



Board of Adjustment Staff Report

Meeting Date: August 5, 2021

Agenda Item: 9B

AMENDMENT OF CONDITIONS CASE NUMBER: WAC21-0004 (Greenview Garages)

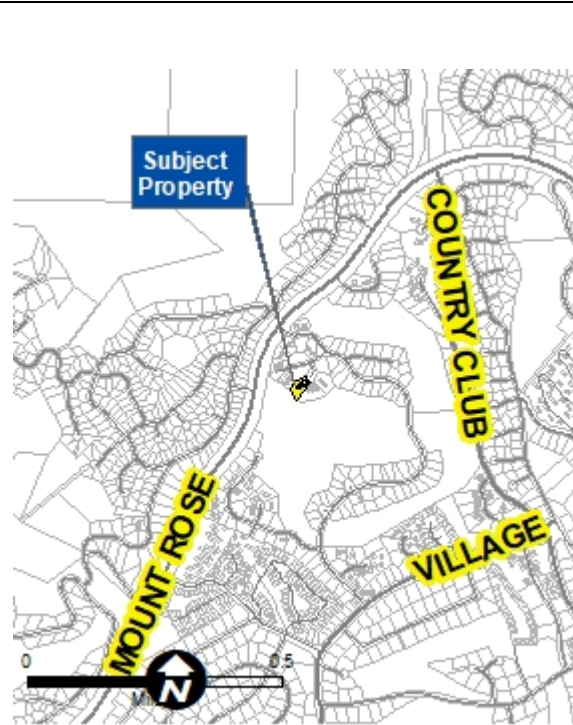
BRIEF SUMMARY OF REQUEST: To extend the approval of Variance Permit Case Number WPVAR19-0001 for two additional years, until June 4, 2023

STAFF PLANNER:	Planner's Name:	Julee Olander
	Phone Number:	775.328.3627
	E-mail:	jolander@washoecounty.us

CASE DESCRIPTION

For hearing, discussion, and possible action to approve an amendment of conditions for the Greenview Homeowners Association (HOA), Case Number WPVAR19-0001 to extend the approval for two additional years, until June 4, 2023. The original approval was to reduce the required front and side yard setback at 692 Palmer Court, Incline Village to allow for the construction of two car garages, a 2-car garage and a 1-car garage

Applicant:	Greenview HOA
Property Owner:	Malinowski Family Living Trust
Location:	692 Palmer Ct.
APN:	128-310-05
Parcel Size:	4,356 sq. ft.
Master Plan:	Residential
Regulatory Zone:	Incline Village #3
Area Plan:	Tahoe
Citizen Advisory Board:	Incline Village/Crystal Bay
Development Code:	Authorized in Article 804 (Variances)
Commission District:	1 – Commissioner Hill



Vicinity Map

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Amendment of Conditions Case Number WAC21-0004 for Greenview HOA with the conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.110.804.25

(Motion with Findings on Page 6)

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Amendment of Conditions

An amendment of conditions application is necessary in order to change a condition(s) of an approved discretionary permit, such as a special use permit, a variance, an abandonment of an easement or a tentative subdivision map. Some examples of why an amendment of conditions application is submitted are listed below:

- Change in operating hours
- Physical expansion
- Extend the expiration date of the discretionary permit
- Extend the time to complete phases of the approved project

The amendment of conditions request is required to be heard by the same board that approved the original application and only the specific amendment may be discussed and considered for approval. The amendment of conditions application is processed in the same manner as the original discretionary permit application, including a public hearing, noticing, possible involvement of a citizen advisory board, agency review and analysis, and satisfying the required findings. If the Board of Adjustment grants an approval of the amendment of conditions request, an amended Action Order is created along with amended conditions of approval.

The subject property has a regulatory zone of Low Density Urban (LDU) and the setbacks are 15-feet for the front yard setback, 10-feet for the rear yard setback and 5-feet for the side yard setback.

The conditions of approval for Amendment of Conditions Case Number WAC21-0004 is attached to this staff report and will be included with the amended action order.



Site Plan

Background and Evaluation of Amendment Request

The Washoe County Board of Adjustment (BOA) denied the proposed variance on March 7, 2019, the BOA was unable to make the second and third finding for approval of the variance request. The item was appealed to the Board of County Commissioners and approved on May 28, 2019.

The variance permit request was to reduce the front yard setback from 15-feet to 1 ½-feet and the northwest side yard setback from 5-feet to 1-foot. This variance would allow the construction of one single car garage and one two-car garage in the common area. The staff report for WVAR19-0001 is attached as Exhibit B, for further information on the variance request.

The applicant is currently requesting an extension of two years (June 4, 2023), to continue to secure all agency approvals, including the Tahoe Regional Agency project application. The only change to the conditions of approval is the extension of two years to submit construction plans for the garages. (see Exhibit A). No other changes were requested by any other reviewing agencies.

Nevada State Lands has submitted a letter requesting to deny the extension and are opposed to any variance to the setbacks. They also requested a denial to WVAR19-0001 for the same reason.

The BOA is asked to determine if the request to extend the life of the approved variance is appropriate. It is not within the Board's purview to re-litigate the approval of WVAR19-0001, which was approved on appeal by the Board of County Commissioners on May 28, 2019.

Reviewing Agencies

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

Agency	Sent to Review	Responded	Provided Conditions	Contact
Washoe County Building & Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Walt West, wwest@washoecounty.us
Nevada State Lands	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sherri Barker, sbarker@lands.nv.gov
WCHD – Air Quality	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Genine Rosa, grosa@washocounty.us
North Lake Tahoe Fire Protection District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jennifer Donohue, jdonohue@nltfpd.net
RTC Washoe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe Storey Conservation District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Incline Village GID	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tim Buxton, tim_buxton@ivgid.org

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the Amendment of Conditions request. Therefore, after a thorough review and analysis, Amendment of Conditions Case Number WAC21-0004 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Amendment of Conditions Case Number WAC21-0004 for Greenview HOA with the conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110. 110.804.25:

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;
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;
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;
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;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Appeal Process

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

Applicant: Greenview HOA
Email: jh1nsa@gmail.com

Representatives: Kevin Agan
Email: kevin@aganconsulting.com



Amended Conditions of Approval

Amendment of Conditions Case Number WAC21-0004
For Greenview HOA Permit Case Number WPVAR19-0001

The project approved under Amendment of Conditions Case Number WAC21-0004 for Greenview HOA Permit Case Number WPVAR19-0001 shall be carried out in accordance with the Amended Conditions of Approval granted by the Board of Adjustment on August 5, 2021. Conditions of approval are requirements placed on a permit or development by each reviewing agency. These conditions of approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property.

Unless otherwise specified, all conditions related to the amendment of conditions approval regarding the WVAR19-0001 shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the amended conditions of approval related to the WVAR19-0001 is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the amended conditions imposed regarding the approved WVAR19-0001 may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the amended conditions of approval related to this WVAR19-0001 should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

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

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

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some “Conditions of Approval” are referred to as “Operational Conditions.” These conditions must be continually complied with for the life of the project or business.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

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

Washoe County Planning and Building Division

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

Contact Name – Julee Olander, 775.328.3627, jolander@washoecounty.us

- a. The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this approval.
- b. The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial building permits shall be issued on or before June 4, 2023. The applicant shall complete grading within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- c. All prior conditions of approval for this project that are not modified by this action and shall remain in full force and effect.

*** End of Amended Conditions ***



Board of Adjustment Staff Report

Meeting Date: March 7, 2019

Agenda Item: 8B

VARIANCE CASE NUMBER: WPVAR19-0001 (Greenview HOA Garages)

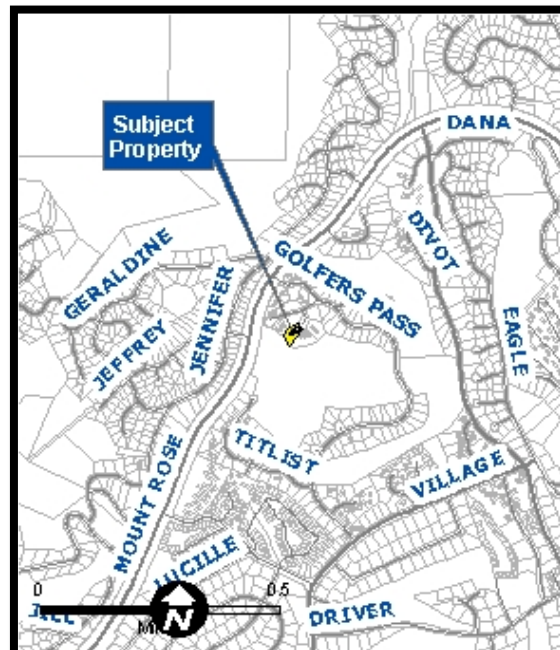
BRIEF SUMMARY OF REQUEST: A variance to reduce the required front and side yard setback at 692 Palmer Court, Incline Village to allow for the construction of two car garages, a 2-car garage and a 1-car garage.

STAFF PLANNER: Planner's Name: Julee Olander
Phone Number: 775.328.36274
E-mail: jolander@washoecounty.us

CASE DESCRIPTION

For possible action, hearing, and discussion to approve a variance to reduce the front yard setback from 15-feet to 1 1/2-feet and the northwest side yard setback from 5-feet to 1-foot. This variance would allow the construction of one single car garage and one two-car garage in the common area.

Applicant:	Greenview HOA
Property Owner:	Jean Venneman, John & Doreen Maria Hash, Tao Fung, and George & Nancy Learmonth
Location:	692 Palmer Ct.
APN:	128-310-05
Parcel Size:	4,356 sq. ft.
Master Plan:	Urban Residential (UR)
Regulatory Zone:	Low Density Urban (LDU)
Area Plan:	Tahoe
Citizen Advisory Board:	Incline Village/Crystal Bay
Development Code:	Authorized in Article 804 (Variances)
Commission District:	1 – Commissioner Berkbigler



STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Variance Case Number WPVAR19-0001 for Greenview HOA, with the Conditions of Approval included as Exhibit A for this matter, having made all four required findings in accordance with Washoe County Development Code Section 110.804.25.

(Motion with Findings on Page 12)

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Variance Definition

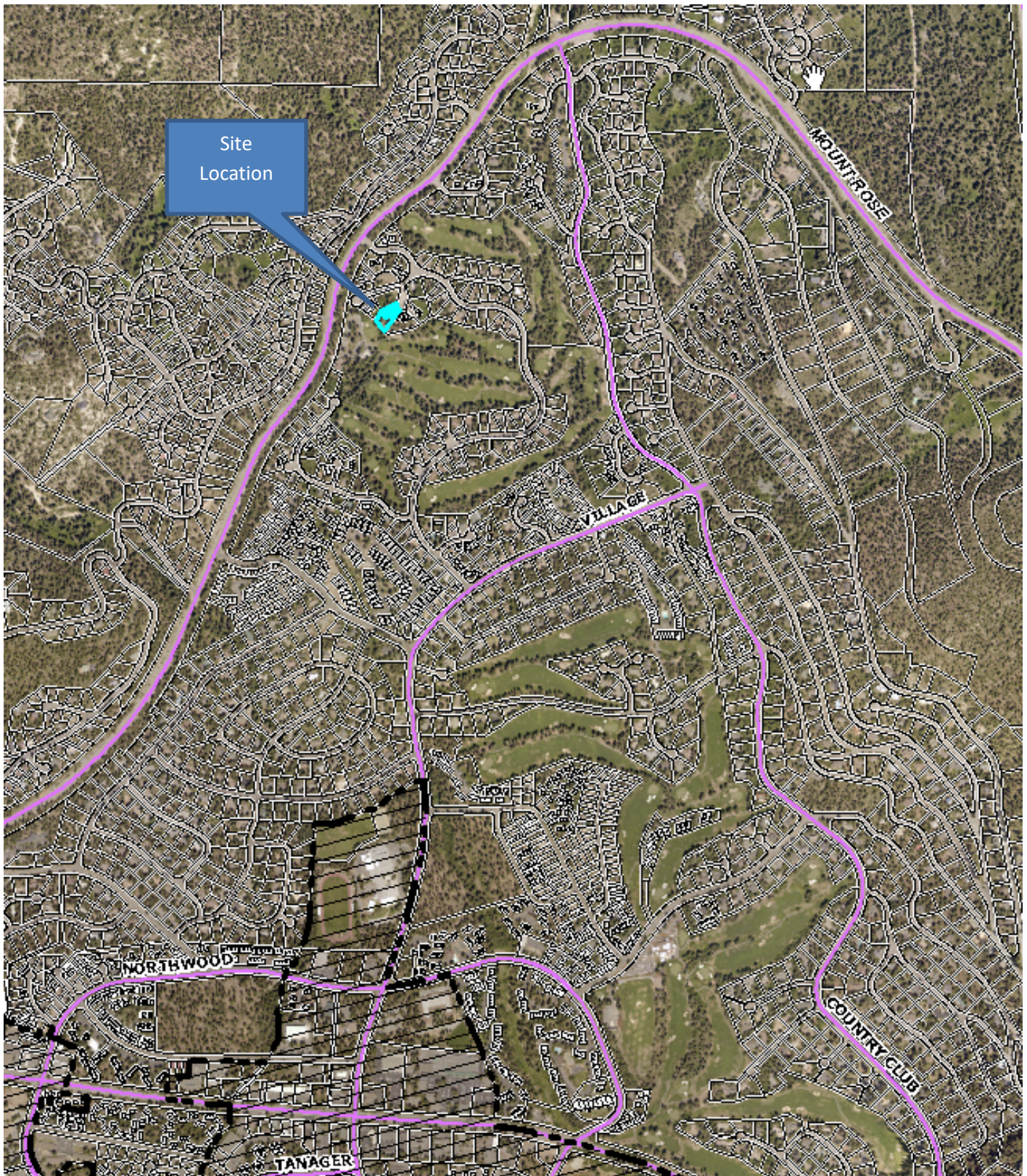
The purpose of a Variance is to provide a means of altering the requirements in specific instances where the strict application of those requirements would deprive a property of privileges enjoyed by other properties with the identical regulatory zone because of special features or constraints unique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

- Prior to permit issuance (i.e., a grading permit, a building permit, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure.
- Prior to the issuance of a business license or other permits/licenses.
- Some Conditions of Approval are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the business or project.

The Nevada Revised Statutes (NRS) 278.300(1)(c) empowers the Board to grant variances in certain situations.

The Conditions of Approval for Variance Case Number WPVAR19-0001 are attached to this staff report and, if granted approval, will be included with the Action Order.

The subject property has a regulatory zoning of Low Density Urban (LDU) and the setbacks are 15-feet for the front yard setback, 10-feet for the rear yard setback and 5-feet for the side yard setback.



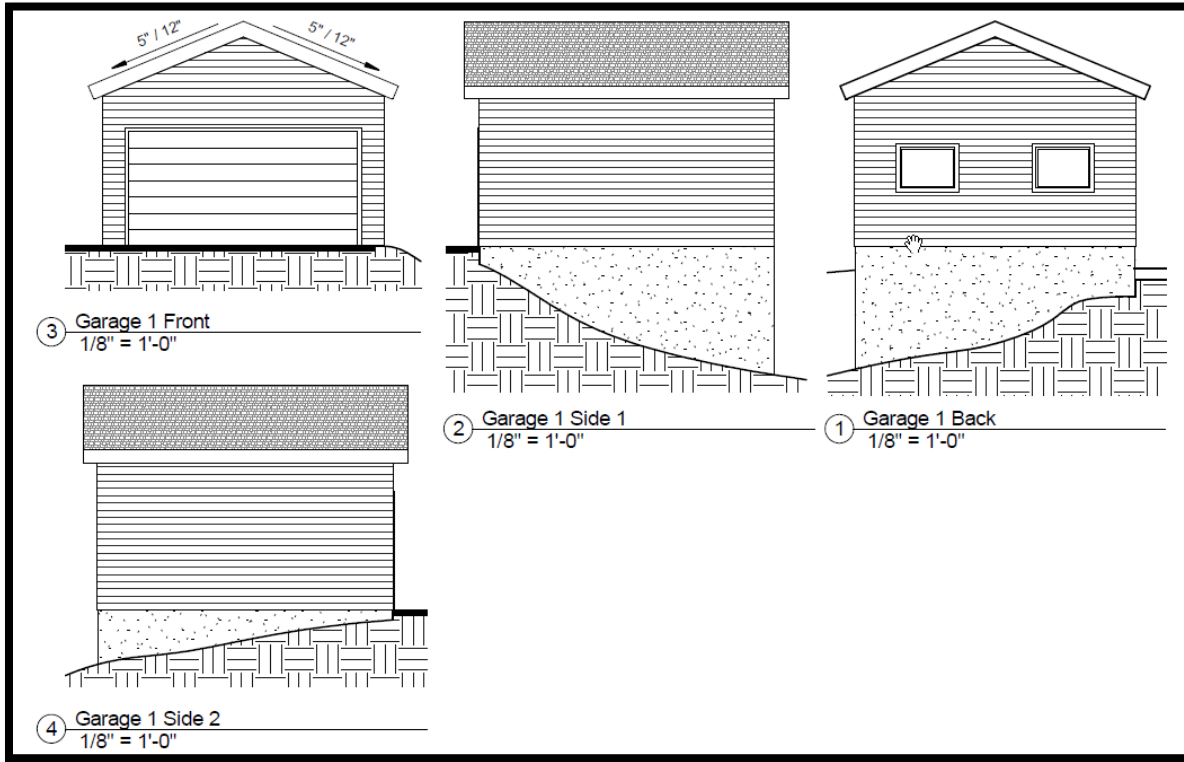
Vicinity Map



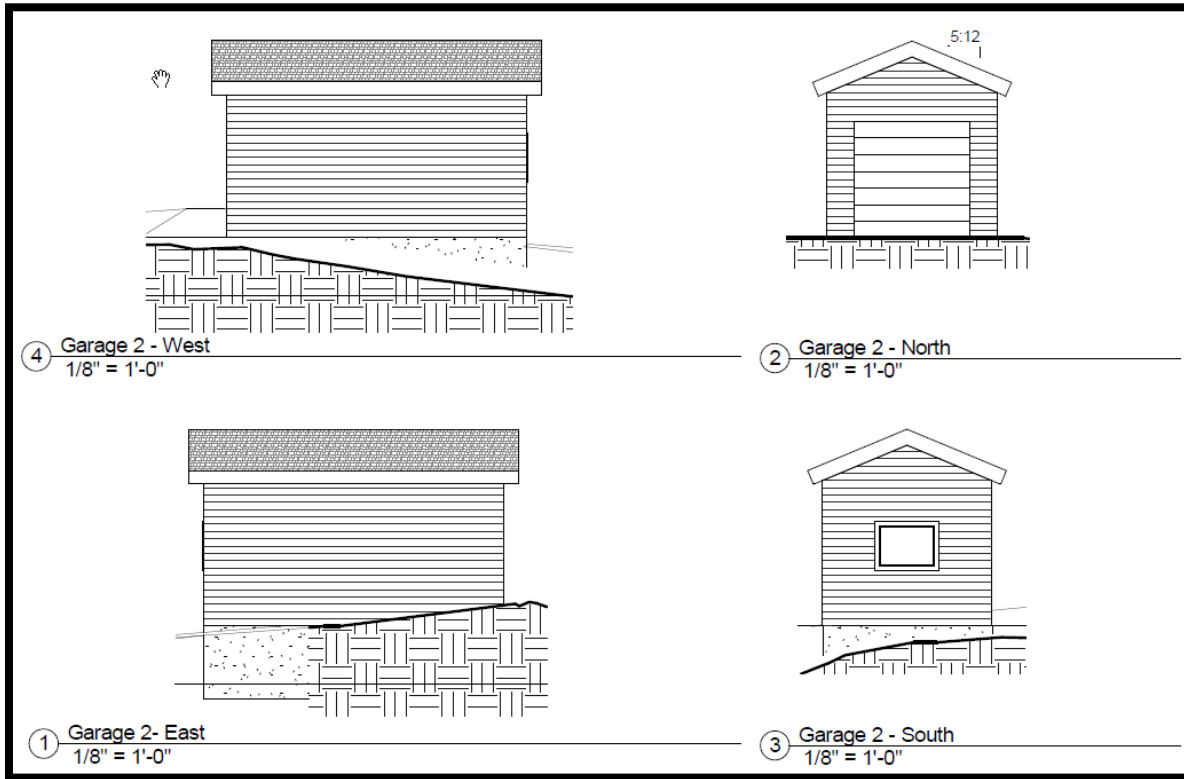
Arterial Site Plan



Construction Site Plan



Two-car Garage Elevations



One-car Garage Elevations

Project Evaluation

The 4,356 sq. ft. subject property has a regulatory zone of Low Density Urban (LDU), which requires a 15-foot front yard setback and a 5-foot side yard setback. The applicant had previously applied for a variance that was denied on August 3, 2017 by the Board of Adjustment (BOA). The previous request was for two 2-car garages, the current application has changed one of the garages to a 1-car garage. The current request reduces the front yard setback from 15-feet to 1 ½-feet and for the 2-car garage on the northwest to reduce the side yard setback from 5-feet to 1-foot. The applicant is not requesting to reduce the side yard setback on the east and west side, as was previously requested.

Greenview is a 4 unit condominium that was built in 1979 on a cul-de-sac and garages were not required for single family residences, as the code now requires. The Incline Village golf course abuts the rear of the property on the south, a 4 unit condominium development, an undeveloped parcel owned by the State of Nevada on the west side of the property, and another 3 unit condominium on the east side.

The property is wedge shaped with the narrowest part being located in the front along the cul-de-sac. There is an open space easement across the rear of the property and a sewer easement that crosses the rear of the property just below the condominium units. The shape of the lot and the location of the structures restrict access to the rear of the property and the open space easement prohibits construction in the rear yard. Also, the property is on a slope and there is a steep drop-off on the western side of the property that inhibits building. The shape and slope of the property limits the possible location of garage spaces and the only viable location for garages is within the front yard setback directly off the public street.

Currently, all parking is on the public street with a parking area adjacent to unit 1, where the 2-car garage is proposed to be located. The residential parking in the public right-of-way can be a violation of County winter parking regulations from November 1st through May 1st, per Washoe County Code 70.425 (See Exhibit B). The applicant is proposing to relocate residential parking from the public right-of-way onto the property. The proposed garages would be built in the common area, which is owned by the Greenview Home Owner's Association (HOA) and the garages would be owned and maintained by the HOA. The HOA voted unanimously three years ago in favor of locating the garages in the common space.

The proposed location of the garages is very close to the property lines and to ensure that the garages will be located on the Greenview property a condition has been included in the conditions of approval that the front and both side property lines be surveyed and marked before construction begins.



Location for 2-car garage



Location of 1-car garage



Location of 2-car Garage (photo take in July 2017)



Location of 1-car Garage (photo take in July 2017)

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

The proposed project was scheduled to be presented at the Incline Village/Crystal Bay Citizen Advisory Board meeting on February 4, 2019; however the meeting was canceled due to weather issues. The CAB members were able to submit comments – See Exhibit F.

Reviewing Agencies

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

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

6 out of the 9 above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application (See Exhibit C). A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order, if the project is approved.

Staff Comment on Required Findings

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

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: *Staff Comment: The property is constrained by the wedge shape of the property, slope, easements in the rear of the property, and the surrounding properties, which will not allow access to the property by other means than by the front of the property which requires the variance to build the garages.*

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 construction of the garages will not create any detriment to the public and will remove vehicles from parking in the public right-of-way, which will allow snow removal equipment to work more efficiently in the area.

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 variance is for the front yard setback and the side yard setback that is adjacent to vacant land. Neighboring properties have garages.

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: Code currently required garages for residences and this will bring the property into closer conformance with the code.

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 are no military installations within the required noticing area; therefore the board is not required to make this finding.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Variance Case Number WPVAR19-0001 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Variance Case Number WPVAR19-0001 for Greenview HOA, with the Conditions of Approval included as Exhibit A for this matter, having made all five required findings in accordance with Washoe County Development Code Section 110.804.25:

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;
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;
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;
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;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Appeal Process

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

Applicant/Owner: Greenview HOA
 c/o John Hash
 692 Palmer Ct. #2
 Incline Village, NV 89450



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Planning and Building Division
Planning Program

1001 EAST 9TH STREET
 RENO, NEVADA 89512
 PHONE (775) 328-6100
 FAX (775) 328.6133

June 4, 2019

Nancy Parent, County Clerk
 Washoe County
 1001 East Ninth Street
 Reno, NV 89512

SUBJECT: Appeal Case WPVAR19-0001(Greenview HOA Garages)

Appeal of the Board of Adjustment's decision to deny Variance Case No. WPVA19-001, which requested a reduction of the required front yard setback from 15-feet to 1 ½-feet and the northwest side yard setback from 5-feet to 1-foot to allow for the construction of one single car garage and one two-car garage in the common area at 692 Palmer Ct. in Incline Village. The Board of County Commissioners may take action to confirm the Board of Adjustment's denial; reverse the Board of Adjustment's denial and issue the variance; or modify the variance's conditions and issue the variance.

Dear Ms. Parent:

Pursuant to NRS 278.0235, please be advised of final action on May 28, 2019, by the Washoe County Board of County Commissioners in the above referenced case. The County Commission's final action overturned the Board of Adjustment's denial (3/7/2019). After the public hearing was closed, Commissioner Berkbigler made a motion and Commissioner Lucey seconded the motion to overturn the Board of Adjustment's denial, and approve with conditions Variance Case No. WPVA19-0001.

In its motion the County Commission included the following findings:

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;
2. No Detriment. There is no detriment to the surrounding lands or neighbors; and no visibly issues to seeing the lake or trees around the site;
3. No Special Privileges. There are garages in the area; and will help keep cars off the public right-of-way during the winter months to help with snow removal and safety issues.



Subject: WPVAR19-0001

Date: May 30, 2019

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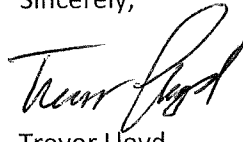
4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Commission from the Washoe County Board of Adjustment, and the information received during the Washoe County Commission's public hearing.

The Board's action was unanimous and all five board members were present: Commissioner Berkbigler; Vice Chair, Commissioner Lucey; Commissioner Jung; Chair, Commissioner Hartung; and Commissioner Herman.

Please provide a copy of this letter to our department indicating when this letter was received by your office.

Sincerely,



Trevor Lloyd

Planning Manager, Planning and Building Division
Washoe County Community Services Department

Attachments: Conditions of Approval Case # WPVAR19-0001

Cc: Dave Solaro, Assistant County Manager
Michael Large, Deputy District Attorney
Mojra Hauenstein, Director, Planning and Building Division
Greenview HOA, email: jh1nsa@gmail.com



Conditions of Approval

Variance Case Number WPVAR19-0001

The project approved under Variance Case Number WPVAR19-0001 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on March 7, 2019. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property.

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

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

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

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

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

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the project or business.

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

Washoe County Planning and Building Division

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

Contact: Julee Olander, Planner, 775.328-3627, jolander@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County and the Tahoe Regional Planning Agency. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by Planning and Building.
- c. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- d. Prior to submission of a building permit for the approved garage, the front and both side property line shall be surveyed and marked by a surveyor licensed in Nevada. Approval of the variance shall not convey any rights or approval to construct on any portion of a structure across the property line, or in the county right-of-way. Neither shall any roof eaves, light fixtures or other structural or architectural elements project over a property line.
- e. The garages are being built within the common area of the Greenview HOA. Each property owner within the development has an equal shared interest in the garages. To maintain common ownership, the variance is granted to the Greenview Home Owners Association (HOA). The HOA is responsible for obtaining all permits, construction, maintenance and ownership of the garages. Individual property owners within the development shall not own said garages.
- f. During construction of garages no construction material and/or equipment shall be located on the adjacent properties without the property owner's permission and notification to the Planning and Building Division.
- g. The use of straw bales shall be prohibited during construction of the project. A filter-fabric fence or other acceptable alternative shall be utilized for erosion control.

Washoe County Engineering and Capital Projects

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

Contact: Leo Vesely, 775.328.2313, lvesely@washoecounty.us

- a. Provide a hold-harmless agreement, that holds harmless the County for damage to said Owners' property which might arise out of normal snow removal operations by reason of any structures being constructed closer than fifteen (15) feet to the property line, to the satisfaction of the District Attorney and the Engineering Division.

- b. The applicant shall install automatic garage door openers prior to the issuance of a Certificate of Occupancy or building permit final sign-off.

Incline Village General Improvement District

3. The following conditions are requirements of the Incline Village General Improvement District (IVGID), which shall be responsible for determining compliance with these conditions.

Contact: Tim Buxton, 775.832.1246, tim_buxton@ivgid.org

The following will be required by the owner before approval of the Washoe County Building Permit:

- a. Relocation of existing Fire Hydrant to IVGID and North lake Tahoe Fire District (NLTFD) regulations/specifications.
- b. Relocation of existing water meters, utility, and services line.
- c. Relocation of existing sewer services utility lines.
- d. All work is borne to owner.
- e. All work would require approved Plans wet stamped by a Nevada Licensed Engineer.
- f. All work must conform to all IVGID specifications and Nevada State law.

*** End of Conditions ***

From: [Rosa, Genine](#)
To: [Olander, Julee](#)
Subject: June Agency Review
Date: Tuesday, June 22, 2021 5:13:07 PM

Amendment of Conditions Case Number WAC21-0004 (Greenview Garage Amendment)

-no comments

Detached Accessory Dwelling Case Number WDADAR21-0008 (Kurtz Guest House)

If disturbance will be greater than 1 acre then a Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines.

Dust Control Permit Required call AQMD at 775-784-7200 with any questions.

Link to application: [Dust Control Permit Application](#)

Genine Rosa

Environmental Engineer II | Air Quality Management Division | Washoe County Health District
grosa@washoecounty.us | O: (775) 784-7204 | C: (775) 420-9185 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512

*My schedule is 4 x 10's M-Th 7-5:30 off on Fridays.

www.OurCleanAir.com



Date: June 25, 2021

To: Julee Olander, Planner

From: Walter West, P.E., Licensed Engineer

Re: **WAC21-0004 – Greenview Garage
Amendment of Conditions**
APN: 128-310-05

Washoe County Engineering staff has reviewed the above referenced application. The Amendment of the tentative map/conditions case is to extend the expiration date from June 4, 2021 to June 4, 2023 to construct two car garages, a 1-car garage and 2-car garage in the common area. The Engineering and Capital Projects Division recommends approval with no changes to our original conditions of approval.

Date	6-15-21
Attention	Julee Olander
Re	Amendment of Conditions Case Number WAC21-0004
APN	128-310-05
Service Address	692 Palmer Ct
Owner	Malinowski Family Living Trust

Amendment of Conditions Case Number WAC21-0004 (Greenview Garage Amendment) – For hearing, discussion and possible action to approve an amendment of conditions of approval for WPVAR19-0001 Greenview HOA Garages to extend the expiration date from June 4, 2021, to June 4, 2023 to construct two car garages, a 1-car garage and 2-car garage in the common area.

- Applicant: Greenview HOA
 - Property Owner: Malinowski Family Living Trust
John & Doreen Hash,
Fung Family Trust,
George & Nancy Learmonth
 - Location: 692 Palmer Ct.
-
- Assessor's Parcel Number: 128-310-05
 - Parcel Size: 4,356 sq. ft.
 - Master Plan Category: Residential
 - Regulatory Zone: Incline Village #3
 - Area Plan: Tahoe
 - Development Code: Authorized in Article 804 (Variances)
 - Commission District: 1 - Commissioner Hill
 - Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building Division
 - Phone: 775-328-3627
 - E-mail: jolander@washoecounty.us

Comments: IVGID is informing the owner the following would be required before approving the Washoe County Building Permits for these garages:

- a. Relocation of existing Fire Hydrant to IVGID and NLTFD regulations/specifications
- b. Relocation of existing water meters, utility and services lines.
- c. Relocation of existing sewer services utility lines.
- d. All work is borne to owner.
- e. All work would require approved Plans wet stamped by a Nevada Licensed Engineer.
- f. All work must conform to all IVGID specifications and Nevada State law.

From: [Jennifer Donohue](#)
To: [Olander, Julee](#)
Subject: NLTFPD Review of WAC21-0004 (Greenview Garage)
Date: Monday, June 21, 2021 7:00:58 AM

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

Hi Julee.

NLTFPD has no comment or conditions for the request to extend the expiration date from 2021 to 2023.

Thank you,



Jennifer Donohue
Fire Marshal

Office: [775.831.0351](tel:775.831.0351) x8127 | Cell: [775.434.4555](tel:775.434.4555)

Email: jdonohue@nltpd.net

[866 Oriole Way | Incline Village | NV 89451](#)





June 28, 2021

Julee Olander, Planner
Washoe County Community Services Department
Planning and Building Division
1001 East 9th Street
Reno, NV 89512

Re: Variance Extension Request – Case Number WAC21-0004 Greenview HOA Garages

Dear Ms. Olander:

I am writing to provide comments on the above referenced application that is to be heard before the Washoe County Planning and Building Division, Community Services Department August 5, 2021. This application requests an extension of a variance to the Washoe County setback standards to construct two garages: one 2-car and one 1-car. The State of Nevada owns one Tahoe Bond Act parcel (APN 128-243-01) directly adjacent to where the garages are proposed to be built. The Nevada Division of State Lands (“NDSL”) staff has identified serious issues associated with the proposed development that should be considered as part of the County’s review.

The State of Nevada manages almost 500 parcels in the Lake Tahoe Basin acquired through the Tahoe Bond Act of 1986. These public lands are designated as conservation areas and are maintained in their natural state as open space in perpetuity. The management direction of these parcels in the Tahoe Basin contains specific goals and measures of success.

These objectives and measures of success can only be achieved with cooperation from the local community and support from other government agencies. Encroachments such as heavy equipment activity, storage of building materials, and excessive foot traffic can be detrimental to state-owned property, thus quickly reversing many years of management.

NDSL staff has identified one area of concern on the site plans that were included for our review and comment from Greenview HOA. The item of concern involves the request to the northwest setback from 15 feet to 1.5 feet in order to accommodate the construction of a 2-car garage. Construction access and disturbance on the State of Nevada parcels cannot be authorized. This includes any access for foundation excavation or general construction access or parking at the site.

Research conducted by NDSL staff has revealed that since 2006 a number of previously granted Washoe County variance requests have caused considerable damage to state owned parcels resulting in numerous hours of NDSL staff time and resources to rectify. The most egregious of these cases occurred in 2007 when a variance was granted to a homeowner on Lakeview and Tuscarora Avenues in Crystal Bay. The variance allowed for a side yard setback of 2.0 feet directly adjacent to a state-owned parcel. NDSL staff discovered that an access road

had been cut into our parcel by the contractor and an attempt was made to hide the disturbance. Countless hours have been spent restoring this parcel, involving the homeowner and the Tahoe Regional Planning Agency. This site may never recover from this level of disturbance. Additionally, a homeowner who had been granted a 0.0 foot setback variance on Allison Drive in Incline Village attempted to covertly remove a large, healthy Jeffrey Pine tree from the adjacent state owned lot. Luckily, her attempt was unsuccessful.

The effects of encroachments can be long lasting with some taking decades to reverse. NDSL looks to other governmental agencies to recognize our long term management goals for our urban holdings. We realize that not all granted variances pose a problem for NDSL. However, it takes only one case where many hours and dollars are expended correcting a negative impact to delay our treatment goals during a short field season. NDSL has historically taken a firm stance against the granting of any variances by Washoe County that may affect our sensitive lands in the Tahoe basin. Please consider these comments during the variance extension granting process.

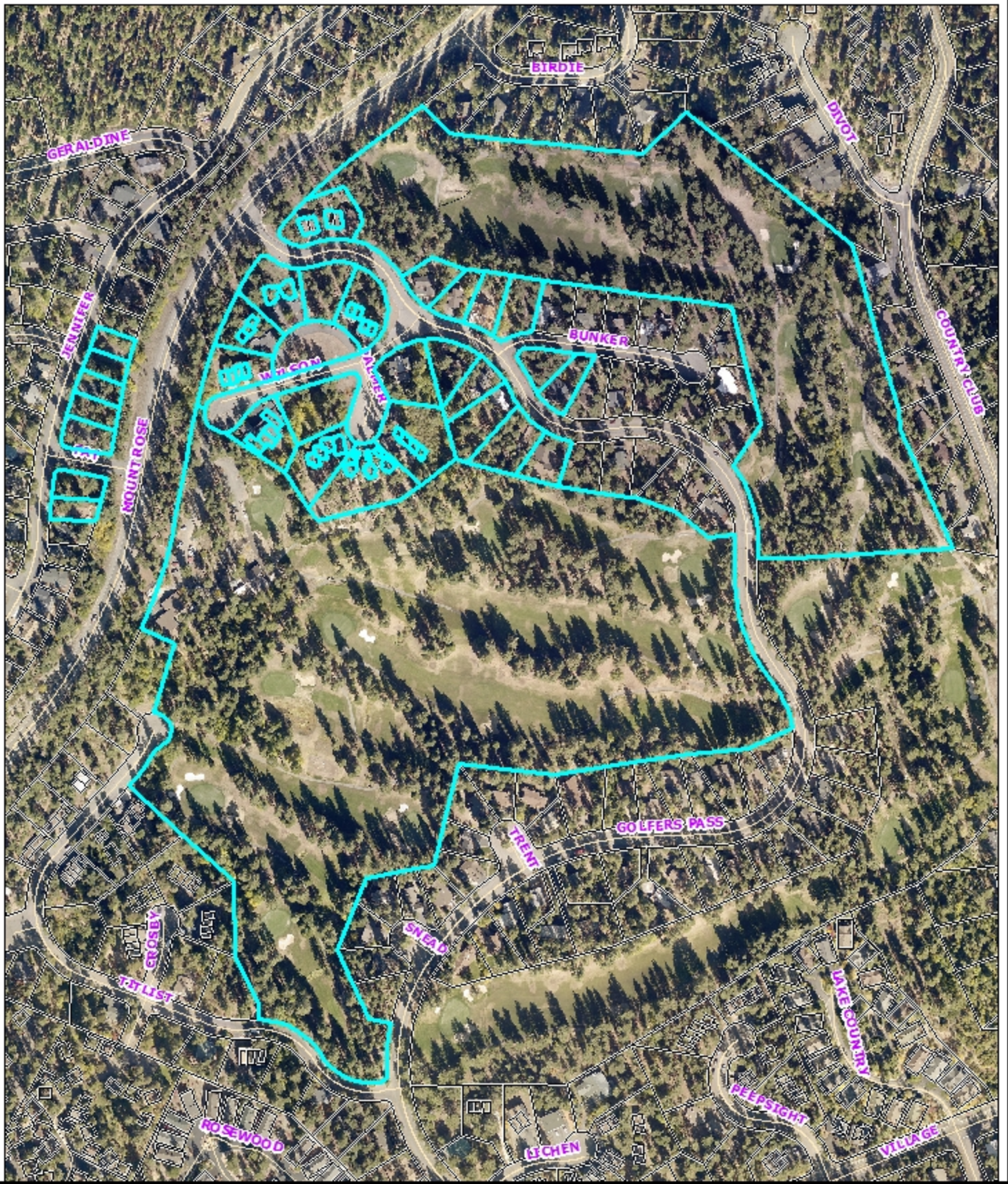
NDSL is requesting for Washoe County to deny the Variance Extension Request – Case Number WAC21-0004 Greenview HOA Garages.

Should you have any further questions regarding this variance and our comments, please contact me at 775-684-2735 or via email at sbarker@lands.nv.gov

Sincerely,



Sherri Barker
State Land Agent II
Nevada Tahoe Resource Team



WAC21-0004- Greenview Garage Amendment

NOTicing Map - 500 feet



Community Services
Department



WASHOE COUNTY
NEVADA



Washoe County
COMMUNITY SERVICES DEPARTMENT
Planning and Building Division

Early Application Waiver

I, Kevin M. Agan, Agent - Greenview HOA Applicant or Representative
Print name (circle one)

Acknowledge and understand that for the privilege and convenience of submitting my application before the scheduled application date, I am waiving my right to claim that the county has failed to process my application in a timely manner, as required by NRS 278.02327. I understand that my application will be assigned to a staff planner and processed during the next application cycle and the County will conform to the State and Washoe County Development Code mandated processing requirements as of the date of that application cycle.

Application Type and Case Number: Variance Appeal Case No. WPVAR19-0001

Property Address or APN: 692 Palmer Court, Incline Village, NV 89451

Date Submitted: June 3, 2021

Application Date: June 3, 2021

Signature: [Handwritten Signature]

Print Name: Kevin M. Agan, Agent - Greenview HOA

AGAN CONSULTING CORPORATION

LAND & SHOREZONE CONSULTANTS

June 3, 2021

Ms. Julee Olander, Agency Planner
Community Services Department
Post Office Box 11130
Reno, NV 89520

**Subject: Time Extension Request – Greenview HOA Garage Project
692 Palmer Court, Incline Village, Nevada
Washoe County APN: 128-31-05
Appeal Case WPVAR19-0001**

Dear Julee,

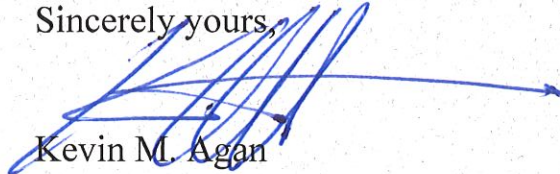
As discussed, please find attached the following documentation and filing fee to request a two-year time extension to allow us to continue in our endeavor to secure the remaining agency approvals for the above-referenced residential project:

- Signed Washoe County Amendment of Conditions Application (with notarized affidavit and related request support documentation);
- Signed Washoe County Planning and Building Early Application Waiver Form;
- \$1,341.60 Extension of Time Request Filing Fee Check No. 15977);
- Proposed Project Site Mapping (for reference purposes only);
- June 4, 2019 Appeal Case Approval Documentation;
- Washoe County Assessor Parcel Map; and
- Zip Drive (for your use).

Ms. Julee Olander, Agency Planner
Community Services Department
June 3, 2021
Page 2

We hope the attached information allows you to process this request for approval as soon as practical. Should you have any comments or questions, please feel free to contact me directly at kevin@aganconsulting.com. Thank you.

Sincerely yours,



Kevin M. Agan
Principal Consultant

KMA:
Attachments

pc: Greenview HOA (w/o attachments)

Community Services Department
Planning and Building
AMENDMENT OF CONDITIONS
APPLICATION



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

Telephone: 775.328.6100

Amendment of Conditions Development Application Submittal Requirements

Applications are accepted on the 8th of each month (if the 8th is a non-work day, the first working day after the 8th)

1. **Fees:** See Master Fee Schedule. **Bring payment with your application to Community Services Department (CSD). Make check payable to Washoe County.**
2. **Development Application:** A completed Washoe County Development Application form.
3. **Owner Affidavit:** The Owner Affidavit must be signed and notarized by all owners of the property subject to the application request.
4. **Proof of Property Tax Payment:** The applicant must provide a written statement from the Washoe County Treasurer's Office indicating all property taxes for the current quarter of the fiscal year on the land have been paid.
5. **Application Materials:** The completed Amendment of Conditions Application materials.
6. **Site Plan Specifications:**
 - a. Lot size with dimensions drawn using standard engineering scales (e.g. scale 1" = 100', 1" = 200', or 1" = 500') showing all streets and ingress/egress to the property.
 - b. Show the location and configuration of all proposed buildings (with distances from the property lines and from each other), all existing buildings that will remain (with distances from the property lines and from each other), all existing buildings that will be removed, and site improvements on a base map with existing and proposed topography expressed in intervals of no more than five (5) feet.
 - c. Show the location and configuration of wells, septic systems and leach fields, overhead utilities, water and sewer lines, and all easements.
 - d. Show locations of parking, landscaping, signage and lighting.
7. **Application Map Specifications:** Map to be drawn using standard engineering scales (e.g. scale 1" = 100', 1" = 200', or 1" = 500') clearly depicting the area subject to the request, in relationship to the exterior property lines. All dimensions and area values shall be clearly labeled and appropriate symbols and/or line types shall be included in the map legend to depict the map intent.
8. **Building Elevations:** All buildings and structures, including fences, walls, poles, and monument signs proposed for construction within the project shall be clearly depicted in vertical architectural drawings provided in accurate architectural scale. Architectural elevations of all building faces shall be presented.
9. **Packets:** Three (3) packets and a flash drive – any digital documents need to have a resolution of 300 dpi. One (1) packet must be labeled "Original" and contain a signed and notarized Owner Affidavit. Each packet shall include one (1) 8.5" x 11" reduction of any applicable site plan, development plan, and/or application map. These materials must be readable. Labeling on these reproductions should be no smaller than 8 point on the 8½ x 11" display. Large format sheets should be included in a slide pocket(s). Any specialized reports identified above shall be included as attachments or appendices and be annotated as such.

Notes: (i) Application and map submittals must comply with all specific criteria as established in the Washoe County Development Code and/or the Nevada Revised Statutes.

- (ii) Appropriate map engineering and building architectural scales are subject to the approval of Planning and Building and/or Engineering and Capital Projects.
- (iii) All oversized maps and plans must be folded to a 9" x 12" size.
- (iv) Based on the specific nature of the development request, Washoe County reserves the right to specify additional submittal packets, additional information and/or specialized studies to clarify the potential impacts and potential conditions of development to minimize or mitigate impacts resulting from the project. No application shall be processed until the information necessary to review and evaluate the proposed project is deemed complete by the Director of Planning and Building.
- (v) **Labels:** If the assigned planner determines the abandonment will affect the access to a mobile home park, the applicant will be required to submit three (3) sets of mailing labels for every tenant residing in the mobile home park.

Washoe County Development Application

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

Project Information		Staff Assigned Case No.: _____	
Project Name: Greenview HOA Common Area Garages			
Project Description: Construction of new detached garage buildings within HOA common area property.			
Project Address: 692 Palmer Court, Incline Village, NV 89451			
Project Area (acres or square feet): Approximately 750 square feet			
Project Location (with point of reference to major cross streets AND area locator): 692 Palmer Court, Incline Village, NV/Cross Streets are Wilson Way and Golfers Pass Road			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
128-310-05	0.50		
Indicate any previous Washoe County approvals associated with this application: Case No.(s). Appeal Case Approval (WPVAR19-0001)			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Greenview Homeowners Association		Name: Agan Consulting Corporation	
Address: 692 Palmer Court		Address: Post Office Box 9180	
Incline Village, NV Zip: 89451		Incline Village, NV Zip: 89450	
Phone: (530) 318-3139 Fax:		Phone: (775) 832-9300 Fax:	
Email: jh1nsa@gmail.com		Email: kevin@aganconsulting.com	
Cell: Other:		Cell: Other:	
Contact Person: John A. Hash, President		Contact Person: Kevin M. Agan, Agent	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Same as property owner		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):	

Amendment of Conditions Application Supplemental Information

(All required Information may be separately attached)

Required Information

1. The following information is required for an Amendment of Conditions:
 - a. Provide a written explanation of the proposed amendment, why you are asking for the amendment, and how the amendment will modify the approval.
 - b. Identify the specific Condition or Conditions that you are requesting to amend.
 - c. Provide the requested amendment language to each Condition or Conditions, and provide both the ***existing*** and ***proposed condition(s)***.

Please see attached condition of approval amendment request documentation.

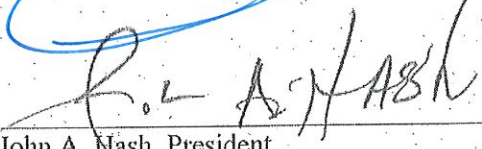
2. Describe any potential impacts to public health, safety, or welfare that could result from granting the amendment. Describe how the amendment affects the required findings as approved.

None. Request is to accommodate the Applicant to continue securing all agency approvals for construction for the subject project, including the pending Tahoe Regional Planning Agency project application (TRPA Permit File No. ERSP2021-0051), as well as utilizing a recently retained regulatory consulting firm.

AUTHORIZATION FOR REPRESENTATION

I hereby authorize Agan Consulting Corporation to act as the Association's representative in connection with acquiring documentation of record and processing agency applications for our property located at 692 Palmer Court, Incline Village, Nevada 89451; also described as Washoe County APN: 128-310-05; and agree to be bound by said representative. Any cancellation of this authorization shall not be affected until receipt of written notification of same by the Tahoe Regional Planning Agency, Nevada Division of State Lands, Nevada Division of Wildlife, Nevada Division of Environmental Protection, U.S. Army Corps of Engineers, Washoe County, local utility companies, districts, and related professionals as applicable.

By


John A. Nash, President
Greenview Homeowner's Association

Date

29 April 2021

**FOR
REFERENCE**

2021 PUBLIC HEARING APPLICATION AND MEETING DATES									
PLANNING COMMISSION		BOARD OF ADJUSTMENT			PARCEL MAP REVIEW COMMITTEE		MASTER PLAN AMENDMENTS		
Intake Date	Tentative Meeting Date	Intake Date	Tentative Meeting Date	Intake Date	Tentative Meeting Date	Intake Date	Tentative Meeting Date	Intake Date	Tentative PC Meeting Date
11/9/2020	1/5/2021			11/9/2020	1/14/2021				
12/8/2020	2/2/2021	12/8/2020	2/4/2021	12/8/2020	2/11/2021				
1/8/2021	3/2/2021	1/8/2021	3/4/2021	1/8/2021	3/11/2021	1/8/2021		1/8/2021	TBD
2/8/2021	4/6/2021	2/8/2021	4/1/2021	2/8/2021	4/8/2021				
3/8/2021	5/4/2021	3/8/2021	5/6/2021	3/8/2021	5/13/2021				
4/8/2021	6/1/2021	4/8/2021	6/3/2021	4/8/2021	6/10/2021				
5/10/2021	7/6/2021	5/10/2021	7/1/2021	5/10/2021	7/8/2021	5/10/2021		5/10/2021	TBD
6/8/2021	8/3/2021	6/8/2021	8/5/2021	6/8/2021	8/12/2021				
7/8/2021	9/7/2021	7/8/2021	9/2/2021	7/8/2021	9/9/2021				
8/9/2021	10/5/2021	8/9/2021	10/7/2021	8/9/2021	10/14/2021				
9/8/2021	11/2/2020	9/8/2021	11/4/2021	9/8/2021	?			9/8/2021	TBD
10/8/2021	12/7/2021	10/8/2021	12/2/2021	10/8/2021	12/9/2021				
11/8/2021	1/4/2022	11/8/2021	1/6/2022	11/8/2021	1/13/2022				
12/8/2021	2/1/2022	12/8/2021	2/3/2022	12/8/2021	2/10/2022				

APPLICATIONS	COMMUNITY SERVICES DEPARTMENT FEES											HEALTH FEES		
	Planning			Engineering				Parks		Health District		TOTAL		
	PLANNING	NOTICING	RTF	ENGINEERING	UTILITIES	RTF	PARKS	RTF	ENVIRO.	VECTOR				
EXTENSION OF TIME REQUESTS														
Subdivision	\$340	-	\$13.60	-	-	-	-	-	-	-	-	-	-	\$363.60
Not Subdivision	\$546	-	\$21.84	-	-	-	-	-	-	-	-	-	-	\$567.84
MASTER PLAN AMENDMENT														
Not Tahoe	\$3,576	\$400	\$159.04	\$54	\$2,549	\$104.12	-	-	\$449	-	-	-	-	\$7,291.16
Tahoe	\$3,576	\$400	\$159.04	\$54	-	\$2.16	-	-	\$449	-	-	-	-	\$4,640.20
NOTICING, ADDITIONAL OR RE-NOTICING AT APPLICANT'S REQUEST	\$52	-	-	-	-	-	-	-	-	-	-	-	-	\$52.00
REGULATORY ZONE AMENDMENT														
Not Tahoe	\$2,481	\$200	\$107.24	\$54	\$2,549	\$104.12	-	-	\$607	-	-	-	-	\$6,102.36
Tahoe	\$2,481	\$200	\$107.24	\$54	-	\$2.16	-	-	\$607	-	-	-	-	\$3,451.40
REGULATORY ZONE AMENDMENT (Article 442, Specific Plan)														
Not Tahoe	\$3,449	\$200	\$145.96	\$1,039	\$1,274	\$92.52	\$65	\$2.60	\$607	-	-	-	-	\$6,875.08
Tahoe	\$3,449	\$200	\$145.96	\$1,039	-	\$41.56	\$65	\$2.60	\$607	-	-	-	-	\$5,550.12
REINSPECTION FEE	-	-	-	-	-	-	-	-	-	-	-	-	-	\$50/hr.
RESEARCH/COPIES	-	-	-	-	-	-	-	-	-	-	-	-	-	Note 3
REVERSION TO ACREAGE														
Not Tahoe	\$51	-	\$2.04	\$215	\$26	\$9.64	-	-	\$184	-	-	-	-	\$487.68
Tahoe	\$51	-	\$2.04	\$215	-	\$8.60	-	-	\$184	-	-	-	-	\$460.64
SIGN PERMIT INSPECTION - (Permanent or Temporary)														
SPECIAL USE PERMIT														
Residential														
Not Tahoe	\$1,162	\$200	\$54.48	\$65	\$203	\$10.72	-	-	\$607	-	-	-	-	\$2,302.20
Tahoe	\$1,162	\$200	\$54.48	\$65	-	\$2.60	-	-	\$607	-	-	-	-	\$2,091.08
With Environmental Impact Statement	\$1,162	-	\$46.48	-	-	-	-	-	-	-	-	-	-	\$1,208.48
Commercial, Industrial, Civic														
Minor (See Note 6)	\$2,165	\$200	\$94.60	\$130	\$203	\$13.32	-	-	\$607	\$239	-	-	-	\$3,651.92
Major (See Note 6)	\$2,165	\$200	\$94.60	\$520	\$203	\$28.92	-	-	\$607	\$239	-	-	-	\$4,057.52
Tahoe Minor (See Note 6)	\$2,165	\$200	\$94.60	\$130	-	\$5.20	-	-	\$607	\$239	-	-	-	\$3,440.80
Tahoe Major (See Note 6)	\$2,165	\$200	\$94.60	\$520	-	\$20.80	-	-	\$607	\$239	-	-	-	\$3,846.40
With Environmental Impact Statement	\$2,240	-	\$89.60	-	-	-	-	-	-	-	-	-	-	\$2,329.60

In accordance with Nevada Revised Statutes, application fees must be deposited the day of receipt. This does not guarantee the application is complete.

APPLICATIONS	COMMUNITY SERVICES DEPARTMENT FEES										HEALTH FEES	
	Planning			Engineering			Parks			Health District		TOTAL
	PLANNING	NOTICING	RTF	ENGINEERING	UTILITIES	RTF	PARKS	RTF	ENVIRO.	VECTOR		
TENTATIVE PARCEL MAP/PARCEL MAP WAIVER												
No System	\$803	\$200	\$40.12	\$345	\$68	\$16.52	-	-	\$1,913	-	-	\$3,385.64
1 System (Sewer)	\$803	\$200	\$40.12	\$345	\$153	\$19.92	-	-	\$818	-	-	\$2,379.04
1 System (Water)	\$803	\$200	\$40.12	\$345	\$153	\$19.92	-	-	\$1,913	-	-	\$3,474.04
2 Systems (Water and Sewer)	\$803	\$200	\$40.12	\$345	\$203	\$21.92	-	-	\$818	-	-	\$2,431.04
Tahoe (Sewer)	\$803	\$200	\$40.12	\$345	-	\$13.80	-	-	\$818	-	-	\$2,219.92
Sun Valley (No WC Utilities)	\$803	\$200	\$40.12	\$345	\$51	\$15.84	-	-	\$818	-	-	\$2,272.96
TENTATIVE SUBDIVISION MAP (See Note 5)												
No System	\$2,422	\$200	\$104.88	\$1,299	-	\$51.96	\$129	\$5.16	\$2,512	\$394	-	\$7,118.00
1 System (Sewer)	\$2,422	\$200	\$104.88	\$1,299	\$2,039	\$133.52	\$129	\$5.16	\$925	\$394	-	\$7,651.56
1 System (Water)	\$2,422	\$200	\$104.88	\$1,299	\$1,079	\$92.72	\$129	\$5.16	\$2,512	\$394	-	\$8,177.76
2 Systems (Water and Sewer)	\$2,422	\$200	\$104.88	\$1,299	\$3,059	\$174.32	\$129	\$5.16	\$925	\$394	-	\$8,712.36
Tahoe (Sewer)	\$2,422	\$200	\$104.88	\$1,299	-	\$51.96	\$129	\$5.16	\$925	\$394	-	\$5,531.00
With Hillside Ordinance - ADD	\$2,422	-	\$96.88	-	-	-	-	-	-	-	-	\$2,518.88
With Significant Hydrologic Resource - ADD	\$2,422	-	\$96.88	-	-	-	-	-	-	-	-	\$2,518.88
With Common Open Space - ADD	\$2,422	-	\$96.88	-	-	-	-	-	-	-	-	\$2,518.88
TRUCKEE MEADOWS REGIONAL PLANNING AGENCY												
NOTICING FEE												
See Note 4												
VARIANCE - RESIDENTIAL/COMMERCIAL/INDUSTRIAL												
Not Tahoe	\$1,060	\$200	\$50.40	\$65	\$26	\$3.64	-	-	\$184	-	-	\$1,589.04
Tahoe	\$1,060	\$200	\$50.40	\$65	-	\$2.60	-	-	\$184	-	-	\$1,562.00

NOTE 0: Administrative Review Permits for Tier 2 Short-Term Rentals are exempt from Engineering and Health District fees.

NOTE 1: \$5,000 deposit on time and materials. Additional \$5,000 increments may be required.

NOTE 2: \$750 fee capped by NRS for Division of Land into Large Parcels only. (Excludes RTF)

NOTE 3: \$50 per hour after first 1/2 hour for Planner, \$20 per hour after first 1/2 hour for Clerk, Public Records Research/Copying.

NOTE 4: Fee to be established by Truckee Meadows Regional Planning Agency.

NOTE 5: Separate checks are required for the Nevada Departments of Environmental Health and Water Resources. See Submittal Requirements.
NOTE 6: The following are major permit applications: bed and breakfast inns; commercial animal slaughtering; convention and meeting facilities; destination resorts; eating and drinking establishments; gasoline sales and service stations - convenience and full service; gaming facilities: limited and unlimited; hostels; hotels and motels; liquor sales on premises; lodging services; major public facilities; recycling centers: full service and remote collection and residential hazardous substances; vacation time shares. All other uses constitute minor permits.

In accordance with Nevada Revised Statutes, application fees must be deposited the day of receipt. This does not guarantee the application is complete.

**DEVELOPMENT CODE (Washoe County Code Chapter 110)
MASTER FEE SCHEDULE**

Applications accepted by CSD, Engineering and Capital Projects

APPLICATIONS	COMMUNITY SERVICES DEPARTMENT FEES										HEALTH FEES		TOTAL				
	Planning			Engineering				Parks			Health District						
	PLANNING	NOTICING	RTF	ENGINEERING	UTILITIES	RTF	PARKS	RTF	ENVIRO.	VECTOR							
AMENDMENT OF MAP (MINOR) (NRS 278.473)																	
AMENDMENT OF MAP (MAJOR) (NRS 278.480) (See Note 7)																	
With Sewer	\$520	-		\$429	-				\$925					\$394			\$2,268.00
No Sewer	\$520	-		\$429	-				\$2,512					\$394			\$3,855.00
CONSTRUCTION PLAN REVIEW (See Note 7)																	
With Catch Basin	\$308	-		\$1,949	-				\$290					\$703			\$3,250.00
Without Catch Basin	\$308	-		\$1,949	-				\$290					\$548			\$3,095.00
FINAL SUBDIVISION MAP (See Note 8)																	
Not Tahoe without Construction Plan	\$520	-	\$20.80	\$780	\$102	\$35.28			\$607								\$2,065.08
Not Tahoe with Construction Plan with Catch Basin	\$828	-	\$33.12	\$2,729	\$102	\$113.24			\$607								\$4,412.36
Not Tahoe with Construction Plan without Catch Basin	\$828	-	\$33.12	\$2,729	\$102	\$113.24			\$607								\$4,412.36
Tahoe without Construction Plan	\$520	-	\$20.80	\$780	-	\$31.20			\$607								\$1,959.00
Tahoe with Construction Plan with Catch Basin	\$828	-	\$33.12	\$2,729	-	\$109.16			\$607								\$4,306.28
Tahoe with Construction Plan without Catch Basin	\$828	-	\$33.12	\$2,729	-	\$109.16			\$607								\$4,306.28
With Hillside Ordinance - ADD	\$520	-	\$20.80		-												\$540.80
With a Significant Hydrologic Resource - ADD	\$520	-	\$20.80		-												\$540.80
With CC&Rs - ADD	\$520	-	\$20.80		-												\$540.80

NOTE 7: This application applies to construction plans that are not submitted as part of a Final Subdivision Map. The stand-alone Construction Plan Review application is not currently available through the Regional License and Permit Platform (Accela), so no regional technology fees (RTF) are charged. The RTF will be added once the application is available through the Platform (Accela).

NOTE 8: Contact the Engineering and Capital Projects Division for Technical Map Check fees. In accordance with Nevada Revised Statutes, application fees must be deposited the day of receipt. This does not guarantee the application is complete.

MASTER STORM WATER INSPECTION FEE SCHEDULE (Article 421)
Inspection of Storm Water Quality Controls

INSPECTION FEES	
CHARGES FOR PROJECT DURATION AND/OR LOCATION (See Note 9)	CHARGES PER ACRE
0 - 6 Months Construction	\$30
7 - 12 Months Construction	\$60
13 - 18 Months Construction	\$90
19 - 24 Months Construction	\$120
Over 24 Months Construction	\$190
Project within 1,000 feet of a FEMA Flood Zone A, AO, or AE	Additional \$30
Projects of less than one acre but are deemed sensitive/permitted by NDEP	Additional \$30
ADMINISTRATIVE SERVICE FEE (See Note 9)	FOR EACH APPLICATION
Per Site	\$30

NOTE 9: The above listed fees shall be doubled if the construction activity is commenced prior to the issuance of the required permit and/or installation of the storm water controls. Payment of the double fee shall not preclude the County from taking any other enforcement actions within its authority. This application is not currently available through the Regional License and Permit Platform (Accela), so no regional technology fees (RTF) are charged. The RTF will be added once the application is available through the Platform (Accela).

In accordance with Nevada Revised Statutes, application fees must be deposited the day of receipt. This does not guarantee the application is complete.

DEVELOPMENT CODE (Washoe County Code Chapter 110)

Short-Term Rental (STR) Applications

APPLICATIONS	COMMUNITY SERVICES DEPT. FEES			FIRE FEES		Tech Fees	
	Base Fee	Planning	Building	Fire District	RTF	RTF	TOTAL
SHORT-TERM RENTAL (Article 319) (See Notes 10 & 11)							
Initial Permit (See Note 12)	\$384	\$90	\$180	\$90	\$14.40	\$14.40	\$758.40
Initial Permit (with licensed property manager as local responsible party)	\$346	\$81	\$180	\$90	\$14.04	\$14.04	\$711.04
Renewal with Inspection	\$384	\$45	\$90	\$90	\$9.00	\$9.00	\$618.00
Renewal with Inspection (with licensed property manager as local responsible party)	\$346	\$40.50	\$90	\$81	\$8.46	\$8.46	\$565.96
Renewal with Self-Certification (See Note 13)	\$384	\$45	\$45	\$45	\$5.40	\$5.40	\$524.40
Renewal with Self-Certification (with licensed property manager as local responsible party)	\$346	\$40.50	\$45	\$40.50	\$5.04	\$5.04	\$477.04
APPEAL OF STR ADMINISTRATIVE HEARING ORDER/DECISION to Board of County Commissioners (See Note 14)	-	\$250	-	-	-	-	\$250
INVESTIGATIVE FEE (per hour for relevant agencies)	-	-	-	-	-	-	\$90/hr.

NOTE 10: These fees are for a standard short-term rental (STR) permit only. Tier 2 and Tier 3 STRs require a supplemental Administrative Review Permit or Administrative Permit as identified in Article 302.

NOTE 11: Planning, Building and Fire District fees are based on a standardized rate of \$90/hour; final Fire District fees subject to adoption by each district's governing board and may vary.

Note 12: The Fire fee is charged for STR properties located in Extreme and/or High IWUI Fire Risk Ratings (per adopted Fire Code/Amendments and GIS mapping) only. This fee does not include repeated fire inspections. Final Fire District fees subject to adoption by each district's governing board and may vary.

Note 13: Renewals in which self-certification of building inspections are applicable the Building fee shall be reduced to 1/2 hour or \$45.

Note 14: This appeal fee is for Tier 1 permits only. Appeals related to planning applications required by Tier 2 and Tier 3 STR's will pay the appeal fees applicable to all planning applications.

In accordance with Nevada Revised Statutes, application fees must be deposited the day of receipt. This does not guarantee the application is complete or that a permit will be issued.

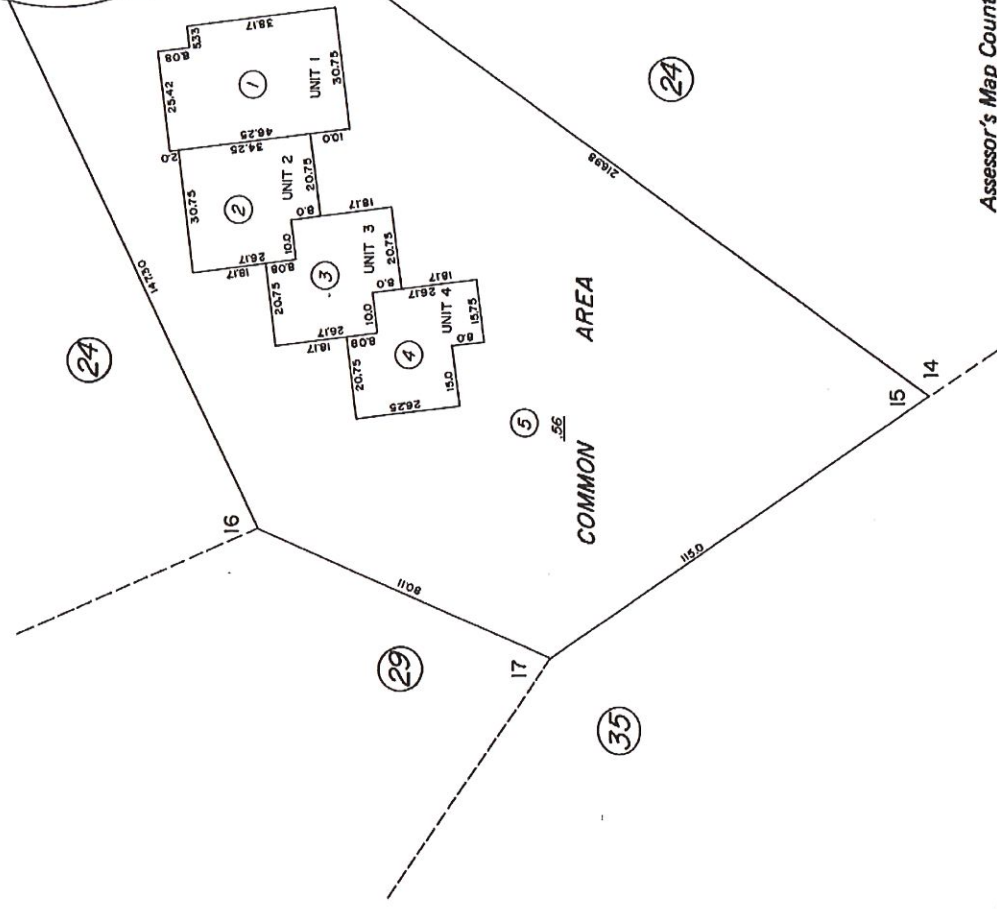
128-31

GREENVIEW
A TOWNHOUSE

LOT 15 BLOCK 6
INCLINE VILLAGE UNIT NUMBER 3

PALMER COURT

FOR
REFERENCE



drawn by	JL	11/78
revised	6/79	
superseded	6/81	B.T.

Assessor's Map County of Washoe, Nevada
 NOTE - ASSESSOR'S BLOCK NUMBERS SHOWN IN ELLIPSES
 ASSESSOR'S PARCEL NUMBERS SHOWN IN CIRCLES

NOTE: This Map is prepared for the use of the Washoe County Assessor's Office for the purpose of taxation only. It does not represent a survey of the premises. No liability is assumed as to the sufficiency or accuracy of the data delineated hereon.

THE FACE OF THE DOCUMENT HAS A COLORFUL BACKGROUND ON WHITE PAPER

AGAN CONSULTING CORPORATION

POST OFFICE BOX 9180
INCLINE VILLAGE, NV 89450
TELEPHONE: (775) 832-9300

BANK OF THE WEST
RENO, NV 89509

15977

90-78/1211

5/28/2021

PAY TO THE ORDER OF Washoe County Community Development

\$ **1,341.60

One Thousand Three Hundred Forty-One and 60/100***** DOLLARS

Washoe County Community Development
Post Office Box 11130
Reno, NV 89520-0227



[Handwritten Signature]

MEMO
Greenview HOA

⑈015977⑈ ⑆121100782⑆ 247003999⑈



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Planning and Building Division
Planning Program

1001 EAST 9TH STREET
 RENO, NEVADA 89512
 PHONE (775) 328-6100
 FAX (775) 328.6133

June 4, 2019

**FOR
 REFERENCE**

Nancy Parent, County Clerk
 Washoe County
 1001 East Ninth Street
 Reno, NV 89512

SUBJECT: Appeal Case WPVAR19-0001(Greenview HOA Garages)

Appeal of the Board of Adjustment's decision to deny Variance Case No. WPVA19-001, which requested a reduction of the required front yard setback from 15-feet to 1 ½-feet and the northwest side yard setback from 5-feet to 1-foot to allow for the construction of one single car garage and one two-car garage in the common area at 692 Palmer Ct. in Incline Village. The Board of County Commissioners may take action to confirm the Board of Adjustment's denial; reverse the Board of Adjustment's denial and issue the variance; or modify the variance's conditions and issue the variance.

Dear Ms. Parent:

Pursuant to NRS 278.0235, please be advised of final action on May 28, 2019, by the Washoe County Board of County Commissioners in the above referenced case. The County Commission's final action overturned the Board of Adjustment's denial (3/7/2019). After the public hearing was closed, Commissioner Berkbigler made a motion and Commissioner Lucey seconded the motion to overturn the Board of Adjustment's denial, and approve with conditions Variance Case No. WPVA19-0001.

In its motion the County Commission included the following findings:

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;
2. No Detriment. There is no detriment to the surrounding lands or neighbors; and no visibly issues to seeing the lake or trees around the site;
3. No Special Privileges. There are garages in the area; and will help keep cars off the public right-of-way during the winter months to help with snow removal and safety issues.



INTEGRITY



**EFFECTIVE
 COMMUNICATION**



**QUALITY
 PUBLIC SERVICE**

Subject: WPVAR19-0001

Date: May 30, 2019

Page: 2

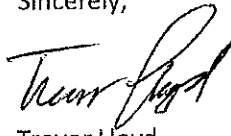
4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Commission from the Washoe County Board of Adjustment, and the information received during the Washoe County Commission's public hearing.

The Board's action was unanimous and all five board members were present: Commissioner Berkbigler; Vice Chair, Commissioner Lucey; Commissioner Jung; Chair, Commissioner Hartung; and Commissioner Herman.

Please provide a copy of this letter to our department indicating when this letter was received by your office.

Sincerely,



Trevor Lloyd

Planning Manager, Planning and Building Division
Washoe County Community Services Department

Attachments: Conditions of Approval Case # WPVAR19-0001

Cc: Dave Solaro, Assistant County Manager
Michael Large, Deputy District Attorney
Mojra Hauenstein, Director, Planning and Building Division
Greenview HOA, email: jh1nsa@gmail.com



Conditions of Approval

Variance Case Number WPVAR19-0001

The project approved under Variance Case Number WPVAR19-0001 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on March 7, 2019. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property.

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

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

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

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

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

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the project or business.

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

Washoe County Planning and Building Division

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

Contact: Julee Olander, Planner, 775.328-3627, jolander@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County and the Tahoe Regional Planning Agency. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by Planning and Building.
- c. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- d. Prior to submission of a building permit for the approved garage, the front and both side property line shall be surveyed and marked by a surveyor licensed in Nevada. Approval of the variance shall not convey any rights or approval to construct on any portion of a structure across the property line, or in the county right-of-way. Neither shall any roof eaves, light fixtures or other structural or architectural elements project over a property line.
- e. The garages are being built within the common area of the Greenview HOA. Each property owner within the development has an equal shared interest in the garages. To maintain common ownership, the variance is granted to the Greenview Home Owners Association (HOA). The HOA is responsible for obtaining all permits, construction, maintenance and ownership of the garages. Individual property owners within the development shall not own said garages.
- f. During construction of garages no construction material and/or equipment shall be located on the adjacent properties without the property owner's permission and notification to the Planning and Building Division.
- g. The use of straw bales shall be prohibited during construction of the project. A filter-fabric fence or other acceptable alternative shall be utilized for erosion control.

Washoe County Engineering and Capital Projects

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

Contact: Leo Vesely, 775.328.2313, lvesely@washoecounty.us

- a. Provide a hold-harmless agreement, that holds harmless the County for damage to said Owners' property which might arise out of normal snow removal operations by reason of any structures being constructed closer than fifteen (15) feet to the property line, to the satisfaction of the District Attorney and the Engineering Division.

Washoe County Conditions of Approval

- b. The applicant shall install automatic garage door openers prior to the issuance of a Certificate of Occupancy or building permit final sign-off.

Incline Village General Improvement District

3. The following conditions are requirements of the Incline Village General Improvement District (IVGID), which shall be responsible for determining compliance with these conditions.

Contact: Tim Buxton, 775.832.1246, tim_buxton@ivgid.org

The following will be required by the owner before approval of the Washoe County Building Permit:

- a. Relocation of existing Fire Hydrant to IVGID and North lake Tahoe Fire District (NLTFD) regulations/specifications.
- b. Relocation of existing water meters, utility, and services line.
- c. Relocation of existing sewer services utility lines.
- d. All work is borne to owner.
- e. All work would require approved Plans wet stamped by a Nevada Licensed Engineer.
- f. All work must conform to all IVGID specifications and Nevada State law.

*** End of Conditions ***