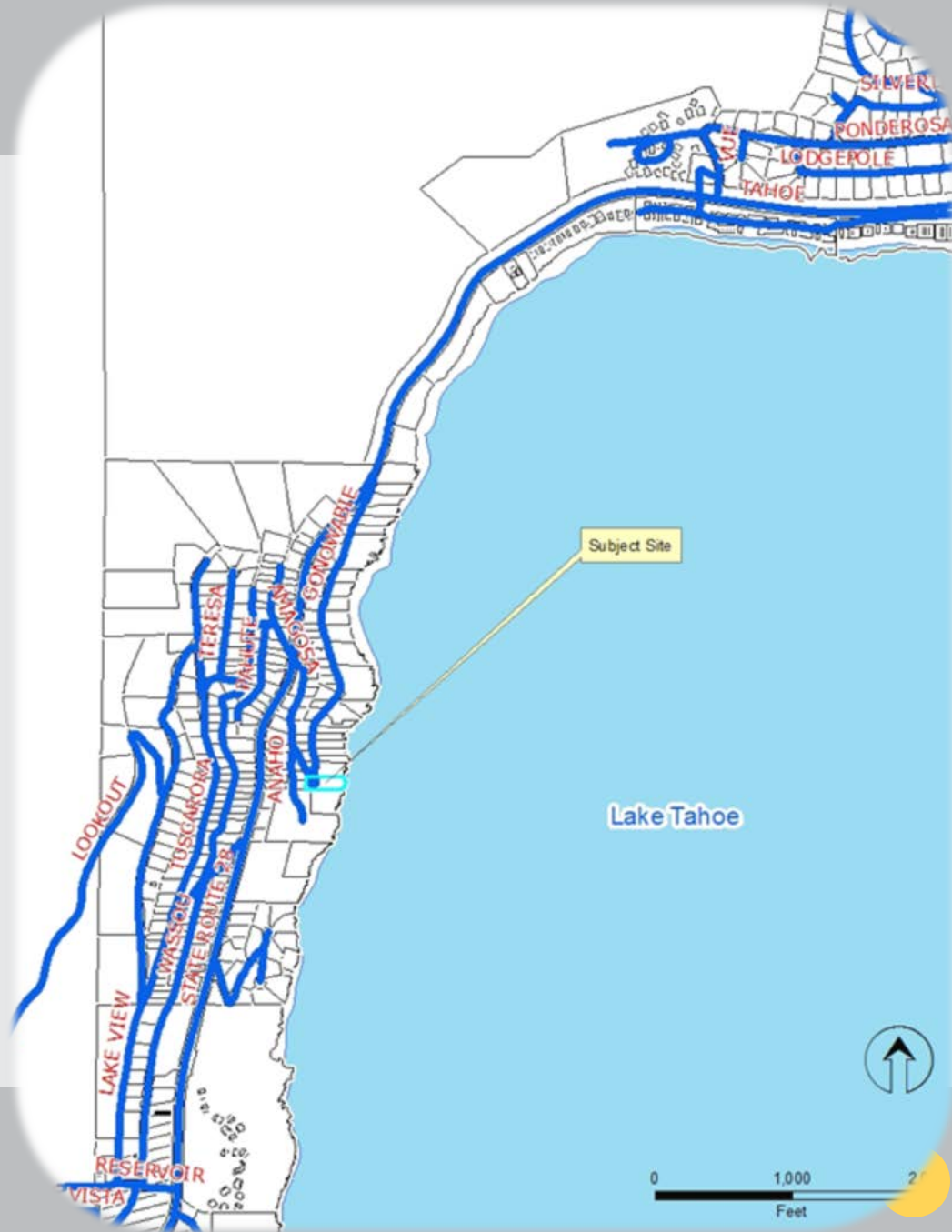
**Washoe County
Board of
Adjustment**

June 5, 2014



Vicinity Map

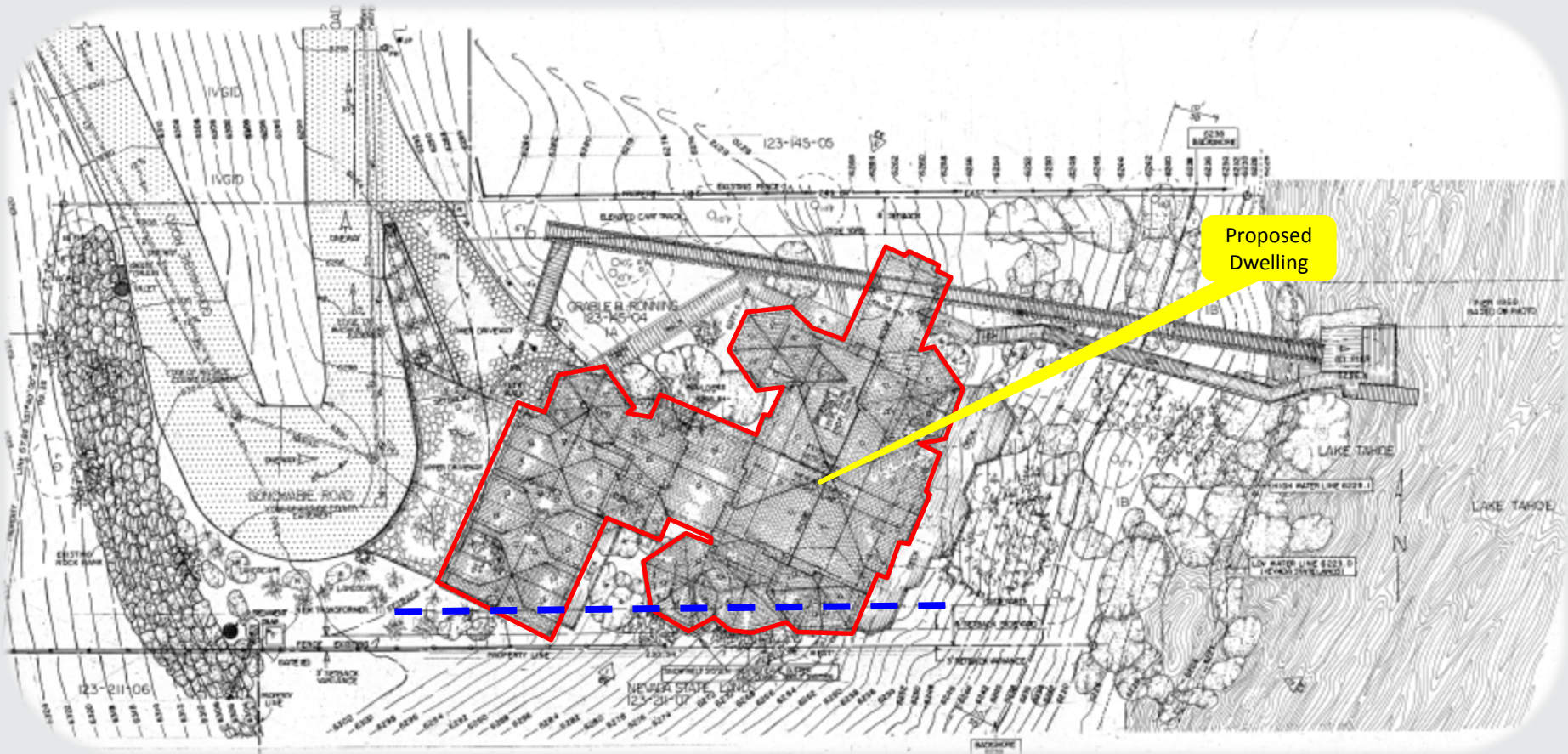
400 Gonowabi Road
Crystal Bay, NV



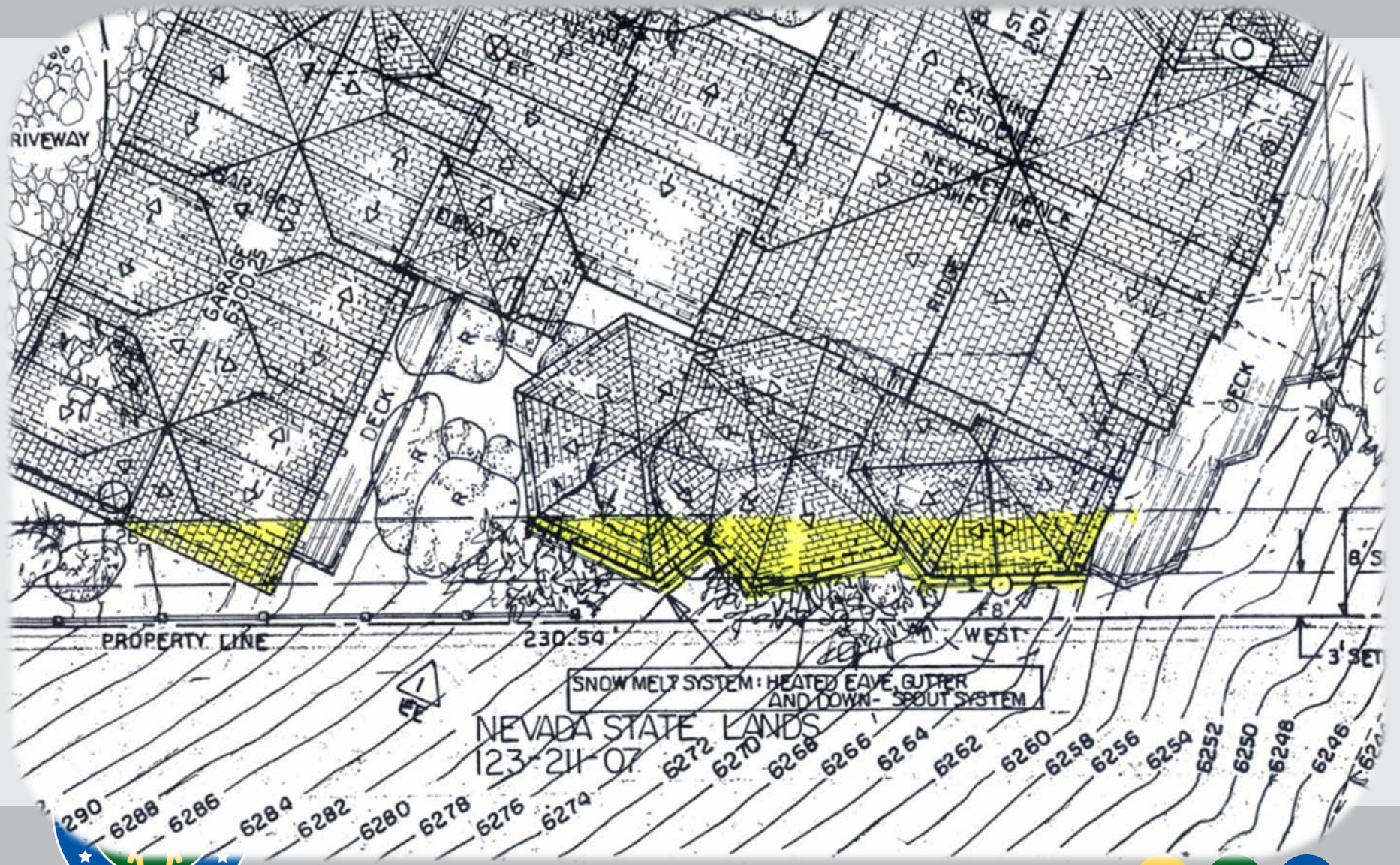
Existing Site Plan



Proposed Site Plan



Detail of Proposed Site Plan



Proposed Elevations



Proposed Elevations



Proposed Elevations



Background

applicant is proposing to:

- demolish an existing dwelling on the subject parcel
- construct a new dwelling
- new dwelling is proposed to be located five feet into the required (south) side yard setback area



Analysis

- **approval of a variance requires that a series of specific findings be made**
- **an extraordinary and exceptional situation or condition resulting in exceptional or undue hardship must be identified**

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.

Analysis

(a) Special Circumstances. Because of the special circumstances applicable to the property, including either the:

- (1) Exceptional narrowness, shallowness or shape of the specific piece of property, or**
- (2) By reason of exceptional topographic conditions, or**
- (3) Other 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;



Analysis

- MDS zone minimum lot width is 80 feet
- Subject parcel is 95 feet in width
- Parcel is not exceptionally narrow



Analysis

- Parcel is approximately two-and-a-half times as deep as it is wide (230 feet in depth)
- Parcel is not exceptionally shallow



Analysis

- Parcel is essentially rectangular in shape
- No special circumstances associated with the shape of the parcel



Analysis

- Parcel includes a down-slope of 20% or greater
- Entitles the applicant to an automatic front yard setback reduction
- **Does not affect the required side yard setback**



Analysis

- Topography is similar to surrounding parcels
- There are no exceptional topographic conditions unique to the subject parcel

Subject site, looking west from a point above Lake Tahoe

Gonowabie Road



Analysis



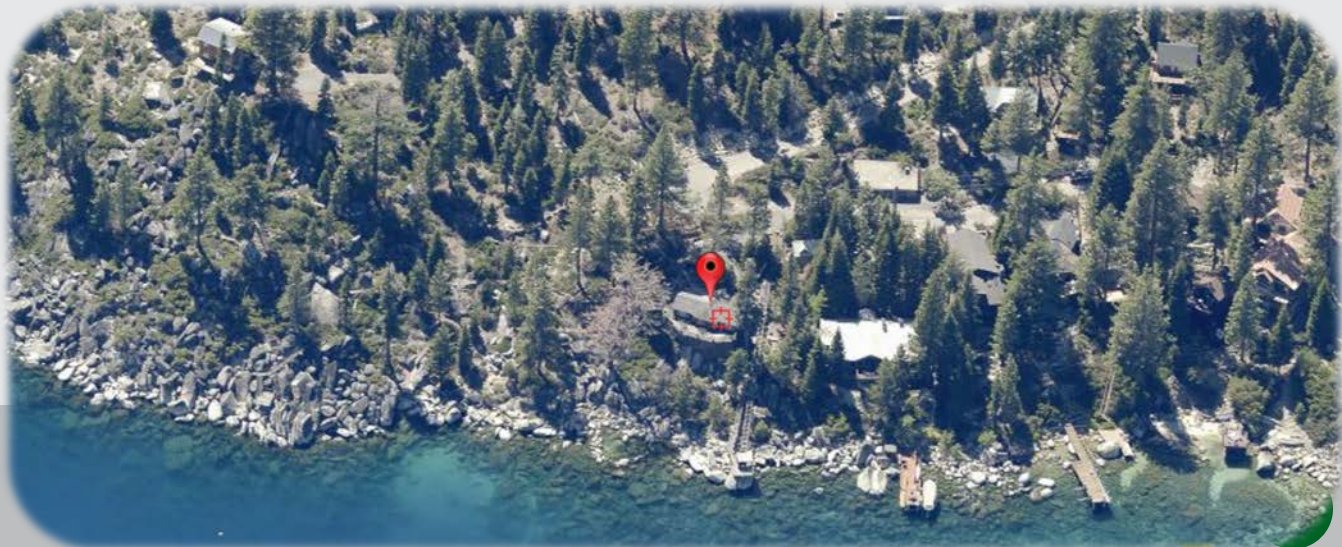
Analysis

- **Gonowabie Road occupies a portion of the western end of the parcel, but does not create a special circumstance relative to a side yard setback**
- **The existing dwelling on the parcel is constructed within all required setbacks**



Analysis

- **Tahoe Regional Planning Agency (TRPA) Requirements regarding boulders and height limits:**
- **Generally applicable to similarly situated parcels**



Analysis

Proposed garage could be narrowed to meet required setbacks

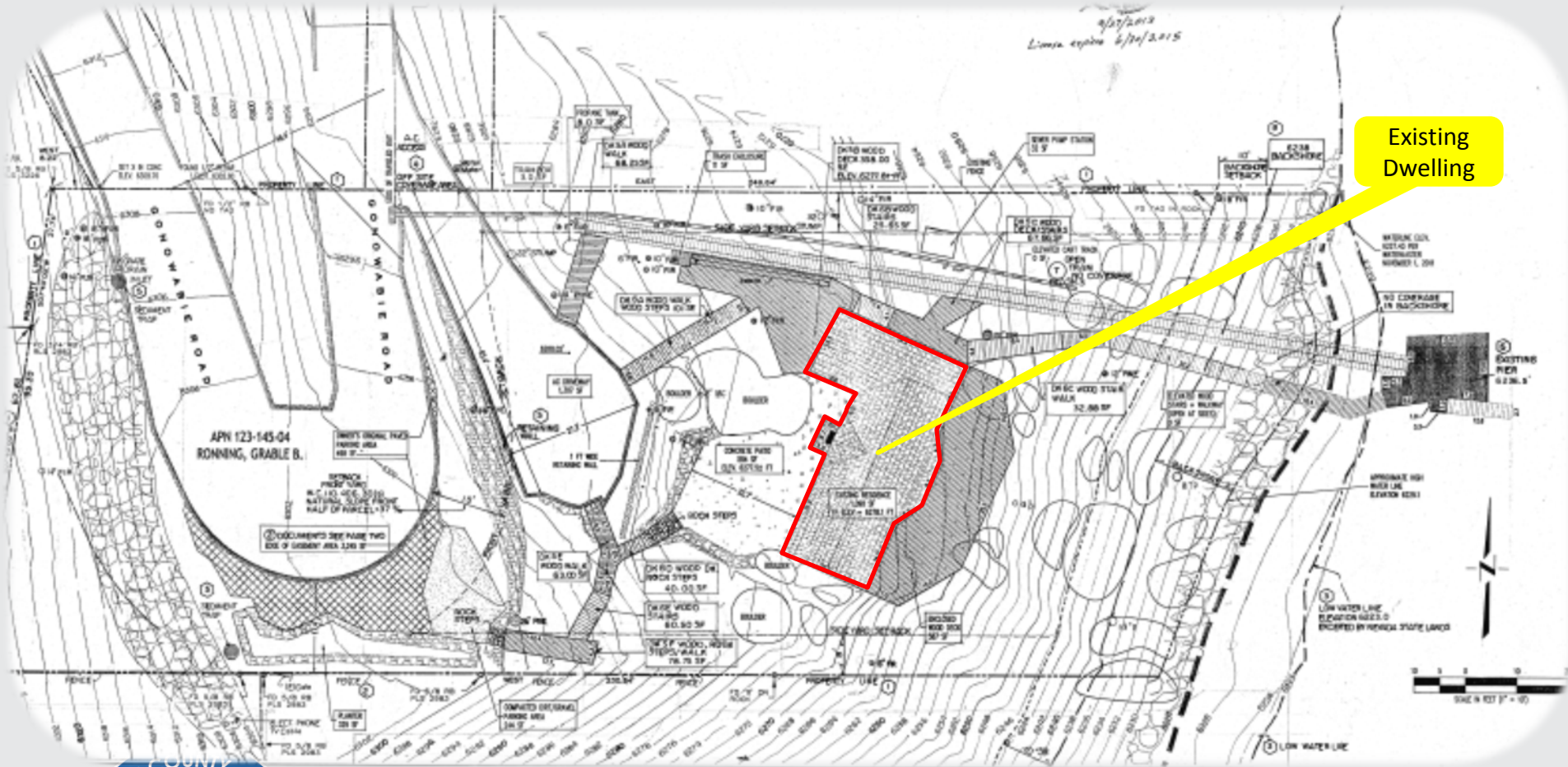


Analysis

- Applicant cites the desire to maintain an existing tram as being a special circumstance necessitating reduction in the side yard setback
- A dwelling meeting all setbacks exists on the parcel now



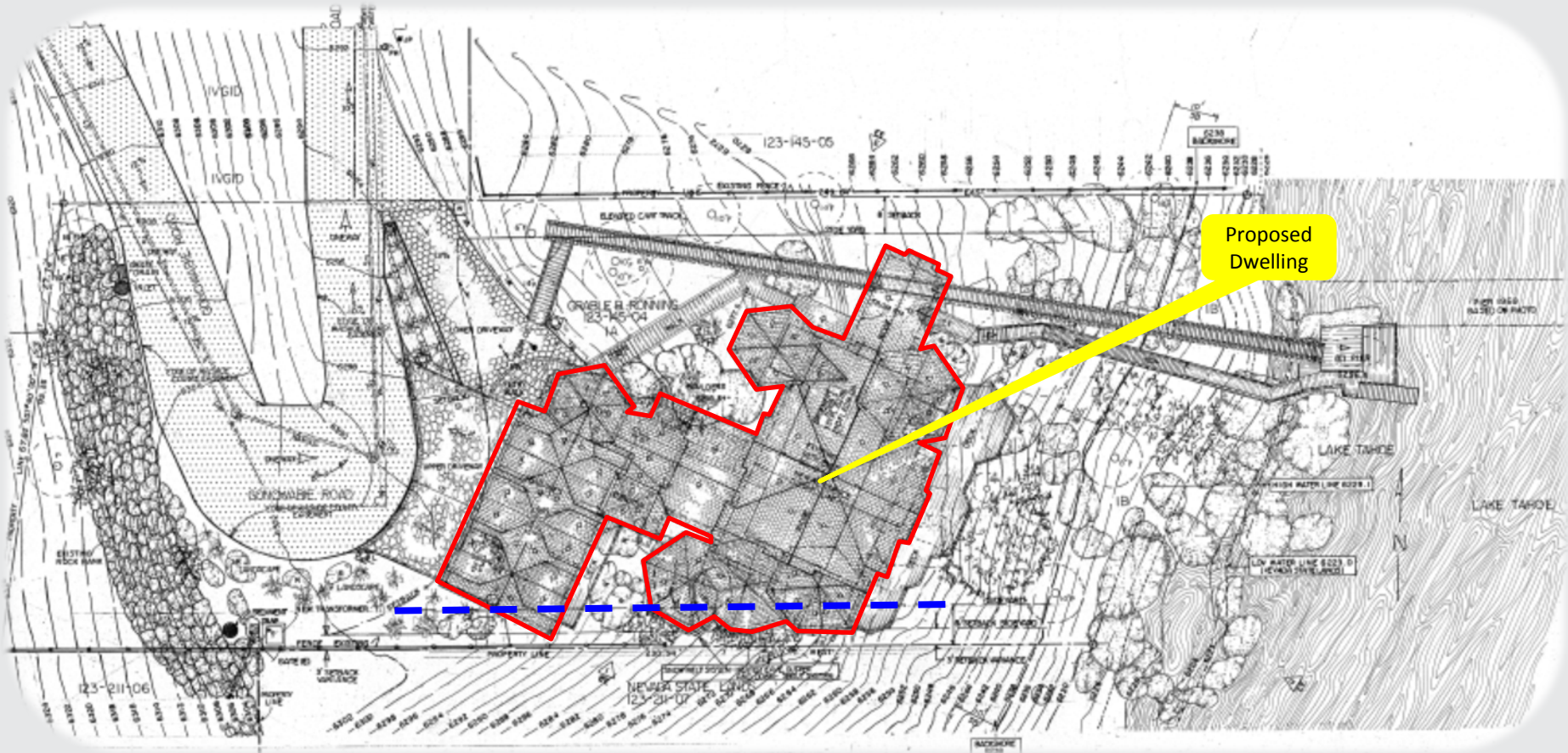
Existing Site Plan



Existing Dwelling



Proposed Site Plan



Analysis

- Dwelling proposed by the applicant consists of 7,750.81 square feet of living area, 1,680 square feet of garage area and 120 square feet of mechanical room
- A reduction of approximately 2.6% of the square footage of the proposed structure could eliminate the need for a variance



Analysis

(b) No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted.

Staff Comment: *The relief requested will create a substantial detriment to the public good by allowing development within three feet of public lands and will impair the intent and purpose of the Development Code by allowing a reduction in reasonable building setbacks without a demonstrable special circumstance resulting in a hardship.*



Analysis

(c) No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated.

Staff Comment: *The relief requested will constitute a grant of special privileges inconsistent with the limitations of other properties in the vicinity by allowing development within a required setback when no demonstrable special circumstance resulting in a hardship can be shown.*



Analysis

(d) Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

Staff Comment: *The relief requested will authorize a use not otherwise expressly authorized by allowing development within a required setback when no demonstrable special circumstance resulting in a hardship can be shown.*



Analysis

(e) Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

Staff Comment: *There is no military installation in the vicinity of the proposed project site*



Reviewing Agencies

The application was circulated to interested agencies, only Washoe County Engineering provided conditions of approval. All other agencies had no comment. A comment from the Nevada Division of State Lands (NDSL) provided to Staff thru the applicant indicated that NDSL would not challenge the variance request.




Citizen Advisory Board

IV /CB CAB took no action on the proposal. The notes from their discussion are included as Attachment A to the Staff Report.



Individual CAB Comments

**Washoe County Citizen Advisory Boards
CAB Member Worksheet**



Citizen Advisory Board: Incline Village/Crystal Bay
 Meeting Date (if applicable): 5/6/2014
 Topic or Project Name (include Case No. if applicable): VA/4-004 Ronning

Please check the appropriate box:
 My comments were (or) were not discussed during the meeting.

Identified issues and concerns:
Clearly need variance to allow planned development.
Have address concern for access & respect for topography & vegetation.
Believe they have adequately addressed access to adjacent parcel.

Suggested alternatives and/or recommendations:
My recommendation is to grant the variance. Adjacent property has been reasonably considered & will not be significantly impacted.

Name Gerald W Eick Date: 5/21/14
(Please Print)
 Signature: Gerald W Eick

This worksheet may be used as a tool to help you take notes during the public testimony and discussion on this topic/project. Your comments during the meeting will become part of the public record through the minutes and the CAB action memorandum. Your comments, and comments from other CAB members, will and shall not collectively constitute a position of the CAB as a whole.

If you would like this worksheet forwarded to your Commissioner, please include his/her name.
 Commissioner's Name: Marsha Berkbigler
 Use additional pages, if necessary.
 Please provide in person, mail, fax or email completed worksheets to the Administrative Recorder for your CAB.

**Washoe County Citizen Advisory Boards
CAB Member Worksheet**

WASHOE COUNTY
NEVADA

Citizen Advisory Board: Incline Village Crystal Bay
 Meeting Date: _____
 Topic or Project Name (include Case No. if applicable): VA14-004

Please check the appropriate box:
 My comments were (or) were not discussed during the meeting.

Identified issues and concerns:
I have no specific issues against this project. It appears to be a way of providing the home with a safe and adequate garage which is necessary at this elevation.
Given that the fire department did not have issues with safety and no safety issues indicated by neighbors, I would be in support of offering this owner the ability to have a garage for vehicles as many of his/her neighbors have had to make use of areas in the setback to obtain covered parking.

Suggested alternatives and/or recommendations:

Name Deborah Nichols Date: 6/1/14
(Please Print)
 Signature: [Signature]

This worksheet may be used as a tool to help you take notes during the public testimony and discussion on this topic/project. Your comments during the meeting will become part of the public record through the minutes and the CAB action memorandum. Your comments, and comments from other CAB members, will and shall not collectively constitute a position of the CAB as a whole.

You may also complete this worksheet and send it separately to your County Commissioner.
 Commissioner's Name: Marsha Berkbigler

Use additional pages, if necessary. Worksheets may be mailed to:
 Washoe County Community Development
 Attn: CAB Program
 Post Office Box 11130
 Reno, NV 89520-0027

Revised September 2010



Recommendation

Staff is unable to determine that there is a demonstrable special circumstance resulting in a hardship that is not common to all adjoining parcels and many other parcels in the same area plan. Therefore, after a thorough analysis and review, Variance Case No. VA14-004 is being recommended for denial.



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 No. VA14-004 for Grable B. Ronning, being unable to make four of the five findings required for a variance under Development Code Section 110.804.25. Rather, the Board of Adjustment finds as follows:

- 1) No Special Circumstances. Because of the lack of 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 does not result in exceptional and undue hardships upon the owner of the property;*



Possible Motion (continued)

2. **Detriment.** *The relief will 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 requested;*
3. **Special Privileges.** *The granting of the variance will 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. **Use Not Authorized.** *The variance will authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;*
5. **Effect on a Military Installation.** *The variance will not have a detrimental effect on the location, purpose and mission of a military installation.*



Questions ?



WAYNE FORD RESIDENTIAL DESIGN LIC. NO. 91-P
P.O. Box 4775
INCLINE VILLAGE, NV.
89450

(775) 772-2495

OUTLINE FOR VARIANCE MEETING 6/5/14 VA14-004 GRABLE B. RONNING

CHAIR: Toulouse and Members of the Washoe County Board of Adjustment
My Name is Wayne Ford, Wayne Ford Residential Design. P.O.Box
4775 Incline Village, Nv. 89450

I am the Designer for Grable Ronning.

I view this variance application not only very important for
my clients use of the property but it could also be a turning
point in how HARDSHIP is defined in the Regulatory Zone of
Washoe County call "Tahoe"

I have been doing design work in Incline and taking variance
requests through the county process for over 30 years. I have
never seen such apparent confusion in a staff report, over all
that time, for what constitutes a "HARDSHIP" under the NRS Code.

ZONING: The parcel at 400 Gonowabie Road. MDS. The unofficial
subdivision is Crystal Bay Park. This subdivision which is part
of the Regulatory Zone call "Tahoe" was created some time around
1939. In later yeas it was brought into the County planning
review and zoning. The MDS standing makes the parcel width a
minimum of 80 feet. Our parcel has a dimension of 95 feet, yet
that is missleading in the ability to use all of it's width.
The depth of the parcel is some 230 feet, yet that is missleading
to the ability to use all of it's depth.

① * PUT UP ZONING MAPS FIRST ONE FOR REFERENCE

② * SECOND LARGER MAP OF THIS AREA:

Comments: The planner, Mr. Pelham seems apparently confused in
only comparing this parcel, with other in Crystal Bay. It needs
to be look at for the "Hardship" that exists as compared to all
parcels in the regulatory Zone of "Tahoe". That is not just
Crystal Bay but also the Incline Area noted as MDS.

* POINT OUT ON THE LARGER MAP THE OTHER PARCELS AND HOW THEY ARE
NOT STEEP, NOT A BOULDER FIELD. DO NOT HAVE ROADWAY EASEMENTS
THROUGH HALF OF THE FRONT OF THE PARCEL. THE ROADS SERVING THESE

MM'S
START

11x17



PARCELS/HOMES IN INCLINE ARE IN MOST CASES 40 FEET WIDE. THE ROAD SERVING 400 GONOWABIE, THE RONNING RESIDENCE, IS 15 FEET WIDE AND IS A ONE WAY ROAD.

WHY IS THIS?

* MAP UP : OF SITE WITH COLORED AREAS OF "Tahoe"Zone": MDS

The answer to the question is that the Crystal Bay Park Sub-division was created in 1939.

It was because of this kind of subdivision creation that in 1941 the Nevada State Legislature adopted NRS 278.250 and NRS 278.300 (1) (c). These general directions to the county planning process have been revised some 11 times, the most recent in 2013. Yet the section dealing with giving relief to property owners under "HARDSHIP" as defined by NRS 278.300 (1) (c) and Washoe County Code Section 110.804.25 has not been changed, except for the area of (e) Military.

This is why some 90% of the homes on Gonowabie Road have had a variance for a front yard and or side yard given, based on the same findings. Out of 32 homes looked at 29 had set-back reductions. I know this for I brought forth the narrative for these findings to be made. In most all of the applications staff has made the finding to relieve the owner of the "HARDSHIP" imposed by the conditions of the parcel. (I did 450 Gonowabie, 285 Gonowabie Gonowabie, Tuscarora home, Crystal Drive , Summers Loop projects ect.)

The planner is apparently confused to why the relief is in the code, it is there because of the type of subdivisions done in 1939 and the property sold to people.

In 1998 Sharon Kavis, a Washoe County Planner saw the need to adopt the Tahoe Modifiers. In that code it states:

Section 110.406.10 TRPA Standards

Requirements for development occurring in the Tahoe area, but not limited to, building placement standards shall be the most restrictive of Tahoe Regional Planning Agency standards and Washoe County Standards

This statement in the County Code goes to the fact that the County under the MOU with TRPA, some projects may need to be located on the site to provide the least amount of impact, and also meet the TRPA findings for TRPA Thresholds. In the case for the placement of the new residence at 400 Gonowabie this is true and is part of the considerations needed to grant the variance requested.

11X11

3
4

5

* MAP UP: GO THROUGH WITH LAZER EACH AREA STARTING WITH:

A. BOULDERS AND LOCATIONS.

B. BUILDING OVER DISTURBED AREAS

TRPA 30.4.5 Relocation of TRPA Verified Existing Coverage. 1A Parcel.

A. The relocation is to an equal or superior portion of the parcel or project area, as determined by reference to the following factors:

1. Whether the area of relocation already has been disturbed
2. The slope of and natural vegetation on the area of relocation
3. The fragility of the soil on the area of relocation
4. Whether the area of relocation appropriately fits the scheme of use of the property.
5. SEZ: We have 1b Backshore no new coverage allowed.
6. The project otherwise complies with the land coverage mitigation program set forth in section 30.6

This is why the residence is located between the boulders and is place in areas that already have been disturbed, so these findings can be made. We have attempted to take out as few trees that have been established in the boulder field. Trees below and to the side of the residence are kept for scenic screening.

*SHOW PHOTOS OF ALL BOULDERS ON PARCEL.

(1) Narrowness caused by TRPA placement requirements around the Boulders. Save as many trees as we can. Building area is not 95 feet wide, or 80 feet wide, it is only 65 feet (+-) at the main residence. It is only some 60' at garage and entry.

Shallowness is caused by Road easement and IEP project of rock on bank, This takes up at least 50% of the parcel area at the upper portion. The lower portion is taken up by the Boulder Field we cannot move down into. It is also the setback of the "Backshore" The 1b land that cannot have an new coverage. In addition to this area is the trees that have to be retained to screen the new home.

The lot is not 230 feet long, Our building area has been reduced by setbacks and these other factors listed to 100 '+-

Shape is created mostly by the boulder field that we need to respect to be able under TRPA Code 30.4.5 we have to make the findings. It is a "Z" shape to the building area.

8 1/2 x 11 PHOTOS



*PHOTOS SHOWN PROVE THE SLOPE OF THE PARCEL

(2) Exceptional Topographic Conditions

The boulders shown in the previous photos show the condition This parcel unlike many other in the regulator area of Tahoe has a slope of 36% in the building area and some 66% on the lower portion below the residence proposed and existing.

(3) Extradinary/Exceptional situation or condition,

*PHOTOS OF UPPER PARCEL:GONOWABIE AND WHERE THE GARAGE CAN BE BUILT FOR THE SAFETY OF THOSE BACKING OUT AND USING THE TURN.

How many homes,except on Gonowabie Road,have the street going right through half of the parcel. In Incline I know of none. On Gonowabie Road only a few at the end, yet none have over 50% of the parcel taken up with a road and turn. This causes a HARDSHIP for I cannot understand if this does not fall under this area of the code, what would?

Garage Location: The only place that even a two car garage could be put is where we have it now. The driveway will tran sition into a road slope of 8%. If moved any where else it will have to transition into a cross slope of 10% and have no ability to have any line of site,back up,with 15 foot wide road. This upper area of the turn drops at a 12% slope to the turn which is at 8%. Even the road department found that there are no line of site issues or snow removal concerns with our design.

TRAM:

*SHOW PICTURES OF TRAM SYSTEM

The tram cannot be moved under TRPA rules for access in the BACKSHORE. It must remain where it is. The tram is not a "convenience" as stated by the planner Mr. Pelham. It is the only way the owner may be able to reach Tahoe at the lower part of the parcel. The current stairs rise some 33 feet from the pier to the home. As we all get older this may become a ADA issue for lake access for the property owner.

The TRAM, acts as a PROPERTY LINE. This is a EXTRAORDINARY/ EXCEPTIONAL SITUATION OF THE PROPERTY.

BY NOT TREATING THE TRAM AS PART OF THE PROPERTY IT WILL CAUSE A HARDSHIP OF ACCESS.

This narrows the building area so it is necessary to have a side yard reduction at the lower portion of the building area. This is like a funnel getting smaller as you go towards Tahoe.

*PUT UP MAP OF SITE COLORED

6
8'1/2 x 11 photos

7
5020ND AX3210

4 LEAVE.
AGAIN - 11x17.

END.

SUMMARY: The NLTFPD found no safety issue with our design see letter.

Nev. Div. of State Lands do not oppose the side yard reduction next to their parcel for just the corner of the garage and some bedroom area.

Washoe County Community Services found that our location for the garage had no line of site issues

ALL THE FINDINGS CAN BE MADE JUST LIKE WERE MADE FOR OTHER PARCELS WITH THE SAME HARDSHIPS ON GONOWABIE: Many of these parcels had large front yard reductions for the full width of the garage and entry. Not just one corner of a garage. Other have side yards reduced to 2 feet.

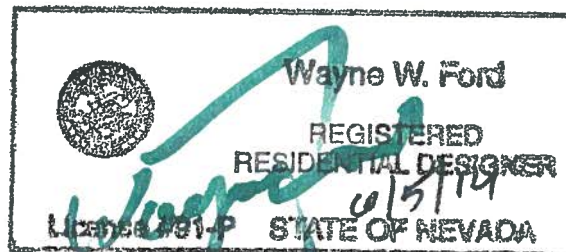
No Detriment: The public in this area will not have any natural resource impaired. A good argument could be made by not approving the variance, more impact will occur for construction and thus an environmental impact will increase. By not allowing the garage to be built where designed, with the setback reduction will not be the safest placement. No detriment will occur to the public, with the variance approved.

No Special Privileges: Given the fact that 90% of the homes on Gonowabie Road have had the same findings made to support the need for front yard and side yard setbacks to be reduced, to deny an applicant the same findings to not be supported, when a situation exists of equal or greater HARDSHIP, would cause those property owners to now have a "Special Privilege" over the owner of 400 Gonowabie Road.

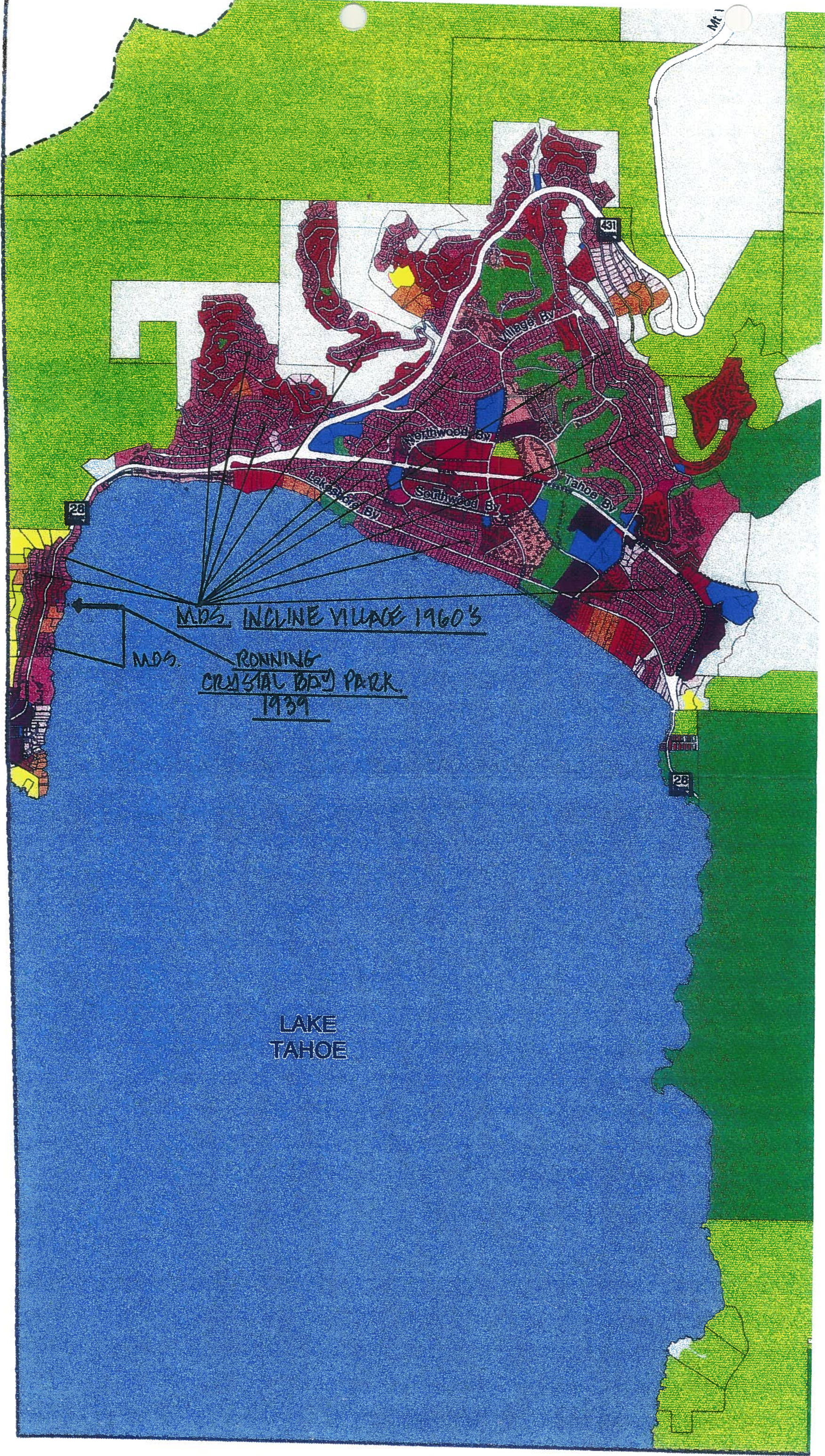
WE STRONGLY BELIEVE THAT THE FINDINGS CAN BE MADE AND SHOULD BE MADE TO SUPPORT THE SIDE YARD VARIANCE FOR 400 GONOWABIE ROAD.
VA14-004

Sincerely

Wayne Ford
7/4/14



EXPIRES 12/30/14.



MDS. INCLINE VILLAGE 1960'S

MDS. RONNING
CRYSTAL BODY PARK
1939

LAKE
TAHOE

Village By

Southwood By

Tahoe By

Lakeside By

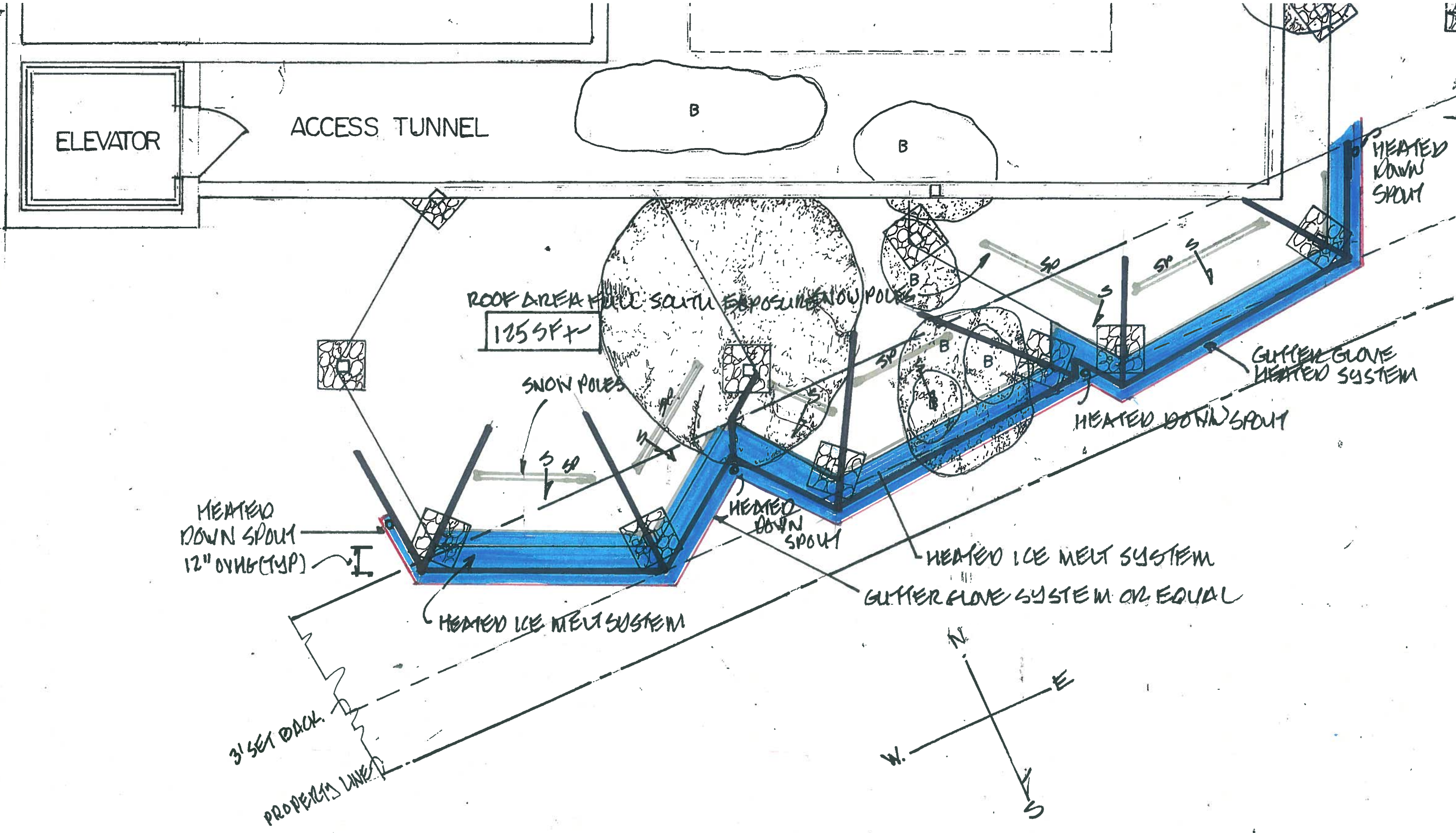
Southwood By

431

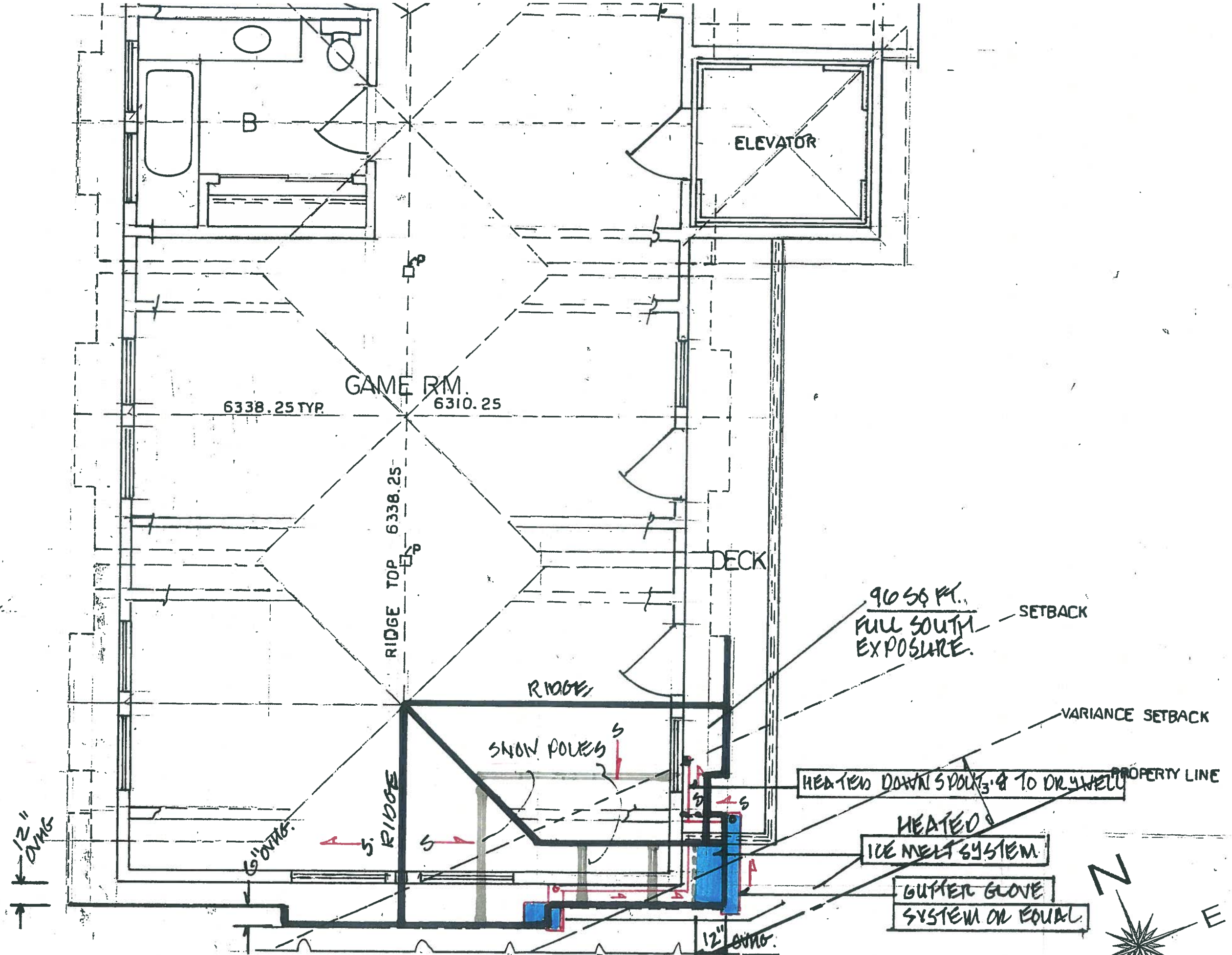
28

28

Mt. I



FLOOR PLAN: BASEMENT 1/4" = 1'-0" LIVING AREA = 1500 SF SOME AREAS HAVE BOULDERS



90 SQ FT.
FULL SOUTH
EXPOSURE.

SETBACK

VARIANCE SETBACK

PROPERTY LINE

HEATED DOWNSPOUTS TO DRYWELL

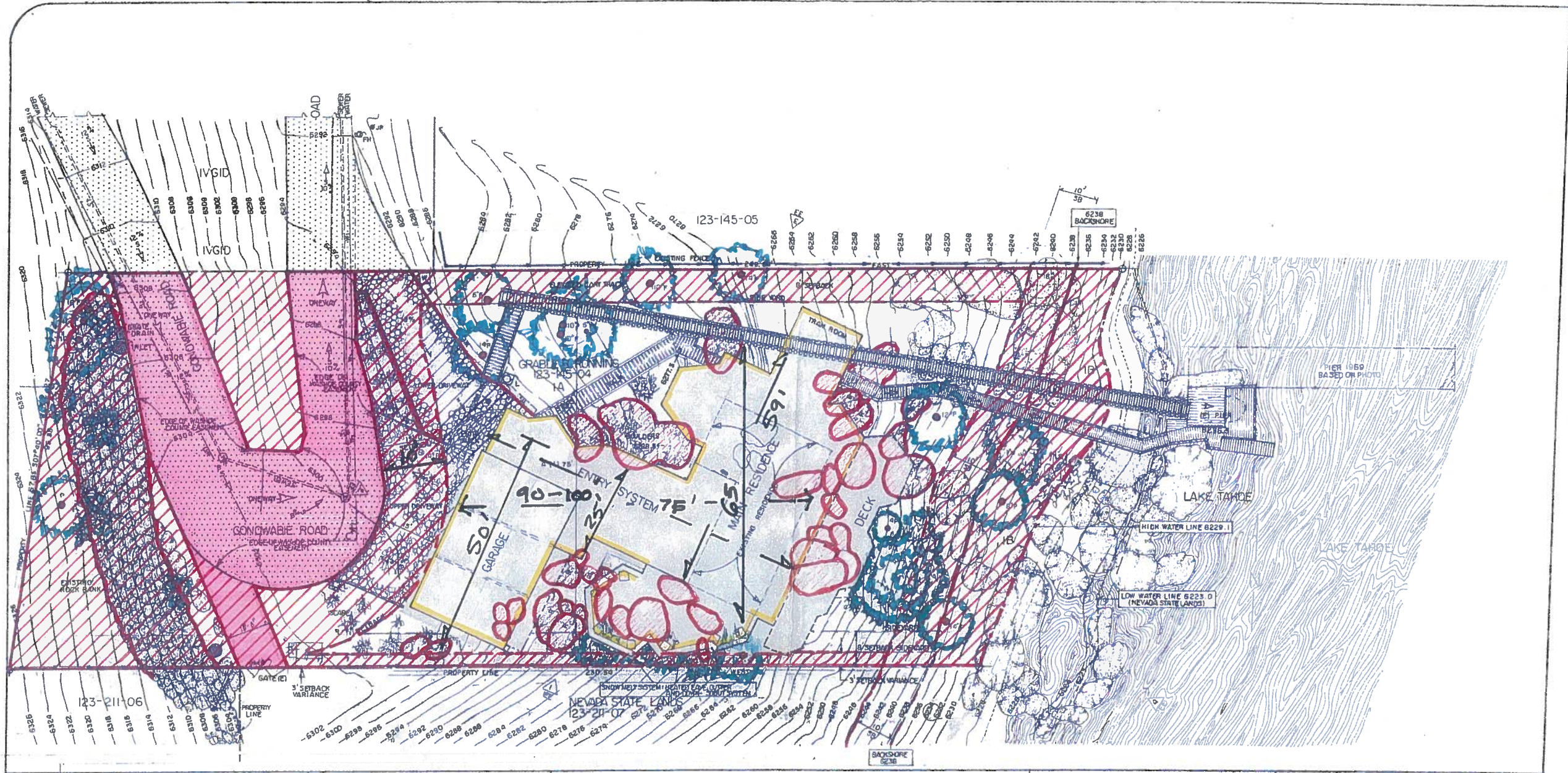
HEATED
ICE MELT SYSTEM.

GUTTER GLOVE
SYSTEM OR EQUAL.



FLOOR PLAN: 2ND FLOOR, FLOOR ABOVE GARAGE 1/4" = 1'-0"

LIVING AREA: 960 SF W/PARTIAL LIMITED HEAD-ROOM



SITE PLAN 1/10" = 1'-0" * EXTERIOR ELEVATION VIEW

VARIANCE APPROVAL FINDINGS

A FINDINGS FOR UNDUE HARDSHIP FOR VARIANCE VA1400-4

- (1) Shallowness MDS 80' width / Parcel due to boulder field, trees/scenic parcel and historic tram is reduced to 75'-78' Shape Z area due to boulder field
- (2) Topographic conditions Existing cuts around boulders have to be used to meet TRPA findings Code Section 30.4.5 Relocation of existing land coverage Slope of parcel (Natural) 20-54%
- (3) Extraordinary and exceptional condition: Gonowable Road Easement 6/06/2013 Nevada State Lands Easement Pending ROCK BANK Crystal Bay Phase 1B 8.11A - EIP PROJECT WASHOE COUNTY 2009
Project, Easement for road Reduced Building Area of parcel by 50%
NO BUILDING
- (4) Garage Location, safest for visibility when backing a car out of garage on to Gonowable Road Location, best for driveway transition to Gonowable Road surface PARKING: Location provides 3 Covered, Enclosed Spaces / 3 On Site Spaces
- (5) Historic Tram / Lake access / Pier access Cannot Be Moved This sets a building area width of the Main Residence to 60 FEET WIDTH (MDS = 80 FEET)

SITE DATA

RESIDENCE BUILT IN 1949
SERVICE ADDRESS 400 GONOWABLE ROAD CRYSTAL BAY, NV.
ASSESSORS PARCEL NUMBER 123-145-04 WASHOE COUNTY NV
LEGAL: LOT 4, BLOCK 12 CRYSTAL BAY PARK SUB (UNOFFICIAL)
ZONING WASHOE COUNTY MDS + MD. DEN. SUBR.
T.R.P.A. PLAN AREA 034
LAND CAPABILITY 1A Tr = 20-30% RFF = 30-50%, 1B
SINGLE FAMILY RESIDENCE

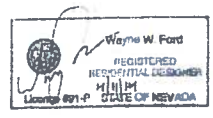
KEY

- EASEMENT GONOWABLE ROAD SEE SHT 5 =
- PARCEL AREA NOT ABLE TO BUILD ON DUE TO:
 - 1. COUNTY ROAD CUT/RIP/RAP
 - 2. EXISTING DRIVEWAY
 - 3. SET BACKS
- BOULDERS BUILT-ON, OVER OR AROUND *
- TREES AND VEGETATION *
- GARAGE AND RESIDENCE PROPOSED *

WASHOE COUNTY DEVELOPMENT CODE

- Section 110.406.10 T.R.P.A. Standards. Requirements for development occurring in the Tahoe area including, but not limited to, Building Placement Standards shall be the Most Restrictive of Tahoe Regional Planning Agency standards and Washoe County standards.
- (2) TRPA 30.4.5 Relocation of T.R.P.A.-Verified Existing Coverage
- A The relocation is to an equal or superior portion of the parcel or project area, as determined by reference to the following factors:
1. Whether the area of relocation already has been disturbed;
 2. The slope of and natural vegetation on the area of relocation
 3. The fragility of the soil on the area of relocation
 4. Whether the area of relocation appropriately fits the scheme of use of the property;
 5. SEZ (NA)
 6. The project otherwise complies with the land coverage mitigation program set forth in section 30.6
- B. The area from which the land coverage was removed for relocation is restored in accordance with sub-section 30.5.3
- C (NA) Relocation 1A To 1A
- D (NA) SEZ.

SINGLE FAMILY RESIDENCE
SITE: 400 GONOWABLE ROAD CRYSTAL BAY, NEVADA, APN: 123-145-04
WASHOE COUNTY LEGAL - CRYSTAL BAY PARK UNOFFICIAL SUB L4, BLK 12
OWNER: GRABLE B. RONNING TRUSTEE
P.O. BOX 7804
INCLINE VILLAGE, NEVADA 89450



WAYNE FORD RESIDENTIAL DESIGNER, NEVADA LIC # 81P
P.O. BOX 4178 INCLINE VILLAGE, NEVADA 89450. (775) 792-2485

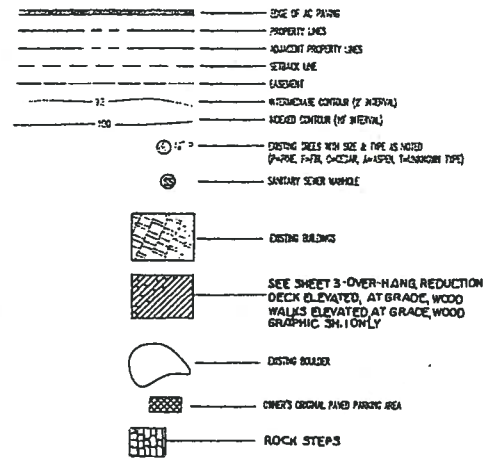
NOTES:

- THE BOUNDARY SHOWN HEREIN IS TAKEN FROM RECORD DATA AND THE FIELD MEASUREMENTS. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, CONDEMNATION, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE & CURRENT TITLE SEARCH MAY DISCLOSE. THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.
- NO INVESTIGATION CONCERNING ENVIRONMENTAL & SUBSURFACE CONDITIONS OR THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
- NO INVESTIGATION CONCERNING THE LOCATION OR EXISTENCE OF UTILITY SERVICE LINES TO THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
- ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION.
- DATE OF FIELD WORK NOVEMBER 11, 2011 + NOVEMBER 1, 2011
- THE TOPOGRAPHY SHOWN HEREIN MEETS THE STANDARDS OF THE AMERICAN SOCIETY OF SURVEYORS & MAPPING WITH BOX OF THE CONTIGUOUS TO BE WITHIN PLUS OR MINUS ONE HUNDREDTH OF AN INCH.
- VERTICAL DATUM IS BASED ON ELEVATIONS FROM THE FEDERAL WATER MASTER AND LAKE TAHOE DATUM.
- AREA SET MARK, ELEVATION 4,300.47
- BUILDING SETBACKS SHOULD BE VERIFIED PRIOR TO ANY DESIGN.

ABBREVIATIONS

AC	ASPHALT CONCRETE	BLK	ELEVATION	S	SOUTH
APN	ASSESSORS PARCEL NUMBER	EP	EDGE OF PAVEMENT	SF	SQUARE FEET
BLDG	BUILDING	FF	FRESH FLOOR	SS	SANITARY SEWER
BMP	BEST MANAGEMENT PRACTICE	GM	GAS METER	SSC	SANITARY SEWER CLEANOUT
CITY	CABLE TELEVISION	HR	HEIGHT REDUCTION	SSM	SANITARY SEWER MANHOLE
CL	CONCRETE	IR	IRIGATION CONTROL VALVE	ST	STREET
CM	CORRUGATED METAL PIPE	L	LENGTH	TM	TEMPORARY BENCHMARK
COM	COMMUNICATIONS	LF	LINEAR FEET	TEL	TELEPHONE
D	DECK	N	NORTH	W	WEST WATER
E	EAST	OE	OVERHEAD ELECTRIC	WM	WATER METER
ELEC	ELECTRICAL	PP	POWER POLE	WV	WATER VALVE
EA	EACH	R	RADIUS		

LEGEND:



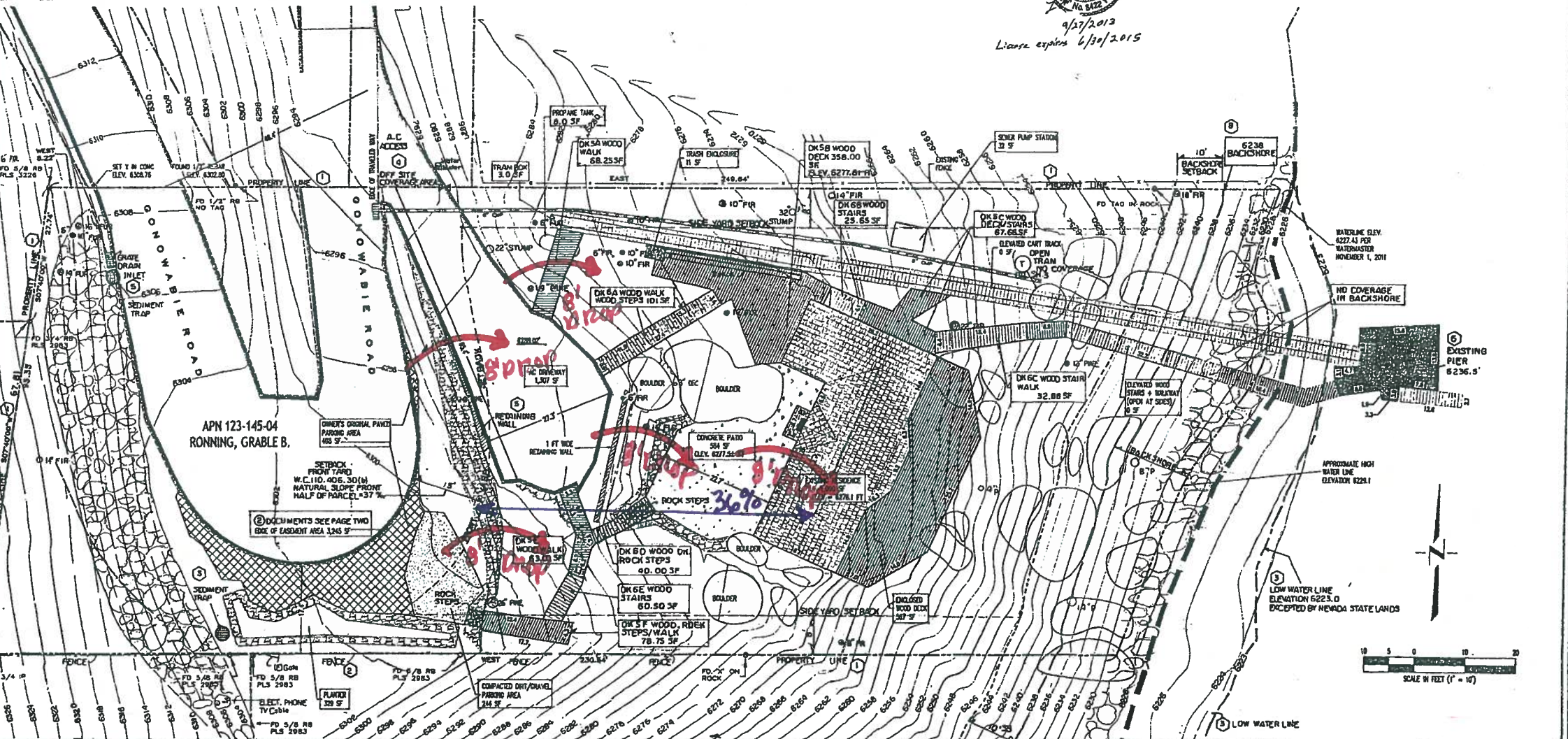
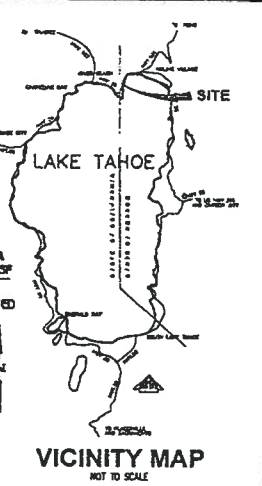
COVERAGE CALCULATIONS

APN: 123-145-04
TOTAL LOT AREA = 23,964 SF
(TO HIGH WATER ELEV. 4274.1 LAKE TAHOE DATUM)

EXISTING COVERAGE WITHIN EASEMENT AREA	
AC DRIVE	134.9 SF
EXISTING COVERAGE OUTSIDE EASEMENT AREA	
1. RESIDENCE	1,090.00 SF
2. AC DRIVEWAY	1,307.00 SF
3. OWNERS ORIGINAL A.C. PARKING AREA	498.00 SF
4. OWNERS ORIGINAL COMPACTED DIRT PARKING AREA	2,444.00 SF
5. WOOD DECK, WOOD STAIRS, WALKS, ROCK STEPS	1,482.00 SF
6. CONCRETE PATIO	584.00 SF
7. TRASH ENCLOSURE	111.00 SF
8. PROPANE TANK	8.00 SF
9. PLANTER	323.00 SF
10. SEWER PUMP STATION	32.00 SF
11. TRAM MOTOR BOX	3.00 SF
TOTAL	5,588.00 SF

AC DRIVE ACCESS OFF-SITE COVERAGE 188.30 SF (3 SIZES)
TOTAL COVERAGE IN PARCEL AREA EASEMENT 3,245 SF + 4,583 SF = 6,828 SF

SEE SHEET 3/OVERHANG REDUCTION USED ENCLOSED DECK IN TOTAL NUMBER
SEE SHEET TWO FOR ASSESSORS RECORD



SITE PLAN 1" = 10'-0" EXISTING RESIDENCE

TOPOGRAPHIC SURVEY

FOR
GRABLE B. RONNING
APN: 123-145-04
CRYSTAL BAY PARK UNOFFICIAL SUBDIVISION LOT 4 BLK. 12
WASHINGTON COUNTY, NEVADA

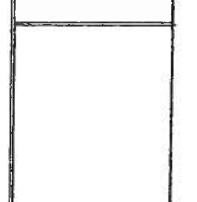
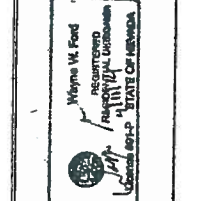
DATE: NOVEMBER 11, 2011
SCALE: 1" = 10'
DRAWN: JF
APPROVED BY: JF
JOB NO.: 0229
SHEET: 1

K.B.FOSTER
CIVIL ENGINEERING, INC.
Planning • Engineering • Surveying
P.O. Box 230
Convention Blvd., CA 96140
(530) 548-3381

- DATA ADDED:** WAYNE FORD RESIDENTIAL DESIGN
- DATA ADDED, REF: LOW WATER LOCATION BY ENGINEER HOA, R.D. ANDERSON, 4/17/09 AND FOLLOWING DATA, BODY MAPS NV. ST. LANDS
- 1 PROPERTY LINE NOTE
 - 2 FENCE NOTE
 - 3 LOWER WATER LINE
 - 4 DRIVEWAY OFF SITE COVERAGE
 - 5 SEDIMENT TRAPS
 - 6 PIER NOTE
 - 7 CORRECT APN. AT OWNERS NAME(OWNERS NAME AND LEGAL DESCRIPTION (USE ASSESSORS)
 - 8 REFERENCE TO SHEET 2, SUPPORT DOCUMENTS
 - 9 REFERENCE TO SHEET 3, OVERHANG COVERAGE APPLIED TO WALK DECKS, DECKS AND WOOD STAIRS

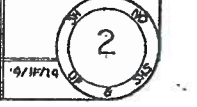
SITE DATA

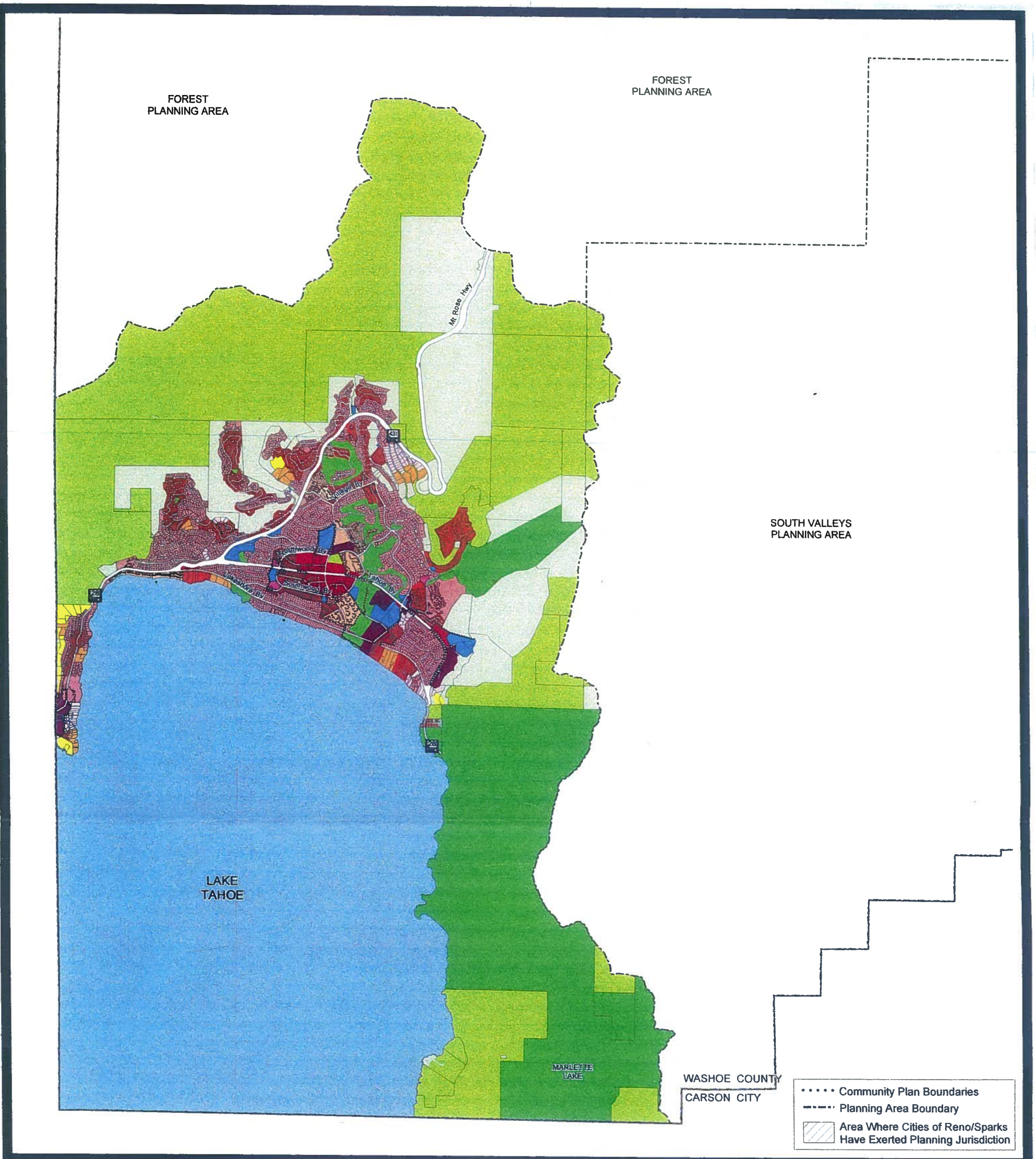
RESIDENCE BUILT IN 1999
ZONING WASHOE COUNTY MDS=ND DEN SUBR.
T.R.P.A. PLAN AREA 034.
SINGLE FAMILY RESIDENCE
LAND CAPABILITY IN TR = 20-30% / RFP=30-50%
SEE SHEET PAGE TWO.



CHANGES
REPLACE CONCRETE
OVERHANG
RECALCULATED
4/1/11 JF

SINGLE FAMILY RESIDENCE
SITE: 400 CONOWAY ROAD CRYSTAL BAY, NEVADA, APN: 123-145-04
WASHOE COUNTY, LEGAL: CRYSTAL BAY PARK UNOFFICIAL S.B.L.A. BLK. 12
OWNER: GRABLE B. RONNING TRUSTEE
P.O. BOX 7804
INCLINE VILLAGE, NEVADA 89450





TAHOE REGULATORY ZONE MAP

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> LOW DENSITY RURAL MEDIUM DENSITY RURAL HIGH DENSITY RURAL LOW DENSITY SUBURBAN LOW DENSITY SUBURBAN 2 MEDIUM DENSITY SUBURBAN MEDIUM DENSITY SUBURBAN 4 | <ul style="list-style-type: none"> HIGH DENSITY SUBURBAN LOW DENSITY URBAN MEDIUM DENSITY URBAN HIGH DENSITY URBAN GENERAL COMMERCIAL NEIGHBORHOOD COMMERCIAL/OFFICE TOURIST COMMERCIAL | <ul style="list-style-type: none"> INDUSTRIAL PUBLIC AND SEMI-PUBLIC FACILITIES PARKS AND RECREATION OPEN SPACE GENERAL RURAL GENERAL RURAL AGRICULTURAL DRY LAKE/WATER BODY |
|--|---|--|

NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY PLANNING AND DEVELOPMENT DIVISION.

CERTIFICATION: THIS DOCUMENT HAS BEEN REVIEWED AND APPROVED AS AN ACCURATE REPRESENTATION OF THE ADOPTED ZONING MAPS OF WASHOE COUNTY, NEVADA, BY THE WASHOE COUNTY PLANNING AND DEVELOPMENT DIVISION.

DATE: 4/3/14 DIRECTOR: William Whitney

**Community Services
Department**

**WASHOE COUNTY
NEVADA**

Post Office Box 11130
Reno, Nevada 89520

(775) 328-3600



FW: FW follow up letter directly below

1 message

G <snowylake@charter.net>
To: rainbowincline@gmail.com

Wed, Jun 4, 2014 at 3:04 PM

Thank you so much for getting this letter off to the Board Of Adjustment Members. You've been very helpful! Please call with any questions or concerns!

Grable B Ronning

snowylake@charter.net

(775) 832-22270

Hi Rainbow:

I'm having trouble printing this. I just need a copy of the letter starting Dear Mr. Pelham, not the subject etc. Can you email me back with something I can print?

Thanks for your help. I can be reached at the above number...thanks!

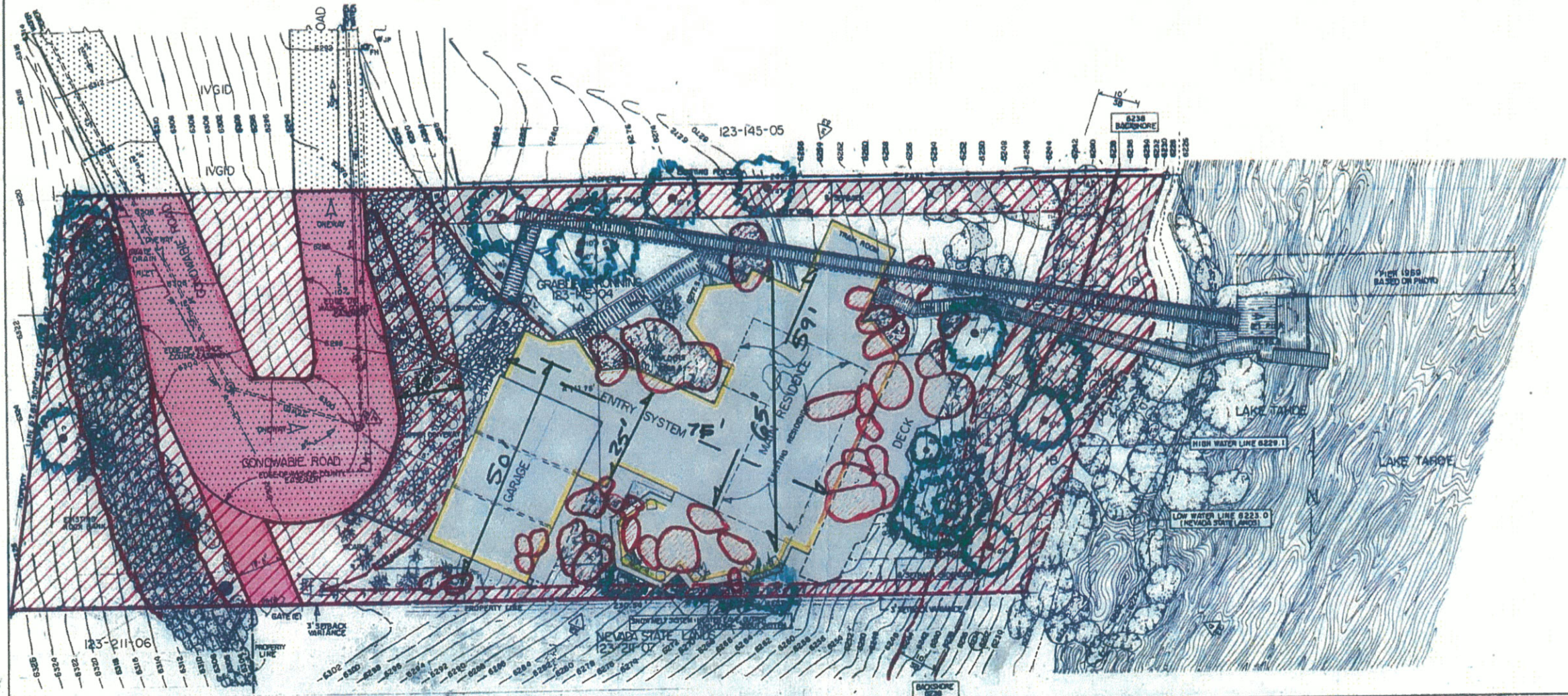
From:	Barbatahoe@aol.com	Sent:	Sat 05/31/2014 11:52 AM
To:	Pelham, Roger		
Cc:			
Subject:	Re: Variance Case # VA14-004 Ronning - Objection by Livoni		

Dear Mr. Pelham,
After receiving additional information on the Ronning property, I wish to withdraw my objection to the variance on the south side of her property. Initially I had thought it affected the north side, next to my property.
Thank you,
Richard J. Livoni First Family Ltd. Partnership
Richard J. Livoni

Best Regards,

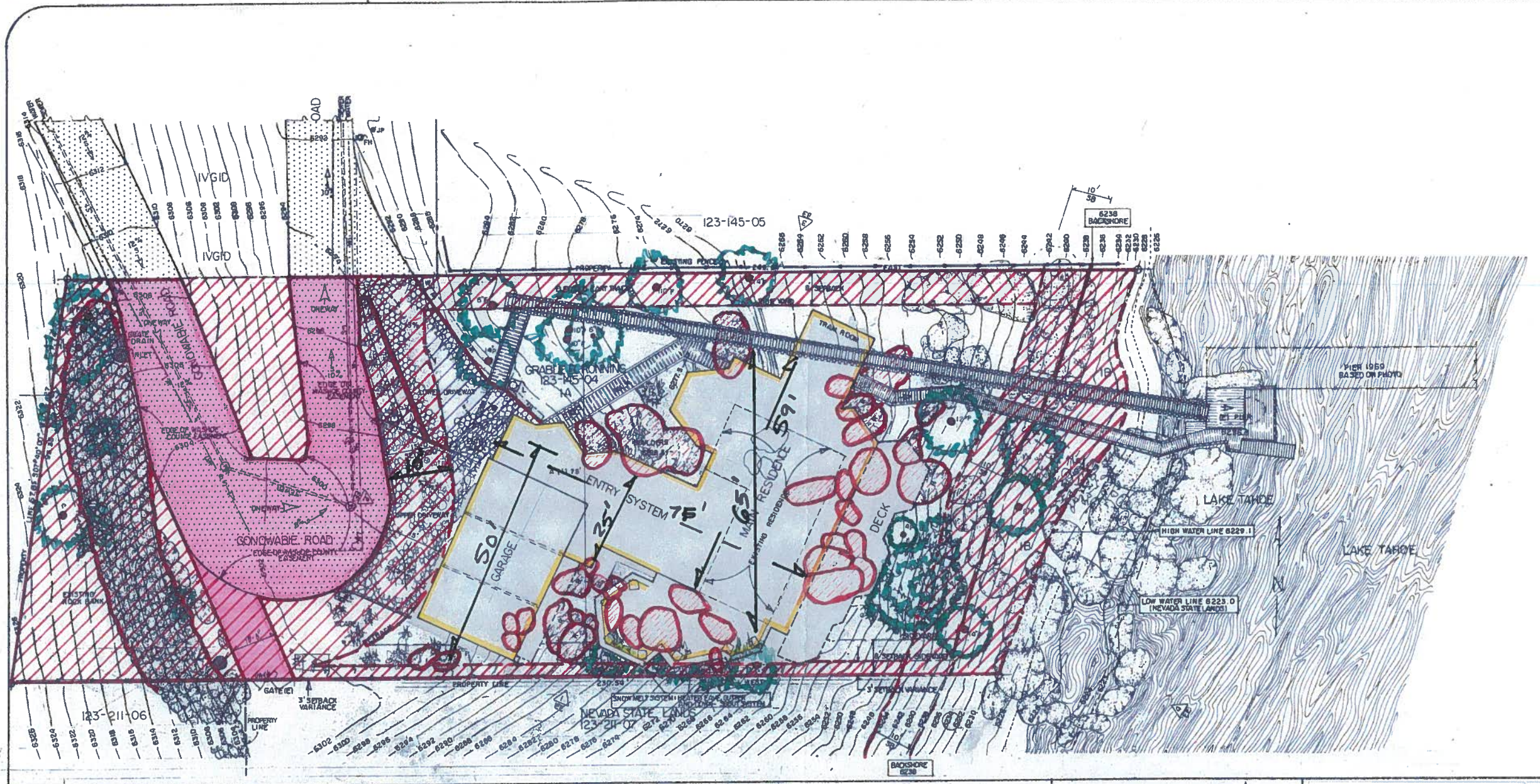
Roger D. Pelham, MPA, Senior Planner

*Submitted by applicant Item
BIA June 5, 2014 8B*



SITE PLAN 1/10"=1'-0" EXTERIOR ELEVATION VIEW	VARIANCE APPROVAL FINDINGS:	SITE DATA	WASHOE COUNTY DEVELOPMENT CODE
<p>WASHOE COUNTY DEVELOPMENT CODE SECTION 110.804.25 FINDINGS.</p> <p>(a) Special Circumstances. Because of the special circumstances applicable to the property, including either the:</p> <ol style="list-style-type: none"> (1) Exceptional narrowness, shallowness or shape of the specific piece of property, or (2) By reason of exceptional topographic conditions, or (3) Other extraordinary and exceptional situation or condition of the property and or location of surroundings. <p>THE STRICT APPLICATION OF THE REGULATION RESULTS IN EXCEPTIONAL AND UNDUHARDSHIPS UPON THE OWNER OF THE PROPERTY;</p> <p>(b) No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;</p> <p>(c) No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated; and</p> <p>(d) Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.</p> <p>(e) Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation</p>	<p>A. FINDINGS FOR UNDUHARDSHIP FOR VARIANCE: VA1400-4</p> <ol style="list-style-type: none"> (1) Shallowness: MDS 80' width / Parcel due to boulder field, trees (scenic parcel) and historic tram is reduced to 75'-78' Shape: 'Z' area due to boulder field (2) Topographic conditions: Existing cuts around boulders have to be used to meet TRPA findings Code Section 30.4.5 Relocation of existing land coverage Slope of parcel (Natural) 20-54% (3) Extraordinary and exceptional condition: Gonowabie Road Easement 6/06/2013 Nevada State Lands Easement Pending ROCK BANK Crystal Bay Phase IB & IIA - EIP PROJECT WASHOE COUNTY 2009 NO BUILDING <p>Project, Easement for road Reduced Building Area of parcel by 50%</p> <p>SAFETY</p> <p>(4) Garage: Location, safest for visibility when backing a car out of garage on to Gonowabie Road Location, best for driveway transition to Gonowabie Road surface PARKING: Location provides 3 Covered, Enclosed Spaces / 3 On Site Spaces</p> <p>(5) Historic Tram / Lake access / Pier access Cannot Be Moved: This sets a building area width at the Main Residence to 60 FEET WIDTH (MDS = 80 FEET)</p>	<p>RESIDENCE BUILT IN 1999 SERVICE ADDRESS 400 GONOWABIE ROAD CRYSTAL BAY, NV. ASSESSORS PARCEL NUMBER 123-145-04 WASHOE COUNTY, NV. LEGAL: LOT 4, BLOCK 2, CRYSTAL BAY PARK SUB (UNOFFICIAL) ZONING WASHOE COUNTY M03 = MD, DER. SUBR. T.R.P.A. PLAN AREA 034 LAND CAPABILITY 1A To = 20-30% R/F = 30-45% 1B SINGLE FAMILY RESIDENCE</p> <p>KEY</p> <p>EASEMENT GONOWABIE ROAD SEE SHIT 5 - PARCEL AREA NOT ABLE TO BUILD ON DUE TO: 1. COUNTY ROAD CUT/RIP-RAP 2. EXISTING DRIVEWAY 3. SET BACKS</p> <p>BOULDERS BUILT-ON, OVER OR AROUND</p> <p>TREES AND VEGETATION</p> <p>GARAGE AND RESIDENCE PROPOSED</p>	<p>Section 110.406.10 T.R.P.A Standards. Requirements for development occurring in the Tahoe area including, but not limited to, Building Placement Standards shall be the Most Restrictive of Tahoe Regional Planning Agency standards and Washoe County standards.</p> <p>(2) TR PA 30.4.5 Relocation of T.R.P.A.-Verified Existing Coverage</p> <p>A. The relocation is to an equal or superior portion of the parcel or project area, as determined by reference to the following factors:</p> <ol style="list-style-type: none"> 1. Whether the area of relocation already has been disturbed; 2. The slope of and natural vegetation on the area of relocation 3. The fragility of the soil on the area of relocation 4. Whether the area of relocation appropriately fits the scheme of use of the property; 5. SEZ (NA) 6. The project otherwise complies with the land coverage mitigation program set forth in section 30.5.3 <p>B. The area from which the land coverage was removed for relocation is restored in accordance with sub-section 30.5.3</p> <p>C. (NA) Relocation 1A To 1A</p> <p>D. (NA) SEZ.</p>
<p>SINGLE FAMILY RESIDENCE SITE: 400 GONOWABIE ROAD CRYSTAL BAY, NEVADA, APN 123-145-04 WASHOE COUNTY LEGAL: CRYSTAL BAY PARK UNOFFICIAL SUB L4 BLK 12 OWNER: GRABLE B. RONNING TRUSTEE P.O. BOX 7804 INCLINE VILLAGE, NEVADA 89450</p>	<p>Wayne W. Ford REGISTERED RESIDENTIAL DESIGNER M.I.B.M. STATE OF NEVADA</p>	<p>RESIDENTIAL DESIGN</p> <p>WAYNE FORD RESIDENTIAL DESIGNER, 4778 INCLINE VILLAGE, NEVADA 89450. (775) 782-2695</p>	<p>SITE PLAN PROPOSED SCALE 1/10"=1'-0"</p>

from applicant
VA14-004



SITE PLAN 1/10" = 1'-0" EXTERIOR ELEVATION VIEW	VARIANCE APPROVAL FINDINGS:	SITE DATA	WASHOE COUNTY DEVELOPMENT CODE
<p>WASHOE COUNTY DEVELOPMENT CODE SECTION 110.804.25 FINDINGS.</p> <p>(a) Special Circumstances. Because of the special circumstances applicable to the property, including either the:</p> <ol style="list-style-type: none"> (1) Exceptional narrowness, shallowness or shape of the specific piece of property, or (2) By reason of exceptional topographic conditions, or (3) Other extraordinary and exceptional situation or condition of the property and or location of surroundings, <p>THE STRICT APPLICATION OF THE REGULATION RESULTS IN EXCEPTIONAL AND UNDUHARDSHIPS UPON THE OWNER OF THE PROPERTY;</p> <p>(b) No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;</p> <p>(c) No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated; and</p> <p>(d) Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.</p> <p>(e) Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation</p>	<p>A. FINDINGS FOR UNDUHARDSHIP FOR VARIANCE: VAI400-4</p> <ol style="list-style-type: none"> (1) Shallowness: MDS 80' width / Parcel due to boulder field, trees (scenic parcel) and historic tram is reduced to 75'-78' Shape 'Z' area due to boulder field (2) Topographic conditions: Existing cuts around boulders have to be used to meet TRPA findings Code Section 30.4.5 Relocation of existing land coverage Slope of parcel (Natural) 20 - 54% (3) Extraordinary and exceptional condition: Gonowabie Road Easement 6/06/2013 Nevada State Lands Easement Pending ROCK BANK: Crystal Bay Phase IB & IIA - EIP PROJECT WASHOE COUNTY 2009 Project, Easement for road Reduced Building Area of parcel by 50% <p>SAFETY</p> <p>(4) Garage: Location, safest for visibility when backing a car out of garage on to Gonowabie Road Location, best for driveway transition to Gonowabie Road surface PARKING: Location provides 3 Covered, Enclosed Spaces / 3 On Site Spaces</p> <p>(5) Historic Tram / Lake access / Pier access Cannot Be Moved: This sets a building area width of the Main Residence to 60 FEET WIDTH (MDS = 80 FEET)</p>	<p>RESIDENCE BUILT IN 1999 SERVICE ADDRESS 400 GONOWABIE ROAD CRYSTAL BAY, NV. ASSESSOR'S PARCEL NUMBER 123-145-04 WASHOE COUNTY, NV. LEGAL: LOT 4, BLOCK 12 CRYSTAL BAY PARK SUB (UNOFFICIAL) ZONING WASHOE COUNTY MDS + MD, DER. SUBA. T.R.P.A. PLAN AREA 034 LAND CAPABILITY (A To = 20-30% RPE = 30-50%, B) SINGLE FAMILY RESIDENCE</p> <p>KEY</p> <p>EASEMENT GONOWABIE ROAD SEE SHY 5 = [Symbol] PARCEL AREA NOT ABLE TO BUILD ON DUE TO: 1. COUNTY ROAD CUT/RIP-RAP 2. EXISTING DRIVEWAY 3. SET BACKS [Symbol]</p> <p>BOULDERS BUILT-ON, OVER OR AROUND [Symbol]</p> <p>TREES AND VEGETATION [Symbol]</p> <p>GARAGE AND RESIDENCE PROPOSED [Symbol]</p>	<p>Section 110.406.10 T.R.P.A Standards, Requirements for development occurring in the Tahoe area including, but not limited to, Building Placement Standards shall be the Most Restrictive of Tahoe Regional Planning Agency standards and Washoe County standards.</p> <p>(2) T.R.P.A 30.4.5. Relocation of T.R.P.A-Verified Existing Coverage</p> <p>A. The relocation is to an equal or superior portion of the parcel or project area, as determined by reference to the following factors:</p> <ol style="list-style-type: none"> 1. Whether the area of relocation already has been disturbed; 2. The slope of and natural vegetation on the area of relocation 3. The fragility of the soil on the area of relocation 4. Whether the area of relocation appropriately fits the scheme of use of the property; 5. SEZ (NA) 6. The project otherwise complies with the land coverage mitigation program set forth in section 30.6 <p>B. The area from which the land coverage was removed for relocation is restored in accordance with subsection 30.5.3</p> <p>C. (NA) Relocation IA To IA</p> <p>D. (NA) SEZ</p>
<p>SINGLE FAMILY RESIDENCE SITE: 400 GONOWABIE ROAD CRYSTAL BAY, NEVADA. APN: 123-145-04 WASHOE COUNTY LEGAL: CRYSTAL BAY PARK UNOFFICIAL SUB L4, BLK 12 OWNER: GRABLE B. RONNING TRUSTEE P.O. BOX 7804 INCLINE VILLAGE, NEVADA 89450</p>	<p>Wayne W. Ford REGISTERED RESIDENTIAL DESIGNER M.D.M. LICENSE # 891-P STATE OF NEVADA</p>	<p>RESIDENTIAL DESIGN WAYNE FORD RESIDENTIAL DESIGNER, NEVADA LIC # 891-P P.O. BOX 4778 INCLINE VILLAGE, NEVADA 89450. (775) 722-2205</p>	<p>SITE PLAN PROPOSED SCALE 1/10" = 1'-0"</p>

Gutterglove IceBreaker

Consists of three components, a perforated aluminum channel, type 316 stainless steel mesh, and the Nuheat heated cable system for melting ice. The stainless steel mesh is glued into grooves along both sides of each 5 foot aluminum channel section. It installs on any existing gutter.

Gutterglove's specifications were designed so that it simply slips under the roof shingles and fits snugly to the front lip of your gutter. Gutterglove should be installed at the same pitch as the roof (up to 5/12) to get the best performance of debris shedding off. However, it's not necessary to install Gutterglove at greater than a 30 degree pitch.

Winter Features

Melts icicles and ice dams.

Heat cable installs in front.

Heat radiates throughout aluminum support frame.

Heat radiates downward creating a warm micro-climate to melt ice inside gutter.

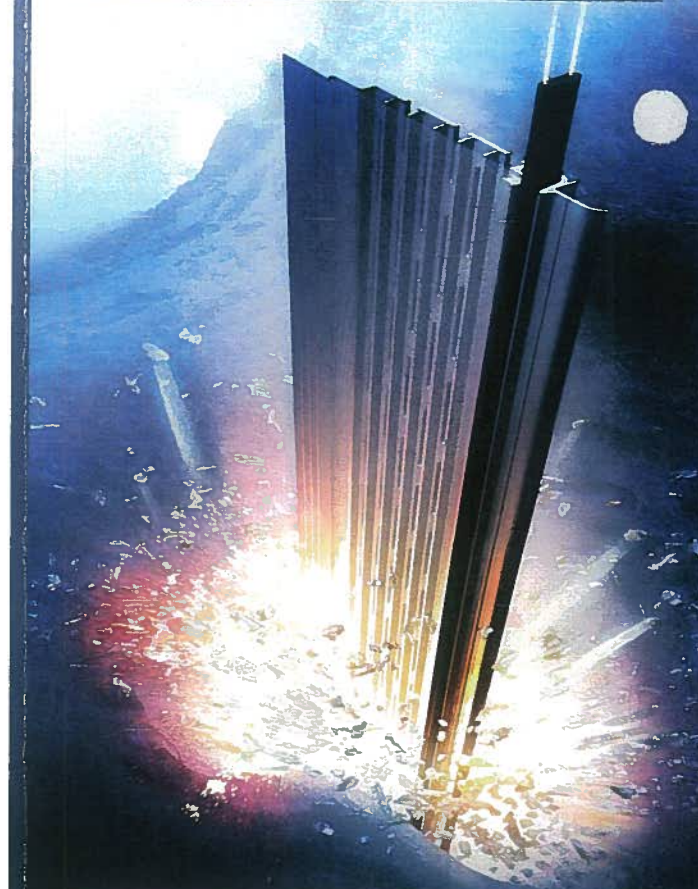
Summer Features

After all the ice melts off and spring sets in, the fine stainless steel mesh filters out leaves, pine needles and roof sand grit from your gutter.

Only rainwater filters through your gutter.

Anodized aluminum frame supports the mesh and channels rainwater to the gutter.

Installs on existing gutters.



Gutterglove of Nevada County

PO Box 172 Nevada City CA 95959 CSL # 965981

530-263-1944

email: 1KJO@COMCAST.NET

GutterGloveNevadaCounty.com

Gutterglove icebreaker™



melts ice and snow
on/in your gutter

HEATED

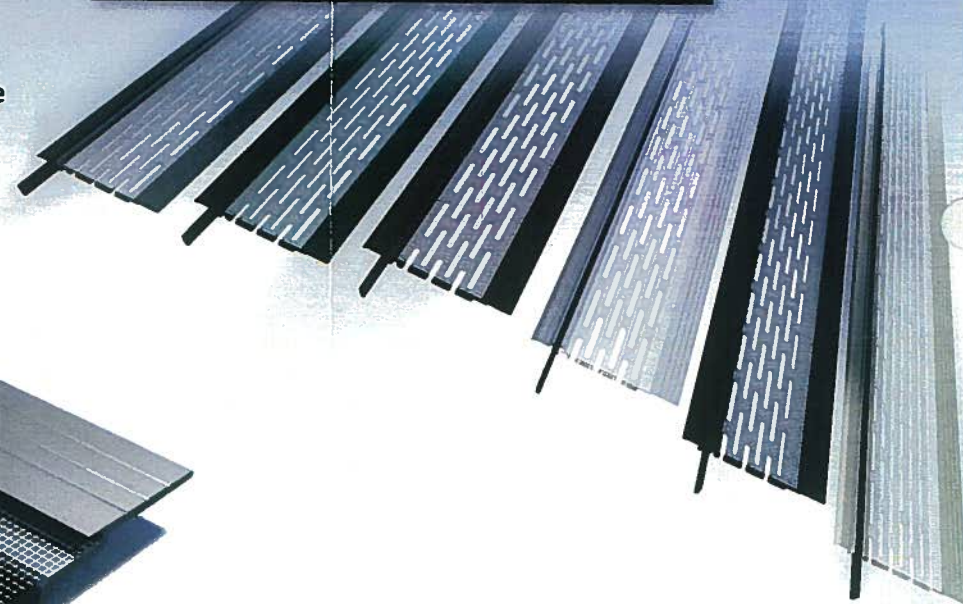
Gutter Protection

Aluminium Frame
Super-strong support frame
that comes in a variety of colors.

Micro-Mesh
Made from extremely durable
Type 316 stainless steel
micro-mesh.

Heated Cable
Warms the gutter guard and gutter
to melt the snow and ice.

Snow-Melt Deflector
Keeps melted snow from running
over the edge and forming slippery
conditions on the ground.



gray | green | brown | white | black | beige

COLOR OPTIONS

Comes painted in several
colors to match your gutter
and trim!

www.GutterGloveIceBreaker.com

DeLozier, Sara

From: Lawrence, Lee
Sent: Thursday, June 05, 2014 9:33 AM
To: DeLozier, Sara
Subject: FW: Forwarding this for your review and distribution if necessary.

From: manleypottery@aol.com [manleypottery@aol.com]
Sent: Wednesday, June 04, 2014 9:20 AM
To: Lawrence, Lee
Subject:

I.am.all for the cell tower and so is are all the younger up.and comming people raising kids out here now. I know there are a lot of old timers that want it the way it was out here but they can always move to Virginia city.

From my HTC Sensation 4G on T-Mobile. The first nationwide 4G network

DeLozier, Sara

From: Lawrence, Lee
Sent: Thursday, June 05, 2014 10:10 AM
To: Fagan, Donna
Cc: DeLozier, Sara
Subject: Emails I've received regarding the cell tower in Washoe City

Hi Donna: As a member of the Board of Adjustment I've received a few emails addressed only to me and I'm not sure if the other BOA members have received them. What I'd like to do is to forward them to you for your review and distribution to other BOA members and support staff if indeed they have not received them.

Than you for your help in this effort,
Lee Lawrence, Board of Adjustment

DeLozier, Sara

From: Lawrence, Lee
Sent: Thursday, June 05, 2014 10:18 AM
To: Fagan, Donna
Cc: DeLozier, Sara
Subject: FW: Verizon cell tower

Hi again Donna, I'm not sure if the other BOA members have received this, but if they haven't please forward it to them and other support staff.

Thanks again,
Lee Lawrence, BOA

From: karenandchris@charter.net [karenandchris@charter.net]
Sent: Tuesday, June 03, 2014 8:29 PM
To: Lawrence, Lee
Subject: Verizon cell tower

My name is Karen Critor and I have lived in Washoe Valley for 27 years. I am also a board member of Washoe Valley Alliance. Our mission is to preserve and protect the unique qualities of Washoe Valley through stewardship and education. I am here today to share some information about the wildlife of Washoe Valley.

Nearly \$50 million dollars has been invested in the preservation of Washoe Valley. The scenic, recreational, economic, and educational value of this valley is beyond measure. The valley is home to Washoe Lake State Park; Washoe County Parks including Davis Creek, Bowers Mansion, and Wilson Commons; Scripps Wildlife Management Area; South Washoe Valley wetlands; and the Washoe Valley Scenic Byway.

Washoe Valley is valued for its scenic beauty, its rural character and abundant wildlife. The wildlife include mule deer, coyotes, bear, rabbits, bobcats and mountain lions. As many as 215 different bird species have been recorded in Washoe Valley including mountain quail, hawks and bald eagles. Washoe Valley is part of the Pacific Flyway which provides necessary habitat for migratory birds. International agreements exist for the protection of these important environments. Washoe Lake, Little Washoe and Scripps Wildlife Management Area are recognized by the Nevada Important Bird Area Program as supporting species of birds that are identified as high conservation priorities, such as the Snowy Egret and the White-faced Ibis. Goal 20 of the South Valley's Area Plan states: "Public and private development will respect the value of wildlife and wildlife habitat to the community". Paragraph 20.2 continues: "Any development that has the potential to negatively impact an established wildlife migration route or critical habitat, including but not limited to traditional mule deer migration routes and the Pacific Flyway for migratory birds and their associated habitat must demonstrate how that project will protect the integrity of the migration route or habitat."

The construction of a 100' lattice tower in an international flyway next to a wildlife management area is not consistent with Washoe County's goals and policies to protect wildlife and habitat and is detrimental to the environment. For this reason, we ask that this application be denied.

DeLozier, Sara

From: Lawrence, Lee
Sent: Thursday, June 05, 2014 10:22 AM
To: Fagan, Donna
Cc: DeLozier, Sara
Subject: FW: Verizon Tower Application #SB14-002

Donna: Please forward to the other BOA members and support staff if they have not received the email below.
Thanks again, Lee Lawrence BOA

From: Carol & Jack Christensen [follynv1@ix.netcom.com]
Sent: Wednesday, June 04, 2014 2:21 PM
To: Lawrence, Lee
Subject: Verizon Tower Application #SB14-002

Board of Adjustment

Member Lee Lawrence,

I urge the Board to deny the Verizon Tower application.

I notice in the list of Reviewing Agencies that none of the following agencies were included in the Review and Evaluation process, Nevada Department of Wildlife, Washoe Lake State Park, the Bureau of Land Management. Yet the Verizon Tower overlooks Washoe Lake State Park, NDOW's Scripps Wildlife Management Area, the surrounding wetlands at BLM owned Winters Ranch, and the southern Washoe Lake wetlands.

Washoe Valley is part of the Pacific Flyway, meaning it is of international importance to the survival of migrating birds. Location of the proposed Verizon Tower puts it in a direct north/south line to Washoe Lakes, Scripps Wildlife Management Area, and the wetlands at Winters Ranch and the southern portion of Washoe Lake. According to guidelines issued by the US Department of Fish and Wildlife regarding the Migratory Bird Program, "Towers should not be sited in or near wetlands, other known bird concentration areas (e.g., state or Federal refuges, staging areas, rookeries), in known migratory or daily movement flyways, or in habitat of threatened or endangered species."

It is incomprehensible to me that a more appropriate location cannot be found for this communications tower. And it appears that no effort has been made to do so.

Please deny the Verizon Tower application.

Sincerely,

Carol and Jack Christensen
2155 Lakeshore Drive
Washoe Valley, NV

DeLozier, Sara

From: Lawrence, Lee
Sent: Thursday, June 05, 2014 10:24 AM
To: Fagan, Donna
Cc: DeLozier, Sara
Subject: FW: VA 1400-4 3' side yard setback on southern boundary

Donna: Please forward if other members of the BOA and support staff have not received the email below.
Thanks again, Lee Lawrence, BOA

From: G [snowylake@charter.net]
Sent: Wednesday, June 04, 2014 7:49 PM
To: Lawrence, Lee
Subject: FW: VA 1400-4 3' side yard setback on southern boundary

Hi again Mr. Lawrence:

I apologize for an error in number 7 below...the first sentence should have read like this:

7. With a 3' side yard setback on my "southern boundary," the positioning of my garage is perfect. (below I said "northern boundary" and that is a mistake). I noticed this after I sent my letter to you and didn't want to confuse you with that error. Hope this helps!

Grable

From: G [mailto:snowylake@charter.net]
Sent: Wednesday, June 04, 2014 1:39 PM
To: 'llawrence@washoecounty.us'
Subject: RE: VA 1400-4 3' side yard setback on southern boundary

Attention: [Mr. Lee Lawrence](#)
Washoe County Board of Adjustment
May 5, 2014, Hearing

Dear [Mr. Lawrence](#):

My name is Grable Ronning. I have lived in Incline Village/Crystal Bay as a full time resident for the past 35 years. I raised my family here. Both of my children returned to the Lake after completing College, and I now have the distinct pleasure of looking after the third generation.

I purchased 400 Gonowabie Road, a small 1944 cabin, 21 years ago in 1993. Over the years my family and I have thoroughly enjoyed the cabin. Now, as the cabin is beginning require more and more work, we are looking forward to building something a little larger to accommodate our growing family.

Crystal Bay was originally settled much earlier than Incline Village, and has been ripe with redevelopment since I originally bought my home. I have received many County Variance Notices over the years as my neighbors along Gonowabie Road have either substantially remodeled and enlarged their homes, or torn down their older cabins to rebuild something new. In fact it is my understanding that over 90% of the properties along Gonowabie have Variances of one kind or another. This is because the property in our area is steep, the one way road is steep and narrow and some properties have boulders or old growth trees that owners are attempting to avoid during the building process. TRPA, of course, imposes building restrictions and constraints in addition to the difficult physical aspects of the properties on our Road.

I can honestly say that my property has an extra helping of restrictions and constraints that make it difficult to build. Please allow me to explain:

1. First and foremost I know of no other property in Incline Village or Crystal Bay that has a 30' high rock ripped rapped bank, bordering a large hairpin turn that is located (by mistake) on their property. This hairpin turn definitely jumps right off the page on the site plan!
2. Along our road, some people have a large boulder or two on their property and some down by the lake. I have a large outcropping of gigantic boulders, some of which are stacked on top of each other, right in the center of my property. More very large boulders exist along both sides of my home, and many more, both large and small are located in the back of my home and along the lake.
3. Except for the lower asphalted driveway where Staff took their picture, my property is extremely steep, more so than some of the others along our road. Even the top part of my driveway, which isn't in the picture, is relatively steep and difficult to navigate.
4. In order to minimize disturbance to the environment, TRPA prefers that my new home be built in the same location as the original home.
5. I have an old, historic tram that I'd like to keep to help me access the lake as I get older. In order to avoid some of the larger boulders down by the water, the tram was built on a fairly severe diagonal cutting across my property near the north side of my home. The tram is like a barrier, restricting utilization of my property over to the 8' side yard setback to the north. This is okay with me as I'd like to leave as much room as possible in between my home and my neighbor, Mr. Livoni. Instead, it made far more sense to request a 3' side yard setback Variance on my southern boundary as Nevada State Lands' property will remain open space. From a planning perspective, this provides at least one home in our area that is properly separated from the adjacent neighboring home.
6. Please keep in mind that because my garage and home are not parallel to my property lines, just a small corner of my garage and bedroom will be within the side setback, rather than the entire side of my garage and home. Mr. Donahue, the Acting Administrator of Nevada Division of State Lands, sent my lawyer, Karen Dennison, Esq., a letter stating that State Lands will not oppose my 3' side yard setback Variance request that is before your Board. After speaking with Mr. Wayne Ford, my Planner and Designer, Mr. Donahue said that he is comfortable that we will meet their conditions to utilize BMP's, to not disturb their property during the construction and to prevent snow melt from falling onto their property after construction is finished. I'm told a copy of Mr. Donahue's email from State Lands is within your packet.
7. With a 3' side yard setback on my northern boundary, the positioning of my garage is perfect. It is at the same angle as my home, and it allows me to be able to back out safely and see the cars as they come down our one way road. Without the Variance, I may back into the center island of the hairpin turn. Many garages along Gonowabie Road with a 0' front setback, back out blindly onto the road. I'm grateful my Designer, Mr. Ford, came up with a better solution.

I appreciate your time and consideration of this rather complex project. Please don't hesitate to get back to me with any questions or concerns. Thank you!

Sincerely,

Grable B Ronning
400 Gonowabie Road, Crystal Bay, NV 89450
snowylake@charter.net
(775) 832-2270