



# Board of Adjustment Staff Report

Meeting Date: May 4, 2023

Agenda Item: 8B

ADMINISTRATIVE PERMIT CASE NUMBER: WADMIN23-0004 (Eagle Place Detached Accessory Structure)

BRIEF SUMMARY OF REQUEST: Detached Accessory Structure of 4,000 square feet on a parcel of land with a dwelling of 3,000 square feet.

STAFF PLANNER: Roger Pelham, MPA, Senior Planner  
Phone Number: 775.328.3622  
E-mail: rpelham@washoecounty.gov

### CASE DESCRIPTION

For hearing, discussion, and possible action to approve an administrative permit for a 4,000 square foot detached accessory structure that is larger than the residence on the same parcel of land. The residence on the parcel is 3,000 square feet.

Applicant / Property Owner:	Nevada B Story and Marilyn J Story
Location:	5204 Eagle Place, approximately 500 feet east of its intersection with Broken Spur Road
APN:	077-560-13
Parcel Size:	± 2.5 acres
Master Plan:	Rural Residential
Regulatory Zone:	High Density Rural
Area Plan:	Warm Springs
Development Code:	Authorized in Article 808, Administrative Permits
Commission District:	5 – Commissioner Herman



**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 approve Administrative Permit Case Number WADMIN23-0004 for Nevada B. Story and Marilyn J. Storey, 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.

*(Motion with Findings on Page 6)*

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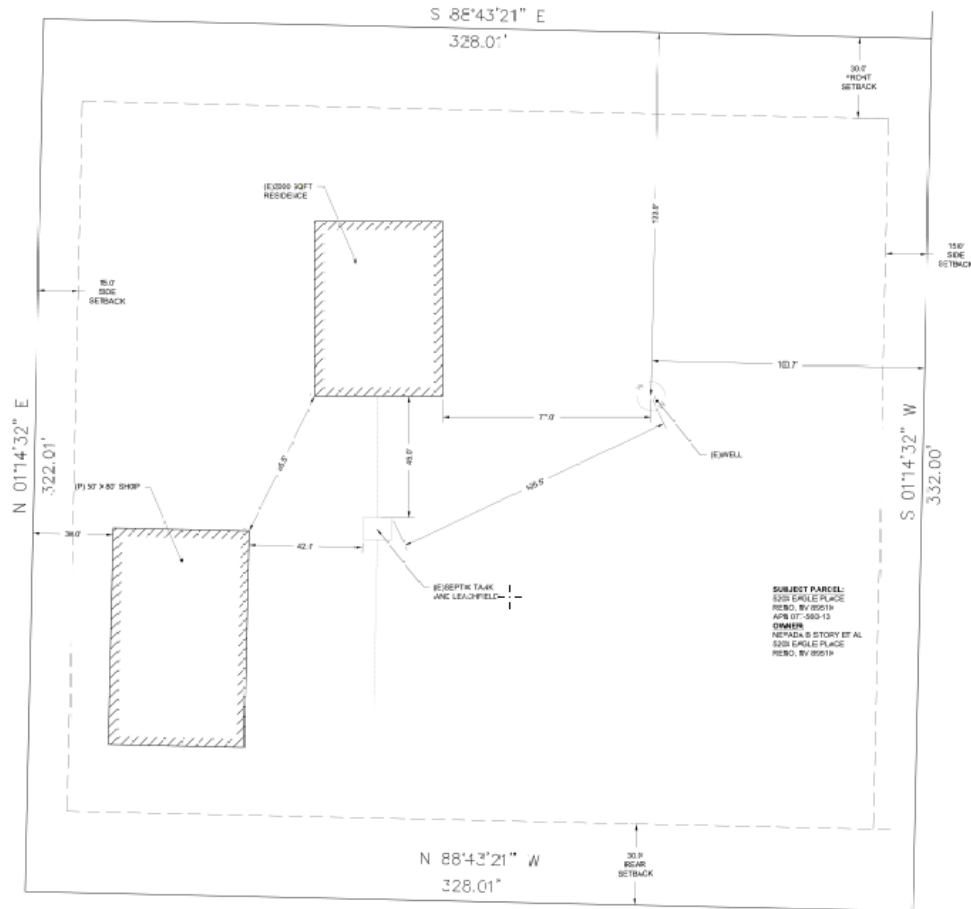
Project Application ..... Exhibit D

**Administrative Permit Definition**

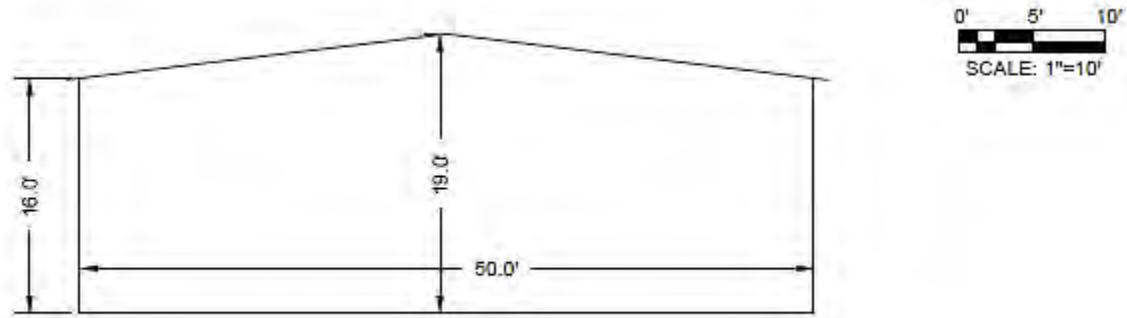
The purpose of an administrative permit is to provide a method of review for a proposed use which possess characteristics that requires a thorough appraisal in order to determine if the use has the potential to adversely affect other land uses, transportation or facilities in the vicinity. The Board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

The conditions of approval for Administrative Permit Case Number WADMIN23-0004 are attached to this staff report and will be included with the action order, if approval is granted.

The subject property is designated as High Density Rural within the Warm Springs planning area, detached accessory structures that are larger than the main dwelling are permissible in that area, subject to approval of an administrative permit by Washoe County.



**Site Plan**



**Proposed Building Elevation**

**Project Evaluation**

The applicant is requesting approval to construct a detached accessory structure that is larger than the dwelling on the same parcel of land, which is permissible in the HDR zone, subject to the approval of an administrative permit. The subject site is essentially flat. Large barns and shops are common in the surrounding area. The workshop will be visible from the public roadway. To minimize the visual impact conditions of approval have been included with the recommendation to require that the new workshop to be painted the same colors as the existing dwelling. The proposed structure will meet all standard building setbacks. Minimal conditions of approval are warranted by the request.

**Warm Springs Area Plan**

The subject parcel is located within the Warm Springs Area Plan. There are no pertinent policies from the Area Plan.

**Reviewing Agencies**

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

Planner: Roger Pelham Case Number: <u>WADMIN23-0004</u>				
Agencies	Sent to Review	Responded	Provided Conditions	Contact
<b>FEDERAL</b>				
US Postal Service	X			
<b>COUNTY</b>				
Washoe County Building & Safety	X			
Washoe County Engineering & Capital Projects	X	X		Walter West, PE, Senior Engineer, <a href="mailto:wwest@washoecounty.gov">wwest@washoecounty.gov</a>
Washoe County Land Development (All Apps)	X			
Washoe County Water Rights Manager (All Apps)	X			
<b>HEALTH</b>				
WCHD Air Quality	X			
WCHD EMS	X	X		Sabrina Brausell, <a href="mailto:sbrasuell@washoecounty.gov">sbrasuell@washoecounty.gov</a>
WCHD Environmental Health	X			
<b>FIRE PROTECTION</b>				
TMFPD	X	X	X	Dale Way, <a href="mailto:dway@tmfpd.us">dway@tmfpd.us</a> ; Brittany Lemon, <a href="mailto:BLemon@tmfpd.us">BLemon@tmfpd.us</a>
<b>GIDs</b>				
Palomino Valley GID	X			

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.

- (a) Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Warm Springs Area Plan.

*Staff Comment: There are no action programs or policies within the Warm Springs Area Plan that prohibit large detached accessory structures. Large detached accessory structures are common in this area.*

- (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.

*Staff Comment: No additional improvements are required to support this detached accessory structure.*

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

*Staff Comment: Large detached accessory structures are common in this area.*

- (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.

*Staff Comment: 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, because large detached accessory structures are common in this 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.

*Staff Comment: There is no military installation within the required notice area for this request.*

## **Recommendation**

After a thorough analysis and review, Administrative Permit Case Number WADMIN23-0004 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 Administrative Permit Case Number WADMIN23-0004 for Nevada B. Story and Marilyn J. Story, 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 Warm 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 a large 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.

- (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 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.

Applicant/Owner: Nevada B Story and Marilyn J Storey  
[pvcreno@yahoo.com](mailto:pvcreno@yahoo.com)

Representatives: Robison Engineering Inc., Attn: Nathan Robison  
[civil@robisoneng.com](mailto:civil@robisoneng.com)



# Conditions of Approval

Administrative Permit Case Number WADMIN23-0004

The project approved under Administrative Permit Case Number WADMIN23-0004 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on May 4, 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 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 – Roger Pelham, MPA, Senior Planner, 775.328.3622,  
rpelham@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 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. The color of the detached accessory structure shall match the color of the main dwelling on the parcel.
- f. Construction activities shall be limited to the hours between 7am to 7pm, Monday through Saturday only.

**Washoe County Engineering and Capital Projects**

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

**Contact Name – Walt West, PC, Senior Engineer, 775.328-2310,  
wwest@washoecounty.gov**

- a. The applicant/developer shall obtain from CSD – Planning and Building, a building/grading permit for construction of this project.
- b. A complete set of construction improvement drawings, including an on-site grading /site 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, erosion control (including BMP locations and installation details), and slope stabilization. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.

**Truckee Meadows Fire Protection District**

3. 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](mailto: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. This project is located in a moderate WUI zone and with conforming defensible space at 30 feet and non-conforming water, Ignition Resistant Construction Class 2 (IR2) is required.

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

# WADMIN23-0004

## Exhibit B

Hello,

The EMS Program has reviewed the March Agency Review Memo I - Administrative Permit Case Number WADMIN23-0004 (Eagle Place Detached Accessory Structure) - and has no concerns or questions at this time based on the information provided.

Thank you,

Sabrina.

### Sabrina Brasuell

Pronouns: she/her

EMS Coordinator | Epidemiology and Public Health Preparedness

Washoe County Health District

[sbrasuell@washoecounty.gov](mailto:sbrasuell@washoecounty.gov) | Cell: (775) 830-7118 | Office: (775) 326-6043

1001 E. Ninth St., Bldg. B. Reno, NV 89512

**WASHOE COUNTY  
HEALTH DISTRICT**



ENHANCING QUALITY OF LIFE

Public Health



COMMUNITY  
SERVICES DEPARTMENT

Engineering and Capital Projects

### INTEROFFICE MEMORANDUM

DATE: March 24, 2023  
TO: Roger Pelham, Senior Planner, Planning and Building Division  
FROM: Robert Wimer, P.E., Engineering and Capital Projects Division

SUBJECT: WADMIN23-0004  
APN 077-560-13  
Eagle Place Detached Accessory Structure

#### GENERAL PROJECT DISCUSSION

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

# WADMIN23-0004

## Exhibit B

**From:** [Lemon, Brittany](#)  
**To:** [Pelham, Roger](#)  
**Cc:** [Way, Dale](#)  
**Subject:** WADMIN23-0004 (Eagle Place Detached Accessory Structure) Conditions of Approval  
**Date:** Wednesday, March 15, 2023 10:49:56 AM  
**Attachments:** [image001.png](#)

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Hi Roger,

“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/>.

This project is located in a moderate WUI zone and with conforming defensible space at 30 feet and non-conforming water, Ignition Resistant Construction Class 2 (IR2) is required.

Thank you,

**Brittany Lemon**

**Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue**

[blemon@tmfpd.us](mailto:blemon@tmfpd.us) | Office: 775.326.6079 | Cell: 775.379.0584

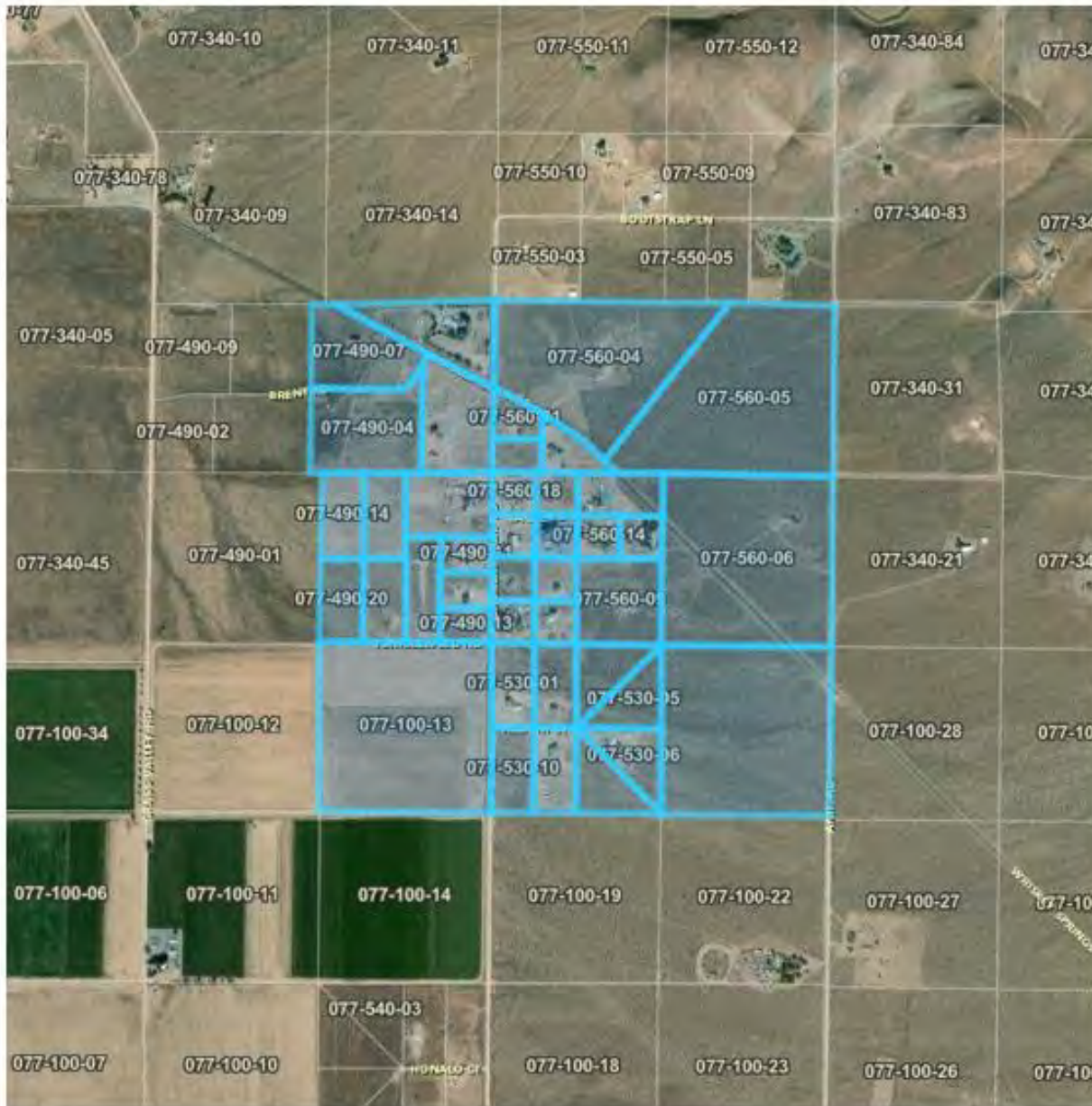
3663 Barron Way, Reno, NV 89511

# WADMIN23-0004

## Exhibit C

### Public Notice

Washoe County Code requires that public notification for a special use 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 1500-foot radius of the subject property. A total of 36 separate property owners were noticed a minimum of 10 days prior to the public hearing date.



41 Parcels within 1500 feet.

**WADMIN23-0004**  
**Exhibit D**

Community Services Department  
Planning and Building  
**ADMINISTRATIVE PERMIT APPLICATION**



Community Services Department  
Planning and Building  
1001 E. Ninth St., Bldg. A  
Reno, NV 89512-2845

Telephone: 775.328.6100

## 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.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <b>5204 Eagle Place</b>			
Project Description: Construction of a 4,000 sq ft detached shop on the 3 acre subject parcel			
Project Address: 5204 Eagle Place			
Project Area (acres or square feet): 2.5 acres			
Project Location (with point of reference to major cross streets <b>AND</b> area locator): Sec. 3 T22N R21 E, west of Whiskey Springs Rd and east of Broken Spur Rd. on Eagle Place.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
077-560-13	2.50		
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
<b>Applicant Information</b> (attach additional sheets if necessary)			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: Nevada B Story and Marilyn J Storey		Name: Robison Engineering Inc	
Address: 5204 Eagle Place		Address: 846 Victorian Ave #20	
Reno, NV	Zip: 89510	Sparks, NV	Zip: 89431
Phone: 775-997-8271	Fax:	Phone: 775-852-2251	Fax:
Email: pvcreno@yahoo.com		Email: civil@robisoneng.com	
Cell:	Other:	Cell: 775-240-7652	Other:
Contact Person: Nevada Story		Contact Person: Nathan Rogison	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name:		Name:	
Address:		Address:	
	Zip:		Zip:
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
<b>For Office Use Only</b>			
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?

Construction of a 4,000 sq ft shop building.

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

Section 110.306.10 Detached Accessory Structures and (d) Size (pursuant to Article 808)

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

A 3,000 sq ft residential structure currently exists on the property.

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?

There will be no electrical, water or sewer service within the building.

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

A slab on grade will be constructed, followed by erection of metal walls.

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?

The site is a rural area, north of Reno off of Pyramid Hwy.

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

The addition of a shop will create interior storage space, rendering the exterior of the parcel to appear less cluttered.

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

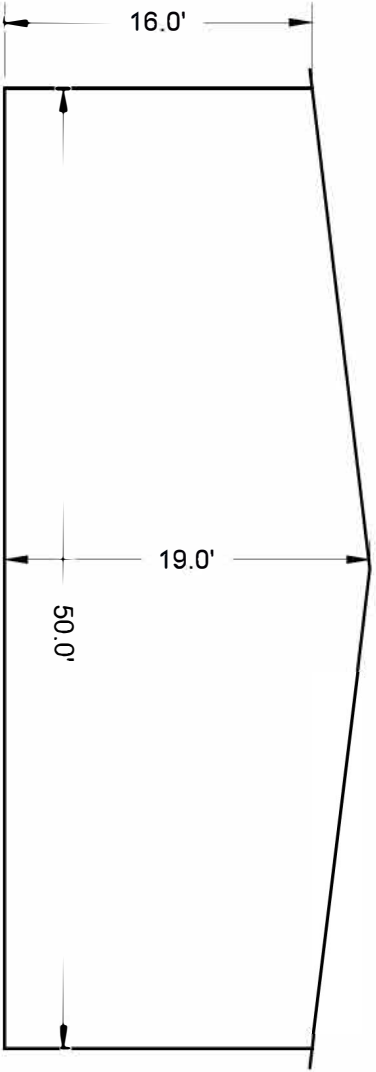
There are no anticipated negative impacts.

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

N/A





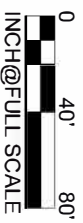


846 VICTORIAN AVENUE  
SPARKS, NV 89431  
www.robisoneg.com

DRAWN: VDF  
DATE: 2023-03-08

PREPARED FOR:  
**PALOMINO VALLEY  
CONSTRUCTION**

5240 EAGLE PLACE  
RENO, NV 89510  
(775)-997-8271



**5204 EAGLE PLACE  
VARIANCE APPLICATION**

SHEET C2  
BLDG DIM.

WASHOE COUNTY  
PROJECT NO: 1-2280-02.001  
NV

