

# Board of Adjustment Staff Report

eting Date: June 3, 2021 Agenda Item: 8I

ADMINISTRATIVE CASE NUMBER: WADMIN21-0002 (Lee Garage)

BRIEF SUMMARY OF REQUEST: To approve a 2,000 SF detached accessory

structure.

STAFF PLANNER: Planner's Name: Julee Olander

Phone Number: 775.328.3627

E-mail: jolander@washoecounty.us

#### **CASE DESCRIPTION**

For hearing, discussion, and possible action to approve an administrative permit for a 2,000 SF detached accessory structure that is larger than the existing 924 SF main residence; a special use permit is required per Washoe County Code 110.306.10(d)

Applicant/Property Owner: Brandon Lee Location: 15280 Kivett Lane

APN: 017-123-22 Parcel Size: 0.78 acres

Master Plan: Suburban Residential (SR)
Regulatory Zone: Medium Density Suburban

(MDS)

Area Plan: Southeast Truckee

Meadows

Citizen Advisory Board: South Truckee

Meadows/Washoe

Valley

Development Code: Authorized in Authorized in

Article 306, Accessory Uses and Structures; and Article 810, Special Use

Permits

Commission District: 2 – Commissioner Lucey



**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 Board of Adjustment approve Administrative Permit Case Number WADMIN21-0002 for Brandon Lee, having made all four findings in accordance with Washoe County Development Code Section 110.808.25:

(Motion with Findings on Page 7)

## **Staff Report Contents**

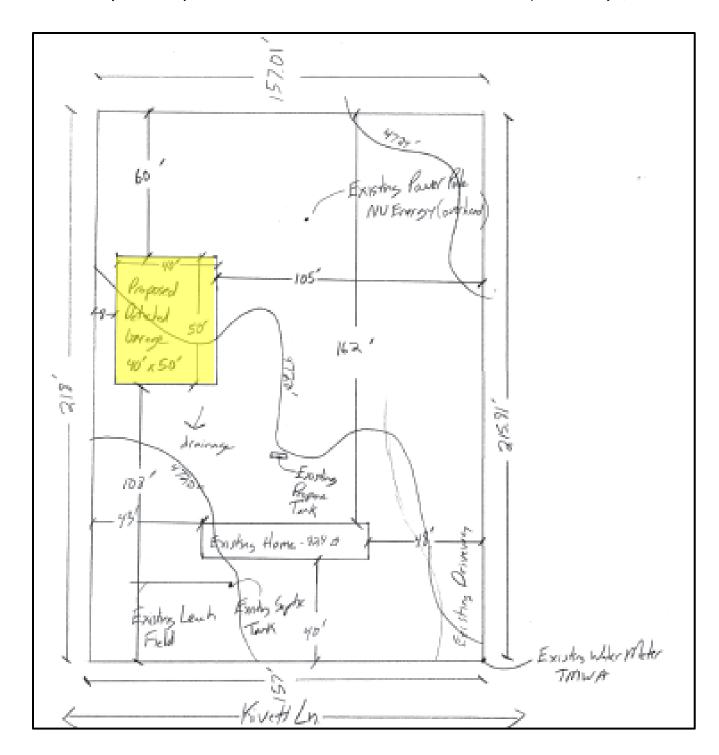
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The purpose of an administrative permit is to provide a method of review for a proposed use which possess characteristics that requires a thorough appraisal in order to determine if the use has the potential to adversely affect other land uses, transportation 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 Board of Adjustment must find that all of the required findings, if applicable, are true.

The conditions of approval for Administrative Permit Case Number WADMIN21-0002 are attached to this staff report and will be included with the action order.

The subject property is designated as Medium Density Suburban (MDS) in the Southeast Truckee Meadows Area Plan. Accessory structures that are larger than the main residence are permitted within the MDS regulatory zone subject to approval of an administrative permit per Washoe County Code 110.306.10(d).

Staff Report Date: May 7, 2021



## Site Plan

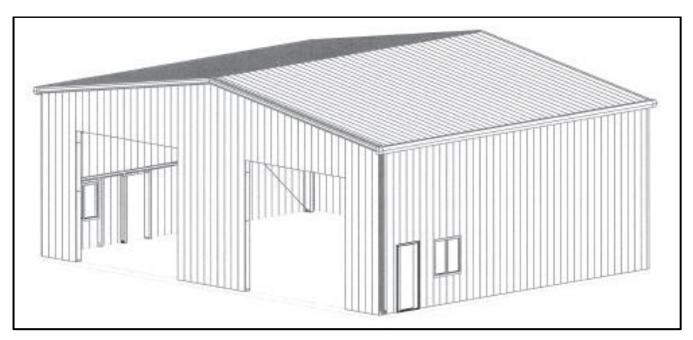
## **Project Evaluation**

The applicant is requesting an administrative permit to approve a ±2,000 sq. ft. detached accessory structure on the same parcel of land where a ±924 sq. ft. residence is located. An administrative permit is required per Washoe County Code 110.306.10(d), for accessory structures that are larger than the main residence.



Looking east at the site

The parcel has a regulatory zone of Medium Density Suburban (MDS) and is in a trailer (TR) overlay zone. Surrounding parcels have the same zoning and are within the TR overlay. The parcel is relatively flat and the proposed detached accessory structure will be located to the rear of the parcel, behind the residence. There is an existing shed on the property that the owner has indicated will be removed after the metal garage is constructed. The structure will comply with the minimum MDS setbacks of 20 feet in the front and rear and 8 feet on the sides. The applicant is not proposing electricity or plumbing in the detached accessory structure. There are other detached accessory buildings in the area and the proposed structure is consistent with the master plan. The applicant's elevations (shown below) show the accessory structure.



**Overall Elevation of Garage** 

## South Truckee Meadows/Washoe Valley Citizen Advisory Board (STM/WV CAB)

Administrative permits are not required by Washoe County Code to be presented at a citizen advisory board meeting.

Staff Report Date: May 7, 2021

#### **Reviewing Agencies**

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

Agency	Sent to Review	Responded	Provided Conditions	Contact
Washoe County Building & Safety	$\boxtimes$			
Washoe County Engineering	$\boxtimes$	$\boxtimes$		
WCHD – Air Quality	$\boxtimes$	$\boxtimes$		
WCHD – Environment Health	$\boxtimes$	$\boxtimes$		
Truckee Meadows Fire Protection District	$\boxtimes$	$\boxtimes$		
RTC Washoe	$\boxtimes$			
Washoe Storey Conservation District				

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

## **Staff Comment on Required Findings**

WCC 110.808.25 requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment 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. <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southeast Truckee Meadows Area Plan.
  - <u>Staff Comment:</u> The requested detached accessory structure does not conflict with the policies, action programs, standards, and maps of the Master Plan and the Southeast Area Plan.
- 2. <u>Improvements.</u> 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.
  - <u>Staff Comment:</u> A detached accessory structure will not create a significant demand on the existing utilities, roadway improvements, sanitation, or water supply. The detached accessory structure will have no electricity or plumbing.
- 3. <u>Site Suitability.</u> That the site is physically suitable for detached accessory structure and for the intensity of such a development.
  - <u>Staff Comment:</u> The site is relatively flat and physically suitable for a detached accessory structure. There a residence on the site and a detached accessory structure will not be a significant intensification to the site.

- 4. <u>Issuance Not Detrimental.</u> 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.
  - <u>Staff Comment:</u> The subject property is a residential zoned parcel. Issuance of a permit for a detached accessory structure 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. <u>Effect on a Military Installation.</u> Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.
  - <u>Staff Comment</u> There is no military installation in the required noticing distance of the proposed structure; therefore, this finding is not required to be made.

#### Recommendation

After a thorough analysis and review, Administrative Permit Case Number WADMIN21-0002 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 Number WADMIN21-0002 for Brandon Lee, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Development Code Section 110.808.25:

- 1. <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southeast Truckee Meadows Area Plan;
- 2. <u>Improvements.</u> 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. <u>Site Suitability.</u> That the site is physically suitable for detached accessory structure, and for the intensity of such a development;
- 4. <u>Issuance Not Detrimental.</u> 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. <u>Effect on a Military Installation.</u> 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 original 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 original applicant.

Staff Report Date: May 7, 2021

Applicant/Owner Property: Brandon Lee

brandonlee51@gmail.com



# Conditions of Approval

#### Administrative Permit Case Number WADMIN21-0002

The project approved under Administrative Permit Case Number WADMIN21-0002 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on June 3, 2021. 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.

<u>Unless otherwise specified</u>, 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 Planning and Building Division.

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.

Operational conditions are subject to review by the Planning and Building Division prior to the renewal of a business license each year. Failure to adhere to the operational conditions may result in the Planning and Building Division recommending that the business license not be renewed until conditions are complied with to the satisfaction of Washoe County.

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.

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 the Planning and Building Division, which shall be responsible for determining compliance with these conditions.

Contact Name - Julee Olander, Planner, 775.328.3827, jolander@washoecounty.us

- 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 administrative permit.
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this administrative permit. Planning and Building 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. Any imported earthen materials shall be "certified weed free" in order to prevent the spread of noxious weeds within the county.
- f. Any grading on site shall be in compliance with applicable best management practices to minimize erosion.
- g. Construction work hours will be limited to 7am to 7pm Monday to Saturday.
- h. The following **Operational Conditions** shall be required for the life of the business:
  - i. Failure to comply with any of the conditions of approval shall render this approval out of conformance and subject to revocation.

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



## **WASHOE COUNTY**

# COMMUNITY SERVICES DEPARTMENT Engineering and Capital Projects

1001 EAST 9<sup>TH</sup> STREET RENO, NEVADA 89512 PHONE (775) 328-3600 FAX (775) 328.3699

#### INTEROFFICE MEMORANDUM

DATE: April 22, 2021

TO: Julee Olander, Planner, Planning and Building Division

FROM: Walter West, Engineering and Capital Projects Division

SUBJECT: WADMIN21--0002

**APN 017-123-22 Lee Garage** 

#### **GENERAL PROJECT DISCUSSION**

Washoe County Engineering staff has reviewed the above referenced application. The Engineering and Capital Projects Division recommends approval.







From: Rosa, Genine
To: Olander, Julee

**Subject:** Agency Review Memo III

**Date:** Thursday, April 22, 2021 5:00:13 PM

## **Administrative Permit Case Number WADMIN21-0002 (Lee Garage)**

-No Comments

#### **Genine Rosa**

Environmental Engineer II | Air Quality Management Division | Washoe County Health District <a href="mailto:grosa@washoecounty.us">grosa@washoecounty.us</a> | O: (775) 784-7204 | C: (775) 420-9185 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512

\*My schedule is  $4 \times 10$ 's M-Th 7-5:30 off on Fridays.

www.OurCleanAir.com



From: Way, Dale
To: Olander, Julee

 Cc:
 Lee, Brett; Lemon, Brittany

 Subject:
 WADMIN21-0002 (Lee Garage)

 Date:
 Friday, April 16, 2021 8:46:25 AM

Julee,

We have no specific comments on this request beyond adopted codes and amendments.

Thank you.

## **Dale Way**

## Deputy Fire Chief - Fire Prevention | Truckee Meadows Fire & Rescue

<u>dway@tmfpd.us</u> | Office: 775.326.6000 3663 Barron Wy, Reno, NV 89511



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



April 21, 2021

Washoe County Community Services Planning and Development Division PO Box 11130 Reno, NV 89520-0027

RE: 15280 Kivett Ln; 017-123-22

Administrative Permit; WADMIN21-0002

Dear Washoe County Staff:

The following conditions are requirements of the Washoe County Health District, Environmental Health Division (EHS), which shall be responsible for determining compliance with these conditions.

- a) All Building permits associated with this construction must be routed for review and approval for Washoe County Health District.
- b) For Health to be able to approve the Building permit, the property will have to demonstrate that the proposed structure will not encroach on the existing septic and the property will have space for two code compliant septic systems after construction. Locating of original system will be required and a test trench if necessary to determine sizing.

If you have any questions or would like clarification regarding the foregoing, please contact David Kelly regarding all EHS comments.

Sincerely,

David Kelly EHS Supervisor

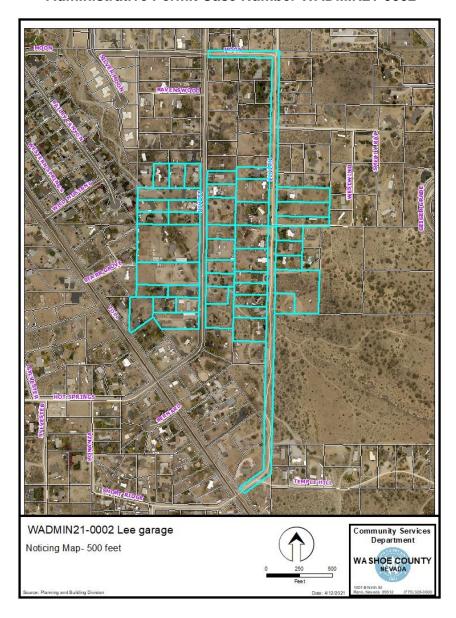
Environmental Health Services Washoe County Health District



## **Public Notice Map**

Washoe County Code requires that public notification of an Administrative Permit 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. This proposal was noticed within a 500-foot radius of the subject property, noticing 45 separate property owners a minimum of 10 days prior to the public hearing date.

### **Administrative Permit Case Number WADMIN21-0002**



## **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	s	taff Assigned Case No.:	
Project Name: Lee Det	ached Gar	age	
Project Detached Gara Description:	ge		
Project Address: 15280 Kivett L	n., Reno NV 89521		
Project Area (acres or square fe	et): .78 acres or 34,055	sq ft	
Project Location (with point of re	eference to major cross	streets AND area locator):	
Toll RD			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
017-123-22	.78 acres		
Indicate any previous Washo Case No.(s).	e County approval	s associated with this applicat	ion:
Applicant Inf	<b>ormation</b> (attach	additional sheets if necess	ary)
Property Owner:		Professional Consultant:	
Name:Brandon Lee		Name:	
Address: PO Box 21449		Address:	
Reno NV	Zip: 89515		Zip:
Phone: 775-828-9660	Fax:	Phone:	Fax:
Email:brandonleep51@gmail.c	com	Email:	
Cell: 775-828-9660	Other:	Cell:	Other:
Contact Person:		Contact Person:	
Applicant/Developer:		Other Persons to be Contact	ed:
Name: self		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):	

# Administrative Permit Application Supplemental Information

(All required information may be separately attached)

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

2,000 SF Detached Garage is larger than the exisitng residence of 924 SF

What section of the Washoe County code requires the Administrative permit required?

section 110.306.10

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

This will be a new structure on a developed parcel that has an existing residence.

4. 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?

## New detached garage with electric only and no plumbing

5. Is there a phasing schedule for the construction and completion of the project?

No

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

Large lot and a low density neighborhood. This garage will not stand out or impede any views of the neighbors

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

This will add to the value of the home as it lacks a garage. This will bring the property into conformance with code as it is currently non-conforming as it lacks a garage

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

I do not anticipate any negative impacts and it is in keeping with the development of the neighborhood

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

Earth tone body, trim and roof colors will be used commensurate with the existing structures and environment

This will add additional on-site p	arking in the build	ng and additional concrete parking are	as in front of the building
What types of landscaping ( indicate location on site plan	-	es, fencing, painting scheme, etc.	) are proposed? (Plea
The lot is currently fully landscaped and	fully fenced. Exterior	lighting will be provided on the building and will	be covered and downshielded
width, construction materials	s, colors, illumi	ovided? On a separate sheet, s nation methods, lighting intensity, rds. (Please indicate location of	base landscaping, et
N/A			
		ed conditions, or deed restriction request? (If so, please attach a	
☐ Yes		☑ No	
Utilities:			
a. Sewer Service	N/A		
b. Water Service	N/A		
Requirements, requires the and quantity of water rights of the control of the con	dedication of v	, Chapter 110, Article 422, Wat vater rights to Washoe County. ole should dedication be required acre-feet per year acre-feet per year	Please indicate the ty
e. Surface Claim #		acre-feet per year	
f. Other, #		acre-feet per year	
Title of those rights (as file Department of Conservation		te Engineer in the Division of Vesources):	Water Resources of
IN//			

