Board of Adjustment Staff Report



Meeting Date: May 4, 2023

Agenda Item: 8E

SPECIAL USE PERMIT CASE NUMBER:	WSUP22-0033 (Mason Family Trust)
BRIEF SUMMARY OF REQUEST:	Allow construction of a detached accessory dwelling.
STAFF PLANNER:	Courtney Weiche, Senior Planner Phone Number: 775.328.3608 E-mail: cweiche@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve a special use permit to allow a \pm 584 sq. ft. detached accessory dwelling unit on a parcel with the regulatory zoning of medium density suburban (MDS) as required by Washoe County Code 110.306.25.

Property Owner:	Robert and Shari Mason Family Trust
Location:	7295 Lingfield Drive
APN:	051-561-08
Parcel Size:	15,158 square feet
Master Plan:	Suburban Residential
Regulatory Zone:	Medium Density Suburban
Area Plan:	Southeast Truckee Meadows
Development Code:	Authorized in Article 810, Special Use Permits
Commission District:	4 – Commissioner Andriola



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 with conditions Special Use Permit Case Number WSUP22-0033 for Mason Family Trust, 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.

(Motion with Findings on Page 8)

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Special Use Permit

The purpose of a special use permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the special use permit, that approval is subject to conditions of approval. Conditions of approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e. a grading permit, a building permit, etc.)
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure
- 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 business or project.

The conditions of approval for Special Use Permit Case Number WSUP22-0033 are attached to this staff report and will be included with the action order.

The subject property is designated as medium density suburban (MDS). The proposed use of detached accessory dwelling unit which is classified as a residential use is permitted in MDS with a special use permit per WCC Table 110.302.05.1. and WCC 110.306.25. Therefore, the applicant is seeking approval of this SUP from the Board of Adjustment.



Site Plan



Project Evaluation

The applicant is requesting a special use permit to approve a proposed one-story (with an open ceiling to the upper floor) detached accessory dwelling approximately 584 square feet in size, to be located at 7295 Lingfield Drive in Hidden Valley. The parcel has an existing 2,400 square foot

single family residence. The parcel has a regulatory zone of medium density suburban (MDS); a special use permit is required for detached accessory dwellings in the MDS regulatory zone per WCC Table 110.302.05.1 and 110.306. 25.

The detached accessory dwelling (DAD) would include one loft bedroom, a bathroom, kitchen and living room (See floor plans above). The existing residence has a four-car garage. The required parking for a single-family dwelling is two spaces, one of which must be in an enclosed garage. A detached accessory dwelling requires one additional parking space. A total of three parking spaces are required for the combined uses, which is one less than the existing parking on site.

The subject parcel is served by a municipal water and sewer. The parcel receives water service from Truckee Meadows Water Authority (TMWA). Conditions of approval require the applicant to provide a letter of acknowledgement from TMWA which indicates the adequacy of water rights to support the DAD. The setbacks for MDS are 20 feet in the front and rear and 8 feet on the sides, the proposed location of the DAD meets the MDS setback requirements.

Area Plan Evaluation

The subject parcel is located within the Southeast Truckee Meadows Area Plan. The following is the pertinent policy from the Area Plan:

Relevant Area Plan Policies Reviewed

Policy	Brief Policy Description	Complies	Condition of Approval
110.212.05a	Max. 2 units/acre	Yes	No

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 Building & Safety	х			
Washoe County Engineering & Capital Projects	х	x	x	Rob Wimer, rwimer@washoecounty.gov
Washoe County Land Development (All Apps)	х			
Washoe County Sewer	Х			
Washoe County Traffic	Х			
Washoe County Water Rights Manager (All Apps)	х	x	х	Timber Weiss, tweiss@washoecounty.gov
WCHD EMS	Х	Х		
WCHD Environmental Health	х	x		James English, jenglish@washoecounty.gov
TMFPD	х	Х	Х	Brittany Lemon, BLemon@tmfpd.us
Regional Transportation Commission2	х			

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

Staff Comment on Required Findings

WCC Section 110.810.30, Article 810, *Special Use Permits*, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the request. Staff has completed an analysis of the special use permit 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 Southeast Truckee Meadows Area Plan.

<u>Staff Comment:</u> The application request is consistent with Master Plan and the Southeast Truckee Meadows 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.

<u>Staff Comment:</u> The proposed detached accessory dwelling unit will connect to the existing services, including sewer service, water service and power that are used by the existing residence on the site.

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

<u>Staff Comment:</u> The parcel is being used for residential housing and the proposed detached accessory dwelling unit will be constructed to meet all Washoe County codes. The detached dwelling unit will meet the setbacks for the MDS regulatory zone.

(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 site has a residence on the property, as doing the surrounding properties. The addition of a detached accessory dwelling unit will have minimum impact to the 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.

Staff Comment: There are no military installations in the area.

Recommendation

After a thorough analysis and review, Special Use Permit Case Number WSUP22-0033 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 Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number WSUP22-0033 for Mason Family Trust, 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:

- (a) <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southeast Truckee Meadows 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 accessory dwelling, 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 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 applicant.

Property Owner:

Robert and Shari Mason sharilmason@gmail.com

Representatives: Susan Pansky Planning sdpansky@gmail.com



Conditions of Approval

Special Use Permit Case Number WSUP22-0033

The project approved under Special Use Permit Case Number WSUP22-0033 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on May 4, 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.

<u>Unless otherwise specified</u>, all conditions related to the approval of this special use 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 special use 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 special use permit may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this Special Use 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 Planning and Building, which shall be responsible for determining compliance with these conditions.

Contact Name – Courtney Weiche, Senior Planner, 775.328.3608, <u>cweiche@washoecounty.gov</u>

- 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 special use permit.
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit.
- 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.
- 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.

- d. Construction hours are 7am to 7pm Monday through Saturday.
- e. The design of the detached accessory dwelling shall be architecturally compatible with the primary residence and plant one additional tree.

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 – Jennifer Heeran, Senior Engineer, 775.328.3603, jheeran@washoecounty.gov

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Robert Wimer, P.E. (775) 328-2059, rwimer@washoecounty.gov

a. The following note shall be added to the construction drawings; "All properties, regardless if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitch Fink, (775) 328-2050, mfink@washoecounty.gov

b. The Regional Road Impact Fee (RRIF) will be charged at the multi-family rate for one unit with the building permit for the accessory dwelling.

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 Marshall, 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>

Washoe County Water Management Planner Coordinator

- The following conditions are requirements of Washoe County Water Management Planner Coordinator, who shall be responsible for determining compliance with these conditions.
 Contact Name - Timber Weiss, 775.328.3699, <u>tweiss@washoecounty.gov</u>
 - a. The parcel is currently receiving water service from the Truckee Meadows Water Authority (TMWA). The applicant shall provide a letter of acknowledgement from TMWA which will indicate the adequacy of water rights to support the Detached Dwelling. Please upload this document to the building permit for this structure. TMWA may require additional water rights, or if there are sufficient water rights to support the Detached Dwelling, TMWA will simply issue a letter indicating no additional water rights are necessary.

*** End of Conditions ***



Date: March 20,2023

To: Courtney Weiche, Senior Planner

From: Robert Wimer, P.E., Licensed Engineer

Re: Special Use Permit for *Mason DADAR WSUP22-0033* APN 051-561-08

GENERAL PROJECT DISCUSSION

Washoe County Engineering staff has reviewed the above referenced application. The Special Use Permit is for the construction of a detached accessory dwelling and is located on approximately 0.348 acres in Hidden Valley, near the intersection of Pembroke Drive and Parkway Drive. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the site and the application prepared by Susan Pansky Planning. The County Engineer shall determine compliance with the following conditions of approval.

For questions related to sections below, please see the contact name provided.

GENERAL CONDITIONS

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

1. No general engineering conditions.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

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

 The following note shall be added to the construction drawings; "All properties, regardless if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitch Fink, (775) 328-2050

1. The Regional Road Impact Fee (RRIF) will be charged at the multi-family rate for one unit with the building permit.

Weiche, Courtney

From:	Lemon, Brittany
Sent:	Monday, November 28, 2022 8:23 AM
То:	Weiche, Courtney
Cc:	Way, Dale
Subject:	WSUP22-0033 (Mason DADAR) Conditions of Approval

Good Morning Courtney,

"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>.

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



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WASHOE COUNTY COMMUNITY SERVICES

INTEGRITY COMMUNICATION SERVICE

1001 E. 9th St. Reno, NV 89512 Phone: (775) 328-3600 Fax: (775) 328-3699

March 29, 2022

TO: Courtney Weiche, Senior Planner, CSD, Planning & Development Division

FROM: Timber Weiss, Licensed Engineer, CSD

SUBJECT: Special Use Permit Case Number WSUP22-0033 (Mason DAD)

Project description:

For hearing, discussion, and possible action to approve a special use permit for a proposed twostory detached accessory dwelling approximately 584 square feet in size, to be located at 7295 Lingfield Drive in Hidden Valley. A Special Use Permit is required because the subject property is located in the Medium Density Suburban (MDS) zoning district. Location: 7295 Lingfield Drive APN: 051-561-08.

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

The parcel is currently receiving water service from the Truckee Meadows Water Authority (TMWA). The applicant shall provide a letter of acknowledgement from TMWA which will indicate the adequacy of water rights to support the Detached Dwelling.

TMWA may require additional water rights or if there is sufficient water rights to support the Detached Dwelling, TMWA will simply issues a letter indicating no additional water rights are necessary.





November 29, 2022

Washoe County Community Services Planning and Development Division

RE: Mason DADAR; 051-561-08 Special Use Permit; WSUP22-0033

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 community water and sewerage systems.
- b) Condition #2: WCHD does not have a concern with proposed detached accessory dwelling.

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,

Jarnes English, REH

EHS Supervisor Environmental Health Services Washoe County Health District



WSUP22-0033 EXHIBIT B

Public Notice

Washoe County Code requires that public notification for a special use 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 51 separate property owners were noticed a minimum of 10 days prior to the public hearing date.



Public Notice Map WSUP22-0033 Case Number (Mason)

INTRODUCTION

This application is for a **Special Use Permit** for a proposed one-story detached accessory dwelling approximately 584 square feet in size, to be located at 7295 Lingfield Drive in Hidden Valley. A Special Use Permit is required because the subject property is located in the Medium Density Suburban (MDS) zoning district.

PROJECT LOCATION

The subject property is located at 7295 Lingfield Drive (APN 051-561-08) and is 15,156<u>+</u> square feet in size. The parcel is located approximately 1,200 northeast of the intersection of Parkway Drive and Lingfield Drive. Figure 1 (below) depicts the property location.



Figure 1 – Vicinity Map

EXISTING CONDITIONS

The subject property is located in the MDS zoning district and contains an existing single-family residence with an attached four-car garage, of which the assessed square footage (excluding garage) is 2,514 square feet. The property is surrounded by single-family residential uses on all sides, with an average lot size of approximately 20,104 square feet. Figure 2 (Page 2) shows the existing conditions of the property.



Figure 2 – Existing Site Conditions

PROJECT DESCRIPTION

The applicant is proposing a detached accessory dwelling approximately 584 square feet in size northeast of the existing residence. The proposed accessory dwelling is less than the maximum allowed size of 800 square feet in the MDS zoning district. The purpose for the accessory dwelling is to provide a separate complete living space for the applicant's adult son. The applicant's son has special needs and is not able to live independently off-site. The addition of an accessory dwelling on-site will allow him to have some independence while maintaining the direct support of his family.

The accessory dwelling has been designed to be architecturally compatible with the primary residence and complies with the required setbacks for the MDS zoning district including 20 feet for the rear and 8 feet for the side. The height of the structure is proposed at approximately 21 feet, which is well below the maximum height limit in the MDS zoning district of 35 feet and approximately the same height as the surrounding residences, including the primary.

The existing residence has a four-car garage, providing four parking spaces for the property. The required parking for a single-family residence is two spaces, one of which must be in an enclosed garage. A detached accessory dwelling requires one additional parking space. A total of three parking spaces are required for the combined uses, which is one less than the existing parking on site.

Figure 3 (below) shows the proposed detached accessory dwelling site plan. Figure 4 (Pages 4 and 5) shows the building's elevations. A drawing including the site plan, floor plan and elevations is included in both full size and 11x17 with this application.







Figure 4 – Proposed Elevations

MASON DETACHED ACCESSORY DWELLING - SPECIAL USE PERMIT



Figure 4 – Proposed Elevations, Continued

REQUIRED FINDINGS

The following findings as identified in Washoe County Development Code are addressed in support of the Special Use Permit for the proposed detached accessory dwelling. Each finding is listed in *italic type* below and is addressed in **bold type** immediately following each finding.

Special Use Permit Findings (Washoe County Development Code 110.810.30):

1. <u>Consistency.</u> The proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the applicable area plan;

The proposed detached accessory dwelling is consistent with the action programs, policies, standards and maps of the Master Plan and the Southeast Truckee Meadows Area Plan. The project is located within the Suburban Residential land use area, which allows for detached accessory dwelling units on parcels of 12,000 sf or more in the MDS zoning district. The site is previously developed with a single-family residence and has adequate space to accommodate the accessory dwelling within the required setbacks. Specific action programs, policies or standards from the Master Plan and/or Southwest Truckee Meadows Area plan that the project is consistent with are as follows:

Policy 1.1: Allow for more flexibility in the zoning, building, and land use regulations to enable affordable housing units to be built throughout the community.

Allowing a detached accessory dwelling meets the policy of allowing more flexibility in the zoning, building, and land use regulations so that additional affordable housing options may be provided.

Policy 3.8: Allow for the construction of supportive housing for seniors, disabled persons and others that need special housing accommodations.

Allowing a detached accessory dwelling in this case will be providing supportive housing for a person with special needs that will afford him some independence will maintaining the support of his family on the subject property.

2. <u>Improvements.</u> 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;

The proposed detached accessory dwelling will be located on a parcel with an existing residence that is located in a developed subdivision. All typical utilities including water, sewer, power, gas, phone, and cable are available at the site. The parcel is located on an improved county street with adequate access and drainage facilities. The parcel is located within the current service area of Waste Management for sanitation services. 3. <u>Site Suitability</u>. The site is physically suitable for the type of development and for the intensity of development;

The subject property is 15,156 square feet in size and currently contains a 2,514 square foot single family residence with four car garage. The minimum lot size for a detached accessory dwelling in the MDS zoning district is 12,000 square feet. The subject property is flat and has a vacant area northeast of the existing residence to accommodate an accessory dwelling within the required setbacks. The accessory dwelling is proposed to be 584 square feet in size. The maximum size of a detached accessory dwelling in the MDS zoning district is a maximum of 50 percent of the main residence, or 800 square feet. The proposed structure meets the intensity requirements outlined in the Washoe County Development Code.

4. <u>Issuance Not Detrimental</u>. 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

The issuance of a Special Use Permit to support the proposed accessory dwelling unit will not be detrimental to the public or community character, or be injurious to the surrounding property owners. The structure is located within the required setbacks for the MDS zoning district and will be located in the rear yard of the subject property. The combined structures (primary and proposed accessory) do not exceed 30% of the total land area of the parcel. Three surrounding property owners will likely be able to see portions of the proposed accessory dwelling. However, the rear landscaping in all three of the surrounding yards is relatively mature and provides suitable screening.

The proposed structure has been designed to be compatible with the primary structure and the surrounding properties with similar roof lines, and similar or complementary building materials. The detached accessory dwelling is one story, is just over 21 feet high and will not be higher than the existing structures. It is well below the maximum height of 35 feet allowed in the MDS zoning district and meets the Hidden Valley modifier that requires a only a one story structure when adjacent to other existing one story structures.

5. <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.

The proposed accessory dwelling is not located near a military installation.

