



Board of Adjustment Staff Report

Meeting Date: April 6, 2023

Agenda Item: 8A

CASE NUMBER:

WVIO-PLA22-0250 (445 Lipizzan Ln)

BRIEF SUMMARY OF REQUEST:

To hear an appeal of an Administrative Hearing Officer's determination that no violation of Article 414, Noise and Lighting, exists at 445 Lipizzan Lane.

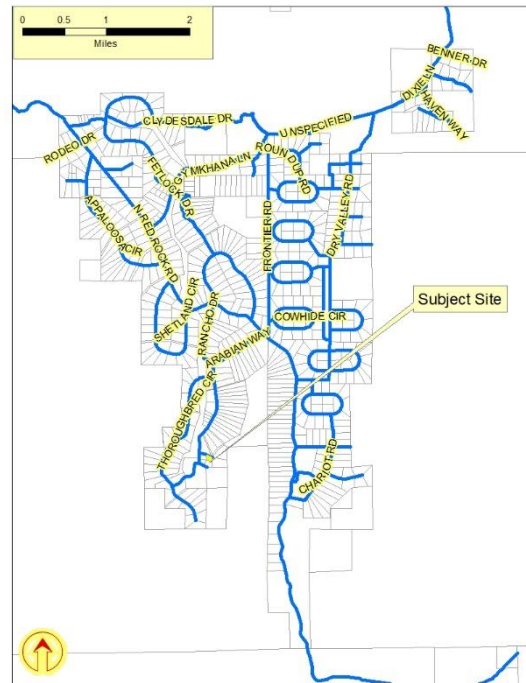
STAFF PLANNER:

Roger Pelham, MPA, Senior Planner
Phone Number: 775.328.3622
E-mail: rpelham@washoecounty.gov

CASE DESCRIPTION

For possible action, hearing, and discussion to affirm, modify, reverse, or remand an Administrative Hearing Officer's determination that no violation of Article 414, Noise and Lighting, exists at 445 Lipizzan Lane.

Appellant /	Eugene Corl, 395 Lipizzan
Complainant:	Lane
Property Owner /	Brad Schreiber, 445 Lipizzan
Defendant:	Lane
Location:	445 Lipizzan Lane
APN:	078-101-25
Parcel Size:	± 3 acres
Master Plan:	Rural Residential
Regulatory Zone:	Low Density Rural
Area Plan:	North Valleys
Development Code:	Article 404, Noise and Lighting
Commission District:	5 – Commissioner Herman



Vicinity Map

STAFF RECOMMENDATION

AFFIRM

REVERSE

REMAND

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 Board of Adjustment affirm the determination of the Administrative Hearing Officer that no violation of Article 414, Noise and Lighting, exists at 445 Lipizzan Lane.

Staff Report Contents

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Exhibits Contents

Administrative Order and Administrative Hearing File Exhibit A

Appeal Application Exhibit B

Link to Video of Administrative Hearing:

https://washoe-nv.granicus.com/MediaPlayer.php?view_id=6&clip_id=4194

Background

The relevant Development Code provision for this case is:

WCC Section 110.414.21 (a) - All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties.

In October of 2022 the appellant, Mr. Corl, submitted a code enforcement complaint to Washoe County indicating that exterior lighting installed on Mr. Schreiber, the defendant's, home lit the interior of appellant's home.

On November 2, 2022 an enforcement official investigated the complaint by conducting a site inspection. Inspection found two lighting fixtures mounted on the garage wall as is typical of most houses. Each fixture has two LED lights that swivel. The light had been pointed downward but at an approximately 45-degree angle and therefore could be seen. However, the power of the light and the surrounding structures, vegetation, and distance of approximately 600 feet to the complainant's house prevented glare, reflection, or spillover lighting from occurring.

Due to the LEDs being visible and not having a horizontal cover, the code enforcement officer advised the defendant to cover them with frosted film and point them straight down as doing so would ensure the lights complied with all requirements of Section 110.414.21. The officer issued a 30-day verbal warning to implement this corrective action.

The defendant's home is located on a parcel of land adjacent to the appellant's home. The homes are separated by a distance of approximately 600 feet.

In November of 2022 the defendant took corrective action to address the complaint and modified the exterior lights by installing a dimming material on the light source and redirecting the lights such that light is emitted downward only. After a follow-up inspection verified the corrective actions, the complaint was closed by Washoe County Code Enforcement Officer Shawn Latshaw. This demonstrates that the Code Enforcement Officer believed that no violation of the development code existed at that point.

Upon being informed of the outcome, the complainant (Mr. Corl) argued that the lights were still in violation of county code and were shining so brightly into his house that he "could make shadow puppets." Mr. Corl continued to file complaints about the lighting based on this grievance, even though the matter had been investigated and closed by the enforcement official.

In December of 2022, pursuant to WCC 125.160.9, the appellant submitted a "Witness Statement" to Washoe County Code Enforcement, alleging that the exterior lighting illuminates the interior of their home. WCC 125.160.9 states that an "administrative penalty notice may be issued by a peace officer or enforcement official based upon a written and signed statement of a complaining party. In such a case, the complaining party must appear at any hearing subsequently scheduled pursuant to this chapter to testify."

The submittal of a Witness Statement, in effect, reopened the Code Enforcement case against the defendant. Following established standard procedure, Washoe County Code Enforcement issued a penalty notice for violation of the Code based on the Witness Statement. Included with that notice were instructions for appeal of the penalty notice to an Administrative Hearing Officer.

The defendant subsequently appealed and an administrative hearing was scheduled.

The Administrative Hearing was held on January 27, 2023. The Administrative Hearing Officer found that no violation of the development code exists. The appellant has appealed the determination of the Administrative Hearing Officer to the Board of Adjustment in accordance with WCC110.910.15(d)(1).

In such appeals, the burden of proof is on the appellant. Pursuant to WCC 110.912.20(7), "decisions of administrative officials, hearing officers, and the technical review boards for building code and fire codes are presumed to be reasonable and lawful, and it is the burden of the appellant to persuade the Board otherwise.

Analysis

The record on appeal, which is included in the attachments to this report, shows that:

1. Washoe County Code Enforcement Officer Shawn Latshaw found no violation of Article 414 exists at 445 Lipizzan Lane, in November of 2022.
2. The Administrative Hearing Officer determined no violation of Article 414 exists at 445 Lipizzan Lane, in January of 2023.

On a majority vote of all its members [as required by NRS 278.300 (2)], the Board may reverse, modify or remand a decision (of a Hearing Officer) if the decision:

- a) Was made contrary to the constitution, a statute, an ordinance or regulation, or the law of the case;
- b) Exceeds the jurisdiction or statutory authority of the deciding official or body;
- c) Was made on unlawful procedure;
- d) Is affected by an erroneous interpretation or other error of law;
- e) Is clearly erroneous in view of the reliable, probative and substantial evidence on the whole record, or
- f) Is arbitrary or capricious or characterized by abuse of discretion.

Staff does not believe any of these criteria have been met nor proven by the appellant.

Reviewing Agencies

No other agencies have been involved in the administrative enforcement of the alleged WCC violation.

Recommendation

Based upon staff analysis, evidence presented, and testimony received, staff recommends that the Board of Adjustment deny this appeal and affirm the decision of the Administrative Hearing Officer, that no violation of Article 414 exists at 445 Lipizzan Lane.

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 Board of Adjustment deny this appeal and affirm the decision of the Administrative Hearing Officer, that no violation of Article 414 exists at 445 Lipizzan Lane.

Appeal Process

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant, 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 Board of Adjustment and mailed to the applicant.

Appellant / Complainant: Eugene Corl, 395 Lipizzan Lane
escorl@earthlink.net

Property Owner / Defendant: Brad Schreiber
b.d.schreiber85@gmail.com

Exhibit A

Record on Appeal

1. Administrative Hearing Request Received from Respondents
2. Civil Penalty WVIO-PL22-0250 2-22-2023
3. Case File Received from Code Enforcement (Unredacted)
4. Certified Mail - Notice of Admin Hearing & Case File (Complainant)
5. Certified Mail - Notice of Admin Hearing & Case File (Respondent)
6. Emailed Notice of Admin Hearing and Case File to Respondent
7. Emailed Notice of Admin Hearing and Case File to Complainant
8. Emailed Admin Hearing Reminder for 01-27-23 to Complainant
9. Emailed Admin Hearing Reminder for 01-27-23 to Respondent Bradley & Susan Schreiber
10. Exhibit 1 - Texts submitted by Complainant
11. Exhibit 2 - Photos submitted by Complainant
12. Exhibit 3 - Photos submitted by Complainant
13. Exhibit A - Light on with Cover - by Respondent
14. Exhibit B - Light on with No Cover - by Respondent
15. Exhibit C - Light off with Cover - by Respondent
16. Exhibit D - Light off with No Cover - by Respondent
17. Exhibit E - Light illuminated beside House - by Respondent
18. Exhibit F - View from Side of House - by Respondent
19. Exhibits A - F shared with Complainant
20. Emailed Exhibits A-F to Code Enforcement
21. Exhibits 1 - 3 from Complainant shared with Respondent
22. Exhibits 1 - 3 from Complainant sent to Code Enforcement
23. Administrative Order (signed)
24. Administrative Order (Signed) sent to Complainant and Respondent



**WASHOE COUNTY
ADMINISTRATIVE HEARING OFFICE**

Please Legibly Print All Information

1 South Sierra Street
Reno, Nevada 89501
Phone: (775) 328-2001
Fax: (775) 325-6510
AHO@washoecounty.us

****REQUEST FOR ADMINISTRATIVE HEARING****

Today's Date: December 14, 2022

Violation Number: WVIO-PLA22-0250

I am appealing the Civil Penalty received and request an Administrative Hearing be set on the case noted above. I understand this form must be completed and returned to the Administrative Hearing Office within the time frame indicated on the Civil Penalty or my request for appeal may be denied.

The following provides a basis for my appeal (continue on the back of this page or attach additional pages if needed):

Please see the attached document for details of the case for appeal.

Thank you

If you are found to be in violation of Washoe County regulations, you will be assessed a \$50.00 Administrative Hearing fee in addition to any other fine the Administrative Hearing Officer orders. Unless ordered otherwise by the Hearing Officer, this fee is payable to Washoe County Collections at the conclusion of the hearing.

Printed first and last name: Bradley and Susan Schreiber

Cell phone: [REDACTED]

Address: 445 Lipizzan Lane Reno, NV 89508 E-mail Address: b.d.schreiber85@gmail.com

Signature: *Bradley Schreiber* *SR*

****DATE AND TIME OF ADMINISTRATIVE HEARING****

Your Administrative Hearing has been scheduled for:

Administrative Hearings will be conducted via Zoom pursuant to COVID-19 operations. Administrative Hearings being at the scheduled time; therefore, it is important that you log in no later than 5 minutes prior to the hearing time to ensure you are able to connect with audio and video via Zoom.

December 14, 2022

Thank you for accepting this appeal to case number WVIO-PLA22-0250 relative to a violation of WCC Section 110.414.21.

We purchased the house at 445 Lipizzan Lane in December of 2021. When we purchased the house, there were two flood light fixtures on either side of the garage doors and used them nightly. It was about 8 months before we heard from Mr. Corl about his issues with the light at night.

Contrary to Mr. Corl's complaint, (that we installed "outdoor floodlights") we actually replaced the flood lights with low wattage, smaller lights (2.5 inches in diameter). A short time after that, Mrs. Corl came to our house to, again, tell us that the lighting was shining into their house. We asked what they would like us to do and she replied that they just don't want to see any light from inside their house. We did what we could by pointing the lights away from their direction, to the sides and downward.

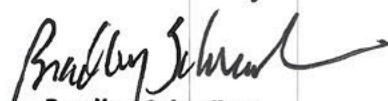
After that, we were visited by Shawn Latshaw who helped us understand the ordinance and suggested one remedy that would be to apply light dimming material and cover the lenses of the light fixtures, which we did. We sent before and after pictures and a description of the remedy to Mr. Latshaw. Following that, we received an email stating the case was closed. Then, we received the second complaint from Mr. Corl and a penalty notice.

In dispute of Mr. Corl's claims, I offer the following:

- As mentioned, we did not install flood lights, rather, removed them and replaced them with smaller lights which point down and to the side, away from Mr. Corl's house
- From the side of our house (where the lights are located) to the front of Mr. Corl's house is (give or take) 665 feet apart, longer than the length of 2 football fields
- Mr. Corl suggested I walk to his property to see the light at night, which I did and halfway up his driveway, about 300 feet from our house, I could barely see the ground and saw no shadow being created by the light on our house.
- It seems virtually impossible that the lighting from our house illuminates the interior of their house to the degree that it casts shadows in their house. As you can see in the pictures labeled, "View From Side Of House From Light Location" and "Light Illuminating Area Beside House" that the lighted area dissipates less than 70 feet from the source, and not extending 665 feet away. In each of those photos you can see a light in the background, which is Mr. Corl's house, to give a perspective.
- We made several attempts to work with Mr. Corl, buying new lighting and even asking what we can do that he would accept, but the fact that they said they didn't want to see any light, thus having no light, was not a solution as we have the right to protect our property.
- We gladly complied with Mr. Latshaw's instruction making the recommended corrections (see the 4 photos of the before and after making the corrections).

In closing, I believe we have made a number of attempts to work with Mr. Corl and complied with direction from Mr. Latshaw and request that this complaint be dismissed.

Thank you.


Bradley Schreiber


Susan Schreiber



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
 Planning and Building Division
 Code Enforcement

1001 EAST 9TH STREET
 RENO, NEVADA 89512
 PHONE (775) 328-6106
 FAX (775) 328-6133

ADMINISTRATIVE PENALTY NOTICE
****FIRST PENALTY****

12/05/2022

BRADLEY & SUSAN SCHREIBER
 445 LIPIZZAN LN
 RENO, NV 89508

Case Number: WVIO-PLA22-0250
 Subject Property: 445 LIPIZZAN LN
 Parcel Number: 078-101-25

Comply by: 01/05/2023
 Penalty Amount: **\$100**
 Payment Due by: 01/05/2023

Dear Respondent,

A written complaint has been submitted by a complaining party regarding violations on your property. Washoe County Code Section 125.160(9) provides for issuance of an Administrative Penalty when written and signed statements are submitted by a complaining party. This Administrative Penalty Notice is not a criminal proceeding.

You are hereby charged an administrative penalty of \$100. Payment of the administrative penalty does not release you from correcting the code violation that currently exists on the subject property.

A 50% discount will be applied toward your penalty amount if paid on or before the payment due date listed above. Washoe County will accept one-half of the administrative penalty amount as payment in full if received by the payment due date shown on this notice. If an appeal is filed before the payment due date or if you pay the penalty after the payment due date, no reduction of the penalty is available. After the payment due date, any unpaid penalties will be turned over to the Washoe County Collections Office. A County Code required \$50 collections fee will be added to the penalty and you may also be subject to additional fees, interest and all collection remedies allowed by law. All penalties and fees assessed are cumulative.

Each and every instance the code violation exists constitutes a separate and distinct offense. **County Code Violations must be corrected or additional penalties may be assessed without future warnings being issued. This notice of violation may be recorded with the Washoe County Recorder's Office if the violation is not corrected. In addition, pursuant to WCC 125.190, you are hereby notified that approvals for applications, renewals of business licenses, and any land or structure use permits, building permits, or grading permits may be withheld until the violation(s) is corrected.**

The code violation found on the property and the action you must take to correct the situation is:



QUALITY
PUBLIC SERVICE



INTEGRITY



EFFECTIVE
COMMUNICATION

Memo to: BRADLEY & SUSAN SCHREIBER
Subject: Administrative Penalty
Date: 12/05/2022
Page: 2

VIOLATION:

WCC Section 110.414.21 (a) - All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties. (see attached Witness Statement)

CORRECTIVE ACTION:

WCC Section 110.414.21 (a) – The above noted lighting facilities must be corrected in the following way:

- Any lighting facilities shall be so installed as to reflect away from adjoining properties.
- Covers must be installed on all lighting fixtures and lamps must not extend below the bottom of the cover.
- Reflected glare on nearby buildings, streets or pedestrian areas shall be avoided by incorporating overhangs and awnings, using non-reflective building materials for exterior walls and roof surfaces, controlling angles of reflection, and placing landscaping and screening in appropriate locations.
- Light standard in or within one hundred (100) feet of residential zones shall not exceed twelve (12) feet in height.

RIGHTS OF APPEAL:

You have a right to appeal this notice as described on the Right to Appeal instructions attached to this notice. Failure to respond to this notice by **01/05/2023** shall be deemed an admission of liability and a waiver of any right to an administrative hearing.



Shawn Latshaw
Code Enforcement Officer II
SLATSHAW@washoecounty.gov
O: (775) 328-3630
C: (775) 276-2836



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PUBLIC SERVICE



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EFFECTIVE
COMMUNICATION

Memo to: BRADLEY & SUSAN SCHREIBER
Subject: Administrative Penalty
Date: 12/05/2022
Page: 3

RIGHT TO APPEAL ADMINISTRATIVE PENALTY NOTICE

You may appeal this Administrative Penalty Notice by requesting an administrative hearing.

To request an administrative hearing, contact the Administrative Hearing Office located at Reno Justice Court by email at aho@washoecounty.gov, or by phone at (775) 328 – 2001 or (775) 325 – 6500. You will need to provide a copy of this Administrative Penalty Notice to the Hearing Office.

You must file your appeal on or before the appeal date stated in your Administrative Penalty Notice.

Fees and Costs: The fee to request an administrative hearing is \$50.00. This fee must be paid if you are found in violation of County Codes at the conclusion of the appeal hearing. The hearing officer may also impose additional administrative penalties and/or administrative action fees. Any outstanding penalties and fees must be paid at the conclusion of the appeal hearing.

Hearing Officer and Hearing Date: An administrative hearing officer will be assigned to your case by the Washoe County Administrative Hearing Office. The Administrative Hearing Office will notify you of your hearing date. The administrative hearing officer will issue an Administrative Order at the conclusion of your appeal hearing.

Impact on this Administrative Penalty Notice: Any deadlines, actions, and/or remedies included in this Administrative Penalty Notice will be placed on hold until your appeal is concluded.

Contact Information:

Administrative Hearing Office
(Located at Reno Justice Court)
1 S. Sierra St.,
Reno, NV 89501
Administrative Hearing Office: (775) 328 – 2001
Reno Justice Court: (775) 325 – 6500
aho@washoecounty.gov

Steps to File Your Appeal:

1. Contact the Administrative Hearing Office by email and/or phone on or before the appeal date shown on your Administrative Penalty Notice.
2. Email a copy of this Administrative Penalty Notice to the Administrative Hearing Office.



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WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
 Planning and Building Division
 Code Enforcement

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 RENO, NEVADA 89512
 PHONE (775) 328-6106
 FAX (775) 328-6133

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12/05/2022

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 445 LIPIZZAN LN
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Shawn Latshaw
Code Enforcement Officer II
SLATSHAW@washoecounty.gov
O: (775) 328-3630
C: (775) 276-2836



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Memo to: BRADLEY & SUSAN SCHREIBER
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WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Planning and Building Division
Code Enforcement

1001 EAST 9TH STREET
PO BOX 11130
RENO, NEVADA 89520-0027
PHONE (775) 328-6106
FAX (775) 328.6133

ADMINISTRATIVE HEARING PACKET

WASHOE COUNTY CODE ENFORCEMENT

CASE #: WVIO-PLA22-0250

Address: 445 Lipizzan Ln

APN: 078-101-25

HEARING DATE: 01/27/2023, 09:00AM

- 1. Original Washoe 311 Complaint**
- 2. Email with Defendant on Resolution of Lighting Violation**
- 3. Complainant Witness Statement for Lighting Complaint**
- 4. 1st Administrative Penalty Notice on behalf of Complainant**
- 5. Defendant Appeal Statement**
- 6. Photos:**
 - A. Washoe Regional Mapping Aerial Photo "County"**
 - B. Washoe Regional Mapping Aerial Photo "Red Rock Area"**
 - C. Washoe Regional Mapping Aerial Photo "Neighborhood"**
 - D. Washoe Regional Mapping Aerial Photo "Property Measurements"**
 - E. View from in front of Garage looking approx. East Southeast**
 - F. View from in front of Garage looking approx. East**
 - G. Light Off – No Cover**
 - H. Light Off – With Cover**
 - I. Light On – No Cover**
 - J. Light On – With Cover**
- 7. Washoe County Code: Article 414 Noise and Lighting Standards**
- 8. Washoe County Code: Chapter 125 Administrative Enforcement**

If reading as PDF, please use the bookmarks to navigate.

From: Code Enforcement
To: Latshaw, Shawn
Subject: Fwd: A new Service Request has been created [Request ID #125388] (Code Violation/Enforcement General) - Washoe County, NV
Date: Wednesday, October 26, 2022 12:45:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Wednesday, October 26, 2022 12:04:08 PM
To: Code-Enforcement <Code-Enforcement@washoecounty.gov>
Subject: FW: A new Service Request has been created [Request ID #125388] (Code Violation/Enforcement General) - Washoe County, NV

Greetings,

Below, please find the service request received by Washoe311. Let us know if we can provide additional information.

Sincerely,



Washoe311 Service Center
Communications Division | Office of the County Manager
washoe311@washoecounty.gov | Office 3-1-1 | 775.328.2003 | Fax 775.328.2491
1001 E. Ninth St. Bldg A Reno NV 89512

NOTICE: This communication, including any attachments, may contain confidential information and is intended only for the individual or entity whom it is addressed. Any review, dissemination, or copying of this communication by anyone other than the recipient is strictly prohibited by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521. If you are not the intended recipient, please contact the sender by reply email, delete and destroy all copies of the original message.

From: Washoe311 <Washoe311@washoecounty.gov>
Sent: Wednesday, October 26, 2022 12:04 PM
To: Washoe311 <Washoe311@washoecounty.gov>
Subject: A new Service Request has been created [Request ID #125388] (Code Violation/Enforcement General) - Washoe County, NV

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

Washoe County, NV

A new service request has been filed.

Service Request Details	
ID	125388
Date/Time	10/26/2022 12:04 PM
Type	Code Violation/Enforcement General
Address	445 LIPIZZAN LN, Reno
Origin	Control Panel
Comments	Light pollution: Caller states neighbors installed outdoor lighting and he has attempted to talk to them to no avail. They are 500 feet from caller's house and their lights light up the interior of caller's house in the middle of the night and floods his property as well.
Submitter	Cort, Eugene 395 Lipizzan Ln Reno, NV 775-771-1962 escort@earthlink.net

[View in QAlert](#)

WVIO-PLA22-0250
EXHIBIT A

From: [Brad Schreiber](#)
To: [Latshaw, Shawn](#)
Subject: Re: Light Complaint Resolution
Date: Monday, December 12, 2022 5:57:30 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[Light Violation.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.]

Mr. Latshaw.

I just received a letter from Washoe County Community Services Department (attached) charging a "penalty" for the light violation that has been corrected.

My neighbor, Mr. Corl, submitted a second complaint, dated 12/1/2022 for the same violation I corrected and confirmed resolved in your 11/17/2022 email.

Perhaps the department sending the penalty notice is not aware that I corrected the complaint, and Mr. Corl may not be aware as well.

In any case, please advise as to how to proceed I feel, at this point, Mr. Corl is not accepting the conclusion.

Many thanks.

Brad Schreiber
[REDACTED]

"When life opens a window of opportunity, jump with all your might."

David Bradley

On Thu, Nov 17, 2022 at 1:07 PM Latshaw, Shawn <SLatshaw@washoecounty.gov> wrote:

Mr. Schreiber,

Thank you for making these corrections. This case is now closed. If you have any questions, feel free to reach out.

Regards,



Shawn Latshaw

Code Enforcement Officer I | Community Services Department

slatshaw@washoecounty.us | Office: 775.328.3630 | Fax: 775.328.6133

1001 E. Ninth St., Bldg A, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience? Email: CSDSuperstars@washoecounty.us

From: Brad Schreiber <b.d.schreiber85@gmail.com>
Sent: Wednesday, November 16, 2022 2:31 PM
To: Latshaw, Shawn <SLatshaw@washoecounty.gov>
Subject: Light Complaint Resolution

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

Mr. Latshaw,

Per your visit earlier this month to our house at 445 Lipizzan Lane, we have resolved the complaint according to your recommendation and have covered the lights in question with a dimming material made for this purpose.

Attached, please find (4) pictures, 2 with the lights off normal and covered, and 2 with the lights on normal and covered.

Unless I hear back, I'll assume the complaint can be closed, or, please contact me if further action is needed.

Many thanks

Brad Schreiber



"When life opens a window of opportunity, jump with all your might."



WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT Planning and Building Division Code Enforcement

1001 EAST 9TH STREET
RENO, NEVADA 89512
PHONE (775) 328-6106
FAX (775) 328.6133

WITNESS STATEMENT

Witness's Full Name: Eugene Corl
Phone: [REDACTED]
Email: escorl@Earthlink.net
Mailing Address: 395 Lipizzan Ln
Reno, NV 89508

Today's Date: 12-01-2022
Address/ Location of Violation:
445 Lipizzan Ln
Reno, NV 89508

Basic Description of Violation: Section 110.414.21
Light and Glare

Statement: The residents of 445 Lipizzan Ln installed outdoor floodlights in October that were timed to come on in the evening and off after sunrise. The lights illuminate the interior of 395 Lipizzan Ln to a degree that movement within casts shadows on interior walls during the time of darkness. This includes the master bedroom and the office of our home.

In addition the intensity and glare destroys the ability to view and enjoy the night sky.

I made attempts to resolve this issue with the owners, but had no success.

The above information is true to the best of my knowledge and was freely given. No threats or promises have been made against or to me in order to get me to make this statement. I certify under the penalty of perjury under the laws of the State of Nevada that the above statement is true and correct.

State of Nevada
County of Washoe
Subscribed and sworn to before me this
_____ day of _____, 20____

Name: (Print)
EUGENE CORL
Signature: [Handwritten Signature]

Notary Signature: _____



From: [Latshaw, Shawn](#)
To: escorl@earthlink.net
Bcc: [Giesinger, Chad](#)
Subject: Witness Statement for Lighting Complaint
Date: Thursday, December 1, 2022 9:31:00 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[Witness Statement.docx](#)

Mr. Corl,

As discussed on the phone, please complete the witness Statement, have it notarized, and mail it to me. The Lighting Code to be referenced can be found here [Section 110.414.21 Light and Glare](#).

Mail to:

WASHOE COUNTY
CSD-CODE ENFORCEMENT
1001 E. 9TH STREET
RENO, NEVADA 89512

I will issue an Administrative Penalty Notice on your behalf. If the property owners appeal the Notice, you will have to represent yourself in the appeal hearing.

Regards,



Shawn Latshaw
Code Enforcement Officer II, Code Enforcement | Community Services Department
slatshaw@washoecounty.gov | Direct Line: 775.328.3630

My working hours: Monday-Friday 7:00am to 3:00pm

Visit us first online: www.washoecounty.gov/csd
Code Enforcement: 775.328.6106 | Code-Enforcement@washoecounty.gov
CSD Office Hours: Monday-Friday 8:00am to 4:00pm
1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?

[Submit a Nomination](#)

Make a Code Enforcement Payment: [Online Instructions](#)



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
 Planning and Building Division
 Code Enforcement

1001 EAST 9TH STREET
 RENO, NEVADA 89512
 PHONE (775) 328-6106
 FAX (775) 328-6133

ADMINISTRATIVE PENALTY NOTICE
****FIRST PENALTY****

12/05/2022

BRADLEY & SUSAN SCHREIBER
445 LIPIZZAN LN
RENO, NV 89508

Case Number: **WVIO-PLA22-0250**
 Subject Property: **445 LIPIZZAN LN**
 Parcel Number: **078-101-25**

Comply by: 01/05/2023
Penalty Amount: \$100
Payment Due by: 01/05/2023

Dear Respondent,

A written complaint has been submitted by a complaining party regarding violations on your property. Washoe County Code Section 125.160(9) provides for issuance of an Administrative Penalty when written and signed statements are submitted by a complaining party. This Administrative Penalty Notice is not a criminal proceeding.

You are hereby charged an administrative penalty of \$100. Payment of the administrative penalty does not release you from correcting the code violation that currently exists on the subject property.

A 50% discount will be applied toward your penalty amount if paid on or before the payment due date listed above. Washoe County will accept one-half of the administrative penalty amount as payment in full if received by the payment due date shown on this notice. If an appeal is filed before the payment due date or if you pay the penalty after the payment due date, no reduction of the penalty is available. After the payment due date, any unpaid penalties will be turned over to the Washoe County Collections Office. A County Code required \$50 collections fee will be added to the penalty and you may also be subject to additional fees, interest and all collection remedies allowed by law. All penalties and fees assessed are cumulative.

Each and every instance the code violation exists constitutes a separate and distinct offense. **County Code Violations must be corrected or additional penalties may be assessed without future warnings being issued. This notice of violation may be recorded with the Washoe County Recorder's Office if the violation is not corrected.** In addition, pursuant to WCC 125.190, you are hereby notified that approvals for applications, renewals of business licenses, and any land or structure use permits, building permits, or grading permits may be withheld until the violation(s) is corrected.

The code violation found on the property and the action you must take to correct the situation is:



Memo to: BRADLEY & SUSAN SCHREIBER
Subject: Administrative Penalty
Date: 12/05/2022
Page: 2

VIOLATION:

WCC Section 110.414.21 (a) - All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties. (see attached Witness Statement)

CORRECTIVE ACTION:

WCC Section 110.414.21 (a) – The above noted lighting facilities must be corrected in the following way:

- Any lighting facilities shall be so installed as to reflect away from adjoining properties.
- Covers must be installed on all lighting fixtures and lamps must not extend below the bottom of the cover.
- Reflected glare on nearby buildings, streets or pedestrian areas shall be avoided by incorporating overhangs and awnings, using non-reflective building materials for exterior walls and roof surfaces, controlling angles of reflection, and placing landscaping and screening in appropriate locations.
- Light standard in or within one hundred (100) feet of residential zones shall not exceed twelve (12) feet in height.

RIGHTS OF APPEAL:

You have a right to appeal this notice as described on the Right to Appeal instructions attached to this notice. Failure to respond to this notice by **01/05/2023** shall be deemed an admission of liability and a waiver of any right to an administrative hearing.



Shawn Latshaw
Code Enforcement Officer II
SLATSHAW@washoecounty.gov
O: (775) 328-3630
C: (775) 276-2836

Memo to: BRADLEY & SUSAN SCHREIBER
Subject: Administrative Penalty
Date: 12/05/2022
Page: 3

RIGHT TO APPEAL ADMINISTRATIVE PENALTY NOTICE

You may appeal this Administrative Penalty Notice by requesting an administrative hearing.

To request an administrative hearing, contact the Administrative Hearing Office located at Reno Justice Court by email at aho@washoecounty.gov, or by phone at (775) 328 – 2001 or (775) 325 – 6500. You will need to provide a copy of this Administrative Penalty Notice to the Hearing Office.

You must file your appeal on or before the appeal date stated in your Administrative Penalty Notice.

Fees and Costs: The fee to request an administrative hearing is \$50.00. This fee must be paid if you are found in violation of County Codes at the conclusion of the appeal hearing. The hearing officer may also impose additional administrative penalties and/or administrative action fees. Any outstanding penalties and fees must be paid at the conclusion of the appeal hearing.

Hearing Officer and Hearing Date: An administrative hearing officer will be assigned to your case by the Washoe County Administrative Hearing Office. The Administrative Hearing Office will notify you of your hearing date. The administrative hearing officer will issue an Administrative Order at the conclusion of your appeal hearing.

Impact on this Administrative Penalty Notice: Any deadlines, actions, and/or remedies included in this Administrative Penalty Notice will be placed on hold until your appeal is concluded.

Contact Information:

Administrative Hearing Office
(Located at Reno Justice Court)
1 S. Sierra St.,
Reno, NV 89501
Administrative Hearing Office: (775) 328 – 2001
Reno Justice Court: (775) 325 – 6500
aho@washoecounty.gov

Steps to File Your Appeal:

1. Contact the Administrative Hearing Office by email and/or phone on or before the appeal date shown on your Administrative Penalty Notice.
2. Email a copy of this Administrative Penalty Notice to the Administrative Hearing Office.

Memo to: BRADLEY & SUSAN SCHREIBER
Subject: Administrative Penalty
Date: 12/05/2022
Page: 4

HOW TO MAKE A PAYMENT

PREPARE TO MAKE YOUR PAYMENT:

Step 1.) Review the **first page** of this “Penalty Notice”

Step 2.) Locate the “Payment Due By” date to calculate how much you may owe.

- BEFORE the “Payment Due By” date = pay 50% of penalty amount
- AFTER the “Payment Due By” date = pay 100% of penalty amount

Step 3.) Have the following information ready:

- Violation Number
- Property Address
- Payment Amount

CHOOSE A PAYMENT OPTION:

PAY BY CHECK

Step 1.) Make check payable to: Washoe County Code Enforcement

Step 2.) Write the violation number and the property address on the check.

Step 3.) Mail the check to:

Washoe County
Attn: CSD / Code Enforcement
1001 E. 9th St. Bldg. A
Reno, NV 89512

PAY ONLINE

Step 1.) Email **Code-Enforcement@washoecounty.gov** to request an online payment link.

Step 2.) Include the following information in your email:

- Violation Number
- Property Address
- Payment Amount

Step 3.) Code Enforcement staff will send you 2 emails, one with payment instructions, and one with the online payment link.

Step 4.) Make the online payment **BEFORE 5pm.**

PAY IN PERSON

Step 1.) **MAKE AN APPOINTMENT**, walk-in payments may not be accepted by the Community Services Department front desk staff. To ensure that your payment is properly accepted, please make an appointment **BEFORE** physically coming into the County Administrative Complex Building.

Step 2.) Contact Code Enforcement by phone or email to make an appointment.

- Call (775) 328 – 6106 or
- Email Code-Enforcement@washoecounty.gov



WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT Planning and Building Division Code Enforcement

1001 EAST 9TH STREET
RENO, NEVADA 89512
PHONE (775) 328-6106
FAX (775) 328.6133

WITNESS STATEMENT

Witness's Full Name: Eugene Corl
Phone: [REDACTED]
Email: escorl@Earthlink.net
Mailing Address: 395 Lipizzan Ln
Reno, NV 89508

Today's Date: 12-01-2022
Address/ Location of Violation:
445 Lipizzan Ln
Reno, NV 89508

Basic Description of Violation: Section 110.414.21
Light and Glare

Statement: The residents of 445 Lipizzan Ln installed outdoor floodlights in October that were timed to come on in the evening and off after sunrise. The lights illuminate the interior of 395 Lipizzan Ln to a degree that movement within casts shadows on interior walls during the time of darkness. This includes the master bedroom and the office of our home.

In addition the intensity and glare destroys the ability to view and enjoy the night sky.

I made attempts to resolve this issue with the owners, but had no success.

The above information is true to the best of my knowledge and was freely given. No threats or promises have been made against or to me in order to get me to make this statement. I certify under the penalty of perjury under the laws of the State of Nevada that the above statement is true and correct.

State of Nevada
County of Washoe
Subscribed and sworn to before me this
_____ day of _____, 20____

Name: (Print)
EUGENE CORL
Signature:

Notary Signature: _____





WASHOE COUNTY ADMINISTRATIVE HEARING OFFICE

Please Legibly Print All Information

1 South Sierra Street
Reno, Nevada 89501
Phone: (775) 328-2001
Fax: (775) 325-6510
AHO@washoecounty.us

REQUEST FOR ADMINISTRATIVE HEARING

Today's Date: December 14, 2022

Violation Number: WVIO-PLA22-0250

I am appealing the Civil Penalty received and request an Administrative Hearing be set on the case noted above. I understand this form must be completed and returned to the Administrative Hearing Office within the time frame indicated on the Civil Penalty or my request for appeal may be denied.

The following provides a basis for my appeal (continue on the back of this page or attach additional pages if needed):

Please see the attached document for details of the case for appeal.

Thank you

If you are found to be in violation of Washoe County regulations, you will be assessed a \$50.00 Administrative Hearing fee in addition to any other fine the Administrative Hearing Officer orders. Unless ordered otherwise by the Hearing Officer, this fee is payable to Washoe County Collections at the conclusion of the hearing.

Printed first and last name: Bradley and Susan Schreiber

Cell phone: [REDACTED]

Address: 445 Lipizzan Lane Reno, NV 89508 E-mail Address: b.d.schreiber85@gmail.com

Signature: *Bradley Schreiber* *SR*

DATE AND TIME OF ADMINISTRATIVE HEARING

Your Administrative Hearing has been scheduled for:

Administrative Hearings will be conducted via Zoom pursuant to COVID-19 operations. Administrative Hearings being at the scheduled time; therefore, it is important that you log in no later than 5 minutes prior to the hearing time to ensure you are able to connect with audio and video via Zoom.

December 14, 2022

Thank you for accepting this appeal to case number WVIO-PLA22-0250 relative to a violation of WCC Section 110.414.21.

We purchased the house at 445 Lipizzan Lane in December of 2021. When we purchased the house, there were two flood light fixtures on either side of the garage doors and used them nightly. It was about 8 months before we heard from Mr. Corl about his issues with the light at night.

Contrary to Mr. Corl's complaint, (that we installed "outdoor floodlights") we actually replaced the flood lights with low wattage, smaller lights (2.5 inches in diameter). A short time after that, Mrs. Corl came to our house to, again, tell us that the lighting was shining into their house. We asked what they would like us to do and she replied that they just don't want to see any light from inside their house. We did what we could by pointing the lights away from their direction, to the sides and downward.

After that, we were visited by Shawn Latshaw who helped us understand the ordinance and suggested one remedy that would be to apply light dimming material and cover the lenses of the light fixtures, which we did. We sent before and after pictures and a description of the remedy to Mr. Latshaw. Following that, we received an email stating the case was closed. Then, we received the second complaint from Mr. Corl and a penalty notice.

In dispute of Mr. Corl's claims, I offer the following:

- As mentioned, we did not install flood lights, rather, removed them and replaced them with smaller lights which point down and to the side, away from Mr. Corl's house
- From the side of our house (where the lights are located) to the front of Mr. Corl's house is (give or take) 665 feet apart, longer than the length of 2 football fields
- Mr. Corl suggested I walk to his property to see the light at night, which I did and halfway up his driveway, about 300 feet from our house, I could barely see the ground and saw no shadow being created by the light on our house.
- It seems virtually impossible that the lighting from our house illuminates the interior of their house to the degree that it casts shadows in their house. As you can see in the pictures labeled, "View From Side Of House From Light Location" and "Light Illuminating Area Beside House" that the lighted area dissipates less than 70 feet from the source, and not extending 665 feet away. In each of those photos you can see a light in the background, which is Mr. Corl's house, to give a perspective.
- We made several attempts to work with Mr. Corl, buying new lighting and even asking what we can do that he would accept, but the fact that they said they didn't want to see any light, thus having no light, was not a solution as we have the right to protect our property.
- We gladly complied with Mr. Latshaw's instruction making the recommended corrections (see the 4 photos of the before and after making the corrections).

In closing, I believe we have made a number of attempts to work with Mr. Corl and complied with direction from Mr. Latshaw and request that this complaint be dismissed.

Thank you.


Bradley Schreiber


Susan Schreiber



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
 Planning and Building Division
 Code Enforcement

1001 EAST 9TH STREET
 RENO, NEVADA 89512
 PHONE (775) 328-6106
 FAX (775) 328-6133

ADMINISTRATIVE PENALTY NOTICE
****FIRST PENALTY****

12/05/2022

BRADLEY & SUSAN SCHREIBER
 445 LIPIZZAN LN
 RENO, NV 89508

Case Number: WVIO-PLA22-0250
 Subject Property: 445 LIPIZZAN LN
 Parcel Number: 078-101-25

Comply by: 01/05/2023
 Penalty Amount: **\$100**
 Payment Due by: 01/05/2023

Dear Respondent,

A written complaint has been submitted by a complaining party regarding violations on your property. Washoe County Code Section 125.160(9) provides for issuance of an Administrative Penalty when written and signed statements are submitted by a complaining party. This Administrative Penalty Notice is not a criminal proceeding.

You are hereby charged an administrative penalty of \$100. Payment of the administrative penalty does not release you from correcting the code violation that currently exists on the subject property.

A 50% discount will be applied toward your penalty amount if paid on or before the payment due date listed above. Washoe County will accept one-half of the administrative penalty amount as payment in full if received by the payment due date shown on this notice. If an appeal is filed before the payment due date or if you pay the penalty after the payment due date, no reduction of the penalty is available. After the payment due date, any unpaid penalties will be turned over to the Washoe County Collections Office. A County Code required \$50 collections fee will be added to the penalty and you may also be subject to additional fees, interest and all collection remedies allowed by law. All penalties and fees assessed are cumulative.

Each and every instance the code violation exists constitutes a separate and distinct offense. **County Code Violations must be corrected or additional penalties may be assessed without future warnings being issued. This notice of violation may be recorded with the Washoe County Recorder's Office if the violation is not corrected. In addition, pursuant to WCC 125.190, you are hereby notified that approvals for applications, renewals of business licenses, and any land or structure use permits, building permits, or grading permits may be withheld until the violation(s) is corrected.**

The code violation found on the property and the action you must take to correct the situation is:



QUALITY
PUBLIC SERVICE



INTEGRITY



EFFECTIVE
COMMUNICATION

Memo to: BRADLEY & SUSAN SCHREIBER
Subject: Administrative Penalty
Date: 12/05/2022
Page: 2

VIOLATION:

WCC Section 110.414.21 (a) - All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties. (see attached Witness Statement)

CORRECTIVE ACTION:

WCC Section 110.414.21 (a) – The above noted lighting facilities must be corrected in the following way:

- Any lighting facilities shall be so installed as to reflect away from adjoining properties.
- Covers must be installed on all lighting fixtures and lamps must not extend below the bottom of the cover.
- Reflected glare on nearby buildings, streets or pedestrian areas shall be avoided by incorporating overhangs and awnings, using non-reflective building materials for exterior walls and roof surfaces, controlling angles of reflection, and placing landscaping and screening in appropriate locations.
- Light standard in or within one hundred (100) feet of residential zones shall not exceed twelve (12) feet in height.

RIGHTS OF APPEAL:

You have a right to appeal this notice as described on the Right to Appeal instructions attached to this notice. Failure to respond to this notice by **01/05/2023** shall be deemed an admission of liability and a waiver of any right to an administrative hearing.



Shawn Latshaw
Code Enforcement Officer II
SLATSHAW@washoecounty.gov
O: (775) 328-3630
C: (775) 276-2836



QUALITY
PUBLIC SERVICE



INTEGRITY



EFFECTIVE
COMMUNICATION

Memo to: BRADLEY & SUSAN SCHREIBER
Subject: Administrative Penalty
Date: 12/05/2022
Page: 3

RIGHT TO APPEAL ADMINISTRATIVE PENALTY NOTICE

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You must file your appeal on or before the appeal date stated in your Administrative Penalty Notice.

Fees and Costs: The fee to request an administrative hearing is \$50.00. This fee must be paid if you are found in violation of County Codes at the conclusion of the appeal hearing. The hearing officer may also impose additional administrative penalties and/or administrative action fees. Any outstanding penalties and fees must be paid at the conclusion of the appeal hearing.

Hearing Officer and Hearing Date: An administrative hearing officer will be assigned to your case by the Washoe County Administrative Hearing Office. The Administrative Hearing Office will notify you of your hearing date. The administrative hearing officer will issue an Administrative Order at the conclusion of your appeal hearing.

Impact on this Administrative Penalty Notice: Any deadlines, actions, and/or remedies included in this Administrative Penalty Notice will be placed on hold until your appeal is concluded.

Contact Information:

Administrative Hearing Office
(Located at Reno Justice Court)
1 S. Sierra St.,
Reno, NV 89501
Administrative Hearing Office: (775) 328 – 2001
Reno Justice Court: (775) 325 – 6500
aho@washoecounty.gov

Steps to File Your Appeal:

1. Contact the Administrative Hearing Office by email and/or phone on or before the appeal date shown on your Administrative Penalty Notice.
2. Email a copy of this Administrative Penalty Notice to the Administrative Hearing Office.



QUALITY
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COMMUNICATION



Red Rock

Palomino Valley

Cold Springs

Lemmon Valley

Stead

Spanish Springs

Golden Valley

Sun Valley

SPARKS

RENO

Verdi

WVIO-PLA22-02
EXHIBIT A

















Article 414

NOISE AND LIGHTING STANDARDS

Sections:

110.414.00	Purpose
110.414.05	Standards
110.414.10	Measurement
110.414.15	Airport Noise
110.414.20	Exceptions
110.414.21	Light and Glare
110.414.25	Nonconforming Use

Section 110.414.00 Purpose. The purpose of this article, Article 414, Noise and Lighting Standards, is to allow for a pattern of land uses that minimizes the exposure of community residents to excessive noise.

Section 110.414.05 Standards. Sound levels shall not exceed the standards set forth in this section.

- (a) Industrial Development. For property being developed within any industrial zone: seventy-five (75) Ldn at the property line.
- (b) Residential Abutment. For property abutting areas developed residentially, or shown as residential on the area plan maps: sixty-five (65) Ldn at the property line.
- (c) Public/Quasi-Public Facility Abutment. For property abutting local parks, schools, hospitals, group care facilities or facilities providing child care services: sixty-five (65) Ldn at the property line. Interior noise levels shall not exceed 45 Ldn.
- (d) Development with Public/Quasi-Public Facility. For property being developed with a group care facility, school or hospital: sixty (60) Ldn at three (3) feet from any of the building's exterior walls. Interior noise levels shall not exceed 45 Ldn.
- (e) Noise Abatement Near Highways and Railroads. Prior to approving any residential development, applicant(s) shall provide site plans indicating that outside noise levels at the residences shall not exceed a maximum of 65 dB when trains are passing or 65 Ldn next to highways.
- (f) Other. If the sound levels affecting a project are greater than those allowed for project development, the developer or subdivider shall construct a noise attenuation barrier to bring sound levels down to required standards.

Section 110.414.10 Measurement. Measurement of sound levels shall be in accordance with the provisions of this section.

- (a) A-Weighting. Sound levels shall be measured on the A-weighting network of a sound level meter meeting the requirements of USA Standards S14-1971 for General Purpose Sound Level Meters, or the latest revision published by the American National Standards Institute, Inc., using the slow meter response. An additional 10 dB weighting shall be imposed on the sound levels occurring during nighttime hours (10 p.m. to 7 a.m.) to determine the day-night average sound level (Ldn). The meter shall be calibrated and used according to the manufacturer's instructions.
- (b) Location of Measurement. Measurements shall be taken with the microphone located at any point on the property line of the noise source, but no closer than three (3) feet from any wall and not less than three (3) feet above the ground.
- (c) Timing and Number of Measurements. A twenty-four (24) hour measurement shall be taken. The sound level shall be the average of the hourly readings with the Ldn or day-night average sound level weighting.

Section 110.414.15 Airport Noise. All development proposed within the noise contours established for any airport by the Airport Authority of Washoe County shall conform to the Federal Aviation Regulation, Part 150, Land Use Compatibility Guidelines. Prior to the issuance of a building permit for any new structure within the established noise contour area and flight corridors, the property owner shall dedicate an avigation easement to the Airport Authority of Washoe County in such form and substance as established by the Airport Authority.

Section 110.414.20 Exceptions. The following sources of noise are exempt from the regulations of this article:

- (a) Motor vehicles and other noise-generating equipment not under the control of the property;
- (b) Emergency vehicles and equipment;
- (c) Temporary construction, repair or demolition activities occurring between 7:00 a.m. and 7:00 p.m. on any day except Sunday; and
- (d) Any use approved through a variance that specifically reviewed the issue of noise created by the use.

[Amended by Ord. 959, provisions eff. 7/26/96.]

Section 110.414.21 Light and Glare. This section sets forth criteria and standards to mitigate impacts caused by lighting and glare.

- (a) Light. All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties. The following provisions shall apply to all existing and proposed development:
 - (1) Any lighting facilities shall be so installed as to reflect away from adjoining properties. Covers must be installed on all lighting fixtures and lamps must not extend below the bottom of the cover.
 - (2) Light standard in or within one hundred (100) feet of residential zones shall not exceed twelve (12) feet in height. Additional standard height

may be permitted by the Director of Community Development provided such lights are a sharp cutoff lighting system.

- (3) No permanent rotating searchlights shall be permitted in any regulatory zone, except that an administrative permit may be issued by the hearing examiner for a period not to exceed three (3) days for a temporary searchlight. The administrative permit shall be limited to a maximum of three (3) times in any one (1) calendar year.
- (b) Lighting Design. The style and intensity of lighting shall consider not only function and appearance, but shall reflect the existing character of surrounding areas and shall replicate natural light as much as possible.
- (c) Glare. Reflected glare on nearby buildings, streets or pedestrian areas shall be avoided by incorporating overhangs and awnings, using non-reflective building materials for exterior walls and roof surfaces, controlling angles of reflection, and placing landscaping and screening in appropriate locations.
- (d) Interior Lighting. Where residential uses abut non-residential uses, interior lighting of the non-residential uses shall be controlled at night through the use of timers, window blinds, or other acceptable means. This provision shall apply to all existing and proposed development.
- (e) Conflict with Other Portions of the Development Code. Where another provision of the Development Code may conflict with the provisions of this section, the more restrictive provision shall control.

[Amended by Ord. 919, provisions eff. 2/1/95; Ord. 1234, provisions eff. 5/21/04.]

Section 110.414.25 Nonconforming Use. Any development which was permitted by or conformed to the requirements of the zoning ordinance in effect prior to the effective date of this section shall be considered a nonconforming use subject to the provisions of Article 904, Nonconformance, except for the provisions of Section 110.414.21, Light and Glare.

[Amended by Ord. 919, provisions eff. 2/1/95.]



**WASHOE COUNTY
ADMINISTRATIVE HEARING
OFFICE**

1 South Sierra Street
Reno, Nevada 89501
Phone: (775) 328-2001
Fax: (775) 325-6510
e-mail: aho@washoecounty.us

NOTICE OF ADMINISTRATIVE HEARING

January 10, 2023

Eugene Corl
395 Lipizzan LN
Reno NV 89508

Case Number: WCAH2022-000075 \ WVIO-PLA22-0250

Dear Eugene Corl,

This letter is to advise you that you are the complainant for a Notice of Civil Penalty that was issued at your request. The Administrative Hearing is scheduled for:

Hearing Date: January 27, 2023

Hearing Time: 9:00 a.m.

The respondent in the matter has requested an Administrative Hearing regarding your complaint. Per Washoe County Code 55.800 you must testify regarding this violation, or the matter will be dismissed; please be prepared to present any evidence or witnesses at that time.

Administrative Hearings will be conducted via Zoom.

Please join the Zoom meeting no later than **10 minutes prior** to the hearing time. Hearings begin at the scheduled time.

Attendees Join Zoom Meeting:

<https://us02web.zoom.us/j/85817385967?pwd=di8xSVdQbnRaanF5RnYrNnllOU1zUT09>

Meeting ID: 858 1738 5967

Passcode: 561487

One tap mobile

+12133388477,,85817385967# US (Los Angeles)

+12063379723,,85817385967# US (Seattle)

Dial by your location

+1 213 338 8477 US (Los Angeles)

+1 206 337 9723 US (Seattle)

If there are any documents, images, or videos you would like to submit to the administrative hearing office, please do so no later than 72 hours prior to January 27, 2023. Submit your exhibits to our email address at AHO@washoecounty.us

Jones, Stephanie M.

From: Jones, Stephanie M.
Sent: Tuesday, January 10, 2023 4:36 PM
To: 'b.d.schreiber85@gmail.com'
Subject: Re: Notice of Administrative Hearing
Attachments: Certified Notice of Admin Hearing Case File Respondent.pdf; 445 Lipizzan WVIO-PLA22-0250_Redacted.pdf

Hello,

Attached is your Notice of Administration Hearing and Case File for WVIO-PLA22-0250. The Administrative Hearing is scheduled for January 27, 2023, at 9:00 a.m. via Zoom. Please be advised you will also be receiving these documents via certified mail.

Thank you and have a nice day.



STEPHANIE

Administrative Hearing Office

AHO@washoecounty.gov; AHO Voicemail: 775-328-2001

Reno Justice Court: 775-325-6500; Fax: 775-325-6510

Physical & Mailing Address: 1 South Sierra Street Reno, NV 89501

www.washoecounty.gov/rjc/

Jones, Stephanie M.

From: Jones, Stephanie M.
Sent: Tuesday, January 10, 2023 4:38 PM
To: 'escori@earthlink.net'
Subject: Re: Notice of Administrative Hearing
Attachments: Certified Notice of Admin Hearing Case File Complainant.pdf; 445 Lipizzan WVIO-PLA22-0250_Redacted.pdf

Hello,

Attached is your Notice of Administration Hearing and Case File for WVIO-PLA22-0250. The Administrative Hearing is scheduled for January 27, 2023, at 9:00 a.m. via Zoom. Please be advised you will also be receiving these documents via certified mail.

Thank you and have a nice day.



STEPHANIE

Administrative Hearing Office

AHO@washoecounty.gov; AHO Voicemail: 775-328-2001

Reno Justice Court: 775-325-6500; Fax: 775-325-6510

Physical & Mailing Address: 1 South Sierra Street Reno, NV 89501

www.washoecounty.gov/rjc/

Solorzano, Gloria

From: Administrative Hearing Office
Sent: Monday, January 23, 2023 10:10 AM
To: escorl@earthlink.net
Subject: Re: Administrative Hearing Reminder - WVIO-PLA22-0250/WCAH2022-000075

Hello,

This is just a reminder being sent to Eugene Corl of your Administrative Hearing is scheduled for Friday, January 27, 2023, at 9:00 a.m. Please don't log on any earlier than ten (10) minutes before the scheduled hearing since we have a stacked calendar. Additionally, please be patient if you are waiting to be let into your court hearing since the prior hearing may still be going on.

You may appear in person at 8:30 a.m. at the courthouse to make your appearance by using the Court's tablet or by dialing at the number listed under "One tap mobile OR Dial by your location".

Topic: Administrative Hearing via Zoom
Join Zoom Meeting

<https://us02web.zoom.us/j/85817385967?pwd=di8xSVdQbnRaanF5RnYrNnllOU1zUT09>

Meeting ID: 858 1738 5967
Passcode: 561487

One tap mobile
+12133388477,,85817385967# US (Los Angeles)
+12063379723,,85817385967# US (Seattle)

Dial by your location
+1 213 338 8477 US (Los Angeles)
+1 206 337 9723 US (Seattle)

Meeting ID: 858 1738 5967
Find your local number: <https://us02web.zoom.us/j/kcvQ8e911h>

Thank you,



GLORIA
Administrative Hearing Office
AHO@washoecounty.gov; AHO Voicemail: 775-328-2001
Reno Justice Court: 775-325-6500; Fax: 775-325-6510
Physical & Mailing Address: 1 South Sierra Street Reno, NV 89501
www.washoecounty.gov/rjc/

Solorzano, Gloria

From: Administrative Hearing Office <AHO@washoecounty.gov>
Sent: Monday, January 23, 2023 10:02 AM
To: b.d.schreiber85@gmial.com
Subject: Re: Administrative Hearing Reminder - WVIO-PLA22-0250

Hello,

This is just a reminder being sent to Bradley and Susan of your Administrative Hearing is scheduled for Friday, January 27, 2023, at 9:00 a.m. Please don't log on any earlier than ten (10) minutes before the scheduled hearing since we have a stacked calendar. Additionally, please be patient if you are waiting to be let into your court hearing since the prior hearing may still be going on.

Topic: Administrative Hearing via Zoom
Join Zoom Meeting

<https://us02web.zoom.us/j/85817385967?pwd=di8xSVdQbnRaanF5RnYrNnllOU1zUT09>

Meeting ID: 858 1738 5967

Passcode: 561487

One tap mobile

+12133388477,,85817385967# US (Los Angeles)

+12063379723,,85817385967# US (Seattle)

Dial by your location

+1 213 338 8477 US (Los Angeles)

+1 206 337 9723 US (Seattle)

Meeting ID: 858 1738 5967

Find your local number: <https://us02web.zoom.us/j/kcvQ8e911h>

Thank you,



GLORIA

Administrative Hearing Office

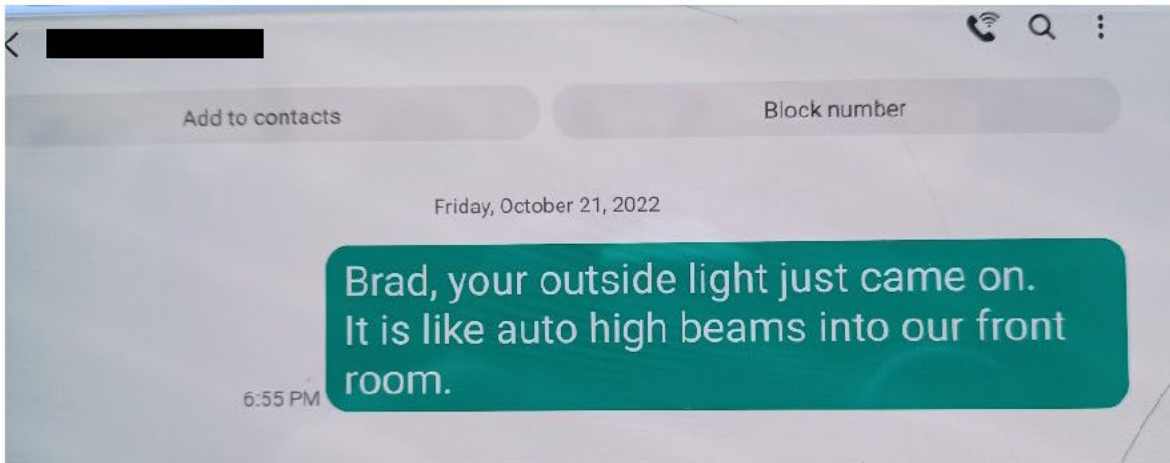
AHO@washoecounty.gov; AHO Voicemail: 775-328-2001

Reno Justice Court: 775-325-6500; Fax: 775-325-6510

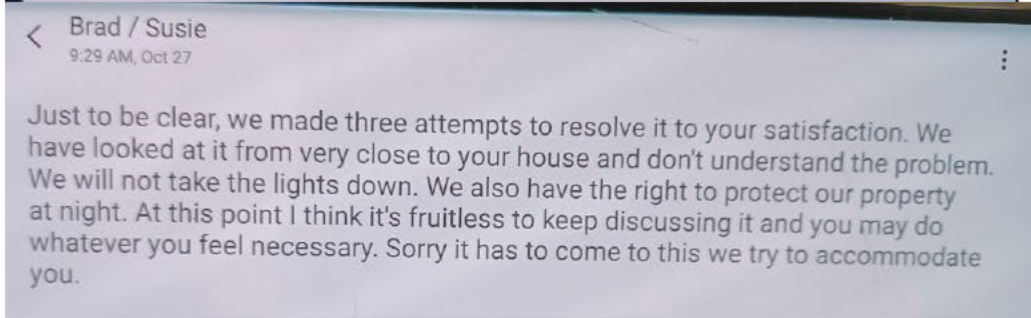
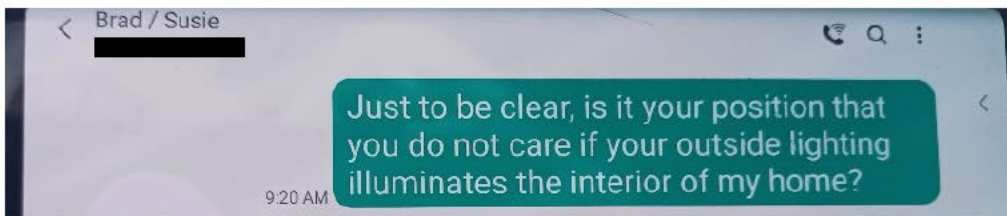
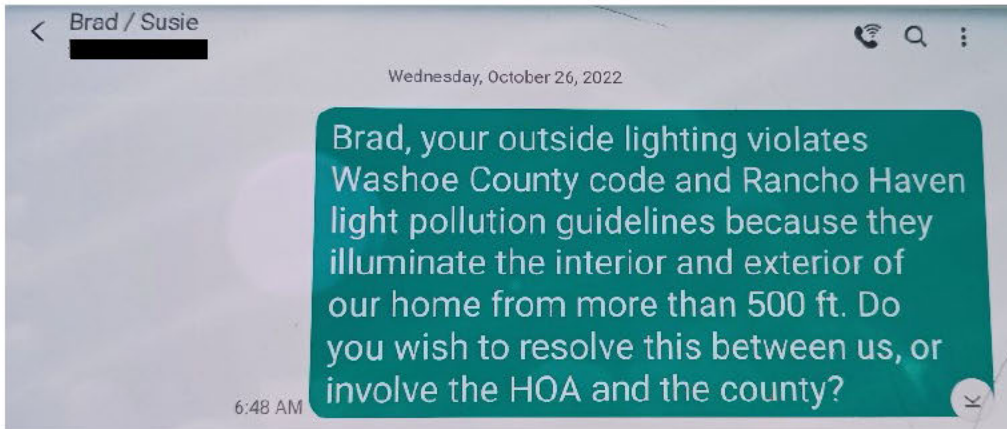
Physical & Mailing Address: 1 South Sierra Street Reno, NV 89501

www.washoecounty.gov/rjc/

This is the original text I sent to Brad Schreiber. I never received a response.



After Mrs. Corl spoke to the Schreibers we found that they had changed their phone number. These are some of the text messages sent to the new number concerning the lighting.



Following this exchange, I contacted code enforcement and started this action.

Eugene Corl

Case number: WCAH2022-000075\ WVIO-PLA22-0250

12/02/2022 445 Lipizzan Ln



1/16/2023 445 Lipizzan Ln



Case number: WCAH2022-000075\ WVIO-PLA22-0250

1/24/2023



This photo shows the reflection of the floodlight onto our property.













From: [Administrative Hearing Office](#)
To: ["escorl@earthlink.net"](mailto:escorl@earthlink.net)
Subject: Administrative Hearing WVIO-PLA22-0250 / WCAH2022-000075 Exhibits A - F submitted by the Respondent
Date: Monday, January 23, 2023 11:12:00 AM
Attachments: [Exhibit A - Light on with Cover - by Respondent.jpg](#)
[Exhibit B - Light on with No Cover - by Respondent.jpg](#)
[Exhibit C - Light off with Cover - by Respondent.jpg](#)
[Exhibit D - Light off with No Cover - by Respondent.jpg](#)
[Exhibit E - Light illuminated beside House - by Respondent.jpg](#)
[Exhibit F - View from Side of House - by Respondent.jpg](#)
[image001.png](#)

Good morning,

Please see Exhibits A – F, that have been submitted by the Respondent in this matter.

Thank you.



Ada
Administrative Hearing Office
AHO@washoecounty.gov; AHO Voicemail: 775-328-2001
Fax: 775-325-6510
Physical & Mailing Address: 1 South Sierra Street Reno, NV 89501
www.washoecounty.gov/rjc/

Solorzano, Gloria

From: Administrative Hearing Office
Sent: Monday, January 23, 2023 10:15 AM
To: Code-Enforcement
Subject: Re: Administrative Hearing - EXHIBITS from Respondent - Schreiber - WVIO-PLA22-0250
Attachments: Administrative Hearing Request Received from Respondents.pdf; Civil Penalty WVIO-PL22-0250.pdf; Exhibit A - Light on with Cover - by Respondent.jpg; Exhibit B - Light on with No Cover - by Respondent.jpg; Exhibit C - Light off with Cover - by Respondent.jpg; Exhibit D - Light off with No Cover - by Respondent.jpg; Exhibit E - Light illuminated beside House - by Respondent.jpg; Exhibit F - View from Side of House - by Respondent.jpg

Hello,

Attached are exhibits A-F submitted by the Respondend for the hearing set on January 27, 2023 at 9:00 a.m. All exhibits submitted are shared with the Respondent, Complainant and Hearing Officer.

Thank You ☺



GLORIA

Administrative Hearing Office

AHO@washoecounty.gov; AHO Voicemail: 775-328-2001

Reno Justice Court: 775-325-6500; Fax: 775-325-6510

Physical & Mailing Address: 1 South Sierra Street Reno, NV 89501

www.washoecounty.gov/rjc/

From: [Administrative Hearing Office](#)
To: b.d.schreiber85@gmail.com
Subject: Administrative Hearing WVIO-PLA22-0250 / WCAH2022-000075 Exhibits 1 - 3 from Complainant
Date: Tuesday, January 24, 2023 10:38:00 AM
Attachments: [Exhibit 1 - Texts submitted by Complainant.docx](#)
[Exhibit 2 - Photos submitted by Complainant.docx](#)
[Exhibit 3 - Photos submitted by Complainant.docx](#)
[image001.png](#)

Please see Exhibits 1 – 3 submitted by Complainant.



Ada
Administrative Hearing Office
AHO@washoecounty.gov; AHO Voicemail: 775-328-2001
Physical & Mailing Address: 1 South Sierra Street Reno, NV 89501
www.washoecounty.gov/rjc/



ADMINISTRATIVE ORDER

PROCEEDINGS BEFORE A WASHOE COUNTY ADMINISTRATIVE HEARING OFFICER

IN THE APPEAL OF (Respondents)
BRADLEY AND SUSAN SCHREIBER

CASE NO.: WVIO-PLA22-0250

HEARING DATE: 01/27/2023 09:00am

SUBJECT PROPERTY

Address: 445 LIPIZZAN LN, RENO, NV 89508
APN: 078-101-25

ADMINISTRATIVE PENALTIES AND FEES

Administrative penalties and fees imposed by County: \$ 100.00

Hearing Officers decision: Affirm penalties/fees
 Dismiss penalties/fees
 Modify penalties/fees

\$ _____

ADMINISTRATIVE ACTION FEES

Administrative Hearing request fee: \$ 50.00

Hearing Officers decision: Violation confirmed, must pay hearing fee

TOTAL PENALTIES AND FEES

\$ 150.00

Payment is due immediately upon conclusion of appeal hearing, but no later than
Penalties/Fees Due Date → _____

1. Pursuant to Washoe County Code Chapter 125, Section 125.160.9, an administrative penalty notice was issued by the enforcement official based upon a written and signed statement of a complaining party. In such a case, the complaining party must appear at any hearing subsequently scheduled pursuant to this chapter to testify.

Pursuant to the Washoe County Code Chapter 125.120, *et seq.*, the Respondents above-named have appealed the administrative enforcement action brought by a Washoe County enforcement official on behalf of a complainant signed witness statement. An administrative hearing was held to determine whether the Washoe County Code violations cited in an Administrative Penalty Notice, and the penalties and/or fees assessed as part of the notice, should be affirmed, modified, or dismissed.

2. Respondents were self-represented at the hearing or were represented by:



Complainant providing testimony based on a witness statement (self-represented):

Eugen Corl of 395 Lipizzan Ln, Reno, NV 89508

County was represented by:

SHAWN LATSHAW, CODE ENFORCEMENT OFFICER II,
CHAD GIESINGER, WASHOE COUNTY PLANNING MANAGER

3. This Administrative Order is pursuant to the authority granted at Code 125.220 through 125.2290, inclusive, and is **final as of the date as shown on the last page of this Order** unless appealed in accordance with Code 125.275.

4. I have received and reviewed the evidence, including documents and testimony, provided at the hearing, and am ready and able to determine this appeal. The property at issue is located at the address and parcel number listed above under "Subject Property".

5. In the Administrative Penalty Notice, the County cited the following violations of Washoe County Code:

Violation(s)

- a. WCC section 110.414.21 (a) All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties.

Affirmed, I find the cited violations are supported by the evidence.

Dismissed, I find the cited violations are not supported by the evidence and dismiss them.

Modified, I find the cited violations should, according to the evidence, be modified as follows:

The respondent must correct all affirmed or modified code violations by : _____

6. (OPTIONAL) This matter is referred back to the enforcement official for the following actions:

7. (OPTIONAL) The respondent must complete the following additional actions by:



8. Failure to comply with all provisions of this Administrative Order is a misdemeanor criminal offense and Respondents may be issued a misdemeanor criminal citation. Conviction of a misdemeanor criminal offense is punishable as provided for in NRS 193.150, as amended. Any misdemeanor criminal actions do not provide an excuse to disobey this order, to not correct the cited violations, nor they bar any further enforcement actions by the County.

9. You may choose to appeal this Administrative Order to either the Second Judicial District Court or the Washoe County Board of Adjustment.

APPEALS TO THE SECOND JUDICIAL DISTRICT COURT

You must file a petition for judicial review of this Order to the Second Judicial District Court in and for the County of Washoe, State of Nevada within **30 calendar days** of the **date as shown on the last page of this Order**. The filing of the petition postpones all deadlines and other enforcement or collection efforts established in this Order until the appeal is concluded. Failure to file the petition within 30 calendar days of the date of this Order waives any and all objections to this Order.

APPEALS TO THE WASHOE COUNTY BOARD OF ADJUSTMENT

You must file an appeal application within **20 calendar days** of the **date as shown on the last page of this Order**. Appeal applications are available from the Washoe County Planning & Building Division:

In person: Washoe County Administration Complex, 1001 East Ninth Street, Reno, NV
Building A, 2nd Floor, West end

On-line: https://www.washoecounty.gov/csd/planning_and_development/index.php

To request an application by mail: call 775-328-3600 or e-mail to planning@washoecounty.gov

Appeal applications must be filed in person. There is no charge for an appeal before the Washoe County Board of Adjustment.

The filing of the appeal postpones all deadlines and other enforcement or collection efforts established in this Order until the appeal is concluded. Failure to file an appeal within 20 calendar days of the date of this Order waives any and all objections to this Order.

Appeals of the decision of the Washoe County Board of Adjustment are made to the Second Judicial District Court.

Ordered:
Administrative Hearing Officer

NMS husn
Printed Name

1-27-23
Date

NMS husn
Signature

From: [Administrative Hearing Office](#)
Bcc: b.d.schreiber85@gmail.com; escorl@earthlink.net; [Wolfe, Robert](#)
Subject: FW: Administrative Hearing WVIO-PLA22-0250 / WCAH2022-000075 - Bradley and Susan Schreiber
Date: Tuesday, January 31, 2023 10:32:00 AM
Attachments: [image001.png](#)
[Schreiber Admin Order.pdf](#)

Hello,

Attached is the signed Administrative Order for **WVIO-PLA22-0250 / WCAH2022-000075**. You will also be receiving a copy of the order in the mail.

Thank you.



Ada
Administrative Hearing Office
AHO@washoecounty.gov; AHO Voicemail: 775-328-2001
Fax: 775-325-6510
Physical & Mailing Address: 1 South Sierra Street Reno, NV 89501
www.washoecounty.gov/rjc/

Exhibit B

Washoe County Appeal of Decision to Board of Adjustment

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.

Appeal of Decision by (Check one)	
<p>Note: Appeals to the Washoe County Board of Adjustment are governed by WCC Section 110.910.15(i) and WCC Section 110.912.10(j).</p>	
<input checked="" type="checkbox"/> Administrative Hearing Officer	<input checked="" type="checkbox"/> County Building Official
<input checked="" type="checkbox"/> Director, Planning and Building Division	<p style="text-align: center;">Fire Code Official</p> <input type="checkbox"/> North Lake Tahoe Fire Protection District <input type="checkbox"/> Truckee Meadows Fire Protection District
Appeal Date Information	
<p>Note: This appeal must be delivered in writing to the offices of the Planning and Building Division or the Washoe County Building Official within 10 (ten) calendar days from the date that the decision being appealed is communicated in writing to the appellant.</p>	
<p>Note: The appeal must be accompanied by the appropriate appeal fee (see attached Master Fee Schedule).</p>	
Date of this appeal: <u>2/13/2023</u>	
Date of action by County: <u>12/05/2022</u>	
Date of decision for which appeal is being filed: <u>1/27/2023</u>	
Project Location: <u>445 Lipizzan Ln, Reno Nv</u>	
Appellant Information	
Name: Eugene Corl	Phone: [REDACTED]
Address: 395Lipizzan Ln	Fax:
	Email: <u>escorl@earthlink.net</u>
City: Reno State: NV Zip: 89508	Cell: [REDACTED]
<p>Specific action by the County being appealed:</p> <p>The hearing officer ruled in favor of residents at 445 Lipizzan Ln regarding the spillover of their exterior floodlights.</p>	
<p>Describe why the decision should or should not have been made:</p> <p>There was no re-inspection of the corrections the residents claim to have made to prevent the lighting of the interior of our home with their floodlights. The fogged cover does not block the LED lamp from illuminating beyond the 445 property line.</p>	

