



WASHOE COUNTY BOARD OF ADJUSTMENT Meeting Minutes

Board of Adjustment Members

Rob Pierce, Chair
Don Christensen, Vice Chair
Kathie Julian
Peter Ghishan

Thursday, September 7, 2023

1:30 p.m.

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

Secretary

Trevor Lloyd

and available via
Zoom Webinar

1. Determination of Quorum

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

Members Present: Rob Pierce, Chair
Don Christensen, Vice-Chair
Kathie Julian
Peter Ghishan

Members Absent: None

Staff Present: Chris Bronczyk, Senior Planner, Planning and Building Division
Courtney Weiche, Senior Planner, Planning and Building Division
Katy Stark, Planner, Planning and Building Division
Michael Large, Deputy District Attorney, District Attorney's Office
Elizabeth Hickman, Deputy District Attorney, District Attorney's Office
Adriana Albarran, Recording Secretary, Planning and Building Division
Brandon Roman, Recording Secretary, Planning and Building Division

2. Pledge of Allegiance

Chair Pierce led the pledge of allegiance.

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Deputy District Attorney Michael Large noted Deputy District Attorney Elizabeth Hickman would take over for him as counsel for this board. Additionally, he said Member Clay Thomas tendered his resignation from the Board of Adjustment effective September 1. He encouraged anyone in District 3 who was interested in serving on this Board to contact Secretary Trevor Lloyd. He thanked Member Thomas for his service.

3. Ethics Law Announcement and Instructions for Providing Public Comment via Zoom/Telephone

Deputy District Attorney Elizabeth Hickman recited the Ethics Law standards.

4. Appeal Procedure

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

5. Public Comment

There was no response to the request for public comment.

6. Approval of the September 7, 2023 Agenda

Chair Pierce indicated Agenda Item 9.B. had been withdrawn.

In accordance with the Open Meeting Law, Member Julian moved to approve the agenda of September 7, 2023. Member Ghishan seconded the motion, which carried unanimously.

7. Approval of the August 3, 2023 Draft Minutes

Member Ghishan moved to approve the minutes of August 3, 2023 as written. Member Julian seconded the motion, which carried unanimously.

8. Planning Items

A. Resolution of Appreciation [For possible action] – For possible action to approve a resolution of Appreciation of Service for Brad Stanley and to authorize the Chair to sign the resolution on behalf of the Board of Adjustment.

Secretary Trevor Lloyd read the resolution and presented it to Mr. Stanley.

Mr. Stanley stated it was an honor to serve on the Board and said he learned a lot. He thanked staff for the updates they provided and Deputy District Attorney Large for his legal guidance.

Mr. Large praised Mr. Stanley for his service, saying he learned a great deal from him.

Mr. Lloyd commended Mr. Stanley for the challenging questions he raised. It was clear that Mr. Stanley loved the County, and he would be missed.

9. Public Hearing Items

A. Amendment of Conditions Case Number WAC23-0006 (Boron) – For hearing, discussion, and possible action to approve an amendment of conditions to amend condition 1(c) for Case Number WSUP21-0016, to extend the requirement that the building permit may be issued on or before July 8, 2025.

- Applicant: Graham Quinn
- Property Owner: Jupiter Gulch LLC
- Location: 125 Boron Lane
- APN: 079-430-11
- Parcel Size: 80.52 acres
- Master Plan: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: North Valleys
- Development Code: Authorized in Article 438, Grading; and Article 810, Special Use Permits

- Commission District: 5 – Commissioner Herman
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Senior Planner Courtney Weiche, filling in for Planner Olander, conducted a PowerPoint presentation and reviewed slides with the following titles: Request; map; Background; Site Plan; Evaluation of Amendment of Conditions (2 slides); Noticing; Reviewing Agencies & Findings; and Possible Motion for Amendment of Conditions. She mentioned the subject parcel had a general rural regulatory zone designation.

Member Julian asked whether any comments were received from the public. Ms. Weiche confirmed there were none.

Applicant Graham Quinn stated the project was started in 2021, but they needed to hold off after determining the pricing. Now that costs were stabilizing, the project had resumed, and the Building Department was ready to issue the permit.

There was no response to the request for public comment.

Deputy District Attorney Elizabeth Hickman clarified the relevant condition for this item was 1(b), not 1(c) as previously disclosed.

MOTION: Vice-Chair Christensen moved that Amendment of Conditions Case Number WAC23-0006 for Graham Quinn for Jupiter Gulch LLC be approved, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30. Member Julian seconded the motion, which carried unanimously.

Chair Pierce reiterated Agenda Item 9.B. was withdrawn.

C. Administrative Permit Case Number WADMIN23-0012 (Yohey DAS) – For hearing, discussion, and possible action to approve an administrative permit for a 2,400-sf detached accessory structure which is larger than the 2,210 square foot main residence.

- Applicant/Property Owner: Tyler & Jamie Yohey
- Location: 7475 Baldwin Way
- APN: 524-411-07
- Parcel Size: 2.614 acres
- Master Plan: Suburban Residential (SR)
- Regulatory Zone: Low Density Suburban (LDS)
- Area Plan: Spanish Springs
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 4 – Commissioner Andriola
- Staff: Kat Oakley, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3628
- E-mail: koakley@washoecounty.gov

Planner Katherine Stark conducted a PowerPoint presentation and reviewed slides with the following titles: 7475 Baldwin Way; Vicinity Map; Request (2 slides); Analysis; Reviewing Agencies; Public Notice; Findings; and Possible Motion.

Member Julian asked whether any comments were received from the community beyond the signatures included in the staff report. Ms. Stark confirmed there were none.

Member Ghishan brought up the condition added by the Truckee Meadows Fire Protection District (TMFPD) that the project meet all requirements including infrastructure for fire apparatus access roads and water supply. Ms. Stark confirmed Member Ghishan's assertion that these conditions were standard for the TMFPD.

Vice-Chair Christensen noted the parcel was in an island, and he wondered why it had not been annexed by the City of Sparks. Secretary Lloyd noted there were quite a few islands nearby, and they had only recently been removed from the Sparks sphere of influence. He believed they were not annexed primarily due to the inability to provide adequate service since they were on well and septic utilities.

There was no response to the call for public comment.

MOTION: Member Julian moved that Administrative Permit Case Number WADMIN23-0012 for Tyler and Jamie Yohey be approved, 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. Member Ghishan seconded the motion, which carried unanimously.

D. Special Use Permit Case Number WSUP23-0019 (Equisol Ranch) – For hearing, discussion, and possible action to approve a special use permit for a commercial stable conducting therapeutic riding and equine assisted services to individuals with physical, cognitive, and social/emotional special needs. A maximum of 10 horses are proposed, with a maximum of 60 participants within a week. A new 36' by 48' barn and standalone accessible bathroom facilities are proposed. The applicants also request to vary WCC 110.412.40(c)(1), 110.412.60(g)(5), WCC 110.412.40(b), and WCC 110.410.15(c)(3) to modify certain landscaping and parking requirements.

- Applicant/Property Owner: Alexandra Whittey
- Location: 11420 Fir Dr
- APN: 080-277-04
- Parcel Size: 2.113 acres
- Master Plan: Suburban Residential
- Regulatory Zone: Low Density Suburban
- Area Plan: North Valleys
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 5 – Commissioner Herman
- Staff: Kat Oakley, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3628
- E-mail: koakley@washoecounty.gov

Senior Planner Chris Bronczyk conducted a PowerPoint presentation and reviewed slides with the following titles: 11420 Fir Dr; Vicinity Map; Request (2 slides); Analysis; Site Details; Request

to Vary WCC 110.410.15(c)3; Request to Vary WCC 110.412.40(c)1; Request to Vary WCC 110.412.60(g)5; Request to Vary WCC 110.412.40(b); Reviewing Agencies; Public Notice; Findings; and Possible Motion.

Mr. Bronczyk mentioned the request was for a therapeutic riding facility and included no boarding. The proposed operating hours were from Tuesday to Saturday from 7:00 a.m. to 7:00 p.m. by appointment only. The proposal would only result in an increase of 14 average daily vehicle trips. He said a neighborhood meeting was held on June 13 and two people attended, both supporting the project. He added no public comments were received on this item. He noted everything about the project would meet code aside from the deviations covered in the presentation. Water would be used for dust control, and no formal comments were provided by the Air Quality Department.

Mr. Bronczyk clarified the request to vary WCC 110.412.40(c)1 should have included condition 1.i, not 1.g. An amended condition was proposed to add the following language: "A five-foot-wide landscaping strip shall be required adjacent to the northern edge of the fire loop". That language was intended to ensure that the 30-foot landscaping buffer was met, and it was a mitigation effort by Planner Katherine Oakley. He believed all Members should have received the amended condition language.

Mr. Bronczyk indicated the variance request for WCC 110.412.60(g)5 was the only condition not supported by staff. He added the condition of 1.i listed for the WCC 110.412.40(b) was also an incorrect condition number. He highlighted staff's recommendation that any motion reflect the amended condition he discussed earlier.

In response to Member Julian's query about the northern landscaping buffer, Mr. Bronczyk stated there would be a 5-foot landscape buffer along the northern portion of the fire lane. The primary property that would be impacted was to the south. He noted the 20-foot access, and the two 5-foot landscape buffers would result in the required 30-foot buffer.

Member Ghishan asked whether horses would be housed on the property. Mr. Bronczyk said he understood the owner owned the horses; horse boarding would only come into play if more than three horses owned by other people were expected to stay at the property for extended periods of time. He additionally confirmed the owner would be the caretaker of the house.

Member Ghishan stated his understanding that the Board of Adjustment was only expected to contemplate the special use permit (SUP) and did not need to consider any requirements from the reviewing agencies. Mr. Bronczyk affirmed much of that would take place at the building permit stage, though the manure plan would need to be approved by the Washoe County Health Department. He commented that the owners would be bound to the requirements, such as the manure plan, for the length of the SUP. Any amendments would go through the agency which reviewed that portion. In response to another query by Member Ghishan, Mr. Bronczyk said he did not know the identity of the two attendees of the neighborhood meeting.

Via Zoom, applicant Alexandra Whittey indicated a manure management system was already in place; a dumpster of waste was removed by Waste Management weekly.

Member Ghishan asked whether the property's southern neighbor attended the neighborhood meeting. Ms. Whittey said they did not, nor did they provide any comments on the proposal.

There was no response to the call for public comment.

MOTION: Member Ghishan moved that Special Use Permit Case Number WSUP23-0019 for Alexandra Whittey be approved with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30.

It was further moved that development code standard WCC 110.412.40(c)1 be varied to allow a 5' wide landscaping buffer along the southern property line along the fire loop road as shown in the site plan as amended in condition 1(i); development code standards in WCC 110.412.40(b) be varied to allow a 12' wide landscaping buffer along the northern property line; and WCC 110.410.15(c)3 be varied to allow a 5' wide ADA van space access aisle. Vice-Chair Christensen seconded the motion, which carried unanimously.

9. Chair and Board Items

A. Future Agenda Items

Secretary Trevor Lloyd announced there would be a joint training with the Planning Commission on Monday, September 18 from 10 a.m. to noon.

B. Requests for Information from Staff

Chair Pierce requested water for future meetings.

Chair Pierce wished Recording Secretary Adriana Albarran a happy birthday and welcomed Deputy District Attorney Elizabeth Hickman.

Member Ghishan pointed out two items were not approved at the last Board of Adjustment meeting, and he wondered whether Members would be notified when those matters would be considered by the Planning Commission or the Board of County Commissioners (BCC).

Secretary Lloyd said both items were appealed to the BCC, but dates were not yet scheduled. Deputy District Attorney Michael Large believed the item pertaining to a garage was scheduled for September 12 and the Safe Embrace item would be scheduled toward the end of October.

10. Director's and Legal Counsel's Items

A. Report on Previous Board of Adjustment Items

There was no report.

B. Legal Information and Updates

There were no updates.

11. Public Comment

There was no response to the request for public comment.

12. Adjournment

The meeting adjourned at 2:17 p.m.

Respectfully submitted by Derek Sonderfan, Independent Contractor

Approved by Board in Session on October 26, 2023



Trevor Lloyd
Secretary of the Board of Adjustment