



# BOARD OF ADJUSTMENT MEETING AGENDA

## Board of Adjustment Members

Philip J. Horan, Chair

Robert F. Wideman, Vice Chair

Mary S. Harcinske

Richard "R.J." Cieri

Kim Toulouse

Kimberly H. Robinson, MUP, Secretary

Thursday February 3, 2011

1:30 p.m.

Washoe County Health Department  
1001 East Ninth Street  
Reno, NV

## PUBLIC HEARING ITEMS ON THIS AGENDA

(complete case descriptions are provided beginning on page two of this agenda)

- **Special Use Permit Case No. SB10-011 (Palomino Valley General Improvement District - PVGID)**
- **Variance Case Number VA10-005 (Shorin Residence Front Yard Setback)**
- **Amendment of Conditions Case No. AC10-012 (Ruby Hamilton)**
- **Amendment of Conditions Case No. AC10-011 (La Posada Bar and Grill)**
- **Special Use Permit Case No. SB10-014 (Franktown Meadows Equestrian)**
- **Special Use Permit Case No. SB10-012 and Variance Case No. VA11-001 (Ballardini Ranch Trailhead)**
- **Amendment of Conditions Case No. AC10-013 (Sierra Nevada Teen Ranch)**

1:30 p.m. \*Determination of Quorum

\*Pledge of Allegiance

\*Ethics Law Announcement

As a reminder to each of the board members, at the time each item on the agenda is called, you are legally responsible to disclose conflicts of interest if you have any, including a pecuniary interest in the matter, receipt of a gift or loan in connection with the matter, or a commitment in a private capacity to the interests of others in the matter. If you make a disclosure, you will next need to state on the record if your independence of judgment would be materially affected by the conflict. If so, you must recuse yourself and not participate in that matter's consideration.

\*Appeal Procedure

Most decisions rendered by the Board of Adjustment are appealable to the Board of County Commissioners. If you disagree with the decision of the Board of Adjustment and you want to appeal its action, call the Planning staff immediately, at 328-6100. You will be informed of the appeal procedure, application fee, and the time in which you must act. Appeal periods vary from seven (7) to fifteen (15) days, depending on the type of application.

**Approval of Agenda**

## Approval of Minutes

December 2, 2010 Workshop

December 2, 2010

### \*Public Comment

Public comment may be heard on items both on and off the agenda, except that public comment under this section will not be taken on any items for which a separate public comment is expressly provided on the agenda; comments are limited to a three-minute time limit, however the Board reserves the right to reduce this three-minute time limit. No action will be taken upon a matter raised under this agenda item until the matter has been specifically included on a future agenda as an action item.

### Chair and Board Items

(Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements, staff discussion of items or suggested items to be scheduled proposed for action at future meetings, and reports on planning issues and/or activities of organizations in which individual members may be involved.)

- a. \*Report on Previous Board of Adjustment Items
- b. \*Legal Information and Updates  
Deputy District Attorney Nathan Edwards, Esq.
- c. Discussion and possible action to amend and clarify the Board of Adjustment's Rules, Policies and Procedures regarding the definition of a group. Members of the Board of Adjustment will discuss the existing Rules, Policies and Procedures of the Board of Adjustment regarding the definition of a group. Action may be taken to modify the Rules, Policies and Procedures and/or to provide direction to staff.

### Director's Items

(Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements, staff discussion of items proposed for action at future meetings, and reports on planning issues and/or activities of organizations in which individual members may be involved.)

### Consent Items

None

## 1:30 p.m. Project Review Items

– Public Comment will be taken for Items One through Eight–

1. **PUBLIC HEARING: Special Use Permit Case No. SB10-011 (Palomino Valley General Improvement District - PVGID) (Continued from the December 2, 2010 meeting)** – To develop a Public Service Yard, a Permanent Aggregate Facility and a water truck fill station (Utility Services use type) as authorized in NRS chapter 278 (including NRS 278.315) and the Washoe County Development Code (including Articles 302 and 810). The project is located at the northeast corner of Stirrup Drive and Wayside Road and is addressed as 5105 Wayside Road. The parcel is ±42.53 acres in size and is currently designated General Rural Residential (GRR). An application for a

Non-action items are denoted with an asterisk (\*).

Regulatory Zone Amendment to change to General Rural (GR) is pending at this time. The parcel is located within the Warm Springs Area Plan, and is situated in a portion of Section 33, T23N, R21E, MDM, Washoe County, Nevada. The property is located in the **Warm Springs Citizen Advisory Board** boundary and Washoe County Commission District No. 4. (APN: 077-350-02)

Staff Representative: Roger Pelham, Senior Planner, 775.328.3622

2. **PUBLIC HEARING: Variance Case Number VA10-005 (Shorin Residence Front Yard Setback)** – To reduce the front yard setback for a laundry room addition from 15 feet to 12 feet 4 inches, as authorized in Section 110.804 of the Washoe County Development Code. The project is located on Crystal Peak Road approximately 1/10<sup>th</sup> of a mile east of its intersection with Lakeshore Boulevard in Incline Village. The parcel is addressed as 615 Crystal Peak Road. The ±.43-acre parcel is designated Medium Density Suburban (MDS) in the Tahoe Area Plan, and is situated in a portion of Section 16, T16N, R18E, MDM, Washoe County, Nevada. The property is located in the **Incline Village/Crystal Bay Citizen Advisory Board** boundary and Washoe County Commission District No. 1. (APN 122-129-13)

Staff Representative: Roger Pelham, Senior Planner, 775.328.3622

3. **PUBLIC HEARING: Amendment of Conditions Case No. AC10-012 (Ruby Hamilton)** – To amend condition 3 from Variance VA05-011, revoking the variance if the house or house and garage is remodeled or rebuild and the cost is more than 20% of replacement cost of structure being remodeled; changing the condition to apply only to the garage and not the primary residence as authorized in Article 804 of the Washoe County Development Code. The project is located 826 Ophir Peak Road, Incline Village, NV. The ±0.42-acre parcel is designated Medium Density Suburban (MDS) in the Tahoe Area Plan, and is situated in a portion of Section 16, T16N, R8E, MDM, Washoe County, Nevada. The property is located in the **Incline Village/Crystal Bay Citizen Advisory Board** boundary and Washoe County Commission District No. 1. (APN 122-211-22)

Staff Representative: Eva M. Krause, AICP, Planner, 775.328.3796

4. **PUBLIC HEARING: Amendment of Conditions Case No. AC10-011 (La Posada Bar and Grill)** - To amend condition number 2 of the approved Special Use Permit, Case No. SB09-005, to extend the time for completion of the project. The project site is located at 8995 La Posada Drive, at the northeast corner of La Posada Drive and Pyramid Highway. The ±1.21-acre parcel is designated General Commercial (GC) in the Spanish Springs Area Plan and is situated in a portion of Section 35, T21N, R20E, MDM, Washoe County, Nevada. The property is located in the **Spanish Springs Citizen Advisory Board** boundary and Washoe County Commission District No. 4. (APN 534-092-04)

Staff Representative: Sandra Monsalve, AICP, Senior Planner 775.328.3608

5. **PUBLIC HEARING: Special Use Permit Case No. SB10-014 (Franktown Meadows Equestrian)** – To identify and establish an events and clinics/training schedule for an existing commercial equestrian facility, as authorized in Article 810 of the Washoe County Development Code. The subject properties are located at 4200 State Route 429, approximately 2 miles south of the intersection of US 395 and State Route 429. The ±19.54 and ±21.70 acre parcels are designated General Rural (GR) zoning and are situated in portions of Section 3, T16N, R19E, MDM, Washoe County, Nevada. The properties are located in the **West Washoe Valley Citizen Advisory Board** boundary and Washoe County Commission District No. 2. (APN: 055-042-20 & 055-042-21)

Staff Representative: Sandra Monsalve, AICP, Senior Planner, 328-3608

Non-action items are denoted with an asterisk (\*).

- 6a. **PUBLIC HEARING: Special Use Permit Case No. SB10-012 (Ballardini Ranch Trailhead)** – To allow for excavation exceeding 1,000 cubic yards and to allow disturbance of a significant hydrologic resource (SHR), specifically a critical stream zone buffer and sensitive stream zone buffer area pursuant to Article 418 of the Development Code (Washoe County Code Chapter 110).

and

- 6b. **PUBLIC HEARING: Variance Case No. VA11-001 (Ballardini Ranch Trailhead)** – To allow retaining walls to be in excess of 6 feet in height in order to accommodate the development of the Ballardini Ranch Trailhead project as authorized in Section 110.804 of the Washoe County Development Code.

The parcels are located at the western end of Lone Tree Lane, approximately 0.6 miles west of Lakeside Drive. The ±121.2- and ±90.6-acre parcels are designated General Rural (GR), Low Density Rural (LDR), and Medium Density Rural (MDR) in the Southwest Truckee Meadows Area Plan, are located within the jurisdiction of the **Southwest Truckee Meadows Citizen Advisory Board**, and are in Washoe County Commission District No. 2. The properties are within portions of Section 2, 3, 11; T18N, R18E, MDM, Washoe County, Nevada. (APN 222-080-07 and 222-080-08)

Staff Representative: Don Morehouse, Planner, 775.328.3632

7. **PUBLIC HEARING: Amendment of Conditions Case No. AC10-013 (Sierra Nevada Teen Ranch)** – To amend Condition #7 of the Special Use Permit Case Number SB07-019 to extend the time for completion of each phase of the project by two additional years such that Phase One will be extended to February 12, 2013, Phase Two will be extended to February 12, 2015, Phase Three will be extended to February 12, 2017 and Phase Four will be extended to February 12, 2020 as authorized in Section 110.810 of the Washoe County Development Code. The project is located in Bedell Flat, east of the Sierra Ranchos/Rancho Haven communities. The ±29-acre parcel is designated General Rural (GR) in the North Valleys Area Plan, and is situated in a portion of Section 4, T23N, R19E, MDM, Washoe County, Nevada. The property is located in the **North Valleys Citizen Advisory Board** boundary and Washoe County Commission District No. 5. (APN: 079-210-15)

Staff Representative: Trevor Lloyd, Senior Planner, 775.328.3620

#### **Other Items**

#### **Adjournment**

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### **AGENDA MAINTENANCE**

In accordance with NRS 241.020, this agenda closes three (3) days prior to the meeting date. Only emergency items or items otherwise specifically excepted from the three day requirement by law may be added to the agenda within the three day period. Agendas and staff reports are posted to the Washoe County website at [www.washoecounty.us/comdev/](http://www.washoecounty.us/comdev/), four days prior to the meeting. This agenda has been posted at the following locations: Washoe County Administration Building (1001 E. 9th Street), Washoe County Clerk's Office-Courthouse (Court and Virginia Streets), Washoe County Library (301 South Center Street), and Sparks Justice Court (630 Greenbrae Drive).

### **MEETING ACCESS**

The facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g. sign language interpreters or assisted listening devices)

Non-action items are denoted with an asterisk (\*).

at the meeting should notify the Washoe County Department of Community Development, 24 hours prior to the meeting at 775.328.3600.

**PUBLIC PARTICIPATION**

The Board of Adjustment adopted Rules, Policies and Procedures are available on the website provided above or by contacting the Community Development Department.

At least one copy of items displayed and at least ten copies of any written or graphic material for the Board's consideration should be provided to the Recording Secretary. Materials longer than one page in length submitted within six days of the Board of Adjustment meeting may not be considered by the Board in their deliberations.

Time allocations for public hearing items are as follows: 15 minutes for staff's presentation; 15 minutes for an applicant's presentation; 5 minutes for a group representative's comments; 3 minutes for individual comment. At the discretion of the Chair, additional time may be provided to any party if the request is made at least 24 hours in advance of the meeting start time. The Chair may reduce the per person time allotment for comment on a particular item; this determination will be made prior to hearing comment on the item.

**AGENDA ITEMS**

Items on the agenda may not necessarily be considered in the order in which they appear. An asterisk (\*) is used to denote non-action items. Action items may be acted upon by the Board of Adjustment.

Non-action items are denoted with an asterisk (\*).