



# WASHOE COUNTY BOARD OF ADJUSTMENT Notice of Meeting and Agenda

## Board of Adjustment Members

Kristina Hill, Chair  
Clay Thomas, Vice Chair  
Lee Lawrence  
Rob Pierce  
Brad Stanley  
Trevor Lloyd, Secretary

Thursday, May 6, 2021

1:30 p.m.

**Zoom Teleconference Meeting Only**

**No members of the public will be allowed in the Commission Chambers due to concerns for public safety** resulting from the COVID-19 emergency and pursuant to the Governor of Nevada's Declaration of Emergency Directive 006 Section 1 which suspends the requirement in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate. This meeting will be held by teleconference only.

The meeting will be televised live and replayed on Washoe Channel at: <https://www.washoecounty.us/mgrsoff/Communications/wctv-live.php> also on YouTube at: <https://www.youtube.com/user/WashoeCountyTV>

## **PUBLIC HEARING ITEMS**

(Complete case descriptions are provided beginning on page three of this agenda)

- **Amendment of Conditions Case Number WAC21-0002 (Extension of Time for WSUP19-0003, Vya Monopole)**
- **Variance Case Number WPVAR21-0002 (Spencer Front Yard Setback)**
- **Special Use Permit Case number WSUP21-0005 (Duarte Grading)**
- **Special use Permit Case Number WSUP21-0008 (Walker Guest House)**

**Possible Changes to Agenda Order and Timing.** Discussion may be delayed on any item on this agenda, and items on this agenda may be taken out of order, combined with other items and discussed or voted on as a block, removed from the agenda, moved to the agenda of another later meeting or moved to or from the consent section. Items designated for a specified time will not be heard before that time but may be delayed beyond the specified time.

**Public Comment.** Public comments are welcomed during the public comment periods at the beginning and end of the meeting and during public hearing and project review items and are limited to three (3) minutes per person. Persons may not allocate unused time to other speakers.

In accordance with the Governor of Nevada's Declaration of Emergency Directive 006 Section 2, members of the public may submit public comment by teleconference by logging into the ZOOM webinar at the following link and utilizing the "Raise Hand" feature during any public comment period: <https://us02web.zoom.us/j/89349602211>. As an alternative to this link, you can join the ZOOM meeting by typing zoom.us in your computer browser, clicking "Join a Meeting" on the ZOOM website, and entering this Meeting ID: **89349602211**. NOTE: This option will require a computer with audio and video capabilities. Additionally, public comment can be submitted via email to [washoe311@washoecounty.us](mailto:washoe311@washoecounty.us) or by leaving a voice message at: (775) 954-4664. Voice messages received will either be broadcast into the Commission Chamber during the meeting or transcribed for entry into the record. The County will make reasonable efforts to include all comments received for public comment by email and voicemail into the record. Please try to provide comments by 4:00 p.m. on May 5, 2021.

During the general public comment periods at the beginning and end of the meeting, speakers may address any matter either on or off the agenda, including items heard on the consent section of the agenda. For the remainder of the agenda, public comment will only be heard during public hearing and project review items and should be about the specific item being considered by the Board at that time. If an item is continued, then public comment will not be heard for that item until the date of the continued hearing.

Presentations and public comment for individual agenda items are limited as follows: fifteen minutes each for staff and applicant presentations and three minutes for individual speakers unless extended by questions from the Board or by action of the Chair. All comments are to be directed to the Board as a whole and not to one individual. Emails will be included in the record but will only be read aloud during the meeting subject to the chair's discretion and if time permits.

**Public Participation.** 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.

**Responses to Public Comments.** The Board of Adjustment may deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. The Open Meeting Law does not expressly prohibit responses to public comments by the Board. However, responses from Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. To avoid this situation and to ensure that the public has notice of all matters the Board will consider, members may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action, or to ask that a matter be listed on a future agenda.

**Forum Restrictions and Orderly Conduct of Business.** The Board of Adjustment conducts the business of Washoe County and its citizens during its meetings. The presiding officer may order the removal of any person whose statement or other conduct disrupts the orderly, efficient or safe conduct of the meeting. Warnings against disruptive comments or behavior may or may not be given prior to removal. The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of speech that may be reasonably limited.

**Posting of Agenda; Location of Website.** Pursuant to NRS 241.020, the Agenda for the Board of Adjustment has been electronically posted at [https://www.washoecounty.us/csd/planning\\_and\\_development/board\\_commission/board\\_of\\_adjustment/index.php](https://www.washoecounty.us/csd/planning_and_development/board_commission/board_of_adjustment/index.php) and <https://notice.nv.gov>. Pursuant to the Governor of Nevada's Declaration of Emergency Directive 006 Section 3, the requirement that public notice agendas be posted at physical locations within the State of Nevada has been suspended.

**How to Get Copies of Agenda and Support Material.** Copies of this agenda and supporting materials for the items on the agenda provided to the Board of Adjustment may be obtained on the Planning and Building Division's website at ([http://www.washoecounty.us/csd/planning\\_and\\_development/board\\_commission/board\\_of\\_adjustment/index.php](http://www.washoecounty.us/csd/planning_and_development/board_commission/board_of_adjustment/index.php)) or at the Planning and Building Division Office (contact Donna Fagan, 1001 E. Ninth Street, Building A, Room A275, phone 775.328.3616 or e-mail [dfagan@washoecounty.us](mailto:dfagan@washoecounty.us)). If you make a request, we can provide you with a link to a website, send you the material by email or prepare paper copies for you at no charge. Support material is available to the public at the same time they are available to Board members. If material is distributed at a meeting, it is available within one business day after the meeting.

**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 775.328.6100. You will be informed of the appeal procedure, and application fee. Appeals must be in writing and must be delivered to the Planning and Building Division within 10 calendar days from the date that the decision being appealed is signed by the Secretary of the Board of Adjustment and mailed to the original applicant in the proceeding being appealed, in accordance with Washoe County Code.

## AGENDA

1:30 p.m.

### 1. Determination of Quorum [Non-action item]

2. **Pledge of Allegiance** [Non-action item]
3. **Ethics Law Announcement** [Non-action item]
4. **Appeal Procedure** [Non-action item]
5. **Public Comment** [Non-action item]

Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the agenda. However, action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item. Comments are to be made to the Board of Adjustment as a whole.

6. **Approval of the Agenda** [For possible action]
7. **Approval of the [April 1, 2021 Draft Minutes](#)** [For possible action]
8. **Public Hearing Items** [For possible action]

The Board of Adjustment may take action to approve (with or without conditions), modify and approve (with or without conditions), or deny a request. The Board of Adjustment may also take action to continue an item to a future agenda.

- A. **[Amendment of Conditions Case Number WAC21-0002 \(Extension of Time for WSUP19-0003, Vya Monopole\)](#)** [For possible action] – For hearing, discussion and possible action to approve an amendment of conditions to extend the approval of Special Use Permit Case Number WSUP19-0003 for one additional year, until June 6, 2022. The original approval was for a new wireless cellular facility consisting of a 150-foot-high monopole structure, equipment shelter, outdoor generator and LP tank.

- Applicant: Commnet of Nevada
- Property Owner: United States of America – Bureau of Land Management
- Location: On the south side of Dugway Road, approximately 1.5 miles southwest of its intersection with County Road 34, in the area of Vya, Northern Washoe County
- APN: 061-010-49
- Parcel Size: ± 774 acres
- Master Plan: Rural
- Regulatory Zone: General Rural
- Area Plan: High Desert
- Citizen Advisory Board: Gerlach/Empire
- Development Code: Authorized in Article 324, Communication Facilities and Article 810, Special Use Permits
- Commission District: 5 – Commissioner Herman
- Staff: Roger Pelham, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3622
- Email: [rpelham@washoecounty.us](mailto:rpelham@washoecounty.us)

- B. **[Variance Case Number WPVAR21-0002 \(Spencer Front Yard Setback\)](#)** [For possible action] – For hearing, discussion, and possible action to approve a variance to reduce the

required front yard building setback from 20' to 15' to allow for an expansion of a single-family dwelling at 842 Jennifer Street (APN 125-221-20) within the High Density Suburban (HDS) regulatory zone, as required by Washoe County Code Section 110.804.25.

- Applicant/Property Owner: Gil Spencer & Deidre Toner
- Location: 842 Jennifer Street
- APN: 125-221-20
- Parcel Size: 6,016 sf
- Master Plan: Suburban
- Regulatory Zone: High Density Suburban
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village / Crystal Bay
- Development Code: Authorized in Article 804 Variances
- Commission District: 1 – Commissioner Hill
- Staff: Courtney Weiche, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3608
- Email: [cweiche@washoecounty.us](mailto:cweiche@washoecounty.us)

**C. [Special Use Permit Case number WSUP21-0005 \(Duarte Grading\)](#) [For possible action]**

– For hearing, discussion, and possible action to approve a special use permit for a major grading permit to build a road across slopes greater than 30%, 3040cy of cut and 30,40cy of fill on slopes greater than 15% with 2.42acres of disturbance.

- Applicant/Property Owner: Mark Duarte
- Location: 120 Cobalt Ln, Reno
- APN: 079-371-23
- Parcel Size: 99.21
- Master Plan: Rural Residential
- Regulatory Zone: Low Density Rural
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Development Code: Authorized in Article 438, 810
- Commission District: 5 - Commissioner Herman
- Staff: Dan Cahalane, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3628
- Email: [dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us)

**D. [Special use Permit Case Number WSUP21-0008 \(Walker Guest House\)](#) [For possible action]**

– For hearing, discussion, and possible action to approve a special use permit to approve a special use permit to allow a ±765 sq. ft. detached accessory dwelling unit on a parcel at 4837 Idlewild Drive; the regulatory zoning of the parcel is Medium Density Suburban (MDS), and a special use permit is required per Washoe County Code Table 110.302.05.1. and 110.306.25.

- Applicant/ Property Owner: Walker Family Trust
- Location: 4837 Idlewild Drive
- APN: 009-802-04
- Parcel Size: ±0.47

- Master Plan: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: West Truckee Meadows/Verdi Township
- Development Code: Authorized in Article 302, Allowed Uses; Article 306, Accessory Uses and Structures; and Article 810, Special Use Permits
  
- Commission District: 1 – Commissioner Hill
- Staff: Julee Olander, Planner  
Washoe County Community Service Department  
Planning and Building Division
  
- Phone: 775.328.3627
- Email: jolander@washoecounty.us

**9. Chair and Board Items** [Non-action item]

- A. Future Agenda Items
- B. Requests for Information from Staff

**10. Director’s and Legal Counsel’s Items** [Non-action item]

- A. Report on Previous Board of Adjustment Items
- B. Legal Information and Updates

**11. Public Comment** [Non-action item]

Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

**12. Adjournment** [Non-action item]