

# Appeal of WSUP21-0036 & WADMIN21-0016 (Silver Circle Ranch)

*Presented by*

**Garrett D. Gordon, Esq.**  
on behalf of Jill Brandin and neighboring property owners

**APRIL 12, 2022 – WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS**

# INTRODUCTION

- Jill Brandin and 46 neighboring property owners oppose WSUP21-0036 and WADMIN21-0016.
- On February 3, 2022, the Board of Adjustment held a public hearing and denied the Applications for a commercial stable and a new structure roughly 12 times larger than the largest existing structure.
- As proposed, the Applications will have a significant detrimental effect on the surrounding neighbors and property owners.



# REQUIRED LEGAL FINDINGS - SUP (WCC 110.810.30)

- (a) Consistency. The proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the applicable area plan;
- (b) Improvements. 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) Site Suitability. The site is physically suitable for the type of development and for the intensity of development;
- (d) **Issuance Not Detrimental**. **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; and**
- (e) Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

# SITE IS NOT GRANDFATHERED

- Earlier commercial stable does not legally grandfather Silver Circle Ranch to the intensity proposed by the Applicant.
- Property was previously nearly twice as large, with less horses.
- Prior use was strictly limited to “horse boarding”.
- According to prior owner, there were only 4 horses on the Property at the time of sale.
- Use abandoned for more than 12 months.
- Business license should not have issued without SUP in place.



# BLANK CANVAS - SITE NO LONGER GRANDFATHERED WITH CURRENT PROPOSAL

**Section 110.904.20 Nonconforming Use of Land.** The nonconforming use of land shall be subject to the provisions of this section.

- (a) **Continuation.** A nonconforming use of land may be continued as long as it remains otherwise lawful, subject to the following provisions:
  - (1) Any structure associated with such use shall not be enlarged or increased more than ten (10) percent, nor the use extended to occupy an area of land greater than ten (10) percent than was occupied on the effective date of this article;
  - (2) If such a use ceases for any reason for a period of more than twelve (12) consecutive months, any subsequent use of such land shall conform to the requirements of this Development Code for the regulatory zone in which it is located; and

# COMMERCIAL STABLES MAY NOT HOLD EVENTS

- Proposal goes beyond “commercial stable” use classification.
- Trying to include “outdoor entertainment” under this entitlement which is prohibited in the HDR regulatory zone.
- Entitlements for other commercial stables strictly prohibit all events.
- Applicant’s stated intent for events with over 55 horses and over 100 riders and spectators.

# PROHIBITED IN HDR: INDOOR ENTERTAINMENT; INDOOR SPORTS AND RECREATION; OUTDOOR ENTERTAINMENT

TABLE OF USES (Commercial Use Types)  
(See Sections 110.302.10 and 110.302.15 for explanation)

Commercial Use Types (Section 110.304.25)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Administrative Offices	--	--	--	--	--	--	P	P	P	A	A	A	A	A	P	--	--	--
Adult Characterized Business (see Chapter 25, Washoe County Code)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Animal Sales and Services																		
Commercial Kennels	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	--	--	S <sub>2</sub>	S <sub>2</sub>
Commercial Stables	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	S <sub>2</sub>	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>
																		*See Article 226 for Warm Springs parcels.
Destination Resorts	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	S <sub>2</sub>	--	S <sub>2</sub>	S <sub>2</sub>
Indoor Entertainment	--	--	--	--	--	--	--	--	--	A	P	A	--	P	--	--	--	--
Indoor Sports and Recreation	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	P	S <sub>2</sub>	P	P	--	--	--

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to Section 110.104.40(c); S<sub>1</sub> = Planning Commission Special Use Permit; S<sub>2</sub> = Board of Adjustment Special Use Permit

Commercial Stables. Commercial stables refers to **boarding or raising** of three (3) or more horses, but excludes horses used primarily for agricultural operations which are classified under animal production. Typical uses include **commercial stables, riding clubs and riding instruction facilities.**

# PROHIBITED IN HDR: INDOOR ENTERTAINMENT; INDOOR SPORTS AND RECREATION; OUTDOOR ENTERTAINMENT

**TABLE OF USES (Commercial Use Types)**  
(See Sections 110.302.10 and 110.302.15 for explanation)

Commercial Use Types (Section 110.304.25)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Limited Gaming Facilities	--	--	--	--	--	--	--	--	--	P	P	P	S <sub>2</sub>	--	--	--	--	--
Marinas	--	--	--	--	--	--	--	--	--	P	--	P	--	P	P	--	P	S <sub>2</sub>
Outdoor Entertainment	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	--	--	--
Outdoor Sports and Recreation	S <sub>2</sub>	P	P	P	P	S <sub>2</sub>	P	--	P	S <sub>2</sub>								
Outdoor Sports Club	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	S <sub>2</sub>	P	--	S <sub>2</sub>	S <sub>2</sub>
Unlimited Gaming Facilities	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	--	--	--
Communication Facilities																		

Outdoor Entertainment. Outdoor entertainment refers to predominantly spectator-type uses conducted in open or partially enclosed or screened facilities. Typical uses include sports arenas, racing facilities and amusement parks.

- (c) Change to Another Nonconforming Use. A nonconforming use of land shall not be changed to another nonconforming use of land.

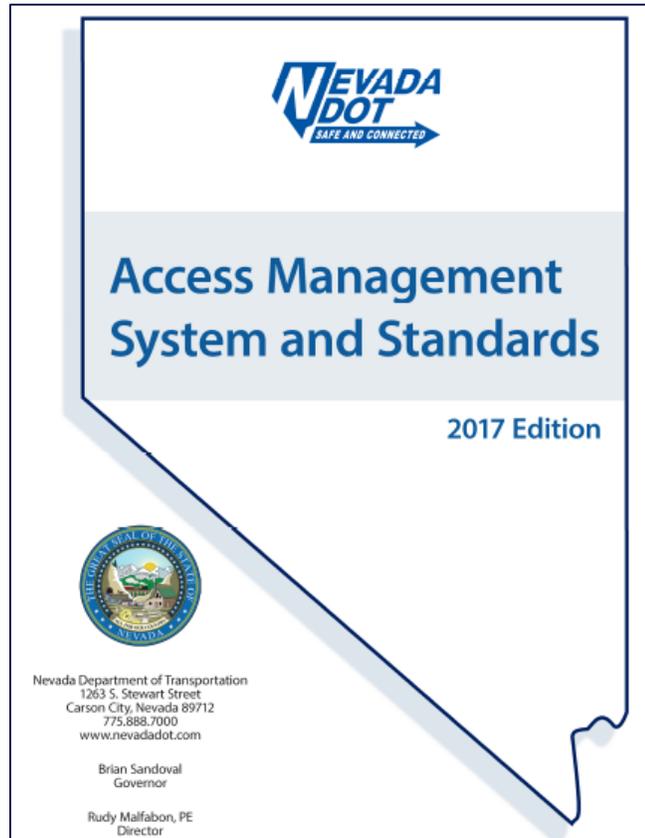
# COMMERCIAL STABLES MAY NOT HOLD EVENTS



**Special Use Permit Case Number WSUP17-0003 (UDS Barn, LLC – Commercial Stables)** – For possible action, hearing and discussion to approve a special use permit for commercial stables for training of up to 25 horses at one time and for construction of an indoor riding arena of approximately 20,000 square feet.

- i. **Equestrian events with competitors and spectators are prohibited.**

# SECONDARY ACCESS POINT IS NOT PERMITTED; VIOLATES NDOT STANDARDS



- Permit is required for any access point onto a State Highway.
- Access is not permitted if spacing between driveways is less than 660' for full access.
- Less than 170' to secondary access point.

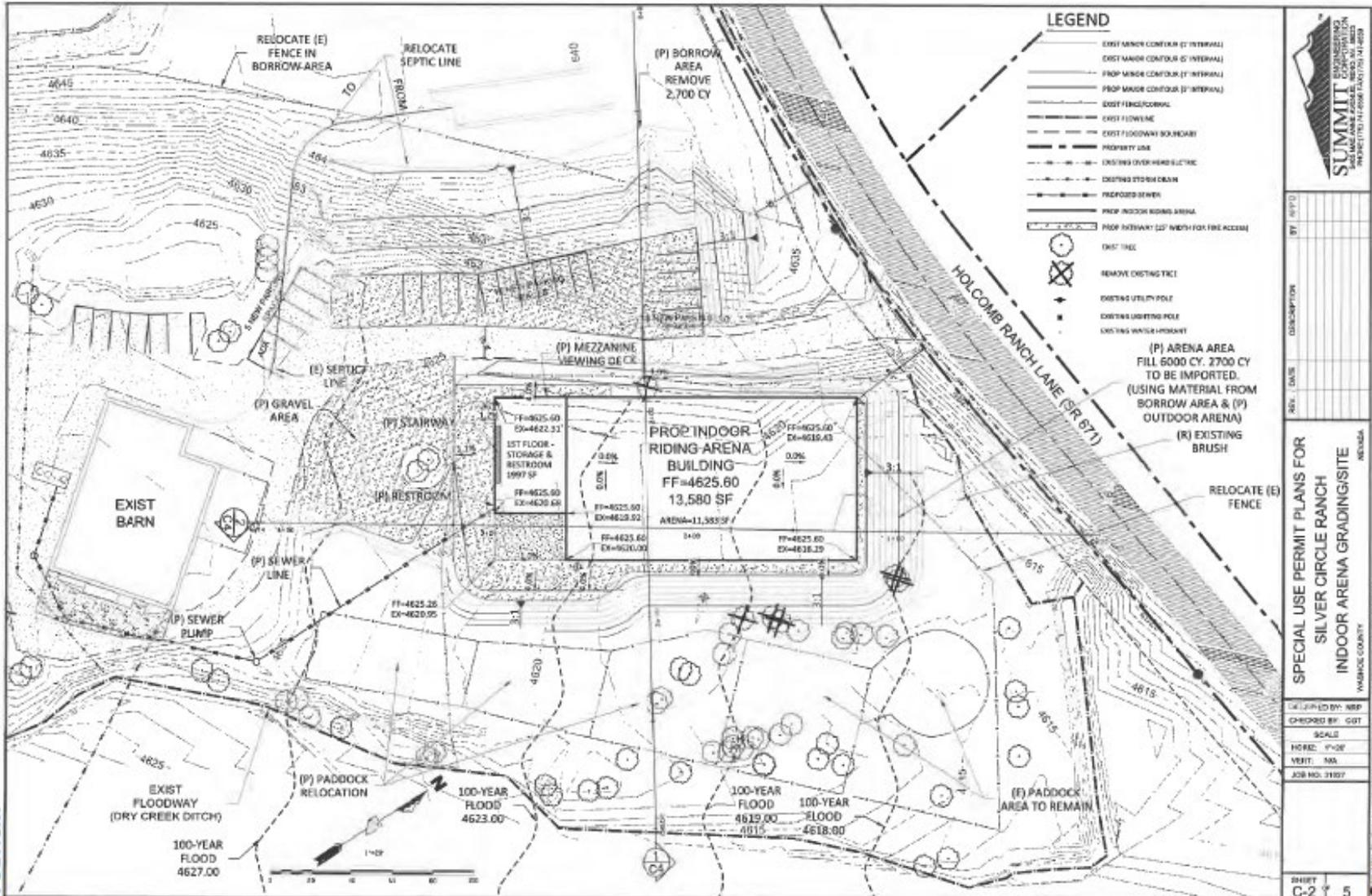


# SECONDARY ACCESS POINT IS NOT PERMITTED; VIOLATES NDOT STANDARDS

**Table 4-1: Access Spacing Standards (continued)**

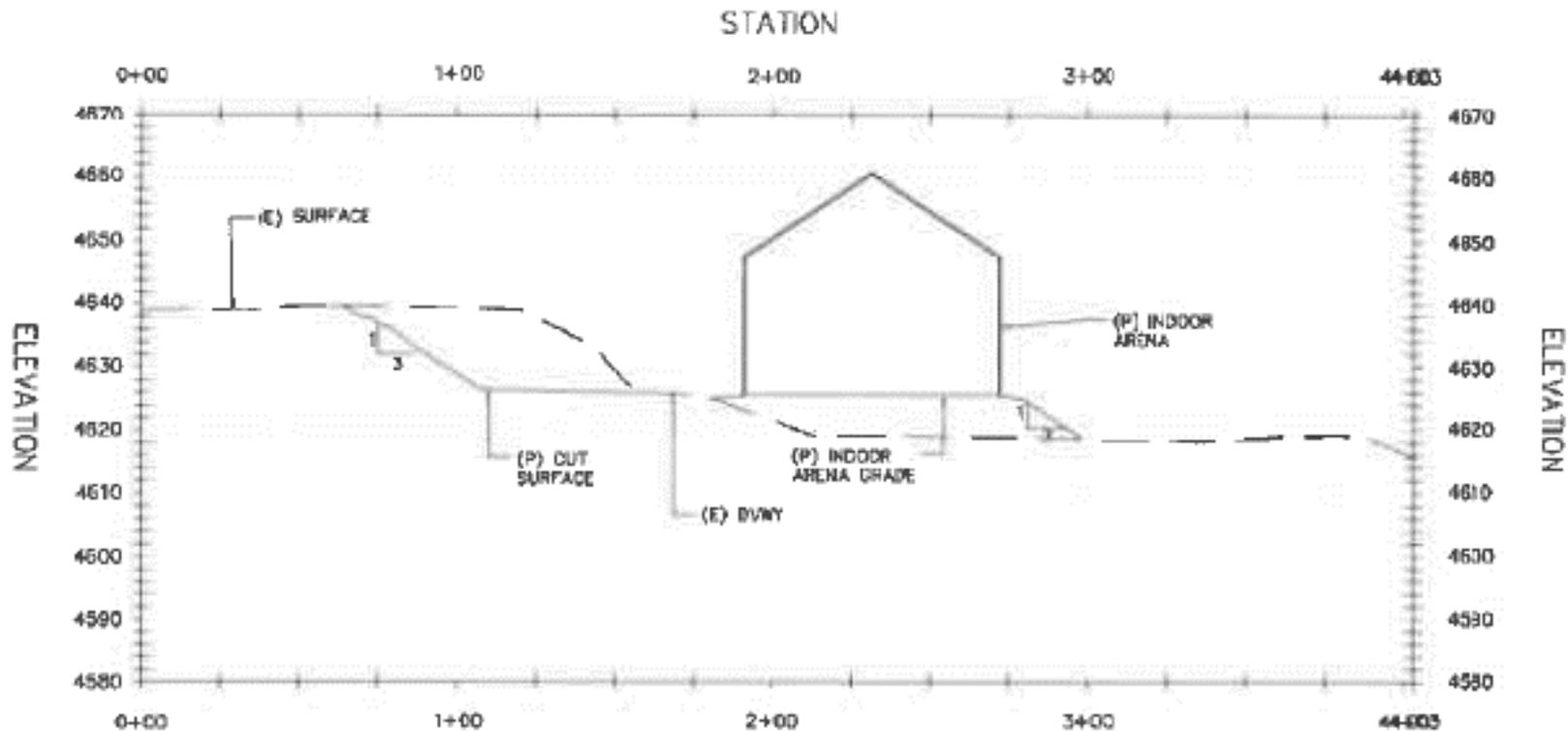
Roadway Class	Location/ Posted Speed Limit	Full Access		Limited Access	
		Signalized Intersection Uniform <sup>1</sup> Spacing	Unsignalized Intersection/Roundabout Minimum <sup>2</sup> Spacing	Left-in/Right-in/ Right-out only Minimum <sup>2</sup> Spacing	Right-in/Right-out only <sup>3</sup> Minimum <sup>2</sup> Spacing
6: Minor Collectors	≤ 30 mph	1,320'	660'	440'	200'
	≥ 35 mph				250' – 400'
7:					

# BUILDING MASSING AND HEIGHT IS OUT OF CHARACTER WITH NEIGHBORHOOD; DETRIMENTAL IMPACTS TO SURROUNDING PROPERTIES



- 13,580 square foot building would be more than 12x larger in area than existing barn/residences.
- Metal, featureless massing that runs 178 feet long and 84 feet wide.
- Massive industrial visible impact.

# BUILDING MASSING AND HEIGHT IS OUT OF CHARACTER WITH NEIGHBORHOOD; DETRIMENTAL IMPACTS TO SURROUNDING PROPERTIES



1 PROFILE ALIGNMENT  
C4 VERT. SCALE: 1"=10' VERT. EXAGGERATION: 2x  
HOR. SCALE: 1"=20'

- As proposed, building would tower 29 feet above Holcomb Ranch Lane.
- 13,580 square foot building would be more than 12x larger in area than existing barn/residences.

# ENVIRONMENTAL IMPACT



**Robison Engineering Company, Inc.**

846 Victorian Avenue, Suite 20

Sparks, Nevada, 89431

775-852-2251 Office

775-852-9736 Fax

[www.robisoneng.com](http://www.robisoneng.com)

Given the description of proposed activities at the site, **environmental issues** are likely to impact surrounding properties due to issues including, but not limited to, **surface and/or groundwater contamination, and dust and odors.**

Surface water in the area consists of the **Last Chance irrigation ditch**, which crosses the subject property, and **nearby Dry Creek**. **The subject site utilizes a well for potable water, as do most downslope (east to northeasterly), neighboring sites.** Wastes generated by the number of horses proposed to be housed at the stable are **cause for environmental concern**. Potential water contaminants from wastes consist of nutrients such as nitrogen and phosphorous, and bacteria and other pathogens. **Contamination of water** can result from infiltration or overland flow as a direct consequence of this commercial activity. The site is located in FEMA zone AE, which are areas subject to inundation by the 1%-annual-chance flood event. Several flood events have been observed along Holcomb Ranch Lane.

# WASHOE COUNTY CODE - SPECIAL USE PERMITS

## *Article 810*

## *SPECIAL USE PERMITS*

**Section 110.810.00 Purpose.** The purpose of this article, Article 810, Special Use Permits, is to provide a method of reviewing proposed uses as listed in Article 302, Allowed Uses, which possess characteristics that require special appraisal in order to determine if the uses have the potential to adversely affect other land uses, transportation systems, or public facilities in the vicinity. The Planning Commission, Board of Adjustment or hearing examiner may require conditions of approval necessary to eliminate or minimize to an acceptable level any potentially adverse effects of the use.

→ Special use permits run with land. Pro Pony could sell the property or lease to a new tenant after this approval so it is important that we ***“require conditions of approval necessary to eliminate or minimize to an acceptable level any potentially adverse effects of the use.”***

# UDS BARN, LLC - COMMERCIAL STABLE SPECIAL USE PERMIT



**WASHOE COUNTY**  
Planning and Development  
INTEGRITY COMMUNICATION SERVICE

Community Services Dept.  
P.O. Box 11130  
Reno, Nevada 89520-0027  
Phone: (775) 328-3600  
Fax: (775) 328-6133

## Board of Adjustment Action Order

Special Use Permit Case Number WSUP17-0003

Decision: Approval with Conditions  
Decision Date: April 6, 2017  
Mailing/Filing Date: April 12, 2017  
Applicant/Property Owner: Kirsten Sorensen  
Assigned Planner: Roger Pelham, MPA, Senior Planner  
Washoe County Community Services Department  
Planning and Development Division  
775.328.3622  
E-Mail: rpelham@washoecounty.us

**Special Use Permit Case Number WSUP17-0003 (UDS Barn, LLC – Commercial Stables)** – For possible action, hearing and discussion to approve a special use permit for commercial stables for training of up to 25 horses at one time and for construction of an indoor riding arena of approximately **20,000 square feet**.

- Applicant/Property Owner: Kirsten Sorensen  
430 Anitra Drive  
Reno, NV 89511
- Location: 2955 Rhodes Road at the northeast corner  
of its intersection with Paddlewheel Lane  
017-380-19, 017-380-20, and 17-380-12
- Assessor's Parcel Numbers:
- Parcel Size: **± 30 acres**
- Master Plan Category: Rural (R)
- Regulatory Zone: Low Density Rural (LDR)
- Area Plan: South Valleys
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 810, Special Use  
Permits
- Commission District: 2 – Commissioner Lucey
- Section/Township/Range: Section 4, T17N, R20E, MDM,  
Washoe County, NV



**WASHOE COUNTY**  
COMMUNITY SERVICES DEPARTMENT  
Planning and Building

1001 EAST 9<sup>TH</sup> STREET  
RENO, NEVADA 89512-2845  
PHONE (775) 328-6100  
FAX (775) 328.6133

## Board of Adjustment Action Order

Special Use Permit Case Number WSUP21-0036 / Administrative Permit Case WADMIN21-0016  
(Silver Circle Ranch)

Decision: **Denial**  
Decision Date: February 03, 2022  
Mailing/Filing Date: February 08, 2022  
Property Owner: Pro Pony LLC  
Assigned Planner: Julee Olander, Planner  
Washoe County Community Services Department  
Planning and Building Division  
775.328.3627  
[jolander@washoecounty.gov](mailto:jolander@washoecounty.gov)

**Special Use Permit Case Number WSUP21-0036 / Administrative Permit Case WADMIN21-0016 (Silver Circle Ranch)** – For hearing, discussion, and possible action to approve a special use permit for a commercial horse boarding stable for 25 horses and for grading of 6,000 cubic yards for an indoor riding arena; an administrative permit for an 11,580 SF indoor riding arena structure that is larger than the existing 1,120 SF main residence. The applicant is also requesting modifications of paved surfaces to allow non-paved surface, reduction of landscape standards for a commercial use and waive screening requirements for commercial properties adjacent to residential properties.

- Applicant / Owner: Pro Pony LLC
- Location: 3400 Holcomb Ranch Ln.
- APN: 040-670-12
- Parcel Size: **±12.56 acres**
- Master Plan: Rural Residential (RR)
- Regulatory Zone: 93% High Density Rural (HDR) & 7% General Rural (GR)
- Area Plan: Southwest
- Development Code: Authorized in in Article 302, Allowed Uses; Article 306,  
Accessory Uses and Structures; Article 438, Grading; and  
Article 810, Special Use Permits
- Commission District: 2 – Commissioner Lucey

# PROPOSED CONDITIONS

## 1. Number of horses onsite to be limited to 25 horses at any time.

### ➤ **Applicant Letter:**

While I am optimistic that we can reach a resolution, I also outline the arguments, in-part, that Pro Pony will present before the County Commission. In short, Pro Pony feels it did not have adequate time to respond to the neighbors last minute letter.<sup>1</sup> Contrary to the analysis presented to the Board of Adjustment, the proposal is predominantly consistent with the surrounding area and all the required findings should have been made—as staff correctly concluded. The existing property has a barn and stable on the property. It has been used as a commercial stable since the early 1970s. The facility includes a 28-stall barn, and an additional 5 stalls in the other building on site, for a total capacity of 33 horses. There are currently 23 horses housed on site.<sup>2</sup> The application would limit the number of horses housed on site to 25.

### ➤ **UDS Barn, LLC (30 acres):**

- h. The maximum number of horses boarded and trained on the property, including horses personally owned by the owner and employees, shall not exceed twenty-five (25) at any time.

# PROPOSED CONDITIONS

2. **Manure and waste shall be stored in containers and not on the ground with paved access and suitable enclosure that accommodate ease of access and disposal. Manure and waste shall not be allowed to contaminate the adjacent ditch and groundwater. Manure shall be removed every two weeks.**



Robison Engineering Company, Inc.  
846 Victorian Avenue, Suite 20  
Sparks, Nevada, 89431  
775-852-2251 Office  
775-852-9736 Fax  
[www.robisoneng.com](http://www.robisoneng.com)

According to The Penn State Extension, a 1,000-pound horse produces about 31 pounds of feces and 2.4 gallons of urine daily, which totals around 51 pounds of total raw waste per day. Soiled bedding removed with the manure during stall cleaning may account for another 8 to 15 pounds per day of waste. The amount of bedding can vary widely depending on management practices, such as the type of litter used and how often it is changed. This totals around 60 to 70 pounds of waste material to be removed daily. This results in about 12 tons of waste per year per stall, with 8.5 tons being manure from a 1,000-pound horse<sup>1</sup>. The annual waste generate by this proposal would thus equate to roughly 300 tons – or 600,000 pounds of waste introduced to this site which has significant potential to contaminate groundwater and pollute the neighborhood.



# PROPOSED CONDITIONS

3. ***The building must be set back 100 feet from Holcomb Ranch Lane, no larger than 5,000 square feet, and no taller than 26 feet at peak of the roof.***

- Board of Adjustment found that this building and location were “*injurious to the property or improvements of adjacent properties and detrimental to the character of the surrounding area.*”
- It sets a bad precedent that Applicant is unable or unwilling to negotiate the size and location of the building because they already purchased and delivered building materials.



# NEVADA KIDS & HORSES - FACILITY IS 80 FEET X 60 FEET (4,800 SQ. FT.)



# PROPOSED CONDITIONS

3. *The building must be set back 100 feet from Holcomb Ranch Lane, no larger than 5,000 square feet and no taller than 26 feet at peak of the roof.*

➤ ***Applicant Letter (height):***

On a final note, the project is strategic in where the building will be placed on the property. Pro Pony could have proposed building on any portion of the property. However, it chose a proposal where its building will be on the lowest part of the property to mitigate any visual effects on the neighbors. The visible part of the structure from Lombardi or Holcomb Ranch from the Northwest will be approximately 15 feet or comparable to a single-story structure.

# PROPOSED CONDITIONS

4. **The number of lessons shall never exceed 70 per week.**

5. This improvement does not change the activities that have been taking place at this facility.

6. Silver Circle Ranch is already operating near capacity, and the addition of the indoor arena will not change the capacity or its existing use. The trainer currently provides up to 70 riding lessons per week for 35 students between 7 am through 9 pm. We offer five lessons a day, with five or less students, five days a week. There are no significant changes to traffic, water consumption, or horse shows held on site, and all required permits have been submitted.

# PROPOSED CONDITIONS

5. **Ensure all horse wash stall waste water and high pressure barn/stable cleaning water is captured by the septic system and cannot pollute groundwater.**

Prior to permit approvals, consultation with a hydrologist is recommended to process data regarding precipitation, soils, grading plans, drainage patterns, runoff and infiltration rates, and fate and transport of contaminants, among other particulars of the site. This will yield a quantitative assessment of the potential for contamination due to wastes. Without such study having been conducted and measures taken to prevent contamination, the proposal poses a serious risk to the health and safety of neighboring property owners who rely on groundwater.

6. **The existing structures must be brought up to all current code standards including with respect to ADA and County Health Code standards.**

4. The proposal to modernize Silver Circle Ranch includes the construction of an indoor arena, which will enclose the existing outdoor arena closest to the road on the lowest level of the property, which will minimize any visual impact. The SUP will grant the grading of 6,000 cubic yards for our indoor riding arena, and the administrative permit will include our 11,580 square foot indoor riding

# PROPOSED CONDITIONS

7. **Indoor and outdoor clinics, shows, and other equestrian events are prohibited, except for four (4) outdoor events per year with 25 horse maximum, and each event cannot exceed 48 hours (no events on Sundays).**

- “Outdoor Entertainment” - spectator-type uses conducted in open or partially enclosed or screened facilities. Typical uses include...arenas...
  - Prohibited
- “Outdoor sports and recreation” - participant sports conducted in open or partially enclosed or screened facilities.
  - Requires a Special Use Permit



Silver Circle Ranch has not, and never will be, an events center.

# PROPOSED CONDITIONS

8. **Hours of operation for outdoor activities are limited to 7 AM – 6 PM.**
  
9. **Stadium lighting to be removed.**
  
10. **Loudspeakers and PA/public address systems are prohibited other than for the 4 events per year.**

TABLE OF USES (Commercial Use Types)  
(See Sections 110.302.10 and 110.302.15 for explanation)

Commercial Use Types (Section 110.304.25)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Limited Gaming Facilities	--	--	--	--	--	--	--	--	--	P	P	P	S <sub>2</sub>	--	--	--	--	--
Marinas	--	--	--	--	--	--	--	--	--	P	--	P	--	P	P	--	P	S <sub>2</sub>
Outdoor Entertainment	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	S <sub>2</sub>	--	S <sub>2</sub>	--	--	--
Outdoor Sports and Recreation	S <sub>2</sub>	P	P	P	P	S <sub>2</sub>	P	--	P	S <sub>2</sub>								
Outdoor Sports Club	S <sub>2</sub>	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	S <sub>2</sub>	P	--	S <sub>2</sub>	S <sub>2</sub>
Unlimited Gaming Facilities	--	--	--	--	--	--	--	--	--	--	--	S <sub>2</sub>	--	--	--	--	--	--
Communication Facilities																		

# PROPOSED CONDITIONS

11. ***This approval shall be reviewed by the Washoe County Board of Adjustment once a year for the next five (5) years to verify compliance with conditions of approval and impacts of operations.***

12. ***All parking related to this use shall be located on site. No vehicles or trailers may be parked on Lakeside Drive, Holcomb Ranch Lane, Dryden Drive, or in the shoulder.***

13. ***The required landscaping shall include evergreen trees that are a minimum of 8 feet tall planted every 10 feet along the front of the building facing Holcomb Ranch Lane and along the side of the building facing the driveway.***

# PROPOSED CONDITIONS

## **14. The Applicant's requests for waivers of the following shall not be permitted:**

- a) WCC 110.410.25(e): all paving requirements shall be followed at the entrance to the Property.
- b) WCC 110.412.40: all landscaping requirements shall be met.
- c) WCC 110.406.12(b) and 110.412.40(d): all screening requirements shall be met.

**Section 110.904.60 Requirement for Bringing a Nonconforming Use of Land or Nonconforming Use of a Structure into Compliance with the Provisions of the Development Code.** Except as provided for in this article, a nonconforming use of land or a nonconforming use of a structure shall be brought into conformance with the provisions of this Development Code at the time that a ministerial permit (e.g. building permit) is issued, or at the time that an approved discretionary permit (e.g. special use permit) becomes effective.

# SUMMARY OF CONDITIONS

- Mitigate denial by Board of Adjustment
- Consistent with Applicant's stated desire to "modernize" the facility, but "does not change what has been taking place at the facility."
- Consistent Washoe County Code provisions related to nonconforming uses and table of uses
- Mitigates findings by environmental consultant (Robison Engineering)
- Mitigate legal findings, specifically:
  - ***Issuance Not Detrimental. 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.***

1. The number of horses on site must be limited to 25 horses.
2. The building must be set back 100 feet from Holcomb Ranch Lane, no larger than 5,000 square feet and no taller than 26 feet at peak of the roof.
3. Manure and waste shall be stored in containers and not on the ground with paved access and suitable enclosure that accommodate ease of access and disposal. Manure and waste shall not be allowed to contaminate the adjacent ditch and groundwater. Manure shall be removed no less than every two weeks.
4. Ensure all horse wash stall waste water and high pressure barn/stable cleaning water is captured by the septic system and cannot pollute ground water.
5. The number of lessons shall never exceed 70 per week.
6. The existing structures must be brought up to all current code standards including with respect to ADA and County Health Code standards.
7. Indoor and outdoor clinics, shows, and other equestrian events are prohibited, except for 4 events per year with 25 horse maximum, and each event cannot exceed 48 hours.
8. Hours of operation for outdoor activities are limited to 7:00 am to 6:00 pm and not on Sundays.
9. Stadium lighting to be removed.
10. Loudspeakers and PA/public address systems are prohibited other than for the 4 events per year.
11. This approval shall be reviewed by the Washoe County Board of Adjustment once a year for the next two (2) years to verify compliance with conditions of approval and impacts of operations.
12. All parking related to this use shall be located onsite. No vehicles or trailers may be parked on Lakeside Drive, Holcomb Ranch Lane, Dryden Drive, or in the shoulder.
13. The required landscaping shall include evergreen trees that are a minimum of 8 feet tall planted every 10 feet along the front of the building facing Holcomb Ranch Lane and along the side of the building facing the driveway.
14. The Applicant's requests for waivers of the following shall not be permitted:
  - a. WCC 110.410.25(e): all paving requirements shall be followed at the entrances to the Property.
  - b. WCC 110.412.40: all landscaping requirements shall be met.
  - c. WCC 110.406.12(b) and 110.412.40(d): all screening requirements shall be met.

**THANK YOU**

# APPEAL OF FAVORABLE DECISION

- Appeal of favorable Board of Adjustment decision is required to preserve right to judicial review.
- Nevada Supreme Court has repeatedly held that NRS 278.3195(4) requires any person to have met two requirements to have standing in court:
  - (1) Must have appealed a decision from a lower body to the governing body; and
  - (2) Must be aggrieved by decision of governing body.
- Courts have dismissed appeals from governing body where the appellant did not appeal a favorable decision from the lower body to the governing body.
  - *E.g. Kay v. Nunez*, 122 Nev. 1100, 1104, 146 P.3d 801, 804-05 (2006); *Humboldt River Ranch Ass'n v. Pershing County Bd. Of Comm'rs*, 128 Nev. 904, 381 P.3d 622 (2012) (unpublished).