

#### **Board of Adjustment Staff Report**

Meeting Date: March 2, 2023 Agenda Item: 8B

ADMINISTRATIVE PERMIT CASE NUMBER:	WADMIN23-0002 (La Croix Barn)
BRIEF SUMMARY OF REQUEST:	To allow a detached accessory structure larger than the main residence
STAFF PLANNER:	Julee Olander, Planner
	Phone Number: 775.328.3627
	E-mail: jolander@washoecounty.gov

#### **CASE DESCRIPTION**

For hearing, discussion, and possible action to approve an administrative permit for a ±2,867 SF detached accessory structure that is larger than the existing ±2,490 SF main residence.

Applicant/Owner: Elizabeth La Croix Location: 13945 Red Rock Road

APN: 079-332-28
Parcel Size: 12.64 acres
Master Plan: Rural (R)

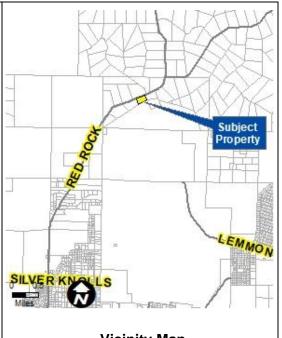
Regulatory Zone: General Rural (GR)

Area Plan: North Valleys

Development Code: Authorized in Article 306,

Accessory Uses and Structures and Article 808, Administrative Permits

Commission District: 5 – Commissioner Herman



#### **Vicinity Map**

#### 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 WADMIN23-0002 for Elizabeth La Croix, 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 8)

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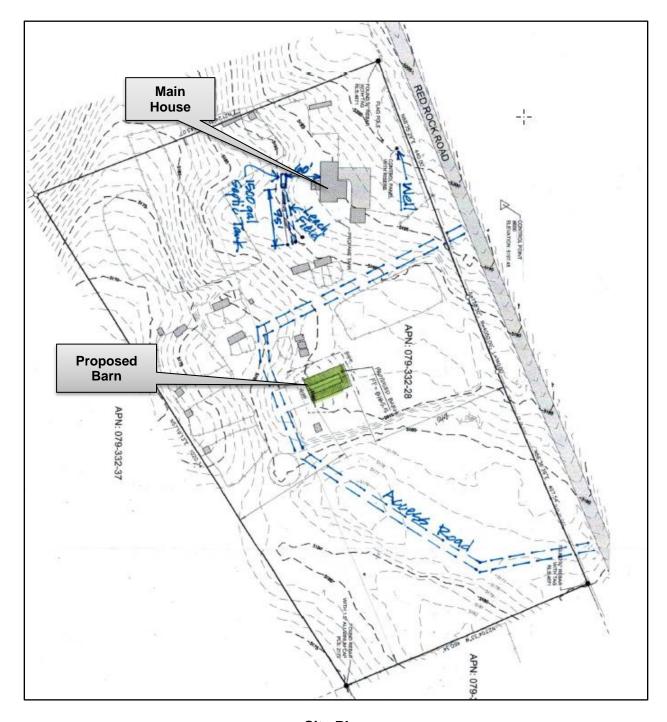
Conditions of Approval	Exhibit A
Agency Comments	Exhibit E
Noticing Map	Exhibit C
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#### **Administrative Permit Definition**

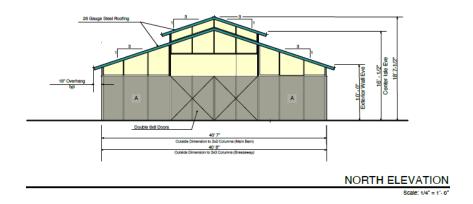
The purpose of an administrative permit is to provide a method of review for a proposed use which possess characteristics that requires a thorough appraisal in order to determine if the use has the potential to adversely affect other land uses, transportation or facilities in the vicinity. The Board of Adjustment or the Hearing Examiner 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.

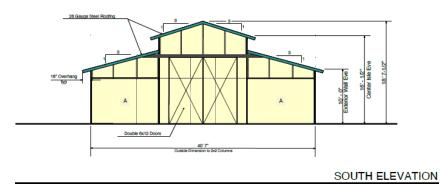
The conditions of approval for Administrative Permit Case Number WADMIN23-0002 is attached to this staff report and will be included with the action order.

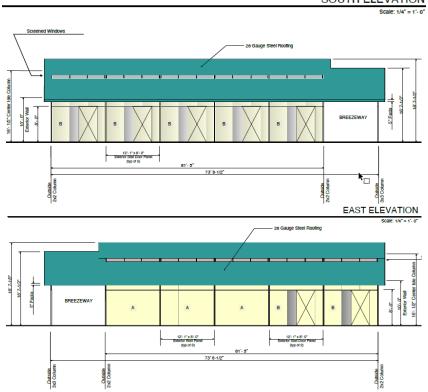
The subject property is designated as General Rural (GR) in the North Valleys Area Plan. Accessory structures that are larger than the main residence are permitted within the GR regulatory zone. However, when a parcel is less than 40 acres in size the structures are subject to approval of an administrative permit per Washoe County Code 110.306.10(d). The applicant has applied for an administrative permit per Washoe County Code Article 306, which meets this requirement.



Site Plan

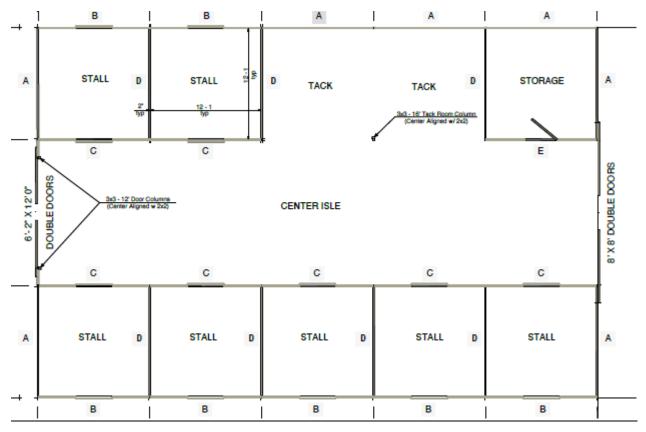






**Elevations** 

WEST ELEVATION



Floor Plan

#### **Project Evaluation**

The applicant is requesting an administrative permit to approve a ±2,867 SF detached accessory structure on a ±12.64 acre parcel of land where a ±2,490 SF main residence is located. An administrative permit is required per Washoe County Code 110.306.10(d), for an accessory structures that is larger than the main residence.

An administrative permit is not required for a detached accessory structure that is larger than the main house when the parcel's regulatory zoning is general rural (GR) and the parcel is 40 acres or more. However, the applicant's parcel is ±12.64 acres and an administrative permit is required for a detached accessory structure that is larger than the main house.

The parcel has a regulatory zone of GR as do the surrounding parcels. The size of the  $\pm 12.64$  acre parcel requires the structure to comply with the minimum low density rural (LDR) requirements, per Washoe County 110.306(a)(7). The setbacks for LDR are 30 feet in the front and rear and 50 feet on the sides, with a 35-feet height requirement. The proposed structure will meet the setbacks and the height of the building will be 18'  $7\frac{1}{2}$ " (See Elevations on page 5). The allowed lot coverage is based on the total building footprint on the lot and "shall not exceed ten percent of the total lot acreage or 80,000 square feet, whichever is less" per Washoe County code. The total square footage of the existing and proposed building is  $\pm 5,933$  SF, which is less than 8,000 SF and 10% of the 12.64 acres parcel.

The parcel is relatively flat and the proposed detached accessory structure will be located in the center of the parcel (See the site plan on page 4). The applicant indicates that the structure will

be used as a barn, with 8 stalls and a tack area (See Floor Plan above). The barn will not have electricity or be connected to water. The structure is a prefabricated metal barn and walls are painted light grey and the roof is forest green. The main residence is painted a darker grey with white trim, with a dark grey composition shingle roof. The house and barn are approximately 300 feet apart.

#### **North Valleys Area Plan**

The subject parcel is located within the North Valleys Area Plan. There are no other relevant policies related to detached accessory structures.

#### **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
Washoe County Engineering & Capital Projects	x	x		Robert Wimer, rimer@washoecounty.gov
Washoe County Land Development (All Apps)	Х			
Washoe County Sewer	Х			
Washoe County Water Rights Manager (All Apps)	x	x		Timber Weiss, tweiss@washoecounty.gov
WCHD Environmental Health	х			James English, jenglish@washoecounty.gov
TMFPD	Х	х	х	Dale Way, dway@tmfpd.us; Brittany Lemon, BLemon@tmfpd.us

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 policies, action programs, standards, and maps of the Master Plan and the North Valleys Area Plan. Washoe County Code Article 306 requires the applicant applied for an administrative permit for a detached accessory structure that is larger than the main residence.
- (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 detached

- accessory structure will not be connect to utilities. The proposed project was reviewed by relevant agencies and conditions were provided that are necessary to meet applicable Code requirements.
- (c) <u>Site Suitability.</u> That the site is physically suitable for detached accessory structure and for the intensity of such a development.
  - <u>Staff Comment:</u> The site is relatively flat and physically suitable for a detached accessory structure. The area is rural with livestock and the proposed horse barn is suitable for the site. There is a residence on the site and the detached accessory structure will not be a significant intensification to the site.
- (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 subject property is located in a rural area, with large lots. Other parcels in the area have outbuildings and livestock. The proposed barn 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> There is no military installation in the required noticing distance of the proposed structure; therefore, this finding is not required to be made.

#### Recommendation

After a thorough analysis and review, Administrative Permit Case Number WADMIN23-0002 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

#### **Motion**

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve Administrative Permit Case Number WADMIN23-0002 for Elizabeth La Croix, 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 accessory structure 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 / Property Owner: Elizabeth La Croix; <a href="mailto:lacroixel@yahoo.com">lacroixel@yahoo.com</a>



#### **Conditions of Approval**

#### Administrative Permit Case Number WADMIN23-0002

The project approved under Administrative Permit Case Number WADMIN23-0002 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on March 2, 2023. 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. These conditions do not 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.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies:

• The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District.

Any conditions set by the Health District must be appealed to the District Board of Health.

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 - Julee Olander, Planner, 775.328.3627, jolander@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.

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

2. 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, Title, 775.326.6079, blemon@tmfpd.us

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. https://tmfpd.us/fire-code/

#### 3. Washoe County Health District- Environmental

The following conditions are requirements of the Health District, which shall be responsible for determining compliance with these conditions.

#### Contact Name – James English, EHS Supervisor, 775.328.2434 <u>jenglish@washoecounty.gov</u>

- a. Application shows a site plan but no locations of the domestic well or onsite sewage disposal system (OSDS) the barn must meet all setbacks for both the well and OSDS including repair areas for installation.
- b.: If the administrative permit is approved all construction plans for the parcel must be routed to WCHD for review and approval.

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



#### INTEROFFICE MEMORANDUM

DATE: January 23, 2023

TO: Julee Olander, Planner, Planning and Building Division

FROM: Robert Wimer, P.E., Engineering and Capital Projects Division

SUBJECT: WADMIN23-0002

APN 079-332-28

La Croix Detached Barn

#### **GENERAL PROJECT DISCUSSION**

Washoe County Engineering staff has reviewed the above referenced application. The Engineering and Capital Projects Division recommends approval.





 From:
 Lemon, Brittany

 To:
 Olander, Julee

 Cc:
 Way, Dale

Subject: WADMIN23-0002 (LaCroix Barn) Conditions of Approval

**Date:** Thursday, January 19, 2023 2:00:55 PM

Attachments: <u>image001.png</u>

Hi Julee,

"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."

https://tmfpd.us/fire-code/.

This parcel is located in a high Fire Hazard Severity Zone and has non-conforming water. If the owners can maintain a minimum of 50 feet of defensible space, IR1 construction is acceptable.

The plans do not state whether this is for private use or for rental of stalls, etc. We would want the use identified prior to plan approval.

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"



January 26, 2023

Washoe County Community Services Planning and Development Division

RE: LaCroix Barn; 079-332-28

Administrative Permit; WADMIN22-0002

Dear Washoe County Staff:

The following conditions are requirements of the Washoe County Health District, Environmental Health Division, which shall be responsible for determining compliance with these conditions.

#### Contact Name - James English - jenglish@washoecounty.us

- a) Condition #1: The WCHD has reviewed the application, the project is proposed on a property that is served by onsite sewage disposal system and residential domestic well.
- b) Condition #2: WCHD does not have a concern with proposed barn being larger than the existing main residence.
- c) Condition #3: Application shows a site plan but no locations of the domestic well or onsite sewage disposal system (OSDS) the barn must meet all setbacks for both the well and OSDS including repair areas for installation.
- d) Condition #3: If the administrative permit is approved all construction plans for the parcel must be routed to WCHD for review and approval based on Condition #3.

If you have any questions or would like clarification regarding the foregoing, please contact James English, EHS Supervisor at jenglish@washoecounty.us regarding all Health District comments.

Sincerely,

James English REHS EHS Supervisor

Environmental Health Services Washoe County Health District

From: Weiss, Timber A. To: Olander, Julee Cc: Behmaram, Vahid

Subject: No water right comments for WADMIN23-0002 Date: Tuesday, January 24, 2023 9:58:15 AM

Attachments: image001.png

image002.png image003.png image004.png image005.png

Hello,

No water right comments for WADMIN23-0002.

Thank you,



#### **Timber Weiss, PE | Professional Engineer**

#### **Engineering & Capital Projects Division | Community Services Department**

1001 E. 9th Street, Bldg A Reno, NV 89512

tweiss@washoecounty.gov | Office Voice Mail: 775.954.4626 or 775.433.0769

Visit us first online: <a href="https://www.washoecounty.us/csd">www.washoecounty.us/csd</a>

For additional information, email <a href="mailto:emai

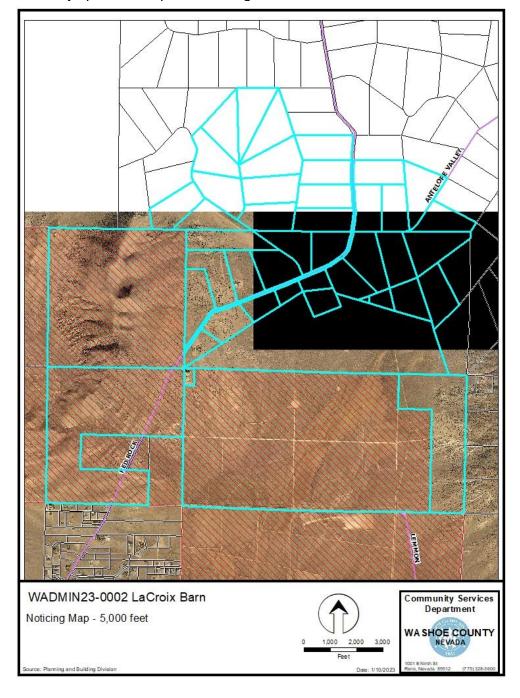






#### **Public Notice**

Washoe County Code requires that public notification of an Administrative Permit 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. This proposal was noticed within a 500-foot radius of the subject property, noticing 39 separate property owners a minimum of 10 days prior to the public hearing date.



Public Notice Map

Administrative Permit Case Number WADMIN23-0002

#### **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.

Project Information	S	staff Assigned Case No.:	
Project Name: Barn	Constru	ction	
Project Construct an accessory building being a prefabricated barn			
Project Address: 13945 Red Rock Rd.			
Project Area (acres or square fe	et): 12.64a	L	
Project Location (with point of re	5 395		
Assessor's Parcel No.(s):	Parcel Acreage:		Derect Assesses
079-332-29	12.64	Assessor's Parcel No.(s):	Parcel Acreage:
011 272 120	12.09		
Indicate any previous Washoe County approvals associated with this application:  Case No.(s).			
Applicant Inf	ormation (attach	additional sheets if necess	ary)
Property Owner:	,	Professional Consultant:	
Name: Elizabeth l	acroix	Name:	
Address: 13945 Red !	ROCK Rd	Address:	
Reno, NV	Zip: 89508		Zip:
Phone:	Fax:	Phone:	Fax:
Email:   acroixe @ yo	choo.com	Email:	
Cell: 775-781-9417	Other:	Cell:	Other:
Contact Person:		Contact Person:	
Applicant/Developer:		Other Persons to be Contact	ed:
Name:		Name: Daniel MG	111
Address:		Address: P.O. Box 712	12
	Zip:		Zip: 89570
Phone:	Fax:	Phone: 775-852-4466	Fax:
Email:		Email: dannegill@pv	odiqy, net
Cell:	Other:	Cell: 775-742-4422	Other:
Contact Person:		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

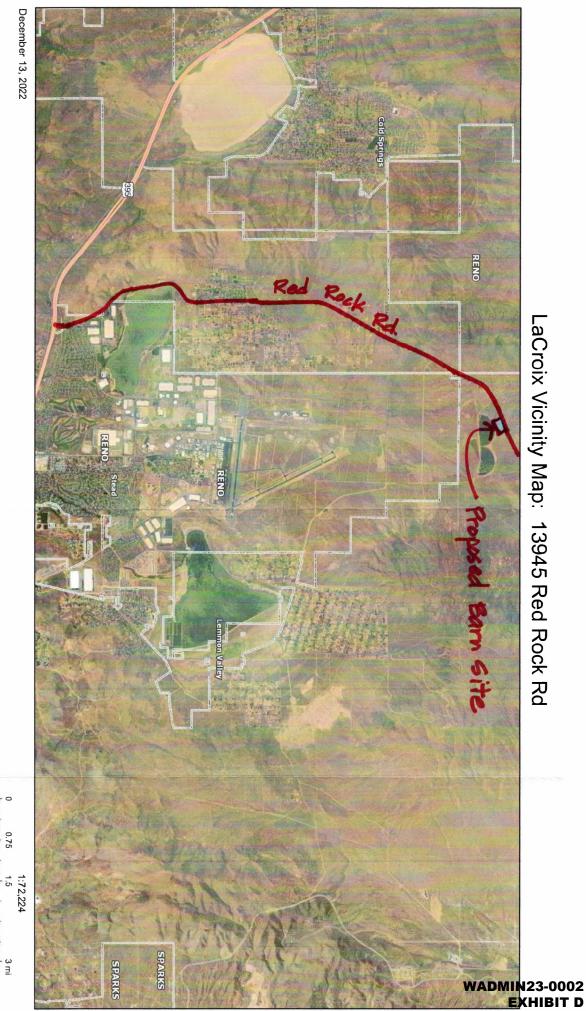
(All required information may be separately attached)

	(/ in required information may be departately attached)
1.	What is the type of project or use being requested?
	Accessory Structure Exceeds Area of House
2.	What section of the Washoe County code requires the Administrative permit required?
	110.306.10 (d)
3.	What currently developed portions of the property or existing structures are going to be used with this permit?
	Existing Residence and various equestrian facilities
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?
	New Barn Construction / 6 mo. const.
5.	Is there a phasing schedule for the construction and completion of the project?
	<i>№</i> .
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?
	there are numerous existing similar structures located nearby.
7.	What are the anticipated beneficial aspects or effect your project will have on adjacent properties and the community?
	The proposed structure with blends perfectly with the existing rural equestrian nature of the area
8.	What will you do to minimize the anticipated negative impacts or effect your project will have on adjacent properties?
	There are no negative impacts. The structure will be constructed Uts' from Red Pock Rd.
9.	Please describe any operational parameters and/or voluntary conditions of approval to be imposed on the administrative permit to address community impacts.

7

ndicate location on s		ubs, trees,	fencing, painting scheme	e, etc.) are proposed? (P
N/A	,			
width, construction m	aterials, color	s, illumination	on methods, lighting inte	eet, show a depiction (hensity, base landscaping, ion of signs and lights or
NA				
			conditions, or deed restr quest? (If so, please atta	rictions (CC&Rs) that ap
☐ Yes			Mo No	
Jtilities:				
a. Sewer Service		N/A	trictic not a	artot new conc
b. Water Service		NIA	existing has be	11
		17/1		
Requirements, requir	es the dedica	tion of wate	•	, Water and Sewer Resonty. Please indicate the puired:
c. Permit #			acre-feet per year	
d. Certificate #			acre-feet per year	
e. Surface Claim #			acre-feet per year	
f. Other, #			acre-feet per year	
	(as filed with	the State	Engineer in the Division	n of Water Resources of

# LaCroix Vicinity Map: 13945 Red Rock Rd

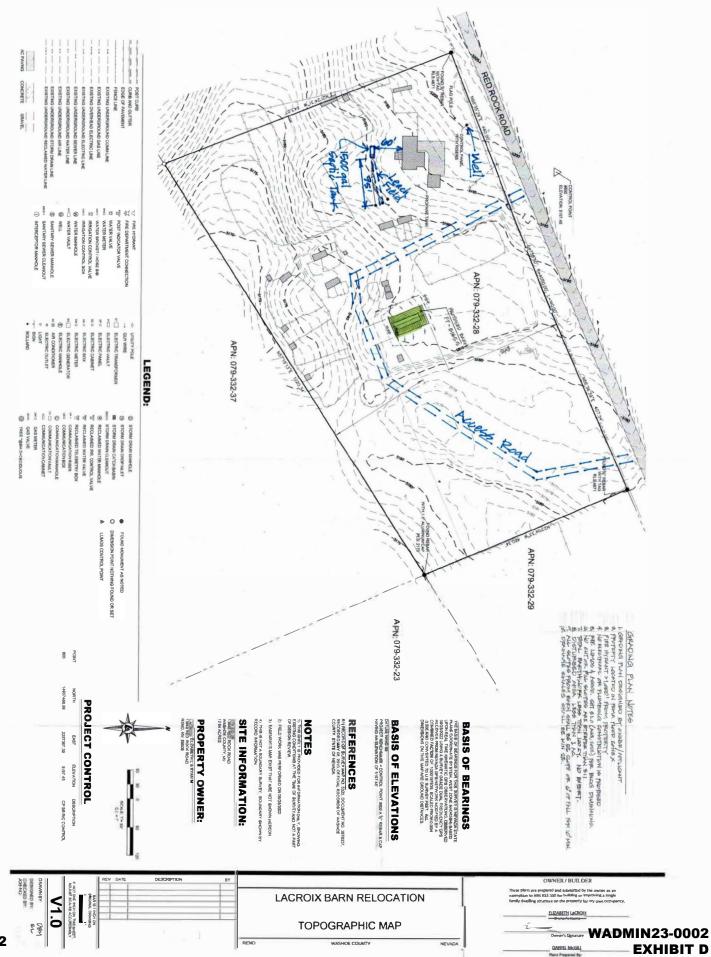


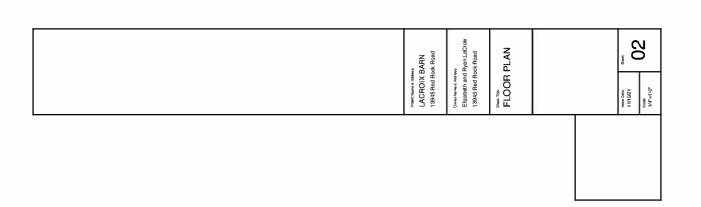
Washoe County GIS
Source: Esri, Maxar, Earthstar Geographics, and the GIS User
Community

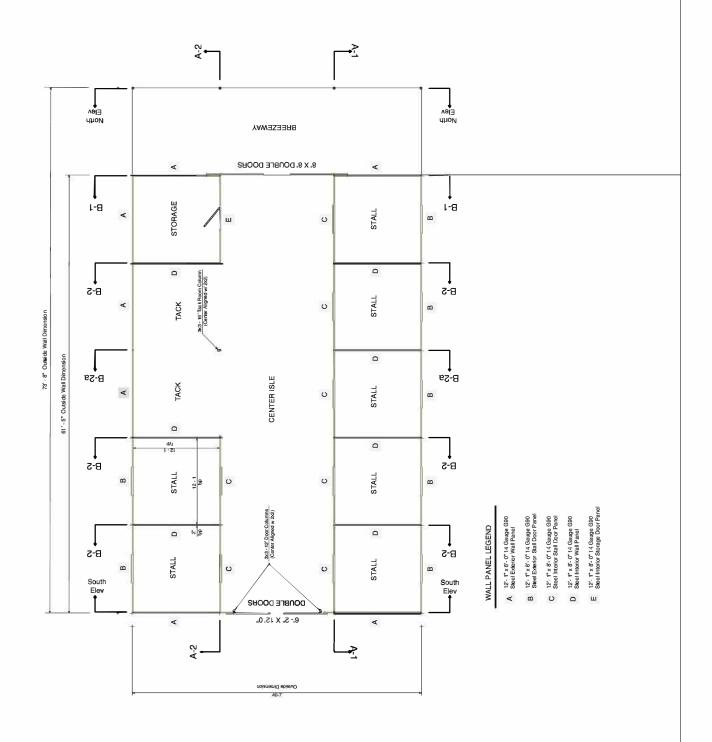
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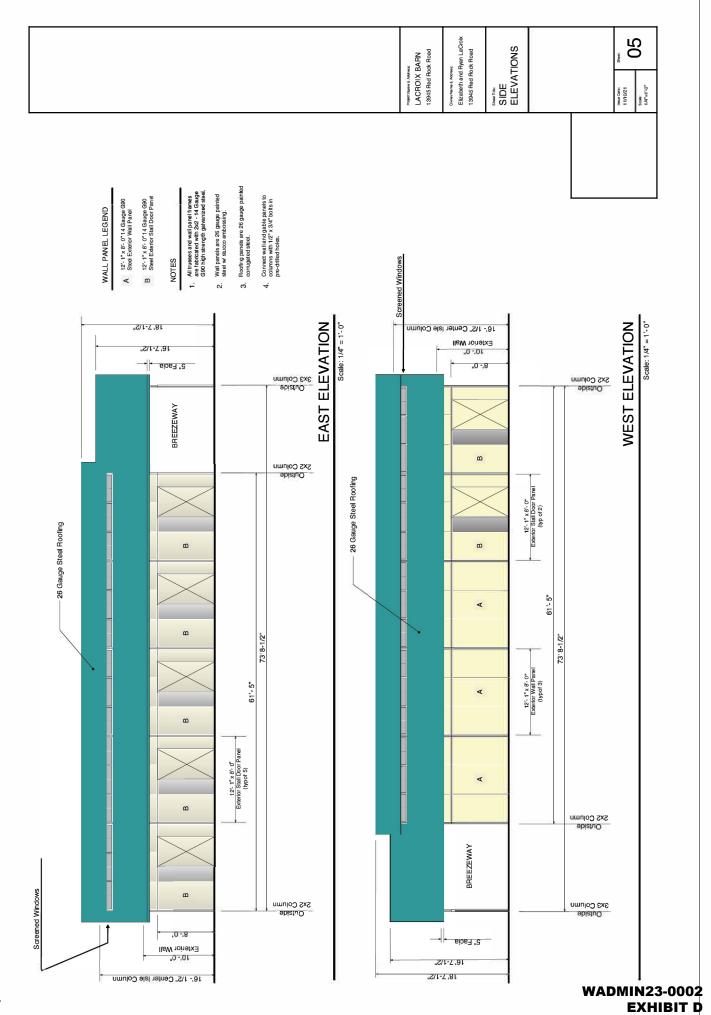
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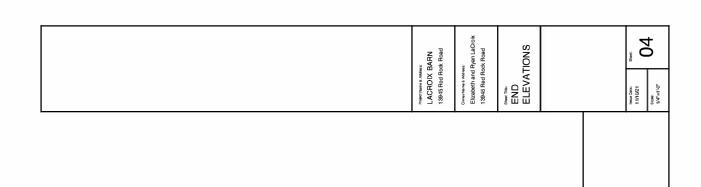
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## A 12'-1" x 8'- 0" 14 Gauge G90 Sie el Exterior Wall Panel NOTES

WALL PANEL LEGEND

26 Gauge Steel Roofing

- All trusses and wall panel frames are fabricated with 2x2 14 Gauge G90 high strength galvanized steel
  - 2. Wall panels are 26 gauge painted sleel w/ stucco embossing.

16' - 1/2" Center Isle Eve 18' 7-1/2"

Exterior Wall Eve

- 3. Roofing panels are 26 gauge painted comgated steel.

Connect wall and gable panels to columns with 1/2" x 3/4" bolts in pre-drilled holes.

# NORTH ELEVATION Scale: 1/4" = 1'- 0"

40° 7"

Oulside Dimension to 2x2 Columns (Main Barn)

40° 8"

Outside Dimension to 3x3 Columns (Breezeway)

Double 8x8 Doors

