

# **Board of Adjustment Staff Report**

Meeting Date: April 4, 2024

Agenda Item: 8C

VARIANCE CASE NUMBER:	WPVAR24-0002 (Richard Variance)
BRIEF SUMMARY OF REQUEST:	Request to reduce the front yard setback from twenty (20) feet to fifteen (15) feet
STAFF PLANNER:	Tim Evans, Planner Phone Number: 775.328.2314 E-mail: TEvans@washoecounty.gov

### CASE DESCRIPTION

For hearing, discussion, and possible action to approve a variance to reduce the front yard setback from twenty (20) feet to fifteen (15) feet to bring an existing legal nonconforming dwelling that was constructed in 1920 into conformance with current setback requirements.

Applicant / Property	Mervyn Dean Richard
Owner:	
Location:	280 Medgar Avenue
APN:	570-263-17
Parcel Size:	0.666 acres
Master Plan:	Suburban Residential
Regulatory Zone:	Medium Density Suburban (MDS)
Area Plan:	North Valleys
Development Code:	Authorized in Article 804, Variances
Commission District:	5 – Commissioner Herman



### STAFF RECOMMENDATION

### 

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 Variance Case Number WPVAR24-0002 for Mervyn Dean Richard, with the conditions of approval included as Exhibit A for this matter, having made all four required findings in accordance with Washoe County Development Code Section 110.804.25:

(Motion with Findings on Page 10)

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### Variance Definition

The purpose of a variance is to provide a means of altering the requirements in specific instances where the strict application of those requirements would deprive a property of privileges enjoyed by other properties with the identical regulatory zone because of special features or constraints unique to the property involved; and to provide for a procedure whereby such alterations might be permitted by further restricting or conditioning the project so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the variance, 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 Variance Case Number WPVAR24-0002 are attached to this staff report and if granted approval, will be included with the action order.

The subject property has a regulatory zone of Medium Density Suburban (MDS) and the lot size is 0.666 acres. Pursuant to Washoe County Code (WCC) Article 406, *Building Placement Standards*, Table 110.406.05.1, *Standards*, *Part Three: Yard and Setback Dimensions*, the setbacks are twenty (20) feet for the front and the rear property lines and eight (8) feet from the side yard property lines. The site plan below demonstrates the location of the existing structure having a front yard setback of fifteen (15) feet which encroaches in the required front yard setback, necessitating the request for a variance.

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CONSULTANTS RESIDENTIALDESIGNER MICHALT, PETTERSUN MICHALT, PETTERSUN STIO GRANT FITERET SUN RENO, INEXAAA B950 J RENO, INEXAAA B950 J HONE: (773) 240-4564 MIKE®MITETERSON.COM ENCLORENT PRODUCTION B951 J RENO, INEXAAA RENO, NEXAAA B951 J RENO, NEXAAA B951 J RENO, NEXAAA B951 J	DESK RECHARD ZBEN RECHARD ZBEN RECHARD ZBEN RECHARD ZBEN RECHARD DESIGN INFORMATION EREIDINITIAL CORE ELEMENT CORE ELEMENT CORE ELEMENT CORE CORE TRANSPORTACIONE REGISTINATION ELEMENT CORE CORE STREME CORE STREME CORE STREME CORE CORE STREME CORE CORE STREME CORE STREME STREME STREME STREME STREME STREME STREME STREME STREME STREME STREME
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Site Plan with Addition & Shop/Garage

Site Plan



**Elevations and Floor Plan** 

### Project Evaluation

The applicant is requesting a reduction in the required front yard setback for the existing 768square-foot dwelling on the property located at 280 Medgar Avenue which is zoned Medium Density Suburban (MDS).

Pursuant to Washoe County Code Article 406, *Building Placement Standards*, Table 110.406.05.1, *Standards*, *Part Three: Yard and Setback Dimensions*, the setbacks for the MDS zoning are twenty (20) feet from the front and the rear yard property lines and eight (8) feet from the side yard property lines.

Pursuant to Washoe County Code Article 902, *Definitions*, Section 110.902.15, *General Definitions*, "front yard" is defined as the following:

"Front yard means a yard lying between the setback line and the front lot line and extending across the full width of the lot or parcel. In the case of either a corner lot or an interior lot with multiple street frontages, all yards abutting streets, other than collectors or arterials, shall be considered as front yards."

The property, as shown on the site plan on page 5, is contiguous to two (2) streets. Therefore, any structure located on the property is subject to a front setback from each of the property lines contiguous to a street of more than twenty (20) feet in width. The applicant is proposing an addition on the existing residence which will be in conformance with the setbacks required for the MDS zoning. However, the existing residence, which per the application and Washoe County Assessor records was built in 1920 (Exhibit E), is located fifteen (15) feet from the front property line.

WCC Section 110.904.10, *Types of Nonconformance*, subsection (d), *Nonconforming Structure*, sets forth the following:

"A building or structure which was legal when brought into existence but does not conform to the current height, setback or coverage requirements of the regulatory zone where it is located. A nonconforming structure is subject to the provisions of Section 110.904.30.

Therefore, as the structure was built in 1920, it was constructed prior to the current setback requirements existing, and is considered a nonconforming structure.

WCC Section 110.904.30, *Nonconforming Structure*, subsection (b), *Adding New Uses of Structure*, sets forth the following:

"When a non conforming structure exists on any lot, no new use or structure shall be established or built on such land unless the lot area, dimensions and yards provided for each existing and proposed use or structure conform to the requirements of this Development Code for the regulatory zone in which the lot is located."

As stated in the Code sections above, the variance is being requested as the existing structure does not meet setbacks, but the proposed addition will conform to the current required setbacks.

Approval of a variance is limited to particular circumstances. Nevada Revised Statutes (NRS 278.300) limits the power of the Board of Adjustment to grant variances and only under particular circumstances. The applicant has the responsibility to demonstrate that the subject property exhibits one or more of the following characteristics to demonstrate a hardship:

1) exceptional narrowness, shallowness, or shape of a specific piece of property; or

- 2) by reason of exceptional topographic conditions; or
- 3) other extraordinary and exceptional situation or condition of the piece of property.

If such a finding of fact can be made, then the Board must determine that the strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the subject property.

### <u>Hardships</u>

### Exceptional narrowness and shape of the property

The narrowest width of the rectangular-shaped parcel is 146.18 feet as detailed in the figure below. Pursuant to Washoe County Code Article 406, *Building Placement Standards*, Table 110.406.05.1, *Standards*, *Part Two: Lot Size*, the minimum width for the MDS zoning is eighty (80) feet.



Therefore, narrowness and shape of the parcel are not limiting factors in the applicant being able to meet the setbacks required for the MDS zoning.

### Topographic

As shown on the on the figure below, the contour lines indicate that the property has gently sloping topography. Therefore, the subject property does not have special circumstances due to exceptional topography.



# Extraordinary and exceptional situation or condition of the property and/or location of surroundings.

The applicant states the following on the application:

"This is a house built in 1920 and we would like to add on to this house. The new addition would conform to new zoning setbacks – we are asking for variance for existing house only."

And

"I would not be able to expand the house and move into it as I have planned to live there and build a garage."

As stated previously and indicated above, the structure was built in 1920, which is prior to the existing setback requirements, and was built legally but is now considered a nonconforming structure.

Findings of fact are required for the Board to approve the requested variance; such findings include that the relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which a variance could be granted.

There are special circumstances applicable to the property. The structure has an extraordinary and exceptional situation in that it was legally constructed in 1920, which is prior to the adoption of planning and zoning regulations for Washoe County in 1957 and is, therefore, considered a lawful nonconforming structure. The strict application of the regulation set forth in WCC Section 110.904.30, *Nonconforming Structure*, subsection (b), *Adding New Uses of Structure*, results in an exceptional and undue hardship upon the owner of the property, as the owner would not be able to make additions to the structure and would be deprived of utilizing the property in the same manner as surrounding properties.

An additional finding requires that the granting of the variance will not constitute special privileges inconsistent with the same limitations applicable for properties in the same regulatory zone and within the vicinity of the subject parcel.

Staff is able to make this finding as the approval of the variance will not result in the granting of special privileges as there are special circumstances applicable to the subject property due to the construction of the dwelling being in 1920 and the adoption of Washoe County Code occurring in 1957. The variance would not constitute a granting of special privileges inconsistent with the limitations on other properties in the area as the dwelling was constructed in 1920 prior to the adoption of planning and zoning regulations for Washoe County in 1957.

Staff finds that the applicant has demonstrated that the subject property exhibits one or more of the criteria needed to make all the findings as required by Nevada Revised Statutes and recommends approval of the variance, with conditions.

### **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
NDOT (Transportation)	X			
NV Water Resources	X			
Washoe County Building & Safety	x			
Washoe County Sewer	X			
Washoe County Traffic	X			
Washoe County Water Rights Manager (All Apps)	х	x		
Washoe County Engineering (Land Development) (All	х	x		
Washoe County Engineering & Capital Projects Director (All Apps)	х			
NNPH Air Quality	х			
NNPH Environmental Health	х	X		
TMFPD	x	x	x	Dale Way, dway@tmfpd.us; Brittany Lemon, BLemon@tmfpd.us
Grandview Terrace Water Board	x			
NV Energy	x			

Additionally, comments were received from the Nevada Division of Forestry, Washoe County Sheriff's Office, and AT&T.

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

### Staff Comment on Required Findings

Washoe County Development Code Section 110.804.25, Article 804, *Variances*, 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 variance application and has determined that the proposal is in compliance with the required findings as follows.

(a) <u>Special Circumstances</u>. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property.

<u>Staff Comment:</u> There are special circumstances applicable to the property. The structure has an extraordinary and exceptional situation in that it was legally constructed in 1920, which is prior to the adoption of planning and zoning regulations for Washoe County in 1957. The strict application of the regulation results in an exceptional and undue hardship upon the owner of the property, as the owner would be deprived of utilizing the property in the same manner as surrounding properties.

(b) <u>No Detriment.</u> The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted.

<u>Staff Comment:</u> The project will not be a detriment to the public good, substantially impair affected natural resources, or impair the intent and purpose of Washoe County Code or applicable policies as the dwelling was constructed in 1920 in the existing location which has a front yard setback of fifteen (15) feet. The setback of fifteen (15) feet will continue to provide a significant distance from the property line and there are no plans to construct any portion of the addition into the setback.

(c) <u>No Special Privileges.</u> The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated.

<u>Staff Comment:</u> There are special circumstances applicable to the subject property and the variance would not constitute a granting of special privileges inconsistent with the limitations on other properties in the area as the dwelling was constructed in 1920 prior to the adoption of planning and zoning regulations for Washoe County in 1957.

(d) <u>Use Authorized.</u> The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

<u>Staff Comment</u>: The variance will not authorize a use or activity which is not expressly authorized by the regulatory zone as a single-family dwelling is an allowable use in the Medium Density Suburban (MDS) regulatory zone.

(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 are no military installations within the required noticing area; therefore, the board is not required to make this finding.

### **Recommendation**

After a thorough analysis and review, Variance Case Number WPVAR24-0002 is being recommended for approval with conditions. Staff offers the following motion for the Board 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 Variance Case Number WPVAR24-0002 for Mervyn Dean Richard, with the conditions of approval included as Exhibit A for this matter, having made all four required findings in accordance with Washoe County Development Code Section 110.804.25:

- (a) <u>Special Circumstances</u>. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
- (b) <u>No Detriment.</u> The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
- (c) <u>No Special Privileges.</u> The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;

- (d) <u>Use Authorized.</u> The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;
- (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.

Applicant/Owner: Mervyn Dean Richard; <u>DeanRichard365@gmail.com</u>



Conditions of Approval

Variance Case Number WPVAR24-0002

The project approved under Variance Case Number WPVAR24-0002 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on April 4, 2024. Conditions of approval are requirements placed on a permit or development by each reviewing agency. These conditions of approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. <u>These conditions do not 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>

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

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

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

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

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

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

### Washoe County Planning and Building Division

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

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

- a. The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this variance.
- b. The applicant shall include a condition response memorandum with each subsequent permit application. That memorandum shall list each condition of approval, shall provide a narrative describing how each condition has been complied with, and the location of the information showing compliance with each condition within the improvement plan set that has been submitted.
- c. The applicant shall demonstrate substantial conformance to the plans approved as part of this variance. The Planning and Building Division shall determine compliance with this condition.
- d. 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 (2) 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.
- e. Any construction on the site shall be between the hours of 7am to 7pm Monday through Saturday.
- f. 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.

### **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, Fire Captain, 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. <u>https://tmfpd.us/fire-code/</u>

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





STATE OF NEVADA Department of Conservation & Natural Resources

> Joe Lombardo, Governor James A. Settelmeyer, Director Kacey KC, State Forester/Firewarden

## **Application Review Memorandum**

2/14/2024

RE: Review of Applications Submitted April 2024 - Memo I

Regarding any development within the boundaries of the State of Nevada, the Nevada Division of Forestry expects compliance with Nevada Regulatory Statutes 527 and 528.

https://www.leg.state.nv.us/nrs/nrs-527.html

https://www.leg.state.nv.us/NRS/NRS-528.html

Thank you,

Bill Buckley Resource Management Officer Department of Conservation and Natural Resources Nevada Division of Forestry 901 S. Stewart St. Suite 1001 Carson City, NV 89701 (775)431-9503 BBuckley@forestry.nv.gov



901 S. Stewart St., Suite 1001 • Carson City, NV. 89701 • (775) 684-2500 • forestry.nv.gov

Protecting and enhancing Nevada's ecosystems and communities through natural resource stewardship and wildfire management

From: Sent: To: Subject: Attachments: Zirkle, Brandon Thursday, February 15, 2024 9:39 AM Evans, Timothy FW: February Agency Review Memo I February Agency Review Memo I.pdf

The sheriff's office has no objections to Item #1. It seems like the existing building is already outside of the current setbacks and the addition would be in compliance.

Captain Brandon Zirkle Washoe County Sheriff's Office Patrol Command Office (775) 328-3350 Cell (775) 232-9477



From:	COOPER, CLIFFORD E <cc2132@att.com></cc2132@att.com>
Sent:	Thursday, February 15, 2024 9:42 AM
То:	Evans, Timothy
Subject:	WPVAR24-0002 280 Medgar Avenue, Reno, NV 89506

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

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

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

From:	Program, EMS
Sent:	Tuesday, February 20, 2024 9:28 AM
То:	Evans, Timothy
Cc:	Program, EMS
Subject:	FW: February Agency Review Memo I -Variance Case Number WPVAR24-0002 (Richard Variance)
Attachments:	February Agency Review Memo I.pdf

Good Morning,

The EMS Program has reviewed the February Agency Review Memo I – Variance Case Number WPVAR24-0002 (Richard Variance) - and has no concerns or questions at this time based on the information provided.

Thank you,

	<b>April Miller</b> Sr. Office Specialist Epidemiology and Public Health Preparedness
Public Health	O: <u>775-326-6049</u> 1001 E Ninth St. Bldg. B Reno, NV 89512
	<u>NNPH.org</u> <b>f f</b> $\odot$ X in
	Click here to take our customer satisfaction survey

Please find the attached **Agency Review Memo I** with cases received in **February** by Washoe County Community Services Department, Planning and Building Division.

You've each been asked to review the applications for the items indicated below. The item descriptions and links to the applications are provided in the memo.

### #1 – #2 Agency Comments and Conditions Due – February 26, 2024

Please remember to send any agency review responses/comments directly to the Planner for the case, rather than replying to me.

~~~~

Scott (Building) – ALL ITEMS

Katrina (Sewer) - ALL ITEMS

Mitch (Traffic) - ALL ITEMS

Timber (Water Rights) - ALL ITEMS

Dwayne (Engineering Director) - ALL ITEMS

Rob (Land Dev.) - ALL ITEMS

Kim (Water Resource) – ALL ITEMS

Air Quality - ALL ITEMS

EMS - ALL ITEMS

Environmental Health - ALL ITEMS

Regards,



Adriana Albarran

Office Support Specialist, Planning & Building Division | Community Services Department aalbarran@washoecounty.gov | Direct Line: 775.328.2721 My working hours: Monday-Friday 8:30am to 5:00pm Visit us first online: www.washoecounty.gov/csd Planning Division: 775.328.6100 | <u>Planning@washoecounty.gov</u> CSD Office Hours: Monday-Friday 8:00am to 4:00pm 1001 East Ninth Street, Reno, NV 89512

Have some kudos to share about a Community Services Department employee or experience? <u>Submit a Nomination</u>



Date: February 23, 2024

- To: Tim Evans, Planner
- From: Timber Weiss, P.E., Licensed Engineer
- Re: Variance Case Number WPVAR24-0002 (Richard Variance)

### **GENERAL PROJECT DISCUSSION**

For hearing, discussion, and possible action to approve a variance to reduce the front yard setback from twenty (20) feet to fifteen (15) feet for an existing lawful nonconforming dwelling that was constructed in 1920.

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

No water rights conditions for this variance.

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



Date: February 26, 2024

- To: Tim Evans, Planner
- From: Robert Wimer, P.E., Licensed Engineer Janelle Thomas, P.E., Senior Licensed Engineer
- Re: Variance Case WPVAR24-0002– Richard APN 570-263-17

### GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff have reviewed the above referenced application. The application, prepared by Mervyn Richard, is for a variance to reduce the front yard setback from 20 feet to 15 feet.

The Engineering and Capital Projects Division recommends approval of this variance case with no additional conditions of approval.

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

| From:    | Lemon, Brittany                                        |
|----------|--------------------------------------------------------|
| Sent:    | Tuesday, February 27, 2024 2:36 PM                     |
| То:      | Evans, Timothy                                         |
| Cc:      | Way, Dale                                              |
| Subject: | WPVAR24-0002 (Richard Variance) Conditions of Approval |

Hi Tim,

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

Also of note, this property is located in a moderate WUI area and has conforming water.

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"



February 27, 2024

Washoe County Community Services Planning and Development Division

RE: Richard Variance; 570-263-17 Variance; WPVAR24-0002

Dear Washoe County Staff:

The following conditions are requirements of Northern Nevada Public Health (NNPH), Environmental Health Division, (EHS) which shall be responsible for determining compliance with these conditions.

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

- a) Condition #1: EHS has reviewed the application as submitted and has no concerns with the approval of the application as submitted.
- b) Condition #2: The project is proposed on a parcel served by community water and sewerage systems.

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

Sincerely,

lames English, R

EHS Supervisor Environmental Health Services Northern Nevada Public Health



WPVAR24-0002 EXHIBIT B

### **Public Notice**

Washoe County Code requires that public notification for a variance 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.



February 12, 2024

0.2 mi 0.05 ó 0.07 0.15 0.3 km County GIS.

This information for illustrative puroposes only. Not be used for bot

**Public Notice Map** 

Variance Case Number WPVAR24-0002

### 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                  | taff Assigned Case No.:                                                                                             |                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| Project Name: MFD GM                                                                                                                                                | R Home A           | HOD ITION                                                                                                           |                                                            |
| Project This is a<br>Description: to add on<br>New Zoning SC+RACK<br>Project Address: 280<br>Project Area (acres or square fe<br>Project Location (with point of re | et): 168 set       | in 1920 and we<br>The new addition is<br>asking for use invert<br>AUE.; Beno, NV<br>t<br>streets AND area locator): | would like<br>wuld conform to<br>or existing hose<br>89506 |
| Curner Lot Sw i                                                                                                                                                     | ocations of G      | ordita way and medg                                                                                                 | tR AVE-AUE,                                                |
| Assessor's Parcel No.(s):                                                                                                                                           | Parcel Acreage:    | Assessor's Parcel No.(s):                                                                                           | Parcel Acreage:                                            |
| 570-263-17                                                                                                                                                          | 0,666 noves        |                                                                                                                     | Ŭ,                                                         |
|                                                                                                                                                                     |                    |                                                                                                                     |                                                            |
| Indicate any previous Wash                                                                                                                                          | be County approval | s associated with this applicat                                                                                     | tion:                                                      |
| Case No.(s).                                                                                                                                                        |                    |                                                                                                                     |                                                            |
| Applicant Inf                                                                                                                                                       | ormation (attach   | additional sheets if necess                                                                                         | sary)                                                      |
| Property Owner:                                                                                                                                                     |                    | Professional Consultant:                                                                                            |                                                            |
| Name: Mervy~ Dean RichARD                                                                                                                                           |                    | Name:                                                                                                               |                                                            |
| Address: 5788 SIMUNS Dr                                                                                                                                             |                    | Address:                                                                                                            |                                                            |
| Rene, NV Zip: 89523                                                                                                                                                 |                    |                                                                                                                     | Zip:                                                       |
| Phone: 775-225-777 Fax: -                                                                                                                                           |                    | Phone:                                                                                                              | Fax:                                                       |
| Email: Deer RicHARD                                                                                                                                                 | 365@ Sann: 1-in    | n Email:                                                                                                            |                                                            |
| Cell: 775-225-7777                                                                                                                                                  | Other:             | Cell:                                                                                                               | Other:                                                     |
| Contact Person: Dean RICHARD                                                                                                                                        |                    | Contact Person:                                                                                                     |                                                            |
| Applicant/Developer:                                                                                                                                                |                    | Other Persons to be Contacted:                                                                                      |                                                            |
| Name: (Ame_As                                                                                                                                                       | ABOVE              | Name:                                                                                                               |                                                            |
| Address:                                                                                                                                                            |                    | Address:                                                                                                            |                                                            |
|                                                                                                                                                                     | Zip:               |                                                                                                                     | Zip:                                                       |
| Phone:                                                                                                                                                              | Fax:               | Phone:                                                                                                              | Fax:                                                       |
| Email:                                                                                                                                                              |                    | Email:                                                                                                              |                                                            |
| Cell: Other:                                                                                                                                                        |                    | Cell:                                                                                                               | Other:                                                     |
| Contact Person:                                                                                                                                                     |                    | Contact Person:                                                                                                     |                                                            |
|                                                                                                                                                                     | For Office         | e Use Only                                                                                                          |                                                            |
| Date Received:                                                                                                                                                      | Initial:           | Planning Area:                                                                                                      |                                                            |
| County Commission District:                                                                                                                                         |                    | Master Plan Designation(s):                                                                                         |                                                            |
|                                                                                                                                                                     |                    | Regulatory Zoning(s):                                                                                               |                                                            |

### Variance Application Supplemental Information

(All required information may be separately attached)

1. What provisions of the Development Code (e.g. front yard setback, height, etc.) must be waived or varied to permit your request?

Front yord setarok on existing (original) structure.

You must answer the following questions in detail. Failure to provide complete and accurate information will result in denial of the application.

2. What are the topographic conditions, extraordinary or exceptional circumstances, shape of the property or location of surroundings that are unique to your property and, therefore, prevent you from complying with the Development Code requirements?

none

3. What steps will be taken to prevent substantial negative impacts (e.g. blocking views, reducing privacy, decreasing pedestrian or traffic safety, etc.) to other properties or uses in the area?

there are no negative impacts

4. How will this variance enhance the scenic or environmental character of the neighborhood (e.g. eliminate encroachment onto slopes or wetlands, provide enclosed parking, eliminate clutter in view of neighbors, etc.)?

This will enhance the neighborhoud that has experienced

5. What enjoyment or use of your property would be denied to you that is common to other properties in your neighborhood?

I would not be able to expand the house and move into it as I have planned to live those and build a garge/ship.

6. Are there any restrictive covenants, recorded conditions or deed restrictions (CC&Rs) that apply to the area subject to the variance request?

If yes, please attach a copy. Yes No No

7. How is your current water provided?

Community Well - Granovien Terrace Water District

8. How is your current sewer provided?

Washere County Server

Washoe County Planning and Building VARIANCE APPLICATION SUPPLEMENTAL INFORMATION December 2018









Assessor's Map Number

570-26

## **Site Plan of Variance Property**



## Site Plan with Addition & Shop/Garage







WPVAR24-0002 EXHIBIT D WASHOE COUNTY QUICKINFO

(Summary data may not be complete representation of property)

RECORDER SEARCH

LAND DETAILS

ABATEMENT INFO

#### All data on this form is for use by the Washoe County Assessor for assessment purposes only.

| Owner Information                            |              | <b>Building Information</b>  |                                              | XFOB             | SUBAREA                  |                        |                              |                            |
|----------------------------------------------|--------------|------------------------------|----------------------------------------------|------------------|--------------------------|------------------------|------------------------------|----------------------------|
| AI                                           | PN 5         | 70-263-17                    |                                              | Card 1 of        | Bld #1 Situs             | 280 MEDGAR AVE         | Property Name                |                            |
| Situs                                        | <b>51</b> 2  | 80 MEDGAR AVE                |                                              | 1<br>Bld # 1     | Quality                  | R10 Low                | Building Type                | Single Family<br>Residence |
| Owner                                        | r <b>1</b> R | ICHARD FAMILY TRI            | JST                                          |                  | Stories                  | 1 Story                | 2nd Occupancy                |                            |
|                                              |              | RICHARD TRUSTEE, MERVYN D &  |                                              | Year Built       |                          |                        | 1920                         |                            |
|                                              |              | 5788 SIMONS DR RENO NV 89523 |                                              |                  | Bedrooms<br>Full Baths   | -                      | Square Feet<br>Finished Bsmt |                            |
| Parcel Info                                  | rma          | ation                        |                                              |                  | Half Baths               | 0                      | Unfin Bsmt                   | 0                          |
| Keyline Desc J E SWEATT TRACT LT 1 & 2 BLK G |              |                              | Fixtures                                     | 5                | Basement Type            |                        |                              |                            |
| Subdivision J E SWEATT TRACT UNOFF           |              | Fireplaces                   | 0                                            | Gar Conv Sq Feet | 0                        |                        |                              |                            |
| Section 9 Township 20 Range 19               |              |                              | Heat Type                                    | WALL FURNACE     | Total Garage Area        | 0                      |                              |                            |
| Record of Sur                                | vev          | Man Parcel                   | Map# : Sub Ma                                | -<br>n#          | 2nd Heat Type            |                        | Garage Type                  |                            |
|                                              |              | Property Code                |                                              | <b>.</b> P #     | Exterior Walls           | HARDBOARD ON<br>FRAME  | Detached Garage              | 0                          |
| 2024 Tax District                            | 4030         | Prior APN                    | 082-122-01                                   |                  | 2nd Ext Walls            |                        | Basement Gar Door            | 0                          |
| 2023 Tax<br>District                         | 4030         |                              | 2023 Rental Form Mailed, High<br>Cap Applied |                  | Roof Cover               | COMPOSITION<br>SHINGLE | Sub Floor                    | WOOD                       |
|                                              |              | FORMS                        |                                              |                  | % Complete               | 100                    | Frame                        | FRAME                      |
|                                              |              | Tax Cap<br>Status            |                                              |                  | Obso/Bldg Adj            | 0                      | Units/Bldg                   | 1                          |
|                                              |              | Status                       |                                              |                  | Construction<br>Modifier |                        | Units/Parcel                 | 1                          |

#### Sales and Transfer Records

| Grantor                           | Grantee                                                      | Doc #   | Doc<br>Туре | Doc<br>Date        | DOK | Value/Sale<br>Price | Adjusted<br>Sale<br>Price | Sale<br>Code | Units | Price/Unit | Notes |
|-----------------------------------|--------------------------------------------------------------|---------|-------------|--------------------|-----|---------------------|---------------------------|--------------|-------|------------|-------|
| BIGHORN PRODUCTIONS LTD           | RICHARD FAMILY TRUST<br>RICHARD TRUSTEE, MERVYN D & PATRICIA | 5233762 | DEED        | 10-<br>05-<br>2021 | 200 | 0                   |                           | 3BGG         | N/A   |            |       |
| CARTHEN, KEITH D                  | BIGHORN PRODUCTIONS LTD                                      | 4923691 | DEED        | 06-<br>25-<br>2019 | 200 | 150,000             | 150,000                   | 2D           | N/A   |            |       |
| CARTHEN, KEITH D                  | CARTHEN, KEITH D                                             | МЕМО    | RMAP        | 03-<br>09-<br>2011 | 200 | 0                   | 0                         | 3NTT         | N/A   |            |       |
| STANLEY REVOCABLE TRUST, BOBBIE J | CARTHEN,KEITH D                                              | 3755062 | DEED        | 04-<br>30-<br>2009 | 200 | 85,000              | 0                         | 2D           | N/A   |            |       |
| STANLEY, BOBBIE                   | STANLEY REVOCABLE TRUST, BOBBIE J                            | 3501705 | QC          | 02-<br>26-<br>2007 | 200 | 0                   | 0                         | 3BGG         | N/A   |            |       |

#### Land Information

| Zoning information should be verified with the appropriate planning agency. |             |        | Land<br>Use | 200       | DOR<br>Code | 200   | Create/Cls M11<br>Code |               | GA Neighborhood<br>Map |             |             |
|-----------------------------------------------------------------------------|-------------|--------|-------------|-----------|-------------|-------|------------------------|---------------|------------------------|-------------|-------------|
| Size                                                                        | 29,011 SqFt | CAGC - | Sewer       | Municipal | Street      | Paved | Zoning<br>Code         | MDS           | Formerly               | 2024<br>NBC | GAQD<br>SGW |
| Size                                                                        | 0.666 Acres |        | Water       | Muni      | Value Year  | 2024  | Zoning Maps            | Page 5<br>570 | 70-26   Book           | 2023<br>NBC |             |

**Valuation Information** A The 2024/2025 values are preliminary values and subject to change.

|              | Taxable<br>Land | Imps<br>New | Land<br>New | Taxable<br>Imps | OBSO | Tax Cap<br>Value | Taxable<br>Total | Land<br>Assessed | Imps<br>Assessed | Total<br>Assessed | Exemption<br>Value |
|--------------|-----------------|-------------|-------------|-----------------|------|------------------|------------------|------------------|------------------|-------------------|--------------------|
| 2024/2025 NR | 84,150          | 0           | 0           | 29,287          | 0    |                  | 113,437          | 29,452           | 10,250           | 39,703            | 0                  |
| 2024/2025 VN | 84,150          | 0           | 0           | 29,287          | 0    |                  | 113,437          | 29,452           | 10,250           | 39,703            | 0                  |
| 2024/2025 QC | 84,150          | 0           | 0           | 29,287          | 0    |                  | 113,437          | 29,452           | 10,250           | 39,703            | 0                  |

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GSA QuickInfo



This is a true and accurate copy of the records of the Washoe County Assessor's Office as of 02-25-2024