



Board of Adjustment Staff Report

Meeting Date: December 7, 2023

Agenda Item: 10B

VARIANCE CASE NUMBER:	WPVAR23-0004 (Chapman)
BRIEF SUMMARY OF REQUEST:	To reduce the rear yard setback
STAFF PLANNER:	Julee Olander, Planner Phone Number: 775.328.3627 E-mail: jolander@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve a variance to reduce the rear yard setback from 30 feet to 12 feet to allow for the construction of an accessory RV garage.

Applicant/Owner: Curtis Chapman
 Location: 3310 Pershing Lane
 APN: 050-444-25
 Parcel Size: 1 acre
 Master Plan: Suburban Residential (SR)
 Regulatory Zone: Low Density Suburban (LDS)
 Area Plan: South Valleys
 Development Code: Authorized in Article 804, Variances
 Commission District: 2 – Commissioner Clark



Vicinity Map

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment deny Variance Case Number WPVAR23-0004 for Curtis Chapman, having been unable to make all four required findings in accordance with Washoe County Development Code Section 110.804.25

(Motion with Findings on Page 9)

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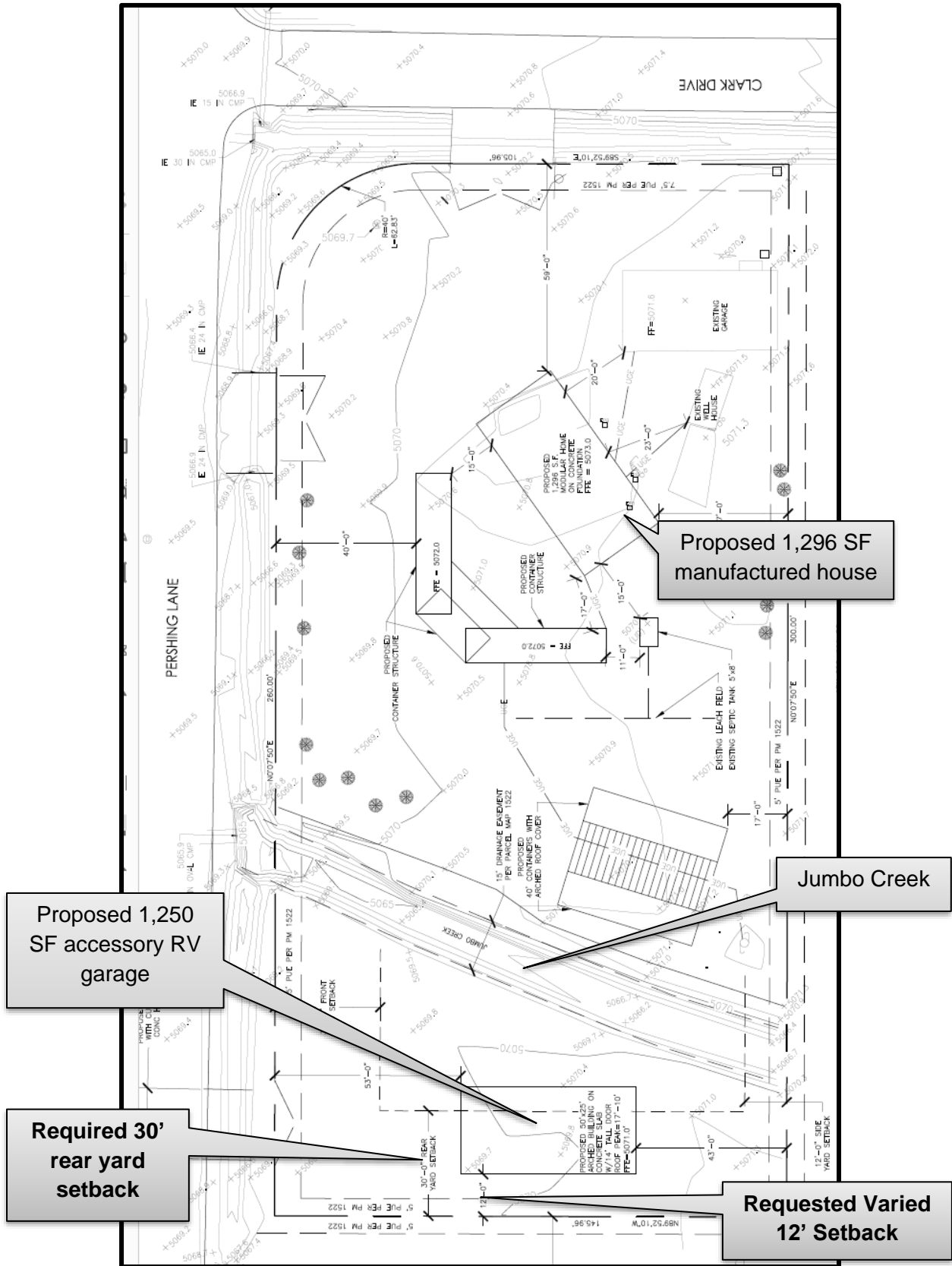
Variance Definition

The purpose of a variance is to provide a means of altering the requirements in specific instances where the strict application of those requirements would deprive a property of privileges enjoyed by other properties with the identical regulatory zone because of special features or constraints unique to the property involved; and to provide for a procedure whereby such alterations might be permitted by further restricting or conditioning the project so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the variance, that approval is subject to conditions of approval. Conditions of approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

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

Should the Board of Adjustment choose to approve the variance despite staff recommendation to deny, conditions of approval for Variance Case Number WPVAR23-0004 are attached to this staff report and, if granted approval, will be included with the action order.

The subject property has a regulatory zone of low-density suburban (LDS) and the lot size is 1 acre. Per Washoe County Code 110.220.55 Yard and Lot Standards, the setbacks are 30-feet for the front and the rear property lines and 12-feet from the side yard property lines.



Site Plan



Elevations



Vicinity Map

Project Evaluation

The parcel has a regulatory zoning of low-density suburban (LDS) and the setbacks are 30 feet in the front and rear and 12 feet on the sides. The applicant is requesting to reduce the required 30-foot rear yard setback to 12 feet to allow for the construction of a 1,250 SF accessory RV garage. There is no request to reduce the side yard setback or front yard setback. The applicant is proposing to remove an existing manufactured house on the parcel and install a new 1,296 SF manufactured house, which will be larger than the proposed 1,250 SF accessory RV garage (See Site Plan, page 4).

The parcel is a corner lot and is abutting both Pershing Lane and Clark Drive. Per Washoe County code (WCC) 110.406.30(c) the requirement for corner lot is the following:

“On a corner lot, all yards abutting streets, other than collectors or arterials, shall be considered as front yards. Corner lots are required to have a side yard.”

Of the two remaining property lines the shortest property line is deemed to be the rear property line and the other is considered the side property line. WWC 110.902 defines rear yard, as the following

“Rear yard” means a yard between the setback line and the rear lot line and extending across the full width of the lot or parcel. On a corner lot, the side opposite the shortest front yard width is considered the rear yard of the lot.”

The applicant is proposing to locate the accessory RV garage opposite the property line fronting Clark Drive. This property line is the shortest and is considered to be the rear property line per

the definition. The rear property line setback requirement is 30 feet, and the applicant is requesting to vary the setback to 12 feet.

Jumbo Creek, a Nevada State decreed water resource, is a 15-foot-wide drainage easement located in the southern portion of the parcel. The applicant states that the location of Jumbo Creek constrains the property and the only reasonable location for the accessory RV garage is where the applicant is proposing to locate the garage. The one-acre parcel is flat and rectangle in shape.

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

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

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

Exceptional Narrowness, Shallowness, Shape or Topographic Condition:

The parcel is not exceptionally narrow, shallow, shaped nor has exceptional topographic conditions that would warrant granting a variance. The property is rectangular in shape and is relatively flat with no topographic issues. The width is 105.96 feet along Clark Drive and the opposing property line is 145.96 feet. Per the Washoe County Code (WCC), Section 110.220.55 Yard and Lot Standards, the minimum lot width for a LDS lot is 120 feet.

Extraordinary and exceptional situation or condition of the property and/or location of surroundings.

The applicant contends that there is an extraordinary and exceptional situation or condition of the property. The applicant indicates the location of Jumbo Creek separates the parcel and limits the location of the accessory RV garage. The applicant states, "the channel for Jumbo Creek crosses the southerly portion of the lot at a slightly oblique angle, essentially severing the legal parcel into two separate sub-parcels in terms of usability. A 15' wide drainage easement is centered on the creek, but the channel has a physical width at or exceeding 20'. This results in approximately 10% (0.1 acres) of the parcel's area being removed from viable use due to the creek." The applicant believes that this is a hardship resulting in an exceptional condition for the parcel.

The purpose of a variance is to provide a means of altering the requirements of Chapter 110 (Development Code) in specific instances where the strict application of those requirements would deprive the property of privileges enjoyed by other properties with the identical regulatory zone. The subject property is relatively large and based on the site plan provided in the application, there appears to be adequate area to place the proposed RV garage north of Jumbo Creek. The application does not provide an explanation regarding the inability to construct the garage in this location.

Staff is recommending denial of the proposed variance as the applicant has not adequately demonstrated that the subject property exhibits one or more of the criteria needed to make the first finding of special circumstances required by Nevada Revised Statutes and Article 804 of the Washoe County Development Code. The parcel is flat and the total square footage of structures

is 2,546 SF (1,296 SF manufactured house and 1,250 SF accessory RV garage) which is only 5.8% of the total lot coverage of the one acre parcel. The structure could be moved closer to where the residence is located, north of Jumbo Creek. Furthermore, staff is not able to make the additional findings as required by Washoe County Code, Article 804, Variances Required Findings: No Detriment, No Special Privileges and Use Authorized, as further explained in the Staff Comments on Required Findings on page 8-9.

Reviewing Agencies

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

Agencies	Sent to Review	Responded	Provided Conditions	Contact
Washoe County Building & Safety	X			
Washoe County Sewer	X			
Washoe County Water Rights Manager (All Apps)	X	X		Timber Weiss, tweiss@washoecounty.gov
Washoe County Engineering (Land Development) (All Apps)	X	X		Robert Wimer, rwimer@washoecountry.gov
WCHD Environmental Health	X	X		James English, jenglish@nnph.org
TMFPD	X	X		Brittany Lemon, blemon@tmfpd
AT&T	X	X		Cliff Cooper, cc2132@att.com
NV Energy	X			
Truckee Meadows Water Authority	X			

Staff Comment on Required Findings

Washoe County Development Code Section 110.804.25, Article 804, *Variances*, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the request. Staff has completed an analysis of the variance application and has determined that the proposal is in not in compliance with the required findings as follows.

- (a) Special Circumstances. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property.

Staff Comment: The property is not constrained by exceptional narrowness, shallowness, shape, topographic conditions, nor extraordinary and exceptional situation or condition, as detailed in the staff report. Therefore, by allowing development that does not conform to generally applicable code requirements this finding cannot be made to support approval of the variance request.

- (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: Constructing an accessory RV garage on this parcel will not be detrimental. There are no identifiable special circumstances applicable to the piece of property that would prevent the construction of the proposed RV garage in different location on the property. Therefore, granting the requested variance from 30 feet to 12 feet for the rear yard setback will impair the intent and purpose of the Development Code and will be substantially

detrimental to the public good. Therefore, by allowing development that does not conform to generally applicable code requirements this finding cannot be made to support approval of the variance request.

- (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: As there are no special circumstances applicable to the property, approval of the requested variance has the potential to grant special privileges by allowing the garage to be constructed within the required rear yard setback. Therefore, by allowing development that does not conform to generally applicable Code requirements this finding cannot be made to support approval of the variance request.

- (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: The construction of a 1,250 SF accessory RV garage is an authorized use with a 1,296 SF main residence. However, because there are no identifiable special circumstances applicable to the property prohibiting the construction of the RV garage in a different location on the property, granting the variance will impair the intent and purpose of the Development Code and would authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property. Therefore, by allowing development that does not conform to generally applicable Code requirements this finding cannot be made to support approval of the variance request.

- (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: There are no military installations within the required noticing area; therefore the board is not required to make this finding.

Recommendation

After a thorough analysis and review, Variance Case Number WPVAR23-0004 is being recommended for denial, primarily because there are no special circumstances applicable to the property that result in a hardship. Staff offers the following motion for the Board'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 deny Variance Case Number WPVAR23-0004 for Curtis Chapman having been unable to make all four required findings in accordance with Washoe County Development Code Section 110.804.25, specifically having been unable to find the required special circumstances:

- (a) Special Circumstances. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
- (b) No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;

- (c) No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;
- (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;
- (e) Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Appeal Process

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant.

From: [COOPER, CLIFFORD E](#)
To: [Olander, Julee](#)
Subject: October Agency Review Memo 1
Date: Tuesday, October 17, 2023 1:45:59 PM

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

AT&T does not have any adverse comments regarding this location:

Variance Case Number WPVAR23-0004 (Chapman)

CLIFF COOPER
SR SPECIALIST-OSP DESIGN ENGINEER
AT&T NEVADA
1375 Capital Blvd rm 115
Reno, NV 89502
ROW Office: 775-453-7578
Email: cc2132@att.com
TEXTING and DRIVING...It Can Wait



Date: October 24, 2023

To: Julee Olander, Planner, Planner
From: Robert Wimer, P.E., Licensed Engineer

Re: Variance Case WPVAR23-0004 – Chapman
APN 050-444-25

GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff have reviewed the above referenced application. The application, prepared by Curt Chapman, is for a variance to reduce the rear yard setback from 30 feet to 12 feet.

The Engineering and Capital Projects Division recommends approval of this variance case with no additional conditions of approval.

From: [Lemon, Brittany](#)
To: [Olander, Julee](#)
Cc: [Way, Dale](#)
Subject: WPVAR23-0004 (Chapman) Conditions of Approval
Date: Thursday, October 19, 2023 10:22:39 AM
Attachments: [image001.png](#)

Hi Julee,

“This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply.”

<https://tmfpd.us/fire-code/>.

The plans did not state dimensions of the driveway. We would need to ensure it meets the requirements of the IFC and IWUIC.

Thank you,

Brittany Lemon

Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue

blemon@tmfpd.us | Office: 775.326.6079 | Cell: 775.379.0584

3663 Barron Way, Reno, NV 89511



"Committed to excellence, service, and the protection of life and property in our community"



Date: October 19, 2023

To: Julee Olander, Planner

From: Timber Weiss, P.E., Licensed Engineer

Re: Variance Case Number WPVAR23-0004 (Chapman)
APN 050-444-25

GENERAL PROJECT DISCUSSION

For hearing, discussion, and possible action to approve a variance to reduce the rear yard setback from 30 feet to 12 feet to allow for the construction of an RV storage structure.

The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

No water right comments for this permit.

November 1, 2023

Washoe County Community Services
Planning and Development Division

RE: Chapman; 050-444-25
Variance Case; WPVAR23-0004

Dear Washoe County Staff:

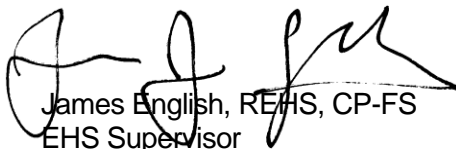
The following conditions are requirements of Northern Nevada Public Health (NNPH), Environmental Health Division, (EHS) which shall be responsible for determining compliance with these conditions.

Contact Name – James English - jenglish@washoecounty.us

- a) Condition #1: EHS has reviewed the application as submitted and has no issues with the varying of the setbacks so long as all of the requirements for the construction of the RV storage structure meet the setback requirements of the *Regulations of the District Board of Health Governing Sewage, Wastewater and Sanitation*.
- b) Condition #2: The project is proposed on a parcel served by a domestic well and onsite sewage disposal system.
- c) If the project is approved, all future building plans and permits must be routed to EHS for review and approval prior to any construction.

If you have any questions or would like clarification regarding the foregoing, please contact James English, EHS Supervisor at jenglish@washoecounty.us regarding all NNPH comments.

Sincerely,

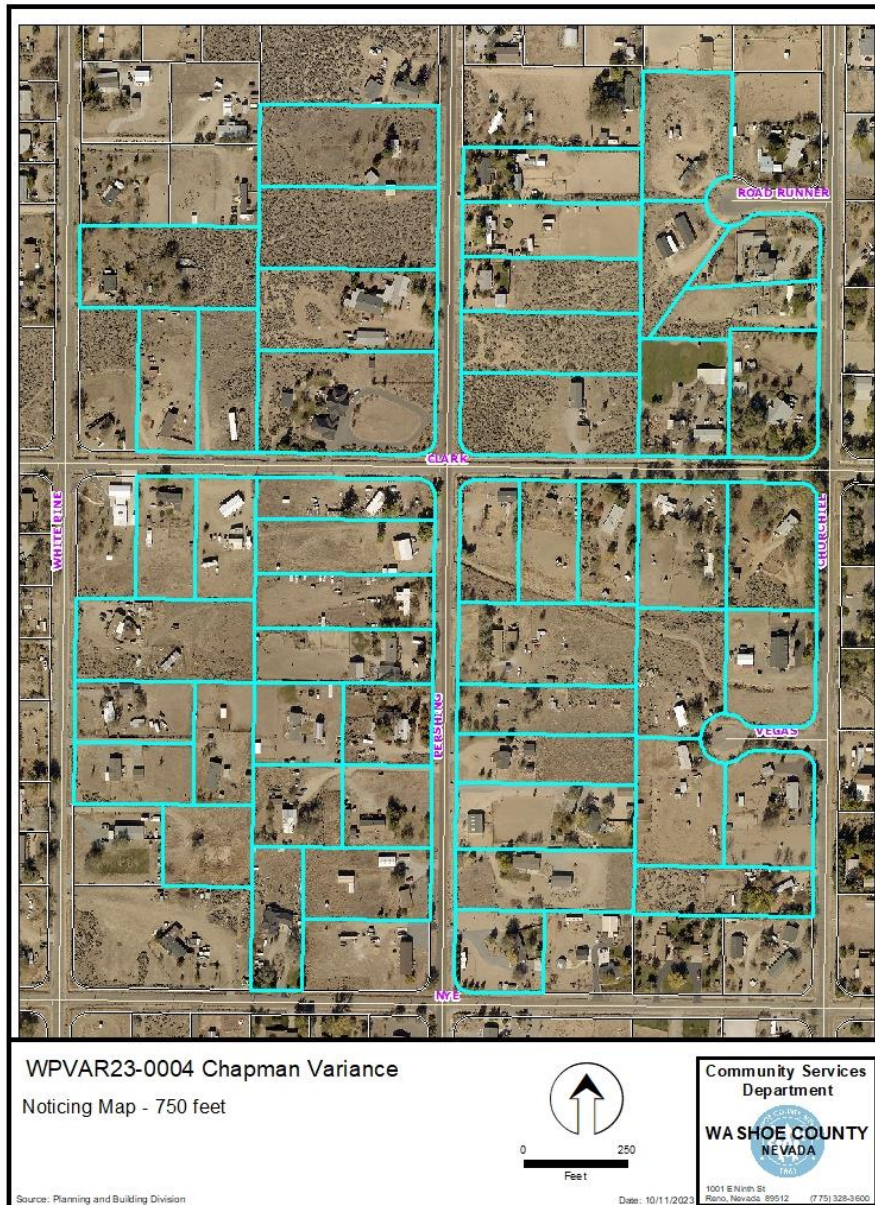


James English, REHS, CP-FS
EHS Supervisor
Environmental Health Services
Northern Nevada Public Health



Public Notice

Washoe County Code requires that public notification for a variance permit must be mailed to a minimum of 30 separate property owners within a minimum 500-foot radius of the subject property a minimum of 10 days prior to the public hearing date. A notice setting forth the time, place, purpose of hearing, a description of the request and the land involved was sent within a 750-foot radius of the subject property. A total of 47 separate property owners were noticed a minimum of 10 days prior to the public hearing date.



Public Notice Map
Variance Case Number WPVAR23-0004

Washoe County Development Application

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

Project Information		Staff Assigned Case No.: _____	
Project Name: Chapman - Washoe Valley Residence			
Project Description: Redevelop a residential parcel where a previous manufactured home was removed.			
Project Address: 3310 Pershing Lane, Washoe Valley, NV 89704			
Project Area (acres or square feet): 1.0 acres			
Project Location (with point of reference to major cross streets AND area locator): The Southeast corner of Pershing Lane and Clark Drive. Approximately 0.6 miles southerly on Pershing Lane from its intersection with East Lake Blvd.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
050-444-25	1.00		
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Curtis J. Chapman Living Trust		Name: N/A	
Address: PO Box 1042		Address:	
Virginia City, NV	Zip: 89440		Zip:
Phone: 775.233.1818	Fax:	Phone:	Fax:
Email: curt.777@outlook.com		Email:	
Cell: 775.233.1818	Other:	Cell:	Other:
Contact Person: Curt Chapman		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Curt Chapman		Name:	
Address: PO Box 1042		Address:	
Virginia City, NV	Zip: 89440		Zip:
Phone: 775.233.1818	Fax:	Phone:	Fax:
Email: curt.777@outlook.com		Email:	
Cell: 775.233.1818	Other:	Cell:	Other:
Contact Person: Curt Chapman		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Variance Application Supplemental Information

(All required information may be separately attached)

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

Rear yard setback

You must answer the following questions in detail. Failure to provide complete and accurate information will result in denial of the application.

2. What are the topographic conditions, extraordinary or exceptional circumstances, shape of the property or location of surroundings that are unique to your property and, therefore, prevent you from complying with the Development Code requirements?

Please see Attachment Exhibit A.

3. What steps will be taken to prevent substantial negative impacts (e.g. blocking views, reducing privacy, decreasing pedestrian or traffic safety, etc.) to other properties or uses in the area?

Please see Attachment Exhibit A.

4. How will this variance enhance the scenic or environmental character of the neighborhood (e.g. eliminate encroachment onto slopes or wetlands, provide enclosed parking, eliminate clutter in view of neighbors, etc.)?

Please see Attachment Exhibit A.

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

Please see Attachment Exhibit A.

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

Yes No If yes, please attach a copy.

7. How is your current water provided?

Private well.

8. How is your current sewer provided?

Private septic system.

Exhibit A - Variance Application Supplemental Information
Chapman – Washoe Valley Residence

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

The request is to reduce the rear yard setback from 30 feet to 12 feet.

2. What are the topographic conditions, extraordinary or exceptional circumstances, shape of the property or location of surroundings that are unique to your property and, therefore, prevent you from complying with the Development Code requirements?

This rectangular 1.00 acre parcel has a unique circumstance not apparent in any other neighborhood lots. The channel for Jumbo Creek crosses the southerly portion of the lot at a slightly oblique angle, essentially severing the legal parcel into two separate sub-parcels in terms of usability. A 15' wide drainage easement is centered on the creek but the channel has actual width at or exceeding 20'. This results in approximately 10% (0.1 acres) of the parcel's area being removed from viable use due to the creek. This situation also results in a remaining southerly sub-parcel containing a little under 0.2 acres, with its exceptional shape and narrowness more significantly constrained by the 30' setback line along the south property line, than would be a parcel without the topographic constraint of the creek. This situation creates a hardship since only a minimal portion of the area south of Jumbo Creek is developable, insufficient to accommodate any planned elements. While this parcel is designated by an address on Pershing Lane, the fact that it has a second front lot line along Clark Drive results in the southerly lot line designated as the rear lot line and thus having a 30' setback. By granting a reduction of the rear lot line setback to 12', the equivalent of a side lot line setback, a useable RV storage structure can be built as part of an overall lot redevelopment.

3. What steps will be taken to prevent substantial negative impacts (e.g. blocking views, reducing privacy, decreasing pedestrian or traffic safety, etc.) to other properties or uses in the area?

Receiving the requested setback variance will allow construction of the RV storage structure, positioned with the greatest possible setback distance from Pershing Lane, minimizing its visual prominence for passing traffic and for neighboring homes along the road. The land adjacent and to the south of this lot line is a large 2-acre parcel, extending far beyond the 300' section of common boundary. The area of that lot adjacent to the subject parcel's south line has a utility easement and also a septic leach field area, creating a substantial de facto setback area between the common property line and an existing structure, which is approximately 70' from the common property line. The owner of this adjacent parcel is fully supportive of this variance request and has provided a letter expressing that support (Exhibit B). The granting of this setback variance request will have no foreseeable impacts to any other lots.

4. How will this variance enhance the scenic or environmental character of the neighborhood (e.g. eliminate encroachment onto slopes or wetlands, provide enclosed parking eliminate clutter in view of neighbors, etc.)?

This variance request is part of an ambitious overall redevelopment project that will represent a significant renovation of a formerly challenged homesite in Washoe Valley. The variance will allow much fuller use of a parcel that has been constrained by the natural topography of Jumbo Creek. The resulting project will be an asset to the neighborhood in terms of image and a positive contribution to local property values.

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

The typical 1-acre parcel in the neighborhood enjoys the ability to develop the full extent of land, consistent with setback requirements. The subject parcel will never have that same potential due to Jumbo Creek, which is simply a physical reality for the parcel. The additional constraints from standard setback requirement, however, are far more impactful on this parcel than typical lots in the area, given the severely constrained geometry of the remaining area south of Jumbo Creek. Providing relief with a setback variance won't elevate this parcel's overall developability to that of all others but it will significantly help the overall project and the realization of the parcel's fuller potential.

Exhibit B

Sept 7, 2023

Washoe County Planning Department
1001 E. Ninth Street
Reno, NV 89512

Re: Setback variance request for Chapman parcel (050-444-25)

To whom it may concern,

I am the owner of parcel 050-444-05 at 3340 Pershing Lane, Washoe Valley, NV 89704. My 2-acre parcel is adjacent to that owned by Curt Chapman at 3310 Pershing Lane, sharing his south property line as a portion of my parcel's north boundary.

Mr. Chapman has discussed with me his development plans for the parcel, including sharing site plan information and describing the need for a reduction in the setback distance along our common property line to accommodate the RV storage structure he wishes to place on the south portion of his lot.

I am in favor of his overall development plans, as well as having the County approve his request for the reduced setback and would be agreeable with him erecting the proposed 50'x25' metal building at a 5' offset from our common property line.

Sincerely,



Frank W. Pedlar
775.720.7083

Findings per 110.804.25

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;*

This rectangular 1.00 acre parcel has a unique circumstance not apparent in any other neighborhood lots. The channel for Jumbo Creek crosses the southerly portion of the lot at a slightly oblique angle, essentially severing the legal parcel into two separate sub-parcels in terms of usability. A 15' wide drainage easement is centered on the creek but the channel has actual width at or exceeding 20'. This results in approximately 10% (0.1 acres) of the parcel's area being removed from viable use due to the creek. This situation also results in a remaining southerly sub-parcel containing a little under 0.2 acres, with its exceptional shape and narrowness more significantly constrained by the 30' setback line along the south property line, than would be a parcel without the topographic constraint of the creek. This situation creates a hardship since only a minimal portion of the area south of Jumbo Creek is developable, insufficient to accommodate any planned elements. While this parcel is designated by an address on Pershing Lane, the fact that it has a second front lot line along Clark Drive results in the southerly lot line designated as the rear lot line and thus having a 30' setback. By granting a reduction of the rear lot line setback to 12', the equivalent of a side lot line setback, a useable RV storage structure can be built as part of an overall lot redevelopment.

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;*

The requested relief will create no foreseen detriment to the public good, impairment of views or infringement on privacy. Rather it will support the substantial redevelopment of a parcel that will elevate the image of the neighborhood and is expected to have a positive impact on property values in the vicinity. There would be no impairment of natural resources, as the Jumbo Creek channel would be unaffected. There would also be no impairment of intent or purpose of Development Code or relevant policies.

No Special Privileges. *The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated; and*

The placement of RV storage structures is an authorized use for this parcel and similar use is evident among many other parcels in the area. The need for a setback reduction to reasonably include an RV structure on the subject parcel is due to unique topographic situation of Jumbo Creek, effectively severing the parcel into two areas in terms of developability. No other known properties in the vicinity are noticed as having similar constraints, so granting the setback variance would not constitute a special privilege as it would simply allow the subject parcel to enjoy the same ability to have on-site sheltered RV storage.

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.*

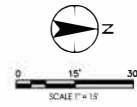
The variance would facilitate placement of an RV storage structure on the parcel, which is an authorized for use.

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

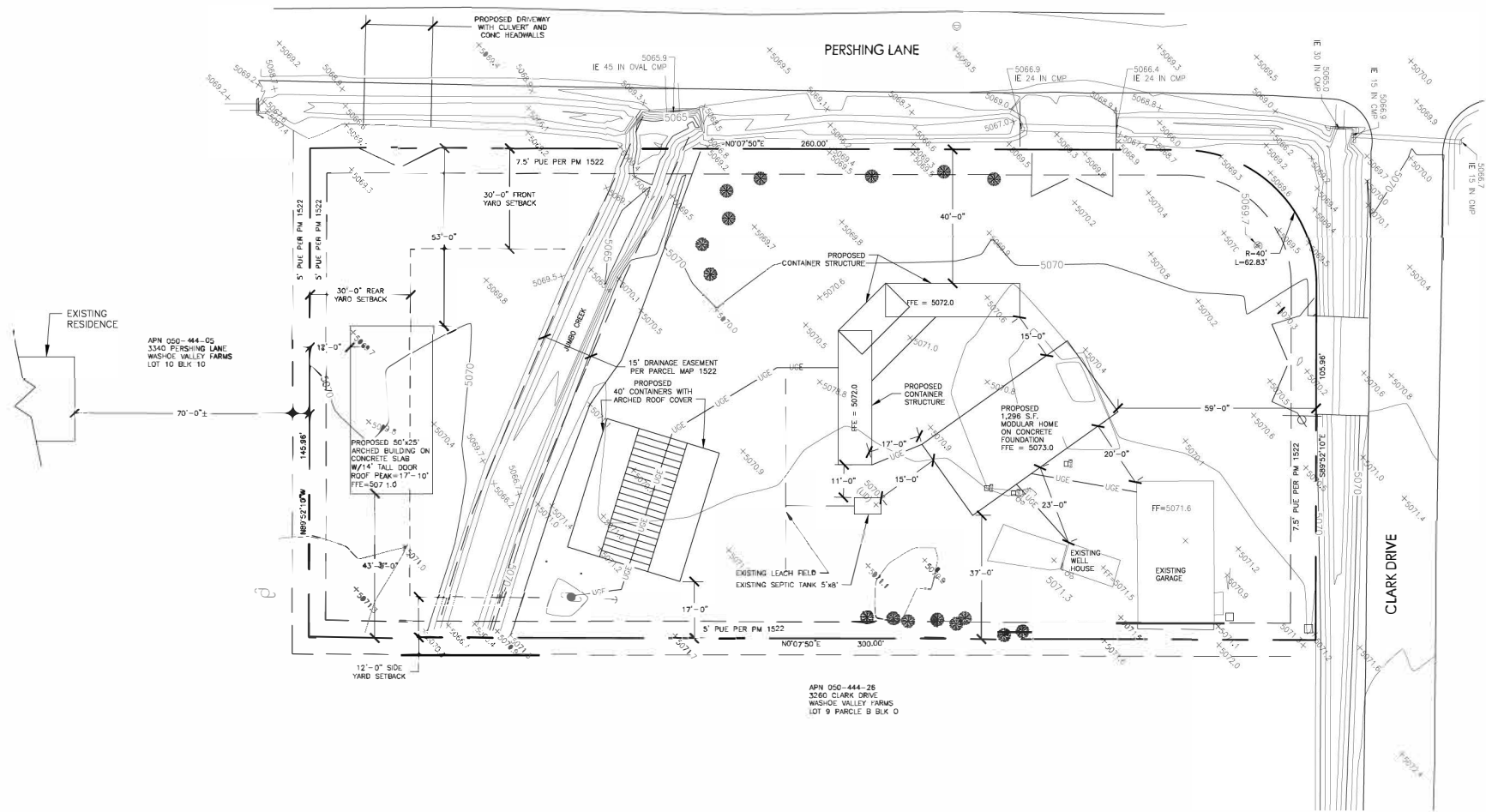
There are no known military bases in the area.

PARCEL INFORMATION:
 3310 PERSHING LANE
 WASHOE VALLEY NV 89704
 APN 050-444-028
 PARCEL A PARCEL MAP 1522
 1.0 ACRES
 LOW DENSITY SUBURBAN ZONING
 SETBACKS: FRONT 30', SIDE 12', REAR 30'

BASIS OF BEARING
 PARCEL MAP 1522
 BASIS OF ELEVATION
 STATIC OPS OBSERVATIONS
 REDUCED USNG OR STATIONS
 "P142", "P150" AND "SLID"



Legend:
 ———— USE —
 - - - - - UNDERGROUND ELECTRIC



SITE PLAN
CHAPMAN - WASHOE VALLEY RESIDENCE
3310 PERSHING LANE

Client: CLAYT CHAPMAN
 Project: CHAPMAN - WASHOE VALLEY RESIDENCE
 Title: SITE PLAN

Drawn By: [blank] Approved By: [blank]
 Date: [blank] [blank]

Scale:
 1" = 15'
 Drawing Name: [blank] Sheet Number:
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Conditions of Approval

Variance Case Number WPVAR23-0004

The project approved under Variance Case Number WPVAR23-0004 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on December 7, 2023. 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, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property.

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

Compliance with the conditions of approval related to this variance is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the variance may result in the institution 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 Health District must be appealed to the District Board of Health.**

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 Building Division

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

Contact Name – Julee Olander, Planner, 775.328.3627, jolander@washoecounty.gov

- a. **The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this variance.**
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this variance. The Planning and Building Division shall determine compliance with this condition.
- c. The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial 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 and Building Division.
- d. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- e. Construction activities shall be limited to the hours between 7am to 7pm, Monday through Saturday only. Any construction machinery activity or any noise associated with the construction activity are also limited to these hours.

Truckee Meadows Fire Protection District

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

Contact Name – Brittany Lemon, Fire Captain, 775.326-6079, blemon@tmfpd.us

- a. This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply. <https://tmfpd.us/fire-code/>
- b. The driveway will need to meet requirements of the IFC and IWUIC.

3. Northern Nevada Public Health - Environmental

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

Contact Name – James English, EHS Supervisor, 775.328.2434
jenglish@washoecounty.gov

- a. The requirements for the construction of the RV storage structure meet the setback requirements of the *Regulations of the District Board of Health Governing Sewage, Wastewater and Sanitation*.
- b. All future building plans and permits must be routed to EHS for review and approval prior to any construction.

*** End of Conditions ***