

## Board of Adjustment Staff Report

Meeting Date: February 1, 2024

Agenda Item: 8A

ADMINISTRATIVE PERMIT CASE NUMBER:	WADMIN23-0018 (Martin Garage)	
BRIEF SUMMARY OF REQUEST:	To allow a detached accessory	
	structure larger than the main residence	
STAFF PLANNER:	Tim Evans, Planner Phone Number: 775.328.2314 E-mail: TEvans@washoecounty.gov	

#### CASE DESCRIPTION

For hearing, discussion, and possible action to approve an administrative permit for a 2,400 square foot detached accessory structure (garage) that is larger than the residence on the same parcel of land. The residence on the parcel is 1,676 square feet.

Applicant / Property	Scott Martin
Owner:	
Location:	11765 Overland Road,
	Reno, NV 89506
APN:	080-384-02
Parcel Size:	1.049 acres
Master Plan:	Suburban Residential
Regulatory Zone:	Low Density Suburban
Area Plan:	North Valleys
Development Code:	Authorized in Article 808,
Commission District:	Administrative Permits 5 – Commissioner Herman



#### STAFF RECOMMENDATION

APPROVE

**APPROVE WITH CONDITIONS** 

DENY

## 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 approve Administrative Permit Case Number WADMIN23-0018 for Scott Martin, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Development Code Section 110.808.25.

(Motion with Findings on Page 11)

## Staff Report Contents

Administrative Permit Definition	3
Site Plan	4
Project Evaluation	8
North Valleys Area Plan	9
Reviewing Agencies	10
Staff Comment on Required Findings	10
Recommendation	11
Motion	11
Appeal Process	11

## **Exhibits Contents**

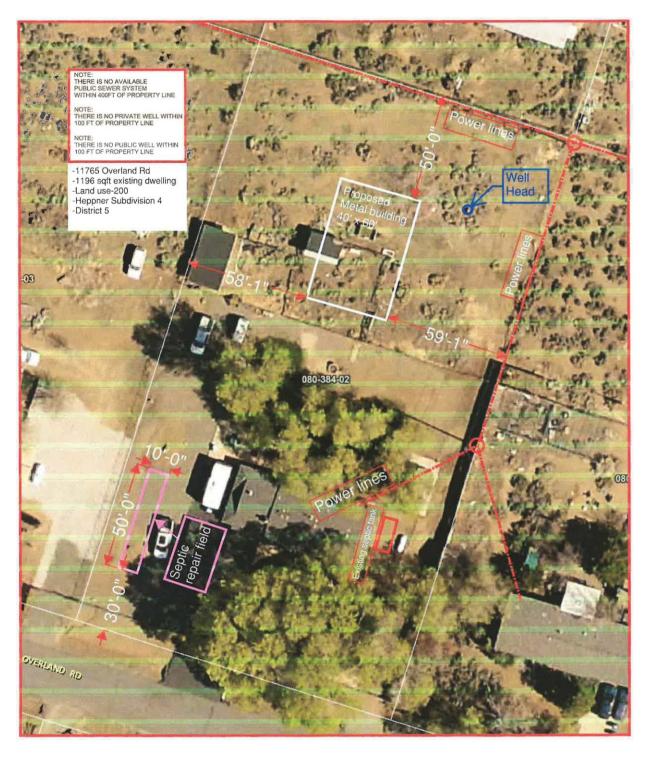
Conditions of Approval	Exhibit A
Agency Comments	Exhibit B
Public Notice	Exhibit C
Project Application	Exhibit D

#### **Administrative Permit Definition**

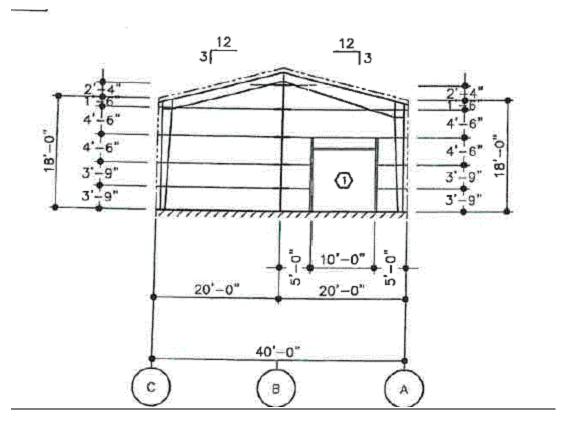
The purpose of an administrative permit is to provide a method of review for a proposed use which possess characteristics that requires a thorough appraisal in order to determine if the use has the potential to adversely affect other land uses, transportation or facilities in the vicinity. The Board of Adjustment may require conditions of approval necessary to eliminate, mitigate, or minimize to an acceptable level any potentially adverse effects of a use, or to specify the terms under which commencement and operation of the use must comply. Prior to approving an application for an administrative permit, the Board of Adjustment must find that all of the required findings, if applicable, are true.

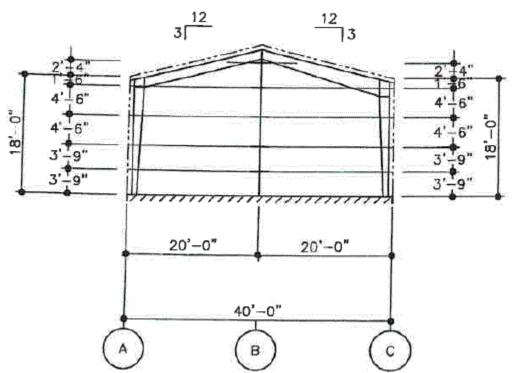
The conditions of approval for Administrative Permit Case Number WADMIN23-0018 are attached to this staff report and will be included with the action order.

The subject property is designated as Low Density Suburban (LDS) and is located in the North Valleys Area Plan; detached accessory structures that are larger than the main dwelling are permissible in that area, subject to approval of an administrative permit.

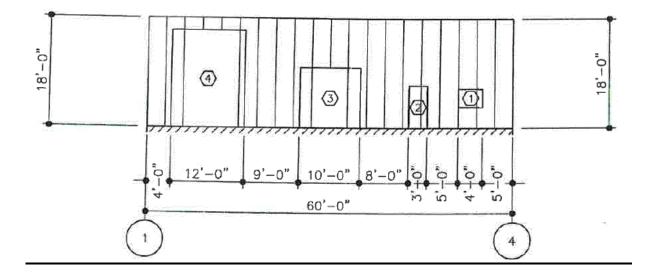


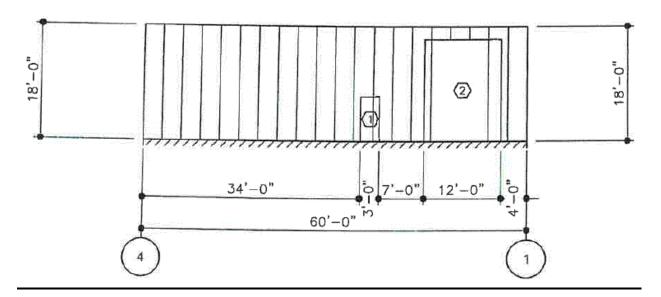
Site Plan



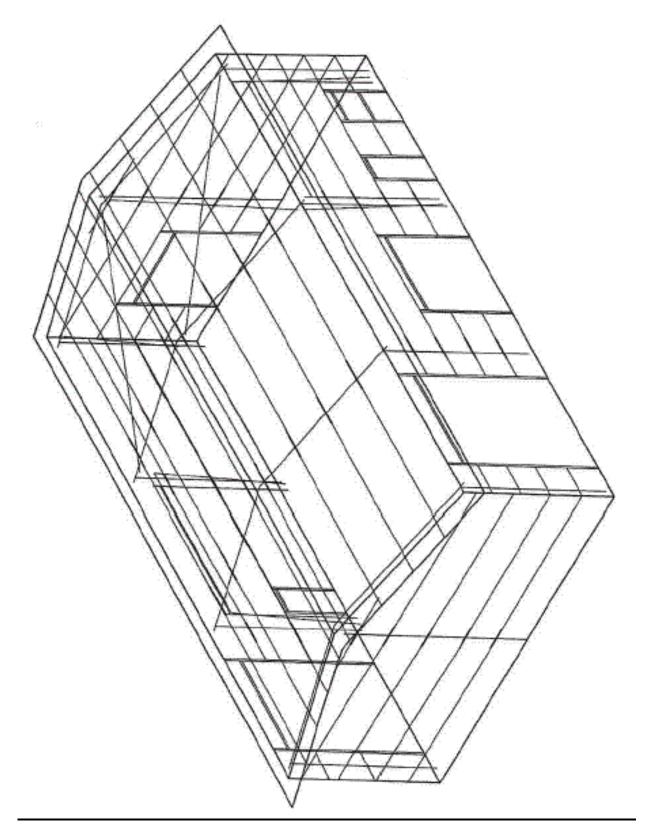


Front and Rear Elevations





Side Elevations



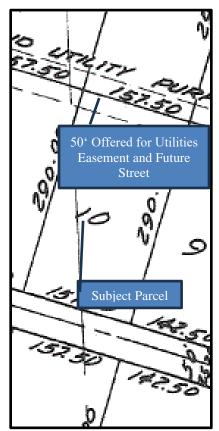
## **Isometric Elevation**

#### Project Evaluation

The applicant is requesting an administrative permit for a 2,400 square foot accessory structure (garage), with no connections to water or wastewater facilities and no interior or exterior lighting. The proposed garage will be larger than the existing 1,676 square foot dwelling located on the 1.049-acre parcel. Pursuant to Washoe County Code Section 110.306.10(d), an administrative permit is required for an accessory structure that is larger than the main structure (dwelling).

The parcel has a regulatory zone of Low Density Suburban (LDS). Pursuant to WCC Section 110.406.05, *General*, Table 110.506.05.1, *Standards*, Part Three, *Yard and Setback Dimensions*, the setbacks for LDS are thirty (30) feet in the front and rear and twelve (12) feet on the sides, with a maximum height of thirty-five (35) feet. Per the site plan on page 4, the proposed structure will be located such that it will exceed the minimum setbacks from the property lines and will be approximately twenty-two (22) feet in height, all of which is in conformance with the required setbacks and maximum height.

The property is shown as parcel "10" on Tract Map 601a (see portion of Tract Map 601a below), which shows a 50' wide street and utility easement (25' feet on each side of property line) along the northern portion of the property which has been offered for dedication to Washoe County for utility purposes and a future street along the northern property line. It shall be noted, that the easement offered for dedication, due to a note on the recorded map, only serves utility purposes at this time and not access.



Portion of Tract Map 601a

The parcel is relatively flat and the proposed detached accessory structure will be located in the northern portion of the parcel, behind the existing dwelling and outside the area offered for dedication for a utility easement and future street.

#### **Surrounding Land Uses and Setting**

The surrounding parcels are zoned LDS and are similarly developed with dwellings and accessory structures. For example, the contiguous parcel to the north is developed with a dwelling and an accessory structure that is approximately 1,300 square feet.

#### Article 414, Noise and Lighting

Noise from the project would be from construction of the garage. A condition of approval serves to address limiting construction hours to address impacts to the neighboring properties.

Per the application, the proposed garage will not have any lighting.

The proposed accessory structure will have metal siding and roofing. A condition of approval serves to address glare and requiring non-reflective materials for siding and roofing.

#### North Valleys Area Plan

The subject parcel is located within the North Valleys Area Plan. The following are the pertinent policies from the Area Plan:

Policy	Brief Policy Description	Complies	Condition of Approval	
NV.3.3			No lighting is proposed as part o this project.	
NV.12.2	Development in the North Valleys area will comply with all local, state and federal standards regarding air quality.	Yes	Project information was sent to Northern Nevada Public Health (Air Quality) for review and no response was received.	

#### Relevant Area Plan Policies Reviewed

#### **Reviewing Agencies**

The following agencies/individuals received a copy of the project application for review and evaluation.

Agencies	Sent to Review	Responded	Provided Conditions	Contact
NDOW (Wildlife)	Х	Х		
NV Water Resources	Х			
Washoe County Building & Safety	х			
Washoe County Sewer	Х			
Washoe County Water Rights Manager (All Apps)	Х	x		
Washoe County Engineering (Land Development) (All Apps)	х	x	х	Rob Wimer, rwimer@washoecounty.gov; Janelle Thomas, jkthomas@washoecounty.gov
Washoe County Engineering & Capital Projects Director (All Apps)	х			
NNPH Air Quality	Х			
NNPH Environmental Health	Х			
TMFPD	Х	Х	Х	Dale Way, dway@tmfpd.us; Brittany Lemon,
NV Energy	Х			

Additionally, AT&T responded stating, "AT&T does not have any adverse comments regarding this project."

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

#### **Staff Comment on Required Findings**

WCC 110.808.25 requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the administrative permit request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

(a) <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the North Valleys Area Plan.

<u>Staff Comment:</u> The requested detached accessory structure does not conflict with the action programs, policies, standards, and maps of the Master Plan and the North Valleys Area Plan. The parcel is located within the Low Density Suburban (LDS) zone, which allows for detached accessory structures larger than the primary dwelling on the same parcel subject to the issuance of an administrative permit granted by the Board of Adjustment.

(b) <u>Improvements.</u> That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

<u>Staff Comment:</u> A detached accessory structure will not create a significant demand on the existing utilities, roadway improvements, sanitation, or water supply. The project application was sent to Washoe County Engineering, NV Energy, and Northern Nevada

Public Health (Environmental Health) for review and no comments were received expressing any issues with regards to utilities, public facilities, and adjacent roads.

(c) <u>Site Suitability.</u> That the site is physically suitable for a detached metal garage, and for the intensity of such a development.

<u>Staff Comment:</u> The subject parcel is 1.049 acres with adequate space for a 2,400 square foot detached garage, providing the ability to meet all setback requirements.

(d) <u>Issuance Not Detrimental.</u> That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

<u>Staff Comment:</u> The issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

(e) <u>Effect on a Military Installation.</u> Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

<u>Staff Comment:</u> As there is no military installation nearby, the project will have no impact on a military installation.

#### **Recommendation**

After a thorough analysis and review, Administrative Permit Case Number WADMIN23-0018 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

#### <u>Motion</u>

I 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 WADMIN23-0018 for Scott Martin, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Development Code Section 110.808.25:

- (a) <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the North Valley Area Plan;
- (b) <u>Improvements.</u> That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
- (c) <u>Site Suitability.</u> That the site is physically suitable for a detached metal garage, and for the intensity of such a development;
- (d) <u>Issuance Not Detrimental.</u> That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
- (e) <u>Effect on a Military Installation.</u> Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

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

Applicant/Owner: Scott Martin, <u>barkingdogvalley@gmail.com</u>

Representatives: Reed Lair, <u>rlair@bigironinc.net</u>



Conditions of Approval Administrative Permit Case Number WADMIN23-0018

The project approved under Administrative Permit Case Number WADMIN23-0018 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on February 1, 2024. Conditions of approval are requirements placed on a permit or development by each reviewing agency. These conditions of approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. <u>These conditions do not</u> relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property.

<u>Unless otherwise specified</u>, all conditions related to the approval of this administrative permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the conditions of approval related to this administrative permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the administrative permit may result in the initiation of revocation procedures.

Operational conditions are subject to review by the Planning and Building Division prior to the renewal of a business license each year. Failure to adhere to the operational conditions may result in the Planning and Building Division recommending that the business license not be renewed until conditions are complied with to the satisfaction of Washoe County.

Washoe County reserves the right to review and revise the conditions of approval related to this Administrative Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "conditions of approval" are referred to as "operational conditions." These conditions must be continually complied with for the life of the project or business.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

#### Washoe County Planning and Building Division

**1.** The following conditions are requirements of the Planning and Building Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Tim Evans, Planner, 775.328.2314, tevans@washoecounty.gov

- a. The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this administrative permit.
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this administrative permit. Planning and Building shall determine compliance with this condition.
- c. The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- d. A note shall be placed on all construction drawings and grading plans stating:

#### NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- e. Construction activities shall be limited to the hours between 7am to 7pm, Monday through Saturday only. Any construction machinery activity or any noise associated with the construction activity are also limited to these hours.
- f. The metal siding and/or roof of the accessory structure shall be non-reflective, and colors used shall be compatible with the primary residence.

#### Washoe County Engineering and Capital Projects

2. The following conditions are requirements of the Engineering Division, which shall be responsible for determining compliance with these conditions.

#### Contact Name – Robert Wimer, P.E., 775.328.2059, rwimer@washoecounty.gov

a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.

#### **Truckee Meadows Fire Protection District**

3. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

#### Contact Name – Brittany Lemon, Fire Captain, 775.326.6079, <u>blemon@tmfpd.us</u>

a. This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply. <u>https://tmfpd.us/fire-code/</u>

\*\*\* End of Conditions \*\*\*

From: Katie Andrle <kmandrle@ndow.org>
Sent: Thursday, December 14, 2023 3:28 PM
To: Albarran, Adriana <AAlbarran@washoecounty.gov>
Subject: RE: December Agency Review Memo II

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

NDOW does not have any comments on these items.

Thank you,

Katie

## **Evans**, Timothy

From:COOPER, CLIFFORD E <cc2132@att.com>Sent:Monday, December 18, 2023 8:52 AMTo:Evans, TimothySubject:WADMIN23-0018 Martin Garage

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

Tim, AT&T does not have any adverse comments regarding this project.

CLIFF COOPER SR SPECIALIST-OSP DESIGN ENGINEER AT&T NEVADA 1375 Capital Blvd rm 115 Reno, NV 89502 ROW Office: 775-453-7578 Email: <u>cc2132@att.com</u> **TEXTING and DRIVING...It Can Wait** 



- Date: December 20, 2023
- To: Tim Evans, Planner
- From: Timber Weiss, P.E., Licensed Engineer
- Re: Administrative Permit Case Number WADMIN23-0018 (Martin Garage) APN 080-384-02

#### **GENERAL PROJECT DISCUSSION**

For hearing, discussion, and possible action to approve an administrative permit for a 2,400 square foot detached accessory structure (garage) that is larger than the residence on the same parcel of land. The residence on the parcel is 1,676 square feet.

# The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

No water right comments for this permit.

1001 E. 9th Street Reno, NV 89512 | P: (775) 328-3600 | F: (775) 328-3699 | washoecounty.gov



- Date: December 20, 2023
- To: Tim Evans, Senior Planner
- From: Janelle K. Thomas, P.E., Senior Licensed Engineer Robert Wimer, P.E., Licensed Engineer
- Re: WADMIN23-0018 Martin Garage APN: 080-384-02

#### **GENERAL COMMENTS**

Washoe County Engineering staff has reviewed the above referenced application. The Administrative Permit application is to request approval of a 2,400 square foot detached accessory structure (garage) that is larger than the residence on the same parcel of land, which is 1,196 square feet. The Engineering and Capital Projects Division recommends approval with the following comments and conditions:

#### **GENERAL CONDITIONS**

Contact Information: Robert Wimer, P.E. (775) 328-2059

#### Conditions:

 A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.

1001 E. 9th Street Reno, NV 89512 | P: (775) 328-2040 | F: (775) 328-3699 | washoecounty.gov

## **Evans**, Timothy

From:	Lemon, Brittany
Sent:	Friday, December 22, 2023 11:55 AM
То:	Evans, Timothy
Cc:	Way, Dale
Subject:	WADMIN23-0018 (Martin Garage) Conditions of Approval

Hi Tim,

"This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply." <a href="https://tmfpd.us/fire-code/">https://tmfpd.us/fire-code/</a>.

This parcel is in a moderate WUI zone.

Thank you,

## **Brittany Lemon**

Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue blemon@tmfpd.us | Office: 775.326.6079 | Cell: 775.379.0584 3663 Barron Way, Reno, NV 89511



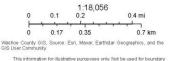
"Committed to excellence, service, and the protection of life and property in our community"

#### **Public Notice**

Washoe County Code requires that public notification for an administrative permit must be mailed to a minimum of 30 separate property owners within a minimum 500-foot radius of the subject property a minimum of 10 days prior to the public hearing date. A notice setting forth the time, place, purpose of hearing, a description of the request and the land involved was sent within a 500-foot radius of the subject property. A total of 35 separate property owners were noticed a minimum of 10 days prior to the public hearing date.



December 13, 2023



## Public Notice Map Administrative Permit Case Number WADMIN23-0018

## Washoe County Development Application

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.

<b>Project Information</b>	Staff Assigned Case No.:		
Project Name: Scient ingertin building, decrement Project Metal building for travel trailer storage			
Project Address: 11765 Project Area (acres or square fee		Rd Hena NV	\$9506
Project Location (with point of re RA RENO NV 39506	ference to major cross	streets AND area locator): 1176	50Verland
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
080-384-02	1.049 acres		
Indicate any previous Washo Case No.(s).	e County approval	s associated with this applicat	tion:
Applicant Inf	ormation (attach	additional sheets if necess	sary)
Property Owner:		Professional Consultant:	
Name: SCOTT Main	Tin	Name:	
Address: 11765 OVPLA	ad	Address:	
Zip: 89506		Zip:	
Phone: 775-848-8446	Fax:	Phone: Fax:	
Email: barkingdogvalley@	gmail.com	Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Scott Martin		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Big Iron Inc		Name:	
Address: 425 western Rd s	suite 108	Address:	
Zip:89506			Zip:
Phone: Fax:		Phone:	Fax:
Email: rlair@bigironinc.net		Email:	
Cell: 775-354-5546 Other:		Cell: Other:	
Contact Person: Reed Lair		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

## Administrative Permit Application Supplemental Information

(All required information may be separately attached)

1. What is the type of project or use being requested?

METAL Building

2. What section of the Washoe County code requires the Administrative permit required?



3. What currently developed portions of the property or existing structures are going to be used with this permit?

NONE

4. What improvements (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.) will have to be constructed or installed and what is the projected time frame for the completion of each?

NONE

5. Is there a phasing schedule for the construction and completion of the project?

Concrete in spring of 2024, erection of building 30 days after concrete

6. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

Large area for laydown and work

7. What are the anticipated beneficial aspects or effect your project will have on adjacent properties and the community?

Raise property values of adjacent properties by comparisons, indoor storage of RV

8. What will you do to minimize the anticipated negative impacts or effect your project will have on adjacent properties?

Complete job quickly and during waking hours

9. Please describe any operational parameters and/or voluntary conditions of approval to be imposed on the administrative permit to address community impacts.

7

Work schedule to be 7:30 AM-6:30 PM

10. How many improved parking spaces, both on-site and off-site, are available or will be provided? (Please indicate on site plan.)

None

11. What types of landscaping (e.g. shrubs, trees, fencing, painting scheme, etc.) are proposed? (Please indicate location on site plan.)

12. What type of signs and lighting will be provided? On a separate sheet, show a depiction (height, width, construction materials, colors, illumination methods, lighting intensity, base landscaping, etc.) of each sign and the typical lighting standards. (Please indicate location of signs and lights on site plan.)

hone

13. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the administrative permit request? (If so, please attach a copy.)

	🖪 No
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14. Utilities:

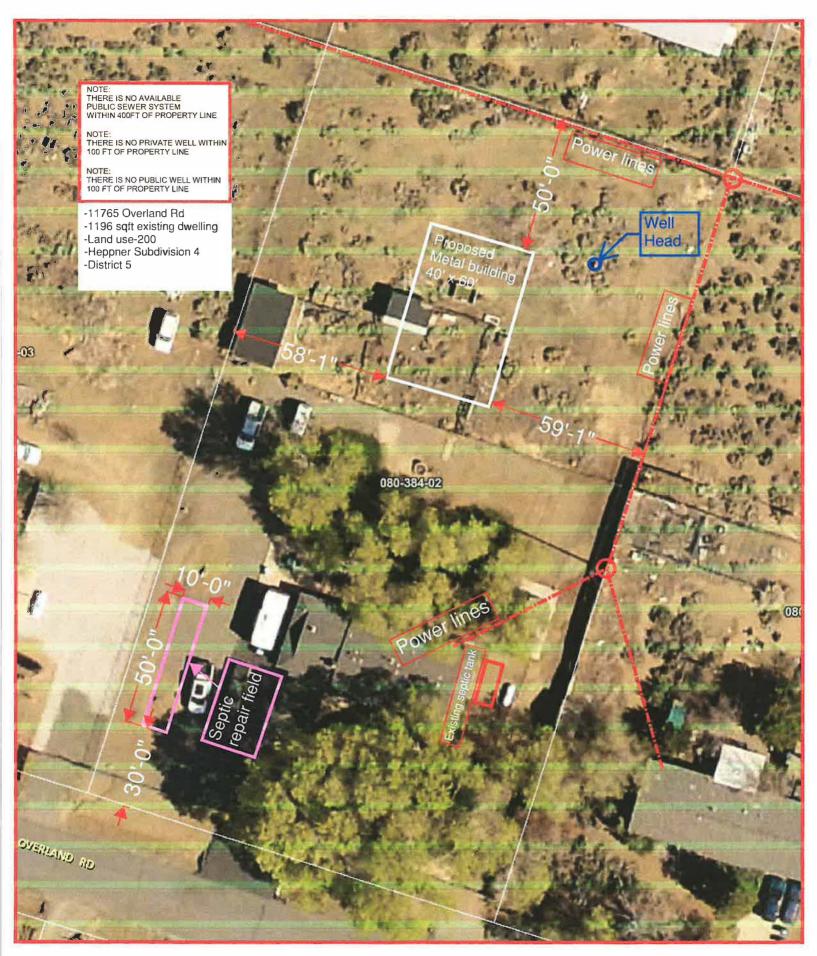
a. Sewer Service	No
b. Water Service	NO

For most uses, the Washoe County Code, Chapter 110, Article 422, Water and Sewer Resource Requirements, requires the dedication of water rights to Washoe County. Please indicate the type and quantity of water rights you have available should dedication be required:

c. Permit #	acre-feet per year	
d. Certificate #	acre-feet per year	
e. Surface Claim #	acre-feet per year	ź.
f. Other, #	acre-feet per year	

Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources):

8



WADMIN23-0018 EXHIBIT D

