



Community Development

"Dedicated to Excellence in Public Service"

Adrian P. Freund, FAICP, Community Development Director
Nathan Edwards, Legal Counsel



Washoe County Board of Adjustment

Richard "R.J." Cieri, Chair
Philip J. Horan, Vice Chair

Mary S. Harcinske
Robert F. Wideman
Kim Toulouse

WASHOE COUNTY BOARD OF ADJUSTMENT MINUTES

January 29, 2010

The workshop for the Washoe County Board of Adjustment was scheduled for Friday, January 29, 2010 at 9:00 a.m., in the Washoe County Community Development Large Conference Room, 1001 East Ninth Street, Reno, Nevada.

Chair Cieri opened the public meeting at 9:00 a.m.

ITEM 1

Chad Giesinger presented an informational workshop highlighting new technologies and visualization processes for use in the permit review and public hearing process. In answer to various Board member's questions, he provided detailed information regarding data construction, use of the data, benefits and potential problems. The members agreed it was a useful tool but had the potential to be abused if not carefully controlled.

ITEM 2

Deputy District Attorney (DDA) Nathan Edwards discussed the Board's roles and responsibilities regarding findings and appeals. He emphasized the need for elaboration of the findings made that defend the motion. There was discussion clarifying how best to achieve that goal.

Member Toulouse expressed difficulty in general with the finding of no detriment. DDA Edwards explained all projects were detrimental in some way but if it went to court he would just need to be able show a rational decision was made. Further discussion clarified that if a case went through the Board of Adjustment (BOA), through the Board of County Commissioners (BCC) and then to court, the BCC, not the BOA, would be the defendant in a land use action. An ethics complaint could be made directly against one or more of the BOA members personally, in which case the member(s) would be required to defend themselves.

10:35 - DETERMINATION OF QUORUM

Members present: Richard "R.J." Cieri, Chair
Robert Wideman
Philip Horan
Kim Toulouse

Members absent: Mary S. Harcinske

Staff present: Adrian Freund, FAICP, Director, Community Development
Trevor Lloyd, Senior Planner, Community Development
Chad Giesinger, Senior Planner, Community Development

Nathan Edwards, Deputy District Attorney, District Attorney's Office
Dawn Spinola, Recording Secretary, Community Development

PUBLIC COMMENT

There was no response to the call for public comment.

Chair Cieri closed the Public Comment portion of the meeting.

ITEM 3

Mr. Lloyd discussed the Board's roles and responsibilities regarding Amendment of Conditions (AC). A major point emphasized in the discussion was that an AC case did not typically re-open the original case in its entirety. The members were only to deliberate on the condition proposed to be amended. Mr. Lloyd noted the Board did not have the authority to amend conditions imposed by the Health Department, the Regional Transportation Commission or the Airport Authority, as they each have their own governing bodies. He suggested it might be unwise to change conditions placed by another authority such as the state, deferring to their particular expertise.

ITEM 4

Ms. Spinola explained the reasoning behind the creation of county e-mail addresses for the members and the steps required to put them to use.

ADJOURNMENT

There being no further business to come before the Board of Adjustment, the workshop adjourned at 11:02 a.m.

Respectfully submitted,

Dawn Spinola, Recording Secretary

Approved by Board in session on April 1, 2010

Adrian P. Freund, FAICP, Director
Secretary to the Board of Adjustment