



Community Development

"Dedicated to Excellence in Public Service"

Adrian P. Freund, FAICP, Community Development Director
Nathan Edwards, Legal Counsel



Washoe County Board of Adjustment

Richard "R.J." Cieri, Chair
Philip J. Horan, Vice Chair

Mary S. Harcinske
Robert F. Wideman
Kim Toulouse

WASHOE COUNTY BOARD OF ADJUSTMENT

MINUTES

August 5, 2010

The regular meeting of the Washoe County Board of Adjustment was scheduled for Thursday, August 5, 2010 at 1:30 p.m., in the Washoe County District Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

DETERMINATION OF QUORUM

Chair Cieri called the meeting to order at 1:33 p.m. The following members and staff were present:

Members present: Richard "R.J." Cieri, Chair
Robert Wideman
Mary S. Harcinske
Philip Horan
Kim Toulouse

Members absent: None

Staff present: Adrian Freund, FAICP, Director, Community Development
Kimberly H. Robinson, Planning Manager, Community Development
Trevor Lloyd, Senior Planner, Community Development
Grace Jensen, Planner, Community Development
Nathan Edwards, Deputy District Attorney, District Attorney's Office
Clara Lawson, Traffic Engineer, Public Works
Dawn Spinola, Recording Secretary, Community Development

PLEDGE OF ALLEGIANCE

Member Wideman led the pledge to the flag.

ETHICS LAW ANNOUNCEMENT

Ms. Robinson recited the Ethics Law standards.

APPEAL PROCEDURE

Ms. Robinson recited the appeal procedure for items heard before the Board of Adjustment.

APPROVAL OF AGENDA

In accordance with the Open Meeting Law, Member Horan moved to approve the agenda of August 5, 2010. The motion, seconded by Member Harcinske, passed unanimously.

APPROVAL OF MINUTES

Member Harcinske moved to approve the minutes of June 3, 2010. The motion was seconded by Member Horan and passed unanimously.

ELECTION OF OFFICERS: Chair Cieri nominated Member Horan as Chair. The motion was seconded by Member Toulouse and passed by a vote of four to zero (Member Horan abstaining).

Chair Cieri nominated Member Wideman as Vice Chair. The motion was seconded by Member Toulouse and passed four to zero (Member Wideman abstaining).

Chair Horan accepted the gavel to chair the remainder of the meeting.

PUBLIC COMMENT

As there was no response to the call for public comment, Chair Horan closed the public comment period.

CHAIR AND BOARD ITEMS

AGENDA ITEM A

To clarify and correct inconsistencies in two areas of the Board of Adjustment Rules Policies and Procedures dated November 2, 2006.

Ms. Spinola reviewed the staff report dated July 21, 2010.

Member Cieri noted there could be many groups represented at a hearing and should take that possibility into consideration. Chair Horan asked if the times could be adjusted for a particular meeting as necessary. Ms. Spinola deferred to Counsel.

Ms. Robinson explained that the time limit can be changed, but it needed to be done at the beginning of the meeting. Chair Horan asked if it would apply to the entire meeting and Ms. Robinson confirmed for just that meeting it would be and would apply to all items on the agenda.

Chair Horan and Member Cieri discussed the fact the time limit would have to be established at the beginning of the meeting or it would default to the standard time limits.

Chair Horan asked if the speaker's time for a particular application could be extended and Ms. Spinola again deferred to Counsel.

Ms. Robinson informed Chair Horan that Counsel had requested the item be held until the next meeting and Deputy District Attorney (DDA) Edwards confirmed he recommended it be postponed. Chair Horan announced the item would be held until the October meeting.

DIRECTOR'S ITEMS

Ms. Robinson informed the Board that the 2-Map system had been approved by the Planning Commission and the Board of County Commissioners and it was anticipated that it would be heard by the Regional Planning Board in September.

Ms. Robinson then congratulated the new officers.

CONSENT ITEMS

None

Chair Horan extended his thanks to former Chair Cieri for his efforts over the past years.

PROJECT REVIEW ITEMS

AGENDA ITEM 1

PUBLIC HEARING: Special Use Permit Case No: SB10-009, Palomino Valley General Improvement District (PVGID) Water Truck Fill Station – to allow the development of one water truck fill station (Utility Services Use Type) in support of on-going roadway maintenance, as authorized in Section 110.302 of the Washoe County Development Code. The project is proposed to be located at the southeast corner of State Route 445 and Ironwood Road. The subject parcel is designated Public and Semi-Public Facilities (PSP) in the Warm Springs Area Plan, and is situated in a portion of Section 7 T22N R22E MDM, Washoe County, Nevada. The project is located in the Warm Springs Citizen Advisory Board boundary and Washoe County Commission District No. 4. (APN: 076-251-07)

Chair Horan opened the public hearing.

Mr. Lloyd reviewed the staff report dated July 20, 2010 on Mr. Pelham's behalf.

Member Cieri noted work had already been performed and asked why a permit was now required. Mr. Lloyd replied a pump house and piping were proposed to be installed and that qualified it as a Utility project, which requires a special use permit.

No members of the public wished to speak.

Chair Horan closed the public hearing.

Member Cieri moved to approve conditionally Special Use Permit Case No. SB10-009. The motion was seconded by Member Wideman and passed unanimously.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the Warm Springs Area Plan;
2. 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;

3. Site Suitability. That the site is physically suitable for a water truck fill station, and for the intensity of such a development;
4. 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; and
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.

AGENDA ITEM 2

PUBLIC HEARING: Amendment of Conditions Case No. AC10-007 (Sid Ferris) – To amend Condition #2 of the Special Use Permit case number SB08-011 to extend the time for completion of all structures for five additional years until October 2, 2015. The special use permit approval was for the development and operation of a heavy equipment and truck rental/sales business as authorized in Article 302 of the Washoe County Development Code, and a free-standing sign structure greater than six feet in height as authorized in Section 110.504.15(d)(1) of the Washoe County Development Code. The project is located at 700 South US 395 North, at its intersection with Viola Way in Washoe Valley. The ±.55-acre parcel is designated General Commercial (GC) in the South Valleys Commercial Corridor of the South Valleys Area Plan, and is situated in a portion of Section 23, T17N, R19E, MDM, Washoe County, Nevada. The property is located in the West Washoe Valley Citizen Advisory Board boundary and Washoe County Commission District No. 2. (APN: 050-231-24)

Chair Horan opened the public hearing.

Ms. Sannazzaro reviewed the staff report dated July 12, 2010. She explained the Nevada Department of Transportation (NDOT) has stated the 30-foot driveway along US 395 (395) does not meet their standards. They are requiring the applicant to use the driveway on Viola Way (Viola) and make improvements to the intersection of Viola and 395.

Ms. Sannazzaro noted the applicant's reason for a five-year extension request was to convince NDOT to allow him to use the 30-foot driveway on 395. Additionally, the applicant does not feel the improvements to the intersection are his responsibility, but rather the community's because of the accidents that have occurred at the intersection. The applicant goes on to say the two main reasons for his request are 1) to convince NDOT that he has a state-of-the-art entrance on 395, and; 2) to begin litigation against concerned parties.

Ms. Sannazzaro noted that Condition 17 of the original special use permit (SUP) SB08-011 states that the applicant shall comply with any conditions imposed by NDOT. She pointed out many of the NDOT conditions of approval were based on the Access Management System and Standards (AMSS) which was authorized by several sections of Nevada Revised Statutes.

The document was put into effect to protect the public safety and welfare, as well as to keep a functional level of service on the Nevada State highway system.

Ms. Sannazzaro pointed out the applicant had had almost two years to meet the NDOT conditions of approval, and that NDOT had verbally advised staff that nothing has been done. Referring back to the AMSS, she noted the document stated that NDOT will not deny an applicant access to their property if that is the only access they have off of the state highway system. If they have an alternate access, then NDOT requires them to use the alternate access.

Ms. Sannazzaro briefly went over each of the five findings required for the approval of a SUP and expounded on the first, Consistency. She pointed out that in the South Valleys Area Plan it states that Washoe County will support restricting access onto 395 prior to completion of the I-580. After the completion of the I-580, Washoe County will follow NDOT's corridor management plan. Staff opinion was the intent of the applicant's request did not meet the first finding.

The second finding is Improvements, which requires adequate utilities, roadway improvements, water supply, drainage and other necessary facilities be provided with the project. NDOT's requirements are for the safety and welfare of the public and the applicant wishes to convince NDOT otherwise. Ms. Sannazzaro noted this does not meet Finding Two.

She went on to explain Finding Three was Site Suitability, requiring the site be suitable for the type and intensity of the development. Without NDOT's conditions, she opined the site was not suitable for the heavy equipment operation the applicant wished to use the property for.

Ms. Sannazzaro then said that Finding Four was Issuance Not Detrimental. She stated the detriment would be slow-moving vehicles coming on and off a state highway, so this finding was not met.

During the West Washoe Valley Citizen Advisory Board (CAB) meeting, a board member had commented on the hazardous conditions of the area and expressed opposition to anything that did not provide safety coming off of the highway. When another board member requested clarification as to why the extension was being requested, the applicant stated that more time was needed because NDOT was vague on their conditions.

Ms. Sannazzaro stated in April of 2009 NDOT sent a letter to the applicant specifying eight conditions, which she briefly outlined. NDOT received a letter of proposed modifications from the applicant and was willing to consider them but the letter needed to be stamped by a licensed civil engineer. Since it was not, the modification requests were denied.

Ms. Sannazzaro said the CAB had voted for approval, as long as all of the existing conditions were met. The Washoe County Traffic Engineer strongly supported NDOT's conditions and advocates access off Viola way for safety reasons. She further stated there was nothing unusual in NDOT's requirements to upgrade an intersection of the highway system. The Regional Transportation Commission had submitted comments, stating the existing driveway is not compliant with standards for a high-access arterial.

Ms. Sannazzaro went on to state that the Community Development department had not seen any demonstration of the applicant working towards meeting the conditions of approval

imposed upon him in October of 2008. Knowing the standards of NDOT and their intent to protect the public safety and welfare in keeping the highway system functioning at an optional level, the department cannot support the applicant's request.

Ms. Sannazzaro summarized that trying to convince NDOT to waive their standards and to begin litigation were not valid reasons to extend an SUP. Staff had not received any supporting evidence towards meeting conditions of approval and recommended denial of the request for a five-year extension.

Member Cieri remembered the Board extensively discussing Viola being the preferred ingress and egress at the time the SUP was approved and thought the case was conditioned so that Viola was the only access. Ms. Sannazzaro replied that the permit did not contain that condition but the applicant was required to follow NDOT's rules. Engineering conditions had included improving Viola from the driveway to the highway and to complete a set of construction drawings.

Member Cieri asked for clarification regarding the expiration of the SUP if the extension were not granted and Ms. Sannazzaro replied it would expire in October of 2010, and the applicant could apply for a new SUP if it did, but would have to repeat the entire process.

Member Wideman asked if there was a need for the SUP to be in force and effect while ongoing negotiations or litigation continued. Ms. Sannazzaro replied that, from staff perspective, there was not.

Applicant Sid Ferris opined staff's indication that nothing had been done was incorrect. He stated he had been working with NDOT and had presented them with a plan developed by Odyssey Engineering, who had been hired to look at both the 395 and Viola accesses. Odyssey determined there was nothing on Viola that could be brought to standard for less than half a million dollars if all of NDOT's requirements were to be met. Mr. Ferris was required to pave Viola, but Viola is so substandard the engineer was not willing to accept the responsibility of designing the intersection.

Mr. Ferris provided photographs and explained Viola was so substandard it would not provide safe access for large equipment to enter the highway. A blind curve nearby on US 395 further hampered safe access from Viola to the highway. He submitted letters that had been received from residents which indicated there had been fatal accidents at that intersection.

Mr. Ferris showed a photograph of the intersection so that he could better explain the obstructions he faced to improving the safety. He stated he had put up a fence on the property line to secure the lot against trespassers. Community Development asked him to move the fence back so that drivers accessing 395 from Viola could see the oncoming traffic. He had complied with this request.

Mr. Ferris stated there was 16 to 18 feet of space between the limit line and his fence, and on the opposite side of Viola there was 7. From the turning standpoint, the engineer could not make it work without interceding into the second lane, which was one of NDOT's concerns. After it was determined that Viola was not an option, the driveway access off 395 was redesigned. The redesign meets NDOT's standards better than the Viola access.

Mr. Ferris went on to opine the intersection of 395 and Viola was not safe for trucks and a redesign would require enforcement of eminent domain in order to obtain the property that would be necessary to facilitate a safe entrance onto the highway. He instead focused on the redesign of the 395 access hoping NDOT would accept it. He had submitted right of way permit applications for each of the neighboring parcels, but they had been denied.

He referred back to the photograph, pointing out a telephone pole in the way of a safe turn onto Viola. He contacted NV Energy to ask how much it would cost to move the pole, and they asked who wanted it moved. He replied Washoe Community Development and NDOT would like to see it moved. NV Energy stated they would not move it.

Mr. Ferris went on to say that none of his trucks would be able to make the turn onto Viola because of the pole, and because it could not be moved, he had no way to improve the intersection to provide access. He pointed out a fence next to the pole that was at a 45-degree angle, and noted that Viola did not tie in at a perpendicular angle to 395, people were driving between the pole and the fence in order to avoid rear-end collisions when coming off the highway onto Viola. He spoke of a recent incident in which a truck with a horse trailer turning into Viola from 395 was unable to complete its turn because it was necessary to use both lanes of Viola and there was oncoming traffic blocking it. He went on to say that a number of cars traveling on 395 almost struck the stopped trailer, one of which utilized the gap between the pole and the fence to avoid being struck by other vehicles.

Mr. Ferris pointed out the turn into Viola from southbound 395 was just as dangerous. A vehicle pulling a trailer could not turn onto Viola unless both lanes of Viola were empty. He did not understand why it was his responsibility to make the intersection safer. He went on to point out other properties that access onto Viola, some of which were businesses utilizing large vehicles and trailers, that were under no demand to improve the intersection. Mr. Ferris noted NDOT had been in the process of improving the intersection but had stopped. At one point they had considered closing it off due to the dangers it presented. He discussed what he felt were discrepancies in the laws regarding speed limits on the highway.

He suggested that perhaps when the new highway opened up, the speed limits could be lowered, making the highway access safer. Perhaps during litigation he would be able to come to an agreement with NDOT regarding the 395 access, but stated that one way or the other he intended to get the problem solved. He showed the plans submitted to NDOT and explained how they made the access safe. He pointed out the blind curve mentioned earlier was at Viola, not near his property.

Member Toulouse stated the information the Board was provided indicated the letter to NDOT was not signed by an engineer. Mr. Ferris replied the first one sent was not, it was submitted to see if NDOT would consider the alternatives presented. All other correspondence and plans had been signed. Stamped plans sent to NDOT had been corrected by NDOT to include a median in the proposed turn radius that would prohibit a left-hand turn. Mr. Ferris said he altered the plans to include that, but the project was refused before the plans could be returned.

Member Cieri asked where on the property the 395 access was located. Mr. Ferris replied it was at the property line of his two neighboring parcels where there was an established easement for ingress, egress and parking. NDOT will not provide a right of way permit for the access but claims there were permits issued for it in the past. NDOT was unable to locate any

evidence of these in their files. This would indicate there was never a right of way, yet the access was there by easement.

Mr. Ferris purchased the property thinking he had highway access. Both deeds show easements for this purpose, although nobody seems to recognize the accesses as legal. Member Cieri noted the biggest difficulty seemed to be a left turn to Carson City. Mr. Ferris stated there was no left turn. They would have to exit the property to the right and complete a turn around farther up the highway. The proposed improvements to the 395 access included an acceleration and deceleration lane, so entrance to the highway would be safe. To make the right turn onto the highway from Viola safer, an acceleration and deceleration would need to be built, requiring eminent domain proceedings, which he is not authorized to do.

Member Cieri asked how five years would solve Mr. Ferris' problem and he replied his attorney had stated that amount of time was normally sufficient for a litigation of this type. Mr. Ferris noted he hoped the new freeway would be in use and 395 would go down to a reduced speed limit. The distance between his access on 395 and Viola was sufficient if traffic was traveling at 25 miles per hour. At the current speed limit of 50 miles per hour, a distance of 450 feet would be required and he said he did not have that much land.

Member Cieri asked Ms. Lawson if Washoe County had any control over this issue or if it was just NDOT. Ms. Lawson replied it was governed by NDOT's access management guidelines, which Washoe County supports, and the county has also adopted access management policies. She pointed out the driveway off 395 and Viola were very close together. They were trying to reduce the number of access points onto 395 to keep traffic moving.

Member Cieri pointed out there were other businesses accessing the highway from Viola and he opined the applicant's proposal appeared to be a safer method of ingress and egress than Viola. He asked why the businesses that are using Viola were being allowed to operate in such a dangerous way while the applicant was being restricted.

Ms. Lawson explained that when the properties were developed there was not as much traffic along 395, and the current access management plan was developed in 1999. She emphasized there was a limit as to how far back the agencies could enforce the requirements. People who have already developed are not subject to new regulations nor are they required to contribute. New incoming development needs to pay for the improvements to make their access safe. Ms. Lawson went on to say that she could not say that Viola way could not be made safer. She noted she had not seen his current plans, just the initial proposal. Viola would need deceleration and acceleration lanes and NDOT has required these.

Member Harcinske asked Ms. Lawson if Viola was a Washoe County or an RTC road, and Ms. Lawson replied it was Washoe County up to the right of way line, then it became an NDOT road. At Member Harcinske's request, Ms. Lawson pointed out the approximate areas that would need to be improved for Viola to be safe. Ms. Lawson verified those areas were controlled by NDOT.

Mr. Ferris pointed out projects that had been approved along 395 that had not been required to go through the same process as he has, some using large equipment as is proposed for his property. He noted Viola Way was in very poor condition and is not fit for commercial use. He stated his development was not new but a redevelopment of an existing structure.

Member Wideman noted he understood Mr. Ferris' frustrations with NDOT, however NDOT was a state agency and not subservient to the Board of Adjustment. He asked how the extension of the SUP for five additional years helped him in resolving the situation with NDOT. Mr. Ferris replied his attorney was ready to file a lawsuit and had indicated it would take approximately five years to get that resolved. During that time he felt he could negotiate with them to either accept the proposed driveway or some sort of public commitment to handle the intersection problem.

Member Wideman pointed out they were not in a position to second-guess the NDOT traffic engineer or their policies and reiterated they were not subservient to the county. He stated he was still not clear as to why it was necessary to have an SUP in effect to continue the litigation or negotiations. Mr. Ferris stated he spent three to four thousand dollars to obtain the SUP and fifteen to twenty thousand dollars trying to design a road that best gives safe access. For the money he had spent he would like to have his SUP in place so it can go into effect as soon as he can get through all of the issues. He reiterated the statement that nothing had been done was incorrect and explained the Design Review Committee had been scheduled to review the project but the meeting had been cancelled and he was informed they would not look at it until the NDOT issues were resolved.

Chair Horan asked Ms. Sannazzaro what would be the process if Mr. Ferris' request was denied and the permit allowed to expire. She replied Mr. Ferris would be required to go through the entire SUP process again.

Member Wideman indicated he had read the information in the staff report regarding why it was inappropriate to extend the SUP for an additional five years. In his understanding, what happens during the five years is litigation and negotiation up to some conclusion, and then possibly the rest of the conditions come into effect and if he is successful he can go forward and operate the business. He asked what the detriment would be in letting the SUP expire as opposed to allowing it to remain in effect. Ms. Sannazzaro explained the standard time period of two years was allowed for the applicant to meet the conditions of approval and nothing had been done thus far to meet those conditions.

Ms. Robinson explained this was an SUP for use on a particular parcel. Generally extensions are not granted for five years, especially when discussing whether or not a use is appropriate for a parcel. In this particular situation, with the amount of work that needs to be done, things could look very different in five years as to whether or not this use was still appropriate. She went on to state the lawsuit the applicant was planning could go forward with or without the SUP.

Member Wideman asked if the extension created a negative precedent or a burden on the Community Development department to keep it alive, as opposed to the burden on the applicant for the fees and reapplication. Ms. Robinson opined it would not create a precedent and invited Counsel to comment. She reiterated five years was much farther out than the department is normally comfortable with approving. The burden on the Board right now was whether or not they could make the findings based on why this applicant has indicated he wants the extension. The indicated reason is so that he can work out the issues with a state agency not a county agency.

Member Harcinske asked if any other SUPs had been extended for five years. Both Ms. Robinson and Mr. Freund stated they had not seen a five-year extension for an SUP during their

employ with the county. Mr. Freund reiterated that if the department has seen some progress towards meeting the conditions during the initial time period it is generally more open to an extension. He noted even in that case the department would typically grant an extension of one or two years.

Member Cieri asked the applicant if he would be satisfied with an extension of two years and Mr. Ferris indicated he would. He reiterated the statement that nothing had been done was incorrect and expounded on the efforts he had made and the obstructions he had encountered.

Chair Horan closed the public hearing.

DDA Edwards pointed out that regardless of the Board's decision, the county may end up being brought into any litigation. He noted one of the statements Ms. Robinson made was along the lines of whether or not it would potentially weaken the county's position in litigation if the extension were granted today. He didn't know what it might be that their Counsel might assert against the state or the county so he was in a position of having to speculate as far as being able to give an opinion whether or not, one way or the other, it would hurt the county's position or be neutral to the county's position. He said he could conceive of it possibly weakening the county's position in litigation in relation to these issues. He could not conceive of the opposite being true but either way it required him to speculate to a certain degree because he did not know what kind of claims would be made or what they would be directed against or what the exact posture would be. He stated he thought those were unknowns.

With that being said he thought it was helpful for the Board today to remember that this is a request for an extension of an SUP, it is governed by the findings listed in the staff report and the code and just to focus on the findings. They should make their decision based on the findings. He realized the situation and therefore the analysis was complicated and reiterated the Board should just focus on the findings and the evidence presented at the hearing.

Member Wideman stated he was satisfied the applicant was making an effort to resolve the situation and did not agree that any assertion that he was doing nothing was fair. It may just be that the negotiations are not showing any progress or likelihood of eminent resolution. It was not clear to him why an extension helps the process along or provides a window in which that might be concluded. He stated he was mindful of additional fees that the applicant would incur if he were required to reapply, although the potential money at stake with the negotiations and litigation was likely to be far more substantial than the fees. He stated he would be comfortable letting the process take its course and if the applicant needs to reapply after those things are resolved successfully that he would be comfortable with that and therefore would support staff recommendation of denial.

Member Harcinske stated sometimes she sympathized with the applicant, being stuck in the middle of a number of agencies that were all waiting for each other to act before they would proceed. She pointed out the fact of the matter was that there were two conditions the SUP was approved on in the first place. One was that the site was suitable for the business. Based on discussion and testimony she would have to seriously consider whether or not she could make that finding today. The second was that the access or roadway improvements were there. In the initial application there is a condition regarding improving Viola. Now she is questioning whether it was an appropriate condition since testimony seems to be that it is questionable if Viola is not acceptable for commercial access. She stated she was not sure that she could still make the findings.

Member Toulouse agreed with Members Wideman and Harcinske. He did not see how not extending the SUP would hinder the litigation the applicant intends to pursue. He went on to say he supported staff's comments regarding not being able to support the findings.

Member Cieri complemented Mr. Ferris' presentation and stated he finds no harm in extending whether it be five years or two years. It would allow the applicant to move forward and the fees, if he were to reapply, would likely be named in the lawsuit recovery if he were successful. He reiterated it did the county no harm and stated he would vote for approval.

Chair Horan stated that he supported Member Wideman's comments. He felt the applicant had made a big effort and was having issues with NDOT. He pointed out that, with any extension, regulations change over time and whether the development will be appropriate in two years or five is a consideration. In spite of the fees for reapplication, he felt the extension for the requested five years was not appropriate.

DDA Edwards reiterated that if the extension was not granted there was the option for the applicant to appeal the decision to the Board of County Commissioners.

Member Wideman moved to deny Amendment of Conditions Case No. AC10-007. The motion was seconded by Member Toulouse and passed by a vote of three to two (Members Cieri and Harcinske voting in favor of the applicant).

Ms. Robinson recited the appeal procedure for items heard before the Board of Adjustment.

OTHER ITEMS

None

ADJOURNMENT

There being no further business to come before the Board of Adjustment, the meeting adjourned at 3:03 p.m.

Respectfully submitted,

Dawn Spinola, Recording Secretary

Approved by Board in session on October 7, 2010

Adrian P. Freund, FAICP, Director
Secretary to the Board of Adjustment