



Planning Commission Staff Report

Meeting Date: February 1, 2022

Agenda Item: 10A

ABANDONMENT CASE NUMBER: WAB19-0002 (Romance Avenue)

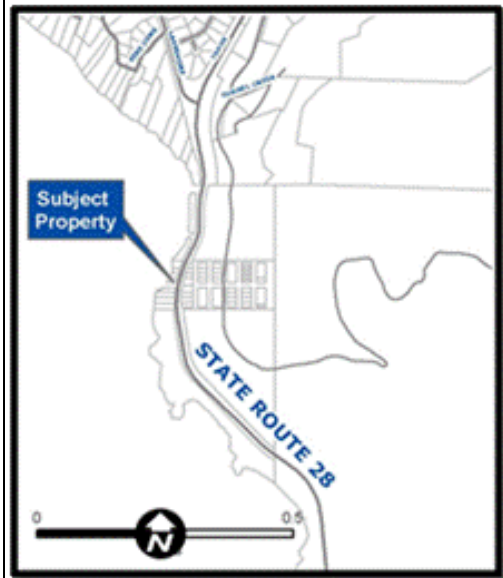
BRIEF SUMMARY OF REQUEST: To abandon 20 feet of Washoe County's interest in unimproved right-of-way at the terminus of Romance Avenue

STAFF PLANNER: Julee Olander, Planner
Phone Number: 775.328.3627
E-mail: jolander@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve the abandonment of Washoe County's interest in 20 feet of width ($\pm 2,950$ sq. ft) of the southern portion of a 50 foot wide unimproved right-of-way at the terminus of Romance Avenue between Lake Tahoe and Lakeshore Drive. If approved, the area will be abandoned to the abutting property to the south of the abandonment site, which is owned by Richard & Lillian Dixon at 1713 Lakeshore Drive (APN: 130-331-05). The request to abandon this right-of-way is made pursuant to NRS 278.480 and related provisions in the Washoe County Development Code.

Applicant:	Richard & Lillian Dixon
Property Owner:	Washoe County
Location:	Between parcels 130-331-04 & 05 off Lakeshore Drive, to be abandoned to 130-331-05
APN:	130-331-05
Parcel Size:	$\pm 3,231$ square feet
Master Plan:	Tahoe East Shore
Regulatory Zone:	Tahoe East Shore (TA ES)
Area Plan:	Tahoe
Development Code:	Authorized in Article 806, Vacations and Abandonments of Streets and Easements
Commission District:	1 – Commissioner Hill



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 Planning Commission approve Abandonment Case Number WAB19-0002 for Richard & Lillian Dixon, having made all three findings in accordance with Washoe County Code Section 110.806.20.

(Motion with Findings on Page 8)

Staff Report Contents

Abandonment Definition..... 3
Site Plan..... 4
Area Map..... 4
Project Evaluation..... 5
Motion 8
Appeal Process 9

Exhibits Contents

Conditions of Approval Exhibit A
Agency Comments..... Exhibit B
Public Notice Exhibit C
Project Application Exhibit D

Abandonment Definition

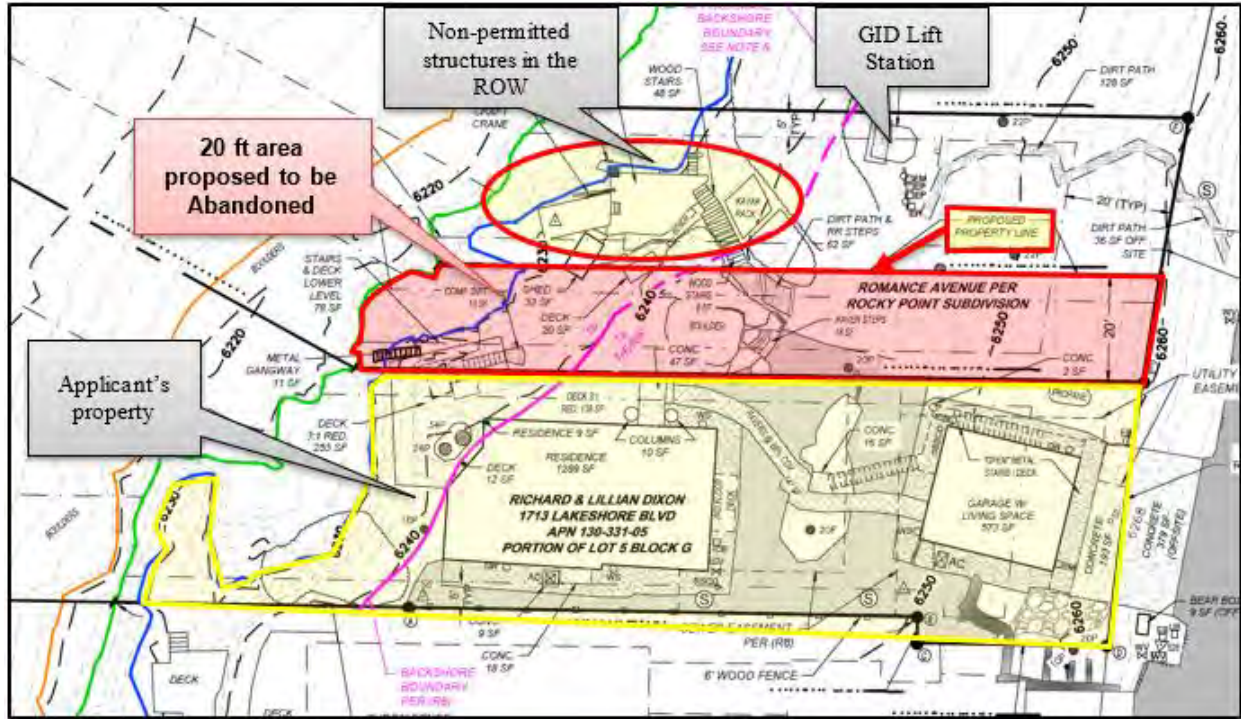
The purpose of an abandonment is to allow for the vacation or abandonment of easements or streets. If the Planning Commission grants an approval of the abandonment, that approval is subject to conditions of approval. Conditions of approval are requirements that need to be completed prior to the recordation of the Resolution and Order of Abandonment.

The Resolution and Order of Abandonment is the legal record, prepared by the Engineering and Capital Projects Division which is recorded to complete the abandonment process. The Engineering and Capital Projects Division completes a technical review of the legal description, exhibit maps and any new easements, submitted by the applicant's surveyor, that are required by the conditions of approval. When the Engineering and Capital Projects Division is satisfied that all conditions of approval have been met, then the Engineering and Capital Projects Division will record the Resolution and Order of Abandonment with the County Recorder. The abandonment is complete upon the recordation of the Resolution and Order of Abandonment with the County Recorder.

The conditions of approval for Abandonment Case Number WAB19-0002 is attached to this staff report and will be included with the Action Order if granted approval.

- All conditions of approval are required to be completed before the abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a Resolution and Order of Abandonment by the Engineering and Capital Projects Division and after the recordation of the Resolution and Order of Abandonment by the County Recorder.

The subject property is owned by Washoe County and is undeveloped public right-of-way (ROW). Thus, the subject property has no parcel number or regulatory zone. The applicant is requesting that 20 feet of the ROW be abandoned to their adjacent property to the south, which has a regulatory zone of Tahoe East Shore. The front setback is 15 feet, rear setback is 10 feet and the side yard setbacks are 5 feet. The applicants' parcel has an existing home, and the intent of the abandonment is to allow for an existing deck and stairs, which are built into the ROW, to meet the required side setback of 5 feet.



Site Plan

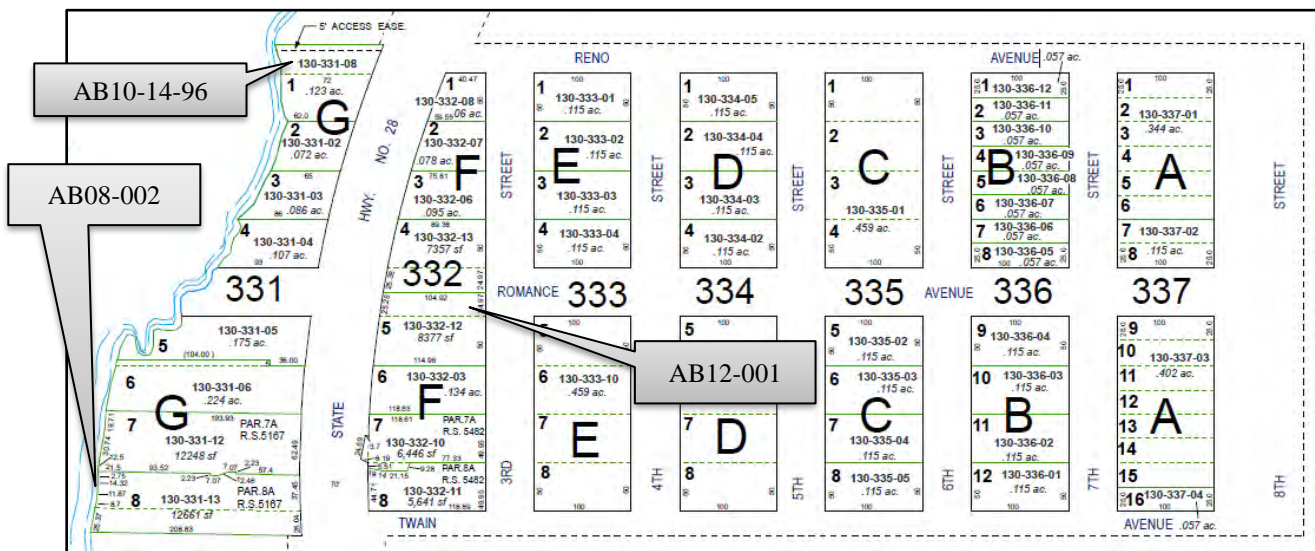


Area Map

Project Evaluation

The applicants are requesting to abandon 20 feet (±2,950 sq. ft) of the southern portion of Romance Avenue, which is a 50 ft wide undeveloped roadway. Romance Avenue was designated in the Rocky Pointe subdivision in 1908. Many of roadways in the subdivision were never constructed and some of those roadways have been abandoned to other adjacent property owners. Below is a list of three previous right of way abandonments within close proximity to the subject site.

1. Case No. AB 10-14-96 to abandon a +2,200 SF of Reno Avenue abandoned to 1705 Lakeshore Blvd.
2. Case No. AB08-002 approximately 185 linear feet of Twain Avenue abandoned to 1717 Lakeshore Blvd.
3. Case No. AB12-001 to abandon Romance Avenue between NV State Highway 28 and 3rd Street abandoned to 1710Lakeshore Blvd.



Rocky Pointe Tract Map

The abandonment is being requested to correct an error created by a building permit (08-0553) approved in 2018 for the construction of a deck and stairs. A portion of the deck and the stairs were built in the public right-of-way (See the site plan). The applicant is requesting the abandonment to correct the error, to locate the deck and stairs on their property and to meet the sideyard setback of 5 feet. The applicants submitted the abandonment application in 2019; however, staff requested to put the application on hold to investigate other possibilities. Staff looked at the following possibilities:

1. Selling the ROW to the applicant. Incline Village General Improvement District (GID) has a lift station located in the ROW and obtaining an appraisal of the ROW with the lift station located in the ROW was difficult;
2. Abandoning the ROW to Nevada Department of State Lands (NDSL), the property owner to the north. NDSL was not interested in inquiring the ROW, the lift station located in the ROW was problematic for NDSL;
3. Creating a Washoe County park. The location on SR 28 and the slope of the property makes creating a parking area difficult and again the location of the lift station was problematic; and

4. The ROW could be transferred to the GID, because they are a public agency the ROW would be transferred and not an abandoned. However, structures have been built without permits along the waterfront and this is problematic for the GID.

With no entities interested or able to take the ROW, staff ultimately concluded that the abandonment was the best solution. Staff further concluded that the requested to abandon of 20 feet was reasonable. The 20 feet will become part of the applicant's assessed property by Washoe County Assessor.

If the applicants' abandonment request is granted, the abandonment will move the property line 20 feet to the north; and consequently, the deck and stairs will be fully located on the applicants' property. The proposed abandonment of 20 feet will also provide for the side yard setback requirement of 5 feet. The setbacks for the applicants' property are 15 feet in the front, 10 feet in the rear and 5 feet in on the sides per Washoe County Code Section 110.220.55 (Yard and Lot Standards).



Applicant's Stairs and Deck Built in the ROW

The Incline Village General Improvement District (IVGID) has a permitted sewer lift station in the ROW just north of the area of the proposed abandonment, as shown in the photo below. Also, in the ROW are other structures (boat dock/deck, stairs, etc.) along the lakefront that have been constructed over the years by residents in the area. These structures have not been constructed with permits and are considered non-permitted and may be removed in the future. Romance Avenue is public ROW and there are no signs posted that prevent the public from accessing the Lake using this ROW.



Incline Village GID Lift Station

Reviewing Agencies

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

Agency	Sent to Review	Responded	Provided Conditions	Contact
Washoe County Parks & Open Spaces	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sophia Kirschenman, SKirschenman@washoecounty.gov
Washoe County Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Rob Weimer, rweimer@washoecounty.gov
Washoe Storey Conservation District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jim Schaffer, schafferjam51@gmail.com
Incline Village GID	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Charter Communications	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nevada State Lands	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sherri Barker, sbarker@lands.nv.gov
AT&T	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bryson Gordon, bg1853@att.com
NV Energy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
North Lake Tahoe FPD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Patrick Mooneyhan, pmooneyhan@nltfpd.net

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

Nevada Department of State Lands (NDSL) does not support the abandonment. See Exhibit B, Agency Comments. NDSL owns the parcel north of Romance Avenue (APN 130-331-04). See Area Map on page 4. NDSL recommends that the deck and stairs that were constructed in the ROW be removed. NDSL has also stated that they have “concerns surrounding impacts to a State-owned property.” Specifically, NDSL is concerned that the proposed abandonment “would

privatize half the public ROW and could force additional public access to the NDSL property causing additional negative impacts to the parcel.” See Exhibit B, Agency Comments.

Staff Comment on Required Findings

WCC Section 110.806.20 requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before granting approval of the abandonment 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) Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Tahoe Area Plan.

Staff Comments: The proposed abandonment does not affect any policies, action programs, standards or maps of either the Master Plan or the Tahoe Area Plan.

- (b) No Detriment. The abandonment or vacation does not result in a material injury to the public.

Staff Comments: Romance Avenue is a public ROW. However, it was never built and is not needed to provide access to any residence. The proposed abandonment will not result in a loss of access to the Lake via this public ROW since 30 feet of the public ROW will remain. The abandonment will allow the applicant’s deck and stairs to be located on their property and will allow the side yard setbacks to be met for the parcel. Romance Avenue is public ROW and there are no signs posted that prevent the public from accessing the Lake via this public ROW.

- (c) Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

Staff Comments: Abandoning this section of unimproved right of way doesn’t deprive any other properties of access to utility easements. The public utility companies were notified and no companies commented on any easements. Further, if any easements are later discovered, the conditions of approval mandate that these easements be reasonably relocated as needed to continue to provide service.

Recommendation

After a thorough analysis and review, Abandonment Case Number WAB19-0002 is being recommended for approval with conditions. Staff offers the following motion for the Commission’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 Planning Commission approve Abandonment Case Number WAB19-0002 for Richard & Lillian Dixon, having made all three findings in accordance with Washoe County Code Section 110.806.20.

- (a) Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Tahoe Area Plan; and
- (b) No Detriment. The abandonment or vacation does not result in a material injury to the public; and
- (c) Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

Appeal Process

Planning Commission action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s), 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 Planning Commission and mailed to the applicant(s).

Applicant: Richard & Lillian Dixon, user645137@aol.com

Developer: Basin Strategies, Attn: Karin Hoida, basinstrategies@gmail.com



Conditions of Approval

Abandonment Case Number WAB19-0002

The project approved under Abandonment Case Number WAB19-0002 shall be carried out in accordance with the conditions of approval granted by the Planning Commission on February 1, 2022. 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. Furthermore, to the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, this request is in effect a “quitclaim” by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. Nothing in this abandonment should be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, this abandonment does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

Unless otherwise specified, all conditions related to the approval of this Abandonment shall be met prior to recordation of the Resolution and Order of Abandonment. Prior to recordation of the Resolution and Order of Abandonment, each agency shall determine when compliance of their specific conditions is met by the applicant as set forth in the Conditions of Approval. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Community Services Department – Planning and Building Division.

Compliance with the conditions of approval related to this abandonment 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. All conditions of approval must be met prior to the Engineering and Capital Projects Division recording the required Resolution and Order of Abandonment.

For the purpose of conditions imposed by Washoe County, “may” is permissive and “shall” or “must” is mandatory.

- All conditions of approval are required to be completed before the Abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a Resolution and Order of Abandonment by the Engineering and Capital Projects and after the recordation of the Resolution and Order of Abandonment by the County Recorder.

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 CSD – Planning and Building Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Julee Olander, Planner, 775.328.3627, jolander@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 abandonment.**
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action. The County Engineer shall determine compliance with this condition.
- c. Prior to the recordation of the Resolution and Order of Abandonment, the applicant shall submit to the County Engineer for review and approval a description prepared by a registered professional of the offer of dedication to be abandoned and replacement private access.
- d. The applicant shall comply with all conditions necessary to affect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Washoe County Planning Commission or this conditional abandonment will be null and void.
- e. This Abandonment will be effective upon recordation of the Resolution and Order of Abandonment by the County Recorder.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of Engineering and Capital Projects, which shall be responsible for determining compliance with these conditions.

Contact Name – Robert Wimer, P.E., 775.328.2059 , rwimer@washoecounty.gov

- a. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions and exhibit maps for the area of abandonment and any new easements that may be required, to the Engineering and Capital Projects Division for review and approval. The legal descriptions and exhibit maps shall be prepared by a Nevada professional land surveyor.
- b. Prior to recordation of the Order of Abandonment, a sanitary sewer easement shall be granted to the Incline Village General Improvement District (IVGID). The Washoe County Engineering Division and IVGID shall review and approve the easement documents prior to recording. A recorded copy of the easement shall be provided to engineering.
- c. Retention or relocation of all public utility easements is required to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements, as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
- d. The applicant shall comply with the above conditions necessary to effect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional approval of abandonment will be null and void.

*** End of Conditions ***



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Engineering and Capital Projects

1001 EAST 9TH STREET
RENO, NEVADA 89512
PHONE (775) 328-3600
FAX (775) 328.3699

Date: December 21, 2021

To: Julee Olander, Planner

From: Robert Wimer, P.E., Licensed Engineer

Re: Romance Avenue Abandonment
WAB19-0002
APN: 130-331-04 & 05

Washoe County Engineering Division staff has reviewed the referenced abandonment and recommends approval subject to the following conditions of approval. The Washoe County Engineer shall determine compliance with the following conditions of approval.

1. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions and exhibit maps for the area of abandonment and any new easements that may be required, to the Engineering and Capital Projects Division for review and approval. The legal descriptions and exhibit maps shall be prepared by a Nevada professional land surveyor.
2. Prior to recordation of the Order of Abandonment, a sanitary sewer easement shall be granted to the Incline Village General Improvement District (IVGID). The Washoe County Engineering Division and IVGID shall review and approve the easement documents prior to recording. A recorded copy of the easement shall be provided to engineering.
3. Retention or relocation of all public utility easements is required to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements, as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
4. The applicant shall comply with the above conditions necessary to effect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional approval of abandonment will be null and void.



INTEGRITY



**EFFECTIVE
COMMUNICATION**



**QUALITY
PUBLIC SERVICE**

**WAB19-0002
EXHIBIT B**

From: [Sherri Barker](#)
To: [Olander, Julee](#)
Cc: [Kerfoot, Lacey](#); [Stark, Katherine](#); [Emerson, Kathy](#); [Scott Carey](#); [Meredith Gosejohan](#); [Charlie Donohue](#)
Subject: FW: December Agency Review Memo III
Date: Wednesday, December 22, 2021 10:22:23 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image012.png](#)
[December Agency Review Memo III.pdf](#)
[FW October Agency Review Memo II.msg](#)

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello Julee,

For the **December Agency Review Memo III** -emailed for comment on December 14, 2021:

Wednesday January 8, 2020, the Nevada Division of State Lands (NDSL) responded to item #1 to Julee Olander, Katherine Stark and Kathy Emerson. See the attached response entitled **FW: October Agency Review Memo II**.

Item #1: NDSL's 12/2021 comments surrounding the **Abandonment Request of the Southerly portion of Romance Avenue** from the Dixon's are as follows:

1. NDSL **does not** support the abandonment to Richard and Lee Herz Dixon.
 - a. **The structures** which have illegally encroached into Washoe County's "Right of Way" by the Dixon's **should be permanently removed**.
2. NDSL has concerns surrounding impacts to a State-owned property (TAHOE-325-0 / APN 130-331-04). The proposed abandonment request would privatize half the public ROW and could force additional public access to the NDSL property causing additional negative impacts to the parcel.

Item #2: NDSL has no comments.

Thank you,

Sherri Barker

Land Agent III

Nevada Tahoe Resource Team

Nevada Division of State Lands

Department of Conservation and Natural Resources

901 S. Stewart Street, Suite 5003

5th Floor, Bryan Building

Carson City, NV 89701

sbarker@lands.nv.gov

WAB19-0002
EXHIBIT B

(O) 775-684-2735 | (F) 775-684-2721
<http://lands.nv.gov/resource-programs/tahoe/nv-land-bank>

From: Kerfoot, Lacey <LKerfoot@washoecounty.gov>
Sent: Tuesday, December 14, 2021 3:37 PM
To: Sherri Barker <sbarker@lands.nv.gov>
Cc: Charlie Donohue <cdonohue@lands.nv.gov>
Subject: December Agency Review Memo III

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon,

Please find the attached Agency Review Memo III with cases received in December by Washoe County Community Services Department, Planning and Building Division.

You've been asked to review the applications for **Items 1 and 2**. The item descriptions and links to the applications are provided in the memo. Comments are due by December 23, 2021.

Please remember to send any agency review responses/comments directly to the Planner for the case, rather than replying to me.

Regards,



Lacey Kerfoot

Office Support Specialist | Community Services Department

LKerfoot@washoecounty.gov | Office: 775-328-3606 | Fax: 775-328-6133

1001 E. 9th Street, Reno, NV 89512

Visit us first online: www.washoecounty.gov/csd

For Planning call (775) 328-3600, Email: Planning@washoecounty.gov



Have some kudos to share about a Community Services Department employee or experience?
[Submit a Nomination](#)

WAB19-0002
EXHIBIT B

From: [GORDON, BRYSON](#)
To: [Olander, Julee](#)
Cc: [COOPER, CLIFFORD E](#)
Subject: December Agency Review Memo III
Date: Wednesday, December 15, 2021 1:16:14 PM
Attachments: [December Agency Review Memo III.pdf](#)

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello Julee,
AT&T review of requested applications.

1: Abandonment Case Number WAB19-0002 (Romance Avenue) – AT&T has no conflict with proposed plan.
3: Tentative Subdivision Map Case Number WTM21-013 (Lakeside Custom Lot Subdivision) - AT&T has no conflict with proposed plan.

Thank you,

Bryson Gordon
MGR OSP PLNG & ENGRG DESIGN
AT&T NEVADA
ROW Office: 775-683-5223
Cell: 775-343-6655
E-mail: bg1853@att.com

From: [Patrick Mooneyhan](#)
To: [Olander, Julee](#)
Subject: Agency Review-WAB19-0002
Date: Friday, December 17, 2021 2:13:20 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Good afternoon,

NLTFPD has no comments to provide regarding Abandonment Case Number WAB19-0002 (Romance Ave).

Thank you,



Patrick Mooneyhan
Fire Inspector II

Office: [775.831.0351x1162](tel:775.831.0351x1162) | Cell: [775.413-9344](tel:775.413-9344)

Email: pmooneyhan@nltpd.net

[866 Oriole Way | Incline Village | NV 89451](#)




From: [Kirschenman, Sophia](#)
To: [Olander, Julee](#)
Subject: Parks Comments Re: WAB19-0002
Date: Wednesday, December 22, 2021 10:03:43 AM
Attachments: [Outlook-dsswmzj.png](#)
[Outlook-0bhtovo4.png](#)
[Outlook-uyph1yu.png](#)
[Outlook-slzkbha.png](#)
[Outlook-kg54wyqo.png](#)

Hi Julee,

I've reviewed WAB19-0002 (Romance Avenue) on behalf of Washoe County Regional Parks and Open Space and have no comments or conditions.

Thank you,



[Sophia Kirschenman](#)
Park Planner | Community Services Department
775.328.3623 | 1001 E. 9th Street, Reno, NV 89512


Please consider the environment before printing this e-mail.



Washoe-Storey Conservation District

Bret Tyler Chairman
Jim Shaffer Treasurer
Cathy Carfield Storey app.
Jean Herman Washoe app.

1365 Corporate Blvd.
Reno NV 89502
775 857-8500 ext. 131
nevadacconservation.com

December 17, 2021

Washoe County Community Services Department

C/O Julee Olander, Planner

1001 E Ninth Street, Bldg. A

Reno, NV 89512

WAB19- 0002 Romance Avenue

Dear Julee,

In reviewing the abandonment of public right of way, the Conservation District has no comments.

Thank you for the opportunity to review the project that may have impacts on our natural resources and if there are questions call us at (775)-750-8272.

Sincerely,

J. Shaffer



WAB19-0002 Romance Ave.

Noticing map



Community Services
Department



1801 E Ninth St
Reno, Nevada 89512 (775) 328-3600

Source: Planning and Building Division

Date: 12/14/2021

WAB19-0002
EXHIBIT C

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.

Project Information		Staff Assigned Case No.: <u>WAB19-0002</u>	
Project Name: Romance Avenue Abandonment			
Project Description: Abandonment of an approximately 20-foot-wide section of the southerly portion of Romance Avenue located west of Lakeshore Blvd. / Nevada State Highway 28.			
Project Address: 1713 Lakeshore Blvd. Incline Village, NV 89451			
Project Area (acres or square feet): 0.35 acres			
Project Location (with point of reference to major cross streets AND area locator): An approximately 20-foot-wide section of the southerly portion of Romance Avenue located west of Lakeshore Blvd. / Nevada State Highway 28.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
130-331-05	0.175 acres		
<small>PORTION OF THE S 1/2 OF LOT 1, SECTION 26, T16N-R18E.</small>			
Indicate any previous Washoe County approvals associated with this application: Case No.(s). WAB19-0002			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Dixon, Richard M. & Lillian H.		Name: Basin Strategies Planning & Consulting	
Address: 14080 Edmands Drive		Address: 1046 Lucerne Way	
Reno, NV	Zip: 89511	Incline Village, NV	Zip: 89451
Phone:	Fax:	Phone: 775-671-0559	Fax:
Email: user645137@aol.com		Email: basinstrategies@gmail.com	
Cell: 775-745-2263	Other:	Cell:	Other:
Contact Person: Lillian (Lee) Dixon		Contact Person: Karin Hoida	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Same as Owner		Name: Lumos & Associates	
Address:		Address: P.O. Box 890	
	Zip:	Zephyr Cove, NV	Zip: 89448
Phone:	Fax:	Phone: 775-588-6490	Fax:
Email:		Email: mcraven@lumosinc.com; rbyrem@lumosinc.com	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person: Michael Craven or Rick Byrem	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

**Abandonment Application
Supplemental Information**
(All required information may be separately attached)

1. What and where is the abandonment that is being requested?

Abandonment of an approximately 20-foot-wide section of the southerly portion of Romance Avenue located west of Lakeshore Blvd. / Nevada State Highway 28.

2. On which map or document (please include with application) is the easement or right-of-way first referenced?

Rocky Point Tract Map Number 108 Filed on September 9, 1908.

3. What is the proposed use for the vacated area?

Resolve the encroachment of a portion of the existing deck onto the right-of-way for Romance Avenue, which has never been improved.

4. What replacement easements are proposed for any to be abandoned?

Not applicable.

5. What factors exist or will be employed to prevent the proposed abandonment from resulting in significant damage or discrimination to other property in the vicinity?

The adjusted property line will ensure adequate setbacks from IVGID facilities located on the northerly portion of the subject area of Romance Avenue.

6. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the abandonment request? (If so, please attach a copy.)

* Yes Please see attached Title Report with hyperlinks.	* No
---	------

IMPORTANT

NOTICE REGARDING ABANDONMENTS:

To the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, an abandonment request is in effect a “quitclaim” by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. For example, if the abandonment is approved by Washoe County and recorded, it will likely affect the allowable building envelope on the property, to the benefit of the applicant. However, even if the abandonment is approved, it should not be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, an approved abandonment by the County does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

