



# WASHOE COUNTY BOARD OF ADJUSTMENT DRAFT Meeting Minutes

## Board of Adjustment Members

Kim Toulouse, Chair  
Clay Thomas, Vice Chair  
Kristina Hill  
Lee Lawrence  
Brad Stanley  
Trevor Lloyd, Secretary

Thursday, April 5, 2018  
1:30 p.m.

Washoe County Administration Complex  
Commission Chambers  
1001 East Ninth Street  
Reno, NV

The Washoe County Board of Adjustment met in regular session on Thursday, April 5, 2018, in the Washoe County Administrative Complex Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

## 1. \*Determination of Quorum

Chair Toulouse called the meeting to order at 1:30 p.m. The following members and staff were present:

### Members present:

Kim Toulouse, Chair  
Clay Thomas, Vice-Chair  
Lee Lawrence  
Brad Stanley

### Members absent:

Kristina Hill

### Staff present:

Trevor Lloyd, Planning Manager, Planning and Building  
Kelly Mullin, Senior Planner, Planning and Building  
Chris Bronczyk, Planner, Planning and Building  
Eva Krause, Planner, Planning and Building  
Nathan Edwards, Deputy District Attorney, District Attorney's Office  
Donna Fagan, Recording Secretary, Planning and Building  
Kathy Emerson, Administrative Secretary Supervisor, Planning and Building

## 2. \*Pledge of Allegiance

Member Lawrence led the pledge to the flag.

## 3. \*Ethics Law Announcement

Deputy District Attorney Edwards recited the Ethics Law standards.

## 4. \*Appeal Procedure

Mr. Lloyd recited the appeal procedure for items heard before the Board of Adjustment.

## 5. \*Public Comment

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

## 6. Approval of Agenda

In accordance with the Open Meeting Law, Member Stanley moved to approve the agenda of April 5, 2018. The motion, seconded by Member Lawrence, passed unanimously.

## 7. Approval of February 1, 2018 Draft Minutes

Member Stanley moved to approve the minutes of February 1, 2018. The motion, seconded by Member Thomas, passed unanimously.

Chair Toulouse called for any member disclosures: Member Stanley said he had a disclosure for item 9.E. He explained he is a former Verizon employee. He said he had a general conversation with the applicant. He asked if he should recuse himself. Mr. Edwards asked Member Stanley to bring up his disclosure during the specific agenda item.

## 8. Consent Item

**A. Extension of Time – Variance Case Number VA16-001 (Collins)** – For possible action, hearing and discussion to approve a 12-month extension of time, until April 7, 2019, for Variance Case Number VA16-001. The variance was approved by the Board of Adjustment April 7, 2016, reducing the rear yard setback from 20-feet to 2.5-feet for an addition to the existing residence, and reducing the same rear yard setback from 20-feet to 5-feet for an attached garage.

- Applicant: Susan and Rob Collins
- Property Owner: Susan M. Collins Trust
- Location: 506 McDonald Drive
- APN: 124-071-01
- Parcel Size: ±0.41-acre
- Master Plan : Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Tahoe
- CAB: Incline Village/Crystal Bay
- Development Code: Authorized in Article 804, Variances
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 16, T16N, R18E, MDM, Washoe County, NV
- Staff: Kelly Mullin, AICP, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775-328-3608
- E-mail: kmullin@washoecounty.us

There were no public comments made.

**MOTION: Member Stanley moved to approve Variance Case Number VA16-001 (Collins). Member Thomas seconded the motion. Motion passed unanimously.**

## 9. Public Hearings

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. Variance Case Number WPVAR17-0007 (Izakaya Tahoe)** – For possible action, hearing, and discussion to approve a variance 1) to reduce the front yard setback along State Line Road from 20 feet to 0 feet; 2) to reduce the front yard setback along State Route 28 from 20 feet to 8 feet and 3) to reduce the side yard setback from 10 feet to 3 feet to allow for a commercial building on a ±2,000 square foot property.

- Owner/Applicant: Evo Real Estate, Inc.
- Location: 2 N. Lake Avenue  
Crystal Bay, NV 89402
- Assessor's Parcel Number: 123-043-01
- Parcel Size: ±0.04 Acres (±2,000 square feet)
- Master Plan Category: Commercial (C)
- Regulatory Zone: Tourist Commercial (TC)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorize in Article 804, Variances
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 30, T16N, R18E, MDM,  
Washoe County, NV
- Staff: Trevor Lloyd, Planning Manager  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3617
- E-mail: tlloyd@washoecounty.us

Trevor Lloyd, Washoe County Planner Manager, presented the Staff Report. Member Thomas asked about the turning movements on Stateline Road. He said according to the diagram, the trucks would have to enter into the left lane, oncoming lane. He asked if it could be made into a one lane road. Mr. Lloyd said that is a possibility and can be addressed later on after further studies. Mr. Lloyd said those studies are expensive, and before they conduct them, they want to get variance approval.

Member Lawrence asked about the confidence the property and the applicant will cooperate and adopt restrictions and restrains applied by the County. He said he is apprehensive about approving this application without seeing the whole picture. Mr. Lloyd agreed with Member Lawrence. Member Stanley asked about traffic volume and flows on the curve. Mr. Lloyd said this request didn't trigger a traffic study count. Member Stanley asked about current traffic controls. Mr. Lloyd said no traffic stop, 25 mph. Mr. Lloyd showed proposed cross walk across Stateline Road.

Andrew Ryan, applicant representative, said there is a signal cross walk at Tahoe Biltmore. He said they will work with NDOT on a cross walk, but he said he believes NDOT will want pedestrians to use the primary cross walk at the signal. He said they review a vehicular turn pattern, wheel path, and pedestrian access. He showed the wheel path pattern diagram; the truck would enter into the oncoming traffic. The proposed condition would increase pedestrian use. He said they proposed a safe parking spot for people to stop to take a picture with the 'Welcome to Nevada' sign. He discussed the challenges with the project. Incongruent mapping.

Member Stanley asked about pedestrian safety. There isn't on-site parking, people will be coming and going. They will be drinking and eating. How many people will need to use the pedestrian crosswalks. Mr. Lloyd said there will be an increase pedestrian traffic, but we don't have exact numbers. Member Stanley asked about a continuance to address the current concerns, what is the downside to a continuance. Mr. Lloyd said the downside would be for the applicant, not with the County. Chair Toulouse asked what issues or concerns haven't been addressed. Mr. Lloyd said concerns that need to be addressed are with traffic; we don't know full extent of those concerns until further studies are conducted. He said we haven't seen a full proposal with parking as well. He said those are the current concerns. Chair Toulouse asked about alternatives. He asked about existing sidewalks or proposed sidewalks. Mr. Lloyd showed a site plan of

proposed crosswalk, sidewalks, and access points. He said we anticipate what happens on California side would happen on the Nevada side. Member Thomas said Washoe County Engineering and Capital Projects recommend denial based on snow storage. Mr. Lloyd said that was preliminary, but will be addressed in further studies.

Andrew Ryan, the applicant's representative, provided a presentation. He said there would be a land dedication to clean up property line and resolve issue. Existing retaining wall would allow snow storage area. The snow would not shed off the roof which would require snow storage or removal. He spoke about compliance with Tahoe Area and Regional plan and the different agencies and intense permitting, on-site parking on the California side with pedestrian access from Nevada casinos and businesses. He spoke about the redevelopment in the area. He said this project is redevelopment on a difficult site. Mr. Ryan estimated 20,000-28,000 daily trips along the highway with most coming from Kings Beach. He spoke about the turning radius, restrictive truck traffic, and the workable options for the traffic patterns along with dealing with multiple jurisdictions. He showed the current development blight in the area.

Member Stanley asked what would be the downside of getting a continuance. Mr. Ryan said a continuance would create fear, uncertainty, and doubt for the applicant.

Member Lawrence asked about alcohol service. Mr. Ryan said yes, beer and wine and food. Member Lawrence asked if they had any contract or current collaboration with casinos for parking. Mr. Ryan said with the current regional plan update, TRPA calls for a coordinated approach. He said there will need to be off-site parking with valet, shuttle, and on-site parking. He said they will need to get those agreements; however, he said the building footprint drives his parking requirements. He said they proposed it in a way to put together the pieces. This is the start of the process. Mr. Ryan said he understands why the County placed conditions on the project. There are challenges with multi-jurisdiction projects.

Member Thomas asked if the applicant is ok with the NDOT requirements. They may require a traffic study, and more expenses. He asked about his commitment level and the breaking point. Mr. Ryan said they are open to all requirements. He said they will leverage the poor pedestrian level of service. There is no pedestrian area of refuge, nor signage. There is a lot of pedestrian activity in that area. He said they will create a cross walk across Stateline Road, and establish a better pedestrian level of service. The state line has been ignored by California and Nevada and we have a chance to bring the entities together to make it better. He said he isn't changing roadway alignment. He said he can install a bike lane, curb and gutter, planters, and he is proposing a 6 foot cross walk without restricting the lane.

Chair Toulouse asked about current off-parking agreement for customers or staff. Mr. Ryan said he hasn't asked yet, because he doesn't know how many parking spaces he is required to have. He wants to use strategies stated in the report. He said their eyes are wide open on the possible requirements. He said he doesn't want to open a restaurant that won't be successful on a site that has had no functional development since 1957. Construction activity is happening on that site right now. The Placer County side has allowed them to move forward. He said they have found underground leaking storage tanks. The site has been ignored and good things are coming from that.

Public comment:

J. Edward Parker said he is a retired appraiser. There are problems here. Main portion is in state of California. This parcel is useful adjunct to that property. Are we going down the line to face a claim that California influences this parcel. What happens if the state of California said they couldn't use the property across the state line.

Member Stanley said this is a text book variance project on a usable property. Staff is bending over backwards to let something happen. He said his primary concern is pedestrian safety, jurisdiction, and toxic storage tanks. He said he is torn because the project is worthwhile, however, the issues are daunting, particularly with pedestrian safety.

Member Thomas said it's a blighted area and these would be first step towards enhancing it. There are numerous unresolved issues. It's hard to approve without addressing issues – traffic, parking, snow storage, and shuttle use. These issues need to be resolved.

Chair Toulouse commended the applicant and Mr. Lloyd for working on issues. Pedestrian safety and parking issue are the stumbling block. There is a serious lack of parking up there. We wish you had agreements in place to meet demand for parking but we don't have that before us today. It's a good project. The CAB minutes show it passed unanimously. That carries a lot of weight since they live in the community.

Member Stanley asked for continuance to get more clarity on open issues, California, Placer County MOU for traffic. We are unable to make those suggestions for a continuance. Chair Toulouse said. If the applicant proposed a continuance we could entertain that. Mr. Ryan said he appreciates that proposal for continuance and the discussion on issues. He said if they were to entertain the continuance, it may result in the focus on the redevelopment side on California. He encouraged the Board to promote improvement in the area.

**MOTION: Member Thomas moved 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 Variance Case Number WPVAR17-0007 for Izakaya Tahoe, being unable to make the following required finding in accordance with Washoe County Development Code Section 110.804.25:**

**No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted.**

**Motion was amended to include the words 'denial without prejudice.' Member Stanley seconded the motion to deny. Motion passed 3 to 1. Members Thomas, Lawrence, Stanley were in favor of denial. Chair Toulouse was against denial.**

Mr. Lloyd read the appeal process.

**B. Administrative Permit Case Number WADMIN18-0002 (Incline Village Fine Arts Festival) –** For possible action, hearing, and discussion to approve an administrative permit under WCC Section 110.310.20 for the Incline Village Fine Arts Festival, an Outdoor Community Event. The event will be held on August 10 through August 12, 2018, from 10:00 a.m. until 5:00 p.m. at Preston Field, 700 Tahoe Boulevard, Incline Village, NV. Event set-up is proposed to begin at 6:00 a.m. on August 10, 2018, and event takedown and dismantle to be completed by 8:00 p.m. on August 12, 2018. The event organizer estimates the maximum number of attendees at the event will not exceed 500 persons on any one day of the event. If approved, authorize the Director of Planning and Building Division to issue the outdoor community event business license when all pre-event conditions have been completed.

- Applicant: CWB Events, LLC, Curtis Beck
- Property Owner: Incline Village General Improvement District
- Location: 700 Tahoe Blvd., Incline Village (Preston Field)
- APN: 124-032-33
- Parcel Size: 5.09 Acres
- Master Plan: Rural (R)
- Regulatory Zone: Parks and Recreations (PR)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village / Crystal Bay
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 16, T16N, R18E, MDM, Washoe County, NV
- Staff: Chris Bronczyk, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775-328-3612

- E-mail: [cbronczyk@washoecounty.us](mailto:cbronczyk@washoecounty.us)

Chris Bronczyk reviewed his Staff Report.

Member Thomas said the BOA specifically requested a hard count for the attendance last year. Mr. Bronczyk said 900 were expected last year; however, the applicant said they experienced a significant drop off in attendance. Chair Toulouse said we asked for a people counter. Eva Krause, Washoe County Planner, said they did conduct an attendance counts with aerial pictures of the event throughout the event. The applicant was not in attendance.

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

Chair Toulouse called for member disclosures. There were no disclosures.

Member Stanley said with the aerial photos used for crowd count that should meet our request for an attendance count.

**MOTION: Member Stanley moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve, subject to the application as submitted and the conditions as contained as Exhibit A in the staff report, Administrative Permit Case Number WADMIN18-0002 for Curtis Beck for the Incline Village Fine Arts Festival, an Outdoor Community Event. I further move to authorize the Director of Planning and Building Division to issue the outdoor community event business license when all pre-event conditions have been completed. I make this motion having made the four findings in accordance with Washoe County Code Section 110.808.25. Member Lawrence seconded the motion which passed unanimously.**

**C. Administrative Permit Case Number WADMIN18-0004 (Valvoline)** – For possible action, hearing, and discussion to approve an administrative permit for an auto repair use in the General Commercial (GC) regulatory zone. The proposed auto repair use is a 2,097 square foot Valvoline Instant Oil Change facility on a property within the Reno-Stead Corridor Joint Plan.

- Applicant: NovaSource Enterprises, LLC  
32 West Fireclay Ave  
Murray, UT, 84107
- Property Owner: Stephen T. Glenn  
Michael E. Killian
- Location: Address not assigned – property fronts Buck Dr.  
and is located to the East of Lemmon Dr. adjacent  
to 300 Lemmon Drive (Jacksons Food Stores)
- APN: 552-190-12
- Parcel Size: 0.78 Acre
- Master Plan: Commercial
- Regulatory Zone: General Commercial (GC)
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Development Code: Authorized in Article 808, Administrative Permit
- Commission District: 5 – Commissioner Herman
- Section/Township/Range: Section 9, T20N, R19E, MDM  
Washoe County, NV
- Staff: Chris Bronczyk, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775-328-3612
- E-mail: [cbronczyk@washoecounty.us](mailto:cbronczyk@washoecounty.us)

Chris Bronczyk, Washoe County Planner, presented his Staff Report. No questions or comments were made by members of the Board.

Brad Carter, the applicant, principle of NovaSource Enterprises, and developer for the Valvoline client, was present to answer questions. He said he was granted development rights for the Reno area. The developer, client/operator/franchise and Valvoline also had to approve the site. This site will conduct oil change and fluid maintenance. Vehicles leave within 8-10 minutes of coming to the facility.

No questions were asked by the board. There was no response to the call for public comment, Chair Toulouse closed the public comment period.

**MOTION: Member Lawrence moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve Administrative Permit Case Number WADMIN18-0004 Valvoline, with the conditions of approval included as Exhibit A to this matter, having made the four findings in accordance with Washoe County Code Section 110.808.25. Member Lawrence amended the motion to remove the condition 1 of 'traffic' of page 4 of 4 in Exhibit A. Member Thomas seconded the motion as amended. The motion passed unanimously.**

**D. Administrative Permit Case Number WADMIN18-0001 (Christensen)** – For possible action, hearing, and discussion to approve an administrative permit for the enlargement of an accessory structure used as a garage and shop, resulting in an accessory structure of ±1700 sq. ft. which has a building foot print larger than the primary residence.

- Applicant/Owner: Paul and Cynthia Christensen
- Location: 716 Encanto Drive
- APN: 076-300-78
- Parcel Size: ±9.34 acre
- Master Plan: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: Spanish Springs
- Citizen Advisory Board: Spanish Springs
- Development Code: Authorized in Article 306 Accessory Uses and Structures
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: Section 8, T21N, R21E, MDM, Washoe County, NV
- Staff: Eva Krause, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775-328-3628
- E-mail: ekrause@washoecounty.us

Eva Krause, Washoe County Planner, presented her Staff Report. The board members didn't have any questions.

Paul Christensen, the project applicant, said when he built his home, he didn't build a garage. He said he would like a garage to store and work on his cars. There were no questions from the Board.

Chair Toulouse opened public comment.

Gayle Townsend said she is concerned about the building being close to the property line. She said she would like a professional surveyor to check the property line. As long as it's surveyed, she said she didn't have any objections. There are a lot of large metal buildings in the neighborhood. Chair Toulouse told her that is one of the conditions of approval.

Cathy Brandhorst spoke about items of concern to her.

There was no discussion by board members.

**MOTION: Member Thomas move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve, with the Conditions of Approval included in Exhibit A to this matter, Administrative Permit Case Number WADMIN18-0001 for Paul and Cynthia Christensen, having made the four required findings in accordance with Washoe County Code Section 110.808.25. Member Stanley seconded the motion which carried unanimously.**

**E. Special Use Permit Case Number WSUP18-0001 (Ax Handle Canyon Cell)** – For possible action, hearing, and discussion to approve a special use permit for the installation and operation of a 104-foot tall monopole telecommunication facility with all necessary appurtenances/supporting equipment and facilities, for major grading (cut and fill of more than 1,000 cubic yards of material) to extend the utility access road an additional ±500 feet from the existing 1,700 foot driveway terminus at the residence on the property to the facility’s leased area, and to vary development code requirements for landscaping and parking for a commercial use by waiving them for this project.

- Applicant: Sacramento Valley LP d/b/a Verizon Wireless
- Property Owner: 14855 Pyramid Way Land Trust
- Location: 14855 Pyramid Way
- APN: 076-272-03
- Parcel Size: 79.82 acres
- Master Plan: Rural (R)
- Regulatory Zone: General Rural Agriculture (GRA)
- Area Plan: Warm Springs
- Citizen Advisory Board: Warm Springs/Rural
- Development Code: Authorized in Article 810, Special Use Permits, Article 438 Grading Standards, Article 324 Communication Facilities
  
- Commission District: 5 – Commissioner Herman
- Section/Township/Range: Section 24, T22N, R20E, MDM, Washoe County, NV
  
- Staff: Eva Krause, Planner  
Washoe County Community Services Department  
Planning and Building Division
  
- Phone: 775-328-3628
- E-mail: [ekrause@washoecounty.us](mailto:ekrause@washoecounty.us)

Chair Toulouse called for member disclosures. Member Stanley said he is a former Verizon employee with a 401K. He said he had a conversation with the applicant. He believes a recusal is necessary. DDA Edwards asked Member Stanley questions about his conversation with the applicant and pecuniary interest as a former employee of over 10 years. Member Stanley said his conversation with the applicant is what he believes would be of concerned. Member Stanley said they discussed availability of land that he owns for possible locations for future towers. DDA Edwards said it’s substantial enough for a recusal and advised him to go out to lobby until item has been completed. The board still has a quorum. Member Stanley left the chambers.

Eva Krause, Washoe County Planner, presented her Staff Report. Member Thomas said this is private land owned by an individual; the company would have to use the driveway to build an extension to their site. The property owner had to sign owner affidavit, but he isn’t the applicant.

Chair Toulouse asked Ms. Krause about conditions regarding views being unduly hindered. She said that condition is part of the Warm Springs Area Plan. Chair Toulouse read the condition about deterrent to views. The interpretation is left up to the Board of Adjustment and County Staff. Chair Toulouse asked



about the condition for the re-vegetation of disturbed areas under conditions. Ms. Krause said the hillside has to be stabilized with. Mr. Lloyd noted that the grading code requires slopes be stabilized with vegetation.

The applicant, Ben Merritt, Complete Wireless Consultant, provided a presentation. This location is the best, least intrusive candidate to meet gaps in coverage. A meeting took place with construction and grading consultant, fire chief, and planning/engineering in September. He said they have a letter that commemorates the meeting. Grading, as required, could be relaxed or varied as long as Verizon waives the liability for any damage to equipment if the Fire Department has difficulty reaching the site due to the grading. It's an unmanned facility, locked up on a private property. Verizon technicians will access the site. Mr. Merritt said they asked for an amendment to the conditions for grading. Another condition of approval is 2(b) regarding easements for the lease area access. It makes sense to have the applicant show proof of easements for the lease area instead of permanent easement. The language of 'permanent' will be changed to 'proof of.'

Chair Toulouse asked the size of the footprint site. Mr. Merritt said there are two leased areas: 25 feet by 25 feet and 25 feet by 20 feet. The power unit communication lines are connected underground.

Mr. Lloyd said the applicant is right in regards to the condition. 'Permanent' easement is not correct. It should be 'proof of' easement.

Public Comment:

Cathy Brandhorst spoke about items of concern to her.

Member Lawrence said he is happy to see coverage will be improved out there.

Member Thomas said looking at the plot maps; this will enhance communication in that area. It won't be seen on ridgeline; however, it can be seen. Verizon in the past has used a faux water tower instead of a pole which might blend better with the area.

Chair Toulouse said he agrees with the comments. He said it's visible from the road. It appears over the ridgeline.

DDA Edwards addressed the amended condition provided by Eva Krause and add a statement to the condition that says 'as provided in WCC 110.438.45.' Mr. Lloyd said to address the concern for re-vegetation, we can add language 're-vegetation', to condition 2(a).

Member Lawrence said the community will benefit from good cell coverage. The visual impact is minimal. The highway scenic corridor doesn't begin at this point. It is 450 feet above the valley floor. He said he didn't believe that to be excessive. It's not a view disturbance. He said there are events out there and accidents and there is significant dead zone with coverage. There are benefits to having this coverage. It's within the community's best interest.

**MOTION: Member Lawrence 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 approve, subject to the conditions contained in Exhibit A to the staff report with amendment of condition 2(e) to read, 'slopes in excess of, or steeper than 3 horizontal to 1 vertical (3:1), may be permitted by the discretion of the County Engineer for utility access road as provided in WCC 100.438.45. In addition, amendments to conditions 2(a), to include 're-vegetation after point of stabilization' and amendment to condition 2(b) that the applicant shall provide 'proof of' instead of 'permanent' easement, Special Use Permit Case Number WSUP18-0001 for Verizon Wireless, having made all eight findings in accordance with Washoe County Code Section 110.810.30 and 110.324.75. Member Thomas seconded the amended motion which carried unanimously.**

Member Stanley came back into the board room.

**F. Administrative Permit Case Number WADMIN18-0003 (Cold Springs Valley Church) –** For possible action, hearing, and discussion to approve an administrative permit for the construction and operation of a church (Religious Assembly Use Type). The church building is proposed to be approximately 8,400 square feet in size, with a parking area on site consisting of approximately 88 general spaces and 6 spaces for disabled persons (approximately 94 total).

- Applicant: Tom Thomas
- Location: North side of White Lake Parkway, approximately 300 feet west of its intersection with Sandpiper Drive.
- Parcel Size: ± 1.43 acres (± 62,290 square feet)
- Assessor's Parcel Number: 087-031-24
- Master Plan: Commercial
- Regulatory Zone: Neighborhood Commercial (NC)
- Area Plan: Cold Springs
- Citizen Advisory Board: North Valleys
- Development Code: Authorized in Table 110.302.05.2
- Commission District: 5 - Commissioner Herman
- Section/Township/Range: Section 21, T21N, R18E, MDM, Washoe County, NV
- Staff: Roger Pelham, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775-328-3622
- E-mail: [rpelham@washoecounty.us](mailto:rpelham@washoecounty.us)

Mr. Lloyd, Washoe County Planning Manager, presented Roger Pelham's Staff Report in Mr. Pelham's absence. Health Department asked the Board of Adjustment to include the following: The proposed construction of this project will require submittal of a Water Project pursuant to NAC 445A, and must be submitted directly to WCHD for review and approval prior to any approval of building plans. The Water Project must be submitted by Great Basin Water Company to ensure review and concurrence with all proposed infrastructure and additional water demand requirements. This facility is required to be serviced by municipal water and sewer. Chair Toulouse asked about fencing conditions. Mr. Lloyd explained the code requirement for fencing on the western side. There has to be screening of the residence on the north side.

Tom Thomas, the applicant and pastor of the Cold Springs Valley Church, thanked the Board for their consideration. The church has been in Cold Springs for over 20 years. He said they currently meet in the Cold Spring Community Center. He said they use to have only 30 people, but now they have 125 parishioners. He said they have a challenge with parking.

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

Member Thomas asked about the concerns with height of church. He asked for the height of the Dollar General and Community Center. Mr. Lloyd showed the elevations of the Dollar General store and the Cold Springs Community Center. The structure is a little taller than 20 feet. The Cold Springs Community Center is 25 feet. The 28 foot tall church is consistent with the adjoining buildings. Member Stanley asked about the color of the building and dark sky compliance. Mr. Lloyd said we can't address the color preference. Some may like it, while others don't. It's up to the applicant. Mr. Lloyd said this project is in compliance with the dark sky requirements.

**MOTION: Member Thomas move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve Administrative Permit Case Number WADMIN18-0003 for Cold Springs Valley Church, with the conditions listed in the staff report and the three additional conditions provided by the Health District, having made all four findings in accordance with Washoe County Development Code Section 110.808.25. Member Stanley seconded the motion which carried unanimously.**

**G. Special Use Permit Case Number WSUP18-0002 (Rutz Residence Grading)** – For possible action, hearing, and discussion to approve a special use permit for Major Grading, totaling approximately 188 cubic yards of excavation, to facilitate construction of a driveway to access one dwelling, that traverses a natural slope of 30% or greater. Grading for any driveway or road that traverses a slope of 30% or

greater is Major Grading in accordance with the Washoe County Development Code at 110.438.35(a)(3).

- Applicant: Brandon Mitchell
- Property Owner: David and Tammy Rutz
- Location: 786 Randall Ave, at the northwest corner of Randall and Gerladine
- APN: 125-251-08
- Parcel Size: ± 0.32 acres (± 13, 925 square feet)
- Master Plan: Suburban
- Regulatory Zone: High Density Suburban
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village / Crystal Bay
- Development Code: Authorized in Article 438
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 9, T16N, R18E, MDM, Washoe County, NV
- Staff: Roger Pelham, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775-328-3622
- E-mail: [rpelham@washoecounty.us](mailto:rpelham@washoecounty.us)

Mr. Lloyd, Washoe County Planning Manager, presented Roger Pelham's Staff Report in Mr. Pelham's absence. Member Stanley asked about TRPA's position regarding this project.

Brandon Mitchell, the project architect and applicant, said TRPA provided a letter of approval in November 2017. They granted approval for the grading. They were present to make sure the soil was in good standing. TRPA is who we need to start with. He said he will provide the letter for the record. This is considered minor grading for a major grading project. He said it's a safety concern with the current driveway. No further questions from the Board.

With no response to the call for public comment, the public comment period was closed.

No discussion by the board.

**MOTION: Member Thomas moved 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 approve, with conditions and with the additional condition by the Health District, Special Use Permit Case Number WSUP18-0002 for David and Tammy Rutz, having made all five findings in accordance with Washoe County Code Section 110.810.30. Member Stanley seconded the motion which carried unanimously.**

## 10. Chair and Board Items

### \*A. Future Agenda Items

No items were discussed.

### \*B. Requests for Information from Staff

No requests for additional information from staff.

## 11. Director's and Legal Counsel's Items

### \*A. Report on Previous Board of Adjustment Items

Mr. Lloyd had no reports on previous items. He said there is an upcoming APA conference in Las Vegas. He said there are funds for registration fees, but Board members have to pay for airfare and hotel.

Mr. Lloyd said the Board should have received an email about a survey for the Regional Plan update. Please complete it and share with friends and neighbors. Chair Toulouse said years ago there was a special use permit for a youth camp and the board gave them two extensions on the permit, but denied it a third time. Chair Toulouse said he understands they are continuing with development. He asked Mr. Lloyd to check on it and share information.

**\*B. Legal Information and Updates**

No updates

**12. \*General Public Comment**

Cathy Brandhorst spoke about items of concern to her.

**13. Adjournment – Meeting adjourned at 4:28 p.m.**

Respectfully submitted,

Misty Moga, Recording Secretary

Approved by Board in session on \_\_\_\_\_, 2018

\_\_\_\_\_  
Trevor Lloyd  
Secretary to the Board of Adjustment