



# Board of Adjustment Staff Report

Meeting Date: April 2, 2015

Subject: Variance Case Number: VA15-002  
Applicant: Kimberly Kline  
**Agenda Item Number: 8E**  
Project Summary: To reduce the required front yard setback from thirty (30) feet to fifteen (15) feet to allow for the placement of a ±2,318 square foot manufactured home and a single car garage.  
**Recommendation: Modified Approval with Conditions**  
Prepared by: Grace Sannazzaro, Planner  
Washoe County Community Services Department  
Planning and Development Division  
775.328.3771  
Phone: 775.328.3771  
E-Mail: [gsannazzaro@washoecounty.us](mailto:gsannazzaro@washoecounty.us)

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## Description

**Variance Case Number VA15-002 (Kline)** – To reduce the required front yard setback from 30 feet to 15 feet to allow for the placement of a ± 2,318 square foot manufactured home and a single car garage.

- Property Owner: Kimberly Kline
- Applicant: KC Custom Concepts
- Location: 250 Monarch Drive, in Washoe Valley; approximately one-third mile northeast of the East Lake Boulevard/Monarch Drive intersection
- Assessor's Parcel Number: 050-371-46
- Parcel Size: .92 acres
- Master Plan Category: Suburban Residential (SR)
- Regulatory Zone: Low Density Suburban (LDS)
- Area Plan: South Valleys
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 804, Variances
- Commission District: 2 – Commissioner Lucey
- Section/Township/Range: Section 32, Township 17N, Range 20E, MDM, Washoe County, NV

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**Variance Definition**

The purpose of a Variance is to provide a means of altering the requirements in specific instances where the strict application of those requirements would deprive a property of

privileges enjoyed by other properties with the identical regulatory zone because of special features or constraints unique to the property involved; and to provide for a procedure whereby such alterations might be permitted by further restricting or conditioning the project so as to mitigate or eliminate possible adverse impacts.

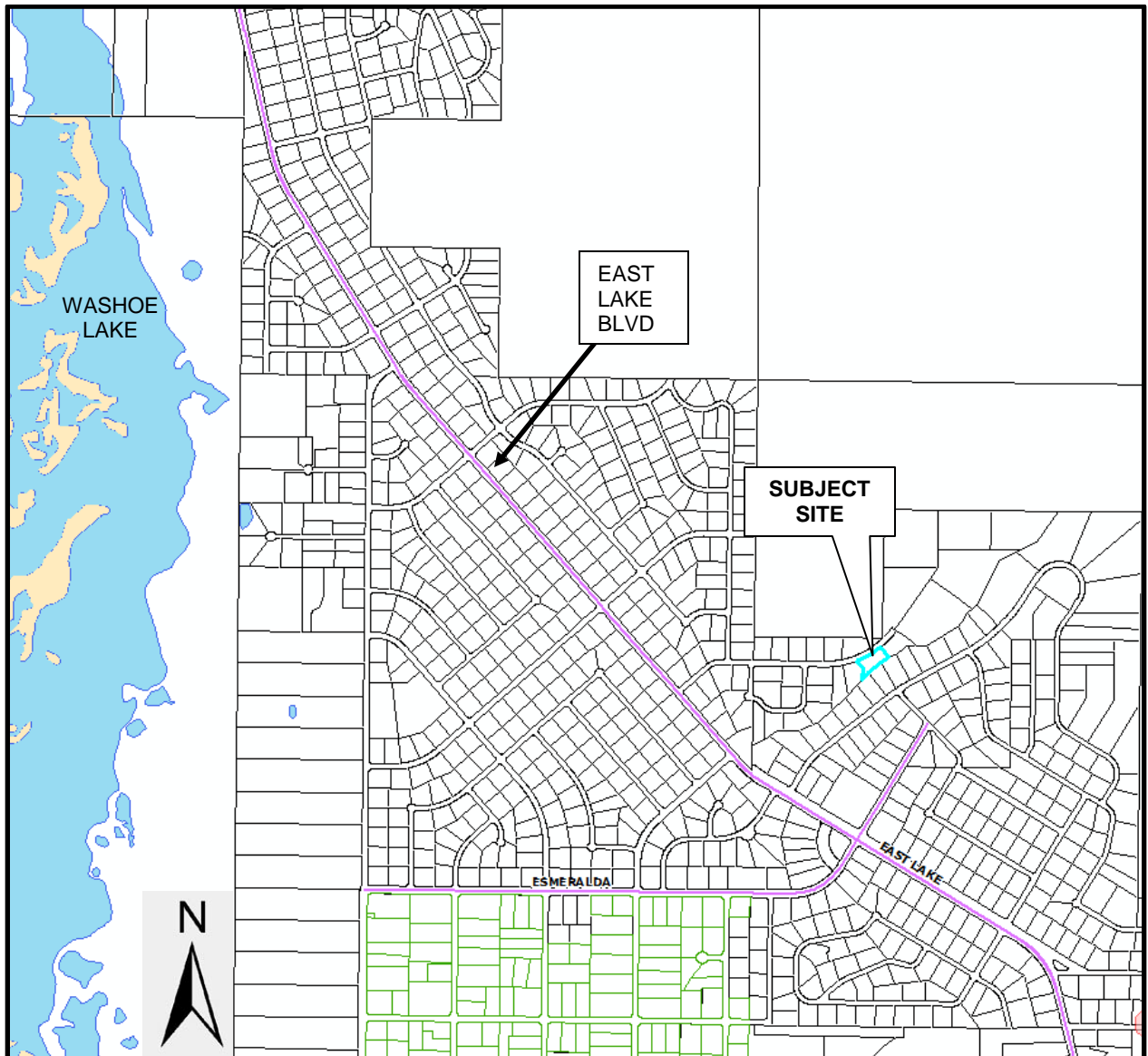
NRS 278.300 (1) (c) limits the power of the Board of Adjustment to grant variances only under the following circumstances:

Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any regulation enacted under NRS 278.010 to 278.630, inclusive, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, the Board of Adjustment has the power to authorize a variance from that strict application so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

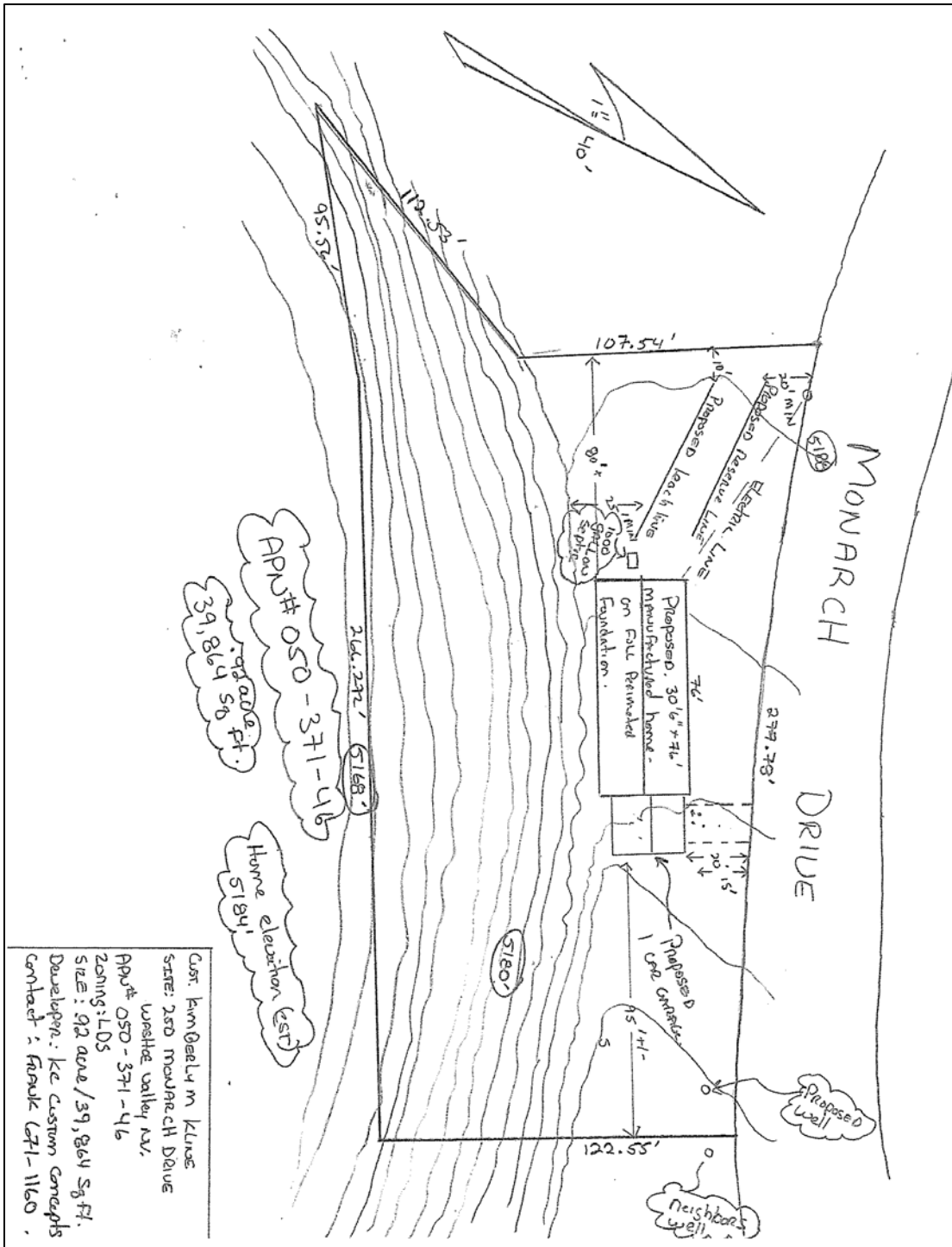
The statute is jurisdictional in that if the circumstances are not as described above, the Board does not have the power to grant a variance from the strict application of a regulation. Along that line, under WCC Section 110.804.25, the Board must make four findings which are discussed below.

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

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



**Vicinity Map**



Cust: Kimberly m Kline  
 Site: 2nd Monarch Drive  
 Washoe Valley NV,  
 APN# OSD-371-46  
 Zoning: LD5  
 Size: 92 acre / 39,864 sq ft.  
 Developer: KC Custom Concepts  
 Contact: Frank (71-1160)

**Site Plan**



### **Public Notice**

Washoe County Development Code Section 110.804.20 (Variances) requires public notice setting forth the time, place, purpose of the hearing, and physical description of the subject site be sent by U.S. Mail at least 10 days prior to the scheduled public hearing date to a minimum of 30 property owners owning property within 500 feet of the subject site.

Public notice for this application was sent by U.S. Mail to 32 property owners within 600 feet of the subject parcel at least ten days prior to the public hearing date of April 2, 2015.

### **Project Evaluation**

The applicant would like to place a manufactured home and a single car garage on an undeveloped ±.92 acre parcel. The rear portion of the property has a drastic drop, which slopes downward by approximately 33 percent. The steep slope results in about two-thirds of the property being unbuildable. Due to this constraint, the applicant is requesting a reduction of the required 30 foot front yard setback to 15 feet in order to accommodate a 2,318 square foot manufactured home, single car garage, septic tank, leach field and domestic well.

The subject parcel is designated with the Low Density Suburban Regulatory Zone, which has a minimum lot size of 35,000 square feet and a minimum lot width of 120 feet. The subject parcel is ±130 feet wide and ±275 feet long. Approximately 80 feet of the parcel's width is undevelopable because of the ±33 percent slope. This leaves a ±50 foot wide strip of developable land on the front portion of the parcel. The manufactured home is 30.5 feet by 76

feet. Placing the home lengthwise on the parcel leaves approximately 19.5 feet for the front setback. The property owner will be challenged in siting not only a residence and garage, but also an onsite sewage disposal system and an onsite domestic well.

The surrounding area consists of Low Density Suburban (LDS) lots, approximately one acre in size. This is an established rural neighborhood developed with single family residences, which is not expected to change significantly in the future. The adjacent parcels are not impacted by the steep slope to the degree that the subject parcel is impacted. The home to the northeast is located approximately 26 feet from the front property line. The home to the west is least impacted by the sloped area and meets the required 30 foot front yard setback.

Additional information was provided by the applicant at the South Truckee Meadows/Washoe Valley Citizen Advisory Board (CAB) meeting of March 12, 2015, who stated in discussions with the CAB that a 20 foot front yard setback would be sufficient in order to develop the parcel.

### **Public Comment**

Staff received two phone calls from neighbors who expressed concern over the stability of the subject parcel. Both property owners stated that in previous years, fill dirt, old tires, and other debris were dumped at the bottom of the ravine and on the remainder of the subject parcel.

*Staff Comment: The State of Nevada Manufactured Housing Division is the regulating authority for installation of manufactured homes in Washoe County. This division performs inspections during the manufactured home placement. Staff has advised the applicant of the neighbors' concerns, and further advised the applicant that if interested, a geotechnical engineer could properly assess the situation.*

One of the neighbors spoke in opposition of the variance request because they believe each house in the neighborhood should be consistently set back from the street to create visual appeal.

*Staff Comment: The Washoe County Development Code requires consistent setbacks for each regulatory zone. However, when there is an extraordinary and exceptional situation of the property that creates an undue hardship upon the property owner to develop their property, and public health, safety and welfare are not at risk, then consideration of a variance request is warranted.*

One email was received from Bob and Carrie Tschida and is provided as Exhibit E to this staff report. Mr. and Mrs. Tschida listed the following concerns regarding this variance request:

1. Size of the house 2,318 square feet on the size of land
2. 15 foot setback the house is basically going to be on the street; it's not going to flow with the look of the neighborhood
3. Manufactured home, not stick built
4. Changing the setback will set precedence, what might be next, a 5" setback?
5. Maybe try putting up a 30" fabric fence with stakes to simulate the house so the neighborhood can get an appreciation of what this will look like, as after the house is in, there is no taking it back.
6. We live in a rural area by choice and I don't believe people in the neighborhood want to go in the direction of a trailer park theme.

*Staff Comment: The variance request is to vary the front yard setback. The applicant has agreed to a 20 foot front yard setback. Washoe County Development Code Article 312*

*establishes general regulations for manufactured homes. As identified in Article 804 of the Washoe County Development Code, when there is an extraordinary and exceptional situation of the property that creates an undue hardship upon the property owner to develop their property, and public health, safety and welfare are not at risk, then consideration of a variance request is warranted.*

### **South Truckee Meadows/Washoe Valley Citizen Advisory Board (STMWV CAB)**

The proposed project was presented by the applicant at the regularly scheduled Citizen Advisory Board meeting on March 12, 2015. The CAB recording secretary provided a memorandum of the discussion, which is included with this staff report as Exhibit C.

The discussion at the CAB resulted in the applicant stating that they could work with a 20 foot front yard setback instead of the requested 15 foot front yard setback. A motion was unanimously passed by the CAB recommending a 20 foot front yard setback and to consider landscape screening on Monarch Drive.

Staff Comment: *After learning that the applicant is able to work with a 20 foot front yard setback instead of the original 15 foot setback request, staff is recommending a 20 foot front yard setback.*

At the CAB meeting, there was opposition presented by the public as follows:

- A 15 foot front yard setback will not fit in with the scenic, private, and rural character of the neighborhood.
- It will be the only manufactured home and will lower the home values.
- Another well in the area will lower the already drying aquifer.
- A 2,300 square foot home won't fit on the subject parcel.
- The subject house will block the neighbor's view and cut their water supply.
- The lot is too small to be built on.

Staff Comment: *When doing a site visit, staff noticed several manufactured homes in the surrounding neighborhood. The property is zoned as Low Density Suburban (LDS), which requires a minimum lot size of 35,000 square feet. The subject parcel is ± 40,075 square feet (.92 acres). The Nevada Department of Conservation and Natural Resources states: "A water-right application or permit is not required in order to drill a domestic well. Domestic purposes as defined by law extends to culinary and household purposes in a single family dwelling, the watering of a family garden, lawns, and the watering of domestic animals. The maximum amount of water that may be pumped from a domestic well is limited to two acre-feet per year."*

### **Reviewing Agencies**

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

- Washoe County Planning and Development Division
- Washoe County Engineering and Capital Projects
- Washoe County Building and Safety Division
- Washoe County Environmental Health Services
- Truckee Meadows Fire Protection District



The agencies listed below provided comments and/or recommended conditions of approval. The Conditions of Approval document is attached to this staff report and will be included with the Action Order if granted approval.

A **summary** of each reviewing agency's comments and/or recommended conditions of approval and their contact information is provided below.

- Washoe County Planning and Development Division requires conformance to the plans that are approved.  
Contact: Grace Sannazzaro, 775.328.3771, [gsannazzaro@washoecounty.us](mailto:gsannazzaro@washoecounty.us)
- Washoe County Engineering and Capital Projects Division requires that the FEMA 100-year floodplain be identified on the site plan to the satisfaction of the County Engineer. Building permits for structures that fall in this area shall be in conformance with Washoe County Development Code, Article 416 Flood Hazards.  
Contact: Leo Vesely, 775.325.8032, [lvesely@washoecounty.us](mailto:lvesely@washoecounty.us)
- Washoe County Environmental Health Services Division requires that the project meet all requirements outlined in the *Regulations of the Washoe County District Board of Health Governing Sewage, Wastewater and Sanitation* for the approval and construction of an onsite sewage disposal system, and that the project meet all requirements outlined in the *Washoe County District Board of Health Governing Well Construction* for the placement and construction of an onsite domestic well.  
Contact Name: James English, 775.328-2610, [jenglish@washoecounty.us](mailto:jenglish@washoecounty.us)
- Truckee Meadows Fire Protection District requires that plans and/or permits for the installation of any structure be obtained and approved prior to construction in accordance with Washoe County Code, Chapter 60 (Fire Code).  
Contact Name: Amy Ray, 775. 326-6005, [aray@tmfcpd.us](mailto:aray@tmfcpd.us)

### **Staff Comment on Required Findings**

Washoe County Development Code Section 110.804.25 of Article 804, *Variances*, requires that Findings 1 through 4, and if a military installation is required to be noticed, Finding 5, be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of a variance 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 either the exceptional narrowness, shallowness or shape of the specific piece of property, or by reason of exceptional topographic conditions, or 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.

*Staff Comment: Approximately two-thirds of the subject parcel is encumbered with a downward slope of approximately 33 percent. The subject parcel's developable area is therefore reduced to a narrow piece of land measuring approximately 50 feet in width. Therefore staff's determination is that there are exceptional topographic conditions on the subject parcel which places undue hardship on the property owner if the strict application of the Development Code were followed.*

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:* Granting the variance request will not result in substantial detriment to the public good, impair natural resources or impair the intent and purpose of the Development Code or applicable policies under which a 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.

*Staff Comment:* Granting of the variance will not constitute a grant of special privilege that is inconsistent with the limitations upon other properties in the vicinity with the identical regulatory zone of Low Density Suburban. The subject property is encumbered by a  $\pm$  33 percent downward slope and is impacted by the slope more than the adjacent 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:* The subject parcel is designated with the Low Density Suburban (LDS) Regulatory Zone. Pursuant to Washoe County Development Code, Article 302 Allowed Uses, a manufactured home with a single car garage are allowed with building permits in the Low Density Suburban (LDS) Regulatory Zone.

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

*Staff Comment:* There is no military installation within 3,000 feet of the subject property. Therefore, this finding is not required to be a part of the motion.

### **Recommendation**

Those agencies which reviewed the application recommended conditions in support of approval of the project. The original application requested a 15 foot front yard setback, however, the applicant stated at the March 12, 2015 South Truckee Meadows/Washoe Valley CAB meeting that a 20 foot front yard setback would be sufficient to develop the subject property. Therefore, after a thorough analysis and review, staff is recommending with conditions, approval of a 20 foot front yard setback for Variance Case Number VA15-002. 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 grant with conditions a 20 foot front yard setback for Variance Case Number VA15-002 for KC Custom Concepts, having made all four 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;

**Appeal Process**

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

Property Owner: Kimberly Kline  
2950 Falcon Street  
Washoe Valley, NV 89704

Developer: KC Custom Concepts  
Attn: Frank Bouchard Marsano

Action Order xc:



# Conditions of Approval

Variance Case Number VA15-002

The project approved under Variance Case Number VA15-002 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on April 2, 2015. 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.

**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 Development 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 initiation 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.

THE 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 Development Division**

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

**Contact: Grace Sannazzaro, 775.328.3771, gsannazzaro@washoecounty.us**

- a. The front yard setback shall be no less than twenty (20) feet. All required yard setbacks are measured from the property line.
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this variance. The Planning and Development Division shall determine compliance with this condition.
- c. A copy of the Action Order stating conditional approval of this variance shall be attached to all applications, including building permits, issued by Washoe County.

### **Washoe County Engineering and Capital Projects**

2. The following condition is a requirement of the Engineering Division, which shall be responsible for determining compliance with this condition.

**Contact: Leo Vesely, 775.325.8032, lvesely@washoecounty.us**

- a. The FEMA (Federal Emergency Management Agency) 100-year floodplain shall appear on the site plan to the satisfaction of the County Engineer. Building permits for structures that fall in this area shall be in conformance with Washoe County Development Code, Article 416 Flood Hazards.

### **Washoe County Health District**

3. The following conditions are requirements of the Environmental Health Division of the Washoe County Health District, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the Washoe County District Board of Health.

**Contact: James English, 775.328.2610, jenglish@washoecounty.us**

- a. The project must meet all the requirements outlined in the *Regulations of the Washoe County District Board of Health Governing Sewage, Wastewater and Sanitation* for the approval and construction of an onsite sewage disposal system.
- b. The project must meet all the requirements outlined in the *Regulations of the Washoe County District Board of Health Governing Well Construction* for the placement and construction of an onsite domestic well.

**Comment:** As outlined in the application, the parcel has some geographical elements which will make the siting of a residence and the associated well and septic system challenging. Development of the subject parcel may require the design and installation of an engineered onsite domestic septic system.

**Truckee Meadows Fire Protection District**

4. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

**Contact: Amy Ray, 775.326.6005, aray@tmfpd.us**

- a. Plans and/or permits for the installation of any structure shall be obtained and approved prior to construction in accordance with Washoe County Code Chapter 60.

\*\*\* End of Conditions \*\*\*



**WASHOE COUNTY**  
**COMMUNITY SERVICES DEPARTMENT**  
**Engineering and Capital Projects Division**

*"Dedicated to Excellence in Public Service"*

1001 East 9<sup>th</sup> Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

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**INTEROFFICE MEMORANDUM**

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**DATE:** March 05, 2015  
**TO:** Grace Sannazzaro, Planning and Development Division  
**FROM:** Leo R. Vesely, P.E., Engineering and Capitol Projects Division  
**SUBJECT:** **VA15-002**  
**APN 050-371-46**  
**KLINE VARIANCE**

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I have reviewed the referenced variance case and have the following condition:

1. The FEMA 100-year floodplain shall appear on the site plan to the satisfaction of the County Engineer. Building permits for structures that fall in this area shall be in conformance with the Washoe County Code Article 416 Flood Hazards.

LRV/Irv

**VA15-002**  
**EXHIBIT B**



# WASHOE COUNTY HEALTH DISTRICT



**Public Health**  
Prevent. Promote. Protect.

March 9, 2015

Ms. Grace Sannazzaro, Planner  
Washoe County Community Services  
Planning and Development Division  
PO Box 11130  
Reno, NV 89520-0027

RE: VA15-002: 250 Monarch Drive, Washoe Valley, Nevada

Dear Ms. Sannazzaro:

The Washoe County Health District, Environmental Health Services Division has reviewed the above referenced project. Approval by this Division is subject to the following conditions:

1. The project must meet all the requirements outlined in the *Regulations of the Washoe County District Board of Health Governing Sewage, Wastewater and Sanitation* for the approval and construction of an onsite sewage disposal system.
2. The project must meet all the requirements outlined in the *Regulations of the Washoe County District Board of Health Governing Well Construction* for the placement and construction of an onsite domestic well.

As outlined in the application, the parcel has some geographical elements which will make the siting of a residence and the associated well and septic system challenging. Development of this lot may require the design and installation of an engineered onsite domestic septic system.

If you have any questions regarding this letter, please contact me via email at [jenglish@washoecounty.us](mailto:jenglish@washoecounty.us) or call me at 328-2610.

Sincerely,

James English, REHS, CP-FS  
EHS Supervisor  
Waste Management/Land Development Programs  
Environmental Health Services Division



Amy Ray  
*Fire Marshal*



Tim Leighton  
*Deputy Fire Chief*

Charles A. Moore  
*Fire Chief*

March 6, 2015

Washoe County Community Services Department  
1001 East Ninth Street  
Reno, NV 89512

Re: VA 15-002 (Kline)

The Truckee Meadows Fire Protection District (TMFPD) will approve the above permit with the following conditions:

- Plans and/or permits for the installation of any structure shall be obtained and approved prior to construction in accordance with Washoe County Code 60.

Please contact me with any questions at (775) 326-6005.

Thank you,

Amy Ray  
Fire Marshal

**TRUCKEE MEADOWS FIRE PROTECTION DISTRICT**

1001 E. Ninth St. Bldg D 2nd Floor • Reno, Nevada 89512 • PO Box 11130 • Reno, Nevada 89520

Office 775.326.6000 Fax 775.326.6003

**VA15-002  
EXHIBIT B**



# South Truckee Meadows/Washoe Valley Citizen Advisory Board

## MEMORANDUM

To: Grace Sannazzaro, Staff Representative  
From: Misty Moga, Administrative Recorder  
Re: Kline Variance Case (VA 15-002)  
Date: March 12, 2015

The following is a portion of the draft minutes of the South Truckee Meadows/Washoe Valley Citizen Advisory Board held on March 12, 2015.

**12. DEVELOPMENT PROJECT** – The project description is provided below with links to the application or you visit the Planning and Development Division website and select the Application Submittals page:  
[www.washoecounty.us/comdev/da/da\\_index.htm](http://www.washoecounty.us/comdev/da/da_index.htm)

A. Kline Variance Case (VA 15-002) – Discussion and possible action on a request to reduce the front yard setback from 30 to 15 feet at 250 Monarch Drive to allow for placement of a 2,300 square foot manufactured home. (This is a possible action item) • Property Owner: Kimberly Kline • APN: 050-371-46 • Staff Planner: Grace Sannazzaro, Washoe County Planner, [gsannazzaro@washoecounty.us](mailto:gsannazzaro@washoecounty.us), (775) 328-3771 • Hearing Date: Tentatively Scheduled for April 2 Board of Adjustment

Representative for the project, Frank Bouchard spoke about the requested variance:

He said the variance is for a front setback from 30 feet to a 15 foot setback because of the way the property is. He said the reason for requesting it is because 2/3 of the property is a ravine. The ravine is considered in a wash way in a flood zone. On monarch, the property is flat with good soil conditions. We want to move the property 15 feet forward so the owner can have full use of the land and build on safer land.

Questions/comments:

Jim Rummings said 15 feet is very close to the highway. Frank said it's not a highway, it's a secondary road; it's a road with very minimal traffic. Jim said he lives on a road with not a lot of traffic, and people think they can drive faster. As far as kids running around and where are you going to park your car, you just don't have the room. We didn't have access to info; we are working on a narrative description, without a plot of the land. Frank said he is requesting a 15 foot setback but can work with 20 foot setback. According to this zoning, its more than acceptable.

Brad Stanley asked if there is any County Planners present to address the 15 ft versus 20 feet setback as far as the legal requirements and difference in code. Trevor Lloyd said setbacks are based on the zoning and size of the allowable lots. He said Washoe County allows a 20 foot setback and it's common in residential lots. They are asking for this setback because of the steep constraint. Trevor said the ravine or slope can be a hardship.

Tom Judy asked why he didn't request the 20 foot setback instead. Frank said the planners said they could request up to 15 foot which would be much easier, but they can deal with 20 foot. Frank said there are much more logistics involved.

Eric scheetz said the proposed house is on the narrowest point on the lot. Frank said the narrowest point is east of the property which is by the wells. Frank said by getting that setback changed, the house can be moved to the middle of the lot and septic is to the left. Eric Scheetz asked about the septic and leach line. Frank said the leach line is 60 feet. Eric said it the document says 80 feet for the leach line. Frank said there is a 20 foot separation. Frank said there is a ditch in front of Monarch, and in the back, there needs to be separation by the 1.5 drainage ditches, which is outside of the property.

Pat Phillips read a written statement provided by Jakon Tolhurst. Takon Tolhurst wrote that they live next to proposed property. They rebutted the statements on the proposal to change the mandatory 30' to 10' setback. It would not complete neighborhood, it would be the only manufactured home and lower home values and it would be adding a well to the already drying aquifer.

Dianne Beaty said she lives across from the property. She said it's a narrow shoulder of land. 15 foot setback of the manufacture home is not congruent with the homes in the area. It's hard to believe it would fit with leach line and septic if it didn't setback at 15 feet. We oppose it. It does not fit in the scenic, private, rural character of the neighborhood.

Jim Vanlandingham said he lives on Monarch next door to the property. He said his well is on the property line. The previous owner of his house owned this property as well. They are proposing to build on it with the well next to his; the wells are very dry. It will take for his water supply and it won't be enough water both of them. The 2,300 square foot home won't fit on this. He asked where the 15 foot setback is measured from. The pavement or the ditch? He said the house will be right on the road, block his view, and cut his water supply. He said he is very much against this variance.

Tom Judy asked if the only variance issue the set back. Frank said yes. Tom asked if the CAB board were to consider recommending this variance with a 20 foot setback, Frank said it would be acceptable.

Kimberly Kline said the only variance is on the setback. They have drawn up the plan, but it's safer with a 15 feet setback. The size of the house fits in the planning. The property is wide, oppose to deep. There is property on both sides. They were sold the property and were told they need a well and septic.

Roy Ruth said he has lived there since 1988. That ground has been filled with horse manure. There was a flood in 1985, the ravine filled with 2/3 with water and washed out the bank. The neighbor at 240 Monarch was concerned with his pool. This lot wasn't intended to be built on because it was part of the other lot. He said he is concerned for safety. The land shouldn't be built on. All the houses are centered on one acre lots. This house will fill the lot. It will be in your face. It will take away from the entire neighborhood. He said he is opposing it and it will affect the real estate prices. There already isn't enough water out there. Get a structural engineer out there to look at the land.

Frank said the building department recommendations will come when we submit to them. He said most manufactured homes look better than many homes. They will look for setback, grading, impaction letters which will be addressed with engineers. As far as home values, you aren't basing your home it on a manufacture homes. They aren't compared. It will be an enhancement to the neighborhood.

Tom Judy said we need to understand and review the information being presented. This is a request for a variance of a setback. We can't deal with anything else. Tom asked if we agree with them doing the setback at from 30 to 15 feet or a modification of 20 feet. That is the matter that we can deal with. They have a right to build a property; all we can comment on is the setback.

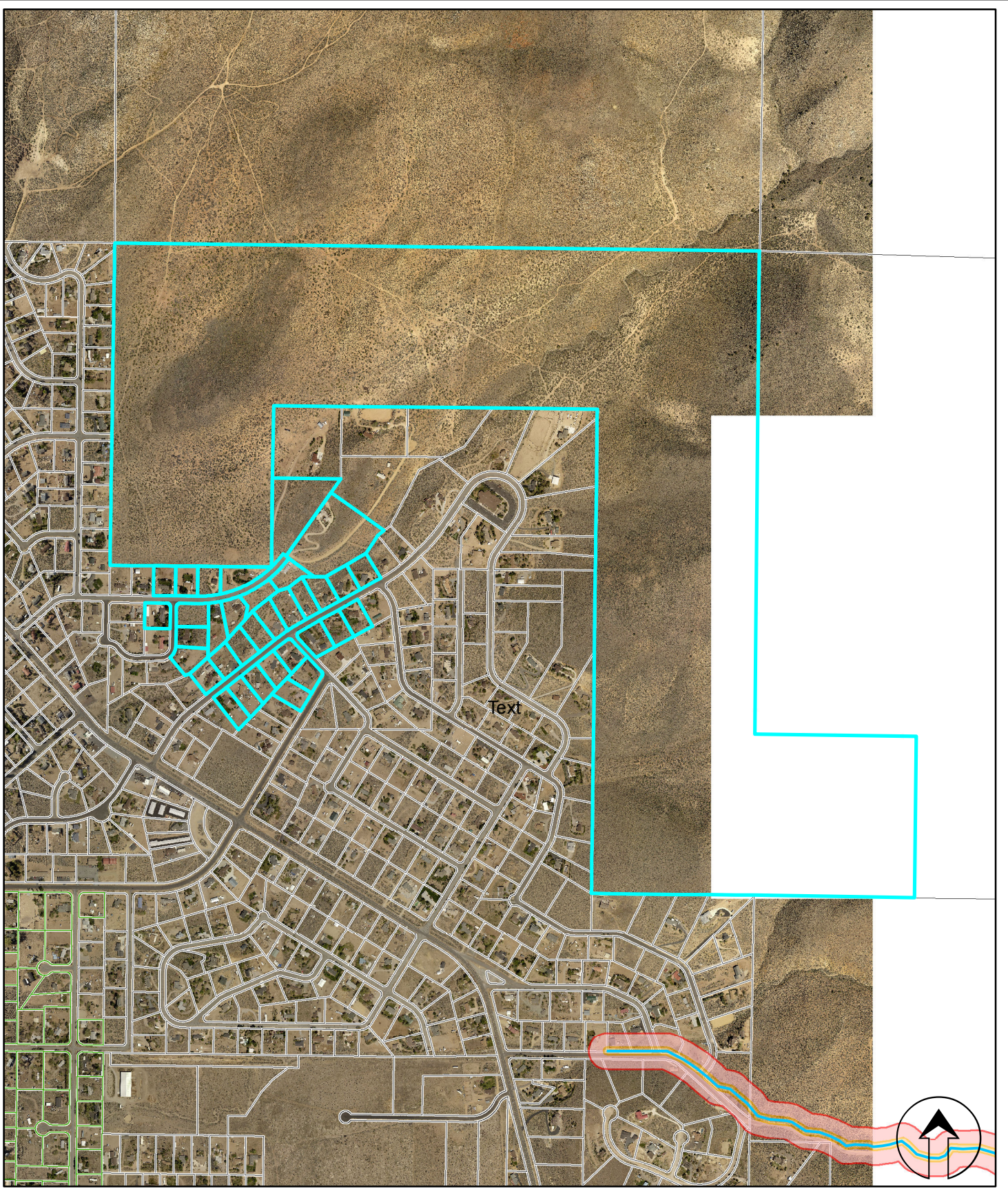
Brad Stanley asked if there was a motion to be made about approving a 20 foot setback variance, could any of the concerns be addressed with some screening, like tree screening. He asked if a condition like this be suggested?

Trevor Lloyd said some conditions can be applicable and some may not be. It would be the applicant's agreement versus asking the county to require it. Brad asked if it would be fair to recommend this. Trevor said this is fair.

Eric suggested they consider looking into structural alternatives. He also suggested they look into the 60 foot on the septic. He said if you have a property, you have the right to make it usable.

MOTION: Brad Stanley moved to suggest the variance be accepted at a 20 foot setback and to consider landscape screening on Monarch. Eric seconded the motion. The motion carried unanimously.

cc: Patricia Phillips, Chair  
Bob Lucey, Commissioner  
Al Rogers, Constituent Services  
Sarah Tone, Constituent Services



Public Noticing Map  
Variance Case No. VA15-002  
250 Monarch Drive, Washoe Valley, NV APN: 050-371-46  
32 Separate Property Owners within a  
600 ft radius were mailed notice at least 10 days  
prior to the April 2, 2015 public hearing date

Source: Planning & Development Division  
Date: February 2015

Community Services  
Department  
Planning & Development  
Division  
WASHOE COUNTY  
NEVADA



Post Office Box 11130  
Reno, Nevada 89520  
(775) 328-3600

**VA15-002**

**EXHIBIT D**

**From:** Bob Tschida <bobtschida1@gmail.com>  
**Sent:** Monday, March 16, 2015 8:38 AM  
**To:** Sannazzaro, Grace  
**Subject:** Variance #VA15-002

Hi Grace

I have some concerns re: this variance

#1 the size of the house 2318 sq ft on the size of the land.

#2 , 15 ft set back the house is basically going to be on the street; it's not going to flow with the look of the neighborhood

#3 mfg home, not stick built

#4 changing the set back will set a precedence, what might be next a 5" set back?

Maybe try putting up a 30" fabric fence with stakes to simulate the house so the neighborhood can get an appreciation of what this will look like, as after the house is in theirs no taking it back.

We live in a rural area by choice and I don't believe people in the neighborhood , want to go in the direction of a trailer park theme.

Thanks for your time

Bob & Carrie Tschida

3022 sydney circle

Washoe valley,