

Washoe County Board of Adjustment



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COMMUNITY  
SERVICES DEPARTMENT

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**Variance Case Number WPVAR24-0002  
(Richard Variance)**

April 4, 2024

**280 Medgar Avenue**  
**APN 570-263-17**

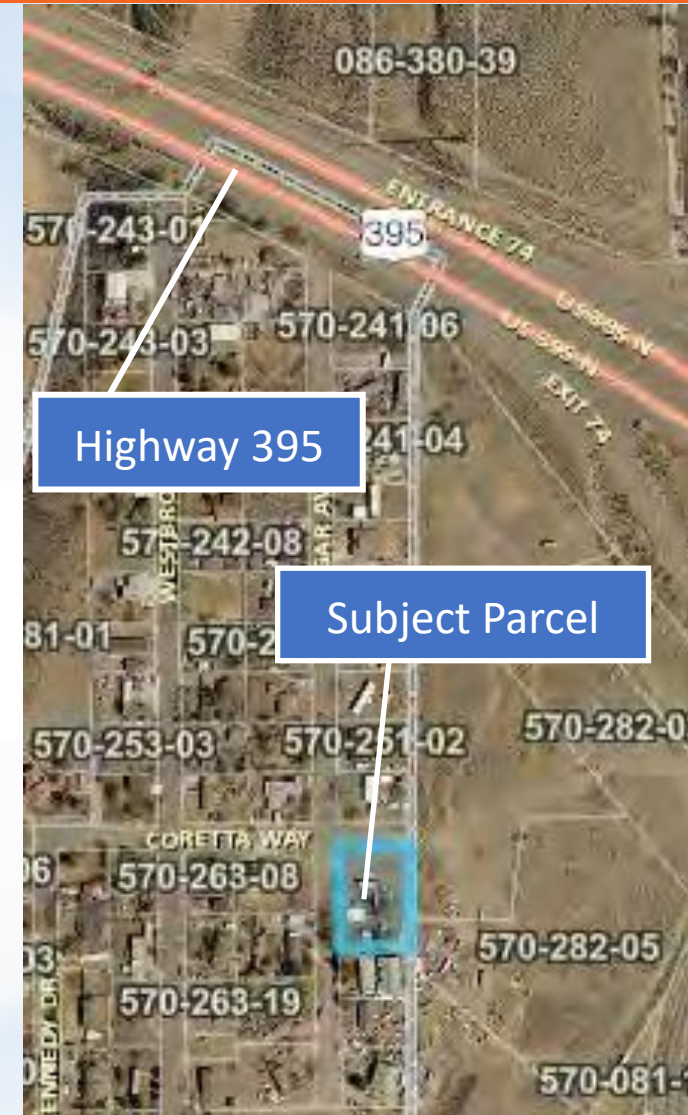




# Vicinity Map



- 0.66-acre parcel
- Surrounding parcels are similarly developed with single-family dwellings
- North Valleys
- Zoned Medium Density Suburban (MDS)



## **The request is for:**

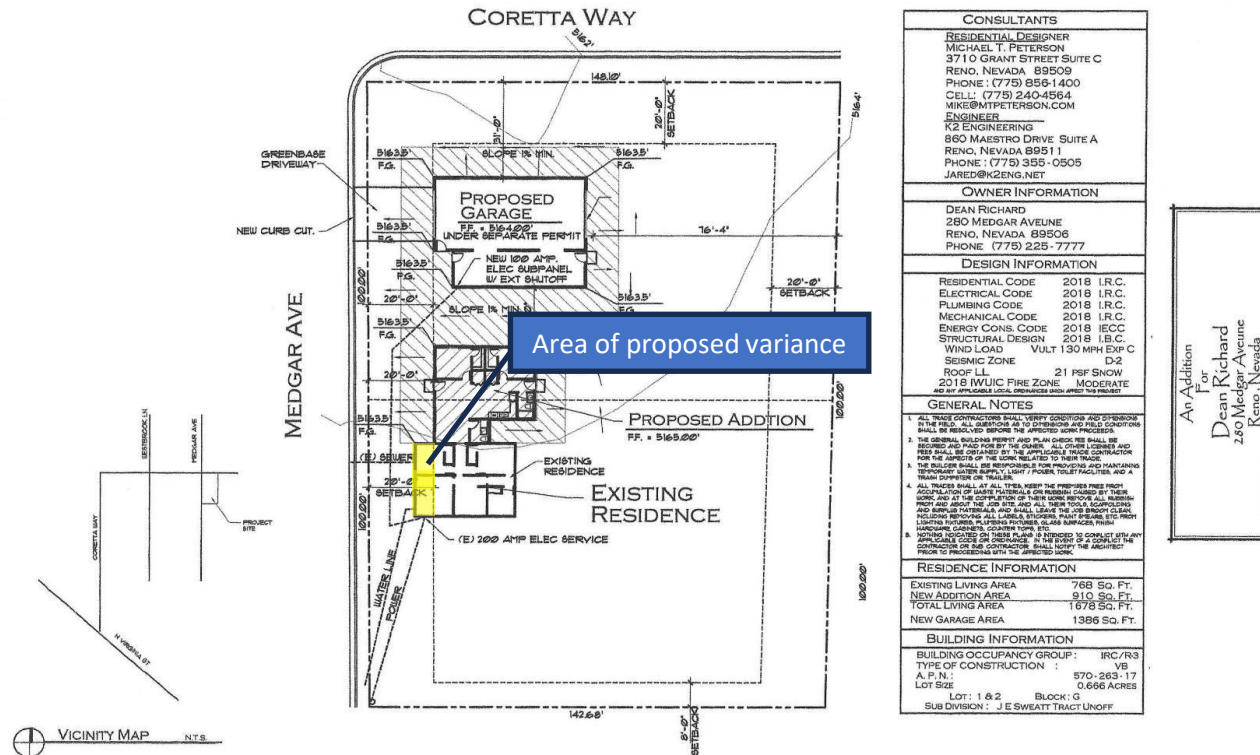
A variance to reduce the front yard setback from twenty (20) feet to fifteen (15) feet to bring an existing legal nonconforming dwelling that was constructed in 1920 into conformance with current setback requirements.

# Site Plan



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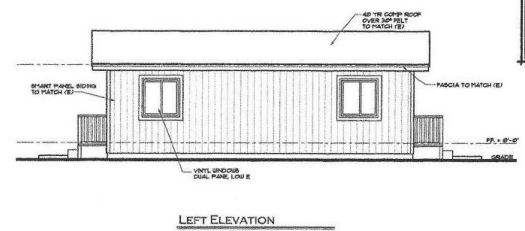
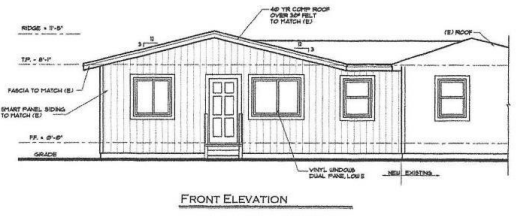
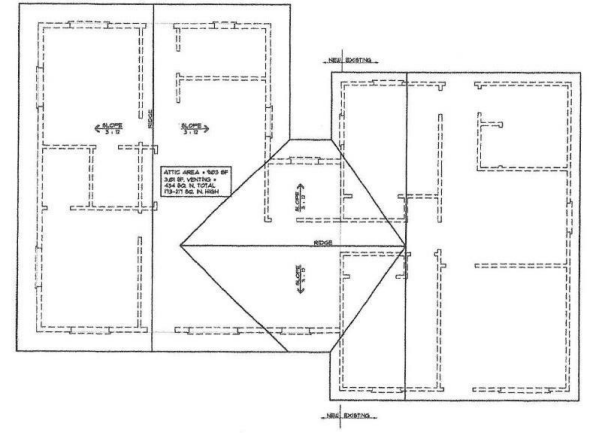
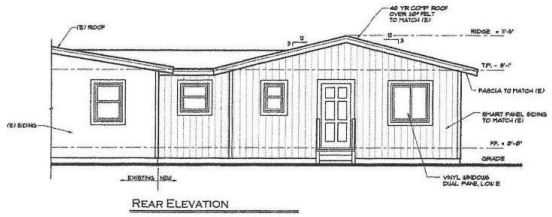
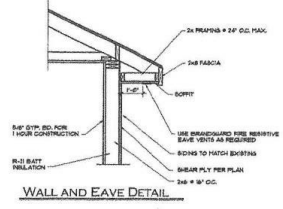
## Site Plan with Addition & Shop/Garage



CONSULTANTS	
<b>RESIDENTIAL DESIGNER</b>	
MICHAEL T. PETERSON 3710 GRANT STREET SUITE C RENO, NEVADA 89509 PHONE: (775) 856-1400 CELL: (775) 240-4564 MTP@MTPETERSON.COM	
<b>ENGINEER</b>	
K2 ENGINEERING 80 MAESTRO DRIVE SUITE A RENO, NEVADA 89511 PHONE: (775) 355-0505 JARED@K2ENG.NET	
OWNER INFORMATION	
DEAN RICHARD 280 MEDGAR AVENUE RENO, NEVADA 89506 PHONE: (775) 225-7777	
DESIGN INFORMATION	
RESIDENTIAL CODE	2018 I.R.C.
ELECTRICAL CODE	2018 I.R.C.
PLUMBING CODE	2018 I.R.C.
MECHANICAL CODE	2018 I.R.C.
ENERGY CONS. CODE	2018 IECC
STRUCTURAL DESIGN	2018 I.B.C.
WIND LOAD	VULT 130 MPH EXF C
SEISMIC ZONE	D2
ROOF LL	21 PSF SNOW
2018 IW/LIC FINE ZONE	MODERATE
*SEE APPLICABLE LOCAL ORDINANCES AND REFER TO PERMITS	
GENERAL NOTES	
1. ALL TRADE CONTRACTORS SHALL VERIFY CONDITIONS AND CONDITIONS OF THE SITE AND REPORT AS TO ANY DISCREPANCIES. ALL CONTRACTORS SHALL BE BOUND BY THE APPLICABLE CODES AND PERMITS.	
2. THE GENERAL BUILDING PERMIT AND PLAN CHECK FEE SHALL BE OBTAINED BY THE APPLICABLE TRADE CONTRACTOR FOR THE PROJECTS OF THE WORK RELATED TO THEIR TRADE.	
3. THE BUILDER SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TEMPORARY UTILITY SERVICE TO THE PROJECT AND A SIGN CONTRACTOR OR TRUCK.	
4. ALL TRADES SHALL AT ALL TIMES KEEP THE PROPOSED FREE FROM ACCUMULATION OF DEBRIS, MATERIALS OR OBSTRUCTIONS CAUSED BY THEIR WORK AND AT THE COMPLETION OF THEIR WORK REMOVE ALL MATERIALS FROM AND ABOUT THE JOB SITE AND ALL NEIGHBORHOODS. ALL CONTRACTORS SHALL BE RESPONSIBLE FOR REMOVING ALL LABELS, STAPLES, NAILS, SCREWS, ETC FROM EXISTING STRUCTURES. ALL TRADES SHALL BE RESPONSIBLE FOR REMOVING ALL DEBRIS FROM THE PROJECT SITE.	
5. ANY WORK DONE ON THESE PLANS IS INTENDED TO COMPLY WITH ANY APPLICABLE CODES OR ORDINANCES. IN THE EVENT OF A CONFLICT, THE CONTRACTOR OR SUB CONTRACTOR SHALL NOTIFY THE ARCHITECT PRIOR TO PROCEEDING WITH THE APPLICABLE WORK.	
RESIDENCE INFORMATION	
EXISTING LIVING AREA	768 SQ. FT.
NEW ADDITION AREA	910 SQ. FT.
TOTAL LIVING AREA	1678 SQ. FT.
NEW GARAGE AREA	1386 SQ. FT.
BUILDING INFORMATION	
BUILDING OCCUPANCY GROUP:	IRC/R3
TYPE OF CONSTRUCTION:	VE
A. P. N.:	570-263-17
LOT SIZE:	0.666 ACRES
LOT: 1 & 2	BLOCK: G
SUB DIVISION:	J. E. SWEATT TRACT UNOFF

An Addition  
For  
Dean Richard  
280 Medgar Avenue  
Reno, Nevada

# Elevations



An Addition  
for  
Dean Richard  
280 Meigs Avenue  
Reno, Nevada

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 and only under particular circumstances.

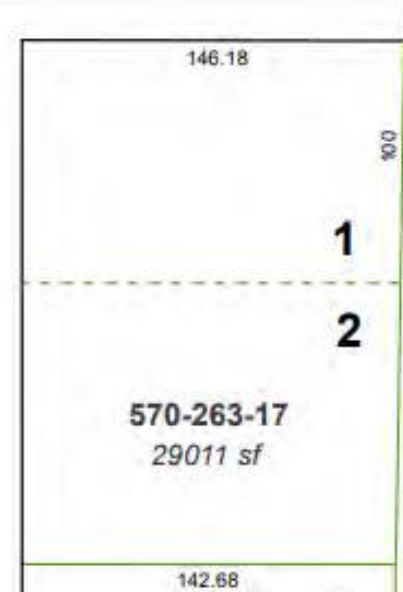
The applicant has the responsibility to demonstrate that the subject property exhibits one or more of the following characteristics to demonstrate a hardship:

- 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.



## *Exceptional Narrowness and Shape of the Property*

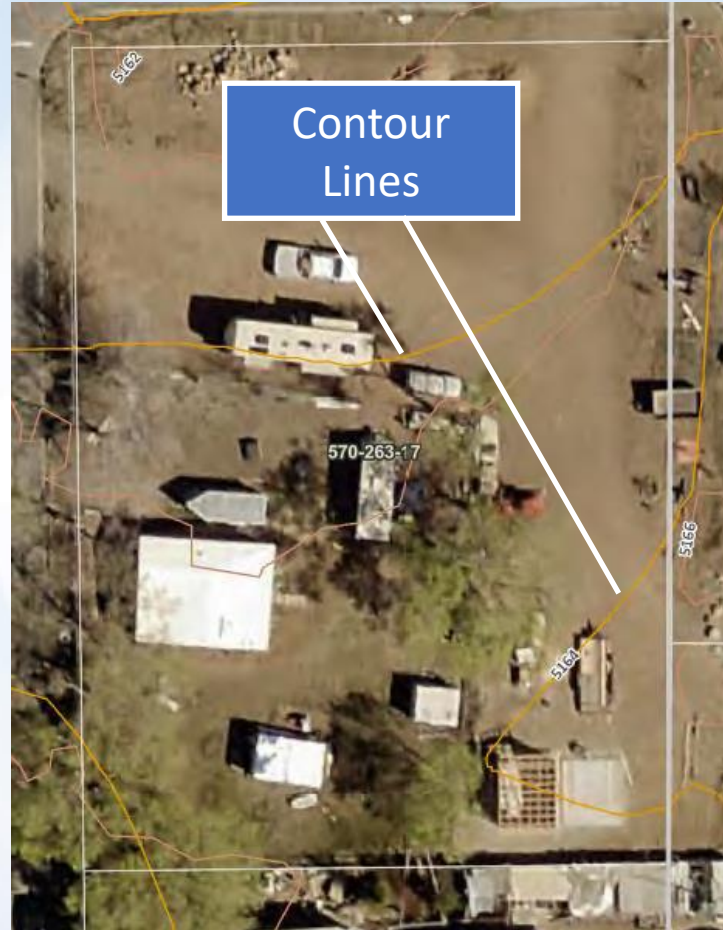
- Narrowest width of the rectangular-shaped parcel is 146.18 feet.
- Washoe County Code Table 110.406.05.1, *Standards, Part Two: Lot Size*, requires a minimum width of eighty (80) feet for the MDS zoning.





## *Exceptional Topographic Conditions*

- Property has gently sloping topography as indicated by the contour lines.



## ***Extraordinary & Exceptional Situation or Condition***

- Applicant states the following on the application:
  1. “This is a house built in 1920 and we would like to add on to this house. The new addition would conform to new zoning setbacks – we are asking for variance for existing house only.”
  2. “I would not be able to expand the house and move into it as I have planned to live there and build a garage.”
- Dwelling legally constructed in 1920 prior to the adoption of planning and zoning regulations for Washoe County in 1957.
- Considered a legal nonconforming structure.
- WCC Section 110.904.30, *Nonconforming Structure*, subsection (b), *Adding New Uses of Structure*:

“When a nonconforming structure exists on any lot, no new use or structure shall be established or built on such land unless the lot area, dimensions and yards provided for each existing and proposed use or structure conform to the requirements of this Development Code for the regulatory zone in which the lot is located.”
- Property owner would not be able to make additions to the structure and would be deprived of utilizing the property in the same manner as surrounding properties.

# Reviewing Agencies



- The project application was sent to thirteen (13) agencies for review.
- One agency provided conditions which are included in Exhibit A of the staff report.

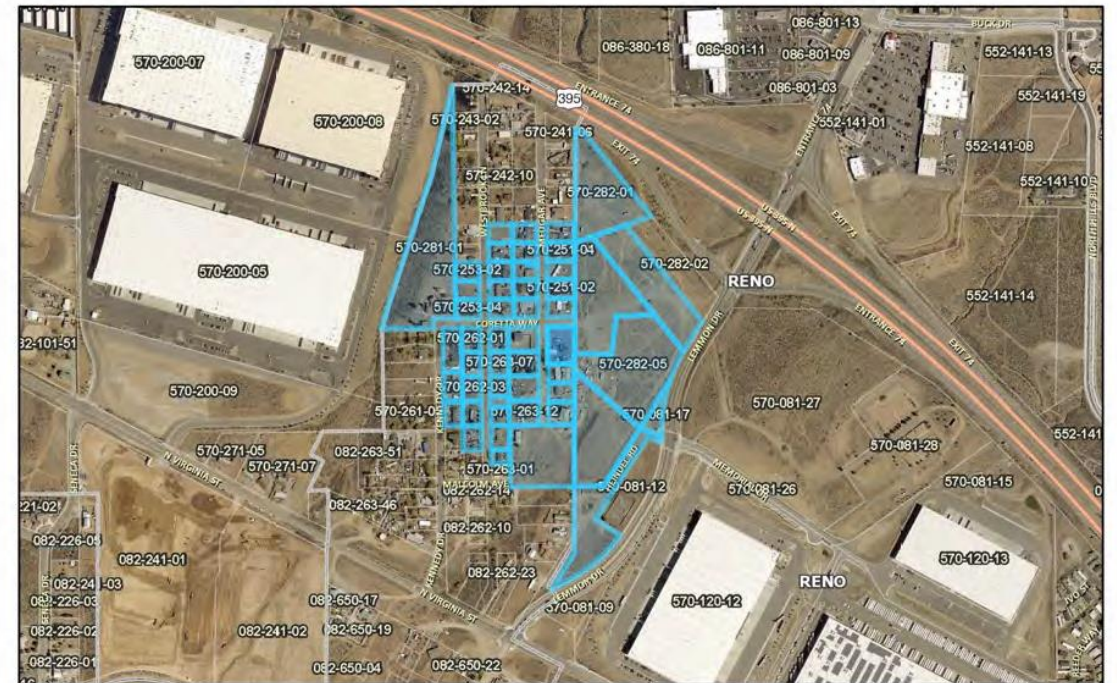
Agencies	Sent to Review	Responded	Provided Conditions	Contact
NDOT (Transportation)	X			
NV Water Resources	X			
Washoe County Building & Safety	X			
Washoe County Sewer	X			
Washoe County Traffic	X			
Washoe County Water Rights Manager (All Apps)	X	X		
Washoe County Engineering (Land Development) (All	X	X		
Washoe County Engineering & Capital Projects Director (All Apps)	X			
NNPH Air Quality	X			
NNPH Environmental Health	X	X		
TMFPD	X	X	X	Dale Way, dway@tmfpd.us; Brittany Lemon, BLemon@tmfpd.us
Grandview Terrace Water Board	X			
NV Energy	X			

# Public Notice



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SERVICES DEPARTMENT

- Fifty-one (51) parcels noticed
- No public comments received



February 12, 2024

1:9,028  
0 0.05 0.1 0.2 mi  
0 0.07 0.15 0.3 km  
Washoe County GIS, Source: Esri, Maxar, Earthstar Geographics, and the  
GIS User Community.  
This information for illustrative purposes only. Not to be used for boundary.



**Staff is able to make all four (4) required findings, as detailed on pages 10 & 11 in the staff report.**

- 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;

## **Staff recommends the Board of Adjustment approve Variance Case Number WPVAR24-0002 and provides the following 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 Variance Case Number WPVAR24-0002 for Mervyn Dean Richard, with the conditions of approval included as Exhibit A for this matter, having made all four required findings in accordance with Washoe County Development Code Section 110.804.25.

# Thank you

Tim Evans, Planner  
Washoe County CSD – Planning Division  
TEvans@washoecounty.gov  
775-328-2314



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