

retracts to a height below 45 feet tall. Mr. Stone also contends that the code has not been interpreted consistently and that other retractable towers have been permitted taller than 45 feet tall. It is Mr. Stone's position that an administrative permit should not be required because Washoe County has changed its interpretation of code and has allowed for retractable towers to extend beyond 45 feet tall when they retract below 45 feet in height. It is possible that Washoe County may have approved retractable antennas that extend beyond 45 feet tall without an administrative permit in the past; however, staff was unable to find any such recent permits. The complete appeal is attached as Exhibit A to this staff report.

Pursuant to WCC Section 110.912.10(j)(iv), the Board of Adjustment hears any appeal of a decision of the Director of the Planning and Building Division made in the course of administration of any zoning regulation or any regulation relating to the location or soundness of structures if the decision cannot be appealed to an administrative hearing officer. The appellant is exercising his right to appeal the decision of the Director to deny his building permit based on the administration of a zoning regulation.

Recommendation

After a thorough analysis and review, the Appeal for Building Permit Number WBLD17-101171 is being recommended for denial. Staff offers the following motion for the Board's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment deny Appeal of Building Permit Number WBLD17-101171 for Richard Stone and affirm the decision by the Director of the Planning and Building Division to reject a building permit for a private retractable antenna taller than 45 feet tall at 4765 Giles Way.

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 original 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 after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the original applicant.

Appellant: Richard Stone
 4765 Giles Way
 Washoe Valley, NV 89704

