



## Incline Village Crystal Bay Citizens Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

Minutes of the Incline Village Crystal Bay Citizens Advisory Board meeting held at Incline Village General Improvement District, 893 Southwood Blvd, Incline Village, NV 89451 on September 26, 5:30 P.M.

**1. \*CALL TO ORDER/ PLEDGE OF ALLEGIANCE** – Pete Todoroff called the meeting to order at 5:30 P.M.

**2. \*ROLL CALL/DETERMINATION OF A QUORUM** - Pete Todoroff, Gerry Eick, Judy Miller, Andrew Wolf, Kevin Lyons. A quorum was determined.

Absent: Mike Sullivan, Tom Cardinale

**3. \*PUBLIC COMMENT** –

Aaron Vanderpool said he represents himself and the Village Court. He said pulling out on Oriole way has become worse. He submitted pictures of oil slicks. He said the parking is blocking the sight pulling out. He said cars are racing up and down the street. He said there is a van selling food out of his van with kids running across to it. The street has become more dangerous.

**4. APPROVAL OF THE AGENDA FOR THE MEETING OF JULY 25, 2016** – Gerry Eick moved to approve the agenda for the meeting of **JULY 25, 2016**; Kevin Lyons seconded the motion to approve the agenda. The motion passed unanimously.

**5. APPROVAL OF THE MINUTES OF JULY 25, 2016** – Judy Miller made a motion to approve the minutes from the meeting of **JULY 25, 2016** with changes. Gerry Eick seconded the motion to approve the minutes. The motion passed unanimously.

**6. \*PUBLIC OFFICIAL REPORTS**

**A. \*Washoe County Commissioner** - Commissioner Berkbigler may be reached at 775-328-2005 or [mberkbigler@washoecounty.us](mailto:mberkbigler@washoecounty.us). *(This item is for information only and no action will be taken by the CAB).*

**7. DEVELOPMENT PROJECTS** – The project description is provided below with links to the application or you may visit the Planning and Development Division website and select the Application Submittals page:

[http://www.washoecounty.us/comdev/da/da\\_index.htm](http://www.washoecounty.us/comdev/da/da_index.htm).

**A. Variance Case Number VA16-006 (Eget Residence)** – Hearing, discussion, and possible action to approve a variance to 1) reduce the front yard setback along Wassou Road from 20 feet to 14 feet 5 inches to allow for a storage addition below the existing deck, 2) to reduce the front yard setback along Teresa Road from 20 feet to 10 feet to allow a detached garage addition, 3) to reduce the front yard setback along Tuscarora Road from 20 feet to 8 feet to allow for a detached garage addition and 4) to reduce the north side yard setback from 8 feet to 5 feet to allow for a bath addition and deck rebuild at the existing residence and 5) to reduce the north side yard setback from 8 feet to 5 feet for a detached garage addition.

- **Applicant/Owner:** Jeffery D. Eget
- **Location:** 45 E. Tuscarora Road, Crystal Bay
- **Assessor's Parcel Number:** 123-136-02
- **Staff:** Trevor Lloyd, 775-328-3620, [tlloyd@washoecounty.us](mailto:tlloyd@washoecounty.us)
- **Reviewing body:** The following case is tentatively scheduled to be heard by the Board of Adjustment on October 6, 2016

Gerry Eick said they attended a CAB training session. He said they reminded that the CAB focus is the agendized item. If in the course of review other matters arise, CAB members or public members may submit them in writing instead of being discussed.

Jim Borelli, the subject property architect, reviewed the proposed site plan:

Requesting an approved variance for:

- Reduced side set back from 8 to 5pm on the north side of the property.
- Demolishing two buildings
- Construct two car garage with sleeping quarters, storage area, fitness room
- Reducing front set back on Wassou from 20 to 8.6 feet.
- Reducing side set back from 8 to 5 feet
- Reduction in setback on Teresa court from 20 to 8 feet.
- Front setback on Tuscarora from 20 to 8
- He said Washoe County engineering doesn't have a problem with it.
- This will allow for an accessory structure of two stories
- Topography, setbacks on 3 out of 4 sides of the lot
- Bedroom addition on the cabin

He showed diagrams of:

- Floor plan of current cabin
- The elevation and proposed floor plan
- Proposed garage building

Discussion:

Gerry Eick spoke about the setbacks. They are allowing them to put structures on east and west side of property with open space in between. He said he is particularly concerned on the northeast. He said it needs to be specific that the setback is specifically for the structure, and not to be filled in later.

Roger Pelham said if a variance is granted, it's always granted with conditions. The plans you submit must be in substantial conformance of the site plan. The site plan becomes part of the record. Roger Pelham said we don't have an opinion 'for' nor 'against' a variance either way. A variance can be granted by special hardships, topography, shape, etc.

Judy Miller said she heard that they struggle with coverage. This lot is already reached maxed coverage, so we can't be concerned with future development because of limited coverage. Judy spoke about the TRPA 1% lot coverage, but this one was grandfathered it. It can be shuffled around. Gerry Eick said he wanted to make sure there was no conflict with TRPA and Washoe County code. Roger Pelham said this is not an accessory dwelling. He said the limitation of the plumbing is a Tahoe area plan restriction. Roger said the Tahoe area plan is being re-written. He said we take they the elements and put them into the Tahoe area plan modifiers.

Andy Wolf asked about the detached garage allowable use without variance. Roger confirmed they could; it would be accessory uses to the main property. Andy asked about with living space. Roger said there are different standards for structures and dwellings.

Andy asked about the southeast corner setback. Mr. Borelli said that was a dimensional error which has been corrected. Roger Pelham said that isn't uncommon. He said the application gets assigned to a planner, and submitted for review to agencies. Roger said Eva hadn't studied that specific setback yet.

Andy Wolf said there is a garage and cabin; accessory buildings to the main building and storage above main building. They already have those uses on the property, therefore, what is the lack of ability to have those uses as they are. He asked why isn't what you have there enough. Mr. Borelli said they have only a one car garage, not two. The current structures wouldn't be easy to add on to. Instead of adding onto the old structures, Mr. Borelli said this proposal would create a separation from old to new.

Andy asked about the 7 foot setback storage. He asked what would prevent that building to change in the future. Mr. Borelli said there is no heating in that structure. It's a room with windows. It's more than just storage. Andy said the CAB received correspondence from a neighbor. Gerry Eick said the conversation email trail indicated they would submit

all correspondence to the Board of Adjustments. Mr. Borelli said they received multiple correspondences from neighbors. He said there was a similar site plan setback on the same street.

Andy asked about the entitlement for a 2 car garage. Roger Pelham said current requirements for single family are one enclosed and one off-street parking space. Roger said it applies to new building and if there was a remodel. It makes it conforming. Roger said they wouldn't allow it to be non-conforming.

Mr. Borelli said East Tuscarora is busy and steep. He said it's a dangerous street. Teresa court only has 4 houses on the street. He said it's an easier way to park and get out of the car. It's a safety positive aspect.

Andy Wolf asked if cabin and garage are re-developed, what variances would be needed. Mr. Borelli said he thought he would need a variance but it would probably be less.

Andy Wolf asked to separate the setbacks and discuss and recommend them separate. Gerry said they are the east and west projects, essentially two sets of setbacks.

Agenda items: 1 & 4 - east side to existing; items 2, 3 & 5 – detached accessory structure

Andy said he was concerned with the accessory (items 2, 3, 5). He said it's a nice new structure; however, those uses already exist on property without a variance. He said he can't make that finding of hardship such as following the requirements of code, some hardship or inability to develop so the owner can't enjoy the property.

Mr. Borelli said the structure encroaches into the setback; it's non-conformance as it is now. This would bring it into compliance with variance.

Roger Pelham summarized NRS 278 - the approval of variance: Special circumstance, narrowness, shape, due to topography or extraordinary situation or conditions.

Kevin Lyons asked what public interest is this addressing. Roger Pelman said the purposes of setback are many – maintain community, light and air to adjacent roadways, snow removal, roadways. This is primarily character.

**MOTION: Kevin Lyons recommended approval of VA 16-006. Judy Miller seconded the motion to recommend VA16-006. Andy Wolf opposed the project. The motion passed 4 to 1.**

**B. Variance Case Number VA16-005 (Thomas Lypka)** – Hearing, discussion, and possible action to approve: 1) a reduction in the rear yard setback from 20 feet to 14 feet, 6 inches; and 2) to allow and increase at the front eaves of the existing dwelling to extend 4 feet, 6 inches, from the existing 2 feet, into the front yard setback. The variances are requested to facilitate the expansion of the existing dwelling.

- **Applicant/Property Owner:** Applicant: Thomas Lypka PO Box 6683 Incline Village, NV 89450
- **Location:** 755 Judith Court at the southeast corner of its intersection with Harper Court
- **Assessor's Parcel Number:** 125-231-19
- **Staff:** Roger Pelham, 775-328-3622, rpelham@washoecounty.us
- **Reviewing body:** The following case is tentatively scheduled to be heard by the Board of Adjustment on October 6, 2016

Wayne showed a slideshow of the current subject property:

- Parcel size 6,461 (small lot for the neighborhood)
- The allowed building area is 2,787 – 57% is taken up by buildable area due to the setbacks.
- It's a corner lot – built in 2001.
- Outside deck is 39 square ft. 16 feet is unusable.

Proposing:

- Increasing 14% of living area

- New upper and lower deck with roof
- Reduction in setbacks from 20 feet to 14.6 feet. The setback won't affect views.
- Wayne said they received the neighbor's support. The open land behind the house is open IVGID land.

He showed the proposed & existing floor plan and elevation:

- Wayne said TRPA said this is a small lot.
- Simple gable add-on to the end of the house
- They will move the fire places to insert windows. The windows freeze shut which creates a safety issue.

Wayne showed pictures of the subject property slide show:

- IPES score (745) allows coverage of 1,292 sq ft.
- TRPA small lot relief under TRPA cap 30.42 which allows 1,800 sq ft.
- Wayne reviewed the recorded setbacks changes
- Wayne reviewed the hardship criteria for small lot – smallest lots; narrow and long shape; unduly problematic building envelope
- He said they are requesting 20 foot setback to 14.6 feet; which is the least amount of structural impact to the existing home.
- Energy efficiency: Solar gain more sustainable.
- He showed pictures of the average winter scene with snow storage. The safest place to add on is the rear side.
- The average lot sizes in the neighborhood are 9,000 sq ft. This property is 6,000 sq ft.
- Expand the gable end for water control and elimination of ice on walkway in winter
- Insert drainage in driveway

Andy Wolf said as originally mapped, the building envelope, what is the 'open space' classified as? Wayne said an unofficial map, it indicates open space. When it got recorded, it had no setback. In 1998, it was recorded zoning for 20 feet. Andy said it's compelling to say there is a variance on a setback that wasn't originally there.

Roger addressed Andy's question regarding setbacks and variances. There zoning categories; there is a conversion table when it was adopted. Various type of zoning – land use designations. Wayne said they are consistent. Sideyard setback 10% of required minimum width. Kevin Lyons asked why is this the case if there is a setback. Roger said setbacks accomplish many different issues.

Wayne said there is a setback on the open space in the rear. The recorded map to set precedence, and it stayed at 10 feet. Nothing was recorded, the 20 ft was applied. Part of the map became a rule and law and the other map parts became the rule and law.

Judy Miller said she appreciated the work and research. She believes it's a hardship based on what was presented.

MOTION: Judy Miller moved to recommend variance for this case. Andy Wolf seconded the motion. The motion passed unanimously.

## **9. County Update –**

Sarah Tone, Office of the County Manager, gave an update:

- Appointment of 3 representatives for the Senate and Assembly. The Governor's office asked Washoe County to appoint in order to fill seats before next Commissioners' meeting.
- Open house Wednesday, September 28, 3:30 pm at the Chateau to review the Tahoe Area Plan with staff representatives to address questions and comments. Open house to educate and get feedback from the community. Community Forum October, 13, 5:30pm, IVGID Boardroom (tentative).
- The Budget passed this year. There was not a lot of growth
- State of the County topics included: 14Million dollar for parks; Crossroads program; info 311 tool with tracking to identify issue areas.
- She said she will follow up on Oriole.

- College Drive – Dwayne Smith and traffic engineer will identify the signs and other traffic aspects. Gerry mentioned the Incline Creek Estates – 67 units. Andy said some better pruning of vegetation in the County right-of-way would be helpful. He said grading could be improved. Sarah said Clara Lawson will take a look. She is very good at noticing easy adjustments.
- Sarah encouraged everyone to participate in your area plan
- Kevin Lyons asked why people don't want sidewalks; Sarah said they want rural-feel to their community.
- Kevin Lyons asked about the elected officials – Sarah reported the appointed seats.
- Medicinal marijuana has been a topic in the County, as well as Trash Franchise agreement.
- Community Meetings: Sarah said the Commissioner can't host one when it's election season due to commissioner running for re-election. Potential Community Forum topics: Roads, Tahoe Area plan, and other special topics.

**9. \*CHAIRMAN/BOARD MEMBER ITEMS/NEXT AGENDA ITEMS** - This item is limited to announcements by CAB members and topics/issues posed for future workshops/agendas. *(This item is for information only and no action will be taken by the CAB).*

- Pete Todoroff said the property on Tanager is a junk yard and needs to be addressed. It's been over two years.
- Gerry Eick said at the October 13<sup>th</sup> meeting, we need next steps from staff.

**10. \*PUBLIC COMMENT** – Limited to no more than three (3) minutes. Anyone may speak pertaining to any matter either on or off the agenda. The public are requested to submit a Request to Speak form to the Board Chairman. Comments are to be addressed to the Board as a whole.

- Bill Devine said he noticed there weren't any officials present.
- Wayne Ford spoke about the old Chevron Station. Eric is overseeing that property. They will take down the fence and re-build the fence. It needs improvement.

**11. ADJOURNMENT** – The meeting adjourned at 7:03 p.m.

Number of CAB members present: 5  
 Number of staff present: 1  
 Submitted By: Misty Moga

Number of Public Present: 15

Presence of Elected Officials: 0