



WASHOE COUNTY BOARD OF ADJUSTMENT NOTICE OF MEETING AND AGENDA

Board of Adjustment Members

Robert F. Wideman, Chair
Kim Toulouse, Vice Chair
Philip J. Horan
Lee Lawrence
William Whitney, Secretary

Thursday October 3, 2013
1:30 p.m.

Washoe County Commission Chambers
Building A
1001 East Ninth Street
Reno, NV

PUBLIC HEARING ITEMS

(complete case descriptions are provided beginning on page three of this agenda)

- **Variance Case No. VA13-007 - Ward-Young Architecture and Planning**
- **Special Use Permit Case No. SB13-018 - Dream Valley Stables**
- **Administrative Permit Case No. AP13-004 - Ewing Detached Accessory Structure**
- **Special Use Permit Case No. SB13-019 - Van Assche Detached Accessory Dwelling**

Items for Possible Action: All numbered or lettered items on this agenda are hereby designated for possible action as if the words “for possible action” were written next to each item (NRS 241.020), except for items marked with an asterisk (*). Those items marked with an asterisk (*) may be discussed but action will not be taken on them.

Possible Changes to Agenda Order and Timing: Discussion may be delayed on any item on this agenda, and items on this agenda may be taken out of order, combined with other items and discussed or voted on as a block, removed from the agenda, moved to the agenda of another later meeting or moved to or from the consent section. Items designated for a specified time will not be heard before that time, but may be delayed beyond the specified time.

Public Comment; Disrupting of Meeting: During the “Public Comment” periods listed below, anyone may speak pertaining to any matter either on or off the agenda. Public comment during these periods is limited to three minutes. Additionally, during action items (those *not* marked with an asterisk), public comment will be heard on that particular item before action is taken. See “Public Participation,” below, for time limits. In either event, each speaker must fill out a “Request to Speak” form and give it to the recording secretary. Unused time may not be reserved or transferred. Comments are to be directed to the board as a whole and not to one individual. The presiding officer may (with or without advance warning) order the removal of a person whose conduct willfully disrupts the meeting to the extent that its orderly conduct is made impractical.

Public Participation: The Board of Adjustment adopted Rules, Policies and Procedures are available on the website provided above or by contacting the Planning and Development Department.

At least one copy of items displayed and at least ten copies of any written or graphic material for the Board’s consideration should be provided to the Recording Secretary. Materials longer than one page in length submitted within six days of the Board of Adjustment meeting may not be considered by the Board in their deliberations. Subject to applicable law and the board’s rules, policies, and procedures, public comment or testimony may be submitted to the board in written form for its consideration. However, the board is not required to read written statements aloud during the meeting.

Time allocations for public hearing items are as follows: 15 minutes for staff’s presentation; 15 minutes for an applicant’s presentation; 5 minutes for a group representative’s comments; 3 minutes for individual comment. At the discretion of the Chair, additional time may be provided to any party if the request is made at least 24 hours in advance of the meeting start time. The Chair may reduce the per person time allotment for comment on a particular item; this determination will be made prior to hearing comment on the item.

Posting of Agenda; Website Location: Pursuant to NRS 241.020, this notice has been posted at the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada, and at the following locations: Washoe County Courthouse (Court and Virginia Streets), Washoe County Library (301 South Center Street), and Sparks Justice Court (1675 East Prater Way, Suite 107). Agendas and staff reports are posted to the Washoe County website at www.washoecounty.us/comdev four days prior to the meeting.

How to Get Copies of Agenda and Support Material: Copies of this agenda and supporting materials may be obtained on the Planning Division website (www.washoecounty.us/comdev/Boards and Commissions) or at the Planning Division Office (contact Mr. Dan Croarkin, 1001 E. Ninth Street, Building A, Room A275, phone (775) 328-3600, email dcroarkin@washoecounty.us). If you make a request, we can provide you with a link to a website, send you the material by email or prepare paper copies for you at no charge. Support material is available to the public at the same time it is distributed to Board of Adjustment members. If material is distributed at a meeting, it is available within 24 hours after the meeting.

Special Accommodations: Facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g. sign language, interpreters, or assisted listening devices) at the meeting should notify Washoe County Planning and Development, at 775.328.3600, two working days prior to the meeting.

Appeal Procedure: Most decisions rendered by the Board of Adjustment are appealable to the Board of County Commissioners. If you disagree with the decision of the Board of Adjustment and you want to appeal its action, call the Planning staff immediately, at 328-6100. You will be informed of the appeal procedure, application fee, and the time in which you must act. Appeal periods vary from seven (7) to fifteen (15) days, depending on the type of application.

1:30 p.m.

AGENDA

1. ***Determination of Quorum**
2. ***Pledge of Allegiance**
3. ***Ethics Law Announcement**
4. ***Appeal Procedure**
5. ***Public Comment**

The public is invited to speak on any item on or off the agenda during this period. However, action may not be taken until this item is placed on an agenda as an action item.

6. **Approval of Agenda**
7. **Approval of Minutes**

August 1, 2013

1:30 p.m.

8. **Planning Items and Public Hearings** – On the following items, the Board of Adjustment may take action to approve (with or without conditions), modify and approve (with or without conditions), or deny the request. The Board of Adjustment may also take action to continue an item to a future agenda.

A. PUBLIC HEARING: Variance Case No. VA13-007 - Ward-Young Architecture and Planning - To vary the maximum allowable square footage for a detached accessory structure situated within the front yard setback in the Tahoe planning area.

- Applicant: Ward-Young Architecture and Planning
- Property Owner: Danz Family Trust
- Location: 701 Fairview Blvd., Incline Village, NV
- Assessor's Parcel No: 126-241-01
- Parcel Size: ±5 acres
- Master Plan Category: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Article 220, Tahoe Area
Article 804, Variances
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 10, T16N, R18E, MDM
Washoe County, NV
- Staff: Sandra Monsalvè, AICP, Senior Planner
- Phone: 775.328.3608
- Email: smonsalve@washoecounty.us

B. PUBLIC HEARING: Special Use Permit Case No. SB13-018 - Dream Valley Stables – To establish a new commercial stables facility for horse boarding, training, breeding, and lessons, in addition to providing 4H activities, as authorized in Article 808 of the Washoe County Development Code. The proposed facility is anticipated to be constructed over three (3) phases, and will include the construction of two stable buildings, ±1,200 square feet each (Phase 1); the construction of a ±4,800 square foot barn (Phase 2); and the construction of a Mare breeding center consisting of a ±4,800 square foot stable structure (Phase 3). The facility anticipates accommodating up to 50 horses maximum. No equestrian events and/or shows are anticipated under this special use permit. The property is currently developed with a residence, existing outdoor arena, pastures/corrals, stables, and barn.

- Applicant/Property Owner: Don Gephart
- Consultant: Rubicon Design Group, LLC, Attn: Mike Railey
- Location: 2940 Barranca Drive, Sparks, NV 89441, near Encanto Drive and Calle de la Plata, approximately 3.9 miles east of Pyramid Hwy (SR445)
- Assessor's Parcel No: 076-300-82
- Parcel Size: ±40.41 acres
- Master Plan Category: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: Spanish Springs
- Citizen Advisory Board: Spanish Springs
- Development Code: Article 302 Allowed Uses, and Article 810 Special Use Permits
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: Section 8, T21N, R21E, MDM, Washoe County, NV
- Staff: Sandra Monsalvè, AICP, Senior Planner
- Phone: 775.328.3608
- Email: smonsalve@washoecounty.us

C. PUBLIC HEARING: Administrative Permit Case No. AP13-004 - Ewing Detached Accessory Structure – To allow the construction of a detached accessory structure

(40 feet by 75 feet in size or 3,000 square feet) that has a larger building footprint than the existing main dwelling of 1,993 square feet.

- Applicant/Property Owner Keith and Jerlaine Ewing
- Location: 50 Clydesdale Drive, approximately 1,000 feet east of its intersection with Red Rock Road
- Assessor's Parcel No: 078-302-07
- Parcel Size: 10.16 acres
- Master Plan Category: Rural Residential
- Regulatory Zone: Low Density Rural
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Development Code: Article 808 – Administrative Permits
Article 306 – Accessory Uses and Structures
- Commission District: 5 – Commissioner Weber
- Section/Township/Range: Section 32, T24N, R18E, MDM, Washoe County, NV
- Staff: Roger D. Pelham, MPA, Senior Planner
- Phone: 775.328.3622
- Email: rpelham@washoecounty.us

D. PUBLIC HEARING: Special Use Permit Case No. SB13-019 - Van Assche Detached Accessory Dwelling – To allow the conversion of an existing structure of approximately 568 square feet into a detached accessory dwelling on a parcel with an existing main dwelling of 1,048. Detached accessory dwellings are limited to 50% of the size of the main dwelling and thus can only be approved at a maximum of 524 square feet.

- Applicant / Property Owner Sydney Thomas Van Assche
- Location: 5245 Honey Bear Drive, approximately 300 feet west of its intersection with Lupin Drive.
- Assessor's Parcel No: 085-081-01
- Parcel Size: 14,039 square feet
- Master Plan Category: Suburban Residential
- Regulatory Zone: Medium Density Suburban
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Article 306, Accessory Uses and Structures and
Article 810, Special Use Permits
- Commission District: 3 – Commissioner Jung
- Section/Township/Range: Section 19, T20N, R20E, MDM, Washoe County, NV
- Staff: Roger D. Pelham, MPA, Senior Planner
- Phone: 775.328.3622
- Email: rpelham@washoecounty.us

9. Chair and Board Items

(Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements, staff discussion of items or suggested items to be scheduled proposed for action at future meetings, and reports on planning issues and/or activities of organizations in which individual members may be involved.)

- A. Election of Officers: Board of Adjustment Chair and Vice Chair (Continued from the August 1, 2013 meeting.)
- B. *Report on Previous Board of Adjustment Items
- C. Future Agenda Items and Staff Reports

10. Director's Items

- A. *Legal Information and Updates

11. *Public Comment

The public is invited to speak on any item on or off the agenda during this period. However, action may not be taken until this item is placed on an agenda as an action item.

12. Adjournment



BOARD OF ADJUSTMENT MEETING MINUTES

Board of Adjustment Members

Robert F. Wideman, Chair
Kim Toulouse, Vice Chair
Philip J. Horan
Richard "R.J." Cieri
Lee Lawrence
William Whitney, Secretary

Thursday August 1, 2013
1:30 p.m.

Washoe County Health Department
1001 East Ninth Street
Reno, NV

WASHOE COUNTY BOARD OF ADJUSTMENT

Minutes

August 1, 2013

The regular meeting of the Washoe County Board of Adjustment was scheduled for Thursday, August 1, 2013 at 1:30 p.m., in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. Determination of Quorum

Chair Wideman called the meeting to order at 1:40 p.m. The following members and staff were present:

Members present: Robert Wideman, Chair
Lee Lawrence
Philip Horan

Members absent: Kim Toulouse

Staff present: William Whitney, Director, Planning & Development
Eva Krause, Planner, Planning & Development
Sandra Monsalvè, AICP, Senior Planner, Planning & Development
Trevor Lloyd, Senior Planner, Planning & Development
Roger Pelham, Senior Planner, Planning & Development
Greg Salter, Deputy District Attorney, District Attorney's Office
Dawn Spinola, Recording Secretary, Planning & Development

2. Pledge of Allegiance

Chair Wideman led the pledge to the flag.

3. Ethics Law Announcement

Deputy District Attorney (DDA) Creekman recited the Ethics Law standards.

4. Appeal Procedure

Mr. Whitney recited the appeal procedure for items heard before the Board of Adjustment.

5. Public Comment

As there was no response to the call for public comment, Chair Wideman closed the public comment period.

6. Approval of Agenda

Due to the large number of attendees interested in Item 8F, Canine Rehabilitation Sanctuary, Chair Wideman suggested that item be heard first.

Mr. Lloyd requested the Board continue Item 8C, for Washoe County Parks and Open Space, to the October meeting. Approved three in favor and none against.

In accordance with the Open Meeting Law, Member Horan moved to approve the agenda of August 1, 2013 as amended. The motion, seconded by Member Lawrence, passed three in favor and none opposed.

7. Approval of Minutes

Member Horan moved to approve the minutes of June 6, 2013 as written. The motion was seconded by Member Lawrence and passed three in favor and none opposed.

8. Planning Items and Public Hearings

Agenda Item 8F

PUBLIC HEARING: Special Use Permit Case No. SB13-012 – Canine Rehabilitation Center and Sanctuary - To create an indoor facility to house, train and rehabilitate dogs to support animal shelters and animal rescue organizations, and the general public.

- Applicant: Canine Rehabilitation Center and Sanctuary
- Property Owner: Veterans Actions Association
- Location: 555 US Highway 395 N
- Assessor's Parcel No: 046-080-16
- Parcel Size: 5.203 acres
- Master Plan Category: Commercial
- Regulatory Zone: General Commercial
- Area Plan: South Valleys
- Citizen Advisory Board: Truckee Meadows Washoe Valley
- Development Code: Table 110.302.05.3 and Article 810
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Section 23, T19N, R19E, MDM, Washoe County, NV
- Staff: Eva M. Krause, AICP, Planner
- Phone: 775.328.3796
- Email: ekrause@washoecounty.us

Chair Wideman opened the public hearing.

Ms. Krause reviewed the staff report. She explained it would not be a daycare or boarding facility and the neighboring properties were mostly commercial. Housing and most activities would be held indoors. The Health Department had issued conditions regarding specific waste disposal methods. The conditions of approval require any animal spending any

time outdoors be continually supervised. Ms. Krause asked the Board to amend the conditions of approval by adding a condition limiting the number of dogs in residence to 40.

Applicant Kristen Ivy explained their business model was directed towards recovery of traumatized animals, so the dogs would be receiving a substantial amount of attention and care. This level of activity would alleviate the boredom which commonly leads to the problem of continuous barking. She indicated they were happy to work closely with the property owners in the area to develop and maintain a satisfactory relationship.

Member Horan asked how long they had been in existence and where they were currently located. Ms. Ivy replied they had formed in March of 2011 and they currently lease space out of a doggy day care called the Bark House in Sparks. At Member Horan's request, Ms. Ivy explained they obtain dogs through a number of different sources, to include shelter dogs, owner surrenders and pets of the elderly who can no longer care for them.

Member Horan asked Ms. Ivy if they had a limit to the time they kept a dog. She replied it depended on the severity of the trauma. The average time is 2-3 months and that time includes finding the right family for the dog. Member Horan asked if she felt as though finding continuous funding would be a challenge and Ms. Ivy replied they did not, as they were filling a unique niche and enjoyed substantial support from the community. The Society for the Prevention of Cruelty to Animals provides some of their funding.

Member Lawrence asked how much time the dogs spend outside. Ms. Ivy explained each dog receives a unique modification plan and no dog sits idle in the yard. They spend several hours a day outside depending where they are in their recovery. The staff and volunteers spend many hours a day with the dogs.

Member Horan asked what the relationship was between the applicant and the property owner, Veteran's Action Association (VAA). Ms. Ivy explained they would be leasing the property from the VAA for five years.

Peggy Rew, Rivka Strom, Carmen English, Dianne Robak, Margaret Flint and Lucy Tremayne all spoke in support of the project, expounding on the extraordinary care given to the dogs and the benefits to the community. Linda Harrison, Fred Stiteler and Jim Moberly spoke against the project, citing concerns about proximity to homes, noise and waste. They supported the idea but not the location. Ms. Harrison displayed a map showing where homes in the vicinity were located in relation to the property under discussion. John Martin indicated he was not opposed but was concerned about how the noise and waste aspects would be addressed.

Ms. Ivy explained they had a detailed sanitation plan that was similar to that of the Humane Society. She emphasized the proposed waste collection of once a day was a condition of the Health Department. Staff picks up dog waste almost continuously. She re-emphasized their desire to be good neighbors and that they understood people's concerns. The dog waste is kept separate from other garbage in sealed containers and is removed from the property once a week.

Ms. Ivy stated the dogs that were outside were kept busy with activities and play so were less likely to bark. Chair Wideman asked if the building was to be altered to diminish noise. Ms. Ivy said they had plans to use construction materials that absorb sound and the building was constructed of slump stone.

Member Horan requested and received clarification regarding the difference between a kennel and the proposed "dog condos." The main differences included more of a homelike environment and solid walls in between condos as opposed to bars.

Chair Wideman closed the public hearing and asked if the members had anything to disclose. None did.

Member Horan indicated that the Health Department conditions satisfied his concerns and he was in support of the request.

Member Lawrence stated it was comforting to know that someone would always be with the dogs that were outside and that the living quarters were indoors. He noted numerous neighbors were potentially affected and it did not seem as though a great number of them had concerns. He indicated he would support it as well.

Chair Wideman opined the overall concept did not cause controversy. The issues raised were important but the applicant had a plan to mitigate them. He pointed out the property was commercial and was an allowed use and stated he also supported it.

Member Horan moved to approve conditionally as amended Special Use Permit Case No. SB13-012 – Canine Rehabilitation Center and Sanctuary. The motion was seconded by Member Lawrence and passed by a vote of three in favor and none opposed.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the South Valleys Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for a dog rehabilitation center and sanctuary, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area; and,
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Agenda Item 8A

PUBLIC HEARING: Variance Case No. VA13-004 - Willinger – To vary the front yard setback from fifteen (15) feet to eight (8) feet to allow the construction of a new residence and attached garage, and to vary the maximum roof “overhang” of the proposed garage (architectural feature) from two (2) feet to three (3) feet, per Section 110.406.30(e).

- Applicant / Developer D.R. and Lynn Willinger
- Property Owner Frank & Virginia Murnane
- Location: 547 Dale Drive, Incline Village, NV 89451
- Assessor’s Parcel No: 122-132-13
- Parcel Size: ±0.425 acres
- Master Plan Category: Suburban Residential (SR)

- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Article 804 and Article 406
- Commission District: 1 – Commissioner Berkgigler
- Section/Township/Range: Section 17, T16N, R18E, MDM, Washoe County, NV
- Staff: Sandra Monsalvè, AICP, Senior Planner
- Phone: 775.338.3608
- Email: smonsalve@washoecounty.us

Chair Wideman opened the public hearing.

Ms. Monsalvè reviewed the staff report. She noted the proposed location of the garage was optimal due to the steep slopes. The special circumstances applicable to the property included slopes in excess of 20% throughout as well as the Tahoe Regional Planning Agency Tree Retention Program.

Member Horan asked what the size of the new structure would be and Ms. Monsalvè deferred to the consultant.

Applicant's Representative Wyatt Ogilvy explained the variance was being requested to offset the challenges created by the slope. The garage and residence would cover approximately 4,000 square feet. Even it were to be a smaller home they would still need a variance.

Applicant Doug Willinger clarified they would be the occupants and recently acquired the parcel. The original, noted property owner was no longer a party to the case.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Horan moved to approve conditionally Variance Case No. VA13-004 - Willinger. The motion was seconded by Member Lawrence and passed by a vote of three in favor and none opposed.

The motion was based on the following findings:

1. Special Circumstances. That due to slopes greater than 25% and TRPA requirements for tree retention; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
2. No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
3. No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;

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

Agenda Item 8B

PUBLIC HEARING: Special Use Permit Case No SB13-017 - LeFriant Driveway - To construct a driveway within the Significant Hydrologic Resource (SHR) sensitive stream zone for a newly constructed residence.

- Applicant/Property Owner: Jacques & Beth LeFriant
- Location: 1151 Hornblend Street, San Diego, CA 92109
- Assessor's Parcel No: 172-010-06
- Parcel Size: ±5.0
- Master Plan Category: Rural(R)
- Regulatory Zone: General Rural (GR)
- Area Plan: South Valleys
- Citizen Advisory Board: South Truckee Meadows/South Valleys
- Development Code: Article 418 and Article 810
- Commission District: 2 – Commissioner Humke
- Section/Township/Range: Section 4, T16N, R19E, MDM, Washoe County, NV
- Staff: Sandra Monsalvè, AICP, Senior Planner
- Phone: 775.338.3608
- Email: smonsalve@washoecounty.us

Chair Wideman opened the public hearing.

Ms. Monsalvè reviewed the staff report.

Applicant's Representative Joe Cacioppo stated the proposed driveway would be asphalt. He explained the new driveway would primarily overlay the existing dirt drive.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Lawrence moved to approve conditionally Special Use Permit Case No SB13-017 - LeFriant Driveway. The motion was seconded by Member Horan and passed by a vote of three in favor and none opposed.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the South Valleys Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;

3. Site Suitability. That the site is physically suitable for a new residence and paved driveway, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation; and
6. Special Review Considerations, Section 110.418.30. That the special review considerations have adequately been addressed by the applicant and within the conditions of approval:
 - (a) Conservation of topsoil;
 - (b) Protection of surface water quality;
 - (c) Conservation of natural vegetation, wildlife habitats and fisheries;
 - (d) Control of erosion;
 - (e) Control of drainage and sedimentation;
 - (f) Provision for restoration of the project site to predevelopment conditions;
 - (g) Provision of a bonding program to secure performance of requirements imposed; and,
 - (h) Preservation of the hydrologic resources, character of the area and other conditions as necessary.

Agenda Item 8D

PUBLIC HEARING: Special Use Permit Case No SB13-013 - Sky Tavern Ski Area – To allow the grading of approximately 11 acres and approximately 14,600 cubic yards to return the hillside to approximately the natural contour prior to creation of an old road cut.

- | | |
|---|---|
| <ul style="list-style-type: none"> • Applicant • Property Owner • Location:
 • Assessor's Parcel No: • Parcel Size: • Master Plan Category: • Regulatory Zone: • Area Plan: • Citizen Advisory Board: • Development Code: • Commission District: • Section/Township/Range:
 • Staff: • Phone: • Email: | <p>Sky Tavern Junior Ski Program
 City of Reno
 10000 Mount Rose Highway, at the southwest corner of Sky Tavern Road and State Route 431
 048-050-03
 143 acres
 Rural
 Parks and Recreation
 Forest
 South Truckee Meadows / Washoe Valley
 Article 438, Grading
 1 – Commissioner Birkbigler
 Section 17, T17N, R19R, MDM, Washoe County, NV
 Roger D. Pelham, MPA, Senior Planner
 775.328.3622
 rpelham@washoecounty.us</p> |
|---|---|

Chair Wideman opened the public hearing.

Mr. Pelham reviewed the staff report. He read three letters into the record which are attached to these minutes as Exhibit A. The letters expressed concerns about fire access, potential for traffic problems and loss of recreational access.

Mr. Pelham stated the case had been reviewed by Fire and Engineering. If there had been easement or access issues, they would have been addressed through conditions.

Member Horan requested clarification regarding what road was being discussed. Mr. Pelham explained the road in question was not Sky Tavern Way or Bum's Gulch Road; it is the cut that bisects the ski slope.

Applicant's Representative Derek Wilson clarified they were removing man-made features and returning the slope to a more natural appearance. He verified its removal would not impact fire access to the nearby homes. Further discussion clarified that Sky Tavern Ski Area leases the property from the City of Reno.

Juan Sparhawk expressed concern that a paved diversion segment of Old Mt. Rose Highway would be cut off, diverting traffic to Sky Tavern Road, which is privately maintained.

Chair Wideman asked what traffic currently uses the cut in question. Applicant Bill Henderson acknowledged the cut was part of the old highway and stated most of it was not paved, as the asphalt had deteriorated away. The current traffic was by foot and bicycle, until a few days ago there was no vehicle access. They planned to put a gate back in to keep vehicles out.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Horan moved to approve conditionally Special Use Permit Case No SB13-013 - Sky Tavern Ski Area. The motion was seconded by Member Lawrence and passed by a vote of three in favor and none opposed.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Forest Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for a ski slope, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area; and,
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Agenda Item 8E

PUBLIC HEARING: Special Use Permit Case No SB13-016 - Eccles Detached Accessory Dwelling – To allow the placement of a new single-wide manufactured home of approximately 800 square feet on a parcel with an existing double-wide manufactured home of 1,960 square feet.

- Applicant / Property Owner S.F. and W.W. Eccles
- Location: 5336 Torobie Drive, approximately 650 feet south of its intersection with 4th Avenue, in the Sun Valley area
- Assessor's Parcel No: 085-125-16
- Parcel Size: .506 acres
- Master Plan Category: Suburban Residential
- Regulatory Zone: Medium Density Suburban
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Article 306, Accessory Uses and Structures
- Commission District: 5 – Commissioner Weber
- Section/Township/Range: Section 20, T20N, R20E, MDM, Washoe County, NV
- Staff: Roger D. Pelham, MPA, Senior Planner
- Phone: 775.328.3622
- Email: rpelham@washoecounty.us

Chair Wideman opened the public hearing.

Mr. Pelham reviewed the staff report. He noted conditions requiring the cut in the hill to be stabilized and the property to be cleaned up.

Heather Benjamin, relative of the residents of a neighboring parcel, explained they opposed the project. The applicant owned other rental properties in the area and did not intend to reside in the unit in question. She expressed concern regarding the untidy state of the property.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Horan asked if it was a requirement for the property owner to also own the buildings for this type of request to be granted. Mr. Pelham reiterated the applicant owned the land and will own the proposed Detached Accessory Dwelling (DAD). He does not own the existing structure on the property. Mr. Pelham stated he was not aware of anything in the Washoe County Development Code (Code) that would prohibit the arrangement. He acknowledged it was unusual, but it was not the policy of the Planning & Development Division to dictate who lives in a dwelling.

DDA Creekman explained the Board's focus should be on land use, not ownership. If the use is allowed, the ownership of the structures is irrelevant with regards to the Board's analysis.

Member Horan opined the concerns raised regarding the condition of the property may not be issues the Board needed to consider. DDA Creekman explained those were land use issues and the Board did have authority over them. Member Horan acknowledged the problems had been addressed in the staff report and conditions.

Chair Wideman reiterated the Board of Adjustment was a land use Board, and if the owners intended to live in the buildings, the question regarding ownership would not have come up. He acknowledges the speaker had history and issues with the property owner but that was not a factor in the decision process regarding use.

Member Lawrence moved to approve conditionally Special Use Permit Case No SB13-016 - Eccles Detached Accessory Dwelling. The motion was seconded by Member Horan and passed by a vote of three in favor and none opposed.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Sun Valley Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for a detached accessory dwelling, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area; and,
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Agenda Item 8G

PUBLIC HEARING: Special Use Permit Case No. SB13-015 - Skyway Towers – To install a 93-foot wireless communication monopine.

- Applicant Skyway Towers
- Property Owner Spanish Springs Associates
- Location: 180 Design Place
- Assessor's Parcel No: 538-141-20
- Parcel Size: 2.48 acres
- Master Plan Category: Industrial
- Regulatory Zone: Industrial
- Area Plan: Spanish Springs
- Citizen Advisory Board: Spanish Springs
- Development Code: Article 324 Communications Facilities
Article 810 Special Use Permit
- Commission District: 5 – Commissioner Hartung
- Section/Township/Range: Section 23, T21N, R20E, MDM, Washoe County, NV
- Staff: Eva M. Krause, AICP, Planner
- Phone: 775.328.3796
- Email: ekrause@washoecounty.us

Chair Wideman opened the public hearing.

Ms. Krause reviewed the staff report. She explained the applicant would erect the tower and telecommunication companies would lease portions of it. The applicant was leasing a portion of a small, undeveloped lot in the industrial park. By ordinance, a monopole was limited to 75 feet. If it was obscured through a stealth design or built as a slim line tower, it could be as high as 93.75 feet. The slim line design was not feasible due to the limit on the number of antennae it could support, altering the lease income potential, and the goal was also to avoid multiple poles. Therefore, the applicant was proposing the monopine design, allowing them the 93.75 feet in height and the sturdiness to support all of the proposed antennae.

Ms. Krause told the Board that the property owner preferred a monopole design, as a monopine would not blend into the area. Staff was requesting the Board issue a decision that a monopole could be considered a stealth design based on its location in the industrial park.

Member Horan expressed concern that staff was presenting two conflicting recommendations for consideration. Ms. Krause explained that the original request was intended to be a variance for a 100-foot monopole, but she was unable to make a hardship finding as the applicant had not finalized a gap study. She agreed with the property owner that a monopine would be out of character with the area, thus leading to the request the Board consider making the decision that a monopole was more of a stealth design than a monopine in this instance.

Member Horan brought up the fact in other instances what was attached to the pole became an issue and that aspect had yet to be discussed. Ms. Krause explained the antennae cannot extend beyond the top of the pole and that it was preferable to have more antennae on one pole than to have multiple poles. She clarified security had been addressed.

Chair Wideman pointed out there had been problems with previous towers with regards to lack of specificity in the application as to what sort of antennae were to be hung on the tower. That was the case for this application. He noted other applications had spelled out what types of antennae would be on the tower and any change to that necessitated a new hearing and approval. Ms. Krause explained Washoe County Code did not dictate the types of antennae allowed. If the Board approved a tower without naming specifics, any changes would not need to come back to them for approval. Chair Wideman pointed out that approach takes away the opportunity for any review of what is attached to the tower.

DDA Creekman noted the law permits the Board to follow staff's recommendation. It was a question of law versus policy. They were faced with the decision of whether or not it was a good policy or not to approve such a facility without specifying the type of devices that will be placed on it. That decision goes beyond the purview of a legal recommendation. He emphasized they had the authority to go either way with the issue.

Member Lawrence asked how the tower would affect the airport. Ms. Krause explained the Airport Authority had reviewed the location and height and had determined it was of no concern. The Federal Aviation Administration reserves the right to override that decision if they feel it is necessary.

Applicant's Representative Bill Daley noted the specific types of antennae were not addressed in the application but were shown in the drawings. Verizon would get the top antennae and other companies would lease space lower down on the tower. Verizon wants to have the service in place at this location by the end of the year.

Chair Wideman asked what the effect would be if the tower was 75 feet tall. Mr. Daley explained Verizon had requested a location closer to Pyramid Highway and a height of 120 feet but were willing to accept 93 feet at the proposed location. The gap study has yet to be completed, but although Verizon has funding available for the project this year, they may not next year. So time was of the essence. The applicant was willing to accept the monopine design so they could get the 93-foot height. He reiterated the property owner would prefer the monopole. Mr. Daley stated that at 75 feet Verizon would not lease a space at that site.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Lawrence noted the service was needed in that area. He opined a monopine would be a much greater visual nuisance than a monopole at that location. He pointed out there were power poles and wires in the general vicinity.

Member Horan asked where the closest residences were. Ms. Krause displayed a map of the vicinity which indicated the homes were approximately 2,000 feet away. She reiterated she was requesting the Board to make the determination that a monopole was more stealth than a monopine at that location. The applicant could not get the extra height unless it was of a stealth design. She opined the term "stealth" was judgmental, even in Code. If the Board made the finding that it was a stealth pole, it could be 93 feet, as requested.

Chair Wideman pointed out the stealth designs were an adaptation that addressed concerns about the ugliness of comm towers and comm poles. He opined it was some distance between the project and the nearest natural pine tree. The request for approval for a monopine appeared to be an end run around the height restriction and that is not what the restriction was designed to accomplish. An approval would be subverting the intent of Code and he did not see any basis for them to do that.

Chair Wideman went on to say he had no objection to the tower with the antennas as had been shown in the sketch, but pointed out they had not been submitted as part of the application. He expressed concern with being able to act consistently with comm towers in the future if they were to approve the application. He acknowledged the height requirement was critical to the applicant's plans. Based on the fact the stealth design was not being used as intended and lack of specificity in the application he would be inclined to deny the request.

Chair Wideman did not want to put the applicant in a position where he was going forward with prejudice regarding what the Board had done. He suggested if they were not going to get what they wanted they may want to step back from the table in this case. Chair Wideman stated if he were to approve the request, it would be for the monopole, not the monopine, which would not give the applicant what he wants. He was not prepared to support an end runaround.

Mr. Whitney quoted Washoe County Code Chapter 324, stating:

"An additional 25 percent pole height shall be granted if the monopole is a stealth design that may include a slimline pole, a tree or other proposed camouflage design compatible with the surrounding area."

Mr. Whitney asked if a slimline pole was a possibility. Mr. Daley explained the difference in the types of antennae that could be used for a slimline and a monopole. Two slimlines would be required for the same number of carriers that one monopole would hold. They had considered other types of stealth design and decided the monopine was the best option for their needs. He reiterated the project would not go forward without the additional height.

Mr. Whitney noted another portion of Chapter 324 spoke of the definition of stealth design. He read: "...means a wireless communications facility support structure, antennas and accessory equipment that is designed to blend in with the existing physical environment and reduce visual impacts to the extent possible by virtue of being camouflaged as another common structure. Examples include a clock tower, a silo, a church steeple or a tree."

Mr. Whitney stated that by virtue of the definition of stealth, which provides the additional height, there are other possibilities besides a tree. He was not sure if a church steeple would fit in, but possibly a clock tower. Other members of the profession may have other options.

Chair Wideman pointed out that would take the applicant back to the drawing board. He did not feel the proposed design was stealth. There was not a reasonable way to declare a monopole to be stealth. The monopole would be less offensive than the tree, but that did not make it stealth. Any way they tried to make this a stealth design was subverting the intent of the code and he was unwilling to do that. The pine tree would be the source of neighborhood jokes for years.

Chair Wideman stated he understood the reason for the applicant's request. He pointed out a process has been established to set monopoles at a maximum of 75 feet, which he found acceptable. The site was acceptable and the infrastructure ready to go, but he acknowledged 75 feet did not work for the applicant. He could not arrive at a justification for any tower higher than 75 feet.

Member Horan opined technology is outrunning Code and agreed with Chair Wideman's comments. Chair Wideman stated that if they decided a monopole was a stealth design, then every other monopole from here on out is also stealth.

Member Lawrence agreed with the potential inconsistency being developed.

Ms. Krause pointed out that if the monopole were in a residential area it could be 100 feet tall if it was located at least 2,000 feet away from a house. She acknowledged they were discussing an Industrial parcel and there were some inconsistencies in Code. She pointed out if the applicant had completed a significant gap study, the tower could be 140 feet in a residential area. Chair Wideman pointed out the only way to do it was to say that a monopole was a stealth design and it wasn't.

Chair Wideman asked DDA Creekman to go over their options. He opined they could vote to approve as is, they could change it and approve it some other way or they could deny it as is. DDA Creekman stated another option would be to ask the applicant to provide a greater degree of specificity as to what they were after and simultaneously continue the item to the next meeting.

Chair Wideman asked the applicant to weigh in and explained they were doing their best to try to help him. Mr. Daly acknowledged their efforts. He stated a delay of two months could kill the project due to specific calendar-based funding not carrying over. He also pointed out it was likely multiple towers would need to be built in the area to cover the gap if this one were denied. Mr. Daly went on to further describe why the location was chosen and what the extra height would achieve for the carriers.

Chair Wideman acknowledged Mr. Daly had made good points, but it was not about what anyone wanted. The Board's job was to measure the application against the rules and to interpret the rules to make a decision. He stated he did not know how to interpret the rules to give the applicant what he wanted without creating a very slippery slope for the future.

Mr. Daly pointed out that in other jurisdictions any attempt to hide a monopole makes it stealth. He requested approval of the monopine.

Member Horan recommended denial. Chair Wideman pointed out that action provided the applicant the avenue of appeal.

Chair Wideman moved to deny Special Use Permit Case No. SB13-015 - Skyway Towers. The motion was seconded by Member Horan. The language of the motion was as follows:

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment deny Special Use Permit Case No. SB13-015 for Skyway Towers.

Member Horan added the denial was based on items discussed during the public hearing, that the Board could not find that the stealth design was adequate for the area.

The motion to deny passed three in favor and none opposed.

Mr. Whitney recited the appeal procedure for items heard before the Board of Adjustment.

9. Chair and Board Items

A. Election of Officers: Board of Adjustment Chair and Vice Chair

Chair Wideman noted it was the end of his second year as Chair. He noted there was a term limit rule and did not know what all of the options were. He would not campaign to continue as Chair but would not object if reelected.

Member Horan asked if they could postpone the item to the October meeting and DDA Creekman stated there was no legal reason that they could not. Alternatively, they could take action at this point if they were inclined. He confirmed that there was a two-term limit as Chair.

Mr. Whitney reminded the Board staff was working on filling the vacant seat, so it was possible there would be a full Board at election.

Member Horan moved to continue the election of officers to the October meeting. The motion was seconded by Member Lawrence and passed by a vote of three in favor and none opposed.

B. *Report on Previous Board of Adjustment (BOA) Items

Mr. Whitney reported on two cases that were heard at the June BOA meeting that had been appealed to the Board of County Commissioners. The BOA approval of SB13-008, DeLaLuz Horse Racing, had been upheld and the denial of VA13-002, Ellis Variance for livestock on less than ½ acre had been overturned and approved.

C. Future Agenda Items and Staff Reports

None

10. Director's Items

A. *Legal Information and Updates

Mr. Whitney had no information to share but thanked Mr. Creekman for assisting with the meeting.

11. Public Comment

As there was no response to the call for public comment, Chair Wideman closed the public comment period.

12. Adjournment

The meeting adjourned at 3:22 p.m.

Respectfully submitted,

Dawn Spinola, Recording Secretary

Approved by Board in session on _____, 2013

William Whitney
Secretary to the Board of Adjustment



Board of Adjustment Staff Report

Meeting Date: October 3, 2013

Subject: Variance Case No: VA13-007
Applicant: Ward-Young Architecture and Planning
Agenda Item No. 8A
Project Summary: To vary the maximum allowable square footage for a detached accessory structure situated within the front yard setback.
Recommendation: Approval with Conditions
Prepared by: Sandra Monsalvè- AICP, Senior Planner
Washoe County Community Services Department
Division of Planning and Development
Phone: 775.328.3608
E-Mail: smonsalve@washoecounty.us

Description

Variance Case No. VA13-007 - Ward-Young Architecture and Planning - To vary the maximum allowable square footage for a detached accessory structure situated within the front yard setback in the Tahoe planning area.

- Applicant: Ward-Young Architecture and Planning
- Property Owner: Danz Family Trust,
- Location: 701 Fairview Blvd., Incline Village, NV 89451
- Assessor's Parcel No: 126-241-01
- Parcel Size: ±5 acres
- Master Plan Category: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Article 220, Tahoe Area
Article 804, Variances
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 10, T16N, R18E, MDM
Washoe County, NV

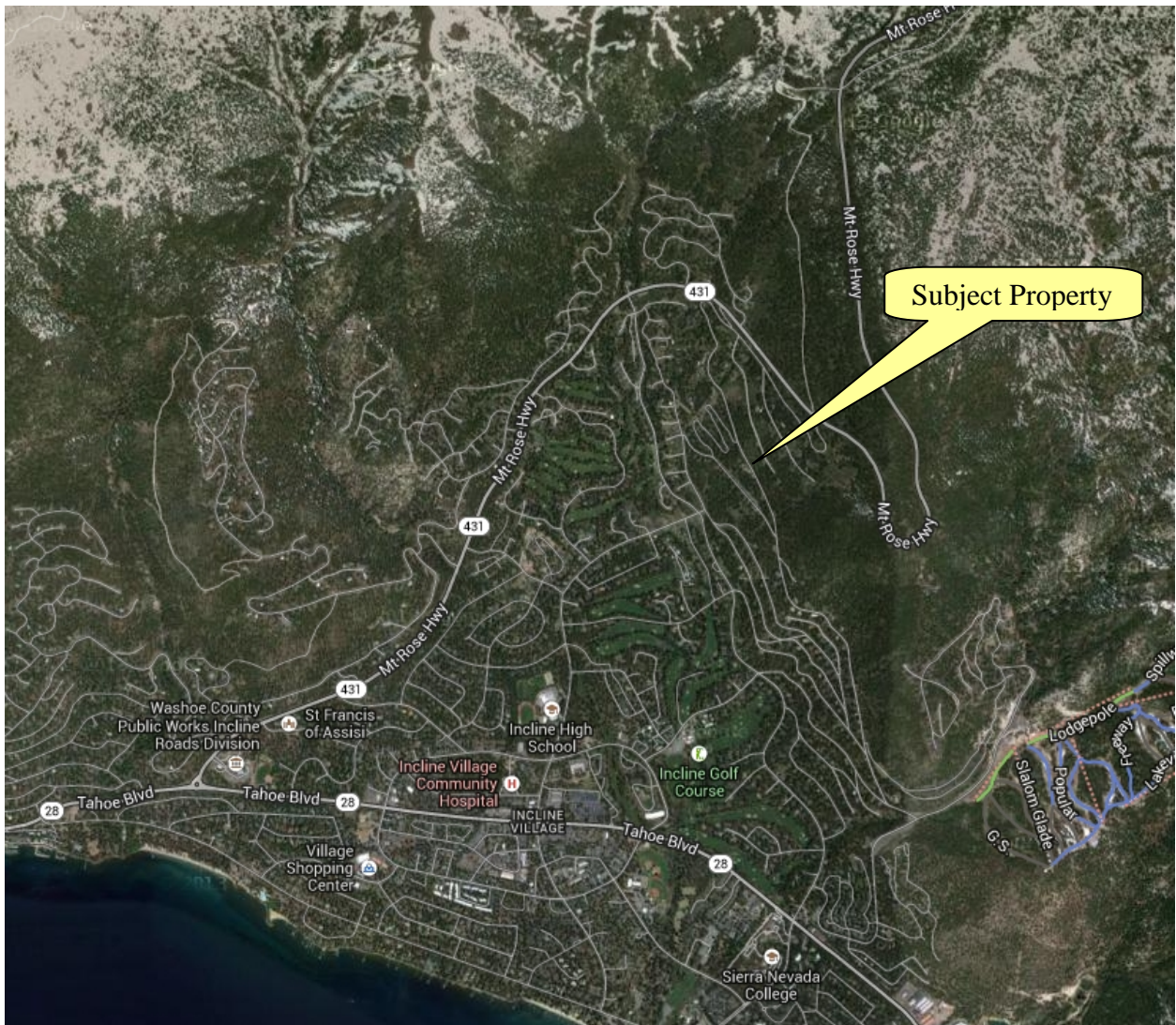
Staff Report Contents

Vicinity Map 3
Existing Garage & Driveway..... 4
Proposed Garage/Mudroom Addition 5
Project Evaluation 7
Site Contours (slopes in excess of 40%) 8
Reviewing Agencies..... 8
Community Input/Incline Village CAB..... 9
Recommendation..... 11
Motion..... 11
Appeal Process..... 12
Variance Definition 12

Exhibits Contents

Conditions of Approval Exhibit A
Agency Comments..... Exhibit B

Vicinity Map



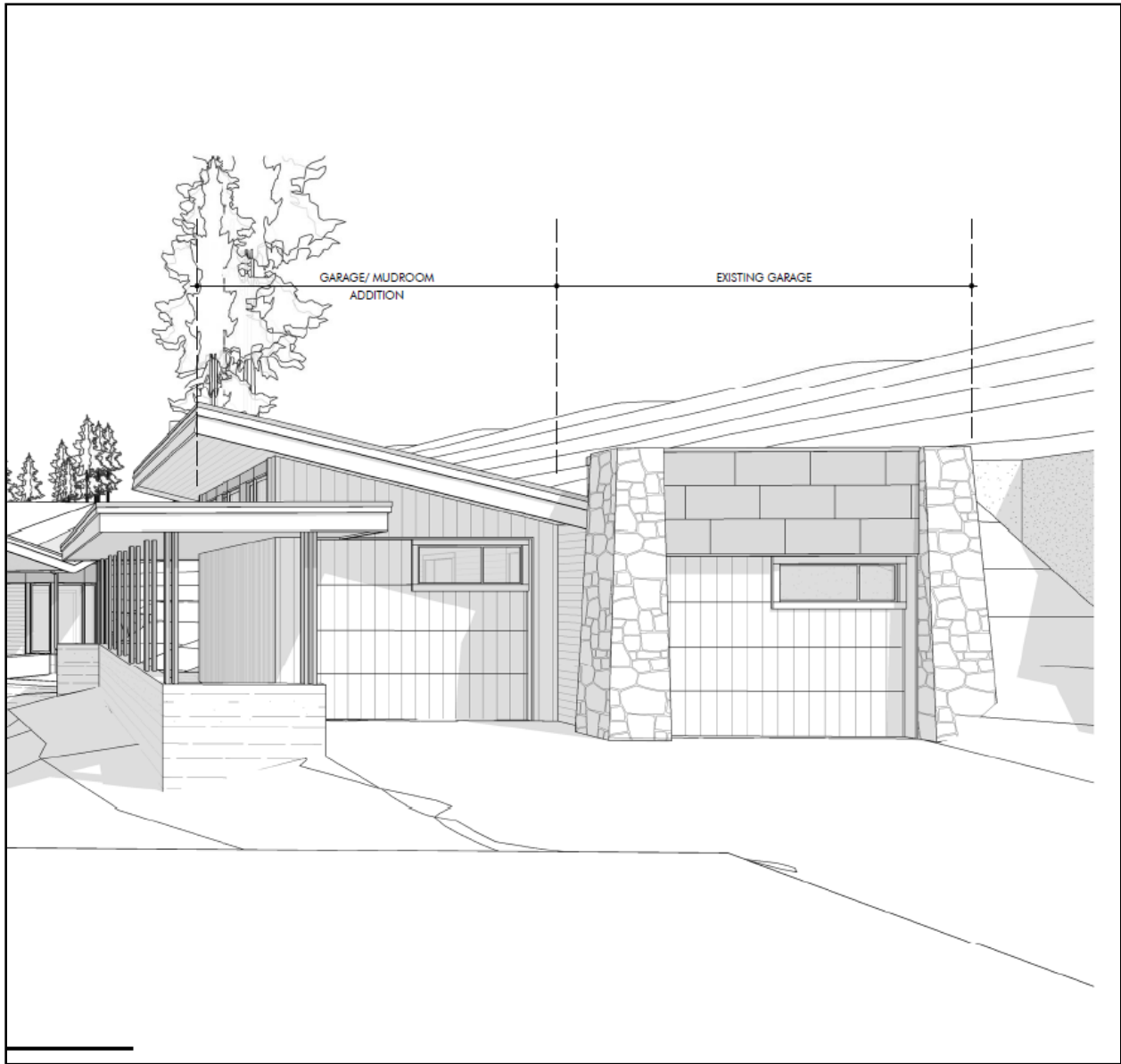
Existing Garage & Driveway
(Below street grade)



Existing Garage



Schematic of Proposed Addition to Existing Garage



Project Evaluation

Background/History:

This is a request to vary the maximum allowable square footage for a detached accessory structure within the front setback in the Tahoe planning area. The applicant is requesting to construct an additional single-car garage and mudroom to the existing detached garage for a total square footage of 987 square feet.

The proposed addition will exceed the allowed square footage for a detached accessory structure as stated within the Tahoe Area Modifiers (*Section 110.220.20(d) of the Development Code*). The development code has an allowance for detached accessory structures situated within the front setback, of 576 square feet. The applicant wishes to add approximately ± 383 square feet to the existing garage (single-car garage portion ± 316 sq/ft. and ± 67 sq/ft. for the mudroom), therefore exceeding the amount allowed for a detached accessory structure within the front setback, per Article 220 of the Development Code. It is this excess square footage (± 383 sq/ft.) which is creating the request for the variance.

Currently there is an existing 2,622 square foot residence on the property, the two-car detached (tandem) garage, all originally constructed in 2007-2008 with all required permits. The parcel is ± 5.0 acres, and is within the General Rural (GR) regulatory zone within the Tahoe planning area.

Special Circumstances/Hardship:

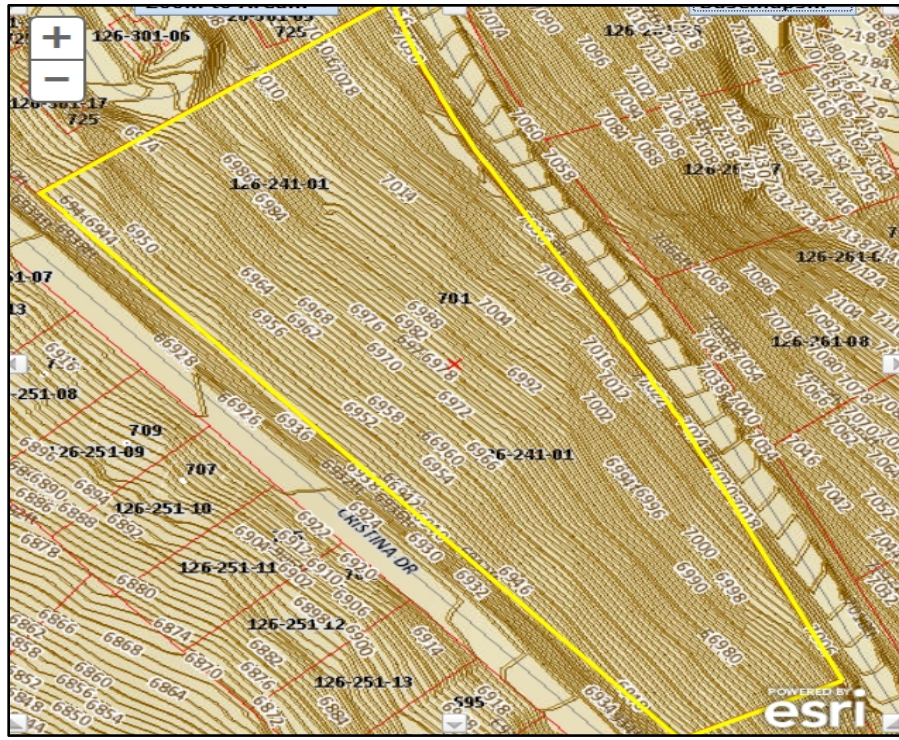
Due to slopes in excess of 40% across the majority of the subject site, the long narrow driveway (restrictive in respect to turning movements), and the elongated, odd shape of the parcel, the applicant is limited in the placement of a separate detached garage structure on the property. As a result, an addition to the existing detached garage remains the most apparent viable option.

Impacts:

The existing garage is below street grade, and therefore is not readily viewed from Fairview Boulevard. The proposed addition will be to the west of the existing garage, also below street grade. The existing garage is approximately 14-feet below Fairview Blvd. and approximately 30 feet from the edge of pavement. The 30-foot distance from the edge of pavement is in compliance with the Washoe County Public Works, Road Division requirements of maintaining a minimum of 15-feet from edge of pavement to a garage door for snow clearing purposes. The proposed addition will give the homeowner an opportunity to have a 3-car garage, similar to other residences in the Incline Village community, which could be beneficial during the winter months due to snow and ice.

Staff sees no significant impacts to neighboring properties or mountain and lake views as a result of the proposed addition to the existing detached garage. Staff has made all mandated findings for this variance request.

Site Contours (slopes in excess of 40%)



Reviewing Agencies

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

- Washoe County Planning and Development Division
- Washoe County Engineering and Capital Projects Division (engineering and water resources)
- Washoe County District Attorney, Civil Division
- Washoe County Health District
 - Environmental Health Division
- Incline Village General Improvement District (IVGID)
- North Lake Tahoe FPD
- Tahoe Regional Planning Agency (TRPA)

Three of the agencies/departments listed above responded that they had no comments/conditions for the proposed project. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order

- Washoe County Planning and Development addressed general conditions for the proposed addition to the detached garage.
 - Contact: Sandra Monsalve, 775.328.3608, smonsalve@washoecounty.us
- Washoe County Engineering and Capital Projects had no conditions.
 - Contact: Leo Vesely, 775.328.2040, lvesely@washoecounty.us
- Incline Village General Improvement District (IVGID) had no conditions.
 - Contact: Tim Buxton, 775.832-1246
- District Health Department had no conditions.
 - Wesley Rubio, 775.328-2434, wrubio@washoecounty.us

Community Input/Incline Village CAB

At the time of publication staff had not received community input in regard to the variance request because the Incline Village/Crystal Bay CAB does not meet until September 23, 2013, at which time the item will be discussed. Staff will bring a copy of any CAB information received after the item is discussed at the CAB, to the Board of Adjustment meeting on October 3, 2013.

Staff Comment on Required Findings

Section 110.804.25 of Article 804, *Variances*, within the Washoe County Development Code states “prior to approving an application for a variance, the Board of Adjustment, the Planning Commission or hearing examiner shall find that findings (a) through (d) apply to the property and, if a military installation is required to be noticed, finding (e):

- (a) Special Circumstances. Because of the special circumstances applicable to the property, including either the:
- (1) Exceptional narrowness, shallowness or shape of the specific piece of property, or
 - (2) By reason of exceptional topographic conditions, or
 - (3) Other extraordinary and exceptional situation or condition of the property and/or location of surroundings,

the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;

Staff Comment.

- *The subject property has slopes in excess of 40% across the entire lot.*
- *The subject parcel is a through lot, and is oddly shaped/elongated.*

- b) No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted.

Staff Comment:

- *The variance will not create a detriment to the scenic or environmental character of the surrounding area, nor affect Lake views of adjacent properties.*
 - *The proposed garage addition will not create a significant impact, as it is below grade, and west of Fairview Blvd. to the west of the existing garage.*
- c) No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated.

Staff Comment:

- *The subject property is one of six properties zoned General Rural within approximately 1,000 feet of the subject site. Two of the six properties have large attached garages exceeding 1,000 square feet.*
 - *The granting of this variance would allow the property owner to construct an addition to the existing garage in order to provide additional covered, off-street parking which is consistent with Washoe County Development Code parking standards found in Article 410.*
 - *The garage addition would be consistent with adjacent properties that have two and three car-attached garages; however in this case, the property owner does not have an attached garage, but rather a detached garage approximately 40 feet from the residence, an unusual situation within the Incline Village area.*
- d) Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

Staff Comment:

- *WCC Section 110.410.10.1 Off-Street Parking Space Requirements requires 2 parking spaces per dwelling unit, 1 of which must be in an enclosed garage.*

- *The detached garage was constructed within the front setback, as allowed per Article 220 Tahoe Area Modifiers; however was restricted to 576 square feet. This measurement is based on a 24x24 calculation, somewhat standard of most two-car garages. However, in this case, the existing garage is a tandem style.*
- e) Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

Staff Comment:

- *N/A, there is no military installation near the subject property.*

Staff has completed the analysis of the application and has determined that the proposal has met the required findings as outline within the Development Code.

Recommendation

After a thorough analysis and review, Variance Case No. VA13-007 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Variance Case No. VA13-007 for Ward-Young Architects, representing Danz Family Trust, having made all required findings in accordance with Washoe County Development Code Section 110.804.25:

1. Special Circumstances. That due to slopes greater than 40% and the unusual shape of the property; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
2. No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
3. No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;
4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;
5. Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

Appeal Process

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

Variance Definition

The use and standards for a variance are set out in NRS 278.300 (1) (c), which provides that:

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

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

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

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

xc: Property Owner: Danz Family Trust, Tad & Barbara Danz, 9716 Winter Place Drive, Las Vegas, NV 89145.

Applicant: Ward-Young Architects, Attn: Don Fulda, 12010 Donner Pass Road, Ste. 201, Truckee, CA 96161.

EXHIBIT A



Conditions of Approval

Variance Case No. VA13-007

The project approved under Variance Case No: VA13-007 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on October 3, 2013. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes.

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

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

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

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

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

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

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

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District.**
- **Any conditions set by the District Health Department must be appealed to the District Board of Health.**
- **The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**

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

Washoe County Planning & Development

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

Contact Name – Sandra Monsalve, AICP, Senior Planner, 775.328.3608

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this Variance.
- b. The applicant shall obtain a valid Washoe County building permit or other administrative permit in the time period set forth as follows:
 1. For projects which require a Tahoe Regional Planning Agency (TRPA) permit, within one year from the date of approval by TRPA; or
 2. For projects which require a TRPA permit and which have TRPA approval (or conditional approval), within one year from the date of approval by Washoe County; or
 3. For projects which do not require a TRPA permit, within one year from the date of approval by Washoe County.

The applicant shall commence and complete construction in accordance with the time periods required by said permit(s).

- c. The use of straw bales shall be prohibited during construction of the project. A filter-fabric fence or other acceptable alternative shall be utilized for erosion control.
- d. The applicant shall attach a copy of the Action Order approving this project to all administrative permit applications (including building permits) applied for as part of this Variance.

*** End of Conditions ***



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Engineering and Capital Projects Division

"Dedicated to Excellence in Public Service"

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

INTEROFFICE MEMORANDUM

DATE: September 13, 2013
TO: Sandra Monsalve, Planning and Development Division
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division
SUBJECT: **VA13-007**
APN 126-241-01
DANZ FAMILY VARIANCE

I have reviewed the referenced variance case and have no comments or concerns.

LRV/Irv



Development Review Status Sheet

Date: 8-27-13

Attention: Sandra Monsalve
Washoe County Department of Community Development
PO Box 11130, Reno NV 89520

RE: Administrative Permit Case #VA13-007
APN: 126-241-01
Service Address: 701 Fairview
Incline Village NV 89451
Owner: Danz Family Trust

Phone: Fax: Email:

Mailing Address: 701 Fairview

Variance Case No. VA13-007 - Ward-Young Architecture and Planning - To vary the maximum allowable square footage for a detached accessory structure in the Tahoe planning area from 576 square feet to 987 square feet. The request is for 383 square foot single bay garage and mudroom addition to an existing 604 square foot two bay detached garage accessory structure situated within the front yard setback. The final result would be a three bay detached garage and mudroom.

- Applicant: Ward-Young Architecture and Planning
Property Owner: Danz Family Trust
Location: 701 Fairview Blvd., Incline Village, NV 89451
Assessor's Parcel No: 126-241-01
Parcel Size: +/-5 acres
Master Plan Category: Rural (R)
Regulatory Zone: General Rural (GR)
Area Plan: Tahoe
Citizen Advisory Board: Incline Village/Crystal Bay
Development Code: Article 220, Tahoe Area Article 804, Variances
Commission District: 1 - Commissioner Berkbigler
Section/Township/Range: Section 10, T16N, R18E, MDM Washoe County, NV
Staff: Sandra Monsalve, AICP, Senior Planner
Phone: 775.328.3608
Email: smonsalve@washoecounty.us

Comments and Conditions: IVGID has no issues with the proposed project.

Completed by: Tim Buxton, Chief Inspector
Phone: (775) 832-1246 Fax: (775) 832-1260
Incline Village General Improvement District, 1220 Sweetwater Road, Incline Village NV 89451

The contents of this transmission are intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original to us at the above address via US Postal Service. We will reimburse you for your postage. Thank you.



WASHOE COUNTY HEALTH DISTRICT
ENVIRONMENTAL HEALTH SERVICES DIVISION



Public Health
Prevent. Promote. Protect.

RECEIVED

SEP 12 2013

WASHOE COUNTY
COMMUNITY DEVELOPMENT

DATE: September 6, 2013
TO: Sandra Monsalve, AICP, Senior Planner
Washoe County Community Development
FROM: Wes Rubio, MPH, REHS
Environmental Health Specialist
SUBJECT: Danz Family Trust
VA13-007, Variance

The Washoe County Health District has reviewed the above referenced project and has no objections to the approval of this project.

Please contact me if you have any questions, (775) 328-2381.

Thank you,

Wesley Rubio, MPH, REHS
Environmental Health Services Division
Washoe County Health District

WR/dc

Cc: Barbara Danz
Don Fulda, Architect, AIA, Ward-Young Architects



Board of Adjustment Staff Report

Meeting Date: October 3, 2013

Subject: Special Use Permit Case No: SB13-018
Applicant(s): Don Gephart: Dream Valley Stables
Agenda Item No. 8B
Project Summary: To establish a new commercial stables facility for horse boarding, training, breeding, and lessons, in addition to providing 4H activities, as authorized in Article 808 of the Washoe County Development Code.
Recommendation: Approval with Conditions
Prepared by: Sandra Monsalvè, AICP, Senior Planner
Planning & Development Division
Washoe County Community Services Department
Phone: 775.328.3608
E-Mail: smonsalve@washoecounty.us

Special Use Permit Case No. SB13-018 - Dream Valley Stables – To establish a new commercial stables facility for horse boarding, training, breeding, and lessons, in addition to providing 4H activities, as authorized in Article 808 of the Washoe County Development Code. The proposed facility is anticipated to be constructed over three (3) phases, and will include the construction of two stable buildings, ±1,200 square feet each (Phase 1); the construction of a ±4,800 square foot barn (Phase 2); and the construction of a Mare breeding center consisting of a ±4,800 square foot stable structure (Phase 3). The facility anticipates accommodating up to 50 horses maximum. No equestrian events and/or shows are anticipated under this special use permit. The property is currently developed with a residence, existing outdoor arena, pastures/corrals, stables, and barn.

- Applicant/Property Owner: Don Gephart
- Consultant: Rubicon Design Group, LLC, Attn: Mike Railey, 100 California Ave., Suite 202, Reno, NV 89509.
- Location: 2940 Barranca Drive, Sparks, NV. 89441, near Encanto Drive and Calle de la Plata, approximately 3.9 miles east of Pyramid Hwy (SR445).
- Assessor's Parcel No: 076-300-82
- Parcel Size: ±40.41 acres
- Master Plan Category: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: Spanish Springs
- Citizen Advisory Board: Spanish Springs
- Development Code: Article 302 Allowed Uses, and Article 810 Special Use Permits.
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: Section 8, T21N, R21E

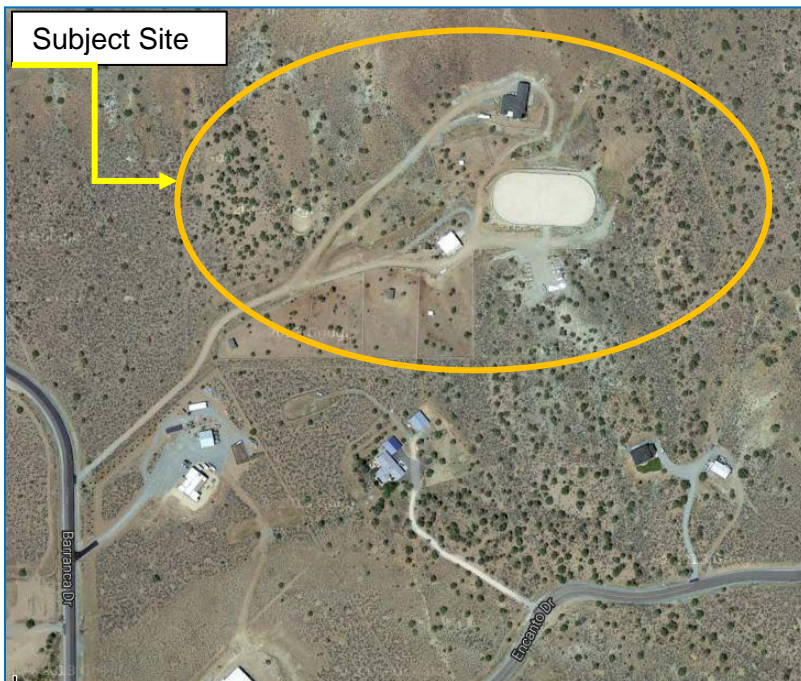
Staff Report Contents

Vicinity Map 3
Project Evaluation/Analysis 4
Relevant/Applicable Policies of the Spanish Springs Area Plan: 6
Spanish Springs Citizen Advisory Board 6
Reviewing Agencies..... 6
Recommendation..... 9
Motion 9
Appeal Process.....10
Site Plan11
Special Use Permit Purpose13

Exhibits Contents

Conditions of ApprovalExhibit A
Agency CommentsExhibit B

Vicinity Map



Project Evaluation/Analysis

The applicant, Don Gephart, represented by Rubicon Design Group, LLC, has requested a special use permit to establish new commercial stables at 2940 Barranca Drive in Spanish Springs. The subject property is ±40.41 acres, and is located approximately 3.9 miles east of Pyramid Highway and Calle de la Plata. The nearest cross streets are Encanto Drive and Barranca Drive. The property is currently developed with a residence, existing outdoor arena, pastures/corrals, stables, and barn. No lighting or public announcement (PA) system is proposed for this project. Hours of operation are proposed to be from 8:00 a.m. to dusk, Monday through Sunday.

The proposed facility would accommodate horse boarding (up to 50 horses maximum, 10 of which are owned by the property owner), training, breeding, and lessons, in addition to providing 4H activities with instruction, as authorized in Article 808 of the Washoe County Development Code. The facility is anticipated to be constructed over three (3) phases, and will include the construction of two stable buildings, ±1,200 square feet each (Phase 1); the construction of a ±4,800 square foot barn (Phase 2); and the construction of a Mare breeding center consisting of a ±4,800 square foot stable structure (Phase 3). All facility additions/phases are anticipated to be completed within five (5) years. No equestrian events and/or shows are anticipated under this special use permit. This project is an allowed *Commercial Use Type* in the General Rural Zoning designation with an approved Special Use Permit, per *Table 110.302.05.3* of the Washoe County Development Code.

Access

The access is from Barranca Drive onto an unpaved driveway of approximately 1,328 feet (±1/4 mile) long. Washoe County Code, Section 110.410.25 (e) requires that all driveways and parking be paved with asphalt or cement. The applicant has indicated a desire to utilize compact/road base, asphalt grindings, or gravel in lieu of asphalt or concrete, in order to maintain a more rural appearance, and to lessen the impacts of impervious surfaces upon the property. However, in order to use an alternative to paved surfaces the applicant will need to request a waiver to the code requirement. A waiver (Director's Modification) must be submitted to the Planning and Development Department as soon as possible, and reviewed within 90-days of final public hearing review for this special use permit application. Staff is also recommending, by condition, that no off-site parking be allowed onto Barranca Road as a result of the usage of the stables facility.

Parking/Traffic

Washoe County Development Code requires one (1) parking space per employee during peak employment times and .25 per horse. The applicant has indicated there will be a maximum of three (3) employees and fifty horses maximum. Based on this information, a total of 16 parking spaces and one (1) handicap space are required on a permanent basis to accommodate the employees and regular boarders. The number of parking spaces, per phased constructed, shall be commensurate with the number of horses and employees at any one time as the project progresses towards completion. Also, the existing circular/looping driveway will be an efficient way to load and unload horses from trailers by lessening and/or eliminating the need for trailers to reverse. All parking requirements must be fully satisfied at the time of phased project completion. Staff feels the applicant has sufficiently met the parking requirements as set forth

within *Article 410 Parking and Loading*. Any related traffic and/or road improvements and/or conditions, will be determined by the Washoe County Traffic Engineer.

Landscaping/Lighting/Signage

Section 110.412.40 *Civic and Commercial Use Types* of the Washoe County Development Code sets forth standards for landscaping for civic and commercial uses. Specifically, the following minimum landscaping requirements shall apply to the total developed land area:

- (a) Coverage. A minimum twenty (20) percent of the total developed land area shall be landscaped. Any disturbance to undeveloped portions of a site shall be mitigated.

The applicant has indicated there will be approximately 12,000 sq. feet of new site disturbance for the entire project. Consequently the required landscaping totals $\pm 2,400$ square feet (12,000 x 20%) to be planted in such a way as to provide the most effective screening, and to lessen any visual impacts to adjacent property owners. The applicant will be required to provide a final landscaping plan prior to the issuance of building and/or grading permits for said project, to be approved by Planning and Development staff.

Lighting:

There is no proposed lighting for this project.

Signage:

The applicant has proposed one (1) monument sign at the main entry located on Barranca Drive. The applicant intends to construct the monument sign to Code requirements, and utilize natural materials, such as wood, stone, rock, or similar natural materials so as to blend with the natural environment. The sign is expected to be a maximum of 6-feet in height and not have lighting.



Relevant/Applicable Policies of the Spanish Springs Area Plan:

The following policies within the Spanish Springs Area Plan are applicable to this application review.

There are no applicable policies. However, it should be noted, that the subject parcel is located within the Rural Character Management Area (RCMA) of the Spanish Springs Area Plan. The RCMA is characterized by rural residential densities (five plus acre parcels) and agricultural land uses. The Vision of the Area Plan is to “manage growth by focusing on a rustic appearance in keeping with the rural character of the area.” (SSAP, pg. 1) The Area Plan encourages the continuance of the rural and western heritage theme throughout Spanish Springs, in particular within the Suburban Character Management Area (SCMA), which is approximately 2.5 miles west of the proposed project site. The Character Statement indicates there is an equestrian character closely tied to the scenic and rural character of the Spanish Springs planning area, with an abundance of open vistas and mountain ridges, both near and far.

Spanish Springs Citizen Advisory Board

The proposed project was sent to the Spanish Springs CAB members for review and comment; however, no comments have been received by staff at the time of staff report publication.

Reviewing Agencies

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

- Washoe County Community Services Division
 - Planning and Development
 - Regional Parks and Open Space
 - Engineering and Capital Projects
 - Land Development
 - Traffic
 - Water Resources
 - Water Rights
- Washoe County Health District
 - Air Quality
 - Environmental Health
 - Mosquito/Vector Control
- Nevada Department of Transportation
- Sheriff
 - Regional Animal Services
- Regional Transportation Commission
- Truckee Meadows & Sierra Fire Protection Districts

- Spanish Springs Citizen Advisory Board
- Washoe County District Attorney, Civil Division
- Sparks Community Services Department
- Pyramid Lake Paiute Tribe
- State Historic Preservation

Six of the above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order.

Planning and Development addressed the site design, landscaping, and parking standards and has imposed operational conditions that will be in effect for the life of the project.

- Sandra Monsalve, 775.328.3608, smonsalve@washoecounty.us

Washoe County Engineering and Capital Projects Division (engineering and water resources) addressed construction improvement plans including grading, storm water discharge, and manure management.

- Contact: Leo Vesely, 775.328.2040, lvesely@washoecounty.us

Water Resources addressed water rights dedication.

- John Cella, 775.954.4600, jcella@washoecounty.us

District Health Department; Vector-Borne Disease addressed manure management. Health Department conditions are attached and can only be appealed to the District Health Board.

- J.L. Shaffer, 775.785.4525, jshaffer@washoecounty.us

District Health Department, Environmental Health addressed septic and solid waste management, Health Department conditions are attached and can only be appealed to the District Health Board.

- Wesley Rubio, 775.328.2381, wrubio@washoecounty.us

Washoe County Sheriff, Regional Animal Services addressed emergency evacuation plan, veterinarian plan and yearly inspections if complaints are received.

- Bobby Smith, 775.353.8945, rsmith@washoecounty.us

Staff Comment on Required Findings

Section 110.810.30 of Article 810, *Special Use Permits*, within the Washoe County Development Code, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the request. Staff has completed an analysis of the special use permit application and has determined that the proposal is in compliance with the required findings as follows.

1. **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Spanish Springs Area Plan.

Staff Comment:

- *The proposed use is consistent with the goals and policies of the Spanish Springs Area Plan.*
- *The proposed use is compatible with the Rural Character Management Area (RCMA) of the Spanish Springs planning area, which includes an emphasis on equestrian uses.*

2. **Improvements.** That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

Staff Comment:

- *The proposed commercial stables will be developed to all county standards and will provide adequate improvements as applicable.*

3. **Site Suitability.** That the site is physically suitable for a commercial stable facility, and for the intensity of such a development.

Staff Comment:

- *The site is 40 acres, zoned General Rural, and has undulating topography that is advantageous for natural screening.*

4. **Issuance Not Detrimental.** That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

Staff Comment:

- *As conditioned, issuance of the permit will not be detrimental to the character of the surrounding area or to the public health, safety or welfare, or injurious to the property or surrounding adjacent properties.*

- *The project will be designed in such a way as to complement the large lot residential areas surrounding the subject site, and the equestrian nature of the Rural Character Management Area (RCMA) of the Spanish Springs planning area.*
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment:

- *There are no military installations in the surrounding area.*

Recommendation

After a thorough analysis and review, Special Use Permit Case No. SB13-018 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case No. SB13-018 for Dream Valley Stables, having made all five findings in accordance with Washoe County Development Code Section 110.810.30 and one additional finding in accordance with Section 110.418.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Spanish Springs Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for a commercial stable facility, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Appeal Process

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

Site Plan





Special Use Permit Purpose

The purpose of a Special Use Permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the Special Use Permit, that approval is subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

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

The Conditions of Approval for Special Use Permit Case No. SB13-018 are attached to this staff report and will be included with the Action Order.

xc:

Property Owner/Applicant: Don Gephart, 2940 Barranca Drive, Sparks, NV 89441.

Representative: Rubicon Design Group, LLC, Attn: Mike Railey, 100 California Avenue, Suite 202, Reno, NV 89509.



EXHIBIT A

Conditions of Approval

Variance Case No. SB13-018

The project approved under Variance Case No: SB13-018 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on October 3 2013. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes.

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

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

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

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

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

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

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

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District.**
- **Any conditions set by the District Health Department must be appealed to the District Board of Health.**
- **The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**

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

Washoe County Community Development

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

Contact Name – Sandra Monsalve, AICP, Senior Planner, 775.328.3608

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this Special Use Permit.
- b. The applicant shall submit complete construction plans and building permits shall be issued within three (3) years from the date of approval by Washoe County in order to accommodate all Phases of the proposed project. The applicant shall complete construction within the time specified by the building permits.
- c. A copy of the Action Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.
- d. The applicant and any successors shall direct any potential purchaser/operator of the special use permit to meet with the Planning & Development Department to review conditions of approval prior to the final sale of the special use permit. The subsequent purchaser/operator of the special use permit shall notify the Planning & Development Department of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

- e. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

- f. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- g. Prior to any ground disturbing activity, the applicant shall submit a landscaping design plan to the Planning and Development Department for review and approval. Said plan shall address all applicable landscaping and plant material, type and size of plants, maturation size at full growth, landscaping location, and landscaping irrigation system.
- h. All landscaping, irrigation and screening shall be completely installed and shall satisfy the requirements as set forth in the Washoe County Development Code prior to issuance of a Business License.
- i. The applicant shall revegetate all disturbed areas on the subject site with native vegetation, except those areas permanently stabilized by a structure; pavement or ornamental landscaping that provides 50% or greater coverage by living plant material. Temporary irrigation shall be provided to all disturbed areas for a time period of not less than three years.
- j. Disturbed areas left undeveloped for more than thirty (30) days must be revegetated by methods approved by the County Engineer.
- k. Prior to the issuance of any permits by the Building and Safety Department, the applicant shall provide the Planning and Development Department with a copy of an approved dust control permit issued by the Air Quality Management Division.
- l. The following **Operational Conditions** shall be required for the life of the business:
1. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
 2. Failure to comply with any of the conditions of approval shall render this approval null and void.

3. All landscaping and irrigation systems shall be maintained at all times to conform with the Landscaping Section of the Washoe County Development Code for the life of the business, including the replacement of dead plants, trees, shrubs and all ground cover as applicable.
4. This Special Use Permit shall remain in effect as long as the business is in operation, has complied with all conditions, and maintains a valid business license.
5. The hours of operation shall be as follows:
 - From 8:00 a.m. to Dusk, Monday through Sunday.
6. Shows and/or Events shall be prohibited under this Special Use Permit.
7. Off-site parking for daily use and/or weekend use shall be prohibited.
8. Any and all amplification associated with the facility shall be prohibited under this Special Use Permit.
9. If the operators of the stables facility should want to add lighting and/or amplification, or both to the commercial stable operation, an Amendment of Conditions to this Special Use Permit shall be processed prior to any and all installation of said equipment.
10. The commercial stable facility is limited to a maximum number of 50 horses as part of this Special Use Permit. If at any time in the future the applicant wishes to increase the number of horses to more than 50, an Amendment of Conditions to this Special Use Permit shall be processed and approved prior to increasing the overall number of horses.

Washoe County Engineering and Capital Projects Division - Land Development:

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

Contact Name – Leo Vesely, 775.328.2041

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, and slope stabilization. Silts shall be controlled on-site and shall not cross onto adjacent parcels.
- b. Natural drainages shall not be impeded by the development and use of the parcel. Natural drainage shall be perpetuated.
- c. Manure shall be controlled on-site and shall not be transported onto adjacent parcels via drainage runoff.

Washoe County Engineering and Capital Projects - Water Resources:

3. The following conditions are requirements of Water Resources, which shall be responsible for determining compliance with these conditions.

Contact Name: - John Cella, 775.954.4600

- a. Water rights in accordance with Article 422 of the Washoe County Developmental Code and the Spanish Springs Area Plan shall be dedicated to Washoe County prior to building permit and/or business license approval. The water rights must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use, and manner of use satisfactory to the DWR. The quantity of water rights necessary for dedication will be based on the number of horses boarded, irrigation demand, fixture unit counts, areas of pastures actively irrigated and any other features of this facility. The subject water rights will then be made available to the Applicant via a 99-year water lease agreement at no cost to the Applicant.
- b. In accordance with the applicable ordinances, all fees shall be paid prior to release of the Building Permit

Washoe County District Health Department - Vector

4. The following conditions are requirements of the District Health Department, which shall be responsible for determining compliance with these conditions.

Contact Name – Jim L. Shaffer, 775.785.4525

- a. All manure generated by domestic animals from the horse stables, corrals, graded horse arena, stable buildings as well as the mare motel facility shall be picked up and removed weekly (050.0150). The manure shall be stored in such a manner that there shall be no escape of odor, no attraction, harborage or breeding of vectors or vermin and no creation of nuisance (050.155). The emergence of flies will be eliminated through the timely pick up and storage of manure from becoming an annoyance to the adjacent residents.
- b. Contact District Health at 785-4599 on the 15th of May each year for an inspection of the above conditions until the project phasing is completed.

Washoe County District Health Department - Environmental Health

5. The following conditions are requirements of the District Health Department, which shall be responsible for determining compliance with these conditions.

Contact Name – Wesley Rubio, 775.328.2381

- a. Provide a solid waste management plan for the control and management of the additional manure/waste that will be created from the added horses as proposed. The plan must be reviewed and approved by the Washoe County Health District prior to project approval.
- b. State the expected number of persons (including staff and residents) anticipated to utilize the facility per month. Depending upon usage, you may be required to become a permitted public water system.
- c. If any proposed structures are to be equipped with water and/or bathroom facilities; additional restroom facilities will be required for persons at the facility to utilize. If restrooms are to be constructed, a septic plan must be submitted, reviewed and approved prior to issuance of building permits.

Washoe County Sheriff – Regional Animal Services

6. The following conditions are requirements of the Washoe County Sheriff – Regional Animal Services Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Bobby Smith, 775.353.8945

- a. The proposed facility shall abide by NRS 574 and WCC 55 pertaining to animals.
- b. An emergency evacuation plan shall be provided for animals during times of emergencies, natural or manmade.
- c. The applicant shall be required to provide a veterinarian plan for sick or injured animals.
- d. The applicant shall cooperate with the Animal Services Division for the scheduling of yearly inspection, or inspection on complaints, regarding animals at the facility.

*** End of Conditions ***



Administrative Permit Staff Report

Meeting Date: October 3, 2013

Subject: Administrative Permit Case No: AP13-004
Applicant(s): Keith and Jerlaine Ewing
Agenda Item No. 8C
Summary: To allow the construction of a detached accessory structure that is larger than the dwelling.
Recommendation: Approval with Conditions
Prepared by: Roger D. Pelham, MPA, Senior Planner
Washoe County Community Services Department
Division of Planning and Development
Phone: 775.328.3622
E-Mail: rpelham@washoecounty.us

Description

Administrative Permit Case No AP13-004 (Ewing Detached Accessory Structure) – To allow the construction of a detached accessory structure (40 feet by 75 feet in size or 3,000 square feet) that has a larger building footprint than the existing main dwelling of 1,993 square feet.

- Applicant/Property Owner: Keith and Jerlaine Ewing, 266 Woodston Way, Ben Lomond, CA 95005
- Location: 50 Clydesdale Drive, approximately 1,000 feet east of its intersection with Red Rock Road
- Assessor's Parcel No: 078-302-07
- Parcel Size: 10.16 acres
- Master Plan Category: Rural Residential
- Regulatory Zone: Low Density Rural
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Development Code: Article 808 – Administrative Permits
Article 306 – Accessory Uses and Structures
- Commission District: 5 – Commissioner Weber
- Section/Township/Range: Section 32, Township 24 North, Range 18 East

Staff Report Contents

Project Description 1
Administrative Permit Definition 3
Vicinity Map 4
Site Plan 5
Project Evaluation 6
North Valleys Citizen Advisory Board (NVCAB) 7
Reviewing Agencies..... 7
Recommendation 9
Motion 9
Appeal Process..... 9

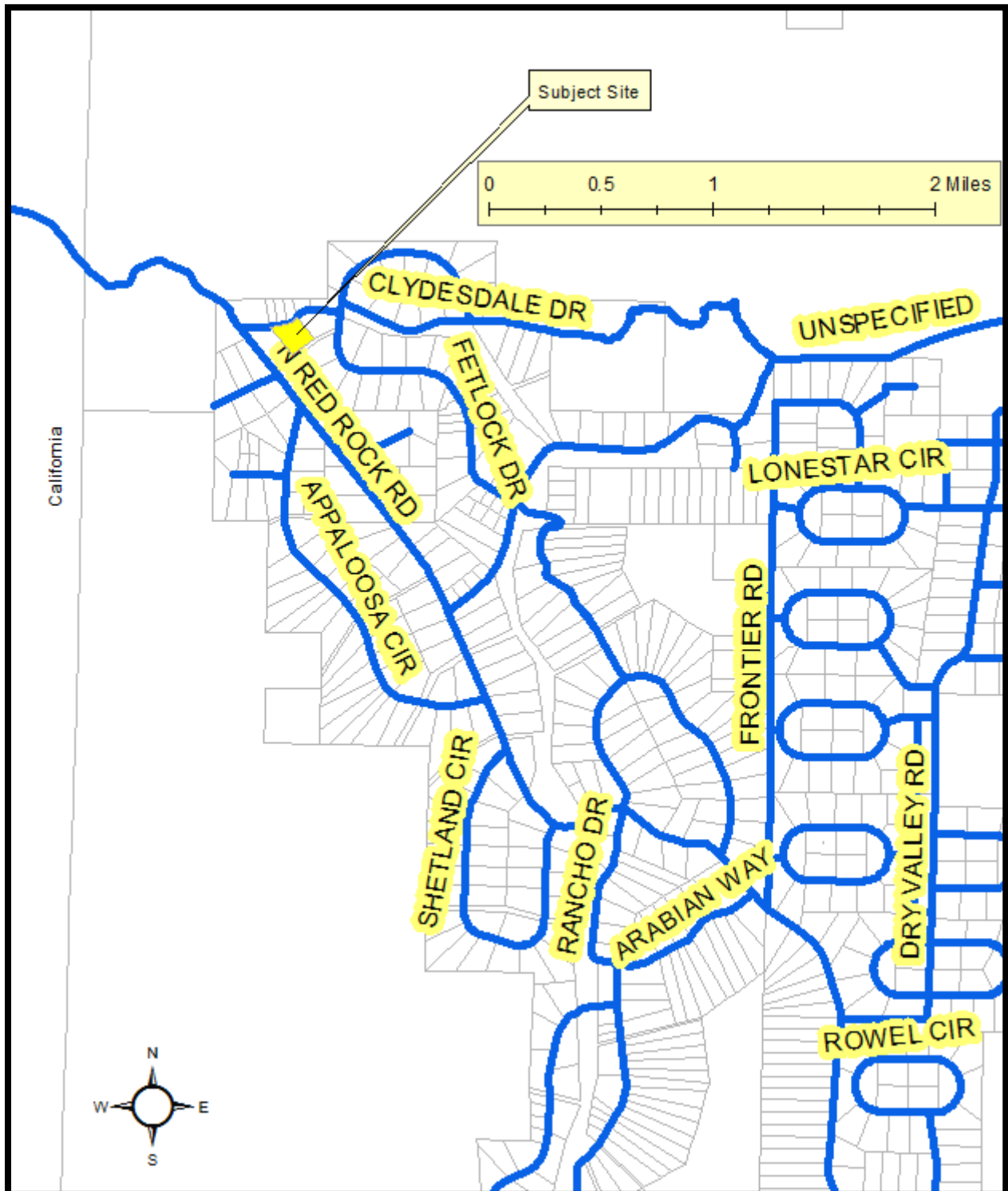
Exhibits Contents

Conditions of ApprovalExhibit A
Letter from applicant dated 8/27/13.....Exhibit B
Public Notice Exhibit C
Project Application Exhibit D
Public Works & Engineering MemoExhibit E

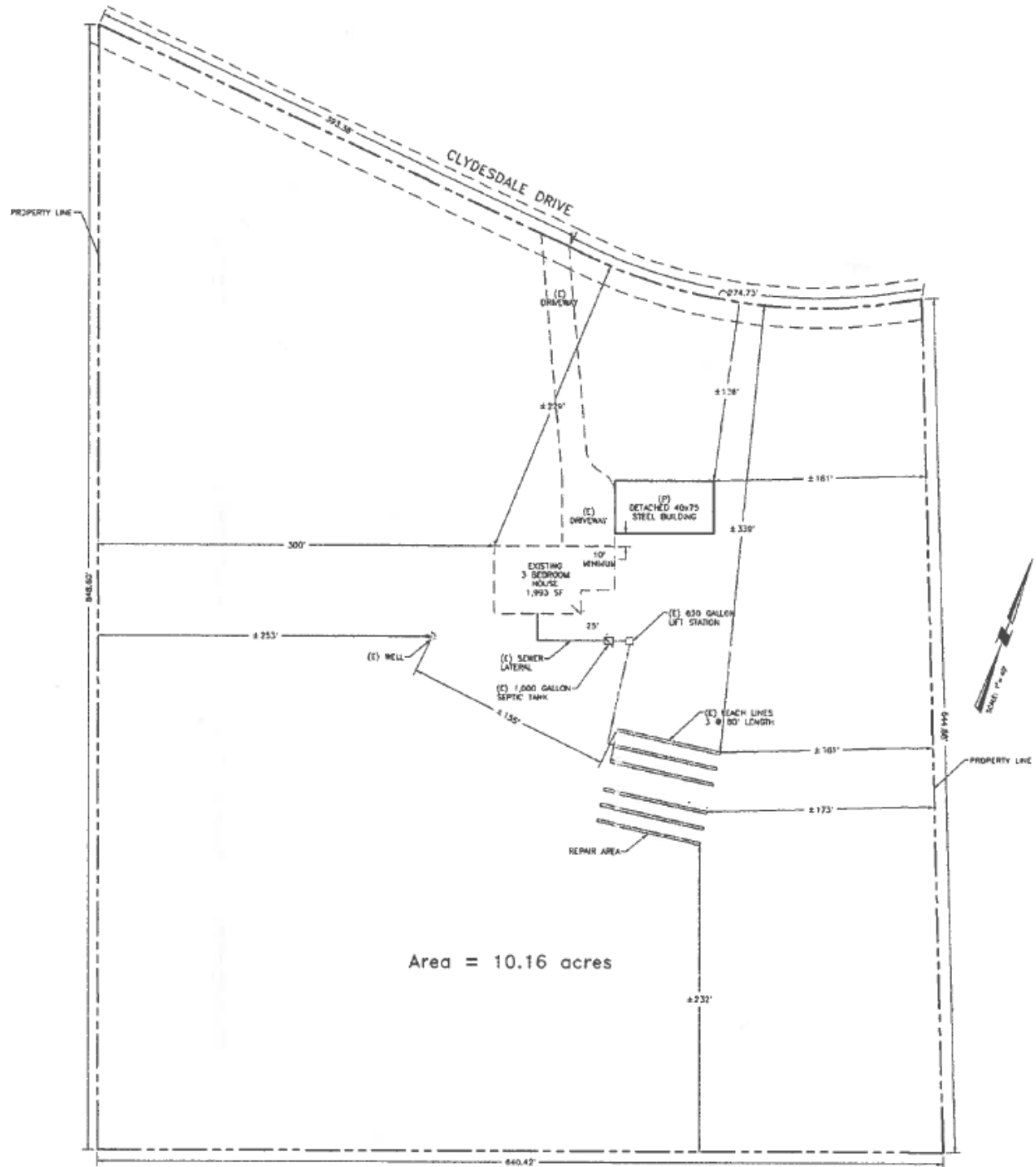
Administrative Permit Definition

The purpose of an Administrative Permit is to provide a method of review for a proposed use which possess characteristics that requires a thorough appraisal in order to determine if the use has the potential to adversely affect other land uses, transportation or facilities in the vicinity. The Board of Adjustment or the Hearing Examiner may require conditions of approval necessary to eliminate, mitigate, or minimize to an acceptable level any potentially adverse effects of a use, or to specify the terms under which commencement and operation of the use must comply. Prior to approving an application for an administrative permit, the Hearing Examiner or the Board of Adjustment must find that all of the required findings, if applicable, are true.

Conditions of Approval for Administrative Permit Case Number AP13-004 are attached to this staff report and will be included with the Action Order.



Vicinity Map



Site Plan

Project Evaluation

The applicant is requesting to construct a detached accessory structure that is larger than the main dwelling unit that currently exists on the subject parcel. The location of the project is fairly remote, being at the northern end of the Ranch Haven subdivision. In this rural area, comprised in large part of parcels of land ten acres and greater in size, there are many detached accessory structures on many parcels that are larger than the main dwellings. This request is not out of character with the surrounding area. The request, however, is for a metal building located in front of and to the side of the main dwelling. The structure will be prominently visible from the adjacent roadway, Clydesdale Drive. The Development Code at Section 110.306.10(d) requires that, "A proposal to establish a detached accessory structure that is larger (i.e. has more square footage or a larger building footprint) than the existing main structure shall require the approval of an Administrative Permit (pursuant to Article 808), to include review of building height and architectural compatibility with surrounding dwellings, prior to the issuance of a building permit."

The proposed height of the detached metal structure is approximately the same as the existing dwelling, being one story. Conditions of approval have been included to require that the colors of the proposed structure match those of the existing dwelling. There is, however, little that can be done to make the overall appearance of the proposed structure match the surrounding architecture. For that reason the applicant has submitted a voluntary condition of approval to plant trees surrounding the proposed structure. The trees will be planted at intervals of ten feet surrounding the proposed metal structure and will be evergreen trees of the same species as the existing trees that can be seen in the photos below, indicated by the yellow arrows.



There is a cargo container on the subject site. Cargo containers may be placed as a temporary use while there is an active building permit, or as a permanent detached accessory structure subject to compliance with specific Development Code requirements. Prior to a certificate of occupancy or final inspection for the proposed metal structure the applicant has agreed to either remove the cargo container or to obtain a permit in accordance with all applicable requirements.



Considering the required screening of the proposed metal building and the removal or screening of the Cargo Container, and the relatively large amount of space between the proposed metal building and the surrounding dwellings, it is the opinion of staff that the necessary findings for approval can be made, subject to the conditions of approval attached to this report.

North Valleys Citizen Advisory Board (NVCAB)

Administrative permits are not required by Washoe County Code to be presented at a Citizen Advisory Board meeting. The application materials were provided to the members of the North Valleys Citizen Advisory Board. No comments were received.

Reviewing Agencies

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

- Washoe County Community Services Department
 - Public Works and Engineering
 - Planning and Development
 - Traffic
 - Water Resources
 - Water and Sewer
- Washoe County Health District
 - Air Quality Management Division
 - Environmental Health Division
- Truckee Meadows Fire

Three out of the eight above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order

Washoe County Planning and Development addressed the visual mitigation measures that will be in effect for the life of the project.

Contact: Roger Pelham, 775.328.3622, rpelham@washoecounty.us

Washoe County Public Works and Engineering addressed the need for complete construction drawings.

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

Washoe County Health addressed the need for proper storage and disposal of any hazardous waste generated.

Contact: Wes Rubio, 775.328-2381, wrubio@washoecounty.us

Staff Comment on Required Findings

Section 110.808.25 of Article 808, *Administrative Permits*, within the Washoe County Development Code, requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before granting approval of the administrative permit request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the North Valleys of Area Plan.

Staff Comment: There are no policies in the Master Plan or the North Valleys Area Plan that are particularly applicable to the proposed structure. Detached accessory structures larger than the main dwelling are permissible, subject to the approval of an Administrative Permit.

2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

Staff Comment: The structure is proposed on to be constructed on a parcel that is currently served by a well, septic system and existing roads and driveways.

3. Site Suitability. That the site is physically suitable for a detached accessory structure larger than the dwelling, and for the intensity of such a development.

Staff Comment: The subject parcel is approximately 10 acres in size, the proposed structure is 3000 square feet in size, which constitutes a very small fraction of the total land area.

4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

Staff Comment: Large detached accessory structures are common in the surrounding area the addition of this structure will be in the character and scale of surrounding land uses.

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

Staff Comment: There is no military installation in the vicinity of the proposed detached accessory structure.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Administrative Permit Case No. AP13-004 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve Administrative Permit Case No. AP13-004 for Keith and Jerlaine Ewing, *having made all five findings in accordance with Washoe County Development Code Section 110.808.25:*

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the North Valleys Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for a detached accessory structure larger than the dwelling, and for the intensity of such a development.;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation; and

Appeal Process

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

xc: Applicant: Keith and Jerlaine Ewing, 266 Woodston Way, Ben Lomond, CA 95005

Representatives: Brodie Lewis, (775) 324-3511

Action Order xc: Gregory Salter, Esq., District Attorney's Office; Carol Buonanoma, Assessor's Office (CAAS); Theresa Wilkins, Assessor's Office; John Cella, Department of Water Resources; Leo Vesely, Engineering Division; Amy Ray, Truckee Meadows Fire Protection District; North Valleys Citizen Advisory Board, Chair.

EXHIBIT A



Conditions of Approval

Administrative Permit Case No. AP13-004

The project approved under Administrative Permit Case No: AP13-004 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on October 3, 2013. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

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

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

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

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

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

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

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

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District.**

Any conditions set by the District Health Department must be appealed to the District Board of Health.

- **The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**

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

Washoe County Planning and Development

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

Contact Name – Roger Pelham, 775.328.3622, rpelham@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this administrative permit.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe. The applicant shall complete construction within the time specified by the building permits.
- c. The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building permits) applied for as part of this administrative permit.
- d. The proposed structure shall match the main dwelling in color.
- e. Prior to the approval of a Certificate of Occupancy or Final Inspection evergreen trees, consistent with those existing on site, shall be installed every ten feet around the perimeter of the structure. Doors shall not be blocked by trees. At the time of planting all trees shall meet the minimum standards for size as required by section 110.412.60(h)(2) of the Development Code.
- f. Irrigation shall be provided to all required trees.
- g. Required trees shall be maintained and replaced as necessary as long as the building is in place.
- h. All exterior lighting on the subject site shall be shielded such that light is emitted downward only.

- i. A note shall be placed on all construction drawings and grading plans stating:

NOTE:

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

- j. The following **Operational Conditions** shall be required for the life of the development:
 1. This administrative permit shall remain in effect until or unless it is revoked or is inactive for one year.
 2. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Development Division.
 3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the administrative permit to meet with the Planning and Development Division to review conditions of approval prior to the final sale of the site and/or the administrative permit. Any subsequent purchaser/operator of the site and/or the administrative permit shall notify the Planning and Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

Washoe County Public Works and Engineering

2. The following conditions are requirements of Public Works and Engineering, which shall be responsible for determining compliance with these conditions.

Contact Name – Leo Vesely, 775.325.8032, lvesely@washoecounty.us

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, and slope stabilization. Silts shall be controlled on-site and shall not cross onto adjacent parcels.

Washoe County District Health Department

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

Contact Name – Wes Rubio, 775.328-2381, wrubio@washoecounty.us

Washoe County Conditions of Approval

- a. All vehicle waste and any waste generated that meets regulatory requirements for either hazardous waste and /or storage must be stored, maintained and / or disposed of according to all current regulatory requirements.

*** End of Conditions ***

Exhibit B

27 August 2013

Mr. Roger Pelham
Washoe County Building and Development
Reno, NV

Dear Mr. Pelham,

Thank you for the time you spent yesterday on the phone with me. Your insights and proposed adjustments for the new building at 50 Clydesdale rescued the project and put it back on track. This building has been a long term goal for my wife and myself and we look forward to completing it in a timely manner.

To that end, we propose the following adjustments to the site plan:

- 1) The color of the body, trim and roof of the residence will match the color of the steel building body, trim and roof. This will be accomplished by either painting the house to match the building or ordering the building painted to match the residence.
- 2) An agreement as to which way the color match will occur can be made at the 03 October hearing or earlier as needed by your organization.
- 3) In keeping with the existing landscaping of the property, drought resistant conifers will be planted on the property, surrounding the new structure at ten foot intervals around the entire building perimeter (except in front of the doors).
- 4) The cargo container will be removed from the property at the end of the building process or a new building permit will be pulled subsequently to formalize the pad and build a fence around the container.

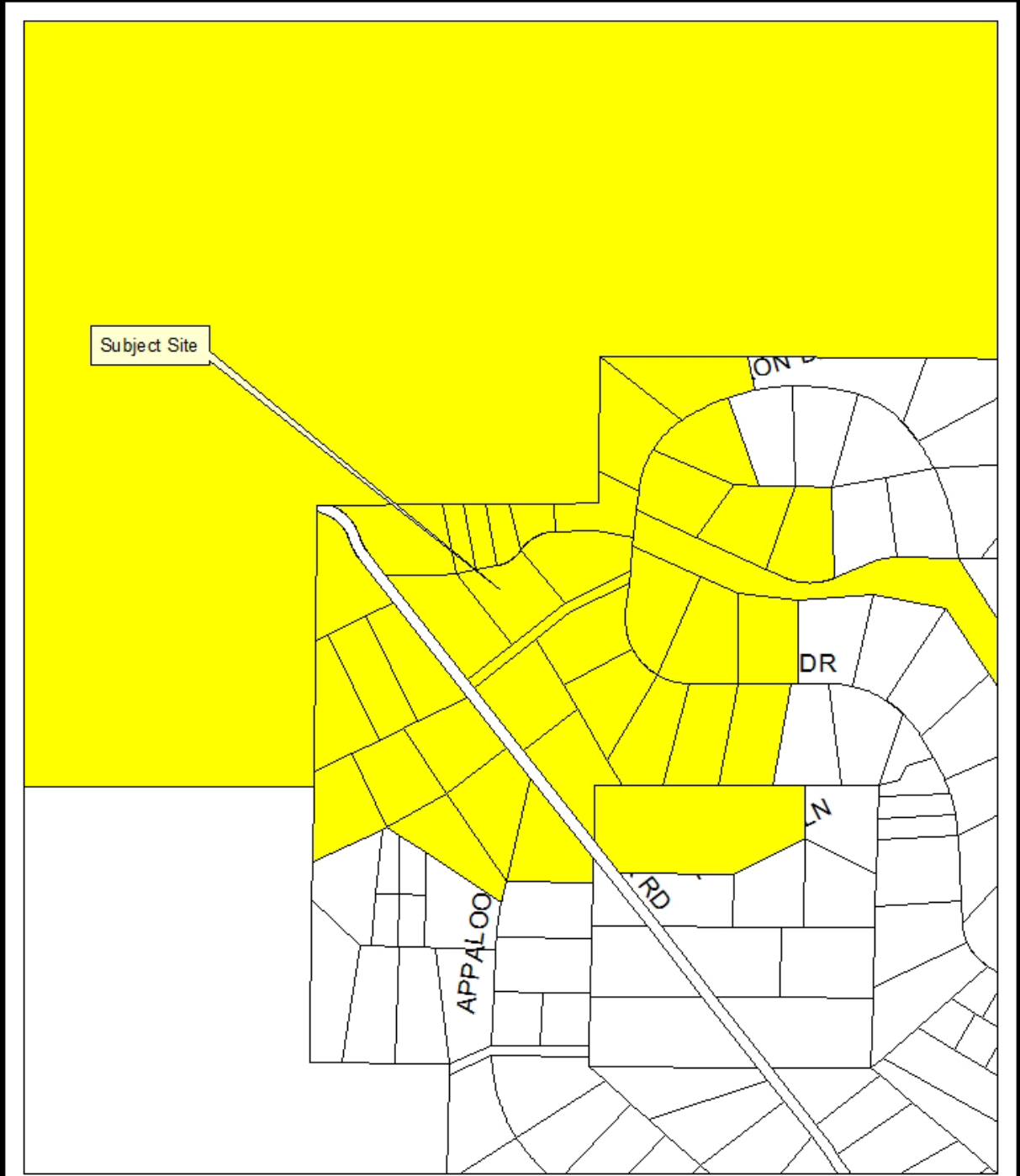
I believe this site plan amendment will satisfy the requirements we discussed. However if addition clarity or commitment is required, please contact me at your earliest opportunity. It has been a pleasure working with you and your department through this process, and I look forward meeting you at the October 3rd planning meeting.

Best regards,

Keith G. Ewing
50 Clydesdale Dr.
Reno, NV 89506

Mailing Address:
266 Woodston Way
Ben Lomond, CA 95005
831.246.1294 (cell)
keith.ewing@lmco.com
jerlaine@comcast.net

Exhibit C



Case No AP13-004
Ewing Detached Accessory Structure
39 Parcels selected at 2000 feet.

Source: Planning and Development

Mailing Label Map



Date: August 2013

**Department of
Community
Development**
**WASHOE COUNTY
NEVADA**
Post Office Box 11120
Reno, Nevada 89520
(775) 322-2600

EXHIBIT D

Washoe County Development Application

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

Project Information		Staff Assigned Case No.: <u>AP13-004</u>	
Project Name (commercial/industrial projects only):			
Project Description: <u>Antique automobile storage building</u>			
Project Address: <u>50 Clydesdale Drive. Reno, NV 89506</u>			
Project Area (acres or square feet): <u>3000 square feet</u>			
Project Location (with point of reference to major cross streets AND area locator): <u>North Red Rock Road, Record of Survey #687, Assessor's map # 078-30</u>			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
<u>APN 078-302-07</u>	<u>10.16</u>		
Section(s)/Township/Range: <u>Red Rock/Rancho Haven</u>			
Indicate any previous Washoe County approvals associated with this application:			
Case Nos. <u>BP 13-1843</u>			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: <u>Keith & Jerlaine Ewing</u>		Name: <u>Brodie Lewis (contractor)</u>	
Address: <u>266 Woodston Way</u>		Address:	
Zip: <u>95005</u>		Zip:	
Phone: <u>831.246.1294</u>	Fax:	Phone: <u>775 324 3511</u>	Fax:
Email: <u>keith.ewing@lmco.com</u>		Email:	
Cell: <u>831.246.1294</u>	Other:	Cell:	Other:
Contact Person: <u>Keith Ewing</u>		Contact Person: <u>Brodie Lewis</u>	
Applicant/Developer: <u>SAME</u>		Other Persons to be Contacted:	
Name: <u>Same</u>		Name:	
Address:		Address:	
Zip:		Zip:	
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s): <u>LDR</u>	

Administrative Permit Application Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to administrative permits may be found in Article 808, Administrative Permits.

1. What is the type of project or use being requested?

Type: Engineered steel building on a concrete slab.

Use : Dry storage of antique automobile collection

2. What currently developed portions of the property or existing structures are going to be used with this permit?

None, The building site is a graded level open area adjacent to the house.

3. What improvements (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?

None, The building itself will provide basic , dry storage for the collection.
Appropriate drainage will be accommodated.

4. What is the intended phasing schedule for the construction and completion of the project?

Following the slab pour, the building will be completed within six weeks.

5. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

The remoteness of the home site and low impact nature of the collection, is ideally suited for this building application.

6. What are the anticipated beneficial aspects or effects your project will have on adjacent properties and the community?

The benign nature of this low impact building fits in well with the existing storage/barn buildings in the area. The low roof line (14') is in line with the existing home roof height.

7. What will you do to minimize the anticipated negative impacts or effects your project will have on adjacent properties?

I currently see no negative effects on adjacent properties and have kept my close neighbor informed of the project. He is an adamant supporter of the project.

8. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the administrative permit to address community impacts

I see no conditions that would impact the community any more than a residential garage would impact the community.

9. How many improved parking spaces, both on-site and off-site, are available or will be provided? (Please indicate on site plan.)

No additional parking spaces are envisioned, since this is the job the building is intended to serve.

10. What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)

Existing tree line property surround will disguise the north face of the building from Clydesdale road.

11. What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)

The basic, dry storage characteristics of this building will not require lighting or landscaping as any sand colored, steel building in the area. Adequate lighting is provided from the house for security in this remote homesite.

12. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the administrative permit request? (If so, please attach a copy.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

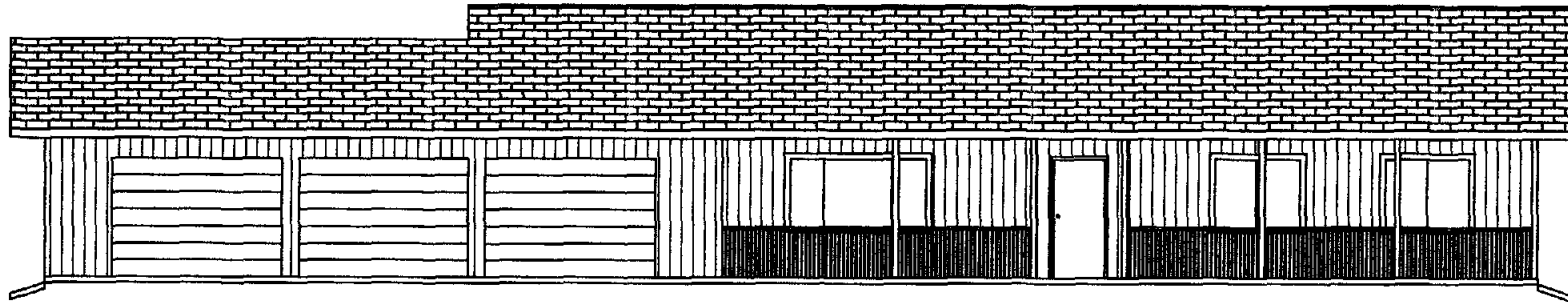
13. Utilities:

a. Sewer Service	Septic
b. Water Service	Domestic well

For most uses, the Washoe County Code, Chapter 110, Article 422, Water and Sewer Resource Requirements, requires the dedication of water rights to Washoe County. Please indicate the type and quantity of water rights you have available should dedication be required:

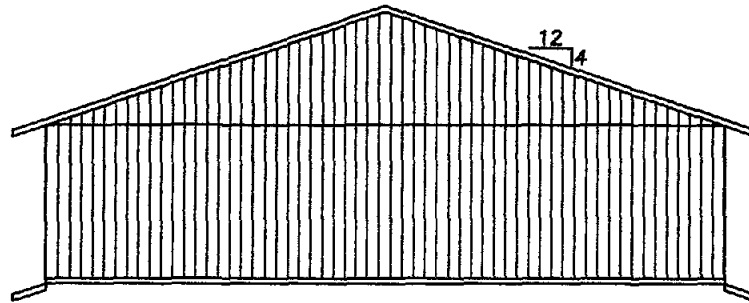
c. Permit #	well	acre-feet per year	
d. Certificate #		acre-feet per year	
e. Surface Claim #		acre-feet per year	
f. Other, #		acre-feet per year	

i. Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources):



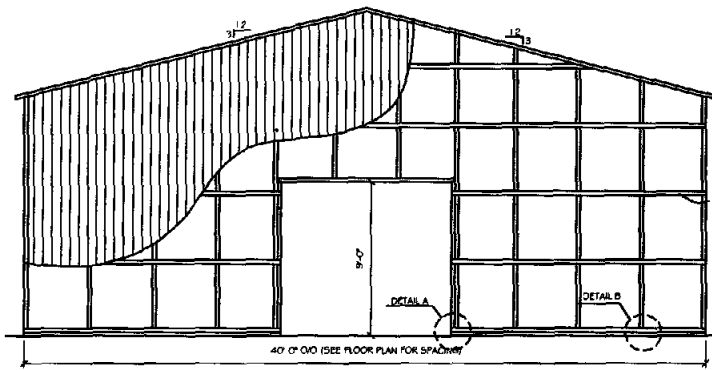
FRONT ELEVATION - EXISTING HOME
SCALE 1/8"=1'-0"

KEITH EWING
FRONT ELEVATION - EXISTING HOME
40x75x10 STEEL BUILDING

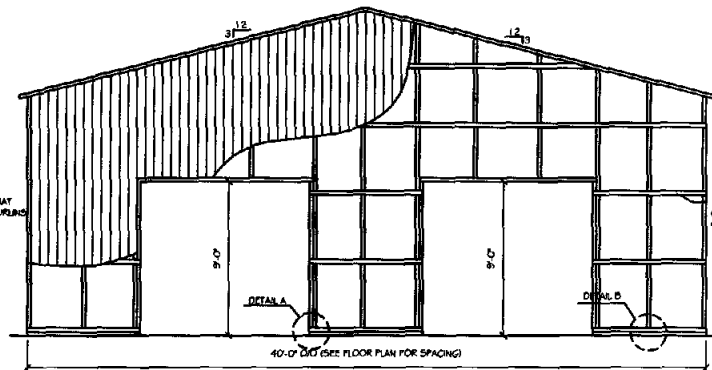


SIDE ELEVATION - EXISTING HOME
SCALE 1/8"=1'-0"

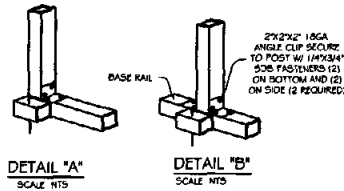
KEITH EWING
SIDE ELEVATION - EXISTING HOME
40x75x10 STEEL BUILDING



BACK END WALL
SCALE: NTS

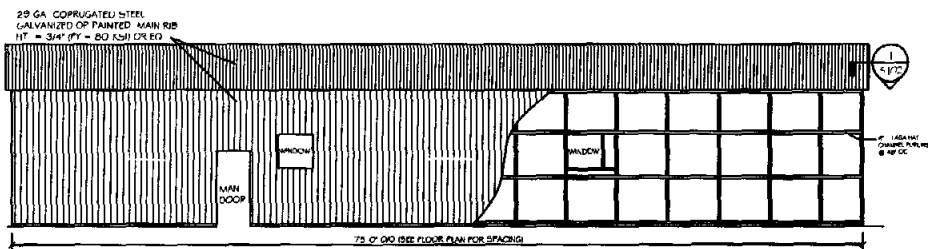


FRONT END WALL
SCALE: NTS

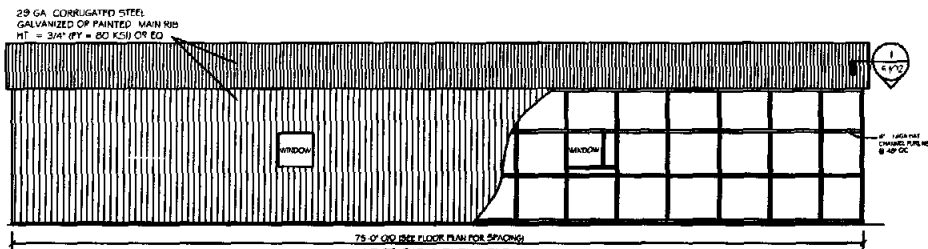


DETAIL "A"
SCALE: NTS

DETAIL "B"
SCALE: NTS



RIGHT SIDE ELEVATION
SCALE: NTS



LEFT SIDE ELEVATION
SCALE: NTS

PROJECT DESC:
KEITH G EWING
50 CLYDESDALE WAY
RENO, NV 89508

REVISION	DESCRIPTION	DATE	BY
	ISSUE FOR PERMIT	2/28/2013	CA
REVISION	DESCRIPTION	DATE	BY
REVISION	DESCRIPTION	DATE	BY
DRAWN BY	LAK	DATE	5/
DESIGNED BY	JLAP	DATE	5/
DATE RECALCULATED	DATE	DATE	5/
	CA	2/28/2013	

PROJECT NO: 201-13-0180

DRAWING TITLE: **FRAMING, FLOOR PLAN, ELEVATIONS, FOUNDATION, & DETAILS**

DRAWING NO: S-101

3 WORKING DAYS BEFORE YOU DIG
CALL TOLL FREE NUMBER MISS UTILITY

NOTE: FIELD MEASUREMENTS ARE VITAL TO THIS PROJECT. CONTRACTORS ARE TO FIELD VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS RELATING TO EXISTING CONSTRUCTION FOR ALL PHASES OF THIS PROJECT.



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Engineering and Capital Projects Division

Exhibit E

"Dedicated to Excellence in Public Service"

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

INTEROFFICE MEMORANDUM

DATE: September 13, 2013
TO: Roger Pelham, Planning and Development Division
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division
SUBJECT: **AP13-004**
APN 078-302-07
EWING DETACHED ACCESSORY STRUCTURE

I have reviewed the referenced administrative permit case and recommend the following condition:

1. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, and slope stabilization. Silts shall be controlled on-site and shall not cross onto adjacent parcels.

LRV/lrv



Board of Adjustment Staff Report

Meeting Date: October 3, 2013

Subject: Special Use Permit Case No: SB13-019
Applicant(s): Sidney Thomas Van Assche
Agenda Item No. 8D
Project Summary: To allow conversion of an existing structure to an accessory dwelling.
Recommendation: Approval with Conditions
Prepared by: Roger D. Pelham, MPA, Senior Planner
Planning & Development Division
Washoe County Community Services Department
Phone: 775.328.3622
E-Mail: rpelham@washoecounty.us

Description

Special Use Permit Case No SB13-019 (Van Assche Detached Accessory Dwelling) – To allow the conversion of an existing structure of approximately 568 square feet into a detached accessory dwelling on a parcel with an existing main dwelling of 1,048. Detached accessory dwellings are limited to 50% of the size of the main dwelling and thus can only be approved at a maximum of 524 square feet.

- Applicant / Property Owner: Sydney Thomas Van Assche, 5245 Honeybear Drive, Sun Valley, NV 89433
- Location: 5245 Honey Bear Drive, approximately 300 feet west of its intersection with Lupin Drive.
- Assessor's Parcel No: 085-081-01
- Parcel Size: 14,039 square feet
- Master Plan Category: Suburban Residential
- Regulatory Zone: Medium Density Suburban
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Article 306, Accessory Uses and Structures and Article 810, Special Use Permits
- Commission District: 3 – Commissioner Jung
- Section/Township/Range: Section 19, Township 20N, Range 20E

Staff Report Contents

Project Description 1
Special Use Permit 3
Vicinity Map 4
Site Plan 5
Project Evaluation 6
Sun Valley Citizen Advisory Board (SVCAB)..... 6
Reviewing Agencies..... 6
Recommendation..... 8
Motion 8
Appeal Process..... 8

Exhibits Contents

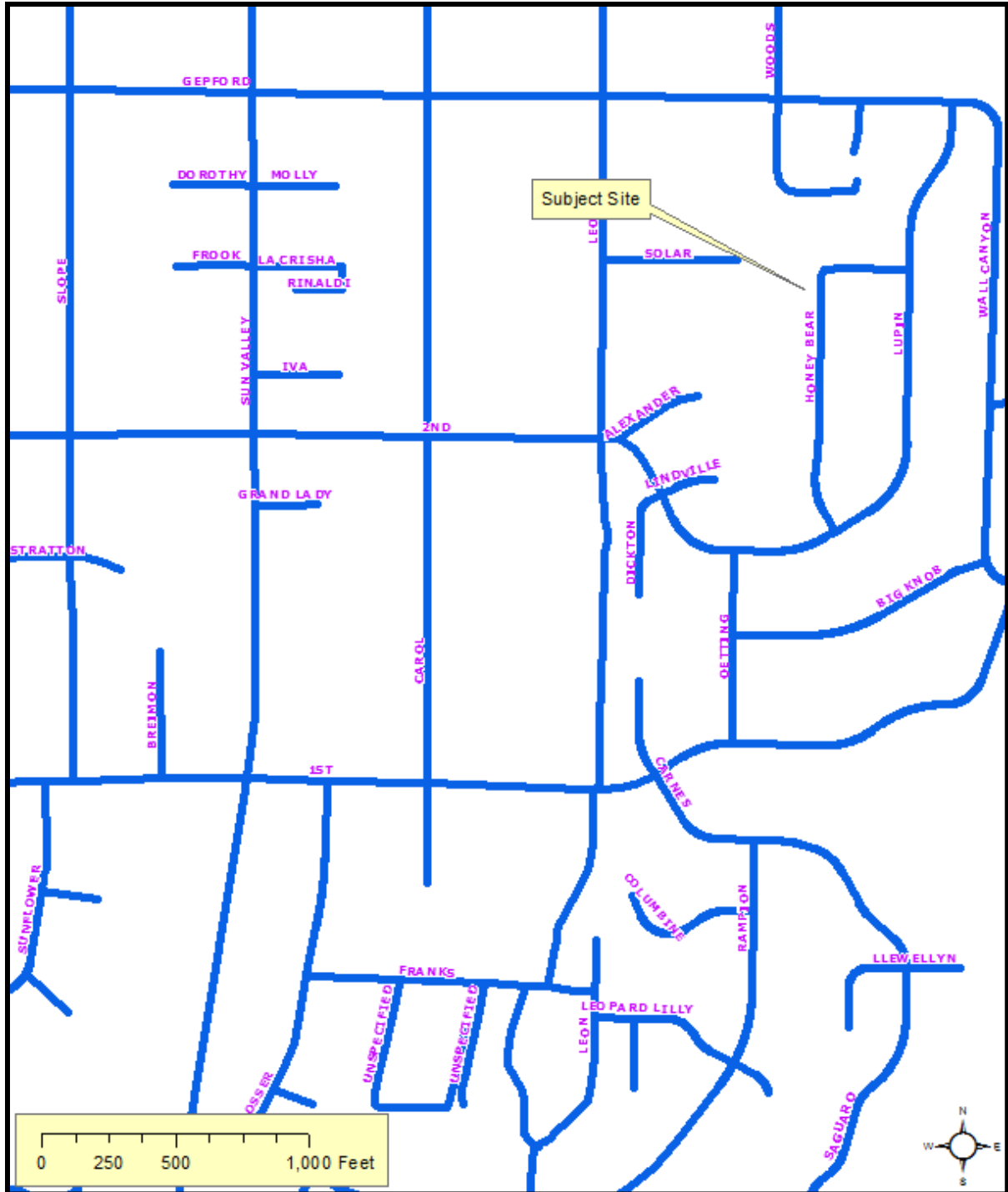
Conditions of Approval.....Exhibit A
Sun Valley GID letter and rulesExhibit B
Public Works, Engineering Division Memo Exhibit C
Public Notice Map Exhibit D
Project ApplicationExhibit E

Special Use Permit

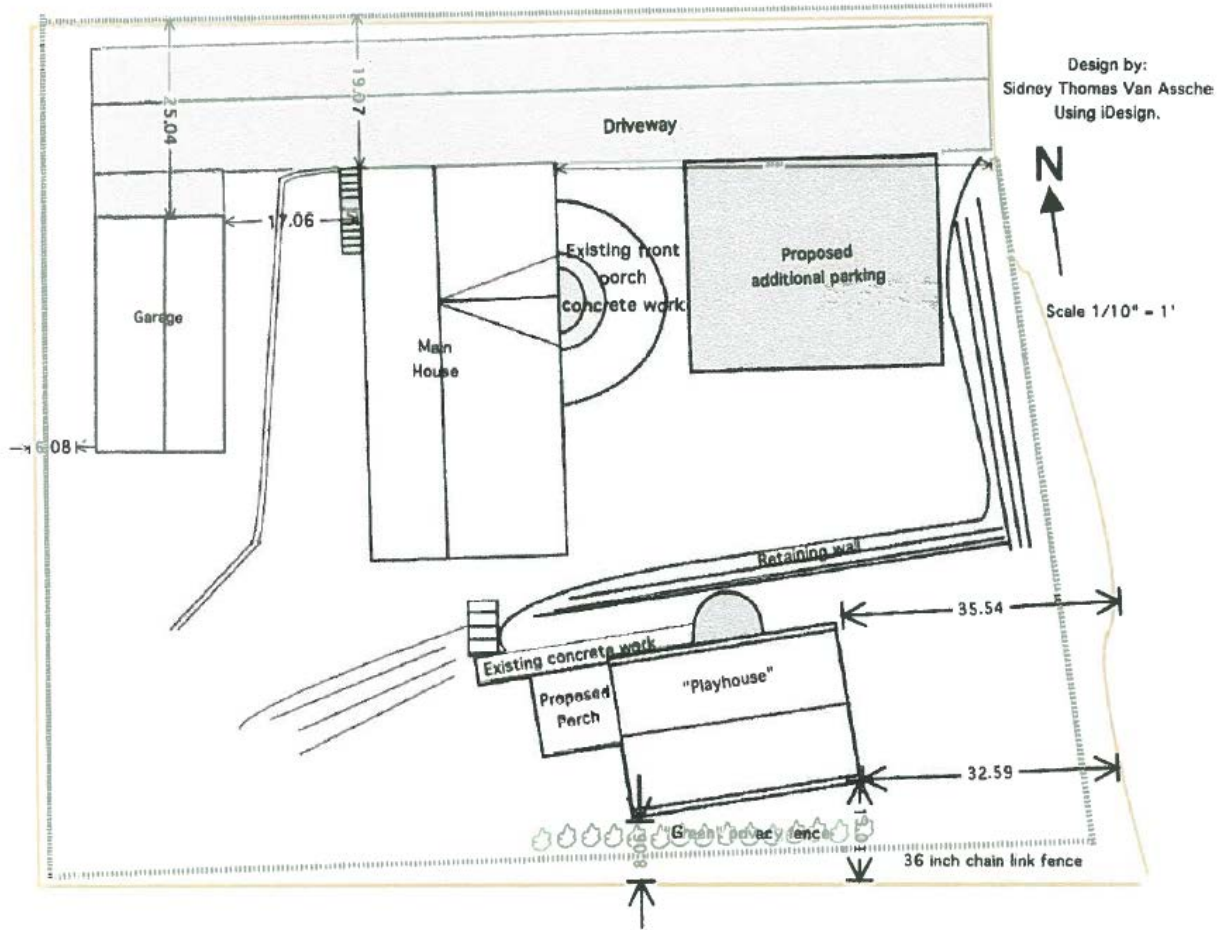
The purpose of a Special Use Permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the Special Use Permit, that approval is subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

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

The Conditions of Approval for Special Use Permit Case No. SB13-019 are attached to this staff report and will be included with the Action Order.



Vicinity Map



Site Plan

Project Evaluation

The applicant has requested a special use permit to allow the conversion of an existing detached accessory structure or “playhouse” into a detached accessory dwelling. The critical difference between a structure and a dwelling is that a dwelling has everything necessary for complete and independent living including a kitchen and bathroom. Detached accessory dwellings (DAD) are permissible in the Medium Density Suburban zone, subject to the approval of a special use permit by Washoe County.

There are size limitations applicable to the approval of a DAD in this zone. In the Medium Density Suburban (MDS) Regulatory Zone, the detached accessory dwelling unit shall not exceed eight hundred (800) square feet or fifty (50) percent of the total square footage of the main dwelling unit, whichever is smaller [Development Code Section 110.306.15(a)(2)]. The existing structure is 568 square feet the existing main dwelling is 1,048 square feet. Because detached accessory dwellings are limited to 50% of the size of the main dwelling and thus can only be approved at a maximum of 524 square feet. A condition of approval has been included to require that space within the existing structure be permanently walled off such that it cannot be utilized thereby reducing the size of the dwelling to 524 square feet or less.

The structure matches the main dwelling. There is sufficient parking on site. There are few additional impacts that may be created by utilizing the structure as a dwelling. The site plan shows that the structure is just over eight feet from the property line. A condition of approval has been included to require a survey to confirm that all required setbacks for a dwelling have been met.

Building permits are required to ensure that all improvements within the structure will meet current building code requirements for a dwelling.

Sun Valley Citizen Advisory Board (SVCAB)

The Sun Valley CAB did not hold a public hearing during the review period for this application, however, the application for the proposed project was provided to all members of the Citizen Advisory Board. Individual comments or concerns were requested. No comments were received by Staff.

Reviewing Agencies

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

- Washoe County Community Services Department
 - Planning and Development
 - Building and Safety
 - Public Works and Engineering
 - Water Resources
- Washoe County Health District, Air Quality Management
- Truckee Meadows Fire Protection District

- Regional Transportation Commission
- Sun Valley General Improvement District

Three out of the eight above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order

- Washoe County Planning and Development addressed the size of the dwelling and the exterior color and style.
Contact: Roger Pelham, 775.328.3622, rpelham@washoecounty.us
- Washoe County Building and Safety noted that the applicant must obtain all necessary building permits to upgrade the structure.
Contact: Don Jeppson, 775.328.2030, djeppson@washoecounty.us
- Washoe County Engineering and Public Works addressed the requirement for a regional road impact fee for the new dwelling.
Contact: Leo Vesely, 775.325.8032, lvesely@washoecounty.us
- Sun Valley General Improvement District addressed the applicable rules and fees associated with water and sewer connections to a new detached accessory dwelling.
Contact: Mike Ariztia, 775.673.2253, mariztia@svgid.com

Staff Comment on Required Findings

Section 110.810.20 of Article 810, *Special Use Permits*, within the Washoe County Development Code, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the request. Staff has completed an analysis of the special use permit application and has determined that the proposal is in compliance with the required findings as follows.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Sun Valley Area Plan.

Staff Comment: There are no action programs, policies, standards and maps of the Master Plan and the Sun Valley Area Plan that are particularly applicable to the establishment of a detached accessory dwelling. The use is permissible with the approval of a special use permit according to the Development Code.

2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

Staff Comment: The detached accessory dwelling will be provided with all necessary utilities by the Sun Valley GID and NV Energy.

3. Site Suitability. That the site is physically suitable for a detached accessory dwelling, and for the intensity of such a development.

Staff Comment: The structure exists at this time and will require only interior remodeling to become a dwelling.

4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

Staff Comment: The structure exists at this time and will require only interior remodeling to become a dwelling. No additional impact upon the surrounding area is anticipated.

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

Staff Comment: There is no military installation in the vicinity of the proposed detached accessory dwelling.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Special Use Permit Case No. SB13-019 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Special Use Permit Case No. SB13-019 for Sidney Van Assche, having made all five findings in accordance with Washoe County Development Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Sun Valley Area Plan.
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.
3. Site Suitability. That the site is physically suitable for a detached accessory dwelling, and for the intensity of such a development.
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area, and
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Appeal Process

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

xc: Applicant: Sidney Thomas Van Assche, 5245 Honeybear Drive, Sun Valley, NV 89433

Action Order xc: Gregory Salter, Esq., District Attorney's Office; Carol Buonanoma, Assessor's Office (CAAS); Theresa Wilkins, Assessor's Office; John Cella, Department of Water Resources; Leo Vesely, Engineering Division; Amy Ray, Truckee Meadows Fire Protection District; Sun Valley Citizen Advisory Board, Chair.

EXHIBIT A



Conditions of Approval

Special Use Permit Case No. SB13-019

The project approved under Special Use Permit Case No: SB13-019 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on October 3, 2013. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes.

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

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

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

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

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

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

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

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District.**

Any conditions set by the District Health Department must be appealed to the District Board of Health.

- **The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**

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

Washoe County Planning and Development Division

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

Contact Name – Roger Pelham, 775.328.3622, rpelham@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning & Development Division shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning & Development Division.
- c. The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- d. Building permits for interior remodel of the structure shall comply with all applicable building codes to ensure safe conversion of the structure to a dwelling.
- e. Final building plans shall show that space within the existing structure will be permanently walled off such that it cannot be utilized thereby reducing the size of the dwelling to 524 square feet or less.
- f. Final building plans shall include a site plan based upon a survey conducted by a professional land surveyor, licensed in the State of Nevada and shall show that all required setbacks for the Medium Density Suburban zone have been complied with. The site plan shall be wet-stamped.
- g. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

- h. The following **Operational Conditions** shall be required for the life of the development:
1. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
 2. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning & Development Division.
 3. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning & Development Division to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning & Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
 4. The main dwelling unit and the detached accessory dwelling unit shall always be maintained in the same exterior colors and roofing materials.

Washoe County Public Works and Engineering Division

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

Contact Name – Leo Vesely, 775.325.8032, lvesely@washoecounty.us

- a. The Regional Road Impact Fee will be required for the accessory dwelling. The additional fee shall be charged at the multi-family rate.

Washoe County Building and Safety

3. The following conditions are requirements of Washoe County Building and Safety, which shall be responsible for determining compliance with these conditions.

Contact Name – Don Jeppson, 775.328.2040, djeppson@washoecounty.us

- a. Prior to any interior remodeling of the structure the applicant shall obtain all necessary building permits to upgrade the structure to a dwelling.

*** End of Conditions ***

EXHIBIT B



Sun Valley General Improvement District
5000 Sun Valley Boulevard
Sun Valley, NV 89433-8229
Phone: (775) 673-2220
Fax: (775) 673-1836

September 11, 2013

Community Services Department
Planning & Development
Attn: Roger D. Pelham, MPA, Senior Planner
1001 E. Ninth St.
Reno, NV 89512

RE: SB13-019 – Van Assche Detached Accessory Dwelling

Dear Mr. Pelham,

I have reviewed the request by applicant Sydney Thomas Van Assche at 5245 Honeybear Dr., Sun Valley, NV. to allow for the conversion of an existing structure into a detached accessory dwelling. Sun Valley General Improvement District would require the detached accessory dwelling to comply with the adopted Sun Valley G.I.D. Tariff Rule 21 Water Service Rules, Fees, Charges and Rates and Tariff Rule 22 Sewer Service Rules, Rates, Fees, Charges and Rates.

Rule 21; subsection ID2; "The water service line to service an Attached Accessory Dwelling shall be an extension of the service line servicing the main residence. The water service line to service a Detached Accessory Dwelling shall be a separate service line, with a separate and independent tap into the water main, with its own water meter, and all inspections thereof shall be made and fees therefore shall be paid, as with new constructions." The current Water Facility Charges are \$11,244.00 per connection and that does not include District's construction costs to run the water service to the property line and set the meter.

Rule 22; subsection IG1; "The sewer service line to service an Attached Accessory Dwelling shall be an extension of the service line servicing the main residence. The sewer service line to service a Detached Accessory Dwelling shall be a separate sewer line, with a separate and independent tap into the sewer main, and all inspections thereof shall be made and fees therefore shall be paid, as with new constructions." The current Sewer Facility Charges are \$6,340.00 per connection and that does not include any construction costs associated with connecting the new dwelling into the sewer system.

Should you have any questions regarding this letter, please feel free to contact me at your convenience.

Sincerely,

SUN VALLEY G.I.D.



Mike Ariztia
Public Works Director
Office (775)673-2253 Fax (775)673-7708

Encl: Sun Valley General Improvement District; Rule 21 & Rule 22

RULE NO. 21

WATER SERVICE RULES, FEES, CHARGES AND RATES

I. METERED WATER RATES, FEES AND CHARGES

In addition to any fees, charges or rates established in the preceding Rules, the following shall apply as to water service:

A. AVAILABILITY OF WATER SERVICE:

Water service is available from the District to Customers for real property within the service area and legal boundaries of the Sun Valley General Improvement District, per the Rules and/or Regulations of the Sun Valley General Improvement District.

In addition to compliance with all other standards for granting applications for connections, all applicants whose property was annexed after 1990 shall be required to assign to the District water rights necessary to meet the projected water demand of the applicant's project, as required by the District's water rights policy.

B. APPLICABILITY OF WATER RULES, RATES, FEES AND CHARGES:

The rules, fees and rates established in the Rules are applicable to all customers or owners of property connected to the water system owned, operated or controlled by the District, and to all Applicants desiring or being mandated by law to become so connected.

In addition, this Rule is applicable to Truckee Meadows Water Authority or any successor entity as follows: Truckee Meadows Water Authority is required to furnish to the District in written form on a monthly basis the results of all water meter readings on all multiple family residential dwellings located within the area south of the District which is served by that sewer capacity leased by the District to the County of Washoe.

C. RATES, FEES AND CHARGES:

1. Service Charge - For properties connected to the District's water system, the minimum charge for service only shall be as follows:

<u>Service Connection</u>	<u>Per Meter - Per Month</u>
3/4"	\$20.23
1"	\$22.25

TARIFF SCHEDULE
 SUN VALLEY GENERAL IMPROVEMENT DISTRICT
 DATE ISSUE: January 28, 2010
 LAST REVISED: May 12, 2009

1-1/2"	\$26.27
2"	\$26.84
3"	\$33.48
4"	\$49.79
6"	\$55.61

2. Additional Consumption Charge - For each 1,000 gallons of water consumed per month, as shown by the Customer's water meter, the consumption charge shall be **\$2.34** per 1,000 gallons per month.
3. Unit Charge, Where Applicable - For each unit in excess of one (1) unit served from a single metered service connection, the unit charge shall be **\$20.23**.
4. Nevada law creates a Western Regional Water Commission to plan for and manage the supply and quality of water, the collection and treatment of sewage, and the drainage and alleviation of excessive surface water among other things. Pursuant to such statutes an additional fee at a rate of 1.5% percent of the amount billed only on the base rate, applicable unit charge and gallons consumed (water only is to be billed by each supplier of water to its customers within the region. As a supplier of water, the District hereby imposes this charge as well. This charge will be stated separately on the water bill and dispersed for use by such Western Regional Water Commission.
5. Minimum Charge - The minimum monthly charge for service shall be the sum of Rate 1, Service Charge plus the applicable charges calculated in Rate 3, Unit Charge, and additional fee imposed in Rate 2 and 4.
6. Emergency Service Fees - In the event that a Customer or property owner requests District personnel to inspect and/or repair water service and it is, upon such inspection or repair, determined by such District personnel that the cause of the need for such inspection or repair was not the responsibility of the District (i.e., frozen pipes, etc.) then there shall be added to the monthly bill for the premises a minimum charge of **\$30.00** for such services supplied after normal District working hours. (See Rule 23 as to charges over and above those noted)

D. A Customer applying for service to an Attached Accessory Dwelling or a Detached Accessory Dwelling, as defined in Rule No. 1 shall comply with the following conditions before service is supplied:

1. The Customer must apply for and receive a "Will Serve" letter from the District.
2. The water service line to service an Attached Accessory Dwelling shall be an extension of the service line servicing the main residence. The water service line to service a Detached Accessory Dwelling shall be a separate service line, with a separate and independent tap into the water main, with its own water meter, and all inspections thereof shall be made and fees therefore shall be paid, as with new construction.

E. INFIRM CARE UNITS

A customer applying for service to an infirm care unit, as defined in Rule No. 1, must comply with the following conditions before service is supplied:

1. The customer must first apply for and receive a permit from Washoe County for the occupancy of such infirm care unit.
2. The customer shall then apply, on a District-provided form, for temporary occupancy of the infirm care unit in the District. Such District form shall require, and the customer, by making such application, does agree that:
 - (a) Suitable medical documentation supporting the need for the infirm care until must be supplied with the application;
 - (b) All provisions of the District Rules and/or Regulations for water service to a residential unit must be met, except for the provision of a water meter to such unit, except as discussed below. These provisions include the application of all District inspection and approval of water service lines to the unit prior to occupancy.
 - (c) The property owner must either be the caregiver for an immediate family member, or the actual infirm person;
 - (d) The infirm care unit may not be transferred to another individual and/or property.
 - (e) Any approval of such unit is automatically cancelled upon any transfer of ownership of the real property, upon which the unit is located, unless the District's approval is first obtained.
 - (f) District staff, on initial approval, and the Board of Trustees on any subsequent renewal, may make any additional conditions to approval of the unit as are required in the particular circumstances of the infirm care situation.

3. All infirm care units are strictly temporary in nature, and continued occupancy thereof is not permanent or guaranteed by the District. If approved by District staff, the initial approval expires on the date Six (6) months from the date of issuance. If renewal of the approval of the infirm care unit is desired by the customer, prior to such expiration the customer shall request to be placed on the agenda for a regular meeting of the Board of Trustees to consider such renewal. At the time of the meeting, customer shall supply a new set of medical documentation supporting the need for the continuation of the infirm care unit. The Board of Trustees, in its sole discretion, and whether or not such medical documentation is supplied, may for any legal reason approve or disapprove the renewal of the unit for an additional period of Six (6) months from the date of expiration of the initial approval. Thereafter, the same process must be followed by customer every Six (6) months from renewal of the unit until the unit is no longer in use.
4. Customer shall pay, on a monthly basis, the following fees for each month, or part thereof, for the occupancy of such infirm care unit:
 - (a) The additional unit charge set forth in paragraph C3 of this rule, as it may be changed from time to time.
 - (b) In lieu of all other fees beside the additional unit charge above, the amount of \$25.00 per month, up to a maximum of \$2,500.00 in accumulated payments of \$25.00 per month. After such \$2,500.00 has been paid, no additional \$25.00 monthly payments need to be made.
 - (c) At the conclusion of the occupancy of the unit, there shall be no refunds sought or given for fees paid to the District under this rule.
5. The District reserves the right, at its own cost and expense, and at any time, to place a water meter of its choice at any suitable location of its choice, to read and measure the amount of water being utilized in such infirm care unit. By application for such infirm care unit, customer gives the District the right to come onto the property of customer to install, read, maintain and remove such meter.
6. It is a violation of these Rules and/or Regulations for any customer to utilize an unapproved infirm care unit or to use an infirm care unit as a rental or otherwise to produce income there from. In the event of a disapproval of the continuation of the unit by the Board, the unit must be vacated by any occupant thereof within Ten (10) days of disapproval. In the event any such occupant does not vacate the unit within that time, or in the event of a use of the unit in violation of these

Rules and/or Regulations, the District may immediately thereafter, on Five (5) days written notice, take such steps as are necessary to stop the occupancy of such unit, including but not limited to, discontinuance of water service to the entire subject property of customer.

F. NON-TAXPAYING CUSTOMERS:

During any period of time that a Customer of the District is exempt, as a matter of law, from payment of ad valorem taxes, the Service Charge in Paragraph C 1 above shall be increased by a percentage determined as follows:

Total District revenues from ad valorem property taxes shall be calculated as the numerator of a fraction, which has as its denominator total District revenues from all sources. That fraction shall be converted to a percentage. This percentage increase shall apply equally to all sizes of service connection to such exempt properties. These percentages shall be adjusted and determined from time to time as the Board of Trustees of the District may see fit.

In the event that the District determines that a non-taxpaying customer has or will provide other consideration or services to the District or its customers which consideration or service is substantially equal to or greater than the money to be derived from the foregoing percentage service charge increase, the Board of Trustees of the District may, in its sole discretion, waive the foregoing percentage increase charge set out in this paragraph.

G. SPECIAL CONDITIONS:

1. For the purposes of computing the unit charge under Paragraph 3 above, a unit is defined under Rule I "Definitions."
2. Service hereunder shall be subject to the Rules and/or Regulations applying to water service, which are incorporated herein by reference, except insofar as such Rules and/or Regulations are in conflict with this Rule, in which event the provisions of this Rule shall control.

II. WATER SERVICE CONSTRUCTION CONNECTION RULES, RATES, FEES AND CHARGES

A. AVAILABILITY OF WATER AND SERVICE CONNECTION:

Water connections are available from the District to Customers for real property within the service area and legal boundaries of the Sun Valley General Improvement District, per the Rules and/or Regulations of the Sun Valley General Improvement District.

B. APPLICABILITY OF WATER SERVICE CONNECTION RULES, RATES, FEES, AND CHARGES:

The rules, rates, fees and charges for water service connections established in these rules are applicable to all persons applying for water connections to service any property falling under any service classification defined in Rule No. 1 herein.

C. FEES AND CHARGES:

1. Tap Fee

- a. Base fees: The installation of water taps will be billed to the applicant at the actual cost of installation in terms of District staff time, equipment and material, and due upon completion of work. Due to the differences in water main depths and soil conditions, a firm estimate of cost cannot be given. The District's estimate of actual job costs shall be the required deposit. When pavement removal and replacement are required, an additional deposit based on the size of the street cut will be required.

When the County Building Department requires larger than a 1" inch service line between the meter and the building served, and a single meter box is to be installed, then a service line of a size equal to that required by the County Building Department between the meter and the building served shall be installed between the main and the single meter box. When the County Building Department requires larger than a 3/4 inch service line, and a double meter box is to be installed, then a 1-1/2 inch size line shall be installed between the main and the double meter box.

The base fee for connection by the District of water service pipes in excess of 1 inch in diameter shall be in an amount equal to the actual cost of installation thereof, which cost includes, but is not limited to, cost of meter, meter box, yoke, service lateral, sand, labor and all other costs incident to such installation.

- b. Additional charges: In addition to the base fee for the tap as set out above, the applicant shall also pay the actual cost to the District of any street cut permit and of pavement cutting, removing and replacement. All street cut permits will be obtained by the District unless construction is being done by a contractor approved by the District, in which case the contractor or property owner will obtain the permit.

In the event a tap is requested by the Applicant to be performed outside of the District's regular working hours as set by the District, the Applicant shall also pay the overtime wages paid by the District to its employees and agents performing said tap.

- c. Refund Procedure: In the event an applicant cannot develop parcel(s) and taps have not been completed, any request for a refund must be approved by the Board of Trustees. Consideration of District bonded indebtedness obligations and the District's financial condition shall be of primary importance in decisions on such refunds. Refunds shall be considered only on a case by case basis.

2. GENERAL WATER FACILITIES CHARGE

- a. For the availability of water service, the District shall charge and the Customer shall pay a fee based upon factors including, but not limited to, the District's current investment in the water system, system development costs and the cost of capital. This fee shall be separate and apart from costs of construction of private yard lines and house piping upon the Customer's property, which costs of construction are the sole responsibilities of the Customer. **The General Water Facilities Charge shall be \$11,244 for any size new water connection.**
- b. All water fees set forth in this Section shall be paid in full to the district prior to commencement of construction of improvements on the subject property. Provided, however, that for any improvement to real property which divides the property into four (4) parcels or less, the Customer may request in writing to pay the General Water Facilities Charge for each parcel under the following agreed terms:

1. One-third of the charge paid at the time the District's approval of the parcel map;
2. One-third of the charge paid at the time of commencement of construction of improvements upon the parcel, including grading and utility trenching;
3. One-third of the charge paid at the completion of improvements upon the parcel or at time of customer's request for water service to the parcel.

No customer may have in excess of one parcel map with payments being made under the above schedule pending completion of the payments to the District at any one time. For these purposes, "customer" includes family members of the customer and what would be in the District's sole discretion, the customer's closely related business entities.

The District shall have a lien on the subject property for any payment due under this rule.

Rights to make the partial payments allowed herein shall not be transferable to a new owner without the District's prior written approval. In the event that any one or more of the up to 4 parcels subject to this partial payment schedule shall be sold or transferred to another owner in any manner whatsoever, the balance of the partial payments unpaid at the time of transfer of such parcel(s) shall be due in full.

- c. Refund Procedure: In the event an applicant cannot develop parcel(s), any request for a refund must be approved by the Board of Trustees. Consideration of District bonded indebtedness obligations and the District's financial condition shall be of primary importance in decisions on such refunds. Refunds shall be considered only on a case by case basis. All requests for refund of a facility charge must be submitted in writing no later than six (6) months from the date of payment of first payment of the facility charge. No refunds will be considered if map has been recorded or if taps have been installed.

D. SPECIAL CONDITIONS:

1. Service hereunder shall be subject to the Rules and/or Regulations applying to water service, which are incorporated herein by reference, except insofar as such Rules and/or Regulations are in conflict with this Rule, in which event the provisions of this Rule shall control.

TARIFF SCHEDULE
SUN VALLEY GENERAL IMPROVEMENT DISTRICT
DATE ISSUE: January 28, 2010
LAST REVISED: May 12, 2009

2. Only duly authorized employees or agents of the District will be authorized to install service connections.
3. All street cut permits will be obtained by District personnel, unless construction is being done by the contractor in which case the contractor or property owner will obtain the permit.
4. Some property in the District may be serviced by the property's own private well water supply. On those properties a water meter has been installed per the provisions of Rule No. 22 I C. In the event the owner of such property makes application to replace the private well water supply to the property with water to be supplied by the District, the hookup charge set out in Paragraph C above shall apply. However, the Applicant shall be credited toward that charge the cost to the District, at the time of purchase, of the water meter being then utilized to meter water flow from the well (if that water meter is also to be relocated to the District's water service connection point).
5. A Customer may request, on a special form supplied by the District, that only Irrigation Service, as defined in Rule No. 1, be supplied to the premises of the Customer. The Customer shall pay, for this service, all fees, charges and rates as specified in this Rule No. 21.

6. Any existing customer who makes modification to his existing water line size, character or extent of the equipment or operations for which the service is utilized shall immediately file with the District office a modification form.

Upon receipt of such form, the District will determine the following:

- (a) If the modifications are to such an extent that the water used on the subject property exceeds that water allocated to the property under the water allocation map defined in Rule 2, I, A (3), the customer will be required to purchase and dedicate the needed additional water rights per Rule 2.
- (b) If the modification is to a commercial or industrial property and results in an additional new and separate commercial or industrial business, all appropriate charges set out in this Rule 21 shall apply to the customer, as a new customer. It shall be presumed that if a customer receives a new business license for such additional business, these charges apply.

III. INSTALLATION FEES

A. NEW CUSTOMER SETUP FEES:

For initiation of service to a new customer, the District shall charge the Customer for either replacing or reading a meter at an existing installation, regardless of length of time service was provided, as follows:

<u>Service Connection</u>	<u>Fee</u>
3/4 inch	\$15.00
1 inch	\$15.00
If requested after 4:30 p.m. an additional	\$7.50

For any service connection in excess of 1", a charge to the Customer equal to **\$25.00** plus the actual cost of the materials and labor of the District for such replacement or reading shall be paid.

B. REINSTALLATION OF DISCONNECTED SERVICE FEES:

In the event a meter has been removed from an existing installation for non-payment of water bills, replacement of a meter at such existing installation to the same customer shall be subject to a charge to the Customer as follows:

<u>Service Connection</u>	<u>Fee</u>
3/4 inch	\$40.00
1 inch	\$40.00
If requested after 4:30 pm. and additional	\$20.00

If payment is made after the last day for payment prior to disconnect and the service has not been disconnected but the service technician has been dispatched to perform the disconnection the customer shall pay a **\$40.00** service connection fee.

For any service connection in excess of 1", a charge to the customer equal to **\$10.00** plus the actual costs of materials and labor of the District for such replacement shall be paid.

In addition, in the event a meter has been removed for non-payment of water and/or sewer bills, prior to the replacement of such meter, the deposit required in the Rules and/or Regulations Rule 12 A shall be increased as follows:

For the first removal for such nonpayment, the deposit may be increased to 6 months estimated total water and sewer bill.

For any subsequent removals for such non-payment after the first removal, the deposit may be increased to 12 months estimated total water and sewer bill.

C. FEE ADJUSTMENT FOR TIME OR REPLACEMENT:

The fees set out in subparagraphs A and B above are based upon reconnection during regular working hours. All requests for such reconnection shall be complied with during regular working hours. If possible on the date of the request, it shall be done during regular working hours of such new working day as conditions permit. In the event a request is made to reconnect service at other than regular working hours, the District will endeavor so to make the reconnection if practicable under the circumstances, but is under no obligation to do so unless an emergency exists in the opinion of the District, and a reconnection shall be made at other than regular working hours only if the

Applicant pays an additional fee equal to 1.5 times the normal fee for the particular service connection set forth in Subparagraphs A and B above.

D. SPECIAL CONDITIONS:

Services hereunder shall be subject to the Rules and/or Regulations applying to water services which are incorporated herein by reference, except insofar as such Rules and/or Regulations are in conflict with this Tariff, in which event the provisions of this Tariff shall control.

IV. IRRIGATION SERVICE

A. Where a customer utilizes Irrigation Service as defined in Rule 1, which irrigation water is to irrigate common areas owned or administered by Homeowner's Associations, or to irrigate public property grounds such as schools, soccer fields, or for irrigation service to properties utilizing commercial or industrial service etc., a water meter shall be installed to measure such use. The following Rule determines the amount of water rights to be dedicated to the District for such Irrigation Service:

1. The customer shall submit to the district two copies of a landscape diagram/plan which shows the manner in which water will be used on the property, and the purposes of such use. The diagram/plan shall be prepared by a licensed landscape engineer or civil engineer and stamped by such engineer as his work product. The diagram/plan shall include all information necessary for the District to determine the amount of water likely to be utilized on the property during the month(s) of highest water use, including but not limited to size of water service requested, type of irrigation system to be utilized, size, and location and type of lawn, if any to be installed, size, location and type of other landscaping items such as trees and shrubs, and size and type of drinking fountain (if any) to be serviced on such items as playground areas.
2. From this information, the District shall determine the amount of water rights to be dedicated to the District before water service may commence to be used on the property, using the following guideline: 3.41 acre feet of water for each acre of grass. Shrubs - 5 gallons size 8 gallons an hour, 2 hours a day, twice a week for 32 weeks. Trees - 15 gallon size 16 gallons an hour, 2 hours a day, twice a week for 32 weeks. The total calculated shall then be increased by the drought factor then being utilized by Truckee Meadow Water Authority. Any fraction of an acre-foot of water rights shall be rounded to the nearest

1/2-acre foot, i.e. a final calculation of 4.3 acre feet shall be rounded to 4.5 acre feet, and a calculation of 3.7 acre feet shall be rounded to 4 acre feet.

3. After the installation of such Irrigation Service, the District shall, at the end of September of each year, determine the amount of acre feet actually used in Irrigation Service on the subject property. In the event that an amount in excess of 1/2 acre foot over that originally dedicated to the District for such Irrigation Service has been utilized, the owner of such property shall, within 6 months from the date of written demand from the District therefore, dedicate to the District the additional required acre feet of water. The District may make available to the customer water rights owned by the District, selling such rights as are required herein to the customer, at a price equal to the cost the District paid for the water rights or the fair market value of water rights, whichever is greater. In the event the property owner does not so dedicate the additional water required within the time allowed, the District may thereafter remove the Irrigation Service water meter(s) from the subject property during the following irrigation season at such time as the customer has used, on the subject property, the amount of water that had been dedicated for the Irrigation Service to the property. The District shall provide the property owner 30 day's written advance Notice of its intention to remove such meter.

RULE NO. 22

SEWER SERVICE RULES, RATES, FEES AND CHARGES

In addition to any fees, charges or rates established in the preceding Rules, the following shall apply as to sewer service:

I. SEWER RATES FOR SERVICE CLASSIFICATIONS -GENERALLY

A. AVAILABILITY AND REQUIREMENT OF SEWER SERVICE:

Sewer service is available and is required to be obtained from the District to the property of Customers in all applicable service classifications defined in Rule No. 1 for real property within the service boundaries and legal boundaries of the Sun Valley Water & Sanitation District, per these Rules and/or Regulations validly adopted by the Sun Valley General Improvement District, to the extent the District has allocated to it sufficient capacity therefore in the Truckee Meadows Water Reclamation Facility.

B. MODIFICATIONS TO EXISTING SEWER

Any existing customer who makes modification to his existing sewer in size, character or extent of the equipment or operations for which the service is utilized shall immediately file with the District a modification form.

Upon receipt of such form, the District will determine the following:

If the modification is to any commercial or industrial property and results in an additional new or separate use of the property by an additional and separate commercial or industrial business, all appropriate charges set out in this Rule 22 shall apply to the customer, as a new customer. It shall be presumed that if a customer receives a new business license for such additional business, and/or building permit for such modifications these charges apply.

C. WATER METER REQUIREMENT:

For property under any service classification as defined in Rule No. 1 desiring or being mandated by law to utilize the District's sewer system, the sewer rates, fees and charges therefore are to be based on water utilized at such property, whether such water be supplied to such property by the District or through that property owner's own independent sources, such as a private well. For such purposes, therefore, any property owner desiring or being mandated by law to utilize the District's sewer system to serve such property within the District's boundaries shall, if not utilizing the District's water system and associated water meter at the time of connection to the District's sewer system, be required to have a water meter installed on the property to be

served with the District's sewer service, such installation being at the point where the Customer's water supply enters a building, mobile home, or separate defined portion thereof, such as an apartment, or any structure of any type wherein are located fixtures which result in discharge to the District's sewer system.

1. The District shall be requested by the Customer so to install the water meter for such purposes, by written request therefore to the District so far in advance of the date of installation as reasonably required by the District.
2. The Customer shall pay to the District the actual costs of installation of said meter, based on an amount equal to the time and material expended by the District in said installation.
3. The meter shall remain the property of the District, but Customer shall be responsible for maintenance and upkeep of associated lines and other private water system devices utilized by the District.
4. By his written request to install said meter, the Customer consents to the District's installation of same and agrees to hold the District and its officers, agents and employees acting within the scope of their duties of employment hereunder harmless from any liability in connection with the said installation unless such liability arises due to negligence of such officers, agents and employees. Further, by said written request, the Customer agrees to be bound by these Rules as they relate to sewer service as well as Rule 21 II re restoration of water service and Rule 19 re water meter tests.

D. PROPERTIES WITH WELL WATER CAPABILITY:

In the event any property within the District served by the District water system also has an existing serviceable well with which well the inhabited or occupied improvements on the property could be served with water and which well does not have a water meter installed to measure water supplied from such well to said improvements, the District reserves the right either to install such meter per the provisions of Paragraph I (C) above or to provide some method of assurance satisfactory to the District that the water capable of being pumped from such well is not in fact being utilized by the property owner or Customer to serve such improvements in such a manner that would allow discharge into the District's sewer system. The cost of such meter shall be paid by the Customer per I (C) above, as shall the cost of the latter alternative. Provided, however, that no multiple-unit residential, commercial or industrial buildings shall be allowed to be served through well water.

E. SPECIAL CHARGES FOR UNAUTHORIZED USES (SEWER USE ORDINANCE)

1. The District adopted, on September 10, 1981, "Rules of Operation - Sewer Division" which Rules, inter alia, prohibit, at the second paragraph thereof, the discharge into the District's sewer system of certain water or wastes.
2. In addition to the payments required under "Surcharge" II C 6 below, in the event any user of the District's sewer system is found to be violating such Rules of Operation, as they may be from time to time amended, the District may, at its discretion, discontinue sewer and/or water service to said property until the owner thereof shall demonstrate to the District's satisfaction his ability and intent to comply with said Rules of Operation as to prohibited discharges. Further, in the event the District is subject to payment by a governmental agency of a fine, fee, penalty or any other charge involving payment of funds of the District to a governmental agency because of such discharge, before such water and/or sewer service is re-established to the subject property, the District shall be reimbursed by the property owner for the amount of such fine, fee, penalty or other charge paid by the District.

F. GUIDELINES FOR CUSTOMER CHARGES:

The charges set out in Sections II and III of this Rule 22 are based upon the actual use of the District's system by the respective customers' properties located within District boundaries. Each customer is, under this system of charges, to pay its proportionate share of operation and maintenance (including replacement) costs of the District's sewer system, based on the customer's property's proportionate contribution of wastewater, or will be based upon in the future, factors such as, volume and loading characteristics.

The costs of operation and maintenance for sewer flow not directly attributable to the property of customer (i.e., inflow and infiltration) are distributed among all customers of the system in the same manner that it distributes costs of operation and maintenance among customers for actual use.

G. ACCESSORY DWELLING

A Customer applying for service to an Attached Accessory Dwelling or a Detached Accessory Dwelling, as defined in Rule No. 1, shall comply with the following conditions before service is supplied:

1. The sewer service line to service an Attached Accessory Dwelling shall be an extension of the service line servicing the main residence. The sewer service line to service a Detached Accessory Dwelling shall be a separate sewer line, with a separate and independent tap into the sewer main, and all inspections thereof shall be made and fees therefore shall be paid, as with new construction.

2. The Customer shall pay the current sewer hookup fee.
3. The Customer shall comply with the District's construction and inspection specifications (i.e. the Green Sheet), and the construction shall be inspected by the District prior to any use.

H. INFIRM CARE UNIT:

The requirements of Rule 22 G and Rule 21 I E are applicable and must be met for initial and continued sewer service to any infirm care unit. In addition, the following conditions apply:

1. The sewer service line for the unit shall be inspected and approved by District staff as meeting all current District regulations therefore, in advance of occupancy of the unit.
2. In lieu of all other sewer fees, the customer shall pay, for sewer service to the unit:
 - (a) The monthly additional unit charge set forth in paragraph III B 2 b of this rule, as it may be changed from time to time
 - (b) A fee in the amount of \$25.00 each month, up to a maximum of \$2,500.00 in accumulated payments of \$25.00 per month. After such \$2,500.00 has been paid, no additional \$25.00 monthly payments need to be made.

II. SEWER REVENUE SYSTEM

A. THE CAPITALIZATION FUND:

The capitalization fund shall provide funding for capital expenditures and all other non-Operating Maintenance and Replacement costs as the Board may consider appropriate, including redemption of the principal and payment of the interest on sewer bonds.

1. Revenue Components for the Capitalization Fund shall include:
 - a. **SERVICE CHARGES** - Assessed customers to recover non-Operation, Maintenance and Replacement costs (for which the User Charge System is not appropriate) including the Sewer Connection (hookup) Fees and the Monthly Capitalization Charge. The rate of the Capitalization Charge shall be established by the Board of Trustees and customers shall be notified of the charge as a portion of their monthly Sewer Fee bill pursuant to Rule 5.
2. **REVENUE OFFSETS** - These include funds generated through activities other than wastewater treatment services including sales of

excess equipment or facilities. However Revenue derived from the sale of treatment- related by-products shall accrue only to the User Charge System.

B. FEES, PENALTIES & EXTRAORDINARY CHARGES:

These are collected by the District and not related to regular Operation, Maintenance and Replacement expenses, and shall accrue to the Capitalization Fund.

C. THE USER CHARGE SYSTEM:

The user charge system shall be based on actual use of the District's wastewater treatment facilities. Each user (user class) shall pay his proportionate share of Operation, Maintenance and Replacement costs based upon his actual contribution to the flow volume and loading of the plant, thereby assuring the fiscal self-sufficiency of the facility over its useful life. The User Charge System shall include:

1. A Financial Management System shall prescribe accounting budgetary procedures to accurately depict revenue requirements and procedures to generate revenue sufficient to operate and maintain the plant.
2. Separate Accounts shall be maintained for the User Charge System and the Capitalization Fund.
3. Operation, Maintenance and Replacement costs of the treatment system shall be enumerated through a line item budget including the following categories:
 - Salaries and Wages
 - Indirect Salary and Wage Costs
 - Contractual Services
 - Materials and Supplies
 - Utilities
 - Equipment Replacement
 - Administrative Expenses

Operation, Maintenance and Replacement costs shall include the costs required to achieve and maintain compliance with discharge permits.

4. The User Charge Rate shall generate revenue sufficient to meet Operation, Maintenance and Repairs costs and maintain a prudent equipment reserve thereby assuring the facilities fiscal operational viability, through charges to customers which are proportionate to their usage (volume and loading).

5. Annual User Charge Rate: The Annual User Charge Rate per 1,000 gallons shall be based on the following formula:

$$\text{Annual User Charge Rate} \\ \text{Rate} = \frac{\text{Operation, Maintenance \& Replacement Costs}}{\text{Total Volume}}$$

6. Industrial/Commercial Surcharge:

A surcharge shall be levied upon any customer whose property's discharge loadings exceed those found to be the average amongst the predominant user class (residential).

The Surcharge shall be based on treatment cost of loadings over standard levels. The standard is the local domestic wastewater strength, which follows;

Parameter	Domestic Wastewater Strength
BOD5d Inhibited	151 mg/l
SSd	149 mg/l
Pd	11.2mg/l
Nd	20.20mg/l

SURCHARGE RATE SCHEDULE

<u>CLASS</u>	<u>USER/TYPE</u>	<u>TOTAL SURCHARGE PER \$/1,000 GAL</u>
1	Large Hotel/Casino	\$0.60
2	Small Hotel/Casino	\$0.20
3	Restaurant	\$1.20
4	Pizza Shop	\$0.50
5	Hotel Laundry	\$1.70
6	Laundromat	\$0.50
7	Wand Car Wash	\$0.20
8	Commercial Bakery	\$0.10
9	Donut Bakery	\$2.40
10	Truck & Bus Wash	\$0.70
11	RV Park w/dump site	\$1.10
12	Commercial Portable Toilet Dump	\$36.40
13	Meat Packer	\$0.50
14	Market with Bakery & Delicatessen	\$0.40
15	Kitchen, commercial	\$1.90

Weighted Fixture Unit Schedule.

In order to fairly apply the surcharge rate schedule to those user types whose

properties are on a multiple service, the weighted fixture unit schedule will be applied as per the Uniform Plumbing Code Standards.

The number of weighted fixture units for discharges exceeding the said average shall be determined from the follow schedule:

Fixture Type	Weighted Fixture Units	
	Private	Public
Bathtub (including shower head)	2.5	
Bedpan (washer and sterilizer)	3.0	5
(1) Car wash (stall)	12	28
Dental units (cuspidors)	1	
(2) Drinking fountain (per head) with valve control	1	2
(2) Dishwasher (conveyor)		100
(2) Dishwasher (under counter type)	2	10
(2) Disposal (commercial type)	25	50
Laundry (tub and trays)	2	4
(2) Lavatory	1	2
(1) Laundry, commercial (per pound capacity of machine)	1.5	
(2) Laundry, self-service (per pound capacity of machine)	1	.75
(2) Sink: kitchen or service	2	4
(2) Sink: wash or bar	1	2
Shower: each heard	2.5	5
(2) Urinal, tough (per 2 foot) valve controlled	3	6
(2) Urinal, individual valve controlled	3	6
(2) Water closet	3	6
(2) Floor drain	2	4
Recreational vehicle dump station	25	
Recreational vehicle park (per wet space)	7	

(1) Recycle: reduce by thirty-five percent

(2) Multiply 1.5 for private and public facilities with greater than twelve-hour and less than sixteen-hour operations. Multiply by 2.0 for private and public facilities with greater than sixteen-hour operation.

In order to protest the surcharge before the Board of Trustees the customer will be required to have 10 days of sampling from a State of Nevada Certified Lab.

III. SEWER RULES, RATES, FEES AND CHARGES FOR RESIDENTIAL SERVICE CLASSIFICATION

A. APPLICABILITY:

To all properties defined under domestic or residential service classifications in Rule No. 1 located within the District's Service Area and connected to the sewer system owned and operated by the Sun Valley General Improvement District.

B. SEWER SERVICE CHARGE:

1. User Charge Component:

- a. Based upon metered water consumption, each Customer in each single family dwelling or having residential service shall be billed at the rate of **\$4.29** per each 1,000 gallons of water metered. Each Customer in each single-family dwelling shall be billed the above rate based on 100% of their metered water consumption during the months of December, January and February (due to the District's billing cycles this consumption means metered water consumption during a consecutive three month period from November through March). The average monthly consumption during that period shall establish that specific Customer's monthly billable quantity for sewer service for the remainder of the year, unless the monthly discharge is less than the average monthly consumption, in which event the billing shall be based on the actual metered water consumption for that period.
- b. In the event of excessive loadings, the surcharge defined in II C 6 above shall also be paid monthly.

2. Capitalization Fund:

- a. In addition to the sewer service user charge component established above, each Customer in each single family dwelling or having residential service shall also pay the flat monthly sum of **\$17.14**.

b. Unit Charge:

Where Applicable - For each unit in excess of one (1) unit served from a single metered service connection, the unit charge shall be **\$17.14** per unit.

C. ESTABLISHING SEWER SERVICE CHARGE:

In the event a person becomes a Customer of the District at such a time of year as not to be able to establish the discharge component of the sewer bill set forth in Paragraph III B 1 above, such component, pending calculation of same per the method set forth in Paragraph III B 1 above, shall be the average of such component for all existing residential service classification Customers.

D. NEW CUSTOMER SET-UP FEE:

Upon application for service under this Paragraph III, the Customer shall also pay the sum of **\$15.00** to the District to defray initial costs of establishing sewer records and billing procedures for such Customer. All requests for physical connection to sewer shall be complied with during regular working hours, if possible on the date of the request, as conditions permit. In the event a request is made to connect service at other than regular working hours, the District will endeavor so to make the connection if practicable under the circumstances, but is under no obligation to do so unless an emergency exists in the opinion of the District. A connection shall be made at other than regular working hours only if the Applicant pays an additional fee equal to 1.5 times the normal fee for the particular service connection.

IV. SEWER RULES, RATES, FEES, AND CHARGES FOR COMMERCIAL AND INDUSTRIAL SERVICE CLASSIFICATION

A. APPLICABILITY:

To all properties defined under Commercial and Industrial service classifications in Rule No. 1 located within the District's Service Area and connected to the sewer system owned and operated by the Sun Valley General Improvement District.

B. SEWER SERVICE CHARGE:

1. (a) User Charge Component: Based upon metered water consumption, each Customer in each commercial or industrial unit shall be billed at the rate of **\$4.57** per each 1,000 gallons of water metered. Provided, however, any Customer being billed

under a Commercial or Industrial service classification may apply to the Board for an irrigation allowance as set out in Paragraph III B 1 above, for Domestic/Residential Service classifications, but only in the event such Customer does regularly utilize water supplied by the District for substantial residential-type plant irrigation purposes on the subject property.

- (b) In the event of excessive discharge loadings, the surcharge defined in II C 6 above shall also be paid monthly.
2. (a) Capitalization Component: In addition to the sewer service user charge component established above, each Customer in each commercial or Industrial unit shall also pay the flat monthly sum of **\$17.14**.

(b) Unit Charge:

Where Applicable - For each unit in excess of one (1) unit served from a single metered service connection, the unit charge shall be **\$17.14** per unit.

C. NEW CUSTOMER SET-UP FEE:

Upon application for service under this Paragraph IV-D, the Customer shall also pay the sum of **\$15.00** to the District to defray initial costs of establishing sewer records and billing procedures for such Customer. All requests for physical connection to sewer shall be complied with during regular working hours, if possible on the date of the request, as conditions permit. In the event a request is made to connect service at other than regular working hours, the District will endeavor so to make the connection if practicable under the circumstances, but is under no obligation to do so unless an emergency exists in the opinion of the District. A connection shall be made at other than regular working hours only if the Applicant pays an additional fee equal to 1.5 times the normal fee for the particular service connection.

D. EMERGENCY SERVICE FEES:

In the event that customer or property owner requests District personnel to inspect and/or repair sewer service and it is, upon such inspection or repair, determined by such District personnel that the cause of the need for such inspection or repair was not the responsibility of the District (i.e., blockage on customer's private lines, etc.) then there shall be added to the monthly bill for

the premises a minimum charge of **\$30.00** for such services supplied after normal District working hours. (See rule 23 as to charges over and above those noted).

V. SEWER SERVICE CONNECTION RULES, RATES, FEES AND CHARGES

A. SEPARATE SERVICES:

As to each commercial or industrial premises constructed after the effective date of this rule, a separate sewer lateral shall be required for each unit of commercial or industrial property, whether or not the same are adjacent and/or owned by one person.

B. GENERAL SEWER FACILITIES CHARGES:

1. For the availability of sewer service, the District shall charge and the Customer shall pay a fee based upon factors including, but not limited to, the District's current investment in the sewer system, system development costs and the cost of capital. This fee shall be separate and apart from the costs of construction of private yard lines and house piping upon the Customer's property, which costs of construction are the sole responsibilities of the Customer. The General Sewer Facilities Charge shall be based upon service level and water meter sizes, as stated below.

2. <u>Water Meter Size</u>	<u>Fee</u>
3/4 inch	\$ 6,340
1 inch	\$ 7,982
1-1/2 inch	\$ 10,582
2 inch	\$ 13,482
3 inch	\$ 20,482
4 inch	\$ 30,482
6 inch	\$ 55,482

C. PAYMENT:

1. All sewer fees set forth in this Section shall be paid in full to the District prior to commencement of construction of improvements on subject

property.

Provided, however, that for any improvements to real property which divides the property into four (4) parcels or less, for ¾" meter size only, the Customer may request in writing to pay the connection fee under the following agreed terms:

- a) One-third of the connection fee paid at the time of the District's approval of the parcel map;
- b) One-third of the connection fee paid at the time of commencement of construction of improvements upon the parcel, including grading and utility trenching;
- c) One-third of the connection fee paid at the completion of improvements upon the parcel or at time of the customer's request for sewer service to the parcel.

No customer may have in excess of one parcel map with payments being made under the above schedule pending completion of the payments to the District at any one time. For these purposes, "customer" includes family members of the customer and what would be, in the District's sole discretion, the customer's closely related business entities.

The District shall have a lien on the subject property for any payments due under this rule.

Right to make partial payments allowed herein shall not be transferable to a new owner without the District's prior written approval. In the event that any one or more of the up to four (4) parcels subject to this partial payment schedule shall be sold or transferred to another owner in any manner whatsoever, the balance of the partial payments unpaid at the time of transfer of such parcel(s) shall be paid in full.

2. Refund Procedure: In the event an applicant cannot develop parcel(s), any request for a refund must be approved by the board of trustees. Consideration of District bonded indebtedness obligations and the District's financial condition shall be of primary importance in decisions on such refunds. Refunds shall be considered only on a case by case basis. All requests for refund of facility fees must be submitted in writing no later than six (6) months from the date of payment of first payment of facility fees. No refunds will be considered if map has been

recorded or if taps have been installed.

D. CUSTOMER REFUSAL TO CONNECT:

In the event a customer or owner of property fails neglects or refuses to connect the Customer's property to the District's sewer system when required and within the time allowed by the District, the District shall take whatever steps are appropriate to cause such connection to be made at the earliest possible date. These steps include, but are not limited to:

1. Reference of the failure to legal counsel for the District and/or the attorney General of the State of Nevada and/or the District Attorney of Washoe County for criminal prosecution for such failure, as allowed by law.
2. Imposing a charge to the Customer or owner against the subject property, which charge shall be denominated a "standby sewer service charge." Such charge shall be in an amount equal to the monthly sewer service charge otherwise charged to the Customer had such property been properly connected to the District's sewer system, as calculated by reference to the District's records regarding the subject property and by reference to Rule 22 regarding sewer service fees and charges. Such charge shall be billed monthly commencing not earlier than the first regular billing due upon the subject property after failure to connect as required herein and, in the first billing, also shall be included the sewer connection fee for such property effective on the date of the first billing. In the event such billing is not paid within the time required in these Rules, the provisions of these Rules, including Rule 5 hereof, shall apply as to such non-payment.

E. SPARKS' INSPECTION FEES:

All properties defined under Commercial and Industrial Service classifications in Rule No. 1 shall also be assessed by the District for wastewater inspection fees charged to each separate Commercial-and/or-Industrial classified property, as such fees are charged to the District by the City of Sparks which performs such inspections of said properties. In the event such inspection fee is not paid within Sixty (60) days of its due date, the customer from who the fee is due shall pay a sum equal to two and one-half (2 ½) times the amount

of the original bill, as and for a late payment penalty. In the event such fee remains unpaid after Sixty (60) days from its due date, the District also reserves the right to:

1. Disconnect water service to the subject premises, upon written Notice as required herein, to the customer as well as the tenant and landowner and/or;
2. In situations where to disconnect water service would potentially result in undue hardship upon others, such as with multiple-tenant commercial buildings, file suit to collect the monies from the customer responsible and/or from the owner of the subject property, including enforcing the District's lien on real property for sums due the District for services supplied.

F. TAP FEE

The installation of sewer taps will be billed to the applicant at the actual cost of installation in terms of District staff time, equipment and material upon completion of work. Due to the differences in sewer main depths and soil conditions, a firm estimate of cost cannot be given. A deposit shall be paid to the District, based on District's estimate of actual job costs. When pavement removal and replacement are required, an additional deposit based on the size of the street cut will be required.

G. ADDITIONAL CHARGES

In addition to the tap fee set out above, the applicant shall also pay the actual cost to the District of any street cut permit and of pavement cutting, removing and replacement. In the event a tap is requested by the applicant to be performed outside of the District's regular working hours as set by the District, the applicant shall also pay the regular overtime wages paid by the District to its employees and agents performing said tap.

H. REFUND PROCEDURE

In the event an applicant cannot develop parcel(s) and taps have not been completed, any requests for a refund must be approved by the board of trustees. Consideration of District bonded indebtedness obligations and the District's financial condition shall be of primary

importance in decisions on such refunds. Refunds shall be considered only on a case by case basis.

I. SPECIAL CONDITIONS:

1. The User Charge System described in this Rule shall take precedence over the terms & conditions of any agreements or contracts to which the District is a party which are inconsistent with the requirement of the Water Quality Act (as amended 1986) and the applicable regulations of the U.S. EPA.
2. All street cut permits will be obtained by the District personnel, unless construction is being done by the contractor in which case the contractor or property owner will obtain the permit.

VI. IRRIGATION SERVICE

Where a Customer has meter only measuring water used for irrigation purposes on the premises, the sewer charges shall be as follows:

1. Where the premises are served only by water through a single meter, and there is no sewer service supplied to the premises by the District, for the availability of sewer service to the premises the Customer shall also pay the flat monthly fee defined in "Capitalization Fund" in Section III B 2 of this Rule No. 22.
2. Where sewer service is or will be supplied to the premises by the District and there exists or will exist one or more meters utilized to measure the charges by the District for such water and sewer services, the Customer shall pay (in addition to the charges arising from the other meters) only for the water measured in the irrigation meter, and shall not pay the flat monthly fee defined in the "Capitalization Fund" in Section III B 2 of this Rule No. 22.
3. When there is a modification of the use of the meter used for purposes of irrigation only, and the premises are to be served with both water and sewer services by the District, the Customer shall promptly notify the District as required in Rule No. 21, and at the time of such modification of use shall pay to the District the sewer Set Up Charge provided in Sections III or IV above.



WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects Division

Exhibit C

"Dedicated to Excellence in Public Service"

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

INTEROFFICE MEMORANDUM

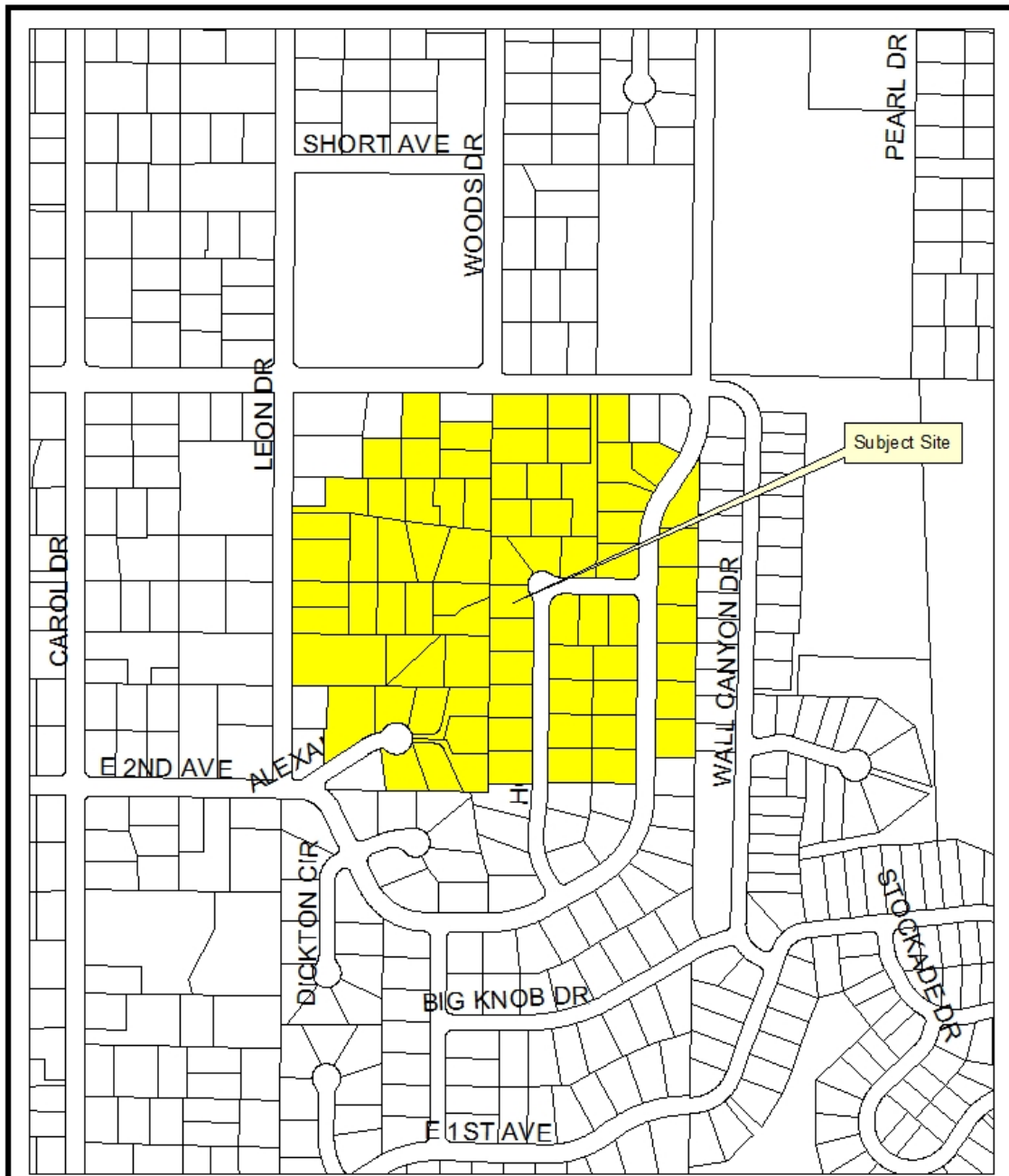
DATE: September 13, 2013
TO: Roger Pelham, Planning and Development Division
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division
SUBJECT: **SB13-019**
APN 085-081-01
VAN ASSCHE DETACHED ACCESSORY DWELLING

I have reviewed the referenced administrative permit case and recommend the following condition:

1. The Regional Road Impact Fee will be required for the accessory dwelling. The additional fee shall be charged at the multi-family rate.

LRV/lrv

EXHIBIT D



Mailing Label Map
Special Use Permit Case No SB13-019
Van Assache Detached Accessory Dwelling
77 Parcels selected at 500 feet.

Source: Planning and Development



Date: August 2013

Department of
Community
Development
**WASHOE COUNTY
NEVADA**

Post Office Box 11130
Reno, Nevada 89520
(775) 335-2600

EXHIBIT E

Save As

Print

Exit

Washoe County Development Application

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

Project Information		Staff Assigned Case No.: SB13-019	
Project Name (commercial/industrial projects only):			
Project Description: Upgrade mother-in-law quarters.			
Project Address: 5245 Honeybear Drive, Sun Valley, NV 89433			
Project Area (acres or square feet): 14039 sq ft			
Project Location (with point of reference to major cross streets AND area locator): Second St and Honeybear Dr			
Assessor's Parcel No(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
085-081-01	14039 sq ft		
Section(s)/Township/Range: Sun Valley			
Indicate any previous Washoe County approvals associated with this application: Case Nos.			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Sidney Thomas Van Assche		Name: N/A	
Address: 5245 Honeybear Drive		Address:	
Sun Valley, NV	Zip: 89433		Zip:
Phone: 7753765978	Fax: 7029423287	Phone:	Fax:
Email: nv.topknife@gmail.com		Email:	
Cell: 7023371807	Other:	Cell:	Other:
Contact Person: Tom		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Same		Name:	
Address:		Address:	
	Zip:		Zip:
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Save As

Print

Exit

Special Use Permit Application Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to special use permits may be found in Article 810, Special Use Permits.

1. What is the type of project being requested?

Upgrade of existing structure as mother-in-law quarters.

2. What currently developed portions of the property or existing structures are going to be used with this permit?

Previously permitted and constructed "playhouse" on property proximal to existing manufactured home.

3. What improvements (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?

Installation of interior walls, plumbing, drainage, electrical and mechanical items to make structure inhabitable by extended family members. Current mother-in-law has terminal, progressive, degenerative neurological disorder resulting in desire to house extended family in vicinity.

Save As

Print

Exit

4. What is the intended phasing schedule for the construction and completion of the project?

To start and complete project within ninety days.

5. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

The subject structure is already in existence with appropriate foundation, roof and exterior walls with some initial installation of of upgraded interior.

6. What are the anticipated beneficial aspects or effects your project will have on adjacent properties and the community?

Completion of this structure will allow for the building to be properly encased, upgraded and completed to improve appearance and durability of structure. This improvement should increase property value of adjacent property's.

7. What will you do to minimize the anticipated negative impacts or effects your project will have on adjacent properties?

The structure is small enough to not pose a community distraction. There is adequate space on the property for parking of anticipated occupants without causing any increased congestion of surrounding subdivision. Completion of this structure will also allow it to be properly secured so as to not pose a safety risk to the neighborhood.

Save As

Print

Exit

8. Please describe operational parameters and/or voluntary conditions of approval to be imposed on the project special use permit to address community impacts:

Structure will be occupied by owner and relatives so as not pose a risk of decreasing neighborhood environment with additional tenants. This upgrade will allow for additional investment into the structure and improve it's appearance and curbside appeal to neighborhood.

9. How many improved parking spaces, both on-site and off-site, are available or will be provided? (Please indicate on site plan.)

'Front yard" of manufactured home is planned to be graveled to xeroscape this space and allow for space of any additional vehicles. This is an approximate additional space for three additional vehicles. This upgrade of the this existing structure into a one bedroom living quarters should only increase the need for an additional one or two parking spaces with a net of one parking space surplus.

10. What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)

We are planning on planting additional bushes along south fence line to provide a green privacy fence to further enhance visual appearance.

11. What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)

There is no need for signage other than a possible need for additional addressing of this structure. Lighting will be provided at the structures entry points with the existing front door on the north side of the structure and an addition of a set of french doors on structure's west side with the added addition of a concrete patio on the west side of the structure.

Save As

Print

Exit

12. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the special use permit request? (If so, please attach a copy.)

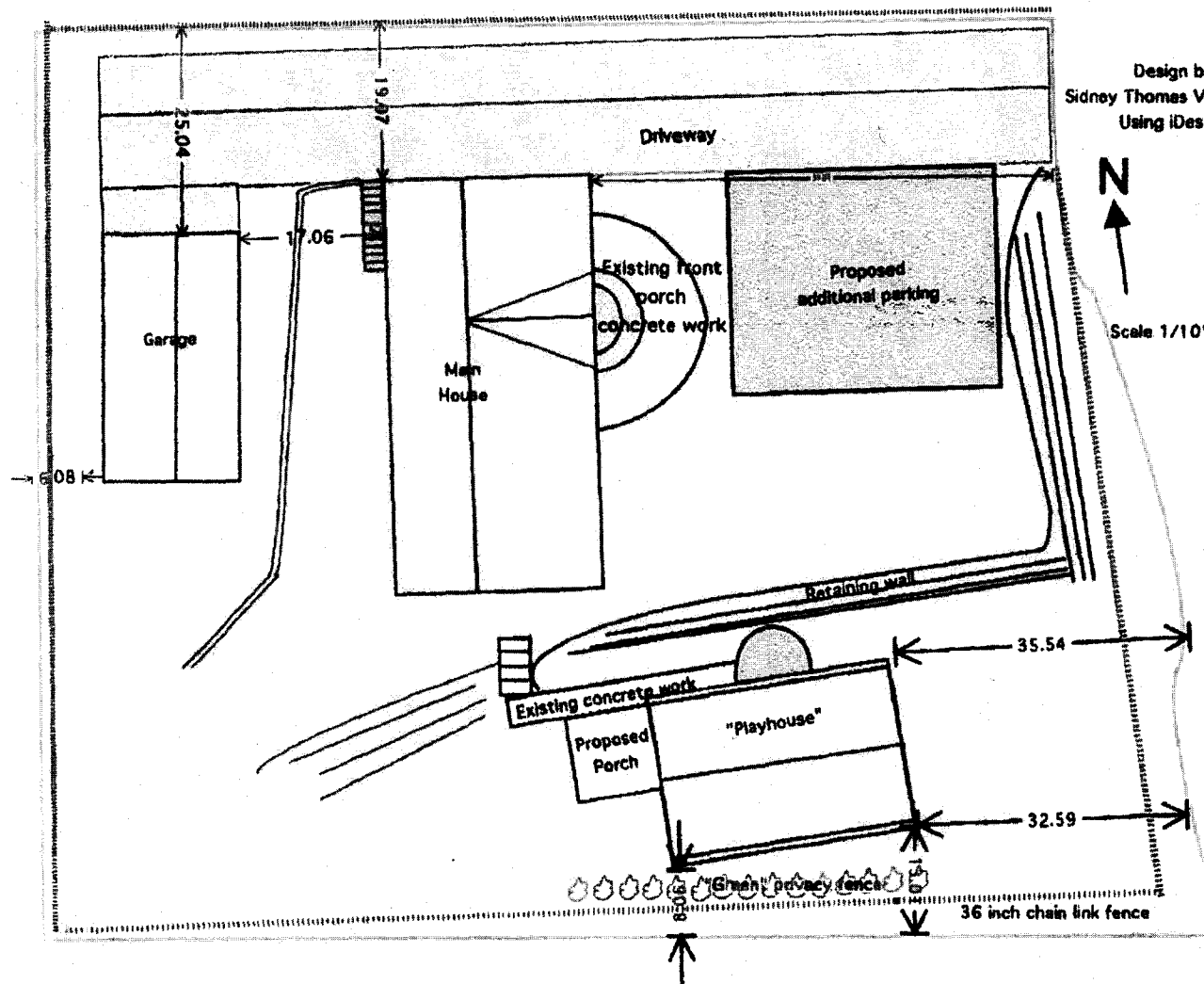
<input checked="" type="radio"/> Yes	<input type="radio"/> No
--------------------------------------	--------------------------

13. Community Sewer

<input checked="" type="radio"/> Yes	<input type="radio"/> No
--------------------------------------	--------------------------

Community Water

<input checked="" type="radio"/> Yes	<input type="radio"/> No
--------------------------------------	--------------------------



Design by:
 Sidney Thomes Van Assche
 Using iDesign.



Scale 1/10" = 1'

