



WASHOE COUNTY BOARD OF ADJUSTMENT Meeting Minutes

Board of Adjustment Members

Clay Thomas, Chair
Rob Pierce, Vice Chair
Don Christensen
Kathie Julian
Brad Stanley

Thursday, February 2, 2023

1:30 p.m.

Washoe County Administrative Complex
Commission Chambers
1001 East Ninth Street
Reno, NV

Secretary

Trevor Lloyd

and available via
Zoom Webinar

1. Determination of Quorum

Chair Thomas called the meeting to order at 1:30 p.m. The following members and staff were present:

Members Present: Clay Thomas, Chair
Rob Pierce, Vice-Chair (Zoom)
Kathie Julian
Brad Stanley

Members Absent: Don Christensen

Staff Present: Courtney Weiche, Senior Planner, Planning and Building Division
Julee Olander, Planner, Planning and Building Division
Michael Large, Deputy District Attorney, District Attorney's Office
Adriana Albarran, Recording Secretary, Planning and Building Division
Brandon Roman, Recording Secretary, Planning and Building Division

2. Pledge of Allegiance

Member Thomas led the pledge of allegiance.

3. Ethics Law Announcement

Deputy District Attorney Large recited the Ethics Law standards.

4. Appeal Procedure

Secretary Lloyd recited the appeal procedure for items heard before the Board of Adjustment.

5. Public Comment

There was no response to the request for public comment.

6. Approval of the February 2, 2023 Agenda

In accordance with the Open Meeting Law, Member Stanley moved to approve the agenda of February 2, 2023. Member Julian seconded the motion which carried unanimously.

7. Approval of the January 5, 2023 Draft Minutes

Member Stanley moved to approve the minutes of January 5, 2023 as written. Member Julian seconded the motion which carried unanimously.

8. Public Hearing Items

A. Amendment of Conditions Case Number WAC22-0012 (Copart Sublot) [For Possible Action] – For hearing, discussion, and possible action to approve an amendment of conditions to amend condition 1(c) for Case Number WSUP20-0027, to extend the requirement that the initial building permits be issued on or before February 4, 2023, to February 4, 2025.

- Applicant/Property Owner: Copart of Arizona, Inc
- Location: 19905 Reno Park Blvd.
- APN: 081-131-35/34
- Parcel Size: 10.26/ 0.57 acres
- Master Plan: Industrial (I)
- Regulatory Zone: Industrial (I)
- Area Plan: Cold Springs
- Development Code: Authorized in Article 302 & Article 810, Allowed Uses
- Commission District: 5 – Commissioner Herman
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Olander provided a presentation. Applicant, David Snelgrove was available for questions. Applicant representative, Matthew Strother, was available via Zoom for questions as well.

Chair Thomas asked if Mr. Snelgrove was comfortable with the February 2025 date. Mr. Snelgrove confirmed. He said they thought they could go a year, but are dealing with UPRR (Union Pacific Railroad) and don't want to have to come back and ask for an extension. They are hopeful that this can get resolved within the next few weeks or months. However, it's not in their control.

Member Stanley asked if it's just a signature on a document that is required. Mr. Snelgrove read Condition 1(o) from the original approval, from Planning and Building, prior to the issuance of a grading permit, "For the proposed use, the applicant shall provide documentation acceptable to Washoe County, that the applicant has the right to traverse Union Pacific Railroad to access the subject site." This is already traversed by other users in the area. The problem is those permits were written specifically for them. Mr. Snelgrove's team had to obtain their own right to cross. They're also making improvements to that grade crossing to meet UPRR standards. It was pretty rural before it was improved.

Public Comment:

There were no requests for public comment. Chair Thomas closed the public comment period.

Motion: Chair Thomas moved 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 Amendment of Conditions Case Number WAC22-0012 for Copart of Arizona, Inc, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30:

- (a) **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Cold Springs Area Plan;
- (b) **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;
- (c) **Site Suitability.** That the site is physically suitable for the Inoperable Vehicle Storage use type and for Major Grading, and for the intensity of such a development;
- (d) **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;
- (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.

Member Stanley seconded the motion which carried in favor, four to zero, Member Christensen absent.

B. Administrative Permit Case Number WADMIN22-0028 (Wyndham Shop) [For Possible Action] – For hearing, discussion, and possible action to approve an administrative permit for a ± 2,400 sf detached accessory structure that is larger than the existing ±1,932 sf main residence.

- Applicant/Property Owner: Paul and Gail Wyndham
- Location: 11675 Mistletoe St
- APN: 080-332-07
- Parcel Size: 1.04 ac
- Master Plan: Suburban Residential
- Regulatory Zone: Low Density Suburban
- Area Plan: North Valleys
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 5 – Commissioner Herman
- Staff: Courtney Weiche, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3608
- E-mail: cweiche@washoecounty.gov

Senior Planner Weiche provided a presentation. Applicant, Paul Wyndham was available for questions.

Member Julian said there's a reference to a pre-inspection being required, but she didn't see that in the conditions. Is that contained in another area where it will addressed before any permit is

issued? Some special inspections are required for metal buildings, and a special inspection agreement will need to be submitted prior to permit issuance. She wondered, if that was factored in somewhere other than the conditions?

Secretary Lloyd said that would be a requirement for the building permit. It didn't need to be conditioned with this special permit.

Sr. Planner Weiche said she believed that with the revision of the site plan, some of the concerns or the comments that the Building Department had were related to not meeting that 30-foot defensible space.

Public Comment:

Karen Becerra (Chambers), a resident of Mistletoe Street, said "I'm not very tech-savvy. What exactly are you going to do with this building? It's bigger than our house. I own a farm two doors down from them. And we grow produce for the homeless. I would like to know what this is going to do to my property."

Secretary Lloyd advised that this was a time for testimony and that she could ask questions of the applicant offline.

Member Stanley asked about the intended use of the building. Mr. Wyndham said he planned to work on personal car and house projects. He confirmed it would not be used for commercial enterprises.

Chair Thomas recommended Mr. Wyndham speak with Ms. Becerra to alleviate her fears.

Motion: Chair Thomas moved 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 WADMIN22-0028 for Paul Wyndham, 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:

- (a) 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;**
- (b) 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;**
- (c) Site Suitability. That the site is physically suitable for detached accessory structure., and for the intensity of such a development;**
- (d) 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.**

Member Pierce seconded the motion which carried in favor, four to zero, Member Christensen absent.

9. Chair and Board Items

A. Future Agenda Items - None

B. Requests for Information from Staff – Member Stanley inquired about the recent BLM lawsuit and its impact on the Board's decision-making. DDA Large said it doesn't affect the SUP that this Board issued in regards to the exploratory wells by Ormat. Currently that SUP is on appeal to the

Board of County Commissioners regarding the conditions of approval. In regard to the lawsuit, DDA Large said he believed it was a separate lawsuit. It will have some impact on the SUP down the road, depending on how that goes. But that is a contest between Burning Man and some individuals versus BLM, who owns the property on which those exploratory wells. He believed they are challenging the NEPA report that was done in regard to that. The county is not a party to that. Member Stanley asked if the BCC decision would be open information to be used by the litigant. DDA Large said he would guess yes.

10. Director's and Legal Counsel's Items

A. Report on Previous Board of Adjustment Items - None

B. Legal Information and Updates - None

11. Public Comment

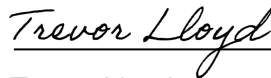
There was no response to the request for public comment.

12. Adjournment

The meeting adjourned at 1:55 p.m.

Respectfully submitted by Misty Moga, Independent Contractor

Approved by Board in Session on March 2, 2023



Trevor Lloyd
Secretary of the Board of Adjustment