



# Board of Adjustment Staff Report

Meeting Date: February 03, 2022

Agenda Item: 8F

VARIANCE CASE NUMBER: WPVAR21-0004 (Birta Front Yard Setback Reduction)

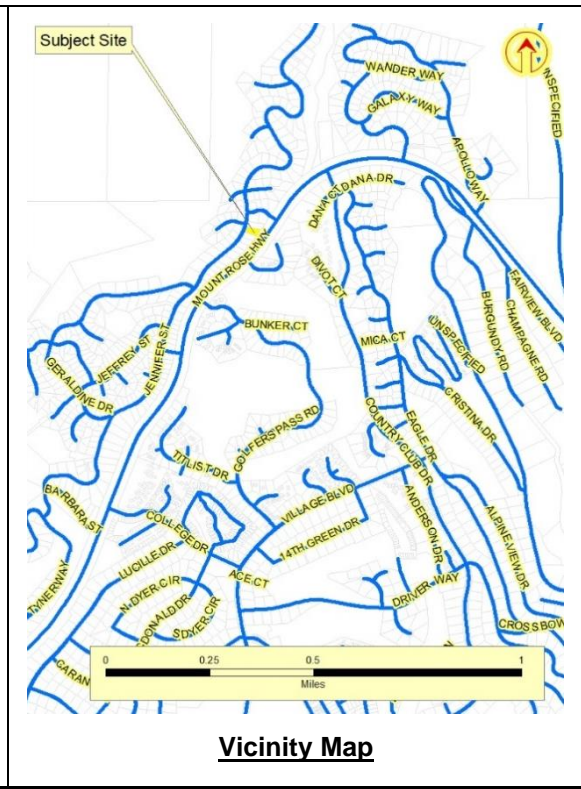
BRIEF SUMMARY OF REQUEST: Reduce the required front yard setback from 15 feet to 8 feet

STAFF PLANNER: Roger Pelham, MPA, Senior Planner  
Phone Number: 775.328.3622  
Email: rpelham@washoecounty.gov

### CASE DESCRIPTION

Variance Case Number WPVAR21-0004 (Birta Front Yard Setback Reduction) – For hearing, discussion and possible action to approve a variance to reduce the required front yard setback from 15 feet to 8 feet to facilitate the addition of a two-car garage and a one-car carport at ground level and a new master bedroom suite on the floor above.

Applicant: Robert and Calin Birta  
Property Owner: Robert and Calin Birta  
Location: 919 Jennifer Street at its intersection with Bridger Court  
APN: 125-361-12  
Parcel Size: ± 0.32 Acres  
Master Plan: Incline Village #5  
Regulatory Zone: Incline Village #5  
Area Plan: Tahoe  
Development Code: Authorized in Article 804, Variances  
Commission District: 1 – Commissioner Hill



### 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 deny Variance Case Number WPVAR21-0004 for Robert and Calin Birta, being unable to make all five required findings in accordance with Washoe County Development Code Section 110.804.25.

*(Motion with Findings on Page 16)*

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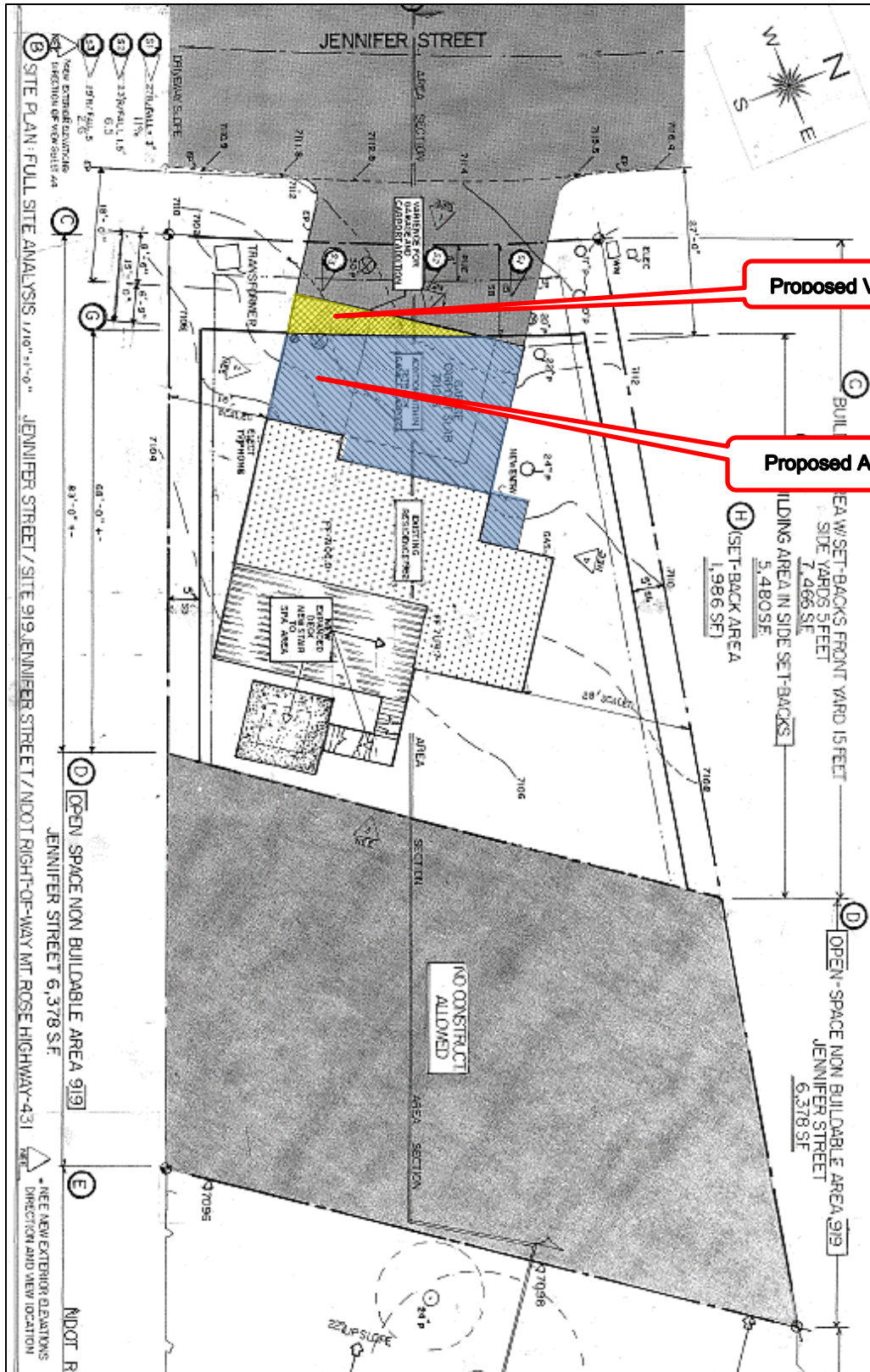
### **Variance Definition**

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:

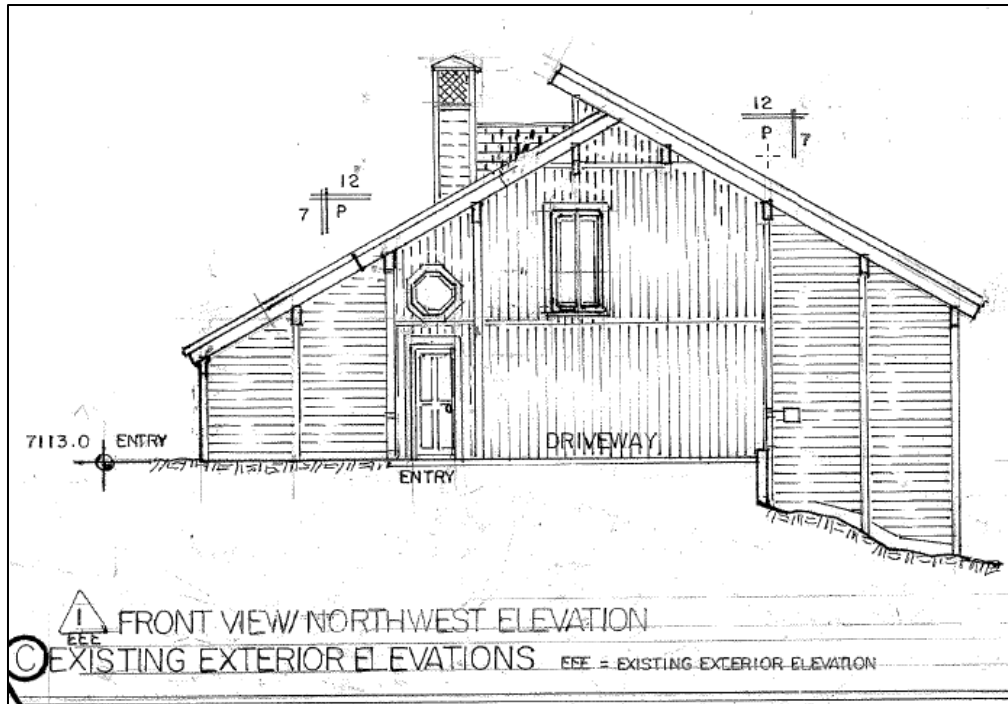
- Prior to permit issuance (i.e., a grading permit, a building permit, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure.
- Prior to the issuance of a business license or other permits/licenses.
- Some conditions of approval are referred to as “Operational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

There are no recommended conditions of approval for Variance Case Number WPVAR21-0004, because denial is recommended.

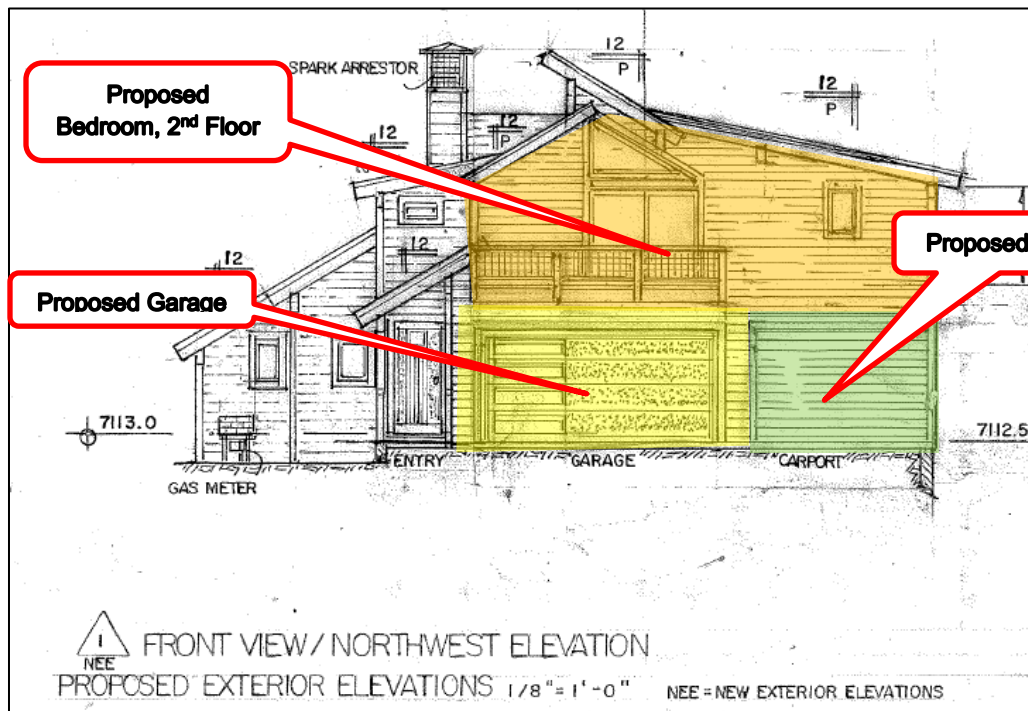
The subject property has a regulatory zone of Incline Village #5, in that area setbacks are defined by the size of the lot. For lots that are between 12,000 square feet and 34,999 square feet in size front and rear setbacks are 20’ and side setbacks are 8’. This particular lot has a smaller required front yard setback of 15 feet in accordance with the recorded final map. This lot is approximately 0.32 acres in size or approximately 13,939 square feet. Reductions to required setbacks are permissible subject to approval of a variance in accordance with Article 804 of the Development Code.



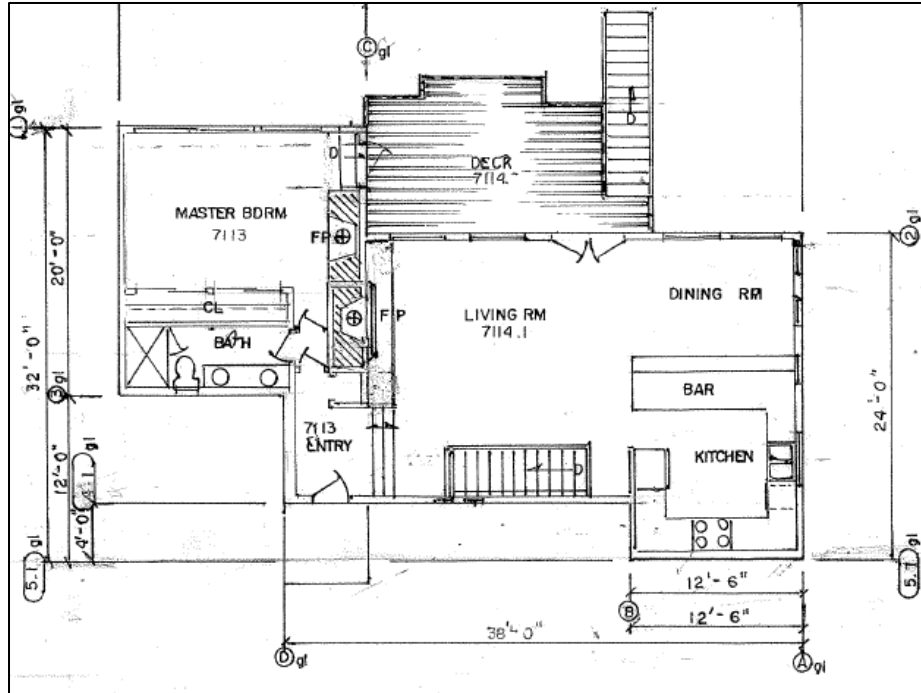
Site Plan



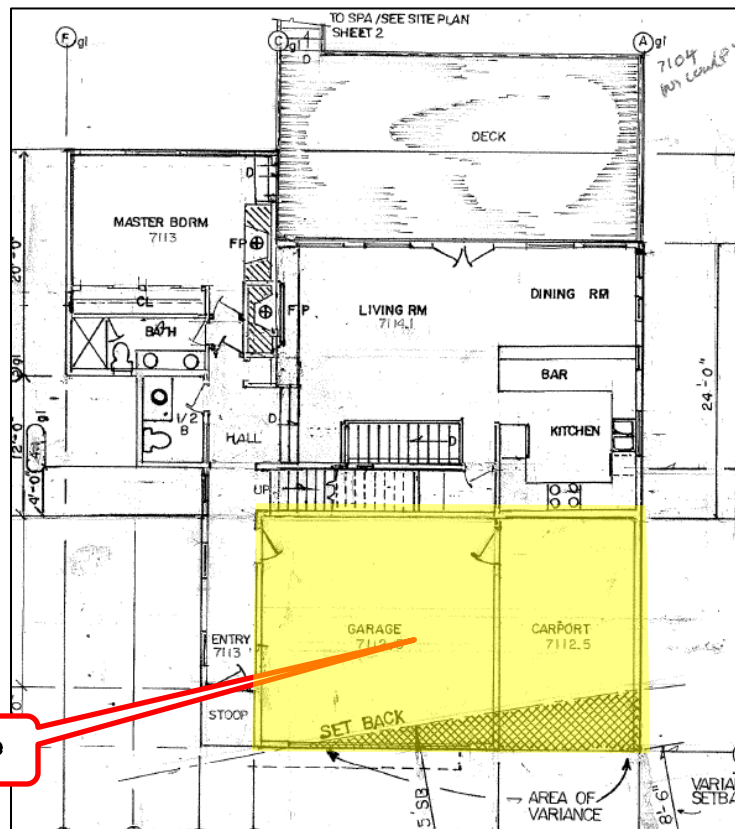
**Existing Front Elevation**



**Proposed Front Elevation**

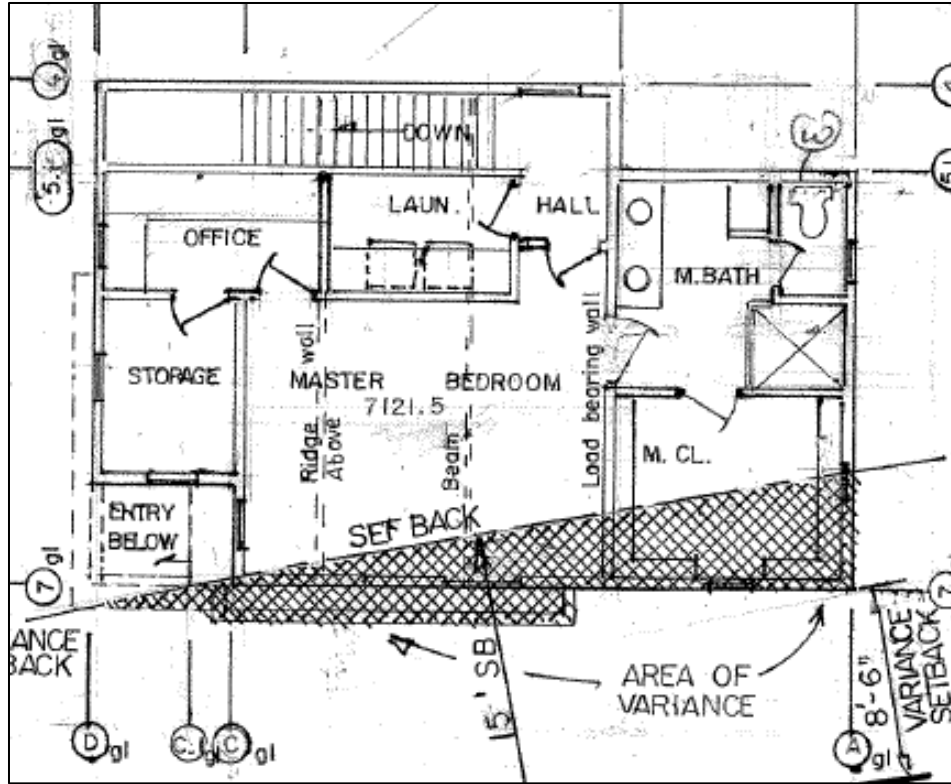


**Existing Floor Plan – Street Level**



**Proposed Garage**

**Proposed Floor Plan – Street Level**



**Proposed New 3<sup>rd</sup> Floor**

**Project Evaluation**

The applicant is seeking to reduce the required front yard setback from 15 feet to 8 feet. It is instructive to note that all of the other similarly situated lots from "Block M" of Incline Village Unit 1A are required to have larger front yard setbacks. The subject parcel has the smallest required setback in that block, as can be seen by the excerpt from Tract Map #1127, following:

BLOCK "M"		
LOT NO.	FRONT SETBACK	FRONT SLOPE EASE
1	25'	5'
2	25'	0
3	20'	0
4	15'	0
5	20'	0
6	20'	5'
7	15'	5'

Likewise, the required front yard setback is smaller than is otherwise required for other parcels of the same size within the Tahoe Area Plan, as can be seen in the following table:

Use Type and Parcel Size	Required Setback			Minimum Parcel Width (Feet)	Minimum Parcel Size (Square Feet)
	Front (Feet)	Side (Feet)	Rear (Feet)		
Residential					3,700 sf.
Greater Than 2.5 Acres	30	15	30	80 ft.	
35,000 Square Feet to 2.5 Acres	30	12	30	80 ft.	
12,000 Square Feet to 34,999.99 Square Feet	20	8	20	60 ft.	
5,000 Square Feet to	20	5	20	60 ft.	

The most critical aspect of evaluation of a proposed variance is to recognize that Nevada Revised Statutes (NRS 278.300) limits the power of the Board of Adjustment to grant variances only under particular circumstances. The applicant has the responsibility to demonstrate that the subject property exhibits one or more of the following characteristics to demonstrate a hardship:

- 1) exceptional narrowness, shallowness, or shape of a specific piece of property; or
- 2) by reason of exceptional topographic conditions; or
- 3) other extraordinary and exceptional situation or condition of the piece of property.

If such a finding of fact can first be made, then the Board must also determine that the strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property.

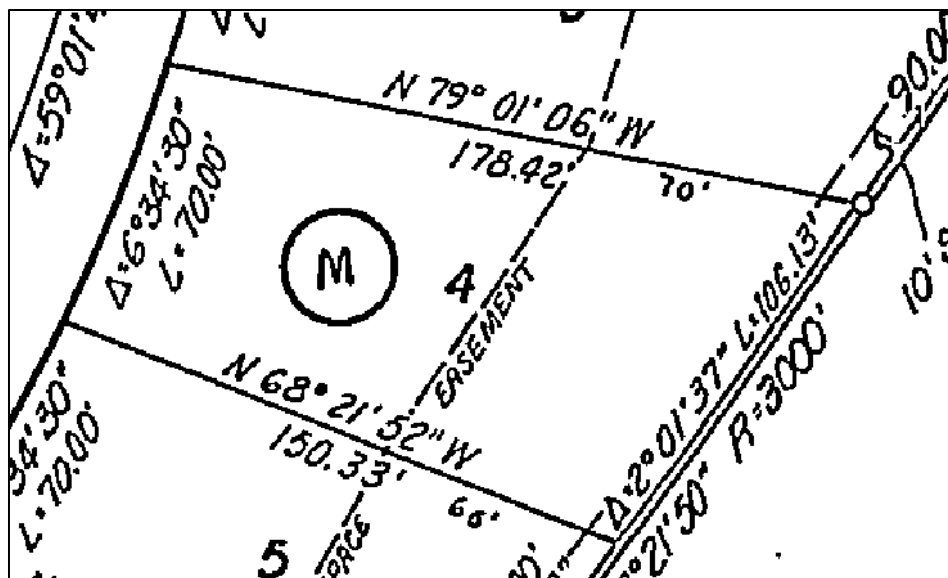
Staff would like to emphasize that a hardship is based only upon characteristics of the land, not the convenience of the applicant.

**Exceptional Narrowness:**

The subject site has a regulatory zone of Incline Village #5. In accordance with the Tahoe Area Plan and as shown on the table, above on this page, the minimum lot width for that zone is 60 feet. The subject parcel is 70 feet in width at the western (front) property line and 106.13 feet in width at the eastern (rear) property line. This results in an average lot width of approximately 88 feet and exceeds the minimum lot width requirement by approximately 28 feet.

Thus, the subject parcel is not exceptionally narrow.





#### Exceptional Shallowness:

The minimum lot dimension, as noted above, for the Incline Village #5 regulatory zone is 60 feet. The northern (side) property line is 178.42 feet in length, and the southern (side) property line is 150.33 feet in length, which results in an average depth of approximately 164 feet. This parcel of land, like those adjacent to it, includes an open space easement along the rear of the parcel. In this case that easement is 70 feet wide. If that 70 feet is subtracted from the overall depth of the parcel, an average depth of approximately 94 feet remains. This exceeds the minimum lot dimension by approximately 34 feet.

Thus, the subject parcel is not exceptionally shallow.

#### Exceptional Shape:

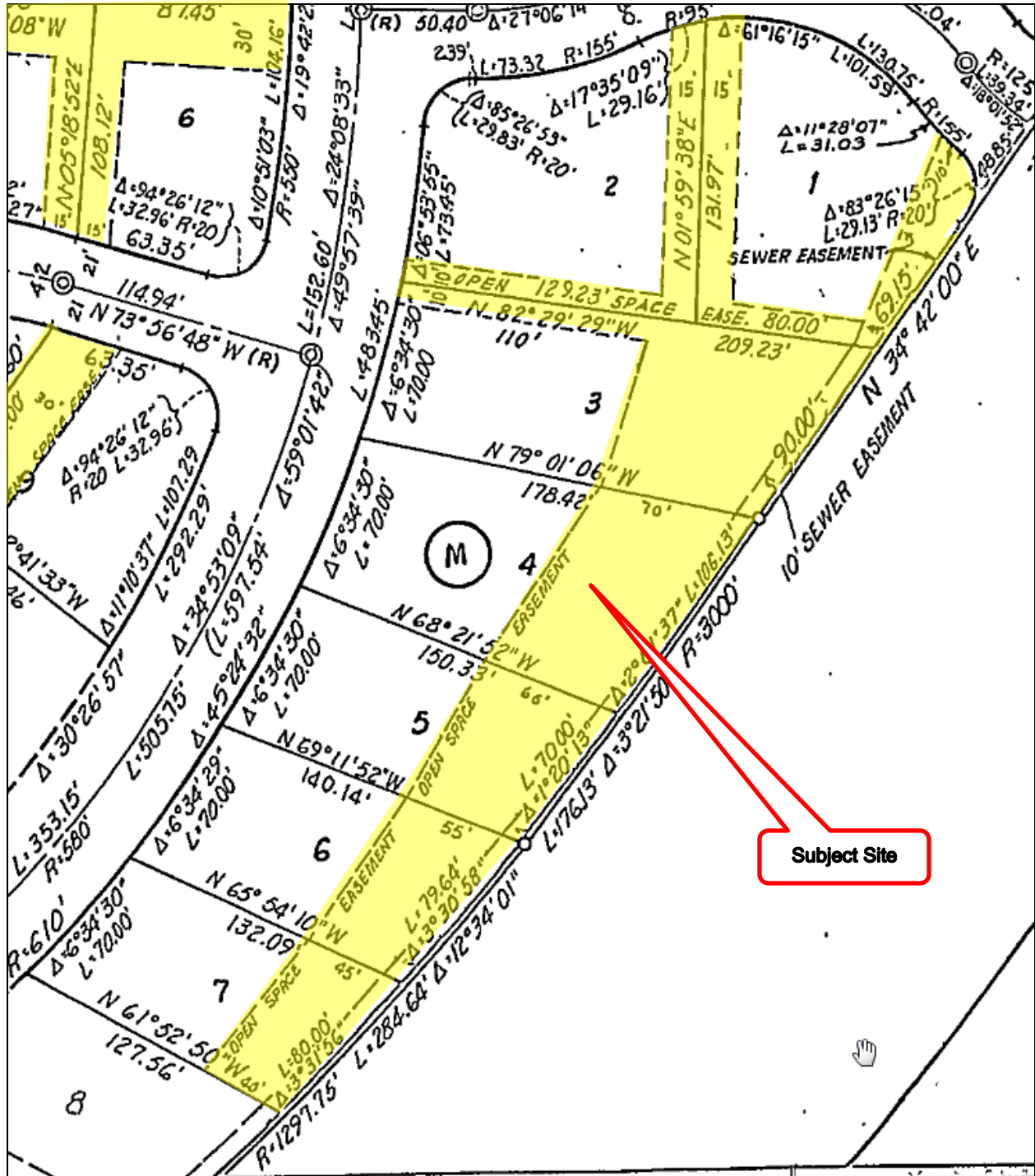
The subject parcel is essentially rectangular; please see the diagram (above, this page), with the dimensions of the subject site.

Thus, the parcel is not exceptionally shaped.

#### Exceptional Topographic Conditions:

The subject parcel slopes from an elevation of approximately 7114 feet at the northwest corner to an elevation of approximately 7098 at the southeast corner of the parcel. This is a difference of 16 feet over a distance of approximately 116 feet. This results in a slope of approximately 13% and is considered unconstrained for development purposes. Slopes of 15% or greater over 20% or more of the subject site may be considered hillside development under Article 424 of the Development Code.





Furthermore, as detailed in the “exceptional narrowness and exceptional shallowness” portion of this report, it has been conclusively demonstrated that the remainder of the parcel (outside of the open space easement) exceeds the minimum lot dimensions in both depth and width.

Further findings of fact are also required for the Board to approve the requested variance. These include that 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. This finding is also unable to be made. Because there are no special circumstances applicable to the subject site, approval of a variance would impair the intent of the Development Code which requires that a finding of hardship be made, for approval of a variance to be granted.

A finding that 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, is also required. This finding cannot be made. Again, because there are no special circumstances applicable to the subject site, approval of a variance to reduce the front yard setback (being cognizant of the fact that the setback is already among the smallest in the area) results in a special privilege to this applicant that is not consistent with the limitations on other properties.

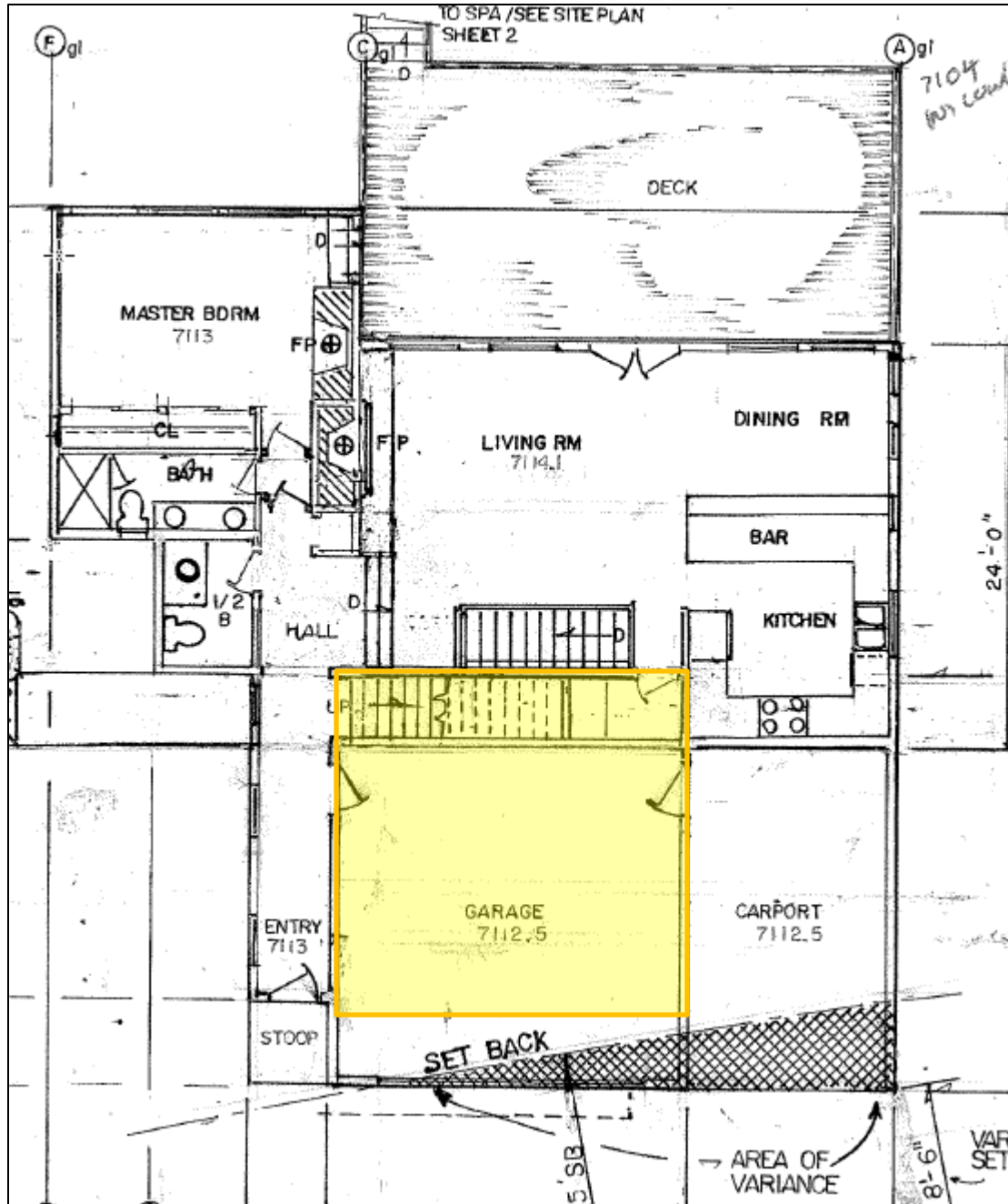
A further finding that the requested variance does not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property is also required. This finding can be made. A garage is permissible on the subject site, and as will be demonstrated later in this report, is feasible in many ways on the subject site without violating the required front yard setback.

Finally, a finding that issuance of the permit will not have a detrimental effect on the location, purpose or mission of a military installation can be made as there is no military installation within the area that is required to be provided with public notice for the variance request.

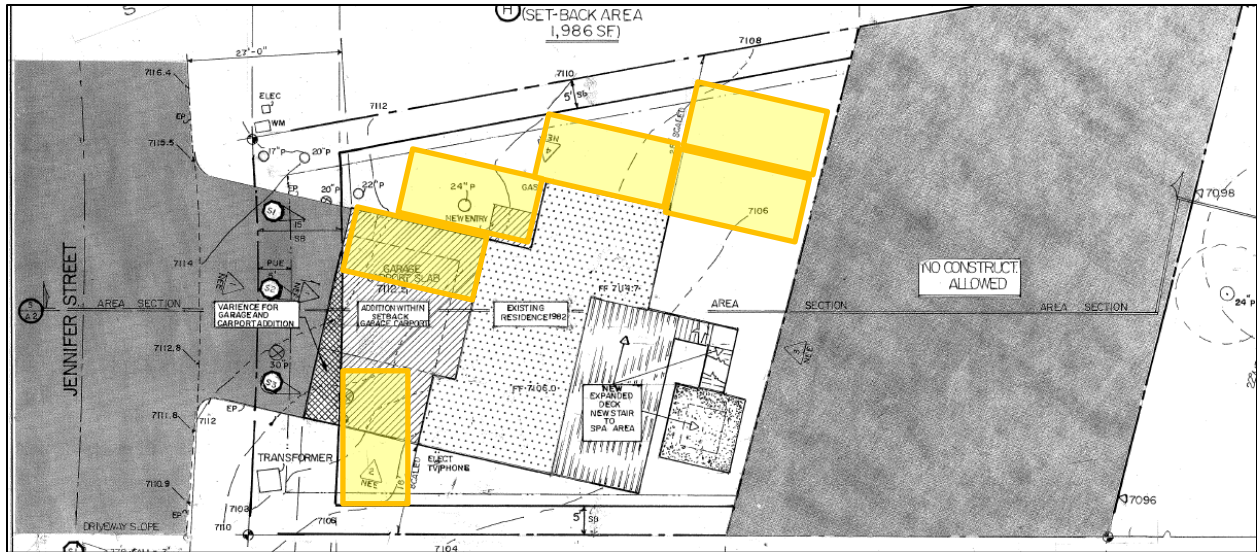
In addition to being unable to make the required findings of fact to support approval of the variance request, staff would like to demonstrate how improvements to the property may be made while maintaining the required setbacks. Staff would like to emphasize that it is not incumbent upon staff to show how to construct a garage on the parcel of land without a variance, as there is no absolute right for the applicant to construct a garage. But rather, staff can demonstrate that, because there is no hardship on the land, building a garage is feasible in many ways.

While there may be dozens of different ways that a garage may be constructed on the subject site, without violating the required setbacks, a few of these are demonstrated below.

First, a garage can be constructed in essentially the same location as the two-car garage that is proposed on the site plan included with the variance request, by simply eliminating or relocating the 4-foot-wide staircase to the proposed upper floor of the dwelling (see yellow area on floor plan on the following page), and constructing the garage in that location.



Likewise, on the following site plan the highlighted rectangles represent the approximate size of a one-car garage. There are many options open to the applicant.



In addition to having the smallest required front yard setback from block “M”, as shown previously in this report, the applicant also has the opportunity to request a minor deviation of up to 10% ( in this case 1 ½ feet ) reduction in the front yard setback which may be granted by the Director if it can be demonstrated that there are “extenuating circumstances or unique physical conditions on the project site to justify the need for the requested deviation” (WCC110.804.35). This is a much lower threshold of review than is required for approval of a variance.

While not cited as a special circumstance in this application, often the limitations on development of parcels of land within the Tahoe Basin (which are subject to compliance with Tahoe Regional Planning Agency [TRPA] regulations) is cited as special circumstances applicable to a particular parcel of land. TRPA regulations do constitute exceptional circumstances as they are applied equally to all development within the Tahoe Basin.

Denial of the variance is recommended by staff as there is no hardship of the land, and no extraordinary conditions, as required by NRS and WCC, necessary to support the approval of the variance request. In addition, it has been demonstrated that there are many options open to the applicant for the construction of a garage on the subject site, in conformance with all generally applicable provisions of the Development Code.

**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
Nevada State Lands	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sherri Baker sbaker@lands.nv.gov
Nevada Tahoe Conservation District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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 checked="" type="checkbox"/>	Tim Weiss tweiss@washoecounty.gov
Washoe County Sherriff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

WCHD – Air Quality	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Genine Rosa grosa@washoecounty.gov
WCHD – Environment Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
WCHD- EMS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jackie Lawson jlawson@washoecounty.gov
RTC Washoe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe Storey Conservation District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jim Shaffer 775.857.8500
Incline Village GID	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
North Lake Tahoe Fire Protection District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Patrick Mooneyhan pmooneyhan@nltpd.net
Tahoe Regional Planning Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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

### **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: There are no special circumstances applicable to the property, as demonstrated in this report. The parcel has no exceptional narrowness, shallowness or shape of the specific piece of property; no exceptional topographic conditions; no extraordinary and exceptional situation or condition of the property and/or location of surroundings. The strict application of the regulation does not result in exceptional and undue hardships upon the owner of the property, as there are many ways in which a garage can be constructed on the subject site, without violating the required setbacks.*

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: Because there are no special circumstances applicable to the subject site, approval of a variance would impair the intent of the Development Code which requires that a finding of hardship be made.*

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: Because there are no special circumstances applicable to the subject site, approval of a variance to reduce the front yard setback (being cognizant of the fact that the*

*setback is already among the smallest in the area) results in a special privilege to this applicant that is not consistent with the limitations on other properties.*

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: A garage is permissible on the subject site, and several opportunities exist on the subject site, for construction of a garage, without violating the required front yard setback*

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.

*Staff Comment: There is no military installation within the area that is required to be provided with public notice for the variance request.*

### **Recommendation**

After a thorough analysis and review, Variance Case Number WPVAR21-0004 is being recommended for denial, primarily because there are no special circumstances applicable to the property that result in a hardship. Staff offers the following motion for the Board 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 WPVAR21-0004 for Robert and Calin Birta, being unable to make 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: Robert and Calin Birta  
Email: robert@robortelectric.com

Representatives: Wayne Ford Residential Design  
Email: waynefordresidentialdesigner@yahoo.com

Tahoe Agencies: Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, NV 89449-5310

North Lake Tahoe Fire Protection District  
866 Oriole Way  
Incline Village, NV 89451-9439

Incline Village General Improvement District  
893 Southwood Boulevard  
Incline Village, NV 8945

Nevada Division of Forestry  
885 Eastlake Boulevard  
Carson City, NV 89701

Nevada State Lands  
Attn: Rex Harold  
901 South Stewart Street, Suite 5003  
Carson City, NV 89701-5246

USFS  
Attn: Brian Garrett, Urban Lands Manager  
35 College Drive  
South Lake Tahoe, CA 96150

## Exhibit A - WPVAR21-0004

**From:** [Patrick Mooneyhan](#)  
**To:** [Pelham, Roger](#)  
**Subject:** Agency Review-WVAR21-0004  
**Date:** Friday, December 17, 2021 2:45:41 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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

Good afternoon,

NLTFPD has no comments for this SUP regarding the proposed variance. However, should the variance be approved, requirements for a fire sprinkler system may be required depending on the size of the structure.

Thank you,



**Patrick Mooneyhan**  
**Fire Inspector II**

Office: 775.831.0351x1162 | Cell: 775.413-9344  
Email: [pmooneyhan@nltpd.net](mailto:pmooneyhan@nltpd.net)  
866 Oriole Way | Incline Village | NV 89451



**From:** [Rosa, Genine](#)  
**To:** [Pelham, Roger](#)  
**Cc:** [Restori, Joshua](#)  
**Subject:** December Agency Review Memo II  
**Date:** Wednesday, December 22, 2021 10:36:26 AM

### Variance Case Number WPVAR21-0004 (Birta Front Yard Setback Reduction)

No Comments

### Amendment of Conditions Case Number WAC21-0009 (Ormat Restricted Market Temporary Aggregate Pit Relocation)

Dust Control Permit has been obtained, should any crushing or screening be required then a Stationary Source Permit shall be required. Visit [ww.OurCleanAir.com](http://ww.OurCleanAir.com) for more information or contact Genine Rosa at 775-784-7204 or [grosa@washoecounty.gov](mailto:grosa@washoecounty.gov).

P.S. – Please be sure to click the link below and sign up to receive air quality news, updates, public notices and more via e-mail.

#### Genine Rosa

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

## Exhibit A - WPVAR21-0004

**From:** Sherri Barker <[sbarker@lands.nv.gov](mailto:sbarker@lands.nv.gov)>  
**Sent:** Wednesday, December 15, 2021 10:54 AM  
**To:** Albarran, Adriana <[AAlbarran@washoecounty.gov](mailto:AAlbarran@washoecounty.gov)>  
**Cc:** Charlie Donohue <[cdonohue@lands.nv.gov](mailto:cdonohue@lands.nv.gov)>; Meredith Gosejohan <[mgosejohan@lands.nv.gov](mailto:mgosejohan@lands.nv.gov)>; Scott Carey <[scarey@lands.nv.gov](mailto:scarey@lands.nv.gov)>  
**Subject:** FW: December Agency Review Memo II

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

Hello Adriana,

Thank you for providing NDSL the attached information and your request to review item #1. The proposed front yard setback waiver will not have an impact on state-owned property in this area.

The Nevada Division of State Lands has no concerns on item #1.

Sincerely,

**Sherri Barker**  
Land Agent III  
Nevada Tahoe Resource Team  
Nevada Division of State Lands  
Department of Conservation and Natural Resources  
901 S. Stewart Street, Suite 5003  
5<sup>th</sup> Floor, Bryan Building  
Carson City, NV 89701  
[sbarker@lands.nv.gov](mailto:sbarker@lands.nv.gov)  
(O) 775-684-2735 | (F) 775-684-2721  
<http://lands.nv.gov/resource-programs/tahoe/nv-land-bank>

**From:** [Program, EMS](#)  
**To:** [Pelham, Roger](#)  
**Cc:** [Program, EMS](#)  
**Subject:** FW: December Agency Review Memo II  
**Date:** Thursday, December 16, 2021 3:29:48 PM  
**Attachments:** [December Agency Review Memo II.pdf](#)  
[Outlook-rqe54nix.png](#)  
[Outlook-po5ka22n.png](#)  
[Outlook-d0cxlybi.png](#)  
[Outlook-faf14ew0.png](#)  
[Outlook-qevtzdat.png](#)

Good afternoon,

The EMS Oversight Program has reviewed item #1 in this memo, Variance Case Number WPVAR21-0004 (Birta Front Yard Setback Reduction) and does not have any comments or concerns regarding variance based on the information provided.

Please let me know if you have any further questions.

*Thank you,*

*Jackie Lawson*

Office Support Specialist | Division of Epidemiology & Public Health Preparedness | [Washoe County Health District](#)  
[jlawson@washoecounty.gov](mailto:jlawson@washoecounty.gov) | O: (775) 326-6051 | 1001 E. Ninth St., Bldg B, Reno, NV 89512

## Exhibit A - WPVAR21-0004



Washoe-Storey Conservation District

Bret Tyler Chairman  
Jim Shaffer Treasurer  
Cathy Canfield Storey app  
Jean Herman Washoe app

1365 Corporate Blvd.  
Reno NV 89502  
775-857-8500 ext. 131  
nevadaconservation.com

December 19, 2021

Washoe County Community Services Department

C/O Roger Pelham, Senior Planner

1001 E Ninth Street, Bldg A

Reno, NV 89512

R: WPAVAR21-0004 Birta setback

Dear Roger,

In reviewing the detached accessory dwelling, the Conservation District has the following comment.

The District recommends that the addition of the two-car garage have the same colors as the primary residence including the roofing material.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources any questions call us at (775)750-8272.

Sincerely,

J Shaffer

# Exhibit A - WPVAR21-0004



## WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT Engineering and Capital Projects

1001 EAST 9<sup>TH</sup> STREET  
RENO, NEVADA 89512  
PHONE (775) 328-3600  
FAX (775) 328.3699

Date: December 16, 2021

To: Roger Pelham, Senior Planner, Planning and Building Division

From: Timber Weiss, P.E., Engineering and Capitol Projects Division

Re: Variance Case **WPVAR21-0004** – **Birta Front Setback Variance**  
APN 125-361-12

### GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff has reviewed the above referenced application. The application is for a variance to approve a variance to reduce the required front yard building setback to allow for a garage and addition to a single family dwelling from 15' to 8'. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the application prepared by the applicant. The County Engineer shall determine compliance with all the following conditions of approval.

For questions related to sections below, please see the contact name provided.

### GENERAL ENGINEERING CONDITIONS

Contact Information: Timber Weiss, P.E. (775) 328-4626

1. Provide a hold-harmless agreement, that holds harmless the County for damage to said Owners' property which might arise out of normal road maintenance and snow removal operations by reason of any structures being constructed closer than eight (8) feet to the property line, to the satisfaction of the District Attorney and the Engineering Division.

### DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Walter West, P.E. (775) 328-2310

There are no Drainage related comments.

### TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitchell Fink, P.E. (775) 328-2050

There are no Traffic related comments.

### UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Tim Simpson, P.E. (775) 954-4648

There are no utility related conditions of approval.

## Exhibit A - WPVAR21-0004

Date	12-14-21
Attention	Roger D Pelham
Re	Variance Case #WPVAR21-0004
APN	125-361-12
Service Address	919 Jennifer
Owner	Robert and Calin Birta

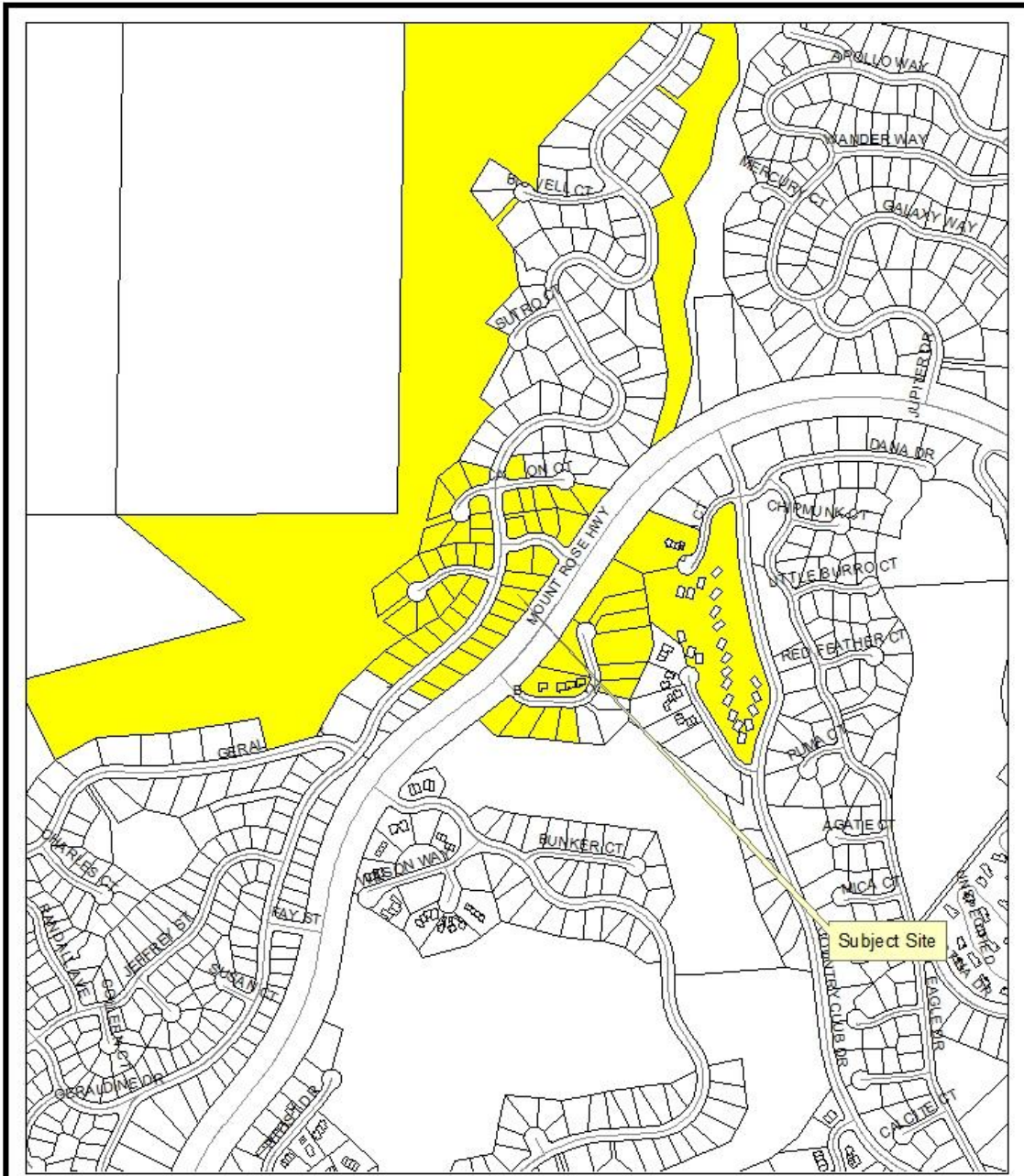
[Variance Case Number WPVAR21-0004 \(Birta Front Yard Setback Reduction\)](#) – For hearing, discussion and possible action to approve a variance to reduce the required front yard setback from 15 feet to 8 feet to facilitate the addition of a two-car garage and a one-car carport at ground level and a new master bedroom suite on the floor above.

- Applicant/Property Owner: Robert and Calin Birta  
919 Jennifer Street  
Incline Village, NV 89451
- Location: 919 Jennifer Street at its intersection with Bridger Ct.
- Assessor's Parcel Number(s): 125-361-12
- Parcel Size: ± 0.32 Acres

- Master Plan Category: Incline Village #5
- Regulatory Zone: Incline Village #5
- Area Plan: Tahoe
- Development Code: Authorized in Article 804, Variances
- Commission District: 1 – Commissioner Hill
- Staff: Roger Pelham, MPA, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775-328-3622
- E-mail: rpelham@washoecounty.gov

IVGID Comments: No Impact to the Incline Village General Improvement District.

# Exhibit B – WPVAR21-0004



Mailing and Vicinity Map

WPVAR21-0004 Notice Map  
65 parcels selected at 500 feet

0 0.075 0.15 0.3  
Miles

Community Services Department  
WASHOE COUNTY NEVADA

Source: Planning and Building Division/Community Development Department/ArctView/maps and mailing/mbk/wp-map/WPVAR21-0004\_Publish Date: 2/10/2021

1001 E. Ninth St.  
Reno, Nevada 89512 (775) 328-3800

Community Services Department  
Planning and Building  
VARIANCE APPLICATION



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

Telephone: 775.328.6100



## Washoe County Development Application

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

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <span style="float: right;">Birta Variance</span> (Reduce front yard setback from 15 feet to 8 feet)			
Project Description: Add to two car garage and attached carport. Add living area above addition. Expand rear deck and add stair system to new spa on slab below.			
Project Address: 919 Jennifer Street Incline Village, NV. 89451			
Project Area (acres or square feet): .32 AC. / 13,844 SF.			
Project Location (with point of reference to major cross streets <b>AND</b> area locator): Nearest Cross Street: Marlett Way. Parcel backs to 431 Mt Rose Highway.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
125-361-12	.32		
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
<b>Applicant Information (attach additional sheets if necessary)</b>			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: Birta, Calin (Robert)		Name: Wayne Ford/ Res Design	
Address: R & Diana I 919 Jennifer St. Incline Village, NV. 89451		Address: 731 Lynda Court Incline Vill, NV Zip: 89451	
Phone: 775-230-2220 Fax: na,		Phone: 775-772-2495 Fax:	
Email: robert@robtelectric.com		Email: waynefordresidentialdesigner@yahoo.com	
Cell: same Other:		Cell: same Other:	
Contact Person: Wayne Ford		Contact Person: Wayne Ford	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone: Fax:		Phone: Fax:	
Email:		Email:	
Cell: Other:		Cell: Other:	
Contact Person:		Contact Person:	
<b>For Office Use Only</b>			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Property Owner Affidavit

Applicant Name: CALIN BIRTA and DIANA BIRTA

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA )
COUNTY OF WASHOE )

I, CALIN R. BIRTA and DIANA BIRTA
(please print name)

being duly sworn, depose and say that I am the owner\* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

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

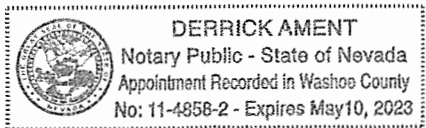
Assessor Parcel Number(s): 125-361-12

Printed Name CALIN BIRTA / DIANA BIRTA
Signed [Signature]
Address 919 Jennie
INCLINE VILLAGE, NV 89451

Subscribed and sworn to before me this 22 day of November, 2021.

[Signature]
Notary Public in and for said county and state

My commission expires: May 10, 2023



\*Owner refers to the following: (Please mark appropriate box.)

- Owner (checked)
Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
Power of Attorney (Provide copy of Power of Attorney.)
Owner Agent (Provide notarized letter from property owner giving legal authority to agent.) (checked)
Property Agent (Provide copy of record document indicating authority to sign.)
Letter from Government Agency with Stewardship

# VARIANCE DOCUMENTS

Owners: Mr. and Mrs. Birta, Robert and Diana

Project Address: 919 Jennifer Street Incline Village, NV  
89451

Project: Add new entry, two care garage and carport. Above entry, garage and carport add master bedroom, bath and closet area. Front additions require the front yard setback to be reduced as zoned. New rear deck and spa area within current rear and side yard setbacks as designed.

Project APN: 125-361-12 Washoe County. Legal: Lot 4,  
Block 'M' Incline Village Unit No 1A.



WPVAR21-0004  
EXHIBIT C

# Introduction to findings for a variance need for the front yard setback on parcel 125-361-12 Washoe County, Incline Village, NV. 919 Jennifer Street. Lot 4 Block "M" Unit No. 1A.

**Owners: Mr. And Mrs. Birtal**

**The current parcel was recorded in 1960 's . In the review process at the time with the Nevada Tahoe Planning Agency "Open Space Zones" were created on many parcels in the Incline Area. These areas did not allow for any structure to be built. This dedicated areas were done to off set more sensitive parcels that were much steeper . Coverage was then assigned to these parcels from the restricted areas on parcels such as 919 Jennifer.**

**Due to the arbitrary nature of this selection process for the assignment of open space ,where no building could take place, selected parcels had less area to development. A .5 acre parcel in many cases would not be impacted in the same way a much smaller parcel that was .32 of a acre. Then the addition of front and side yard setbacks made the building area even smaller.**

**Zoning first was applied in 1912 . Zoning is not just land use but also land rules. Even with the best insight into the planning process land use changes by peoples needs. Many homes built in 1982 were "summer homes". So in closed parking for year around access was not needed. That has now changed and so has the development code where at least one space is required to be in closed for a car.**

**In the 1930's the Nevada Legislature saw that a process to allow for Zoning adjustments was needed and thus sections 278.010 through 278.630 were adopted. The Washoe County Code 110.804.25 Findings was established in the 1990's. How hardship was defined was part of this code.**

**Section (a) Special Circumstances (3) applies to the parcel 125-361-12. " Other extraordinary and exceptional situation or condition of the property and/or location of surroundings. The "open space easement " is such a special circumstance. This has reduced the building area on the site to only 39% of the total lot area. See sheet 1a.**

**In addition the parcel becomes under section (1) narrow and shallow in building area shape.**

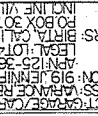
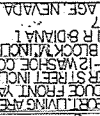
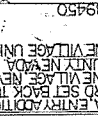
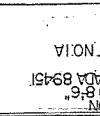
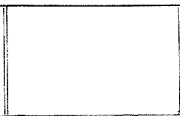
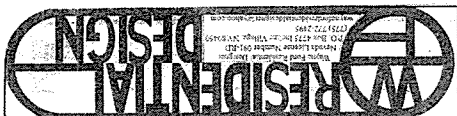
**The result of this current Zoning is that a parcel has a "hardship" to be able to add a garage and carport at the west side of the parcel with access from Jennifer Street. This requires that the front yard setback be adjusted from 15 feet to 8 feet at one side.**

**Wayne Ford  
Wayne Ford Residential Design  
License Number 091-RD**

**VARIANCE DOCUMENTS**

Owners: Mr. and Mrs. Birita, Robert and Diana  
 Project Address: 919 Jennifer Street Incline Village, NV 89451  
 Project: Add new entry, two car garage, and carport. Above entry, garage and carport add master bedroom, bath and closet area. Front additions require the front yard setback to be reduced as zoned. New rear deck and spa area within current rear and side yard setbacks as designed.  
 Project APN: 125-361-12 Washoe County, Legal: Lot 4, Block 'M' Incline Village Unit No. 1A.

- ARCHITECTURE: VARIANCE DOCUMENTS  
 AO: SHEET INDEX
- A 1 SITE PLAN, TREE SITE ASSESSMENT, ADDITION LOCATION, SITE SECTION, NATURAL SLOPE
  - A 2 EXISTING SITE PLAN, STATEMENT VARIANCE FINDINGS, AREA PLAN, SITE DATA, KEY TO LAND USE
  - A 3 SITE SECTION LAND USE EXISTING FLOOR PLAN PROPOSED FLOOR PLAN EXISTING EXTERIOR ELEVATIONS
  - A 4 NEW EXTERIOR ELEVATIONS W/ ADDITION OF GARAGE, CARPORT, ENTRY AND DECK, TRPA ALLOWED HEIGHT.
- EXHIBIT A: LETTER ASSIGNED
- EXHIBIT B: LETTER ASSIGNED
- EXHIBIT C: LETTER ASSIGNED
- EXHIBIT D: LETTER ASSIGNED
- EXHIBIT E: LETTER ASSIGNED
- EXHIBIT F: LETTER ASSIGNED
- EXHIBIT G: LETTER ASSIGNED
- EXHIBIT H: LETTER ASSIGNED
- EXHIBIT I: LETTER ASSIGNED
- EXHIBIT J: LETTER ASSIGNED
- EXHIBIT K: LETTER ASSIGNED
- EXHIBIT L: LETTER ASSIGNED
- EXHIBIT M: LETTER ASSIGNED
- EXHIBIT N: LETTER ASSIGNED
- EXHIBIT O: LETTER ASSIGNED
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- EXHIBIT T: LETTER ASSIGNED
- EXHIBIT U: LETTER ASSIGNED
- EXHIBIT V: LETTER ASSIGNED
- EXHIBIT W: LETTER ASSIGNED
- EXHIBIT X: LETTER ASSIGNED
- EXHIBIT Y: LETTER ASSIGNED
- EXHIBIT Z: LETTER ASSIGNED

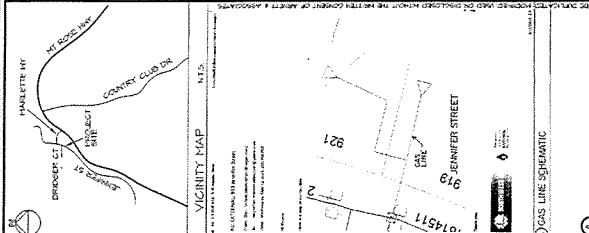


PROJECT: GARAGE, CARPORT, ENTRY AND DECK, TRPA ALLOWED HEIGHT.  
 PROCESS: A VARIANCE FRONT SETBACK OF 20'-0" TO 8'-6" OF LOCATION: 919 JENNIFER STREET INCLINE VILLAGE, NEVADA 89451  
 OWNERS: BIRITA, ROBERT AND DIANA  
 INCLINE VILLAGE, NEVADA 89450

NO SCALE  
 ARCHITECTURE: VARIANCE DOCUMENTS

**IMPROVED COVERAGE SURVEY**  
 LOT 4 BLOCK 74 INCLINE VILLAGE UNIT NO. 1A  
 APR 125-36-12 WASHOE COUNTY NEVADA  
 919 JENNIFER ST INCLINE VILLAGE, NV

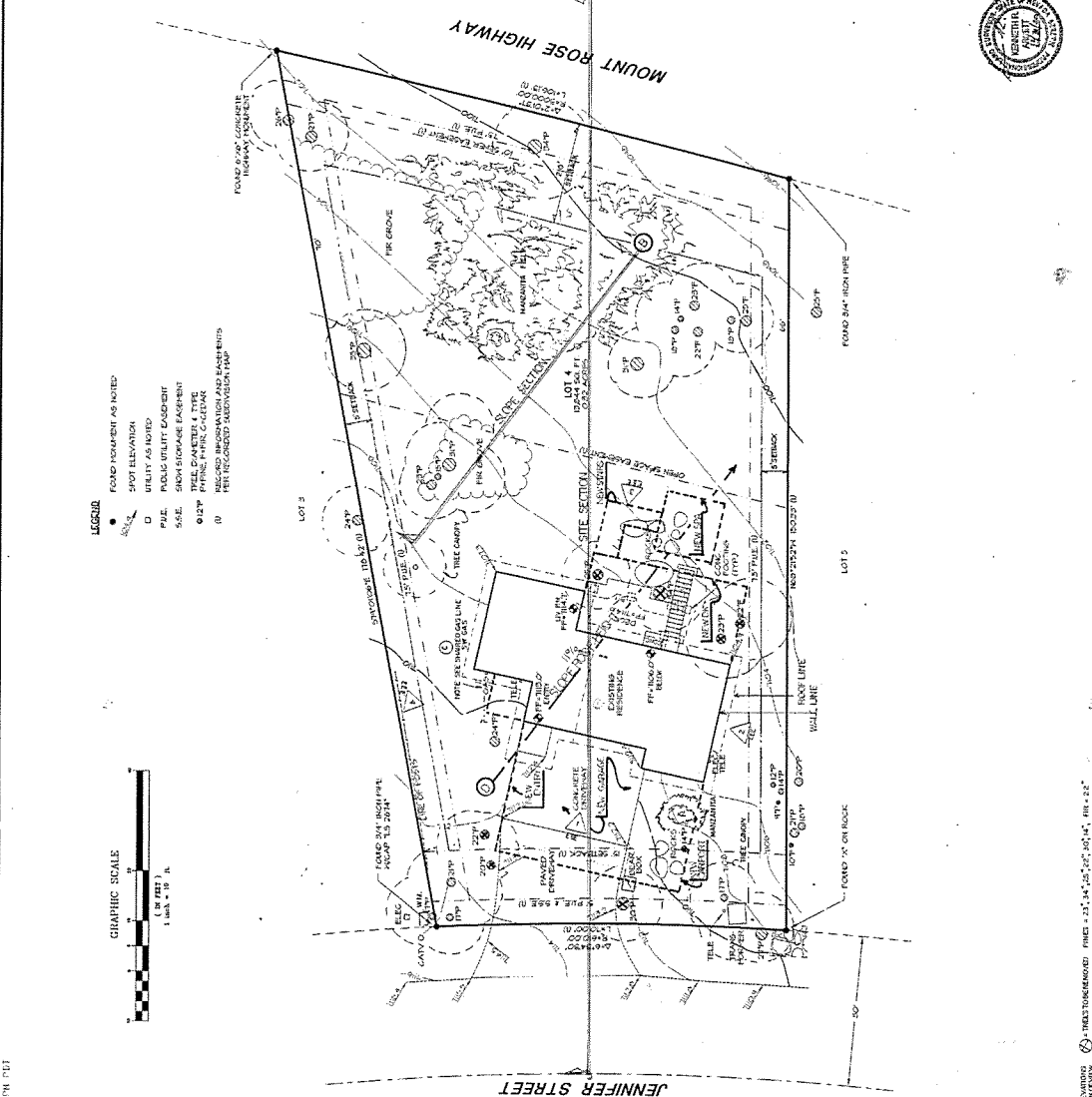
**ASSOCIATES, INC.**  
 1000 S. RIVER ST. SUITE 200  
 LAS VEGAS, NV 89102  
 TEL: 702-735-1100  
 FAX: 702-735-1101  
 WWW.ASSOCIATESINC.COM



**COVERAGE CALCULATIONS**  
 LOT AREA = 19,448 SF (0.44 AC)  
 EXISTING LAND COVERAGE  
 RESIDENCE 4,500 SF  
 PAVED DRIVEWAY 450 SF  
 COMPLETE PAD 360 SF  
 TOTAL 5,310 SF (0.12 AC)

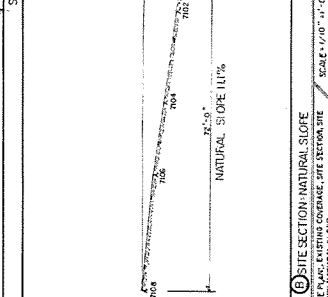
\*CALCULATED WITH 3' HEIGHT REDUCTION

THIS SURVEY HAS BEEN CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEVADA SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING ENGINEERS. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ADVERSE INTERESTS OR ENCUMBRANCES AFFECTING THIS SURVEY. THE SURVEYOR'S RESPONSIBILITY IS LIMITED TO THE ACCURACY OF THE DATA PROVIDED AND THE TECHNICAL ASPECTS OF THE SURVEY. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE DATA PROVIDED OR THE TECHNICAL ASPECTS OF THE SURVEY.



**LEGEND**

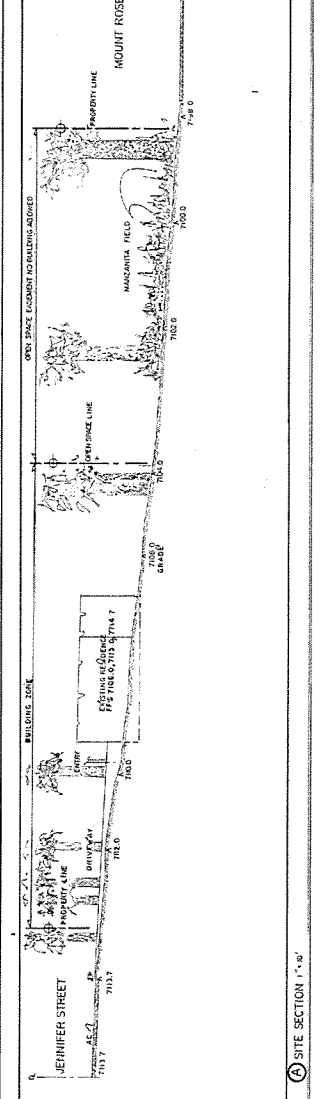
- FOOT COUNTEMENT AS NOTED
- SPOT ELEVATION
- UTILITY AS NOTED
- P.U.E. PUBLIC UTILITY EASEMENT
- S.S.E. SIDEWALK EASEMENT
- P.P.C. PRIVATE PUBLIC CONVEYANCE
- RECORDED INSTRUMENT AND EASEMENTS
- FEE RECORDED SUBDIVISION MAP



**SITE SECTION NATURAL SLOPE**  
 SITE PLAN EXHIBITING COVERAGE, SITE SECTION, SITE CROSS SECTION, ETC.

**NOTES:**

- THESE PLANS SHOW THE PROPOSED IMPROVEMENTS TO THE EXISTING RESIDENCE AND DRIVEWAY AND THE PROPOSED GARAGE/REAR ENTRY ADDITION. THE EXISTING RESIDENCE AND DRIVEWAY ARE SHOWN WITH DASHED LINES AND THE PROPOSED IMPROVEMENTS ARE SHOWN WITH SOLID LINES.
- THE PROPOSED GARAGE/REAR ENTRY ADDITION IS TO BE CONSTRUCTED ON THE SOUTH SIDE OF THE EXISTING DRIVEWAY AND IS TO BE SEPARATED FROM THE EXISTING RESIDENCE BY A CONCRETE WALL AND A 6" AIR SPACE.
- THE PROPOSED GARAGE/REAR ENTRY ADDITION IS TO BE 10 FEET WIDE AND 12 FEET DEEP. IT IS TO BE 3 FEET FROM THE REAR PROPERTY LINE AND 3 FEET FROM THE SIDE PROPERTY LINE.
- THE PROPOSED GARAGE/REAR ENTRY ADDITION IS TO BE 3 FEET FROM THE EXISTING DRIVEWAY AND 3 FEET FROM THE EXISTING RESIDENCE.
- THE PROPOSED GARAGE/REAR ENTRY ADDITION IS TO BE 3 FEET FROM THE EXISTING DRIVEWAY AND 3 FEET FROM THE EXISTING RESIDENCE.
- THE PROPOSED GARAGE/REAR ENTRY ADDITION IS TO BE 3 FEET FROM THE EXISTING DRIVEWAY AND 3 FEET FROM THE EXISTING RESIDENCE.
- THE PROPOSED GARAGE/REAR ENTRY ADDITION IS TO BE 3 FEET FROM THE EXISTING DRIVEWAY AND 3 FEET FROM THE EXISTING RESIDENCE.
- THE PROPOSED GARAGE/REAR ENTRY ADDITION IS TO BE 3 FEET FROM THE EXISTING DRIVEWAY AND 3 FEET FROM THE EXISTING RESIDENCE.
- THE PROPOSED GARAGE/REAR ENTRY ADDITION IS TO BE 3 FEET FROM THE EXISTING DRIVEWAY AND 3 FEET FROM THE EXISTING RESIDENCE.
- THE PROPOSED GARAGE/REAR ENTRY ADDITION IS TO BE 3 FEET FROM THE EXISTING DRIVEWAY AND 3 FEET FROM THE EXISTING RESIDENCE.



**SITE SECTION 1" = 4"**

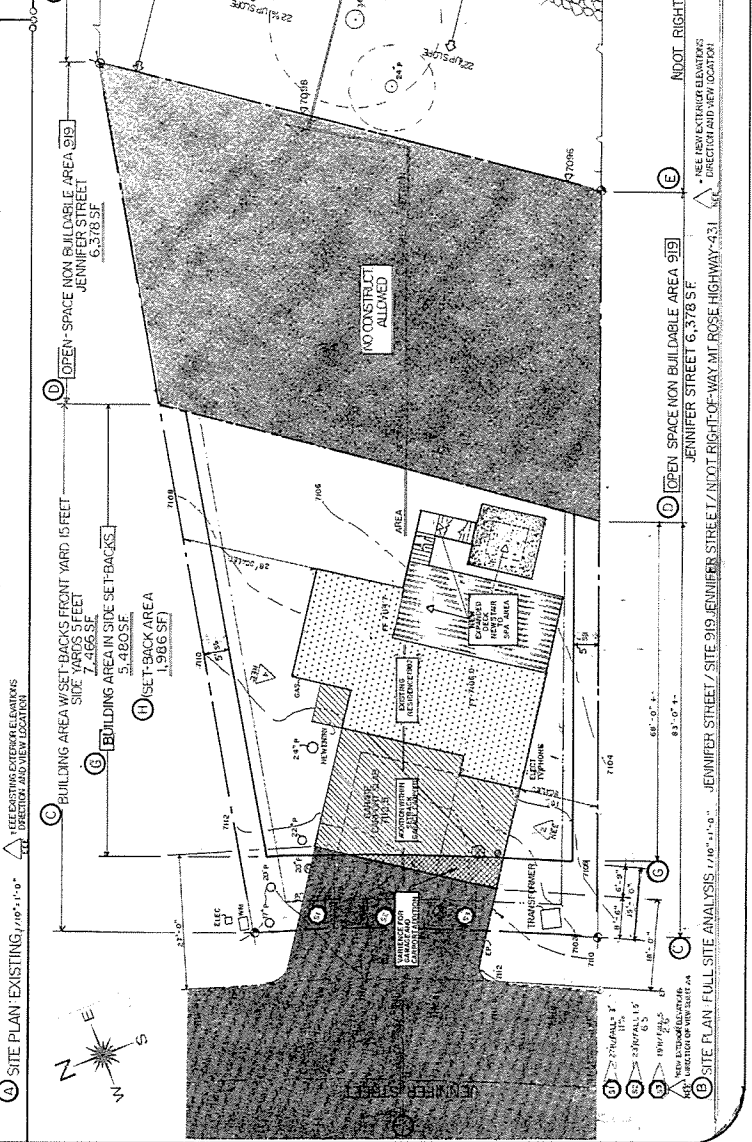
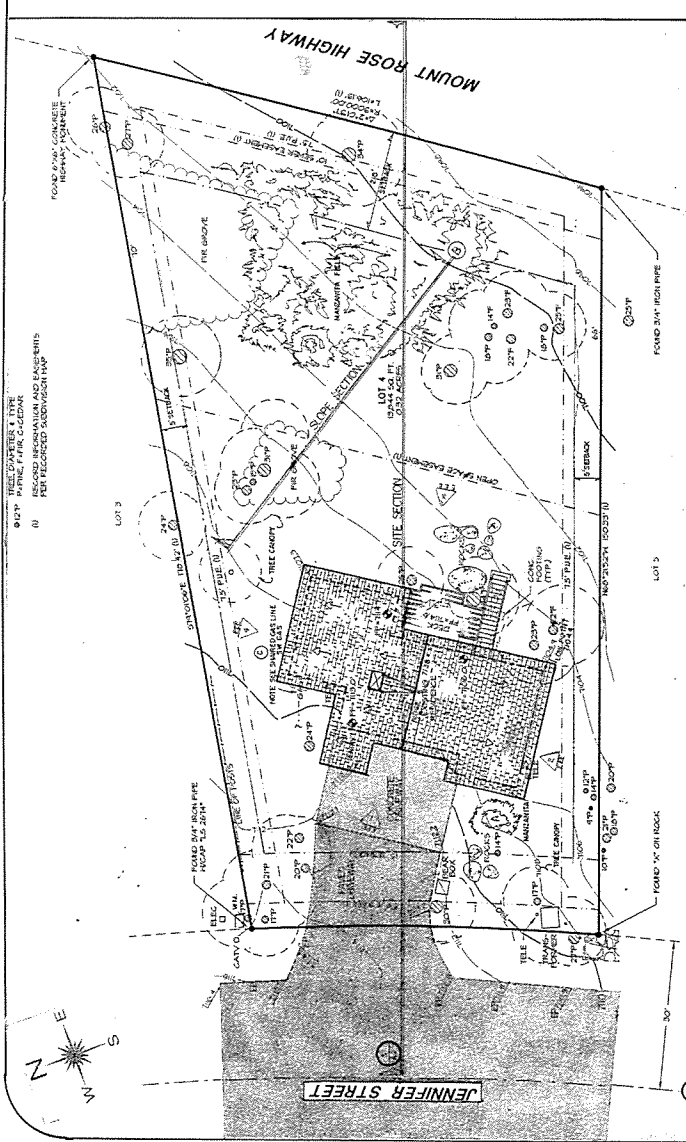
**SITE PLAN 1/8" = 1'-0"**

**SITE SECTION NATURAL SLOPE**  
 SITE PLAN EXHIBITING COVERAGE, SITE SECTION, SITE CROSS SECTION, ETC.

PROPERTY RESTRICTED BY ZONING  
 919 JENNIFER ST INCLINE VILLAGE, NEVADA 125-361-12  
 LOT AREA: 13,844 SF (0.32 AC) = 138,441 SF  
 LOT BUILDING AREA ALLOWED BY ZONING = 5,480 SF  
 PERCENT OF LOT AREA ALLOWED TO BE BUILT ON = 39%  
 VARIANCE-ADD BUILDING AREA 90 SF

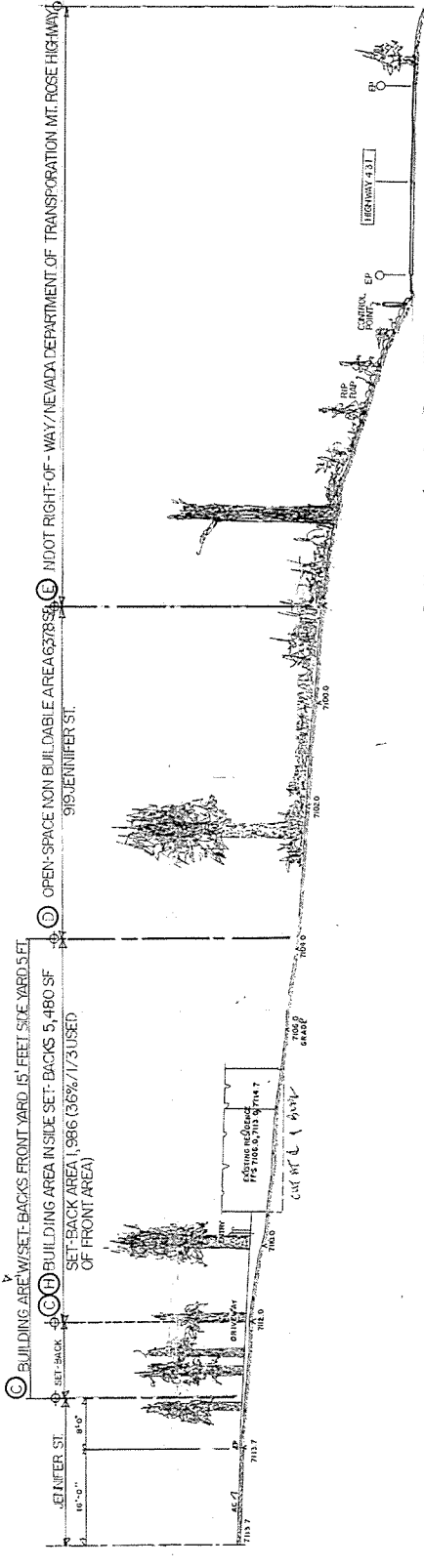
**HARDSHIP RESTRICTED PARCEL ONLY  
 39% CAN BE BUILT ON**

**SITE DATA**  
 1 ADDRESS: 919 JENNIFER STREET INCLINE VILLAGE, NEVADA  
 2 ASSessor'S PARCEL NUMBER 025-361-12 WASHINGTON COUNTY  
 3 RESIDENCE BUILT IN 1982  
 4 LOT AREA: 13,844 SF (0.32 AC)  
 5 SETBACKS: FRONT 15 FT, SIDE 5 FT, REAR 5 FT  
 6 GARAGE: COVERED PARKING WASHINGTON COUNTY DEVELOPMENT CODE - TABLE SECTION 110.304.15  
 7 SINGLE FAMILY ATTACHED 2 PER DWELLING UNIT (1) OF 10' - 0"  
 8 EXISTING LOT COVERED UNDER TRUMP PERMITS 254,000 SF  
 9 DECK CODE: EXISTING UNDER TRUMP PERMITS 254,000 SF  
 10 ADDED OUTRIDGE UNDER CLASS 4 (20%) 13,844 SF (20% = 2,768.80 SF)

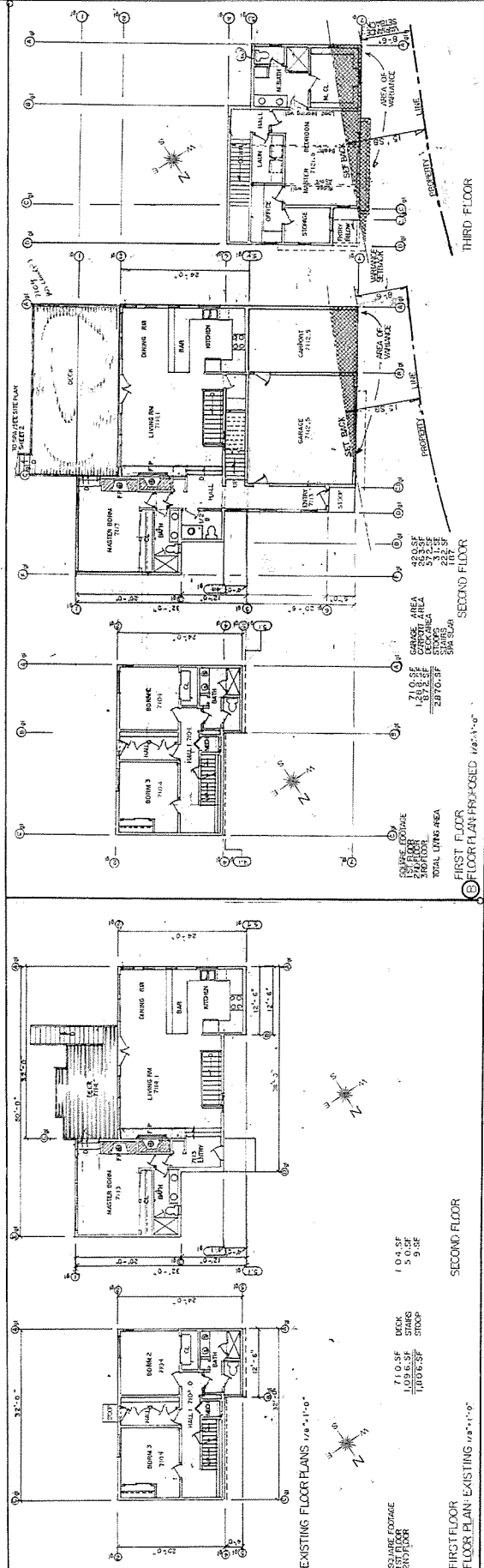


**KEY TO LAND USE**

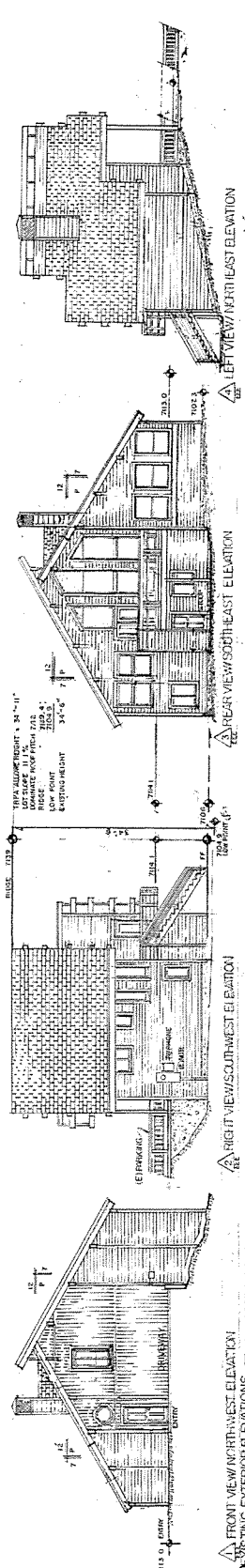
[Symbol]	JENNIFER STREET DRIVEWAY RESIDENCE
[Symbol]	GARAGE GARPORT VARIANCE AREA
[Symbol]	ADDITION WITHIN SETBACKS GAR/PORT
[Symbol]	EXISTING RESIDENCE
[Symbol]	EXISTING RESIDENCE
[Symbol]	EXISTING RESIDENCE
[Symbol]	CONCRETE SLAB SPA
[Symbol]	NO CONSTRUCTION ALLOWED
[Symbol]	NO HIGHWAY 431 VARIANCE



**(S)** AREA SECTION 1/16" = 1'-0"



**(A)** FIRST FLOOR EXISTING 1/8" = 1'-0"  
**(B)** SECOND FLOOR EXISTING 1/8" = 1'-0"  
**(C)** THIRD FLOOR EXISTING 1/8" = 1'-0"



**(A)** FRONT VIEW NORTHWEST ELEVATION  
**(B)** EXISTING EXTERIOR ELEVATIONS  
**(C)** RIGHT VIEW SOUTHWEST ELEVATION  
**(D)** LEFT VIEW NORTHEAST ELEVATION





- (4) All tenants of any mobile home park that is located within three hundred (300) feet of the property which is the subject of the variance; and
  - (5) All General Improvement Districts (GID) for the area in which the property that is the subject of the variance is located.
- (b) Notice of Property Owners by Electronic Means. If requested by a party pursuant to subsection (a) of this section and if receipt can be verified, an electronic notice must be provided at least ten (10) days before the meeting, setting forth the time, place, purpose of hearing, and map or physical description of the land involved.
  - (c) Number of Notices. If the number of notices sent pursuant to this section does not total thirty (30) or more, the County shall send out additional notices to make the total number at least thirty (30). These notices shall be sent to owners of real property that are closest to the property in question, not including those owners provided notice pursuant to Subsection (a) of this section.
  - (d) Compliance with Noticing Requirements. Owners of all real property to be noticed pursuant to this section shall be those owners identified on the latest County Assessor's ownership maps and records. Such notice is complied with when notice is sent to the last known addresses of such real property owners as identified in the latest County Assessor's records. Any person who attends the public hearing shall be considered to be legally noticed unless those persons can provide evidence that they were not notified according to the provisions of this section.

*[This Section amended by Ord. 924, provisions eff. 2/6/95; Ord. 951, provisions eff. 6/7/96.]*

✓ **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 all of the following apply to the property:

✓ (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

# Variance Application Supplemental Information

(All required information may be separately attached)

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

Exist front yd setback 15 feet/ reduce to 8 feet at south end of property.

**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?

Zoning established in 1960 open space easement with WC County setbacks in 1990's. See sheet A2 for exhibits A-J

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?

No views blocked. Guest parking off provided. No privacy issues, keep ext. side yard setbacks. View clear for backout

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.)?

Providing covered parking (non now) for cars at residence. Thus eliminate cluttered of views on street.

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

Other property with same zoning restrictions had been granted front yard setbacks changes on street. No special privilege

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

Yes     No    If yes, please attach a copy.

7. How is your current water provided?

IVGID

8. How is your current sewer provided?

IVGID

## Letter of Representation

To Whom It May Concern:

We give authority, a limited power of attorney, to Wayne Ford of Wayne Ford Residential Design, to represent us, (Diana Birta & Calin Birta) in the obtaining of a variance to reduce the front yard setback for our property on 919 Jennifer, Incline Village, NV, 89451, APN: 125-361-12.

This is for the construction of a two-car garage with an attached carport. The project has also living area above and a new entry system. At the rear of the existing residence will be the expansion of the rear deck, which will be partially covered by a roof and a stair system to a spa below.


Respectfully,

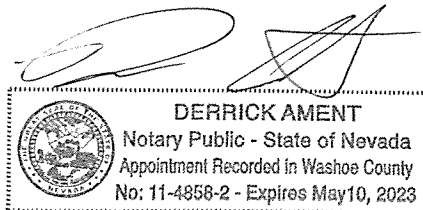
Diana Birta & Calin Birta

Diana Birta  
(775) 848-7460  
919 Jennifer,  
Incline Village, NV, 89451  
APN: 125-361-12

 / 11/22/2021

Calin Birta  
(775) 230-2220  
919 Jennifer,  
Incline Village, NV, 89451  
APN: 125-361-12

  
11/22/2021



STATE OF NEVADA  
COUNTY OF WASHOE  
THIS INSTRUMENT WAS ACKNOWLEDGED  
BEFORE ME ON 11/22/2021  
BY Diana Birta and  
Calin Birta

WPVAR21-0004  
EXHIBIT C

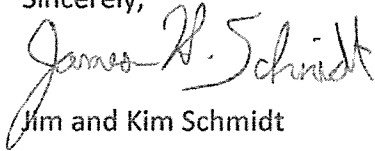
April 3, 2021

To Whom It May Concern:

Our next-door neighbors, Robert Birta and his family, want to build a garage on the front of their house. The garage would need to extend into the county easement on the street side of the house. The elevation here is 7100 feet and during a big winter, the weather can be brutal, even dangerous.

We are in the process of building a garage after 26 years here, and completely understand the need for one at this elevation. We have absolutely no objection to Washoe County waiving the required setback for the Birta's new garage.

Sincerely,

   
Jim and Kim Schmidt



919  
BIRTH

125-361-13 Schmidt.  
LEPPER  
921 Jennifer



Date	Record Number	Record Type	Project Name	Address	Status/ Agency	Description
9/6/'19	WBLD19-103037	Utility Permit	UTILITY UPGRADES	919 JENNIFER ST INCLINE VILLAGE NV 89451	Finalized WASHOE	CHANGE OUT 20' OF SEWER LINE TO CAST IRON / STUB OUT WATER LINE FOR FUTURE FIXTURES TO OUTDOOR SINK, FRIDGE, AND POT FILLERS / 10' GAS LINE FOR OUTDOOR BBQ / NEW 150K BTU BOILER FOR HYDRONIC HEATING THROUGH OUT HOUSE/ WATER
9/6/'19	WBLD19-103042	Residential New, Addition or Remodel Permit	BATHROOM REMODELS	919 JENNIFER ST INCLINE VILLAGE NV 89451	Finalized WASHOE	REMODEL IN MASTER BATHROOM TO CHANGE OUT TUB TO SHOWER WITH NEW SHOWER PAN AND FIXTURE / DOWN STAIRS BATHROOM REMODEL TO CHANGE OUT TUB LIKE FOR LIKE WITH NEW FIXTURE / NO CHANGE TO FIXTURE COUNT
8/21/'19	WBLD19-102784	Utility Permit	ELECTRICAL - BIRTA	919 JENNIFER ST INCLINE VILLAGE NV 89451	Finalized WASHOE	ADD CAN LIGHTS TO KITCHEN AND DINNING AREA / CHANGE OUT SERVICE PANEL TO 200 AMP
8/21/'19	WBLD19-102785	Residential New, Addition or Remodel Permit	DRYWALL - BIRTA	919 JENNIFER ST INCLINE VILLAGE NV 89451	Finalized WASHOE	REPLACE DRYWALL IN KITCHEN, DINNING ROOM, AND LIVING ROOM
7/8/'19	WBLD19-102283	Residential Reroof Permit	BRITA - REROOF	919 JENNIFER ST INCLINE VILLAGE NV 89451	Finalized WASHOE	REROOF COMP SHINGLE