

Item # 15C

**City of Carson City  
Agenda Report**

**Date Submitted:** February 26, 2008

**Agenda Date Requested:** March 6, 2008  
**Time Requested:** 30 minutes

**To:** Mayor and Board of Supervisors

**From:** Development Services - Planning Division

**Subject Title:** Action regarding an appeal of the Planning Commission's decision denying a Variance application from Leslie J. and JoAnne Kynett to reduce the required side yard setback to allow encroachment of a previously constructed projection of eaves, landings, stairs and railings, on property zoned Multi-Family Apartment (MFA), located at 925 and 935 East Fifth Street, APN 004-042-24. (File Nos. MISC-08-011/VAR-07-121)

**Staff Summary:** The applicant constructed eaves, landings, stairs and railings into the required setback beyond what was approved per the building permit. The applicant applied for a variance from the Planning Commission. The Planning Commission denied the subject variance application on a vote of 7:0. The Board of Supervisors uphold, reverse or modify the Commission's decision to deny the appeal.

**Type of Action Requested:**

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

**Does This Action Require A Business Impact Statement:**  Yes  No

**Planning Commission Action:** Denied the variance application on January 30, 2008, by a vote of 7:0.

**Recommended Board Action:** I move to uphold the Planning Commission's decision to deny Variance VAR-07-121 based upon the findings for denial contained within the staff report to the Planning Commission.

**Explanation for Recommended Board Action:** Decisions of the Planning Commission may be appealed to the Board of Supervisors per CCMC 18.02.060. See the attached staff memo and Planning Commission staff report for more explanation on the proposed action and the Planning Commission's rationale for denying the application.

**Applicable Statute, Code, Policy, Rule or Regulation:** CCMC 18.02.060 (Appeals); CCMC 18.04.190 (Residential District Intensity and Dimensional Standards); CCMC Development Standards, Division 1.14 Cornices, Porches and Projections into Setbacks.

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A  
**Funding Source:** N/A

**Alternatives:**

1) If the Board of Supervisors finds that the appeal as presented by the applicant has no merit, the Board of Supervisors hereby dismisses the applicant's request; or

If the Board of Supervisors finds that the Planning Commission erred in its decision:

"I move to reverse the Planning Commission's decision and approve Variance VAR-07-121 subject to the recommended conditions contained within the staff report to the Planning Commission."


2) If additional information is submitted to the Board of Supervisors that the Board believes warrants further review and consideration on the application by the Planning Commission, refer the matter back to the Planning Commission.

**Supporting Material:**


- 1) Staff Memo to Board of Supervisors
- 2) Appellant's letter of appeal and justification
- 3) Planning Commission Case Record
- 4) Planning Commission packet

**Prepared By:** Rose Mary Johnson, Management Assistant III


**Reviewed By:**

  
\_\_\_\_\_  
(Planning Director)


Date: 2/26/08

  
\_\_\_\_\_  
(Development Services Director)

Date: 2/26/08

  
\_\_\_\_\_  
(City Manager)

Date: 2/26/08

  
\_\_\_\_\_  
(District Attorney's Office)

Date: 2-26-08

**Board Action Taken:**

Motion: \_\_\_\_\_ 1) \_\_\_\_\_ Aye/Nay  
2) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)

# MEMORANDUM

**TO:** Mayor and Board of Supervisors

**FROM:** Planning Division 

**DATE:** March 6, 2008

**SUBJECT:** VAR-07-121 (MISC-08-011) Appeal of the Planning Commission's decision to deny the request to allow encroachments into the setback beyond those allowed under Carson City Municipal Code Development Standards, Division 1 Land Use and Site Design, at 1.14 Cornices, Porches and Projections into Setbacks (CCMC Dev St 1.14).

## **BACKGROUND:**

The Planning Division reviewed proposals from the Appellant from August 2003 through May 2006 for construction of a duplex and single unit. The Appellant was told on several occasions the buildings need to be modified to meet the required setbacks or apply for a Variance. The buildings were then constructed with extensions into the setback on the eastern side which encroach into the setback up to 31-7/16 inches more than the allowed 36 inches for stairs, railings, landings and eaves. From August 2007 through December 2007, the appellant submitted a succession of incomplete applications for a Variance to be presented to the Planning Commission to allow these encroachments into the setbacks on the constructed buildings. A project description and staff analysis are included in the attached staff report. At the Planning Commission meeting on January 30, 2008, after conducting the public hearing and having sufficient discussion on the matter, a motion was made to deny the Variance as recommended by staff. The Variance was unanimously denied by the Commission on a vote of 7-0.

On February 8, 2008, the appellant submitted a letter appealing the Planning Commission's decision to deny the request to allow encroachments into the setback. The basis for appeal is pursuant to the submittal requirements of CCMC 18.02.120 (Appeals). The Appellant states and requests:

1. Allow the interpretation by the appellant of the text of condition number six of ADM-05-200 (Minor Administrative Variance) to override the text of CCMC Development Standards Division 1.14 Cornices, Porches and Projections into Setbacks.
2. Allow approval of a building permit for residential construction to be dependent only on conditions contained in the Minor Administrative Variance.
3. Appellant states that while 11 handwritten corrections on the plans were made by her, one additional correction was not.
4. Appellant states the project as completed complied with all conditions of Building, Planning, Engineering and Fire Divisions.

A full time line for the interactions between staff and the appellant regarding this project is included in the staff report. The full text of CCMC Dev St 1.14 which details allowed encroachments of stairs, railings, landings and eaves of up to 36 inches was quoted to the

appellant many times in writing form and was also printed on the building permits issued to the contractor.

### **ISSUE OF APPEAL**

Pursuant to CCMC 18.02.120 (Appeals), anyone with standing to appeal may appeal any part of the Planning Commission's decision. The appellant has appealed the decision of refusal to allow encroachments into the setback beyond those allowed in CCMC Dev St 1.14.

### **APPEAL ANALYSIS**

1) *Appellant: The encroachments should be allowed because the condition of approval of Minor Administrative Permit (ADM)-05-200 was not clear.*

Staff response: The appellant was provided clear and concise information, when the text of Dev St 1.14 was quoted on many occasions, before, during and after the conditions of approval of ADM-05-200 were issued November 8, 2005. The conditions of ADM-05-200 are clear when reviewed in the context of the entire ADM.

2) *Appellant: The Administrative Permit (ADM) is the only approval that I have ever used as the approval for the setbacks.*

Staff response: The existing construction does not meet the requirements of the ADM approval. The appellant was informed in writing what would be required for the project to be approved, including approval of a building permit by all departments and a variance approval by the Planning Commission unless the buildings were reduced in size and met required setbacks. Modification of the building plans and Building Division permit approval was required for construction to start.

3) *Appellant: Twelve handwritten corrections on the plans were made, but only 11 were made by the Appellant.*

Staff response: The one area of correction that appellant states is not her handwriting does not change the correction she did make in this same location, or the other 11 areas which she also corrected. When she made these corrections, she understood what was required to make the project building plans approvable, and agreed to limit the extensions into the setback to a total of three feet. The plans were very poorly drawn, with many inconsistencies. These corrections by the Appellant were required to allow the construction of the project to proceed, as plan pages were inconsistent and in conflict with each other.

4) *Appellant: The project as completed complied with all conditions of Building, Planning, Engineering and Fire Divisions.*

Staff response: The approval of the plans was conditioned upon the corrections written by the Appellant. The Appellant recognized and agreed to limit the extensions into the setback a total of three feet in compliance with CCMC Dev St 1.14. The Appellant stated in her original submission to the Planning Commission that: "The contractor [Chris Kynett] didn't know about the changes that I [the Appellant] had made at the City on the original plans. I told our contractor that the stairs had to be three feet and to cut back the eave to the porch landing, which he did." The construction in the field does not match the building plans. All staff correspondence and conversations with the Appellant and the restrictions on the building permit clearly stated the setback limitation for all extensions was a maximum of three feet into the setback. The project did not comply with the Building and Planning Divisions conditions, hence the reason for the variance. In the staff report, the Building Division is on record in opposition to the variance request.

### **STAFF SUMMARY**

The Appellant was notified on many occasions (more than ten meetings with staff), that the restriction for extensions into the setback is limited to three feet. The condition of approval contained in ADM-05-200 at #6 states the “eaves over the stairs cannot encroach more than an additional two feet further into the setback”, but the stairs, railing, landings and eaves were all built further than allowed into the setback, not just the eaves. The extensions beyond the allowed 36 inches are up to 31-7/16 inches. The ordinance regarding allowed extensions into the setback has been in place in the Carson City Ordinance for decades. Extensions into the setback are very common, with many properties utilizing this flexibility regarding these extensions for minor areas of construction such as bay windows, chimneys, stairs, railings, landings and eaves. Other property owners have successfully met the restrictions of the code to place these extensions within the limits allowed. **The Planning Division consistently reviews and enforces this section of the code on all residential and commercial projects. It is the position of staff that the Appellant was informed on many occasions what limits and restrictions would be utilized under Carson City Municipal Code regarding extensions into the setback and could have built the project in compliance with these restrictions.**

### **STAFF RECOMMENDATION**

Staff recommends the Board of Supervisors uphold the unanimous decision of the Planning Commission, to deny the Variance application, VAR-07-121, subject to the findings contained in the staff report.

February 8, 2008

Leslie and Joanne Kynett  
P O Box 394  
Genoa, NV 89411  
775-720-7105 or 775-888-9177



Appeal for the project located at 925 and 935 E 5<sup>th</sup> St Parcel 004-042-24 regarding variance hearing decision for VAR -07-121 public hearing Carson City Planning Commission January 30, 2008.

We must appeal the decision of the Planning Commission because of the failure to recognize the only written and signed approval, and approval conditions of Administrative Variance 05-200 which is marked exhibit A and includes a letter from my attorney Jeff Rahbeck. This condition of approval item #6 states the stairs cannot encroach more than three feet into the required side yard setback on the east side of the property. The eaves over the stairs cannot encroach more than an additional two feet further into the setback. Staff and the Planning Commission have ignored this approval and are using a plan that the applicant had written some corrections as the final approved plans. The ADM is the only approval that I have ever used as the approval for the setbacks.

The corrections on the plans are hand written and are not consistent except for the stairs and the extension of the eave past the line of the landing. One of the pages which I have marked exhibit B shows the eaves extension at 5ft and the other at 3ft, but all show the extension past the line of the landing marked out and the stairs at 3ft. Exhibit C and D again show the stairs at 3ft. Exhibit D shows the stairs at 3 ft and the extension of the eave marked out to the line of the landing. All of these corrections are in my hand writing and I did make those corrections. The writing on exhibit E over the eaves that says "3' overhang over stairs is not my writing and I have never referred to the eave as an overhang in any of my corrections or my presentation to the planning commission. Both Jennifer Pruitt and Kathy Green refer to the eave as an overhang in their staff report and comments. This term may be one used by the city for this kind of construction. I have asked both Jennifer and Kathy if they wrote that on the plans but they say that they did not and I did not write this on the plans either.

Chairman Perry said that ignorance of the code is no excuse for not adhering to the code for the setback requirements but we only used the ADM approval to build the improvements as per condition #6. Commissioner Bisbee made a comment, question asking about the ADM approval and condition #6 and Jennifer Pruitt answered that by saying that it is the opinion of staff that the ADM does not give us the 5ft as it clearly does state and as my husband, myself, my contractor and my attorney Jeff Rahbeck has also read condition #6 and states in his letter that it does say that the approval is 5 ft for

the eaves into the setback. Staff ignores the ADM and states in their report that there is a final document which I have never received from them or was asked to sign to replace the ADM 05-200 approval and conditions of approval. There are many inaccuracies in staffs report but these are the main problems.

We did comply with all of the conditions of building, planning, engineering, fire and received all of the necessary approvals. Engineering, fire, health and safety and parks and recreation do not have any objections to this variance request. We are asking for a variance for the porch landing which was never addressed by the ADM 05-200 and is underneath the eave. Also we are encroaching a few inches because of the railings and the trim of the eaves as stated in the application for this variance.

Thank you,

A handwritten signature in black ink that reads "Joanne Jody Kynett". The signature is written in a cursive, flowing style.

Joanne "Jody" Kynett

**DEVELOPMENT  
SERVICES  
DEPARTMENT**

**ADMINISTRATION**  
3505 Butti Way  
Carson City, NV 89701-3498  
Ph: 775-887-2355  
Fx: 775-887-2112

**BUILDING and  
SAFETY DIVISION**  
**PERMIT CENTER**  
2621 Northgate Lane, Suite 6  
Carson City, NV 89706-1319  
Ph: 775-887-2310  
Fx: 775-887-2202

**CAPITAL PROJECTS**  
3505 Butti Way  
Carson City, NV 89701-3498  
Ph: 775-887-2355  
Fx: 775-887-2112

**CONTRACTS**  
3505 Butti Way  
Carson City, NV 89701-3498  
Ph: 775-887-2355  
Fx: 775-887-2112

**ENGINEERING DIVISION**  
2621 Northgate Lane, Suite 54  
Carson City, NV 89706-1319  
Ph: 775-887-2300  
Fx: 775-887-2283

**FLEET SERVICES**  
3303 Butti Way, Building 2  
Carson City, NV 89701-3498  
Ph: 775-887-2356  
Fx: 775-887-2258

**PLANNING DIVISION**  
2621 Northgate Lane, Suite 62  
Carson City, NV 89706-1319  
Ph: 775-887-2180  
Fx: 775-887-2278

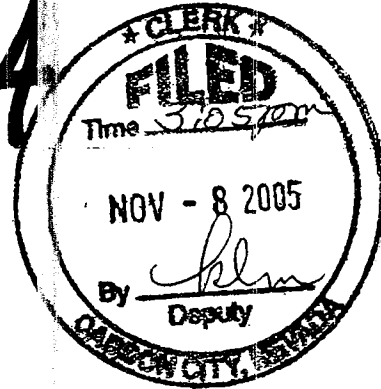
**PUBLIC WORKS OPERATION**  
(Water, Sewer, Wastewater,  
Streets, Landfill, Environmental)  
3505 Butti Way  
Carson City, NV 89701-3498  
Ph: 775-887-2355  
Fx: 775-887-2112

**TRANSPORTATION**  
3505 Butti Way  
Carson City, NV 89701-3498  
Ph: 775-887-2355  
Fx: 775-887-2112

**CARSON CITY NEVADA**  
Consolidated Municipality and State Capital

*Exhibit A*

**ADMINISTRATIVE PERMIT REVIEW**  
**October 17, 2005**  
**NOTICE OF DECISION**

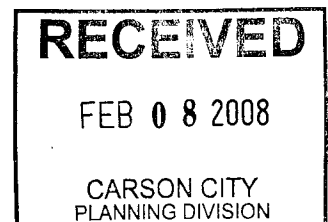


An Administrative Permit Review, ADM-05-200, was received from Joanne Kynett, to vary from the required setback of 10 feet to 9 feet 1/8 inches on the side yard and from 30 feet to 27 feet 1/8 inches on the rear yard, on property zoned Multi-Family Apartment (MFA), located at 925 and 935 East Fifth Street, APN 004-042-24, pursuant to the requirements of the Carson City Municipal Code.

The Administrative Permit Hearing Examiner duly noticed and conducted a public hearing on October 17, 2005, in conformance with City and State open meeting requirements, and the Hearing Examiner approved ADM-05-200, subject to the following conditions of approval:

**CONDITIONS OF APPROVAL:**

1. All development shall be substantially in accordance with the attached site development plan.
2. All on-and off-site improvements shall conform to City standards and requirements.
3. The use for which this permit is approved shall commence within 12 months of the date of final approval. A single, one-year extension of time must be requested in writing to the Community Development Department 30 days prior to the one year expiration date. Should this permit not be initiated within one year and no extension granted, the permit shall become null and void.
4. The applicant must sign and return the Notice of Decision for conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days then the item will be rescheduled for the next Hearings Examiner meeting for further consideration.
5. The flat wall of the building must be constructed no closer than nine feet 1/8 inches from the east property line.





6. The stairs cannot encroach more than three feet into the required side yard setback on the east side of the property. The eaves over the stairs cannot encroach more than an additional two feet further into the setback.
7. The outline of the stairs, including setback from property line, must be shown on the plans prior to Planning Division approval of the building permit.
8. The overhang/eave outline, including setback from property line, must be shown on the plans prior to Planning Division approval of the building permit.
9. An adequate irrigation system shall be constructed on site.
10. All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.



\_\_\_\_\_  
Jennifer Pruitt, Senior Planner  
Planning and Community Development Department

Mailed \_\_\_\_\_

By \_\_\_\_\_

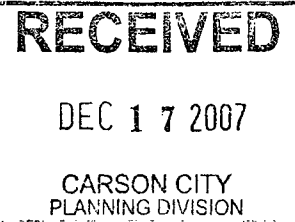
# ADM 05-200 Condition #6

Flat wall of building must be constructed no closer than nine feet 1/8" from the east property line.

The stairs cannot encroach more than three feet into the required side yard setback on the east side of the property. The eaves over the stairs cannot encroach more than an additional two feet further into the setback.

Exhibit A

JEFFREY K. RAHBECK  
A PROFESSIONAL LAW CORPORATION  
ROUND HILL PROFESSIONAL BUILDING  
P.O. BOX 435  
ZEPHYR COVE, NEVADA 89418  
(775) 588-5602 OFFICE  
(775) 588-8548 FAX  
JKRAHBECK@CS.COM



December 11, 2007

VIA FACSIMILE: 775-782-0756

(Hard Copy to Follow By Mail)

Jody Kynett  
PO Box 394  
Genoa, NV 89411

Dear Jody:

This letter is to advise you that I reviewed Condition #6 of the ADM 05-200 of the Notice of Decision dated October 17, 2005. Condition #6 specifically states that the stairs cannot encroach more than three (3) feet into the required side yard setback and that the eaves over the stairs cannot encroach more than an additional two (2) feet further into the setback. Therefore, the total encroachment allowed into the setback is five (5) feet.

Should you have any questions, please call.

Very truly yours,



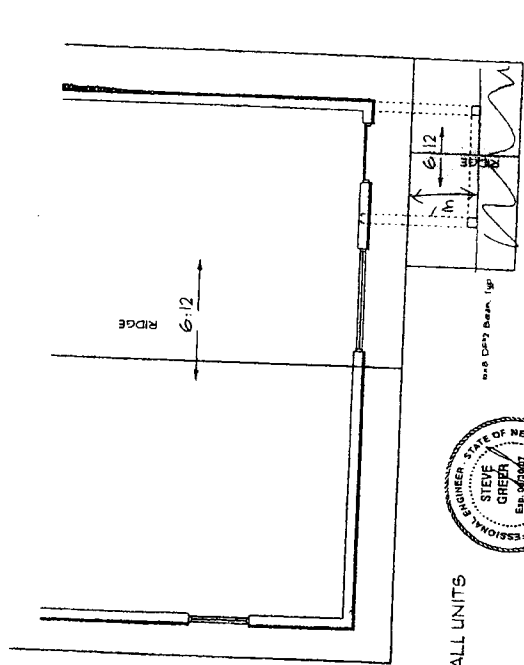
JEFFREY K. RAHBECK, ESQ.

JKR/eh

VAR - 07 - 129

**RECEIVED**  
 FEB 08 2008  
 CARSON CITY  
 PLANNING DIVISION

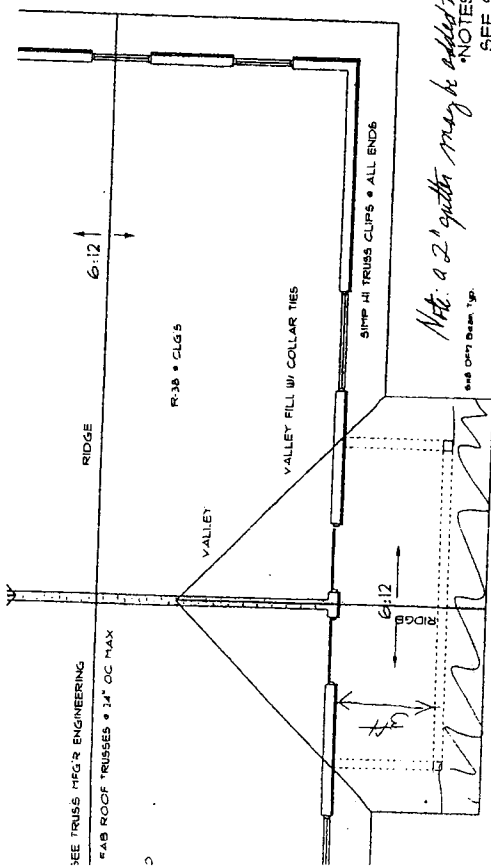
CORRECTIONS MADE BY APPLICANT TO BUILDING PLANS



*This is 5ft into the setback*



11-12-05  
 STRUCTURAL ONLY

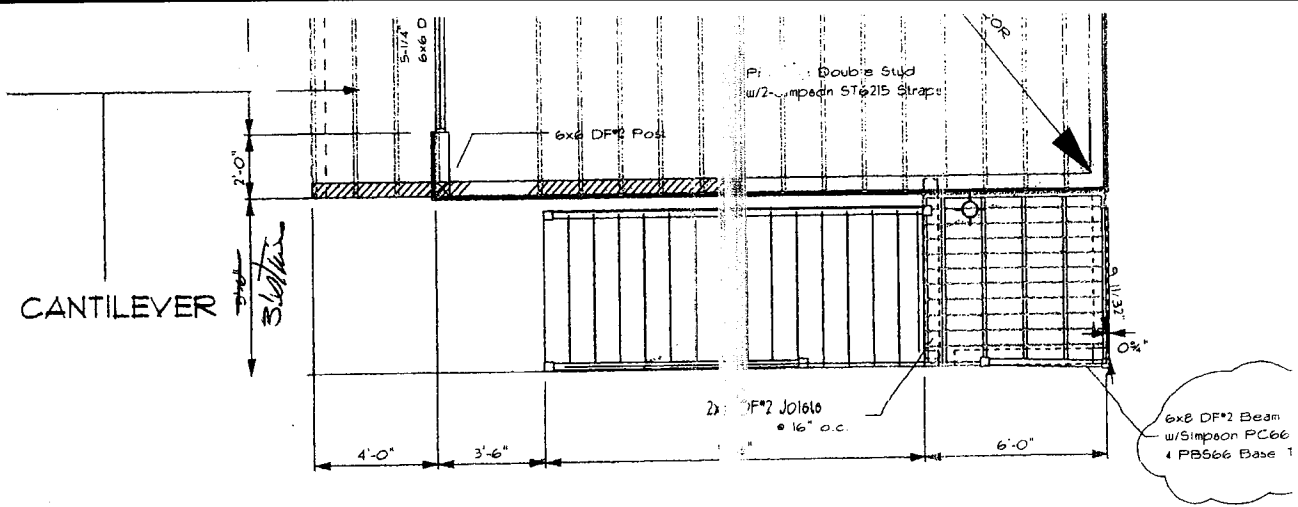


*Note: a 2" girth may be added to beams*  
 NOTES ARE TYPICAL OF ALL UNITS  
 SEE SHEET 6

*Exhibit B*

*This is 3' into the setback*

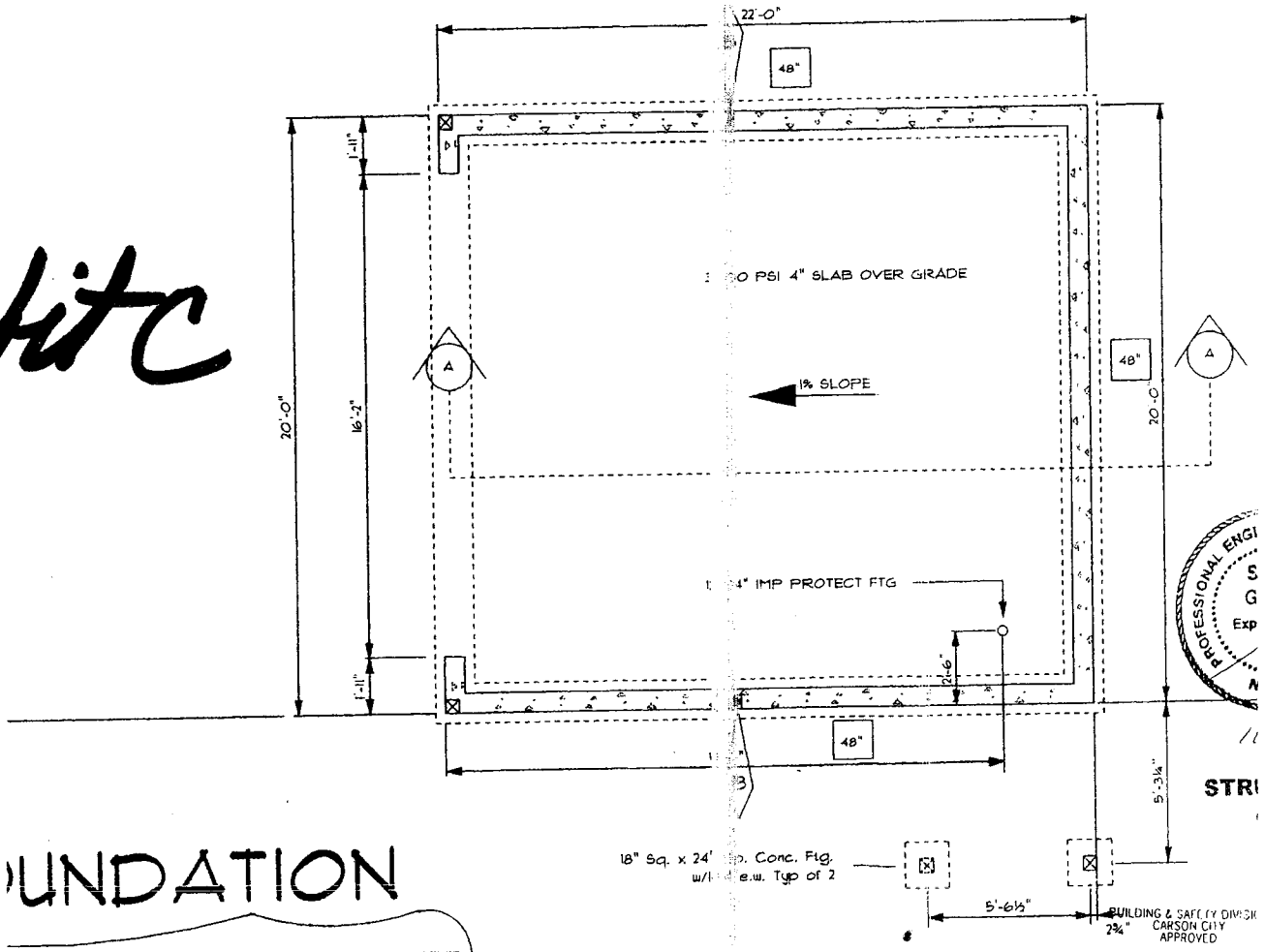
**RECEIVED**  
 FEB 08 2008  
 CARSON CITY  
 PLANNING DIVISION



# FRAMING

## CORRECTIONS MADE BY APPLICANT TO BUILDING PLANS

*Exhibit C*



# FOUNDATION

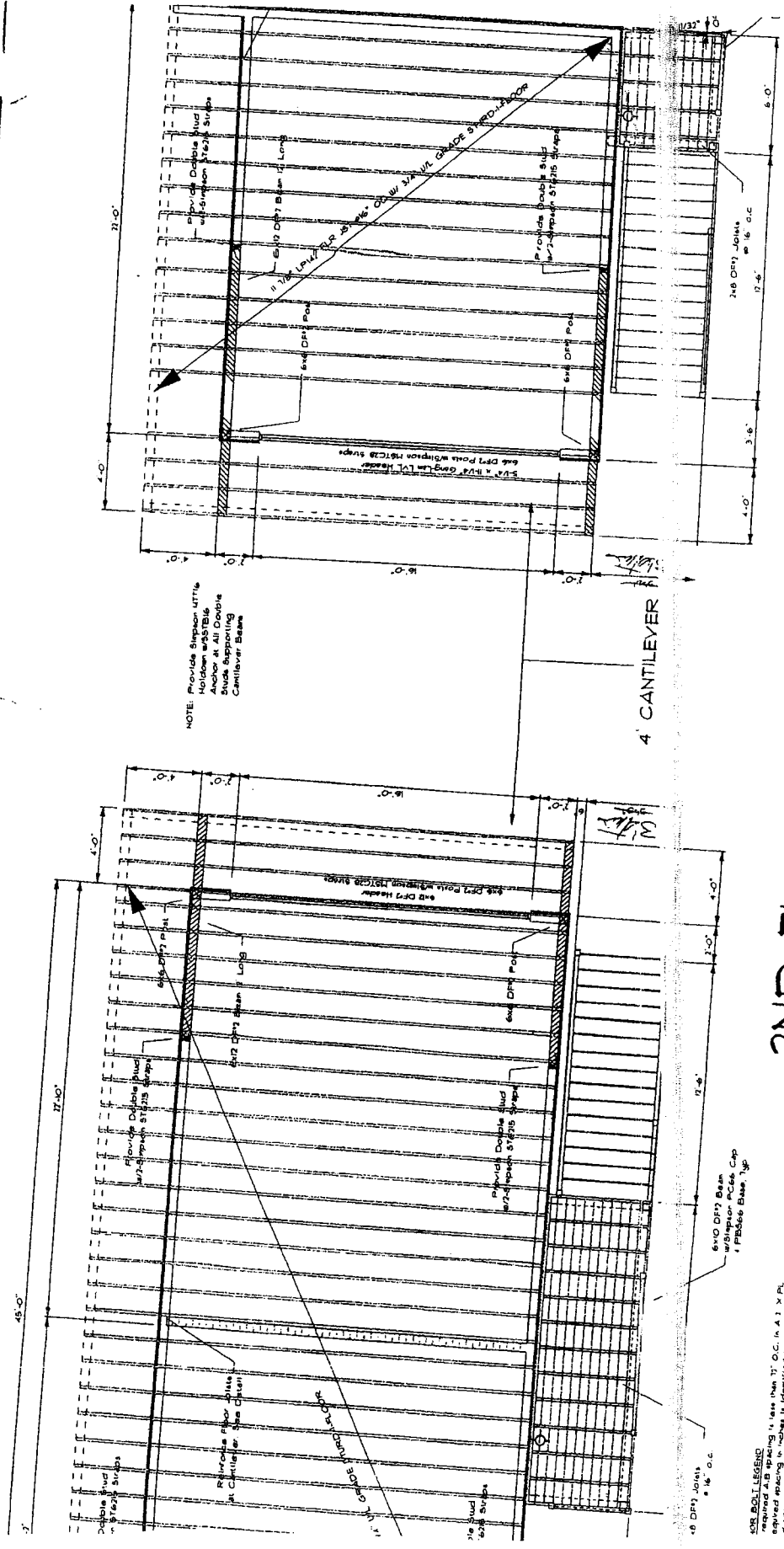
GROUND #4 BARE COPPER MIN. □  
 REFER GROUND PER NEC 250-81 □

BUILDING & SAFETY DIVISION  
 CARSON CITY  
 APPROVED

NOV 15 2005

BY \_\_\_\_\_

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 PLANNING DIVISION

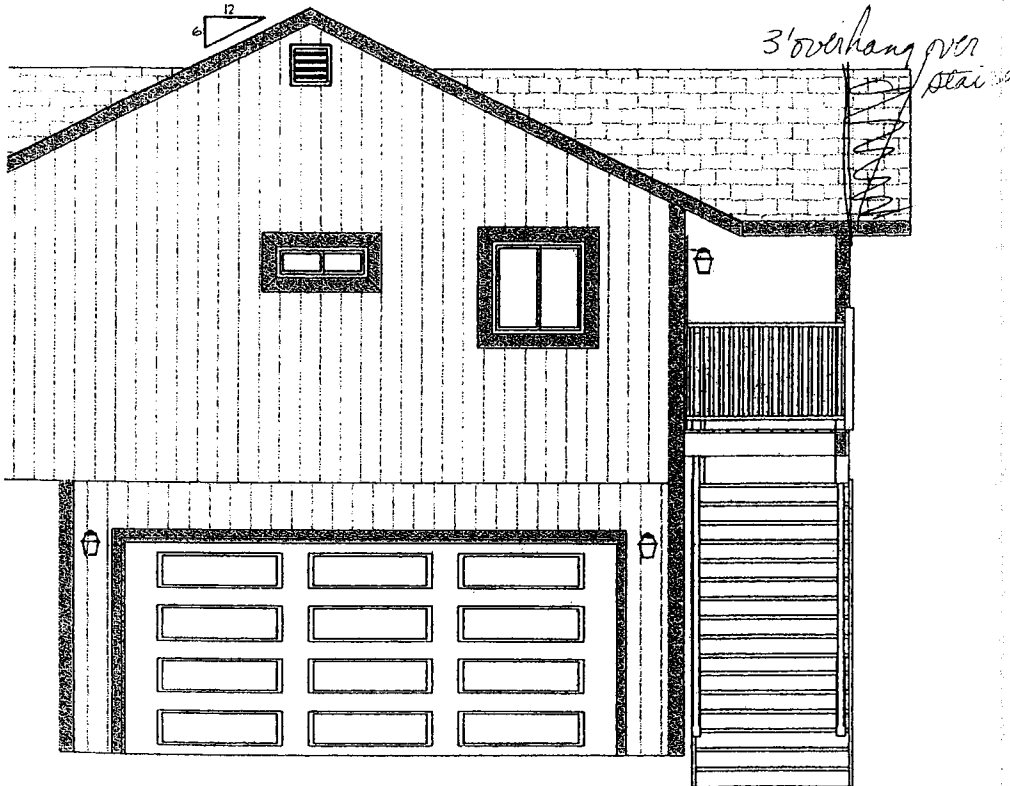


2ND FLOOR FRAMING

CORRECTIONS MADE BY APPLICANT TO BUILDING PLANS

*Exhibit D*

# Exhibit E



BLDG D

*3' stairs*  
 BUILDING & SAFETY DIVISION  
 CARSON CITY  
 APPROVED  
 NOV 15 2005

CHRIS KY  
 3090 SOURDOUGH  
 SO. LAKE TAHOE,

919 EAST 5TH ST.  
 CARSON CITY, NV  
 APN#004-042-24  
 UNIT B 576 SQ FT  
 UNITS C & D 1272 SQ FT

5/4/05

1/4" = 1'  
 SCALE

ELEVATIONS  
 BLDGS C & D

2A

CORRECTIONS MADE BY APPLICANT TO BUILDING PLANS

**RECEIVED**  
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 PLANNING DIVISION

11111 RING B SFH

**CARSON CITY PLANNING COMMISSION**

**CASE RECORD**

MEETING DATE: January 30, 2008

AGENDA ITEM NO.: H-1

APPLICANT(s) NAME: Leslie J. and JoAnne Kynett  
PROPERTY OWNER(s): Leslie J. and JoAnne Kynett

FILE NO. VAR-07-121

ASSESSOR PARCEL NO(s): 004-042-24  
ADDRESS: 919, 925, 935, East 5<sup>th</sup> Street

APPLICANT'S REQUEST: to vary from required setbacks to allow encroachment into side yard setbacks of eaves, landings, stairs and railings.

COMMISSIONERS PRESENT:  REYNOLDS                       VANCE                       BISBEE  
 MULLET                       PEERY                       KIMBROUGH                       WENDELL

STAFF REPORT PRESENTED BY: Kathe Green/Jennifer Pruitt                       REPORT ATTACHED  
STAFF RECOMMENDATION:                       CONDITIONAL APPROVAL                       DENIAL  
APPLICANT REPRESENTED BY: Jody Kynett

APPLICANT/AGENT PRESENT                       APPLICANT/AGENT SPOKE                       APPLICANT/AGENT NOT PRESENT                       APPLICANT/AGENT DID NOT SPEAK

APPLICANT/AGENT INDICATED THAT SHE HAS READ THE STAFF REPORT AND DOES NOT AGREE WITH THE FINDINGS, RECOMMENDATIONS, AND CONDITIONS.

  0   PERSONS SPOKE IN FAVOR OF THE PROPOSAL                        0   PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

**DISCUSSION, NOTES, COMMENTS FOR THE RECORD:**

Applicant referred to misunderstanding staff's requirements—see minutes of meeting.

APPEAL PROCESS MENTIONED AS PART OF THE RECORD:

MOTION WAS MADE TO DENY

WITH THE FINDINGS AND CONDITIONS OF THE COMMISSION ENUMERATED ON THIS CASE RECORD and based on written testimony of adjacent property owners.

MOVED: Wendell    SECOND: Kimbrough    PASSED: 7/AYE    0/NO    0/DQ    0/AB

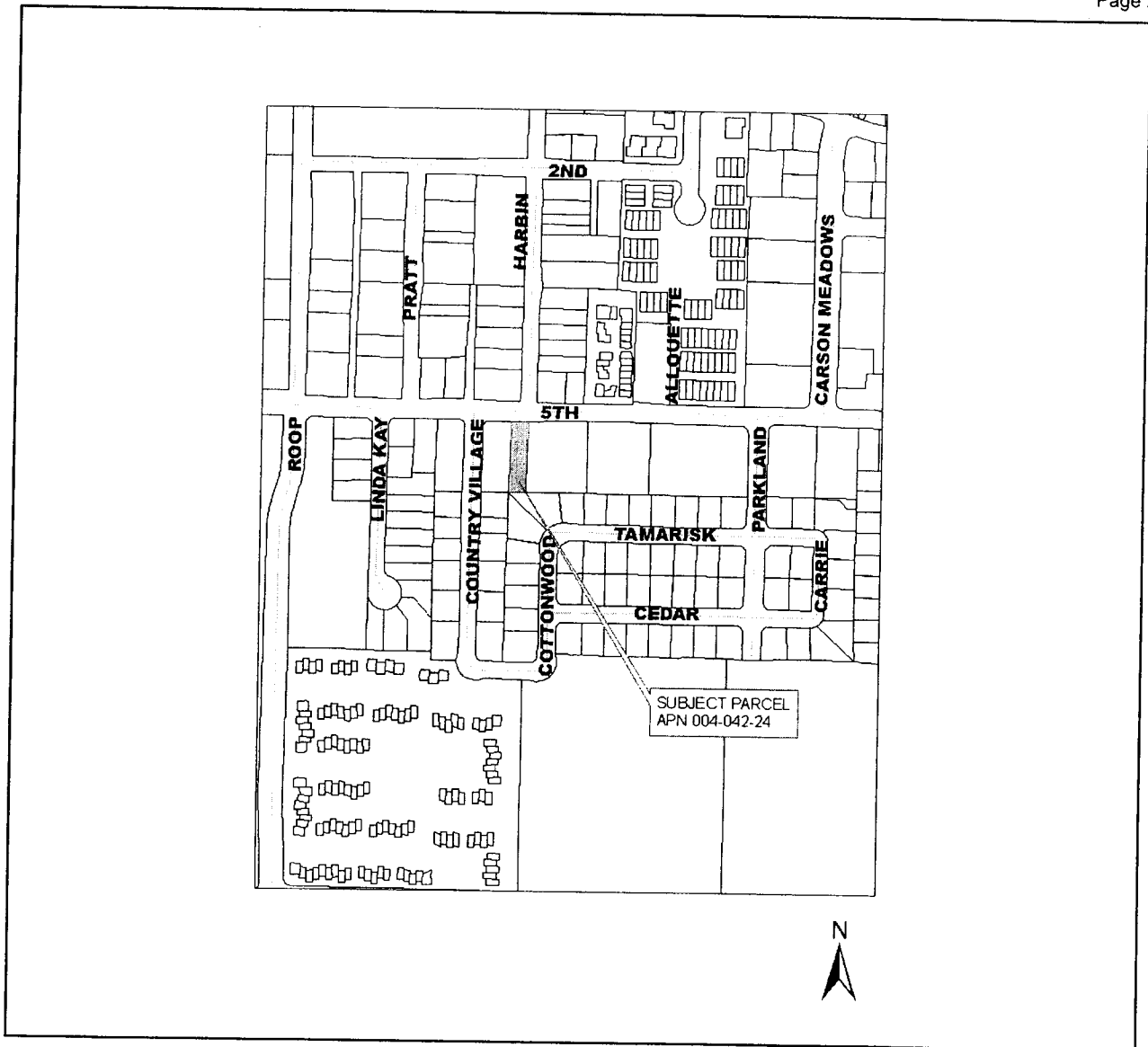


**STAFF REPORT FOR PLANNING COMMISSION MEETING OF JANUARY 30, 2008****AGENDA ITEM:****FILE NO: VAR-07-121****STAFF AUTHOR:** Kathe Green, Assistant Planner

**REQUEST:** To reduce the required side yard setback to allow encroachment on a previously constructed project. Additional encroachment is from 4-9/16 inches to 31-7/16 inches for stairs, railings, landings and eaves on the eastern side yard on a duplex and a single unit.

**APPLICANT/OWNERS:** Leslie and Jo Anne Kynett**LOCATION/APN:** 925 and 935 E. Fifth Street/004-042-24

**RECOMMENDED MOTION:** "I move to DENY VAR-07-121, a Variance application from Leslie and Jo Anne Kynett on property at 925 and 935 E. Fifth Street, APN 004-042-24, to allow an encroachment from the flat wall to the property line beyond the allowed 36 inches of from 4-9/16 inches to 31-7/16 inches for stairs, railings, landings and eaves into the eastern side yard setback on a duplex and a single unit on property zoned Multi-Family Apartment (MFA), due to the applicant's inability to meet the findings as required by the Carson City Municipal Code. All encroachments beyond the allowed 36 inches into the setback must be removed and corrected to a maximum 36 inches of encroachment from the flat wall to the property line. If more than 36 inches is required to comply with the Building Department's restrictions regarding required width of stairs and railings, then removed to a point to comply with their minimum requirements. These corrections must be completed within six months after date of decision, or at time of sale of the property, whichever occurs first."



**LEGAL REQUIREMENTS:** CCMC 18.02.050 (Review); 18.02.085 (Variances);

**MASTER PLAN DESIGNATION:** Mixed Use Residential (MUR)

**ZONING DISTRICT:** Multi Family Apartment (MFA)

**KEY ISSUES:** Can the requested variance to the setbacks be supported by the submitted findings? Do any unusual circumstances apply to the subject property or the surrounding properties that justify the variance request? Could the project be built in compliance with code requirements? Has a valid hardship, pursuant to CCMC 18.02.085, been established by the applicant to the satisfaction of the Planning Commission?

**SURROUNDING ZONING AND LAND USE INFORMATION**

NORTH: General Office/Multi Family Apartment— Single family residential dwellings  
SOUTH: Single Family 6000 (SF6) — Single-family residential dwellings  
EAST: Multi Family Apartment (MFA) — Apartments  
WEST: Single Family 6000 (SF6)/Multi Family Apartment (MFA) — Apartments

**ENVIRONMENTAL INFORMATION**

1. FLOOD ZONE: Zone B (between the 100-year and 500-year flood)
2. SOILS: No. 71: Urban Land
3. SEISMIC ZONE: Zone I, fault beyond 500 feet

**SITE DEVELOPMENT INFORMATION**

1. SPECIAL DISTRICTS/AREAS: None
2. PARCEL AREA: 10,000 square feet
3. PROJECT SITE AREA: Duplex and single unit presently constructed on the site.
4. EXISTING LAND USE: One house, one single unit and one duplex unit.

**VARIANCES APPROVED:** ADM-05-200: reduction in setback requirements.

Side yard setback (eastern) reduced from 10 feet to 9 feet 1/8 inch from property line to flat wall (reduced by 11-7/8 inches)

Rear yard setback (southern) reduced from 30 feet to 27 feet 1/8 inch from property line to flat wall (reduced by 2 feet 11-7/8 inches)

Eaves allowed to extend three feet, rather than two feet, only over encroaching stairs, into required side yard setback (eastern).

**VARIANCES REQUESTED** This request is to allow extensions beyond those allowed under Development Standards Division 1.14 Cornices, Porches and Projections Into Setbacks (Dev St 1.14), which states: "Eaves, canopies, fireplaces, decks 30 inches high or less, bay windows and similar architectural features, not including flat walls, may extend into any required setback a distance not to exceed two feet. Uncovered porches, landing places, or outside stairways may project not more than three feet into any required side yard setback and not more than six feet into any required front or rear yard setback."

The applicant was allowed three foot of encroachment as described in Dev St 1.14. The applicant requested and was conditionally approved for a minor Administrative Variance, ADM-05-200 (see Variances Approved, above) to reduce the minimum side yard setback to the stairs, railings, landings and eaves to approximately six feet. The applicant did not build what was approved on the submitted plans. The applicant built to a point within 3.39 feet of the property line, exceeding the allowed encroachment dimensions by up to 2.62 feet. The requested encroachment dimensions are as follows:

925 E. Fifth St.

Distance from property line to:		Encroachment requested:
Eave	3.65 feet	2.36 feet (28-5/16 inches)
Landing	3.90 feet	2.11 feet (25-5/16 inches)
Stairs with Railing	5.63 feet	.38 feet ( 4-9/16 inches)

935 E. Fifth St.

Distance from property line to:		Encroachment requested:
Eave	3.39 feet	2.62 feet (31-7/16 inches)
Landing	3.64 feet	2.37 feet (28-7/16 inches)
Stairs with Railing	5.58 feet	.43 feet ( 5-3/16 inches)

**BACKGROUND:**

A single small house was located on this site. The applicant built three additional dwelling units to the rear of the property, consisting of a duplex and a single dwelling unit. The cantilevered units are located above garages. Constructed stairs, railings, landings and eaves extend further than allowed into the setback and encroach approximately 4-9/16 inches to 31-7/16 inches.

Several building plan submissions were reviewed for this project. The plans showed the project encroaching by varying dimensions into the setbacks, did not accurately reflect the site layout or elevations of the buildings and various building plan page details were in conflict with each other. Plans required corrections and approval of a variance or reduction in the size of the improvements prior to approval.

The variance application includes the comment: "The contractor (Chris Kynett) didn't know about the changes that I (the applicant) had made at the City on the original plans. I told our contractor that the stairs had to be three feet and to cut back the eave to the porch landing, which he did". However, all staff correspondence and conversations with the applicant and the building permit clearly stated the setback limitation for all extensions was a maximum of three feet.

**TIME LINE HISTORY:**

08/19/03: Major Project Review, number MPR-03/04-4 was held. Proposal to add to an existing single family residence a duplex and single unit, to be placed over garages with cantilevered buildings. Staff comment to the applicant included: "The project may require a variance for any reduction in the required setbacks or other standards. It appears that modifications to the site plan need to occur."

03/31/05. Review of submitted building permit plans. Sent letter to applicant, which included: Site plan is inadequate. Provide clear plans with accurate dimensions. Provide setbacks from all property lines. No modifications or corrections as requested at MPR 03/04-4 were provided. Cannot verify if setbacks have been met as the site plan dimensions are inaccurate. The plan does not meet side yard setback. Restated required setbacks and quoted Dev St 1.14. The stairs and landing areas extend five feet six inches into the setback. Reduce to three feet. May apply for a variance at the Planning Commission.

08/19/05. Review of resubmitted building permit plans. Letter sent to applicant, stating: Proposed buildings are too large for the site. Required setbacks must be met, measured from the property line, including cantilevered portions. Provide accurate detail for eaves and outside stairways in relation to the property lines and setback dimensions and show how they

are met or are proposed to encroach. Quoted Dev St 1.14. Clarify actual size of the buildings as the plans are inaccurate. Encroachments are not shown accurately on the plan. May apply at the Planning Commission to vary setbacks.

10/17/05 Administrative Permit, ADM-05-200, a request to allow encroachment of less than 10% (11-7/8 inches) for side yard flat wall and extension into the rear setback was reviewed and denied based on objection(s) of adjoining neighbor(s). The applicant was informed that if the objection(s) were withdrawn, the permit could be approved.

10/27/05 Objection withdrawn. ADM-05-200 was approved to allow 11-7/8 inch encroachment to the flat wall. The conditions of approval in the staff report to be transferred to the final notice of decision include the following:

- Flat wall of building must be constructed no closer than nine feet 1/8" from the east property line.
- The stairs cannot encroach more than three feet into the required side yard setback on the east side of the property. The eaves over the stairs cannot encroach more than an additional two feet further into the setback.

11/01/05 Staff met with the applicant and reviewed the conditions of the ADM. Reviewed the conditions which would be included in the final document. Stairs cannot encroach more than three feet into the setback. Staff clarified where the overhang needs to stop. Roof overhang to same point as stairs. Maximum three foot overhang to be over stairs only. Gutters can be added with a maximum two inch width beyond the overhang. Staff drew a picture with the eave, landing, stairs, gutter and railing and discussed the allowed locations for each item.

Approximately 11/01/05 to 11/03/05 (documents are not dated), applicant handwrote corrections to plans in the Building Department to show a maximum three foot encroachment into the setback for stairs, railings, landings and eaves. Applicant specifically noted "3' overhang over stairs", and corrected landing from "5' 6" to 3'" and changed the eave length from "6 feet to 3 feet". All extensions were noted at three feet from flat wall. Applicants are now not allowed under current procedures to make these kinds of corrections to plans.

11/08/05 Staff sent a letter to the applicant stating the building plans were approved with corrections. Included in the letter was the following: The encroachment into the setback on the east side was approved by ADM-05-200. The stair and roof encroachment is limited to a total of three feet into the east side setback.

11/08/05 Staff's note was printed on building permits that were issued to the contractor and stated: ADM-05-200 approved. Max encroachment of stairs/roof overhang on east side is 3 feet total.

01/06/06 Initial foundation inspection denied. Placement of a concrete retaining wall is outside the boundaries of the property, not related to the building location.

02/09/06 Record of survey received showing the concrete retaining wall is located outside the property lines on the south (rear). Adjacent property owners subsequently authorize it to remain in place.

05/15/06 Another set of plans submitted by the applicant to the Building Division showing the location and removal of a retaining wall, for "revision of sight and drainage plan". This was not shown by the applicant as a review for change to buildings or elevations. Building permit issued to contractor includes restriction: Maximum encroachment is total of 3 ft to east side yard setback for stairwell and roof line overhang.

08/15/07 Application for full variance received for Planning Commission meeting 09/26/07 received. Assigned number VAR-07-121.

08/23/07 Application deemed incomplete.

09/12/07 Additional information received by Staff. Deemed incomplete, some pages retained for future application submission.

09/24/07 Revised application received by Staff. Dimensions not accurate or not shown from property line to buildings and extensions. Elevations pages of buildings not accurate. Application incomplete. Prepare to present as submitted to Planning Commission on 10/24/07 Staff report prepared, with recommendation to require survey for accurate dimensions, as staff cannot determine accurate setbacks. Notification to neighbors, newspaper, etc.

10/24/07 Planning Commission meeting date. Received from applicant on this date was a request for continuance to a future Planning Commission meeting after reading Planning Division staff report.

11/06/07 Staff met with applicant and engineering company regarding submission requirements. Still need accurate dimensions for all setbacks, including stairs, railing, landing and eaves.

12/17/07 Staff received new application for the Planning Commission meeting of 01/30/08, including exhibit for dimensions. Some of the dimensions on the exhibit are inaccurate as they are from the adjacent property owner's existing block wall to the building, not the property line.

01/16/08 Staff met with applicant to explain how to present her application to the Planning Commission and explained the appeal process to her.

**DISCUSSION:**

This Variance request is an example of a self imposed hardship created by the property owner. It is the opinion of Staff that the property owner could have complied with the width of the project stairs, railings, landings and eaves as recommended at the initial major project review and as stated several other times prior to and during construction. The applicant was informed many times, by phone, in person, in correspondence and by drawing a picture during a conversation, what would be allowed per Code, that the proposal for the site was not in compliance for setbacks, and furthermore that the submitted plan pages were inaccurate and in conflict with each other. Staff also stated that the applicant would need to apply for a variance prior to construction or modify the plan to limit encroachments to a total of three feet for stairs, railings, landings and eaves. The applicant made handwritten corrections on the plans to comply with these requirements. A second set of plans were submitted with a drainage plan. This second set of plans were not corrected and show varying dimensions for the encroachments into the setback. The limitations regarding encroachments were printed for the contractor on the building permit. The applicant had a responsibility to submit accurate and correct building plans and to build within the parameters of the Code.

The applicant is also now stating that condition #6 of ADM-05-200 is not clear, even though the Staff correspondence relative to ADM-05-200 was sent out after speaking with the applicant in person, many letters, a conversation including a drawing, printing conditions on the permit as well as the applicant writing corrections to the plan, all of which were very clear and consistent with the Code and restrictions for setbacks. The applicant states that she should be able to have a full five feet of encroachment into the setback based on this condition, which says: "The stairs cannot encroach more than three feet into the required side yard setback on the east side of the property. The eaves over the stairs cannot encroach more than an additional two feet further into the setback." The word "further" specifically refers to the topic of the approval, which was the 11-7/8 inch encroachment already approved within ADM-05-200 and was to limit additional encroachment, not allow more. The condition of approval reinforces the information quoted many times to the applicant from Dev St 1.14. The hearings officer discussed this topic with the applicant and subsequently allowed the applicant to have the eaves encroach the same as the stairs, three feet, rather than two feet. It is noted that the landings, as built, which were not mentioned in condition #6, extend more than five feet into the setback.

The opinion of Staff is that this project is very similar to VAR-06-195, where the building was too tall and the owner was required to correct the height to meet code requirements. This property owner should also correct this encroachment to meet City code requirements.

The applicant failed to provide accurate and correct plans for the building permit review. The applicant was responsible to verify with the person who created the plans that they were accurate, and that the contractor had a responsibility to verify and resolve conflicts in information shown on the plans and that the project met the requirements of the code prior to building the project. No visible justification or grounds for allowing the requested variance

for encroachment into the setbacks has been presented by the applicant as required by City code for approval of a variance.

**PUBLIC COMMENTS:** Public notices were mailed on 01/11/08 to 45 adjacent property owners within 300 feet of the subject site pursuant to the provisions of NRS and CCMC. As of the writing of this report, Staff has received three written objections from adjacent property owners who are opposed to this request. One is the property owner who originally objected to the ADM which was subsequently approved when the objection was withdrawn. The objection has been reinstated. Any comments that are received after this report is complete will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division. It is noted that property owners which are noticed under the requirements of NRS and CCMC are considered "adjacent" even if they are not contiguous to the property.

**OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:** The following comments were received from various city departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

Engineering: No concerns

Fire: No concerns

Heath: No concerns

Parks and Recreation: No concerns

Building & Safety: The Building Division will not support VAR 07-121. As the building official, I will not support this variance due to the applicant was aware of the setback requirements at time of construction and chose not to follow the requirements. If the variance is denied, the applicant shall obtain a building permit to rebuild the second floor overhangs and call for all required inspections. In addition, if the variance is denied, I feel the Planning Commission should place a time limitation of 6 months and/or prior to selling of the property, whichever comes first, to complete all required work. The required information was provided to the applicant at the time of permit issuance and was not followed through the building process.

**FINDINGS:** The Planning Division cannot support the request to vary the required setbacks on this submission. The applicant and contractor were well aware of the restrictions regarding encroachments into the setback for stairs, railings, landings and eaves and constructed improvements not meeting code requirements. This is a self imposed hardship. The applicant has not met the burden of proof pursuant to Carson City Municipal Code 18.05.085 to provide the required findings.

The recommendation of denial is based on the following findings as required by Carson City Municipal Code (CCMC) Section 18.02.085 (Variances) enumerated below and substantiated in the public record for the project.

1. That because of special circumstances applicable to the subject property, including shape, size, topography and location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privilege enjoyed by other



properties in the vicinity or under identical zone classifications.

*The applicant has not provided a justification for special circumstances applicable to the subject property. The applicant has not satisfied the required findings. The subject property could satisfy the setbacks requirement by removing a portion of the eaves, landings, railings and stairs which encroach into the setback and rebuilding them at the correct setback location. This application is a request to allow special privilege simply because the improvements were built but not in conformance with City code requirements. The applicant and contractor were notified on numerous occasions what the City requirements which were applicable to the site, but did not build within these parameters.*

2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant.

*The proposed Variance, if approved, would allow for special privilege not enjoyed by other property owners that will be physically evident on a daily basis. There has been no information provided to document that a Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant. The width of the landings, eaves, railings and stairs could be corrected by removing or modifying them, then replacing them with at a width to meet the maximum encroachment of three feet or in compliance with the minimum width required by Building Code regulations, in compliance with the requirements of the ordinance. The applicant was notified on numerous occasions of the City code requirements applicable to the site regarding allowed encroachments, but built beyond these parameters. The applicant had a responsibility to submit accurate plans and build according to the code requirements.*

3. That the granting of the application will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.

*Granting the Variance proposal could have a negative impact on existing developed lots as the expansion into the required side yard setback encroaches on the privacy of the property to the east, where a two story apartment unit was built in compliance with allowed encroachments into the setback. Setback restrictions should apply equally to all parties. Approval of this request would be injurious to other properties and proposed improvements throughout the City, as no justification for the encroachment has been provided. This encroachment should not be allowed. Meeting required setbacks is not optional but mandatory. This is a requirement equally applied to all, and must be to be followed by the property owner on all sites and all projects unless previously approved by a Variance.*

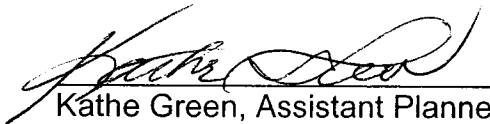
It is noted that what was built on the site is not what was shown on the plans. The encroachments on the site are beyond what is allowed under the code and are self imposed.

The applicant has not satisfied the required findings for a variance.

The Commission should note that pursuant to the CCMC 18.02.085 (2b); "The applicant for Variance shall have the burden of proof by a preponderance of the evidence to provide facts supporting the proposed Variance. For purposes of legal clarity, this shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the Commission and, if on appeal, by the Board. Additionally, the applicant shall provide adequate information in the application and on the site plan to substantiate the findings required in this Section."

Respectfully submitted,

PLANNING DIVISION

  
Kathe Green, Assistant Planner

Attachments

**From:** Jennifer Pruitt  
**To:** Eskew-Herrmann, Heidi; Green, Kathe; Johnson, Rose Mary  
**Date:** 10/1/2007 8:32:33 AM  
**Subject:** Fwd: SUP

fji

>>> Kevin Gattis 09/25/2007 2:05 PM >>>

Jennifer,

Attached are building division comments for the following projects:

1. SUP-07-143... No comments for the extension of commercial coaches. However, if any additional permits are applied for on this site that are minor in nature, strict time limits will be placed on them due to difficulties in gaining code compliance with this applicant.
2. VAR-07-121...As the building official, I will not support this variance due to the applicant was aware of the setback requirements at time of construction and chose not to follow the requirements. If the variance is denied, the applicant shall obtain a building permit to rebuild the second floor overhangs and call for all required inspections. In addition, if this variance is denied, I feel the planning commission should place a time limitation of 6 months and/or prior to selling of the property which ever comes first to complete all required work.

Kevin Gattis, C.B.O.  
Building Official  
Carson City Building & Safety  
2621 Northgate Lane, Suite 6  
Carson City, NV 89706  
(775) 887-2310 Office  
(775) 887-2202 Fax



# CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL  
DEVELOPMENT SERVICES

Carson City Development Engineering  
Planning Commission Report  
File Number VAR 07-121

**RECEIVED**

AUG 21 2007

CARSON CITY  
PLANNING DIVISION

TO: Planning Commission

*JS* FROM: Jeff Sharp, P.E., Deputy City Engineer

DATE: August 20, 2007

MEETING DATE: September 26, 2007

**SUBJECT TITLE:**

Action to consider a Variance application from JoAnne Kynett to reduce the required side yard setback in order to accommodate recently completed construction of 2<sup>nd</sup> story stairway landings and roof structures. The address of the project is 925/935 East Fifth Street, APN #4-042-24.

**RECOMMENDATION:**

Development Engineering has no objection to the variance request.

**DISCUSSION:**

Development Engineering has reviewed the request within our areas of purview relative to adopted standards and practices and to the provisions of C.C.M.C. 18.02.085, Variances:

**C.C.M.C. 18.02.085 (2a) - Adequate Plans**

The information submitted by the applicant is adequate for this analysis.

**C.C.M.C. 18.02.085 (5c) - Adverse Affects to the Public**

The Engineering Division finds that the granting of the application will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.

# MPP PROPERTIES

111 EAST SIXTH STREET  
CARSON CITY, NEVADA 89701  
(775) 882-6099

1/21/2008



TO: CARSON CITY PLANNING DIVISION  
2621 NORTHGATE LANE STE 62  
CARSON CITY, NV 89706

FROM: MPP PROPERTIES

RE: FILE NO. VAR-07-121

TO WHOM IT MAY CONCERN,

MONEY PIT PARTNERSHIP OWNS THE PROPERTY IMMEDIATELY TO THE EAST OF PROPOSED VARIANCE. UPON DEVELOPMENT OF OUR PORPERTY LOCATED AT 961, 973, 985 EAST FIFTH STREET CARSON CITY, NV WE HAD TO ADHERE TO EVERY CODE REQUIRED WITHOUT ANY VARIANCES. WE ARE OPPOSED TO ANY VARIANCES REQUESTED UNDER THE ABOVE FILE NO.

REGARDS,

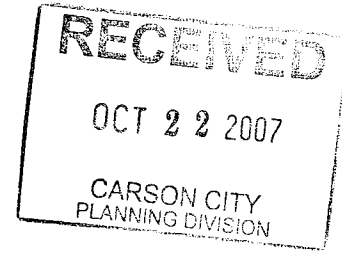
MONEY PIT PARTNERSHIP

THOMAS R PETERS  
ROBERT R HARDER  
BRUCE D BERGANTZ

Three handwritten signatures in black ink. The top signature is "Thomas R. Peters", the middle is "Robert R. Harder", and the bottom is "Bruce D. Bergantz".

H-1

Bill Maston  
1012-1022 Fifth Street  
Carson City, Nevada



October 17, 2007

Carson City Planning Division  
2621 Northgate Lane, Ste. 62  
Carson City, NV 89706

Ref: Variance  
File Number: VAR-07-121

TO: Planning Commission Members & Planning Staff

I received Notice of a Public Hearing regarding a possible Variance allowing a building to encroach in the side yard setbacks. As I will be unable to attend this meeting in person, I would like you to please read this letter into the public meeting minutes.

I'm very concerned with the idea of allowing a Variance for these types of encroachments. As a nearby landowner and owner of multiple dwelling units, I view the idea of approving a Variance as a degradation of our neighborhood and the quality of life of those people who might live within the proposed dwelling units being applied for with this application.

It is my understanding that a Variance must meet the following criteria:

1. That there are unique features about the property due to its irregular shape or topography that makes it an exception to the surrounding parcels. This parcel of land has no site conditions that make it unique or special and therefore the site should meet all the necessary setbacks for development.
2. By allowing encroachment into the setbacks, you are actually degrading the surrounding properties. The minimum setbacks are there for a reason. I see no necessity for any setbacks being encroached. The applicant should redesign their buildings to meet those setbacks.

Letter to Carson City Planning Division  
2621 Northgate Lane, Ste. 62  
Carson City, NV 89706  
October 17, 2007

Page 2

3. Is the applicant receiving any special consideration by allowing a Variance? Absolutely, YES. There is no reason why the applicant cannot redesign the project to meet all the necessary setback requirements. By approving a Variance for encroachment, you are doing it at the expense of all the others around him who have complied.

Overall, I have not seen any information that would suggest that the applicant cannot redesign the project to comply with all the necessary setbacks. As a result, I urge you to please deny this application for a Variance. I am relying on this public process to maintain the values of our properties and create new developments that compliment existing developments rather than compromise them.

Thank you for your consideration. If you have any questions, feel free to call me at 650.279.0499.

Sincerely,



Bill Maston  
Property Owner  
1012-1022 Fifth Street  
Carson City, Nevada

FAX MESSAGE TO CARSON CITY PLANNING DEPARTMENT

FAX NUMBER 775-887-2278

RE: VARIANCE FILE NO. VAR-07-121

As the owner of a nearby property at 609 Linda Kay Court, I am opposed to this request for a variance. If everyone did what is being proposed here, it would be detrimental to the overall neighborhood. The rules about buildings and encroachments were put there for a reason. I see no good reason to try to get around the rules.

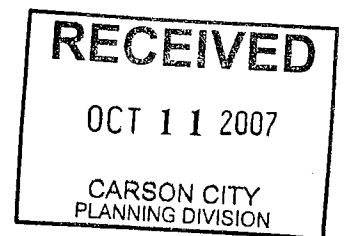
Signed,



Floyd L. Hill

FAX 702-562-2090

October 11, 2007





Carson City Planning Division  
 2621 Northgate Lane, Suite 62 · Carson City NV 89706  
 Phone: (775) 887-2180 • E-mail: plandept@ci.carson-city.nv.us

FOR OFFICE USE ONLY:

CCMC 18.02

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DEC 17 2007

CARSON CITY  
 PLANNING DIVISION

FILE # VAR - 07 - 121

**VARIANCE**

FEE: \$500.00 + noticing fee

SUBMITTAL PACKET

- Application Form
- Site Plan
- Building Elevation Drawings and Floor Plans
- Proposal Questionnaire With Both Questions and Answers Given
- Applicant's Acknowledgment Statement
- 26 Completed Application Packets (1 Original + 25 Copies)
- Documentation of Taxes Paid-to-Date
- Property owner signature sheet--minor variance only

PROPERTY OWNER

Leslie J. and JoAnne Kynett

MAILING ADDRESS, CITY, STATE, ZIP

P.O. Box 394 Genoa, NV 89411

PHONE #

775-782-0407

FAX #

775-888-0996

Name of Person to Whom All Correspondence Should Be Sent

APPLICANT/AGENT

JoAnne Kynett

MAILING ADDRESS, CITY, STATE/ZIP

P.O. Box 394 Genoa, NV 89411

PHONE #

775-782-0407

FAX #

775-888-0996

E-MAIL ADDRESS

Cell 720-7105

Application Reviewed and Received By:

Submission Deadline: See attached PC application submittal schedule.

Note: Submittals must be of sufficient clarity and detail such that all departments are able to determine if they can support the request. Additional information may be required.

Project's Assessor Parcel Number(s):

004-042-24

Street Address

919, 925, 935 Ste. 1 and 2 E 5th St 89701

ZIP Code

Project's Master Plan Designation

Mixed use residential

Project's Current Zoning

MFA

Nearest Major Cross Street(s)

Harbin

Briefly describe your proposed project: (Use additional sheets or attachments if necessary)

In accordance with Carson City Municipal Code (CCMC) Section: 1804.190, or Development Standards, Division 1, setbacks Section 1 land use, a request to allow a variance as follows:

We request a variance for 925 E 5th St railing setback 0.38ft approx, 3 1/2" eaves encroach, 3.6ft approx, 3 1/4" and landing encroaches 2.11 ft then allowed, 935 E 5th St railing encroach, 4.3ft approx, 4" eaves encroach 0.62ft approx, 5 1/2" and landing encroaches 2.47ft more than allowed.

PROPERTY OWNER'S AFFIDAVIT

I, JoAnne Kynett, being duly deposed, do hereby affirm that I am the record owner of the subject property, and that I have knowledge of, and I agree to, the filing of this application.

Signature JoAnne Kynett

Address P.O. Box 394 Genoa NV 89411

Date 12/17/07

Use additional page(s) if necessary for other names.

STATE OF NEVADA  
 COUNTY DOUGLAS

On DECEMBER 17, 2007, JOANNE KYNETT, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Signature Jodi L. Fortune

Notary Public



JODI L. FORTUNE  
 Notary Public - State of Nevada  
 Appointment Recorded in Douglas County  
 No. 05-1004705 - Expires October 19, 2009

NOTE: If your project is located within the historic district, airport area, or downtown area, it may need to be scheduled before the Historic Resources Commission, the Airport Authority, Downtown Design Review, and/or the Redevelopment Authority Citizens Committee. Prior to being scheduled for review by the Planning Commission, Planning Division personnel can help you make the above determination.

RECEIVED

DEC 17 2007

CARSON CITY  
PLANNING DIVISION

REVISED RESPONSES TO THE VARIANCE APPLICATION QUESTIONNAIRE

Question 1.-Response: The building plans approved by the building department were followed by our contractor only to discover that the stair railings, porch landing and eave was in the setback more than allowed for 925 and 935 suite 1 and 2 E. Fifth St.. Other corrections had been made but this was missed and the contractor followed the plans. The original plans were drawn by the first engineer on this project, Gary Hopper of Applied Engineering. Mr. Hopper was hired in January of 2004 and eventually due to many problems we had to take him to the Nevada State Board of Engineers because he incorrectly represented building setback dimensions on a site and grading plan along with a retaining wall structure horizontally tied to an unknown and undocumented property boundary; and represented those corners. Enclosed in your packet is a stipulated agreement with the disciplinary action set forth within it. It is my opinion that this was the main reason that we are now in the situation with the setbacks. Kevin Gatos of the building department tells me that I am solely responsible for the engineers. I believe that the state of Nevada has established the Board of Engineers just for this type of problem and they regulate and control the engineers in this state.

This was not a problem that was self imposed in any way. We then had to hire another engineer and redraw the site plan and the building plans. The building had to be reduced in size by removing the cantilever on the south side of building 935 and rotating the floor plan. I had to supply four new sets of plans and get those plans approved by the city. This second engineer was also a problem and we again had to go to the State Board of Engineers and he also was disciplined by the board and the stipulated agreement is included in this packet. These plans did not have any changes and were given to the contractor stamped approved by Carson City. The contractor didn't know about the changes that I had made at the city to the original plans. Much time had passed, I told our contractor that the stairs had to be three feet and to cut back the eave to the porch landing, which he did. As per the administrative permit review dated October 17, 2005 notice of decision, filed November 8, 2005 (enclosed in your packet). The stairs cannot encroach more than three feet into the required side yard setback on the east side of the property. The eaves over the stairs cannot encroach more than an additional two feet further into the setback. I did then and still believe that this says that the eaves may extend and additional two feet past the stairs which would then be 5 feet into the east side yard setback. That is also the way that my attorney Jeff Rahbeck reads condition #6 of the ADM 05-200 Notice of Decision (letter from Jeff Rahbeck attached). I was very confused at a meeting with Larry Werner and Kevin Gatos which they both said that they were also confused by the wording of condition six of the variance approval. I am now told that the eaves can only extend two feet, period. If the eaves are not allowed to extend more than two feet as per the building and setback code then why was I asked to show the eave extending three foot over the porch landing? At the time that I sat down at the city to make corrections to the plans I believed that I was cutting the eave back to the line of the landing. We would have and could have built the stairs and landing any way that the city asked as we have complied with all of the other building requirements. I did not know

VAR - 07 - 121

that the working plans given to the contractor by the building department did not have the changes. On the last page of the permit which is in the packet with the inspection cards it does state ADM 05-200 approved for reduction in setback on east side to 9 ft 1/8 in. Maximum encroachment of stairs/roof overhang on the east side is 3 ft total. Rear setback reduced from 30 ft to 27 ft 1/8 in. K Green, however this is in conflict with the written approval. This error then should have been caught during the many inspections by the building department (the footing or the framing inspections etc.). Enclosed in this packet are drawings from the plans (not to scale) that give you the correct measurements and the amount of the encroachment which is only a few inches. Western Engineering and Surveying had done a record of survey of this lot so we hired them to do a map with the correct measurements which they did 3 times and now we believe that we do have the correct measurements. This being an old piece of property with neighboring improvements in odd positions made it difficult to determine the correct boundary lines. The inaccurate detail for the eaves and outside stairways in relation to the property lines and setback dimensions were not my doing. I did depend on Western Surveying and Engineering for those measurements for this variance application.

This project is not at all similar to Var-06-195, (in Silver Oaks subdivision) which the planning department is comparing to this property in their staff report. According to the staff report for Var-06-195 the property owner had not applied for a building permit nor had he obtained an approved set of plans before framing of the residence. The height was not just a few inches more than the allowed 28 feet but was estimated by the building department to be 6 feet 6 inches to 8 feet 2 inches over the 28' allowed height. Staff had received nine letters of opposition and two letters in support. The one letter that has been received regarding our property is not adjacent to our property as stated in the staff report and is more than one block away. It is not clear in the staff report what the objections of the other city departments were but it appears that the engineering, fire and building and safety did object to the granting of Var-06-195.

The stairs are not encroaching more than allowed into the setback, however the stair railings are and only .38 ft for 925 and .43 ft for 935 E 5<sup>th</sup> St.. The contractor made the stairs 3'1" ( 3 ft is required) and built a substantial railing which is approximately 3 1/2 inches into the setback for 925 and approximately 4 inches for 935 E 5<sup>th</sup> St.. The drawings that Western Engineering and Surveying did are in this packet and give the step and handrail detail. I have used for the eave measurements what I believe to be the correct ADM approval which allows the stairs to encroach three feet into the setback and the eaves to encroach an additional two feet further into the setback which equals 5 ft. This approval for ADM-05-200 was sent to me with these conditions for my signature which I did return within the ten day period given. The eave for 925 is not extending into the setback from the straight wall of that enclosed eave, but the trim and the edge of the roof shingles is extending into the setback by .35ft. The eave for 935 is extended into the setback by .2 ft approximately. The trim and the edge of the roof shingles is extending into the setback by approximately another 2.25inches. The landing is underneath the eaves (see the detail showing the offsets to property line) for both 925 and 935 E 5<sup>th</sup> St.. The landing was never addressed by the ADM-05-200 or any revisions made to the porch

landing by the planning department. The landing for 925 is encroaching into the setback by 2.36 ft and the landing for 935 is encroaching into the setback 2.2 ft more than allowed. This was never pick up by the city on the plans or by the inspections and the contractor went by the plans and I did not realize that this was incorrect at all.

As I have already stated this lot is narrow and the boundaries have been missed measured several times by the professional engineers and surveyors. My contractor and myself could have and would have made these improvements within the setbacks if we had known the exact measurements. We have missed those measurements by only inches. Please give us the variance as we are not hurting anyone with this project. We have upgraded the existing building and have built two very high quality buildings which only enhance the entire neighborhood. In the past several years E 5<sup>th</sup> St has had several good projects built and our project has added to this overall appeal and economic viability.

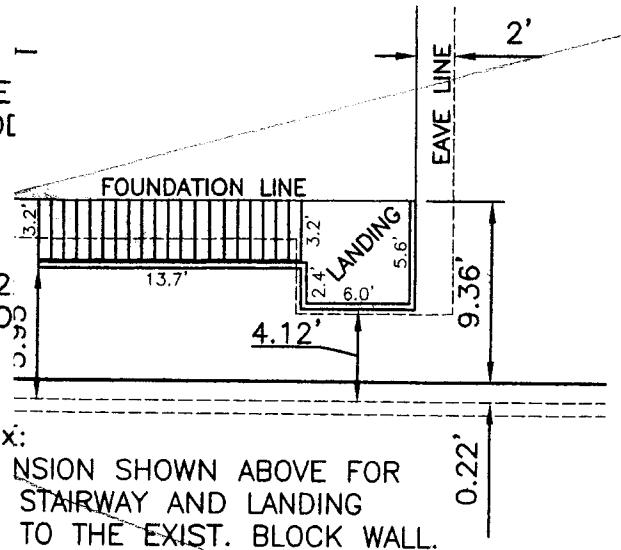
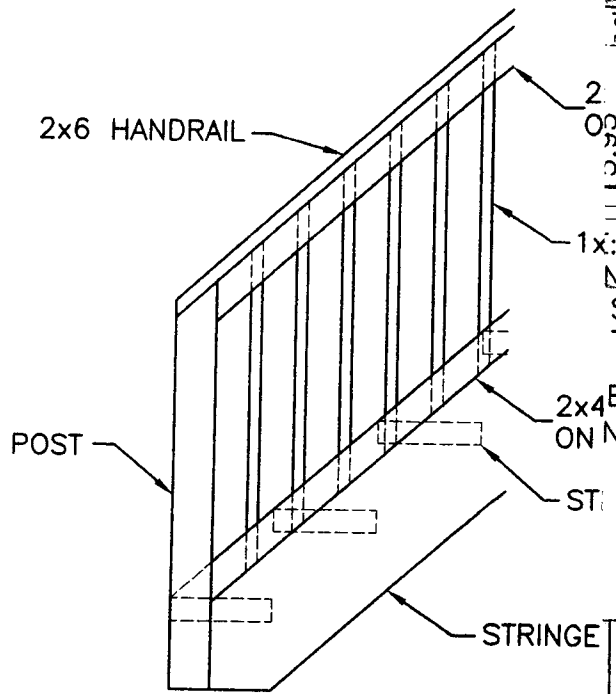
These are the special circumstances or conditions that existed making compliance with Title 18 setback regulations difficult and cause a hardship. We have been portrayed as wanting to encroach into the setback for no reason or justification but we did not try to do this and would not have encroached into the setback if we had realized that we were in the setback more than allowed. The administrative variance approval is not clear to me and also to others in the engineering and the building department as they stated at a meeting to try and resolve these issues. Engineering, Fire and Health departments have no objections to this variance. The result of a denial would be a hardship on us in that we would have to tear out the beams, the porch landing and cut back the eaves, pour new footings for support beams and replace the beams that hold the structure. That would be a substantial amount of work that we have already completed. We should be able to build from and rely on the approved set of plans that were given to the contractor by the building department.

Question 2.-Response: A: The granting of the variance should not damage the neighboring property because the 925 building is located across from a landing that is almost a duplicate of this porch landing and the 935 porch landing is across from an open parking lot. The porch landings are on the second level and do not cause any space restraints. Also the landing does not encroach on the privacy of the persons residing to the east as the porch would still be in the exact place. This structure has been built now for at least six months if not more and has not caused any hardship. This is a very small area and should not create a special privilege. Aspects of this variance only applies to this property and not other property in the neighborhood. I believe that the circumstances that caused this error do not usually happen to others and that it would only do justice to us without extending a special privilege.

Question 3.-Response: The existing house built in 1940 at 919 E Fifth St that sits in the front of the new improvements is only 4 ft from the property boundary and is into the setback more than the improvements and does not cause any damage or prejudice to the other properties in the vicinity. This was an honest mistake and we ask that we are not

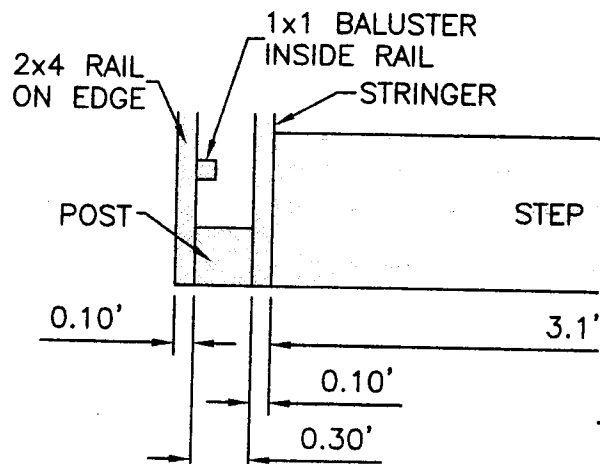
punished for following the building plans as approved. In no way is there a health and safety issue and to the contrary this small space added to the three foot area allowed is a definite improvement for health , safety and welfare.

**NOTE:**  
STAIR WAYS AND LANDINGS ARE  
CONSTRUCTED FROM TREX PRO

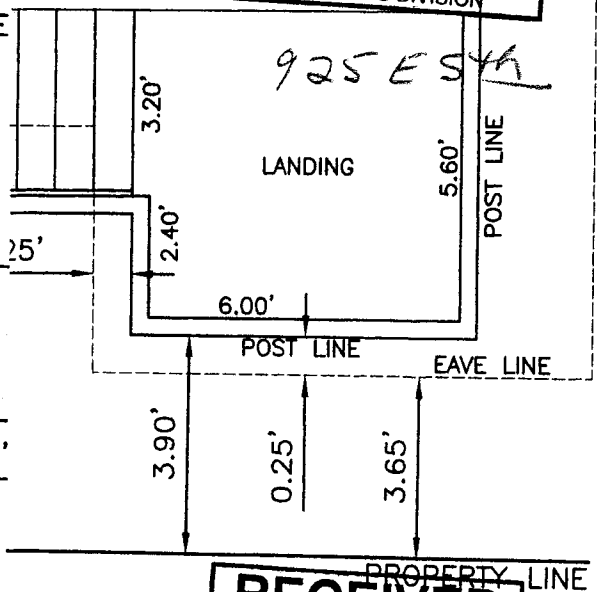


SECTION SHOWN ABOVE FOR  
STAIRWAY AND LANDING  
TO THE EXIST. BLOCK WALL.

**RECEIVED**  
DEC 18 2007  
CARSON CITY  
PLANNING DIVISION



**STEP AND HANDRAIL**  
NO SCALE



**RECEIVED**  
DEC 18 2007  
CARSON CITY  
PLANNING DIVISION

**WESTERN**  
ENGINEERING & SURVEYING SERVICES  
3032 SILVER SAGE DRIVE  
CARSON CITY, NEVADA 89701  
(775) 884-3200 FAX (775) 884-3211

**BIT SHOWING SETBACKS  
EXISTING STRUCTURES**  
FOR  
SLIE J. & JOANNE KYNETT  
919 EAST FIFTH STREET  
NO SCALE

925 and  
935 E 5th St.

ROOF SHINGLES EXTEND  $1\frac{1}{2}$ "

$\frac{3}{4}$ " x  $1\frac{1}{2}$ " TRIM WOOD

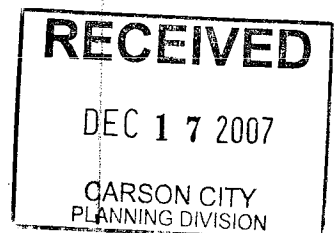
$1\frac{1}{2}$ " x 6" TRIM WOOD

$\frac{5}{8}$ " SIDING WOOD

$5\frac{1}{2}$ " x  $5\frac{1}{2}$ " WOOD  
SUPPORTING POST

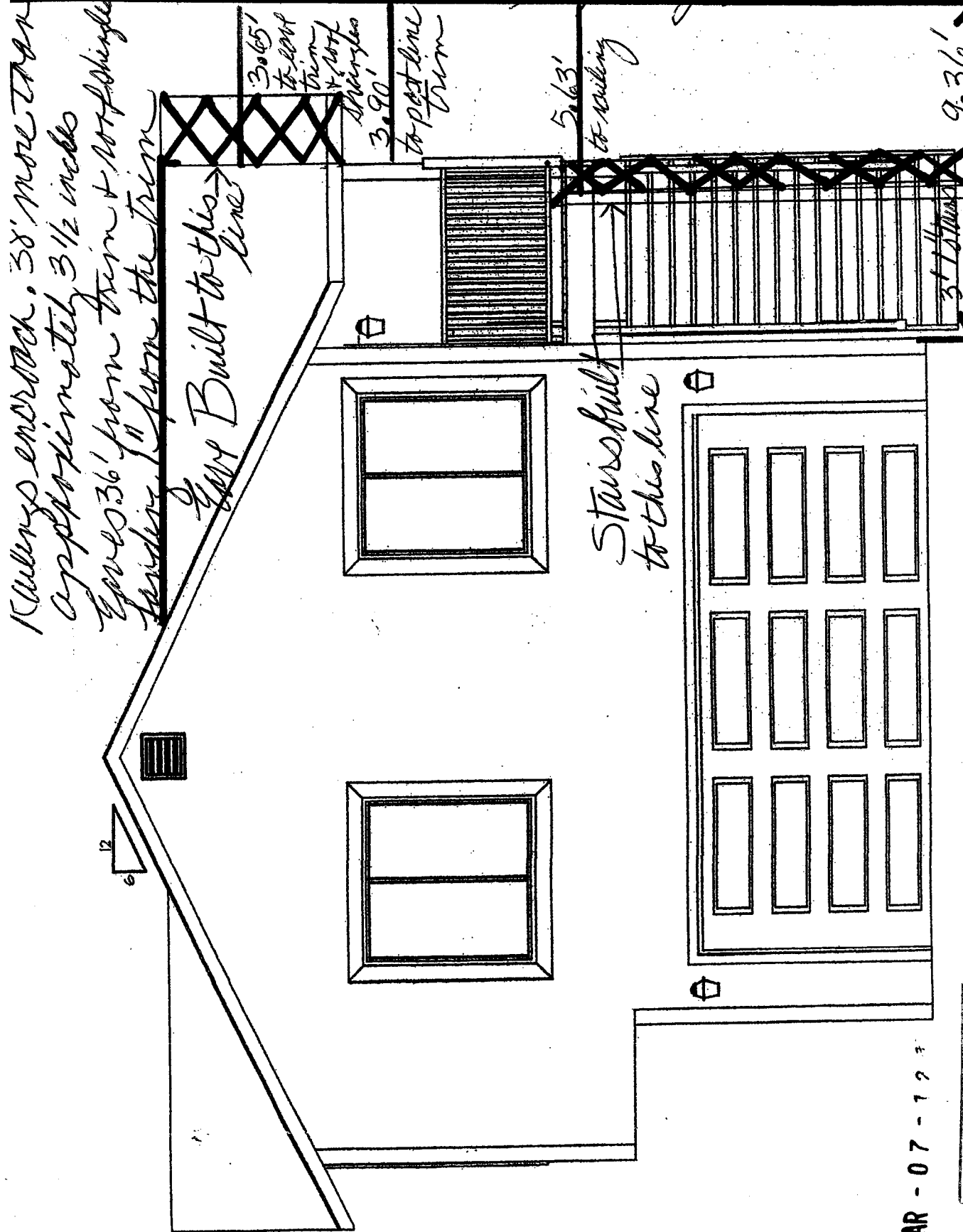
TOTAL EXTENSION  
 $3\frac{3}{4}$ " past the  
siding of the  
enclosed line of  
the eaves.

VAR - 07 - 121



1. Kullens's envelope. 38' more than allowed  
 approximately 3 1/2 inches  
 approx 3"

Property Line



9'36'  
 E. 5th St.  
 BLDG B 925

VAR - 07 - 19

**RECEIVED**  
 DEC 17 2007  
 CARSON CITY  
 PLANNING DIVISION



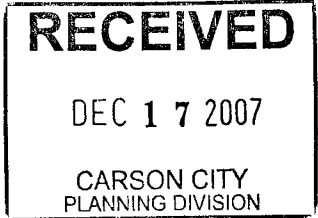
Kauling's encroach. 43' more than allowed appropriate rooming 1 man  
 Carver's encroach. 62' more than allowed + trim + roof shingles = 5 1/2" inches  
 Gandy's. 47' more than allowed included the trim.

(4) 1/4" X 24" VENTS TYPICAL



BLDG 935 E 5th St  
 C and D

JEFFREY K. RAHBECK  
A PROFESSIONAL LAW CORPORATION  
ROUND HILL PROFESSIONAL BUILDING  
P.O. BOX 435  
ZEPHYR COVE, NEVADA 89448  
(775) 588-5602 OFFICE  
(775) 588-8548 FAX  
JKRAHBECK@CS.COM



December 11, 2007

VIA FACSIMILE: 775-782-0756

(Hard Copy to Follow By Mail)

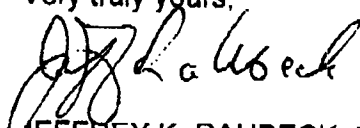
Jody Kynett  
PO Box 394  
Genoa, NV 89411

Dear Jody:

This letter is to advise you that I reviewed Condition #6 of the ADM 05-200 of the Notice of Decision dated October 17, 2005. Condition #6 specifically states that the stairs cannot encroach more than three (3) feet into the required side yard setback and that the eaves over the stairs cannot encroach more than an additional two (2) feet further into the setback. Therefore, the total encroachment allowed into the setback is five (5) feet.

Should you have any questions, please call.

Very truly yours,

  
JEFFREY K. RAHBECK, ESQ.

JKR/eh

VAR - 07 - 121

RECEIVED  
NEVADA BOARD OF ENGINEERS  
AND LAND SURVEYORS

STIPULATED AGREEMENT  
OF  
GARY HOPPER, A PROFESSIONAL CIVIL ENGINEER  
LICENSE NO.: CE 8010  
COMPLAINT NO.: 20060202

2006 DEC 27 PM 2:57

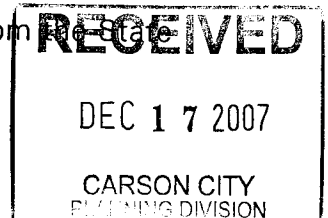
This Stipulated Agreement is made by and between the Nevada State Board of Professional Engineers and Land Surveyors (the "State Board") and Gary Hopper, licensed as a professional civil engineer in the State of Nevada under license number CE 8010. Upon his review of the allegations presented against him at the Advisory Review held on August 22, 2006, and the Advisory Committee's Chairman's report (Exhibit "A") to this Stipulated Agreement, and having conferred with counsel of his own selection, Mr. Hopper acknowledges that he incorrectly represented building setback dimensions on a site and grading plan along with a retaining wall structure horizontally tied to an unknown and undocumented property boundary; and represented and called out property corners on site and grading plans with no identified reference to those corners. Such acts constitute misconduct in the practice of professional engineering and create the impression that he was qualified or authorized to practice professional land surveying in violation of NRS 625.410(2), NRS 625.410(5), NRS 625.540(1)(a)(1) and (3).

Pursuant to NAC 625.640, this matter may be resolved without a formal hearing by Stipulated Agreement on the following basis:

1. Mr. Hopper shall pay an administrative fine of \$1,000.00 within thirty (30) days from the State Board's approval of this Stipulated Agreement.

2. Mr. Hopper shall reimburse the State Board for investigative costs incurred in this matter in the amount of \$620.00 within thirty (30) days from the State Board's approval of this Stipulated Agreement.

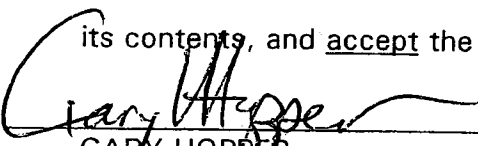
VAR - 07 - 12 - 1



3. The imposition of the discipline set forth in this Stipulation does not limit the powers of the State Board to impose further discipline upon Mr. Hopper on matters not yet presented to the State Board.

---

I, GARY HOPPER, have read the above Stipulated Agreement, understand its contents, and accept the conditions set forth within it.

Signed:  Date: 12/21/06  
GARY HOPPER  
GARY L. HOPPER

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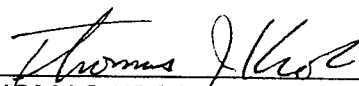
I, GARY HOPPER, have read the Stipulated Agreement and do not accept the conditions set forth within it. I request that this matter be scheduled for a formal hearing before the Nevada State Board of Professional Engineers and Land Surveyors.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
GARY HOPPER

---

This Stipulated Agreement is approved by the Nevada State Board of Professional Engineers and Land Surveyors.

Date: 12/31/06

Signed:   
THOMAS KROB, P.E.  
Chairman

2007 AUG 21 PM 12:57

STIPULATED AGREEMENT  
OF

BLAISE A. D'ANGELO, LICENSED AS A CIVIL ENGINEER  
UNDER LICENSE NO. 12756  
COMPLAINT NOS.: 20071038 AND 20071038(B)



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This Stipulated Agreement is made by and between the Nevada State Board of Professional Engineers and Land Surveyors (the "Board") and Blaise A. D'Angelo, licensed as a civil engineer in the State of Nevada under license number 12756. Upon his review of the allegations presented against him and having conferred with counsel of his own selection, Mr. D'Angelo acknowledges that he violated the provisions of NRS 625.520(1)(a)(1), NRS 625.520(1)(f), NRS 625.520(1)(g), NRS 625.565(4) and NRS 625.410(7) when he performed professional engineering services in the State of Nevada after his license as a professional civil engineer in the State of Nevada had been placed on inactive status pursuant to Mr. D'Angelo's written request to the Board.

Pursuant to NAC 625.640, this matter may be resolved without a formal hearing by Stipulated Agreement on the following basis:

1. Mr. D'Angelo shall pay an administrative fine of \$300.00 which shall be paid within thirty (30) days of September 12, 2007.
2. Mr. D'Angelo shall pay assessed investigative costs and fees in the amount of \$650.00 which shall be paid within thirty (30) days of September 12, 2007.
3. Within thirty (30) days of September 12, 2007, Mr. D'Angelo shall notify his clients for whom he performed professional engineering services in the State of Nevada of the inactive status of his license at the time he performed the requested professional engineering services. The cost of any correction or restamping of submittals shall be paid by Mr. D'Angelo.
4. Mr. D'Angelo shall provide the Executive Director of the Board with

1 copies of the notifications sent to his clients within thirty (30) days of September 12,  
2 2007.

3 5. Mr. D'Angelo shall, within one year of the effective date of this Stipulated  
4 Agreement, successfully complete a Board approved University level course in ethics  
5 and client relations. The course must be approved by the Executive Director prior to  
6 Mr. D'Angelo's enrollment in the course.  
7

8 6. Mr. D'Angelo shall receive a public reprimand for performing professional  
9 engineering services in the State of Nevada after his license as a professional civil  
10 engineer had been placed on inactive status pursuant to Mr. D'Angelo's written request  
11 to the Board.  
12

13 7. Mr. D'Angelo's license as a civil engineer in the State of Nevada is  
14 conditionally restored to active status for the sole purpose of allowing Mr. D'Angelo to  
15 complete the two projects on which he performed professional engineering services  
16 while his license was on inactive status. Mr. D'Angelo shall not perform any  
17 professional engineering services on any other project in the State of Nevada until he  
18 has complied with the terms of this Stipulated Agreement. Upon Mr. D'Angelo's  
19 compliance with the terms of this Stipulated Agreement, Mr. D'Angelo's pending  
20 application to reactivate his licensure as a civil engineer in the State of Nevada shall be  
21 considered by the Board.  
22

23 8. The imposition of the discipline set forth in this Stipulated Agreement  
24 does not limit the powers of the Board to impose further discipline upon Mr. D'Angelo  
25 on matters not yet presented to the Board.  
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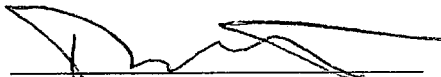
I, Blaise A. D'Angelo, have read the above Stipulated Agreement, understand its contents, and accept the conditions set forth within it.

Signed:  Date: 8/15/07  
BLAISE A. D'ANGELO

I, Blaise A. D'Angelo, have read the Stipulated Agreement and do not accept the conditions set forth within it. I request that this matter be scheduled for a formal hearing before the Nevada State Board of Professional Engineers and Land Surveyors.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
BLAISE A. D'ANGELO

This Stipulated Agreement is approved by the Nevada State Board of Professional Engineers and Land Surveyors.

Date: 8/28/07 Signed:   
THOMAS A. FOOTE, PLS  
Chairman

**DEVELOPMENT  
SERVICES  
DEPARTMENT**

**ADMINISTRATION**

3505 Butti Way  
Carson City, NV 89701-3498  
Ph: 775-887-2355  
Fx: 775-887-2112

**BUILDING and  
SAFETY DIVISION**

PERMIT CENTER  
2621 Northgate Lane, Suite 6  
Carson City, NV 89706-1319  
Ph: 775-887-2310  
Fx: 775-887-2202

**CAPITAL PROJECTS**

3505 Butti Way  
Carson City, NV 89701-3498  
Ph: 775-887-2355  
Fx: 775-887-2112

**CONTRACTS**

3505 Butti Way  
Carson City, NV 89701-3498  
Ph: 775-887-2355  
Fx: 775-887-2112

**ENGINEERING DIVISION**

2621 Northgate Lane, Suite 54  
Carson City, NV 89706-1319  
Ph: 775-887-2300  
Fx: 775-887-2283

**FLEET SERVICES**

3303 Butti Way, Building 2  
Carson City, NV 89701-3498  
Ph: 775-887-2356  
Fx: 775-887-2258

**PLANNING DIVISION**

2621 Northgate Lane, Suite 62  
Carson City, NV 89706-1319  
Ph: 775-887-2180  
Fx: 775-887-2278

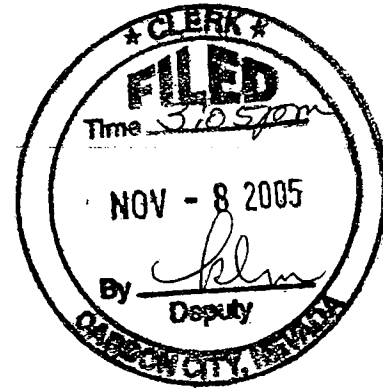
**PUBLIC WORKS OPERATION**

(Water, Sewer, Wastewater,  
Streets, Landfill, Environmental)  
3505 Butti Way  
Carson City, NV 89701-3498  
Ph: 775-887-2355  
Fx: 775-887-2112

**TRANSPORTATION**

3505 Butti Way  
Carson City, NV 89701-3498  
Ph: 775-887-2355  
Fx: 775-887-2112

**CARSON CITY NEVADA**  
Consolidated Municipality and State Capital



**ADMINISTRATIVE PERMIT REVIEW  
October 17, 2005  
NOTICE OF DECISION**

An Administrative Permit Review, ADM-05-200, was received from Joanne Kynett, to vary from the required setback of 10 feet to 9 feet 1/8 inches on the side yard and from 30 feet to 27 feet 1/8 inches on the rear yard, on property zoned Multi-Family Apartment (MFA), located at 925 and 935 East Fifth Street, APN 004-042-24, pursuant to the requirements of the Carson City Municipal Code.

The Administrative Permit Hearing Examiner duly noticed and conducted a public hearing on October 17, 2005, in conformance with City and State open meeting requirements, and the Hearing Examiner approved ADM-05-200, subject to the following conditions of approval:

**CONDITIONS OF APPROVAL:**

1. All development shall be substantially in accordance with the attached site development plan.
2. All on-and off-site improvements shall conform to City standards and requirements.
3. The use for which this permit is approved shall commence withing 12 months of the date of final approval. A single, one-year extension of time must be requested in writing to the Community Development Department 30 days prior to the one year expiration date. Should this permit not be initiated within one year and no extension granted, the permit shall become null and void.
4. The applicant must sign and return the Notice of Decision for conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item will be rescheduled for the next Hearings Examiner meeting for further consideration.
5. The flat wall of the building must be constructed no closer than nine feet 1/8 inches from the east property line.



6. The stairs cannot encroach more than three feet into the required side yard setback on the east side of the property. The eaves over the stairs cannot encroach more than an additional two feet further into the setback.
7. The outline of the stairs, including setback from property line, must be shown on the plans prior to Planning Division approval of the building permit.
8. The overhang/eave outline, including setback from property line, must be shown on the plans prior to Planning Division approval of the building permit.
9. An adequate irrigation system shall be constructed on site.
10. All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.

  
\_\_\_\_\_  
Jennifer Pruitt, Senior Planner  
Planning and Community Development Department

Mailed \_\_\_\_\_

By \_\_\_\_\_

H:\Admin Permits\2005\NODs\ADM-05-200.wpd

**PLEASE SIGN AND RETURN THIS NOTICE OF DECISION WITHIN TEN DAYS OF RECEIPT.**

This is to acknowledge that I have read and will comply with the Conditions of Approval as approved by the Carson City Hearing Examiner

*JoAnne "Jody" Kyrett*  
APPLICANT and/or OWNER SIGNATURE

11/8/05  
DATE

JoAnne "Jody" Kyrett  
(Applicant/Owner Printed Name)

**RETURN TO:**

CARSON CITY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
2621 Northgate Lane, Suite 62  
Carson City, NV 89706  
ATTN: Juanita Smith

Enclosures: Hearing Examiner Notice of Decision (2 copies - please sign and return only one; the second copy is for your records)

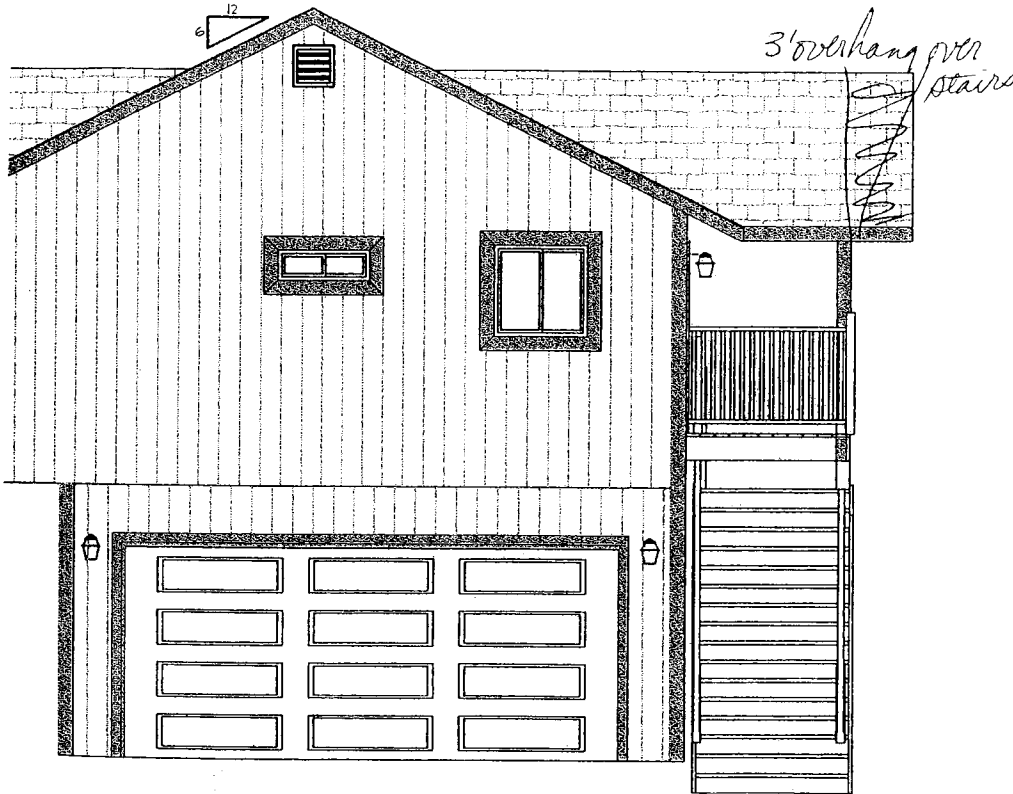
**1.14 Cornices, Porches and Projections into Setbacks.**

1. Cornices, eaves, canopies, fireplaces, decks 30 inches high or less, bay windows and similar architectural features, but not including flat walls, may extend into any required setback a distance not to exceed two feet.
2. Uncovered porches, landing places or outside stairways may project not more than three feet into any required side yard setback, and not more than six feet into any required front or rear yard setback. Unenclosed covered porches with decks 30 inches high or less may project into the front yard setback no more than eight feet provided they are no less than five feet from a front or street side property line; and do not impede sight distance area. All construction must comply with the Building Code currently adopted by Carson City.

**1.15 Manufactured Home Installation within a Single Family Zoning District.**

The following standards shall be used in the review of and the placement of a manufactured home in a Single Family Zoning District.

1. The manufactured home shall be permanently affixed to a residential lot and converted to real property. A foundation permit is required. Foundations are to be designed by a Nevada licensed engineer to meet Carson City's requirements for wind, snow and seismic zone.
2. The manufactured home shall be manufactured within five (5) years immediately preceding the date on which it is affixed to the single family zoned residential lot.
3. The owner/owner's agent shall provide written and photographic documentation that the manufactured home shall have:
  - a. Siding which is similar in color, material and appearance to the exterior siding primarily used on other single family residential dwellings in the immediate vicinity of the proposed location of the manufactured home.
  - b. Roof pitch/slope, eaves and roof covering which is consistent with those roofs primarily used on other single family residential dwellings in the immediate vicinity of the proposed location of the manufactured home.
  - c. Foundation that is masked architecturally with materials primarily used on other single family residential dwellings in the immediate vicinity of the proposed location of the manufactured home.



BLDG D

*3' stairs*  
 BUILDING & SAFETY DESIGN  
 CARSON CITY  
 APPROVED  
 NOV 15 2005

CHRIS KY  
 3090 SOURDOUGH  
 SO. LAKE TAHOE,

919 EAST 5TH ST.  
 CARSON CITY, NV  
 APN#004-042-24  
 UNIT B 576 SQ FT  
 UNITS C&D 1272 SQ FT

5/4/05

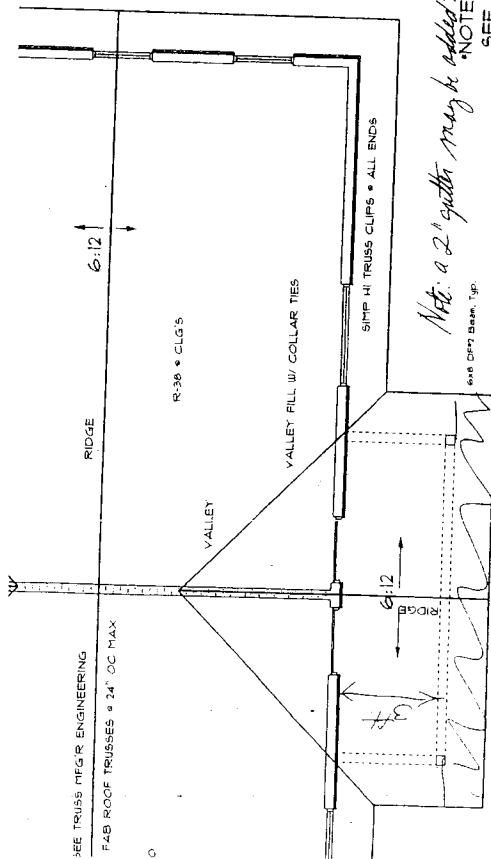
1/4" = 1'  
 SCALE

ELEVATIONS  
 BLDGS C & D

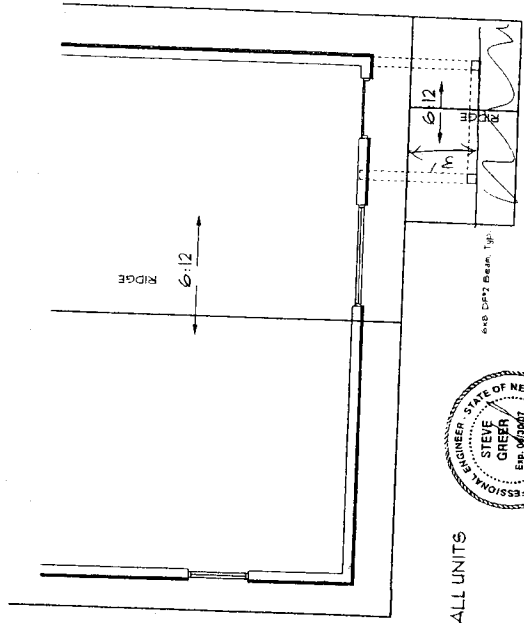
2A

CORRECTIONS MADE BY APPLICANT TO BUILDING PLANS

# CORRECTIONS MADE BY APPLICANT TO BUILDING PLANS

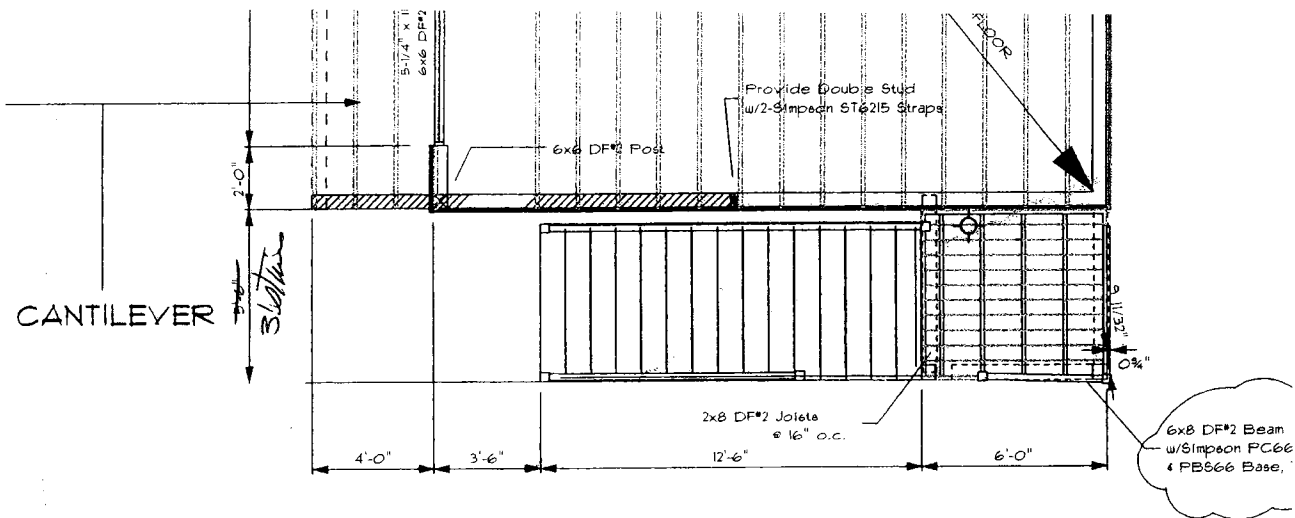


*Note: a 2" gutter may be added to eaves*  
 NOTES ARE TYPICAL OF ALL UNITS  
 SEE SHEET 6



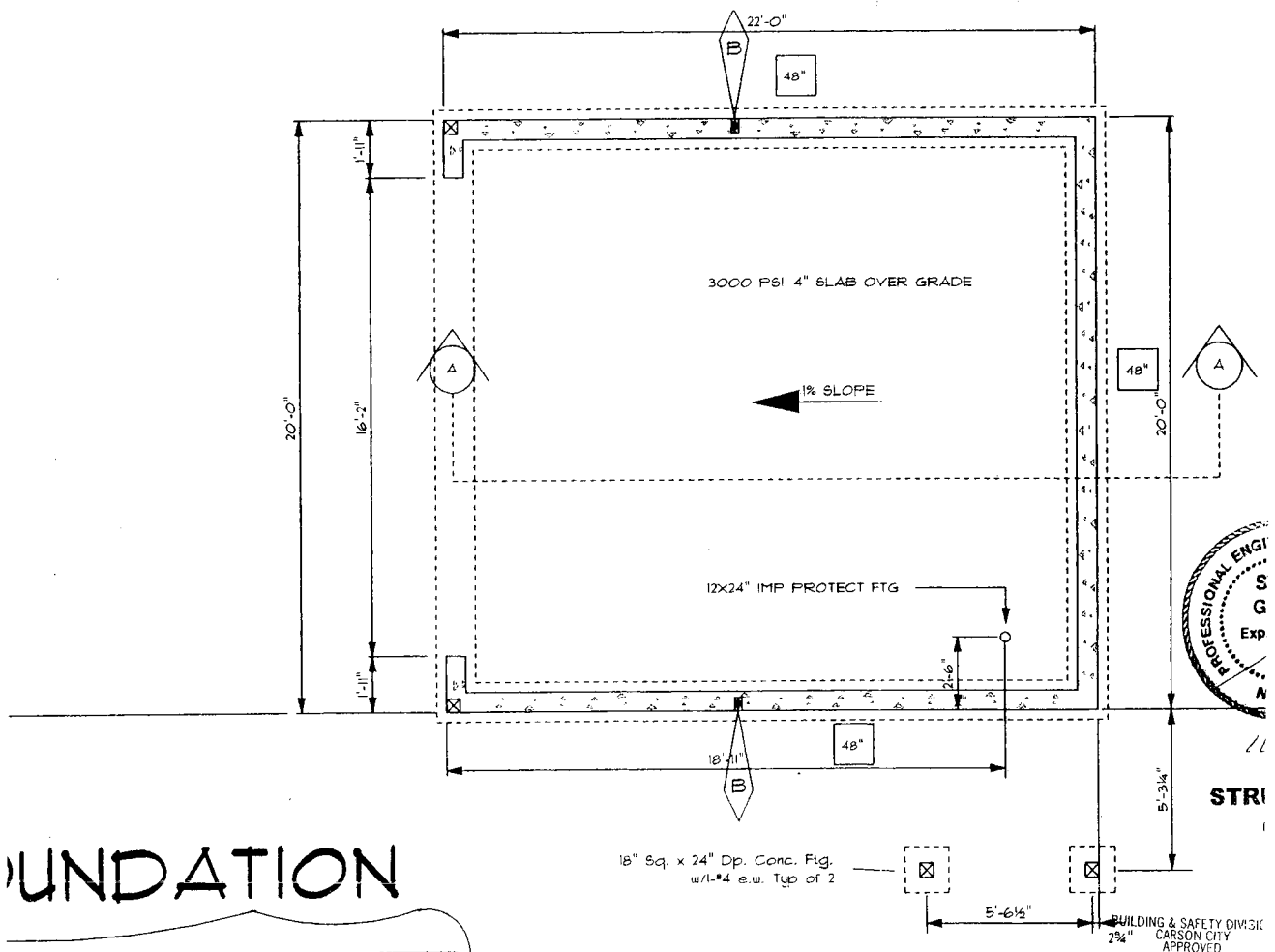
11-18-05  
 STRUCTURAL ONLY

BUILDING PLAN SET, 2nd FLOOR  
 CASASOLTA  
 DRAINED  
 NOV 15 2005  
 BY \_\_\_\_\_



# FRAMING

## CORRECTIONS MADE BY APPLICANT TO BUILDING PLANS



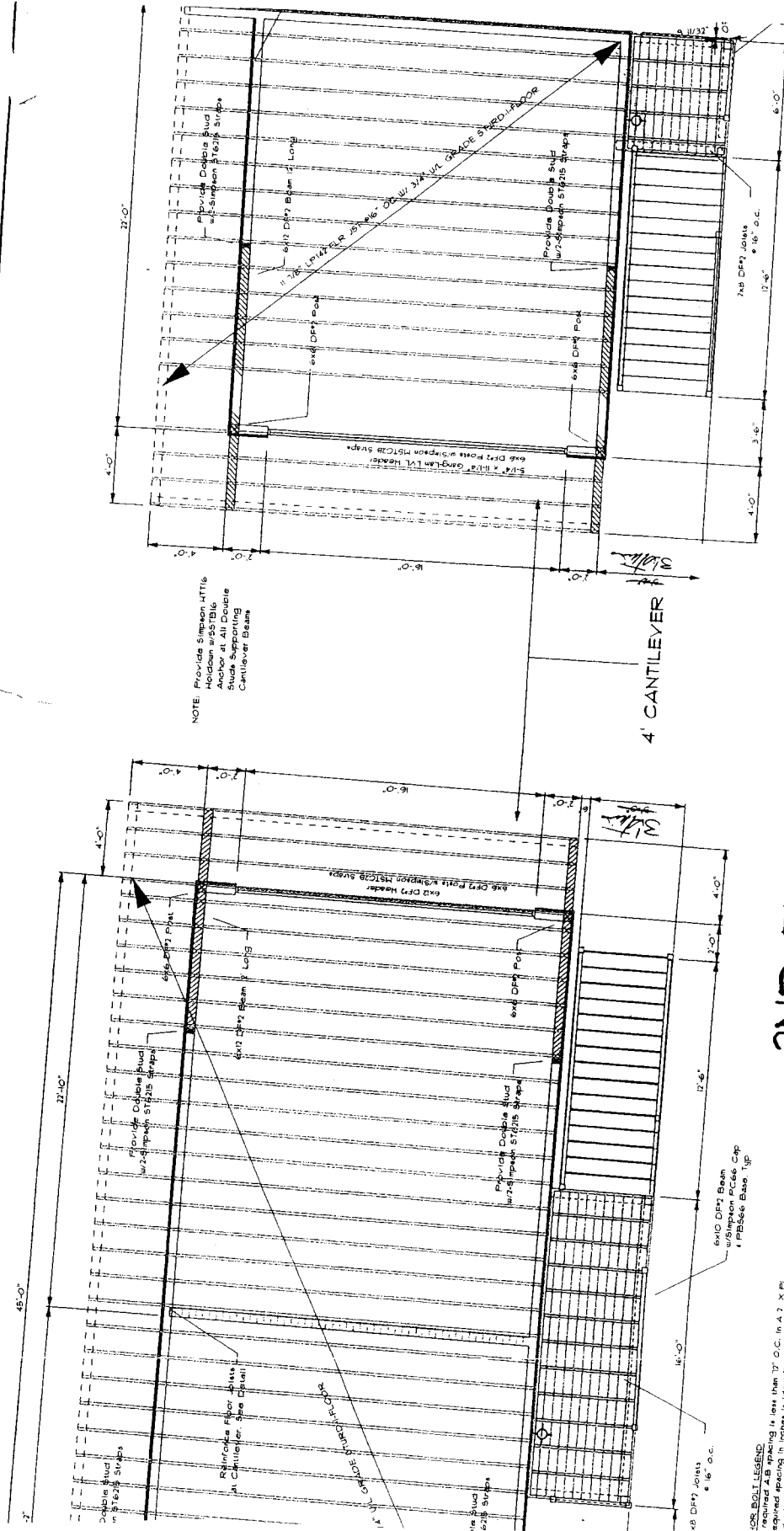
# FOUNDATION

GROUND #4 BARE COPPER MIN. °  
 UFER GROUND PER NEC 250-81. °

BUILDING & SAFETY DIVISION  
 CARSON CITY  
 APPROVED

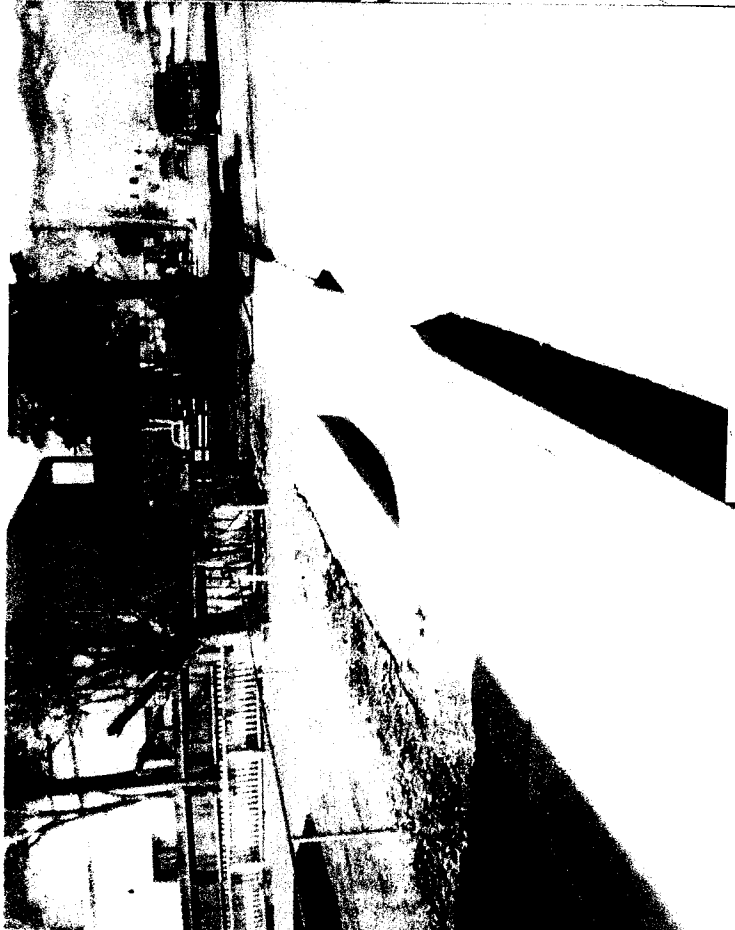
NOV 15 2005

BY \_\_\_\_\_



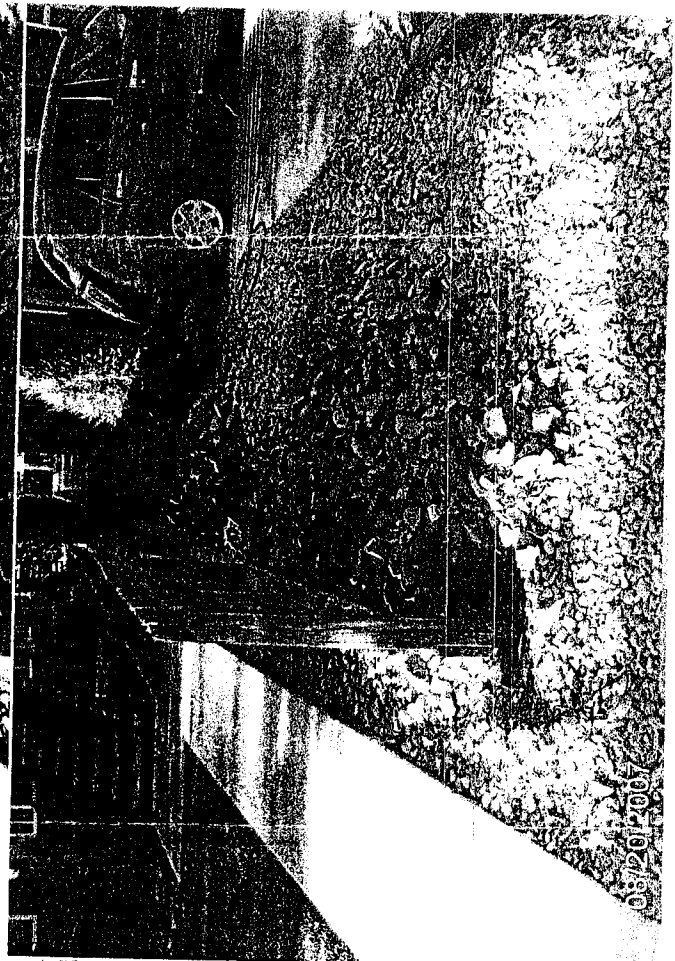
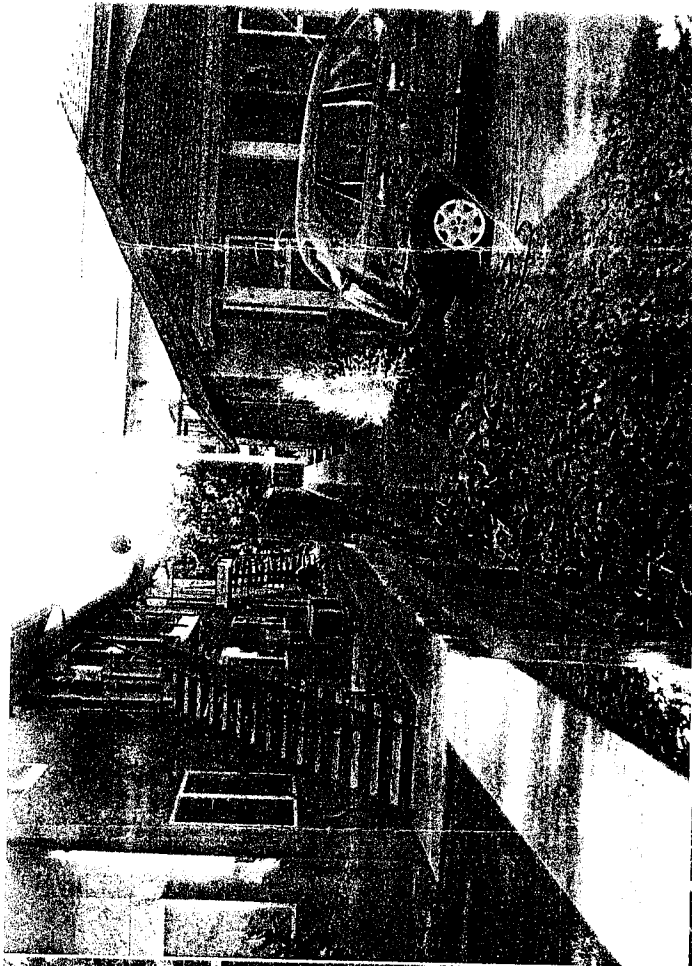
CORRECTIONS MADE BY APPLICANT TO BUILDING PLANS

# Before Pictures

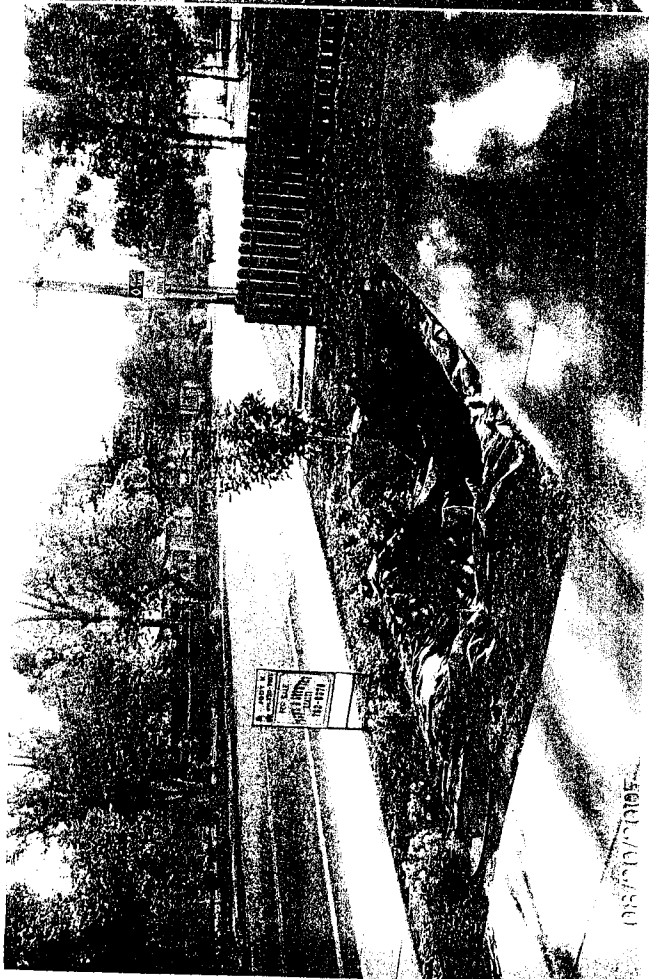


VAR - 07 - 121  
RECEIVED  
DEC 17 2007  
CARSON CITY  
FEDERAL BUREAU OF INVESTIGATION

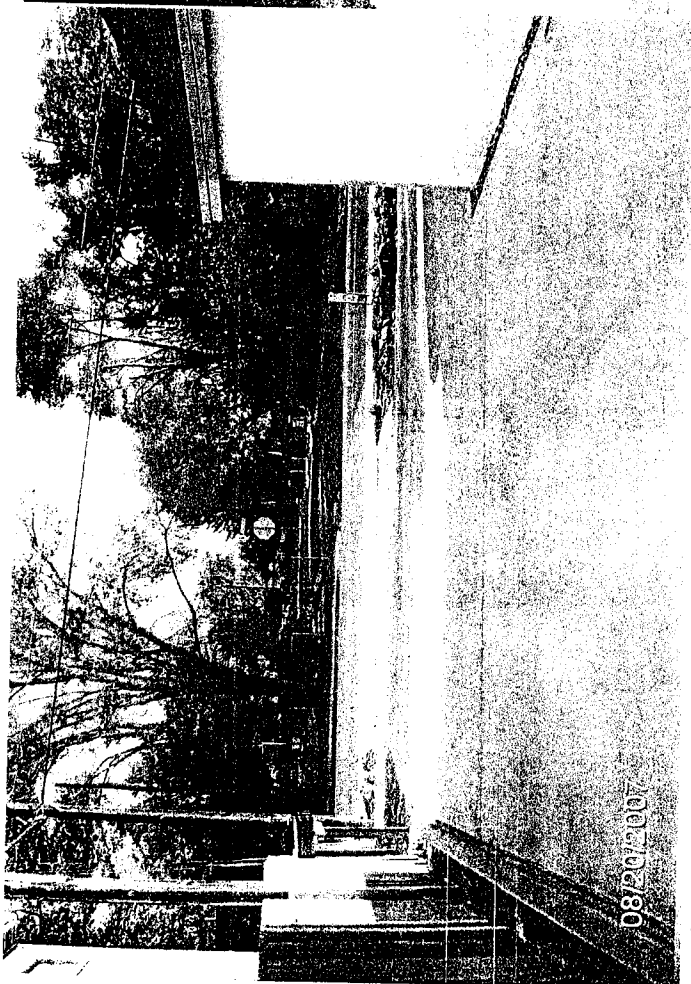




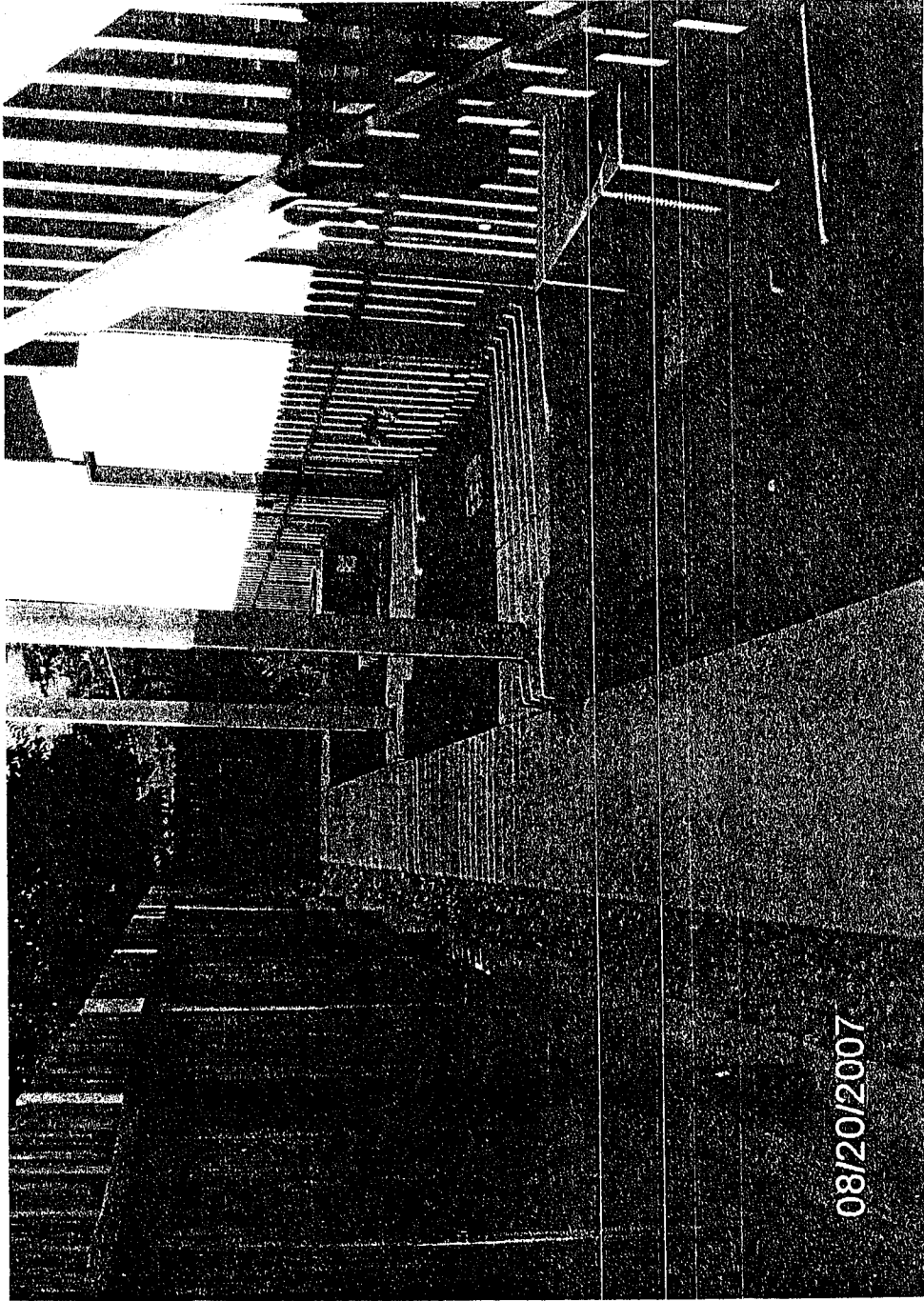
08/20/2007



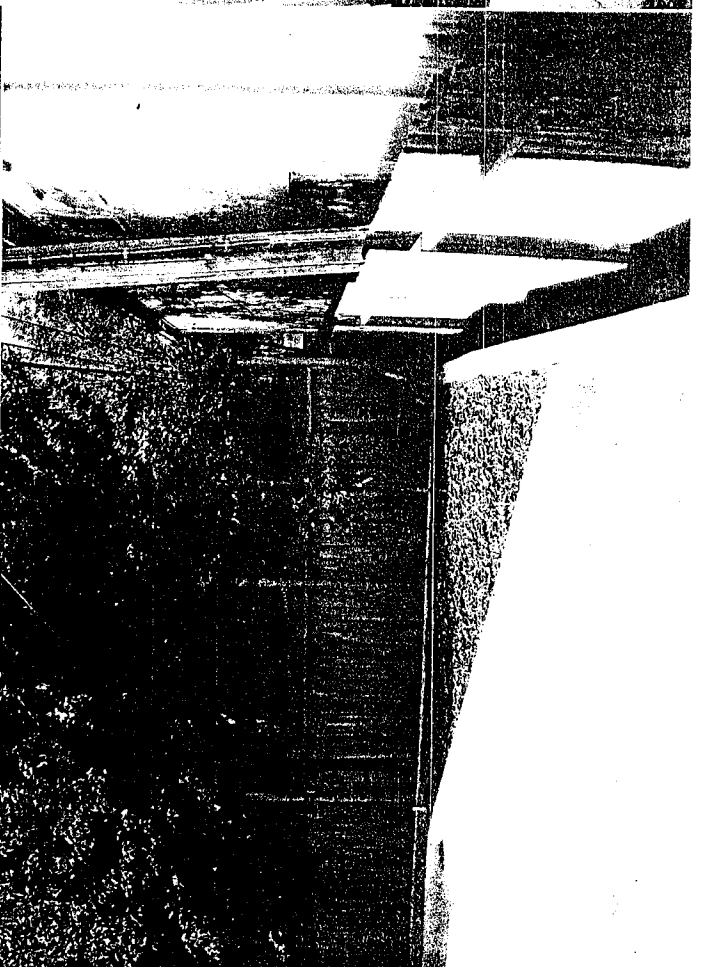
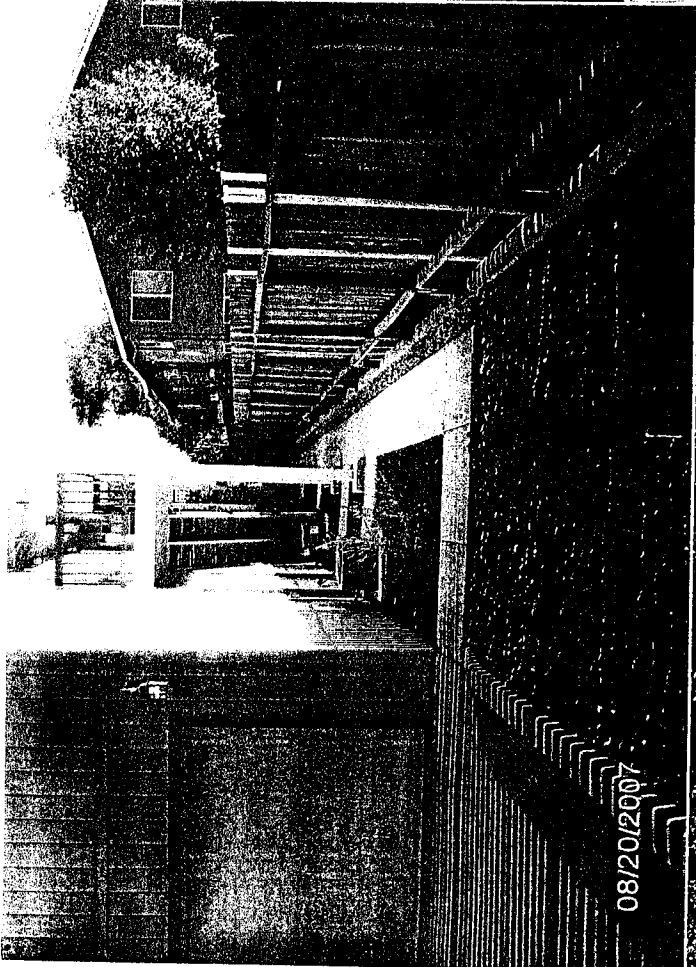
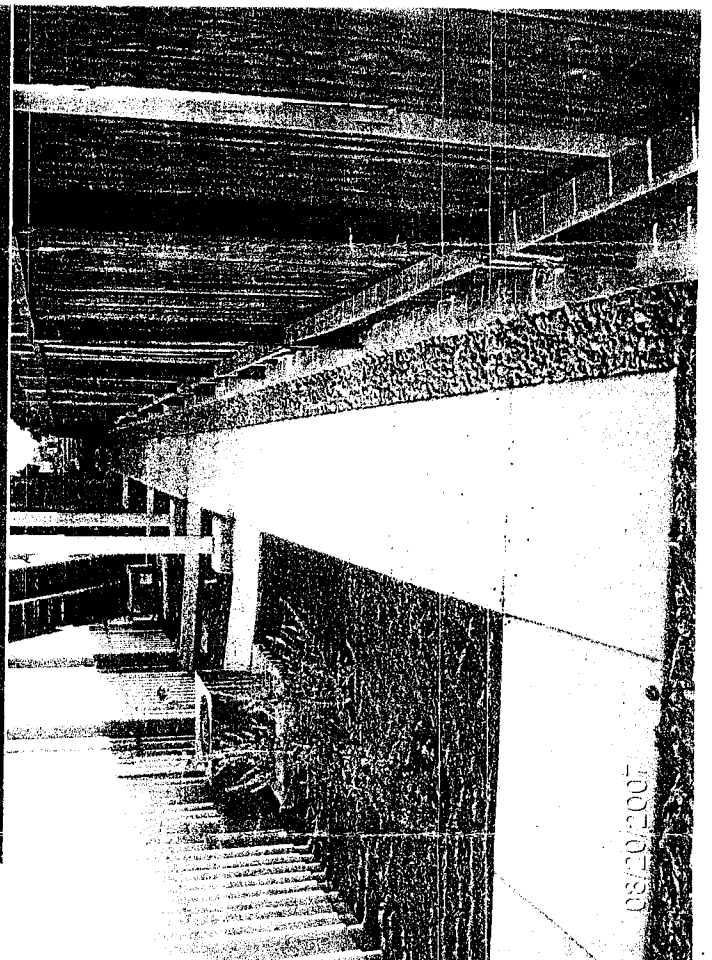
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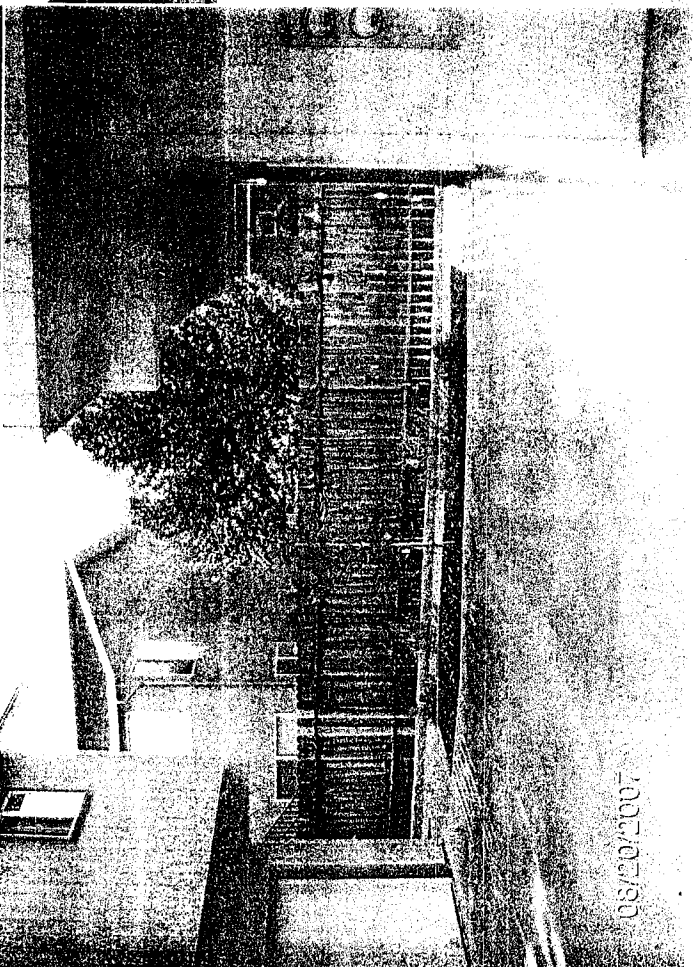
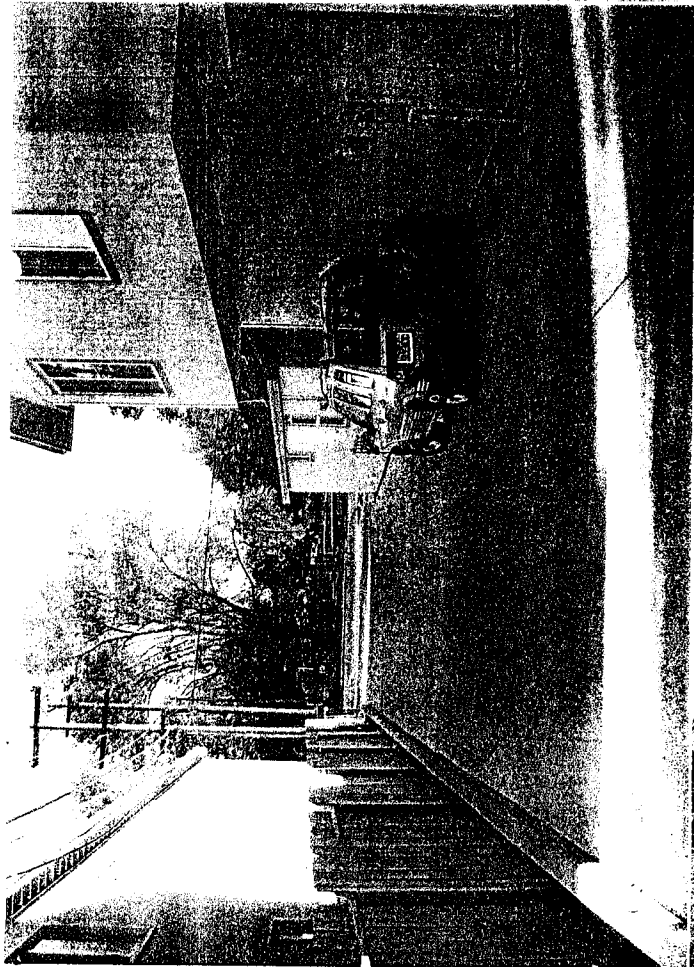
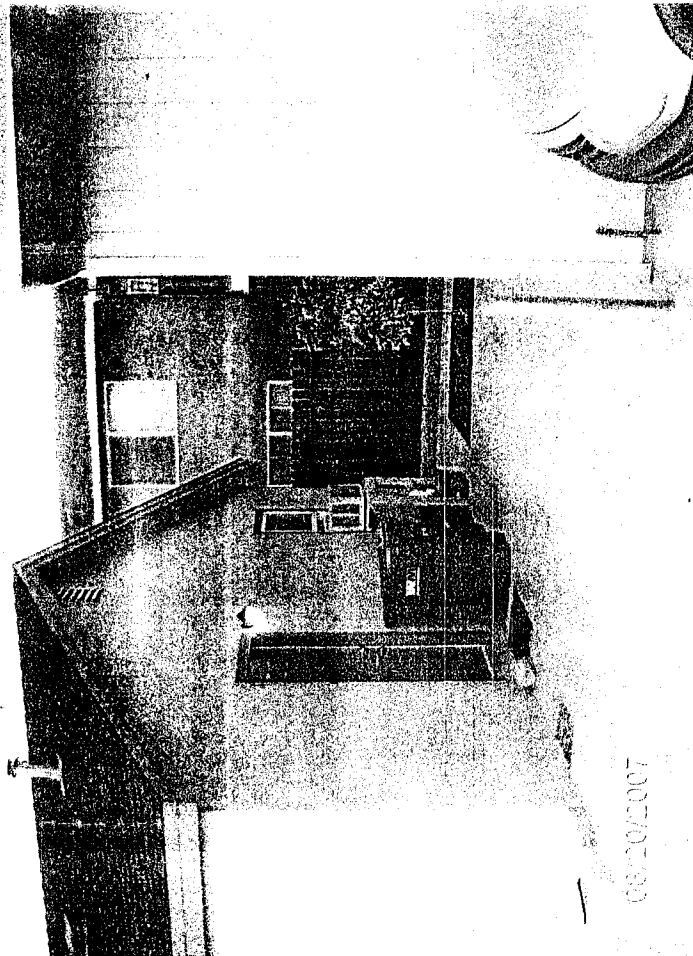
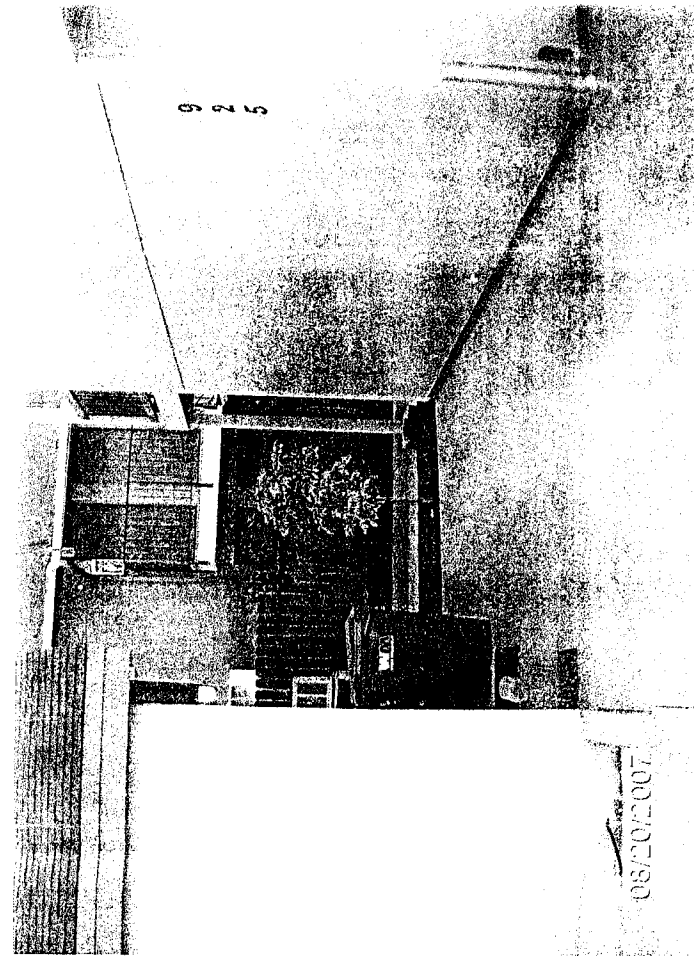


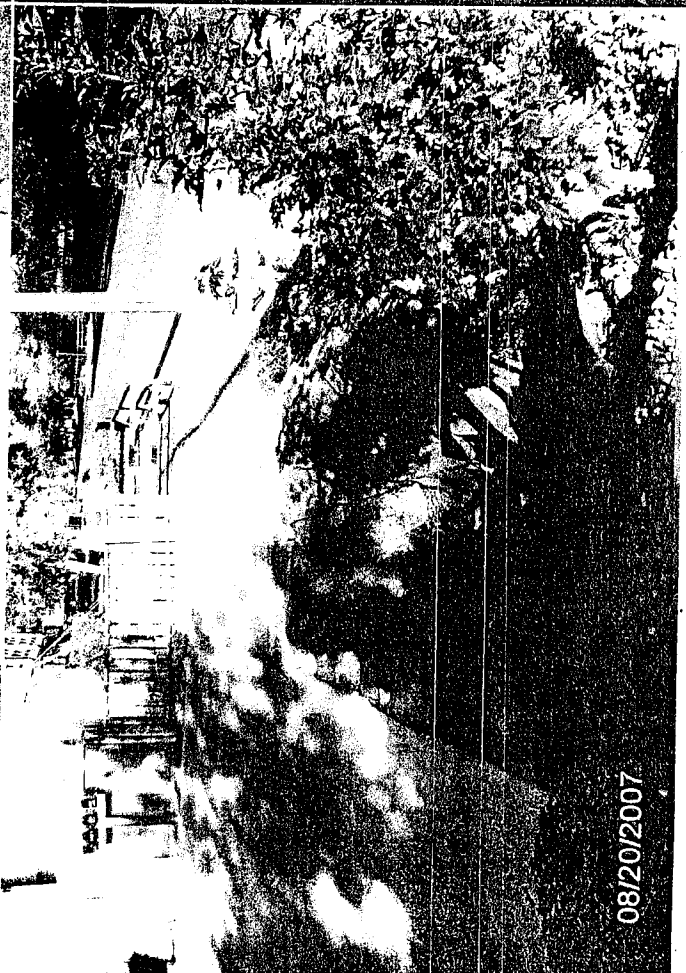
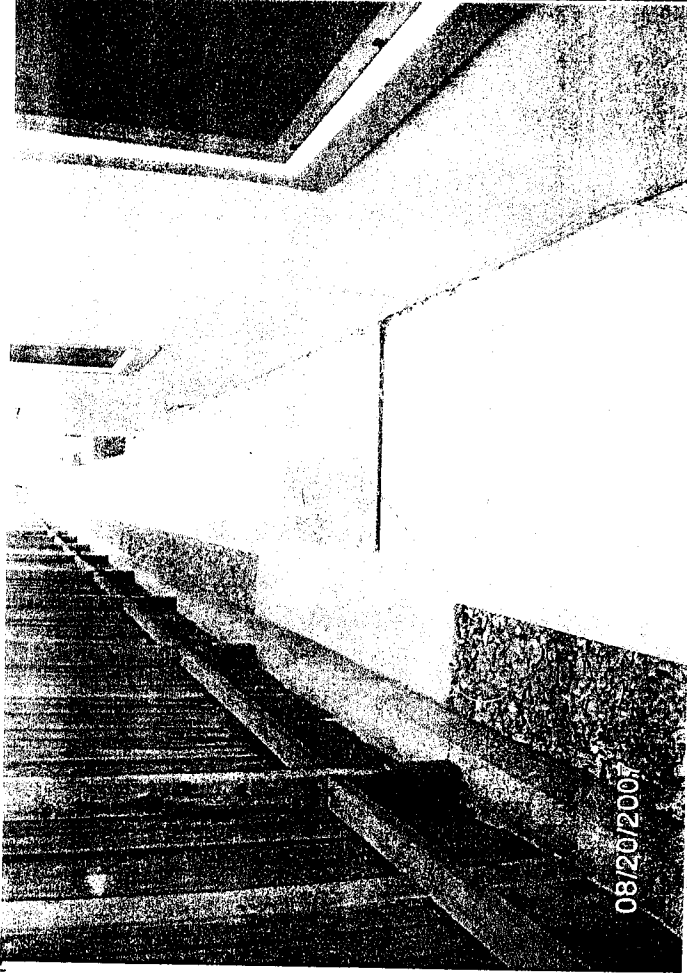
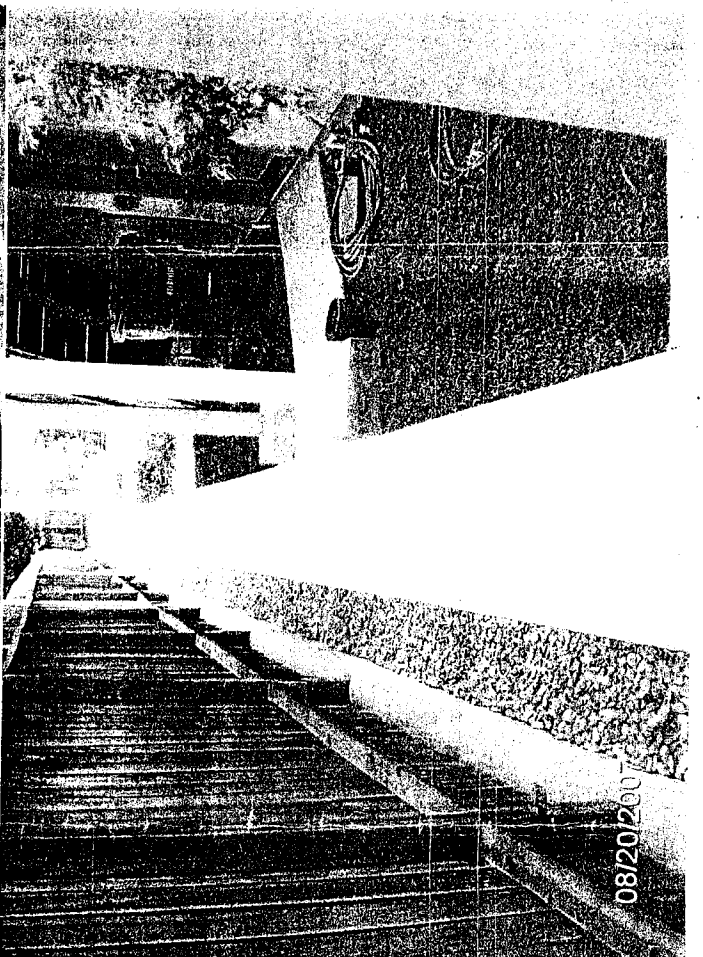
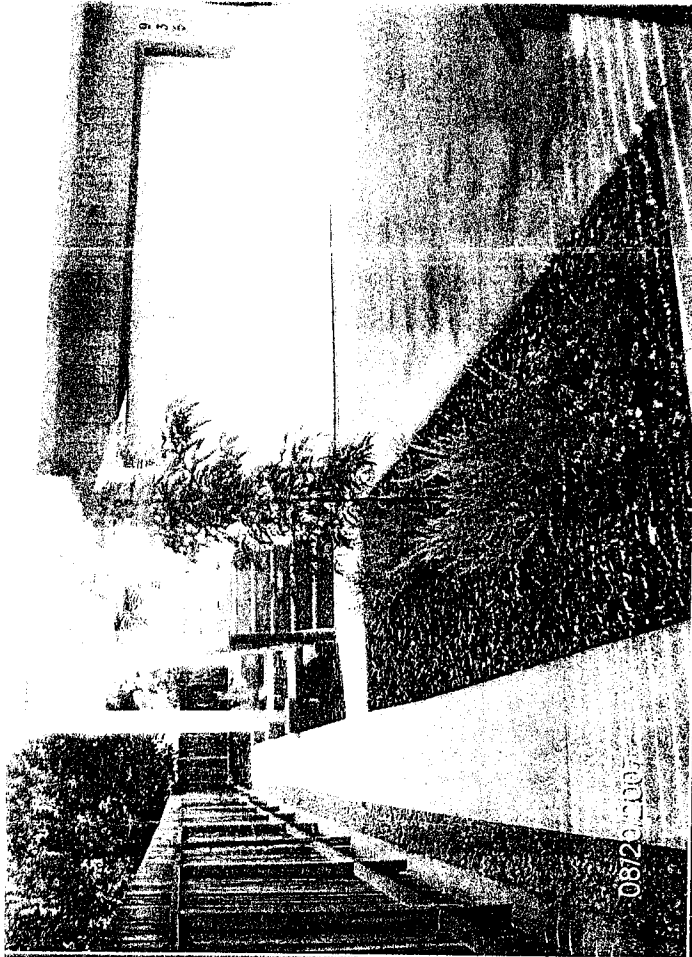
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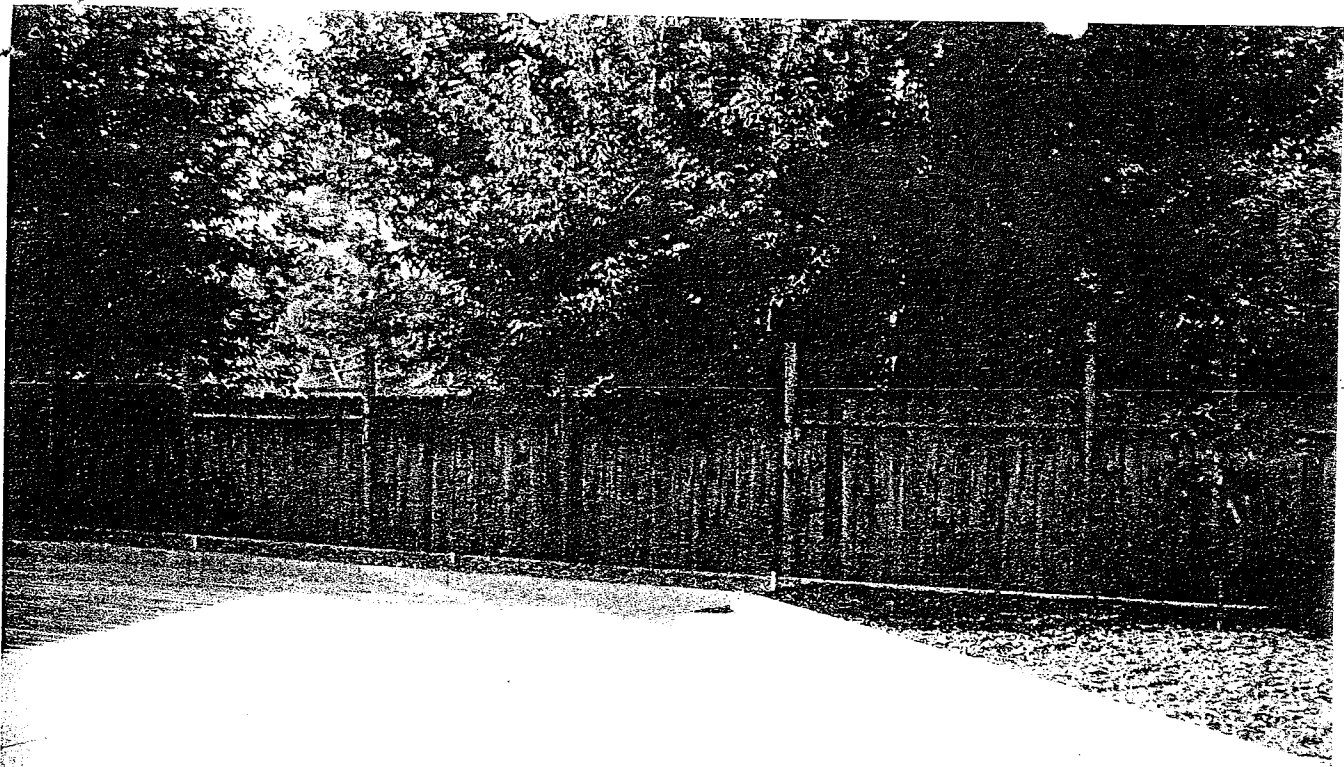


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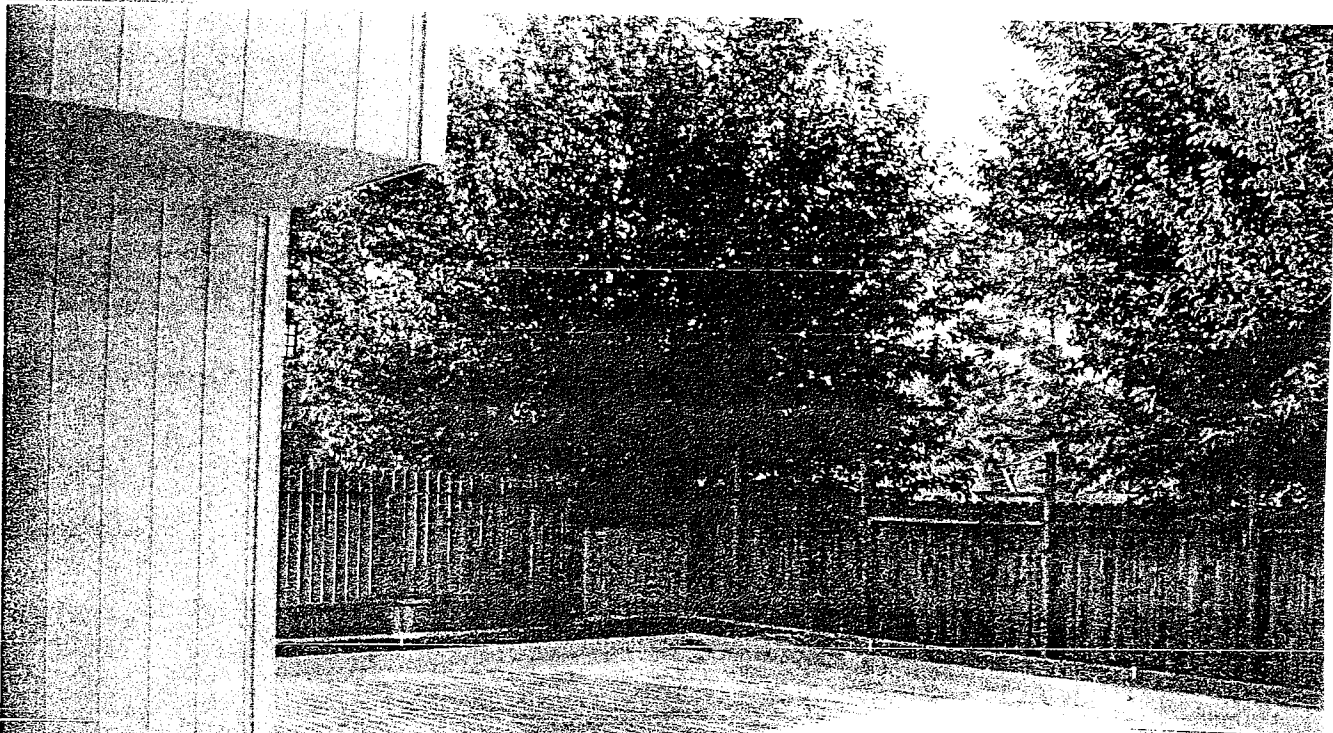








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