



ABANDONMENT CASE NUMBER WAB21-0007 (Nachlinger Taylor)

**Washoe County Planning Commission
September 7, 2021**

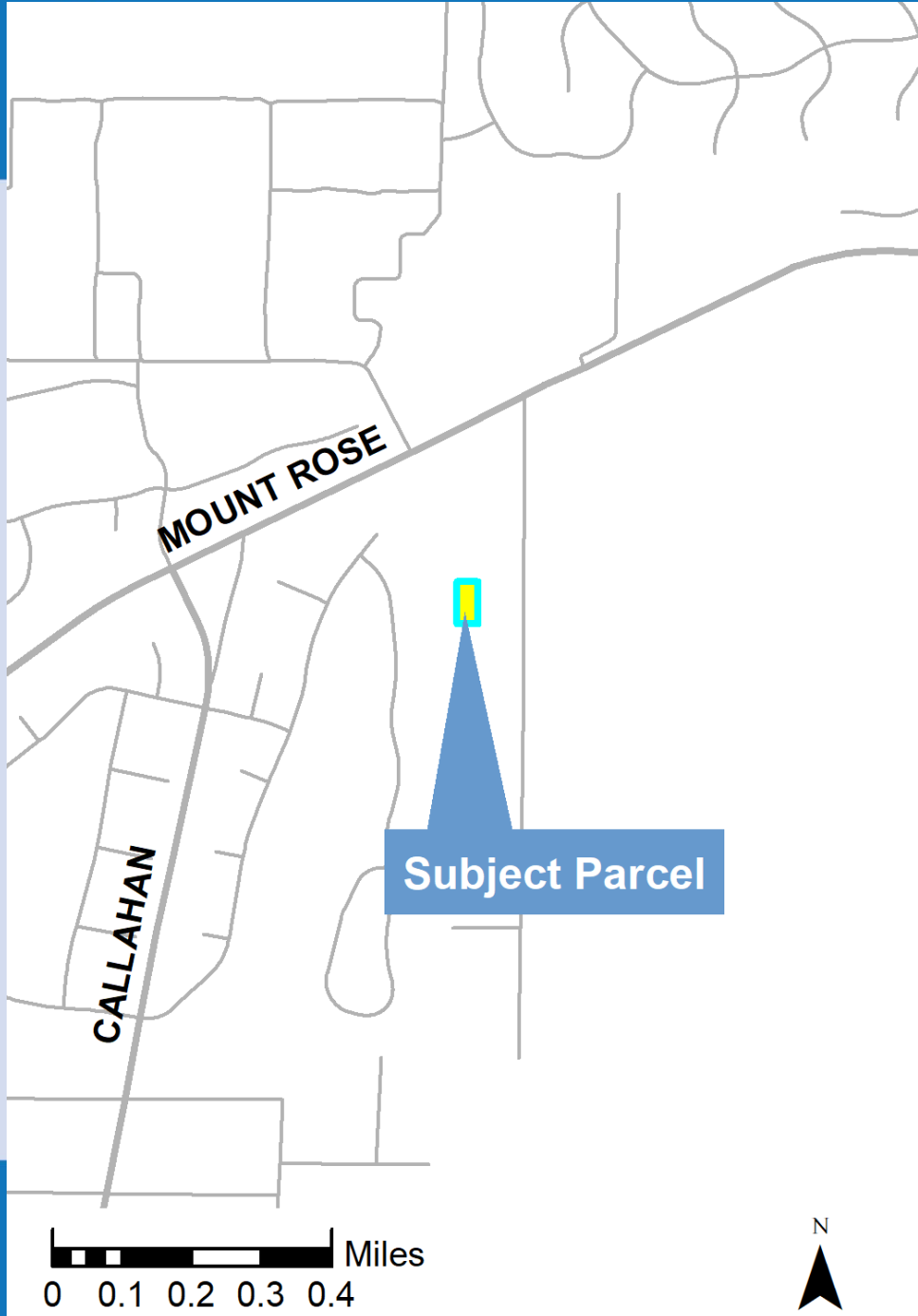


Background/Request

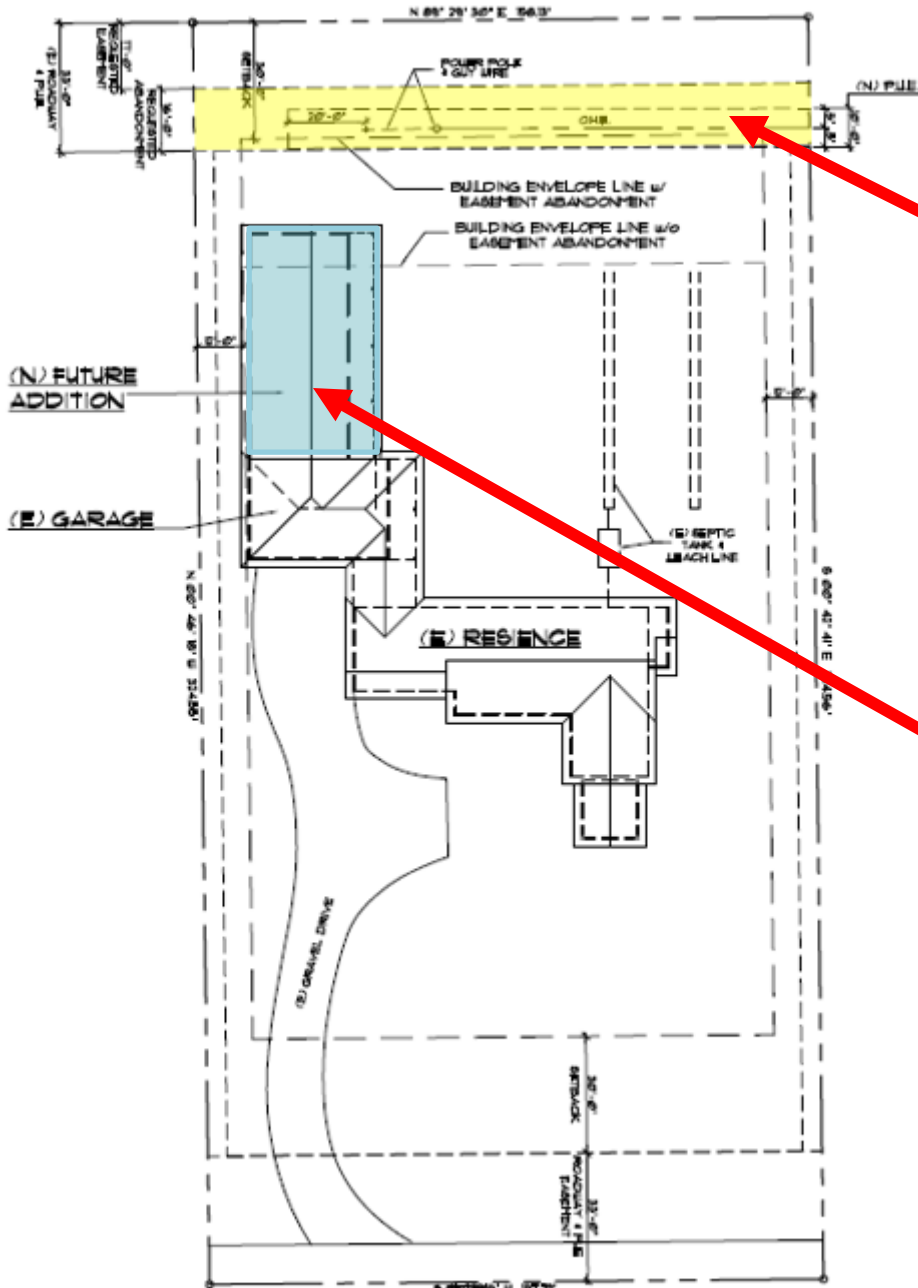
- The applicant is requesting to abandon 16 feet of the existing 33-foot access easement on the northern property line of their parcel. This would reduce the access easement from 33 feet to 17 feet.
- The property has a regulatory zone of Low Density Suburban (LDS), with 30-foot front and rear yard setbacks and 12-foot side yard setbacks.

Vicinity Map

The parcel is located in the Forest Area, on Fawn Lane, off Mount Rose Highway.



Overview



The portion of the easement to be abandoned is on the north property line.

The intent of the partial abandonment is to allow for the construction of an addition to the north side of the existing detached garage.

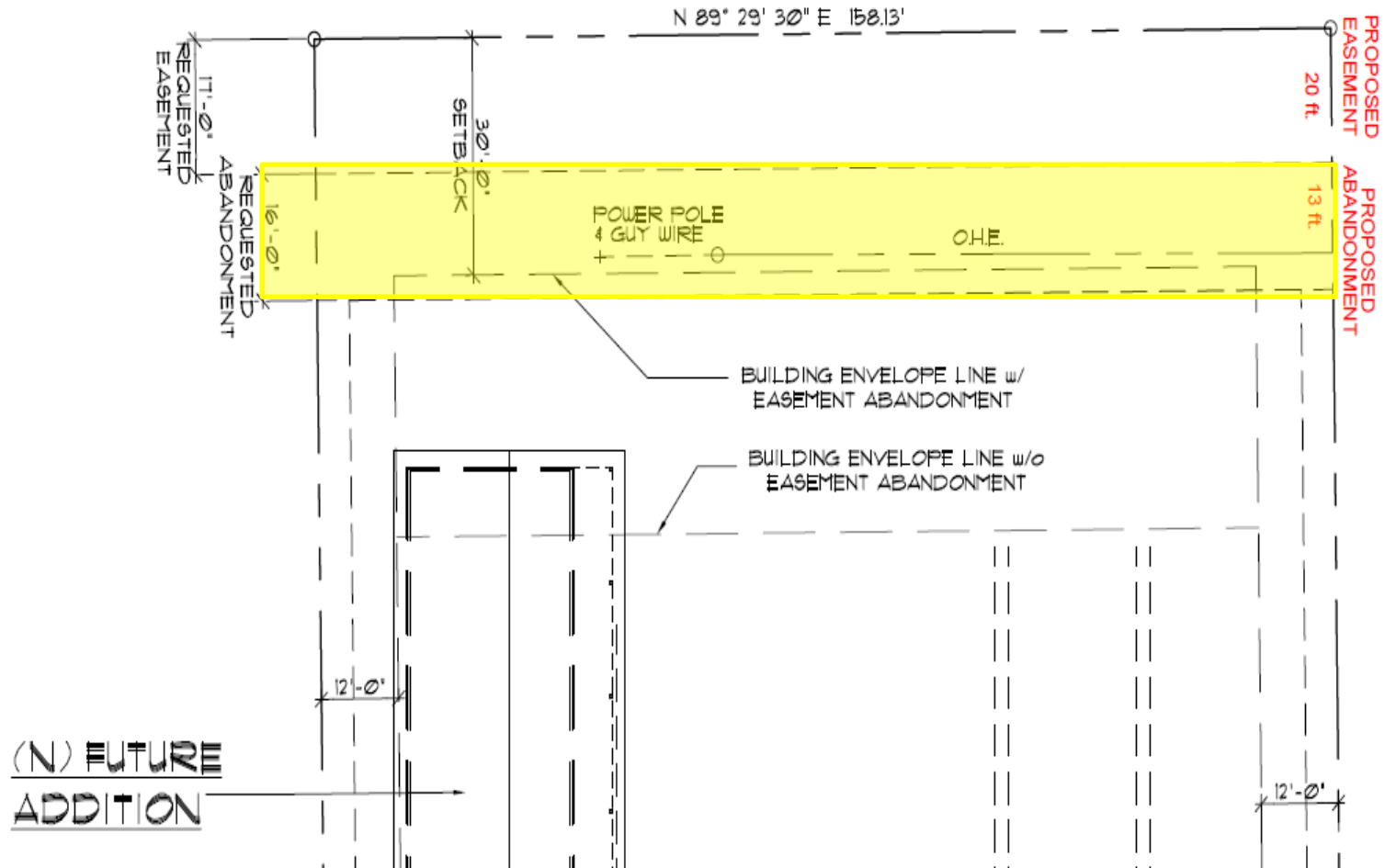


Overview

- Per Washoe County Code Section 110.406.05, when an access easement traverses a portion of a property and has a total width of more than twenty (20) feet, the required yard setback is measured from the edge of the easement closest to the proposed structure.
- Due to this code, without an abandonment, the applicant would be required to build 63 feet from their northern property line: the 33 ft. easement, plus the 30 ft. setback. Their proposed addition would extend into the setback.



Overhead Photo



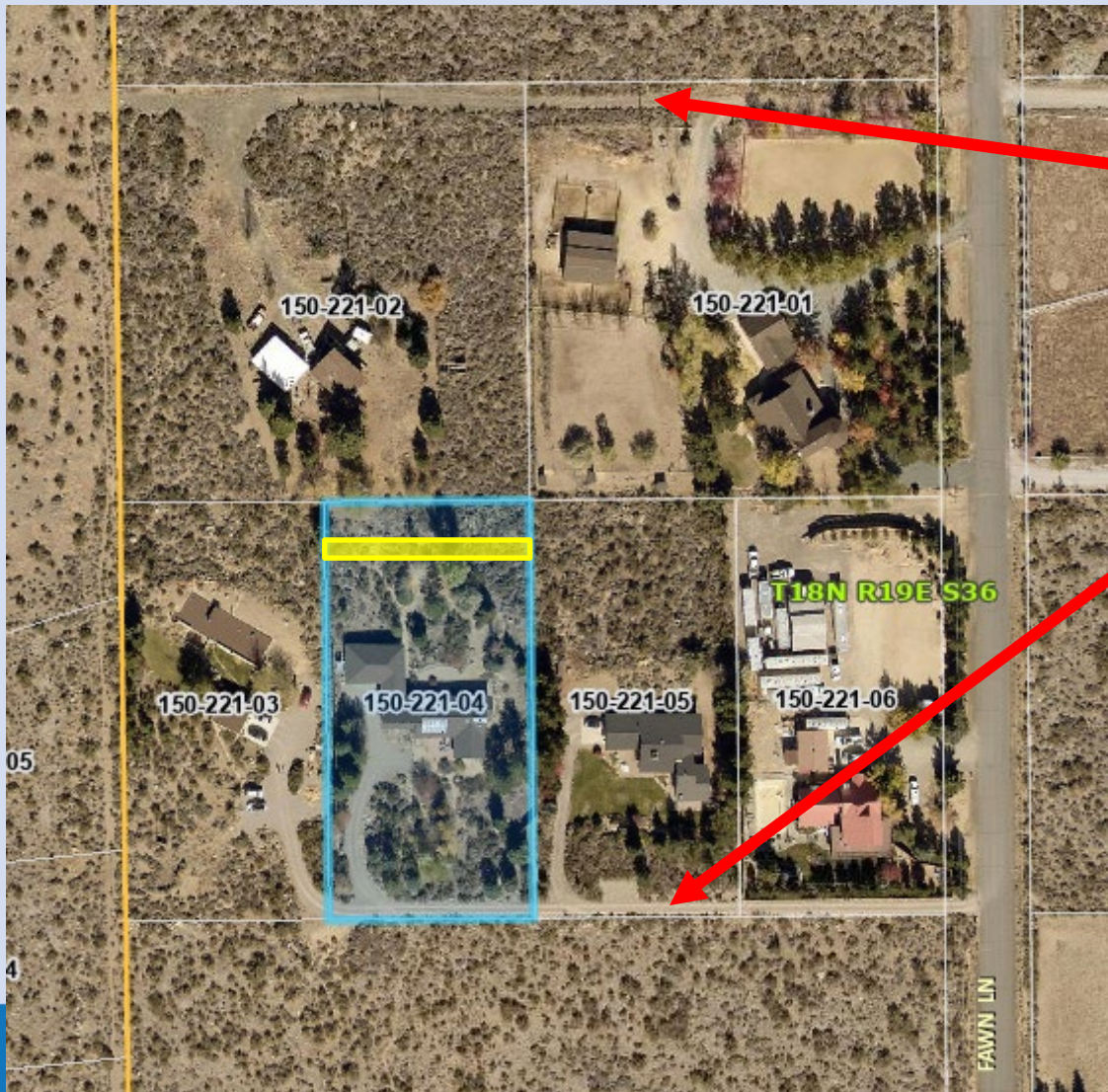


Overview

- Truckee Meadows Fire Protection District (TMFPD) submitted a condition requiring the preservation of a 20-foot-wide access easement along the northern boundary of the property for fire apparatus access roads & water supply.
- This would result in vacating 13 feet of the existing 33-foot access easement on the northern property line, rather than the 16 feet requested by the applicant.
- The applicant would still have space for their garage addition with TMFPD's 20-foot condition.



Overhead Photo - Access



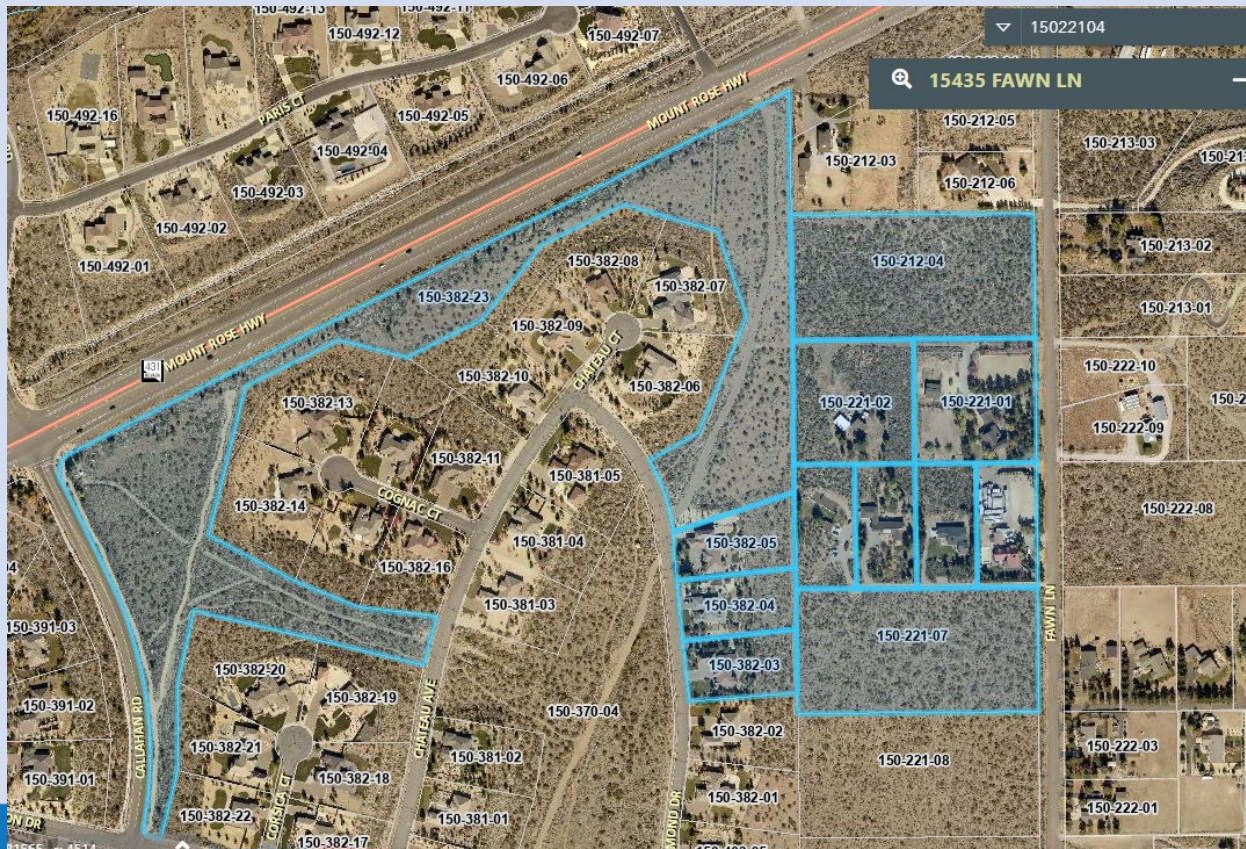
The two parcels immediately to the north of the applicant's parcel have access to Fawn Lane via their northern access easements.

The applicant's parcel (APN: 150-221-04) and the parcels to the east and west of the applicant's parcel have access to Fawn Lane via their southern access easements.



Public Notice

Notice was sent to 12 property owners adjacent to the proposed abandonment.





Reviewing Agencies

The project application was sent to 14 agencies for review. Three of these agencies provided conditions, which are included in Exhibit A of the staff report.

Nevada Dept of Transportation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Alex Wolfson, P.E., PTOE / awolfson@dot.nv.gov
Nevada Div. of Wildlife	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Building & Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Parks & Open Spaces	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sophia Kirschenman / skirschenman@washoecounty.us
Washoe County Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Robert Wimer, P.E. / RWimer@washoecounty.us
Washoe County Sherriff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
WCHD – Environment Health	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	David Kelly / DAKelly@washoecounty.us
WCHD – EMS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Julie Hunter / jdhunter@washoecounty.us
Truckee Meadows Fire Protection District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Brittany Lemon / blemon@tmfpd.us
RTC Washoe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe-Storey Conservation District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jim Shaffer & Bret Tyler / shafferjam51@gmail.com & brettyler2@gmail.com
Nevada Historic Preservation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
AT&T	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NV Energy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



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 Forest 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 WAB21-0007 and the nature of the stringent recommended conditions of approval and approve the partial abandonment.



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 Planning Commission partially approve, with the conditions included as Exhibit A to this matter, Abandonment Case Number WAB21-0007 for Kendrick Taylor Jr. and Janet Nachlinger to include the abandonment of 13 feet of a 33-foot public access easement, having made all three findings in accordance with Washoe County Code Section 110.806.20