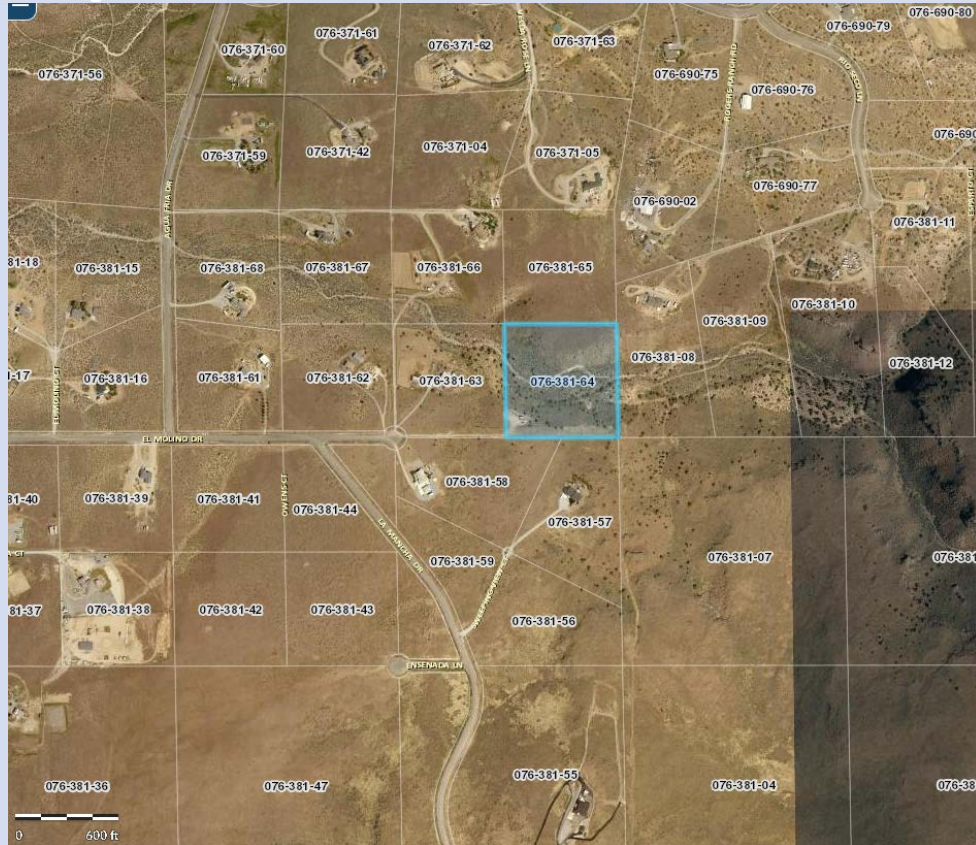




WAB19-0003 and WPVAR19-0003 Cooper Abandonment/Variance



***Washoe County Planning Commission
February 4, 2020***

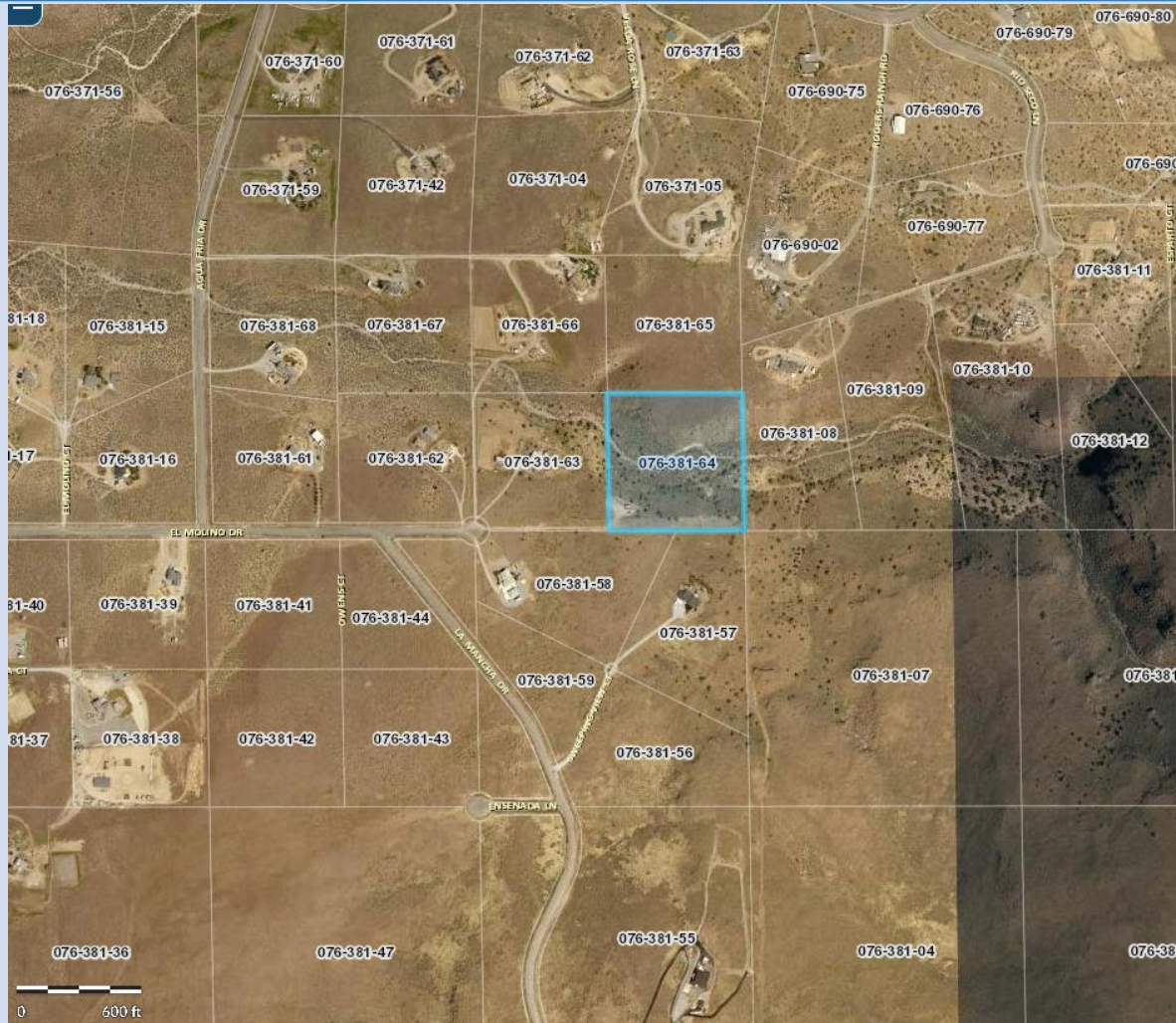


Background/Request

- The applicant is requesting to abandon a portion of their existing access easement bulb in favor of a hammerhead turn around.
- The applicant is also requesting to vary the setbacks (30ft front/rear, 50ft side) to a 0ft front yard setback and a 10ft western side yard setback.
- The property has a General Rural (GR) regulatory zone.

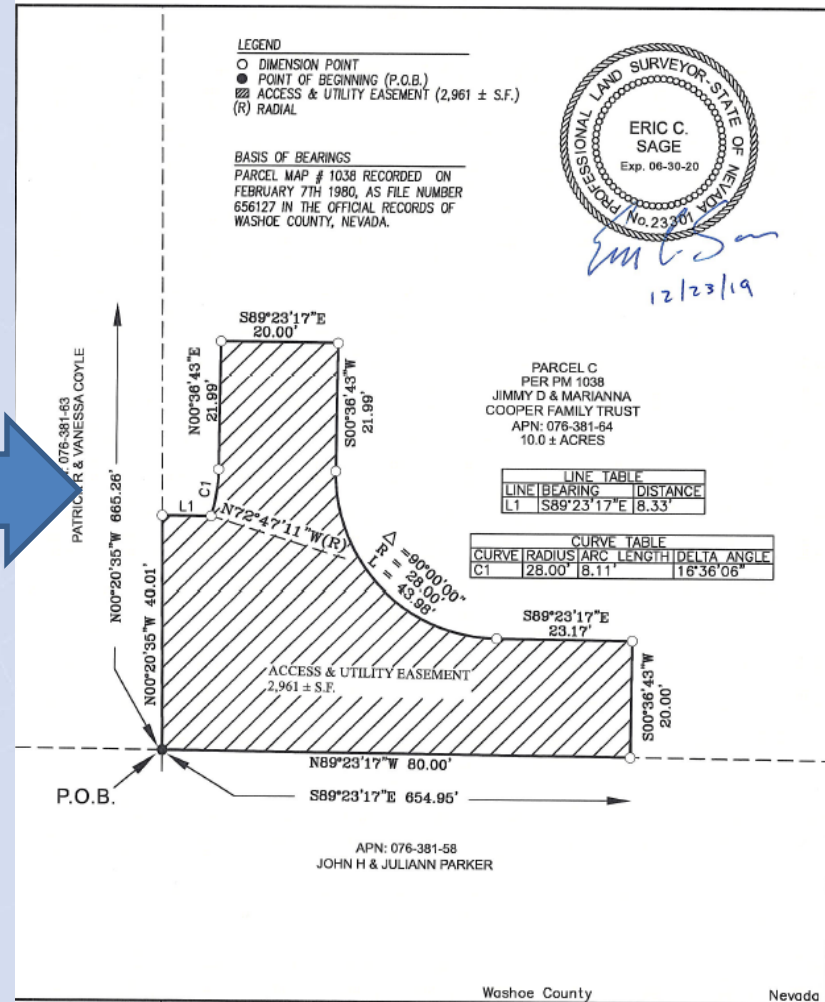
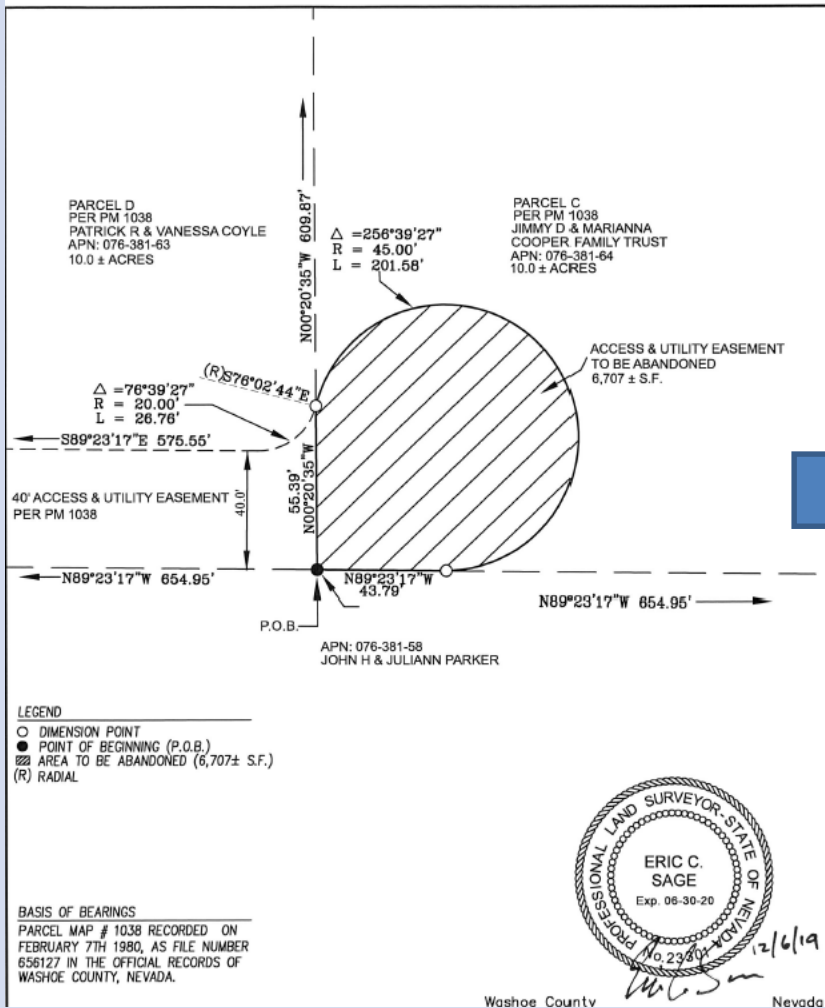


Vicinity Map



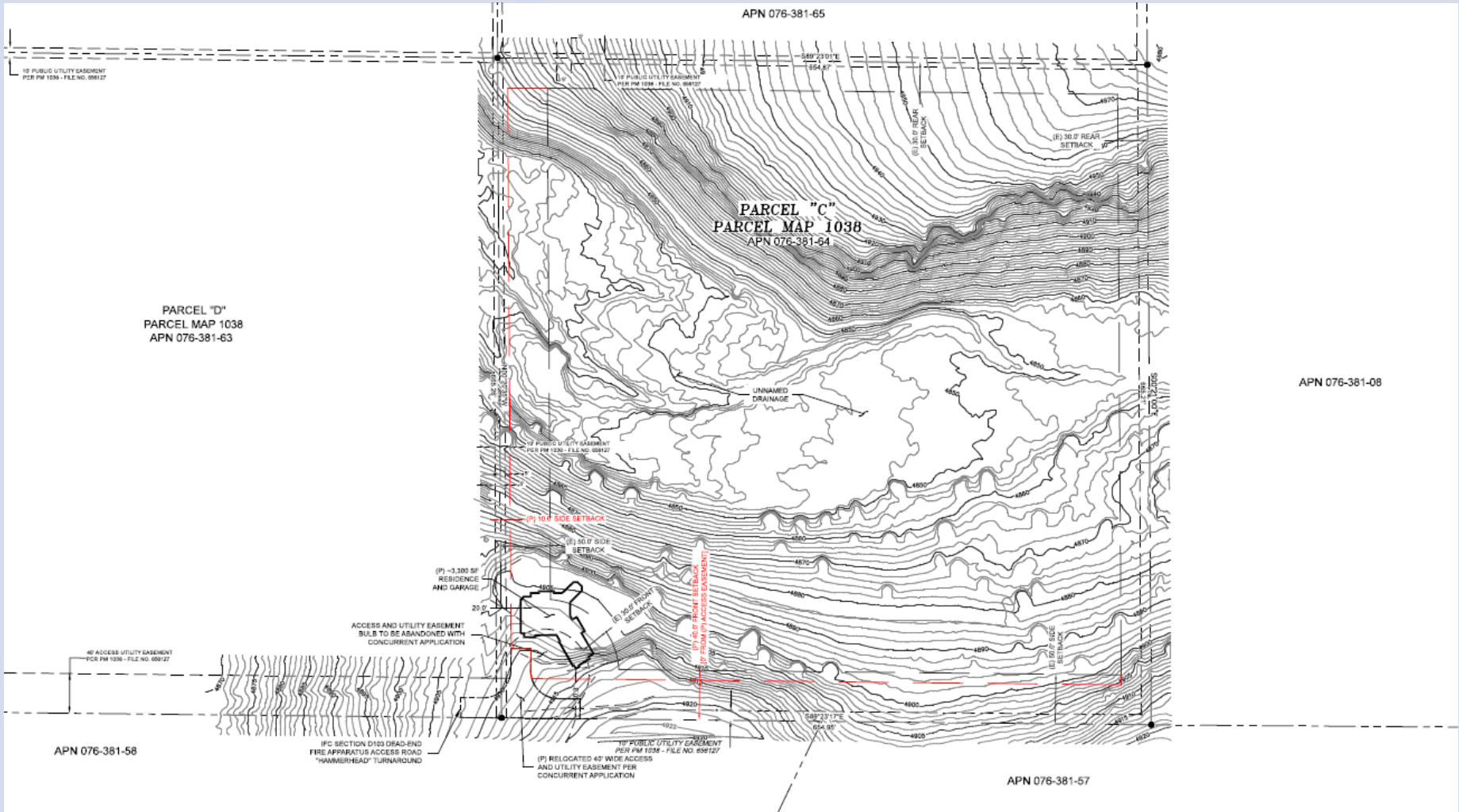


Abandonment Details



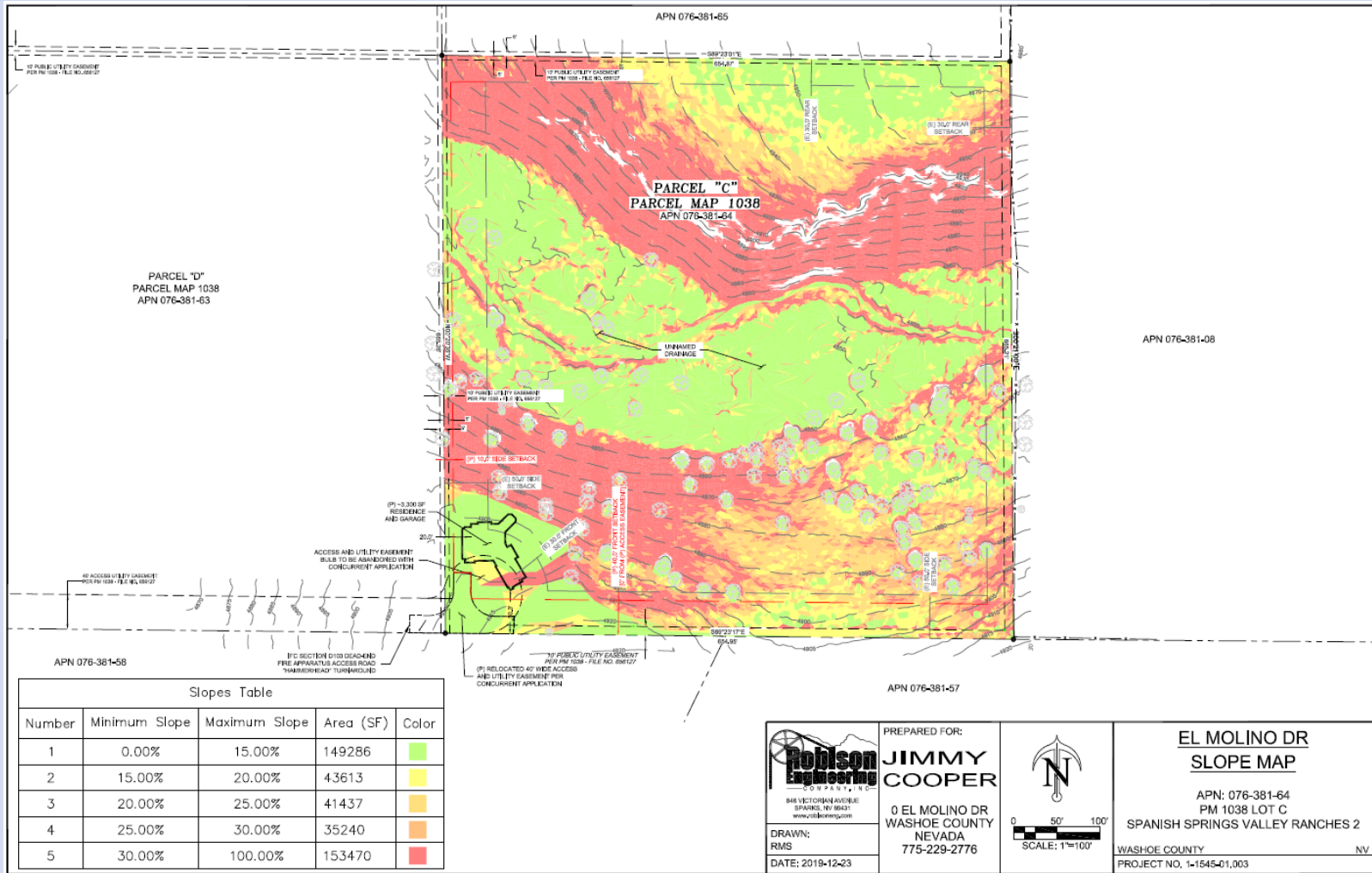


Site Map





Slope Map



Slopes Table

Number	Minimum Slope	Maximum Slope	Area (SF)	Color
1	0.00%	15.00%	149286	Light Green
2	15.00%	20.00%	43613	Yellow
3	20.00%	25.00%	41437	Light Orange
4	25.00%	30.00%	35240	Orange
5	30.00%	100.00%	153470	Red

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 848 VICTORIAN AVENUE
 SPANISH SPRINGS, NV 89117
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PREPARED FOR:
JIMMY COOPER

0 EL MOLINO DR
 WASHOE COUNTY
 NEVADA
 775-229-2776

DRAWN:
 RMS

DATE: 2019-12-23

SCALE: 1"=100'

**EL MOLINO DR
 SLOPE MAP**

APN: 076-381-64
 PM 1038 LOT C
 SPANISH SPRINGS VALLEY RANCHES 2

WASHOE COUNTY NV
 PROJECT NO. 1-1545-01,003





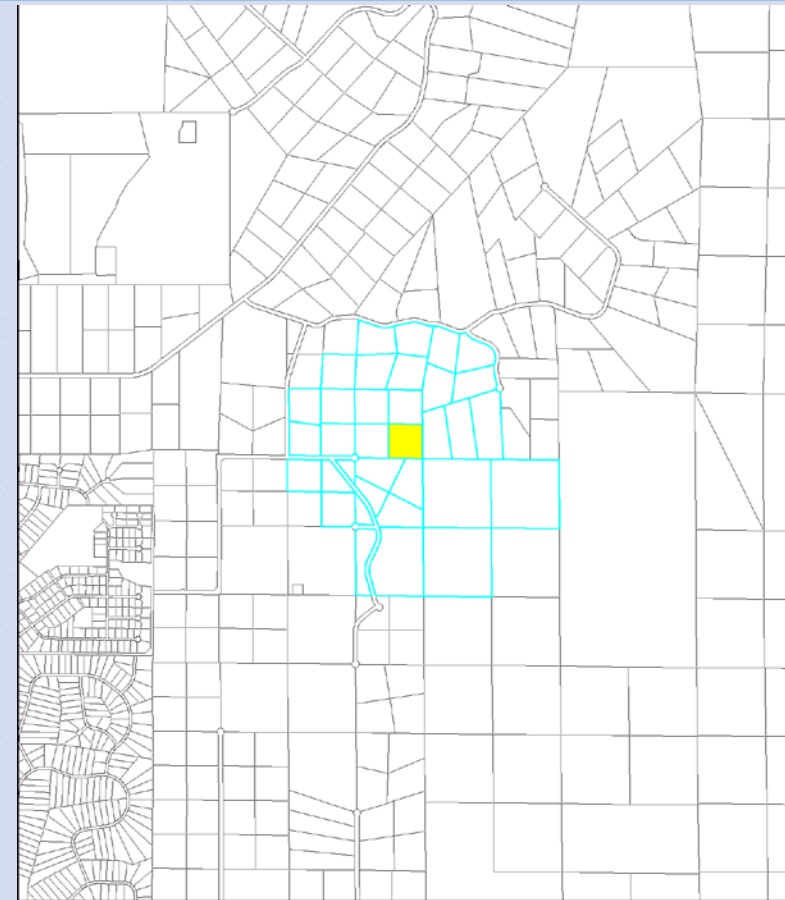
Analysis

- **Abandonment will result in a building area of at least 5,000sf without modifying setbacks.**
 - Buildable area is sufficient for a large single family residential building and does not require large scale grading
- **Variance is not required as the setbacks provide a large buildable area unconstrained by exceptional topography**
 - This would create special privileges inconsistent with the limitations on other properties in the vicinity.



Public Notice & CAB

- Notice sent to 33 affected property owners within 1400 feet from the site.



WAB19-0003 Public Notice Map

Property owners abutting or connected to proposed abandonment

- Noticed Parcels
- Subject Parcel



0 5001,000
Feet

Source: Planning and Development

Community Services
Department, Planning
and Development





Citizen Advisory Board

- Meeting January 8, 2020
- Effects of the applicant's proposed abandonment on surrounding property owners
- Feasibility of developing the north side of the property
- Steepness of the terrain and constraining geographic features
- Functionality of the proposed replacement hammerhead
- Potential legal precedent being set based on the Washoe County abandonment language included as part of the Abandonment application
- Impacts of development of the property on public to access to petroglyphs further up the canyon
- Rationale for varied setbacks versus neighboring properties
- Is the lot buildable with the underground electrical line



Citizen Advisory Board

Spanish Springs Citizen Advisory Board voted unanimously to recommend denial of both the abandonment and variance.

However, the CAB voiced support for the abandonment despite concerns over setting legal precedent based on the language within the Washoe County Abandonment application.



Abandonment Findings

- 1. Master Plan.** The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Spanish Springs Area Plan
- 2. No Detriment.** The abandonment or vacation does not result in a material injury to the public.
- 3. Existing Easements.** Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.



Recommendation – Abandonment

Those agencies which reviewed the application recommended conditions to address applicable codes and impacts associated with the project. After a thorough analysis and review, staff recommends that the Planning Commission carefully consider all aspects of Abandonment Case Number WAB19-0003 and the nature of the stringent recommended conditions of approval and **approve** the requested abandonment.



Variance Findings

- **1. 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.
- **2. 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.
- **3. 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.
- **4. 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.
- **5. 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.



Recommendation – Variance

Those agencies which reviewed the application recommended conditions to address applicable codes and impacts associated with the project. After a thorough analysis and review, staff recommends that the Planning Commission carefully consider all aspects of Variance Case Number WPVAR19-0003 and the nature of the stringent recommended conditions of approval and deny the requested variance.



Possible Motion - Abandonment

APPROVAL: 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 Planning Commission approve Abandonment Case Number WAB19-0003 for Cooper Abandonment, having been able to make all three findings in accordance with Washoe County Code Section 110.806.20.





Possible Motion - Variance

Denial: 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 Planning Commission deny Variance Case Number WPVAR19-0003 for Cooper Variance, having been unable to make all five findings in accordance with Washoe County Code Section 110.604.25.

