

Parcel Map Review Committee Staff

<u>Report</u>

Meeting Date: October 10, 2024

Agenda Item: 7A

AMENDMENT OF CONDITIONS CASE NUMBER:

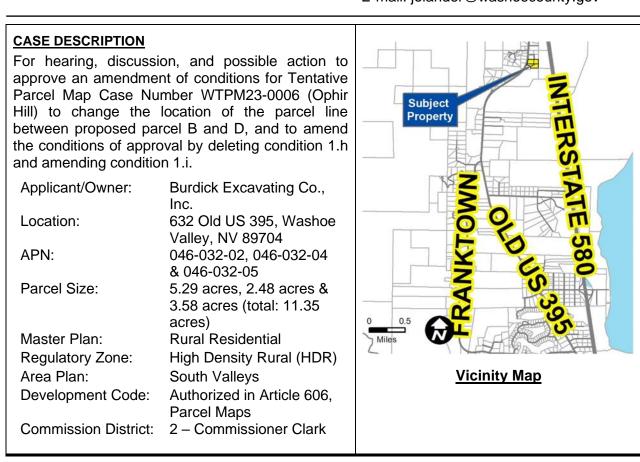
WAC24-0008 for WTPM23-0006 (Ophir Hill)

BRIEF SUMMARY OF REQUEST:

STAFF PLANNER:

To amend conditions of approval

Julee Olander, Planner Phone Number: 775.328.3627 E-mail: jolander@washoecounty.gov



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 Parcel Map Review Committee approve Amendment of Conditions Case Number WAC24-0008 for Burdick Excavating Co., Inc., subject to the conditions of approval included as Exhibit A with the staff report, and make the determination that the following criteria is or will be adequately provided for pursuant to Washoe County Code, Section 110.606.30(e)

(Motion with Findings on Page 8)

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Exhibits Contents

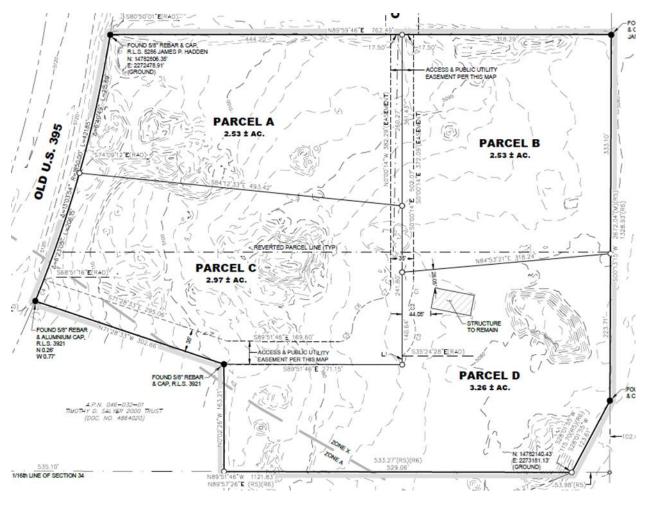
Amended Conditions of Approval	.Exhibit A
WTPM23-0006 Action Order Dated with Original Conditions of Approval	.Exhibit B
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Amendment of Conditions

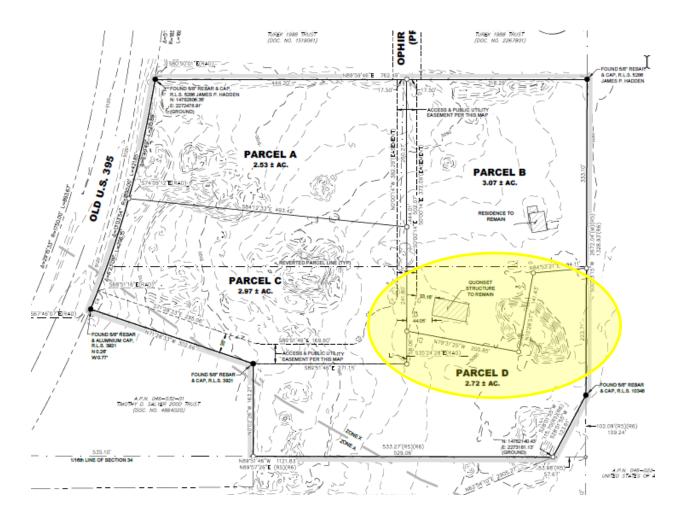
An amendment of conditions application is necessary in order to change an approved discretionary permit or a condition of such permit, such as a special use permit, a variance, an abandonment of an easement or a tentative subdivision map. Some examples of why an amendment of conditions application is submitted are listed below:

- Change in operating hours
- Physical expansion
- Extend the expiration date of the discretionary permit
- Extend the time to complete phases of the approved project

The amendment of conditions request is required to be heard by the same board that approved the original application and only the specific amendment may be discussed and considered for approval. The amendment of conditions application is processed in the same manner as the original discretionary permit application, including a public hearing, possible noticing, agency review and analysis, and satisfying the required findings. If the Parcel Map Review Committee (PMRC) grants an approval of the amendment of conditions request, an amended Action Order is created along with amended conditions of approval that will replace the original conditions of approval.



Original Approved Site Plan



Amended Site Plan

Background and Evaluation of Amendment Request

On July 13, 2023, the Parcel Map Review Committee approved WTPM23-0006 (Ophir Hill), a tentative parcel map to merge three parcels of land and re-divide into four parcels of land. The applicant is requesting to amend the approved tentative parcel map for WTPM23-0006 to move the parcel line between parcels B and D to ensure that the existing accessory structure will be located on parcel B where there is an existing single family residence in conformance with the Washoe County Development Code (see Site Plans on pages 4 & 5).

The applicant is requesting to delete the condition of approval for item 1(h) which read as follows:

h. Prior to recordation of the final map, the metal building/accessory structure located on Parcel D must be legally converted (with issued certificate of occupancy) to a main residence or a new residence must be constructed (with issued certificate of occupancy) or the accessory structure must be removed. All other structures/residences must be removed prior to recordation of the final map.

The applicant is also requesting to amend the conditions of approval for item 1(i) to read as follows:

i. The distance between the edge of the access easement and the west side of the structure on Parcel **Đ B** must be a minimum of 30 feet. Prior to recordation of the final map, evidence of this 30-foot minimum setback must be provided.

South Valleys Planning Area

The subject parcel is located within the South Valleys Planning Area. There are no other relevant policies related to amending the conditions of approval.

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
NV Water Resources	х			
Washoe County Parks &	x			ф
Open Space	~			_
Washoe County Water	×	v		Timber Waiss to size Outsche security and
Rights Manager (All Apps)	Х	x	Timber Weiss, tweiss@washoecounty.gov	Timber Weiss, tweiss@washoecounty.gov
Washoe County Engineering				
(Land Development) (All	х	x		Robert Wimer, rwimer@washoecounty.gov
Apps)				
NNPH EMS	x	x		Sarah Smith, EMSprogram@nnph.org
NNPH Environmental Health	×	x		James English, jenglish@nnph.org
TMFPD	х	X		

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

Staff Comment on Required Findings

WCC Section 110.606.30(e) requires that all of the following findings be made to the satisfaction of the Washoe County Parcel Map Review Committee before granting approval of the request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

- 1) General improvement considerations for all parcel maps including, but not limited to:
 - (i) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal.

<u>Staff Comment</u>. The proposed amendments to the conditions of approval will not impact environmental and health laws and regulations concerning water and air pollution. The application was reviewed by the appropriate agencies and no recommendation for denial was received. The conditions from WTPM23-0006 will be maintained along with the proposed changes (see Exhibit A).

(ii) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the parcels of land being created.

<u>Staff Comment</u>. The proposed amendments to the conditions of approval will not impact water availability. Water will be supplied by individual domestic wells, as previously approved by WTPM23-0006. The application was reviewed by the appropriate agencies and no recommendation for denial was received. The conditions

from WTPM23-0006 will be maintained along with the proposed changes (see Exhibit A).

(iii) The availability and accessibility of utilities.

<u>Staff Comment</u>: The application will not impact utilities availability. The proposed parcels will receive water from individual domestic wells, as previously approved by WTPM23-0006. The application was reviewed by the appropriate agencies and no recommendation for denial was received. The conditions from WTPM23-0006 will be maintained along with the proposed changes (see Exhibit A).

(iv) The availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks.

<u>Staff Comment</u>: The application will not impact local services. There are existing public services such as schools, police and fire protection, transportation, recreation and parks available to the South Valleys Planning Area.

(v) Conformity with the zoning ordinances and master plan.

<u>Staff Comment</u>. The application conforms with the applicable provisions of the Washoe County Development Code and Master Plan, as discussed in this staff report, and with the regulatory zoning on the property.

(vi) General conformity with the governing body's master plan of streets and highways.

<u>Staff Comment</u>. The application was reviewed by the appropriate agencies and no recommendation for denial was received. The proposal is in conformance with the area plan and master plans for streets and highways.

(vii) The effect of the proposed division of land on existing public streets and the need for new streets or highways to serve the parcels of land being created.

<u>Staff Comment</u>. The application was reviewed by the appropriate agencies, including Washoe County Engineering and Washoe County Operations/Roads, and no recommendations for new streets or highways was received.

(viii) Physical characteristics of the land such as floodplain, slope and soil.

<u>Staff Comment</u>. The application was reviewed by the appropriate agencies and no recommendation for denial was received. The conditions from WTPM23-0006 will be maintained (see Exhibit A).

(ix) The recommendations and comments of those entities reviewing the tentative parcel map pursuant to NRS 278.330 and 278.348, inclusive.

<u>Staff Comment</u>: These provisions of statute refer to the preparation of tentative maps. All recommended conditions of approval from the reviewing agencies have been included with the staff report.

(x) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.

<u>Staff Comment</u>: The application was reviewed by the Truckee Meadows Fire Protection District, and no recommendation for denial was received.

(xi) Community antenna television (CATV) conduit and pull wire.

<u>Staff Comment</u>. The application was reviewed by the appropriate agencies, and no recommendation for denial was received. All appropriate easements shall be provided prior to approval of the final map.

(xii) Recreation and trail easements.

<u>Staff Comment</u>: The application was provided to Washoe County Regional Parks and Open Space staff, and no conditions or recommendation for denial was received. The conditions from WTPM23-0006 will be maintained (see Exhibit A).

Recommendation

After a thorough review and analysis, Amendment of Conditions Case Number WAC24-0008 is being recommended for approval with amended conditions that will replace the original conditions of approval. Staff offers the following motion for the Parcel Map Review Committee'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 Parcel Map Review Committee approve Amendment of Conditions Case Number WAC24-0008 for Burdick Excavating Co., Inc., subject to the conditions of approval included as Exhibit A with the staff report, and make the determination that the following criteria is or will be adequately provided for pursuant to Washoe County Code, Section 110.606.30(e):

- 1) General improvement considerations for all parcel maps including, but not limited to:
 - (i) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal.
 - (ii) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the parcels of land being created.
 - (iii) The availability and accessibility of utilities.
 - (iv) The availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks.
 - (v) Conformity with the zoning ordinances and master plan.
 - (vi) General conformity with the governing body's master plan of streets and highways.
 - (vii) The effect of the proposed division of land on existing public streets and the need for new streets or highways to serve the parcels of land being created.
 - (viii) Physical characteristics of the land such as floodplain, slope and soil.
 - (ix) The recommendations and comments of those entities reviewing the tentative parcel map pursuant to NRS 278.330 and 278.348, inclusive.
 - (x) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.
 - (xi) Community antenna television (CATV) conduit and pull wire.
 - (xii) Recreation and trail easements.

Appeal Process

Parcel Map Review Committee action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s), 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 Planning Commission and mailed to the applicant(s).

Applicant/Owner:	Burdick Excavating Co., Inc., Attn: Linda Burdick <u> Iburdick@burdickexc.com</u>
Consultant:	KLS Planning & Design Group, Attn: John Krmpotic johnk@klsdesigngroup.com
Other:	Lumos Engineering, Attn: Ed Thomas Ethomas@lumosinc.com



Amended Conditions of Approval

Amendment of Conditions Case Number WAC24-0008 Tentative Parcel Map Case Number WTPM23-0006

The project approved under Amendment of Conditions Case Number WAC24-0008 for Tentative Parcel Map Case Number WTPM23-0006 shall be carried out in accordance with the Amended Conditions of Approval granted by the Parcel Map Review Committee (PMRC) on October 10, 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 amendment of conditions approval regarding the Tentative Parcel Map Case Number WTPM23-0006 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 amended conditions of approval related to the Tentative Parcel Map Case Number WTPM23-0006 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 amended conditions imposed regarding the approved Tentative Parcel Map Case Number WTPM23-0006 may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the amended conditions of approval related to this Tentative Parcel Map Case Number WTPM23-0006 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 Northern Nevada Public Health (NNPH), has jurisdiction over public health matters. Any conditions set by NNPH 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 – 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 approval.
- b. The applicant shall include a condition response memorandum with the final map submittal. 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 final map shall be in substantial compliance with all plans and documents submitted as part of this tentative parcel map application, and with any amendments imposed by the Parcel Map Review Committee. All documentation necessary to satisfy the conditions noted below shall accompany the final map when submitted to the County Engineer and the Planning and Building Division.
- d. The applicant shall comply with all the conditions of approval and shall submit a final map for signature by the Director of the Planning and Building Division within 22 months from the date of approval by the Parcel Map Review Committee. Each agency responsible for imposing conditions may determine whether its conditions must be fully completed or whether the applicant shall be offered the option of providing financial assurances as a means of assuring compliance.
- e. The final map shall contain the following jurat:

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DIRECTOR OF PLANNING AND BUILDING CERTIFICATE

THE FINAL PARCEL MAP CASE NO. WTPM23-0006 MEETS ALL APPLICABLE STATUTES, ORDINANCES AND CODE PROVISIONS; IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP AND ITS CONDITIONS, WHICH ARE INCORPORATED HEREIN BY THIS REFERENCE, AND THOSE CONDITIONS HAVE BEEN SATISFIED FOR RECORDATION OF THIS MAP. THE OFFER(S) OF DEDICATION IS (ARE) REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NEVADA REVISED STATUTES CHAPTER 278.

THIS FINAL MAP IS APPROVED AND ACCEPTED THIS _____ DAY OF _____, 20____, BY THE DIRECTOR OF PLANNING AND BUILDINIG OF WASHOE COUNTY, NEVADA, IN ACCORDANCE WITH NEVADA REVISED STATUTES 278.471 THROUGH 278.4725.

KELLY MULLIN, DIRECTOR, PLANNING AND BUILDING DIVISION

- f. The applicant shall provide verification to the Planning and Building Division that all conditions from the Truckee Meadows Fire Protection District have been satisfied.
- g. The approval for this tentative parcel map does not include improvements for driveways to building pads. Grading for access to building pads, if they exceed the criteria stated in the previous condition, shall require a special use permit.
- h. Prior to recordation of the final map, the metal building/accessory structure located on Parcel D must be legally converted (with issued certificate of occupancy) to a main residence or a new residence must be constructed (with issued certificate of occupancy) or the accessory structure must be removed. All other structures/residences must be removed prior to recordation of the final map.
- i. The distance between the edge of the access easement and the west side of the structure on Parcel **Đ B** must be a minimum of 30 feet. Prior to recordation of the final map, evidence of this 30-foot minimum setback must be provided.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of the Engineering and Capital Projects, which shall be responsible for determining compliance with these conditions.

Contact Name – Matthew Philumalee, PLS, 775.328.2315, <u>mphilumalee@washoecounty.gov</u>

- a. Comply with the conditions of the Washoe County technical check for this map.
- b. An NDOT driveway permit is required.
- c. Add the FEMA floodplains to the map.
- d. Add the following note to the map: Any structures within a FEMA flood zone must comply with the Washoe County Development Code Article 416.
- e. Add the following note to the final map; "For each parcel created by this final map, access and drainage improvements meeting the requirements of Washoe County Development Code are required with said improvements to be included within an approved residential building permit."
- f. All boundary corners must be set.

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- g. Add a Security Interest Holder's Certificate to the map if applicable.
- h. Add the following note to the map; "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."
- i. Any Final Parcel Map associated with this Tentative Parcel Map shall not be approved or recorded until substation completion of the work associated with WSUP22-0027 (Ophir Hill Grading) is complete to the satisfaction of the County Engineer.

Washoe County Health District, Environmental Health Division

3. 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 – Wesley Rubio, MPH, REHS, EHS Supervisor, 775.328.2434, <u>wrubio@washoecounty.gov</u>

- a. Prior to approval, the septic system for the existing house (046-032-04) must be located and identified to ensure compliance with the DBOH Regulations Governing Sewage, Wastewater, and Sanitation.
 - i. Or the existing house must be removed, and the septic system abandoned under permit prior to any final approval.
- b. Identify all water wells on the proposed map, and the water source for the existing house. All wells and the type of usage must be identified on a map.
- c. Each proposed parcel will require a Test Trench to be completed and inspected by the Health District prior to any final approval.
- d. To obtain final approval and signature on the Final Map by the Health District the following must be provided:
 - i. Paper or electronic plot plan identifying the location of all wells, test trench locations, and the location of the existing septic system serving the House on current APN (046-032-04).
 - ii. Copies of the test trench inspection and any other documentation from the Health District must be included with the plan submittal for review and signature.

Truckee Meadows Fire Protection District

4. 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 – Dale Way, Deputy Fire Chief – Fire Prevention, 775.326.6000, <u>dway@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 Rights

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5. The following conditions are a requirement of Washoe County Water Rights, which shall be responsible for determining compliance with these conditions.

Contact Name – Timber Weiss, Licensed Engineer, 775.954.4626, tweiss@washoecounty.gov

- a. The subject parcel is not near any municipal, quasi-municipal or private water delivery infrastructure; therefore, resulting parcels will rely on Individual Domestic wells as their source of domestic water supply.
- b. Washoe County code requires that the applicant for a parcel map with parcels served by an individual domestic well, to bring forth an approved and recorded "<u>Affidavit of</u> <u>Relinquishment for Domestic Wells</u>" by the Nevada State Engineer's office. The applicant shall complete the relinquishment process with the State Engineer's office and

record the approved form with the County Recorder's office and submit a recorded copy to Washoe County as a pre-requisite to approval of their parcel map.

- c. The Relinquishment form is available at the following site: <u>water.nv.gov/forms/forms20/Waiver_Drilling/4041F_Affidavit-Relinquishment_for</u> <u>Domestic Wells.pdf</u>
- d. Washoe County retains the authority to impose its own review and reject water rights which do not comply with Washoe County code and area plans. *Therefore, a preview of water rights intended to support the project (prior to relinquishment process) will be helpful for both the applicant and Washoe County staff.*
- e. The ground water rights subject to relinquishment MAY NOT be supplemental ground water which supplement primary surface water rights.
- f. The amount of water rights necessary is 2.00 acre-feet of ground water rights per newly created parcel. The original parcel is deemed exempt from the relinquishment process. In the way of an example, if one parcel is subdivided into a total of 4, there are 3 newly created parcels and one existing or remains thereof. The parcel map under WTPM23-0006 will create only 1 newly created parcel which will require the relinquishment of 2.00 acre-feet of ground water rights.
- g. The water rights must be in good standing with the State of Nevada, with current title. The water rights must be from the same hydrographic basin as the lands subject to the parcel map and comply with the appropriate area plan.

Nevada Division of Water Resources

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6. The following condition is a requirement of Nevada Division of Water Resources, which shall be responsible for determining compliance with this condition.

Contact Name – Steve Shell, Water Rights Specialist II, 775.684.2836, <u>sshell@water.nv.gov</u>

a. Any water used on the described lands should be provided by an established utility or under permit issued by the State Engineer's Office.

Washoe County Regional Parks and Open Space

7. The following condition is a requirement of Washoe County Regional Parks and Open Space, which shall be responsible for determining compliance with this condition.

Contact Name – Faye-Marie Pekar, Park Planner, 775.328.3623, <u>fpekar@washoecounty.gov</u>

a. In alignment with the Washoe County Open Space and Natural Resource Management Plan, Recreational Resources Goal 6: Minimize resource pressures posed by development near open space areas and Goal 6.3, fire breaks between developed areas and open space should be provided by the applicant to minimize wildland fire danger and minimize other potential urban interface conflicts.

*** End of Amended Conditions ***



Parcel Map Review Committee Action Order

Tentative Parcel Map Case Number WTPM23-0006 (Ophir Hill)

Decision:	Approval with Conditions
Decision Date:	July 13, 2023
Mailing/Filing Date:	July 14, 2023
Property Owner:	Burdick Excavating Co., Inc.
Staff Planner:	Katy Stark, Planner
	Phone: 775.328.3618
	E-Mail: krstark@washoecounty.gov

Tentative Parcel Map Case Number WTPM23-0006 (Ophir Hill) – For hearing, discussion, and possible action to approve a tentative parcel map to allow the merger and subsequent re-division of three existing parcels of land into four parcels of land. The existing parcels are 5.29 acres, 2.48 acres and 3.58 acres in size. The resulting parcels will be 2.53 acres, 2.53 acres, 2.97 acres, and 3.26 acres.

- Applicant / Property Burdick Excavating Co., Inc. Owner:
- Location: 632 Old US 395, Washoe Valley, NV 89704
- APN: 046-032-02, 046-032-04 & 046-032-05
- Parcel Size: 5.29 acres, 2.48 acres & 3.58 acres (total: 11.35 acres)
- Master Plan: Rural Residential
- Regulatory Zone: High Density Rural (HDR)
- Area Plan: South Valleys
- Development Code: Authorized in Article 606, Parcel Maps
- Commission District: 2 Commissioner Clark

Notice is hereby given that the Washoe County Parcel Map Review Committee granted approval with conditions for the above referenced case number based on the findings in accordance with Washoe County Development Code Article 606, Parcel Maps. If no appeals have been filed within 10 calendar days from the Mailing/Filing Date shown on this Action Order, the approval by the Washoe County Parcel Map Review Committee is final. If filed, an appeal stays any further action on the decision until final resolution of the appeal. An appeal shall be filed in accordance with the provisions found in Article 912 of the Washoe County Development Code.

The action was based on the Committee's review of the following criteria in accordance with Washoe County Development Code Article 606, Parcel Maps:

1) General improvement considerations for all parcel maps including, but not limited to:

- (i) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal.
- (ii) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the parcels of land being created.
- (iii) The availability and accessibility of utilities.
- (iv) The availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks.
- (v) Conformity with the zoning ordinances and master plan.
- (vi) General conformity with the governing body's master plan of streets and highways.
- (vii) The effect of the proposed division of land on existing public streets and the need for new streets or highways to serve the parcels of land being created.
- (viii) Physical characteristics of the land such as floodplain, slope and soil.
- (ix) The recommendations and comments of those entities reviewing the tentative parcel map pursuant to NRS 278.330 and 278.348, inclusive.
- (x) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.
- (xi) Community antenna television (CATV) conduit and pull wire.
- (xii) Recreation and trail easements.

This Action Order is issued subject to the attached conditions and Washoe County development standards. Please contact the planner assigned to your project at the above-referenced phone number within 7 days of receipt of this Order to review the steps necessary to satisfy the Conditions of Approval. Any business license, certificate of occupancy, or final approval shall not be issued until all of the Conditions of Approval are satisfied. Additionally, compliance shall be required with all federal, state, and local statutes, ordinances, and regulations applicable to the approved project.

This Action Order does not authorize grading or building without issuance of the necessary permits from the Washoe County Planning and Building Division.

Washoe County Community Services Department Planning and Building Division

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Christopher Bronczyk, Parcel Map Review Committee Chair Senior Planner, Planning and Building Division

> WAC24-0008 EXHIBIT B

To:	Burdick Excavating Co., Inc.
Subject:	WTPM23-0006
Mailing Date:	July 14, 2023
Page:	Page 3 of 3

CB/KS/AA

Enclosure: Conditions of Approval

Applicant/Owner:	Burdick Excavating Co., Inc., Attn: Linda Burdick Iburdick@burdickexc.com
Consultant:	KLS Planning & Design Group, Attn: John Krmpotic johnk@klsdesigngroup.com
Other:	Lumos Engineering, Attn: Ed Thomas <u>Ethomas@lumosinc.com</u>
Action Order xc:	Jennifer Gustafson, District Attorney's Office; Keirsten Beck, Assessor's Office; Rigo Lopez, Assessor's Office; Matthew Philumalee, Engineering and Capital Projects; Dale Way, Truckee Meadows Fire Protection District; Wesley Rubio, Health District; Timber Weiss, Water Rights; Faye-Marie Pekar, Regional Parks and Open Space; Steve Shell, Nevada Division of Water Resources, sshell@water.nv.gov



Conditions of Approval

Tentative Parcel Map Case Number WTPM23-0006

The tentative parcel map approved under Parcel Map Case Number WTPM23-0006 shall be carried out in accordance with the conditions of approval granted by the Washoe County Parcel Map Review Committee on July 13, 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 tentative parcel map shall be met or financial assurance must be provided to satisfy the conditions of approval prior to the recordation of a final parcel map. 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 tentative parcel map 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 tentative parcel map may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this tentative parcel map 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 recordation of a final map.
- 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.

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 – Katy Stark, Planner, 775.328.3618, krstark@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 tentative parcel map.
- b. The applicant shall include a condition response memorandum with the final map submittal. 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 final map shall be in substantial compliance with all plans and documents submitted as part of this tentative parcel map application, and with any amendments imposed by the Parcel Map Review Committee. All documentation necessary to satisfy the conditions noted below shall accompany the final map when submitted to the County Engineer and the Planning and Building Division.
- d. The applicant shall comply with all the conditions of approval and shall submit a final map for signature by the Director of the Planning and Building Division within 22 months from the date of approval by the Parcel Map Review Committee. Each agency responsible for imposing conditions may determine whether its conditions must be fully completed or whether the applicant shall be offered the option of providing financial assurances as a means of assuring compliance.
- e. The final map shall contain the following jurat:

DIRECTOR OF PLANNING AND BUILDING CERTIFICATE

THE FINAL PARCEL MAP CASE NO. WTPM23-0006 MEETS ALL APPLICABLE STATUTES, ORDINANCES AND CODE PROVISIONS; IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP AND ITS CONDITIONS, WHICH ARE INCORPORATED HEREIN BY THIS REFERENCE, AND THOSE CONDITIONS HAVE BEEN SATISFIED FOR RECORDATION OF THIS MAP. THE OFFER(S) OF DEDICATION IS (ARE) REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NEVADA REVISED STATUTES CHAPTER 278.

THIS FINAL MAP IS APPROVED AND ACCEPTED THIS _____ DAY OF _____, 20_____, BY THE DIRECTOR OF PLANNING AND BUILDINIG OF WASHOE COUNTY, NEVADA, IN ACCORDANCE WITH NEVADA REVISED STATUTES 278.471 THROUGH 278.4725.

KELLY MULLIN, DIRECTOR, PLANNING AND BUILDING DIVISION

- f. The applicant shall provide verification to the Planning and Building Division that all conditions from the Truckee Meadows Fire Protection District have been satisfied.
- g. The approval for this tentative parcel map does not include improvements for driveways to building pads. Grading for access to building pads, if they exceed the criteria stated in the previous condition, shall require a special use permit.
- h. Prior to recordation of the final map, the metal building/accessory structure located on Parcel D must be legally converted (with issued certificate of occupancy) to a main residence or a new residence must be constructed (with issued certificate of occupancy) or the accessory structure must be removed. All other structures/residences must be removed prior to recordation of the final map.
- i. The distance between the edge of the access easement and the west side of the structure on Parcel D must be a minimum of 30 feet. Prior to recordation of the final map, evidence of this 30-foot minimum setback must be provided.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of the Engineering and Capital Projects, which shall be responsible for determining compliance with these conditions.

Contact Name – Matthew Philumalee, PLS, 775.328.2315, <u>mphilumalee@washoecounty.gov</u>

- a. Comply with the conditions of the Washoe County technical check for this map.
- b. An NDOT driveway permit is required.
- c. Add the FEMA floodplains to the map.
- d. Add the following note to the map: Any structures within a FEMA flood zone must comply with the Washoe County Development Code Article 416.
- e. Add the following note to the final map; "For each parcel created by this final map, access and drainage improvements meeting the requirements of Washoe County Development Code are required with said improvements to be included within an approved residential building permit."
- f. All boundary corners must be set.
- g. Add a Security Interest Holder's Certificate to the map if applicable.
- h. Add the following note to the map; "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."
- i. Any Final Parcel Map associated with this Tentative Parcel Map shall not be approved or recorded until substation completion of the work associated with WSUP22-0027 (Ophir Hill Grading) is complete to the satisfaction of the County Engineer.

Washoe County Health District, Environmental Health Division

3. 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 – Wesley Rubio, MPH, REHS, EHS Supervisor, 775.328.2434, <u>wrubio@washoecounty.gov</u>

- a. Prior to approval, the septic system for the existing house (046-032-04) must be located and identified to ensure compliance with the DBOH Regulations Governing Sewage, Wastewater, and Sanitation.
 - i. Or the existing house must be removed, and the septic system abandoned under permit prior to any final approval.
- b. Identify all water wells on the proposed map, and the water source for the existing house. All wells and the type of usage must be identified on a map.
- c. Each proposed parcel will require a Test Trench to be completed and inspected by the Health District prior to any final approval.
- d. To obtain final approval and signature on the Final Map by the Health District the following must be provided:
 - i. Paper or electronic plot plan identifying the location of all wells, test trench locations, and the location of the existing septic system serving the House on current APN (046-032-04).
 - ii. Copies of the test trench inspection and any other documentation from the Health District must be included with the plan submittal for review and signature.

Truckee Meadows Fire Protection District

4. 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 – Dale Way, Deputy Fire Chief – Fire Prevention, 775.326.6000, <u>dway@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 Rights

5. The following conditions are a requirement of Washoe County Water Rights, which shall be responsible for determining compliance with these conditions.

Contact Name – Timber Weiss, Licensed Engineer, 775.954.4626, <u>tweiss@washoecounty.gov</u>

- a. The subject parcel is not near any municipal, quasi-municipal or private water delivery infrastructure; therefore, resulting parcels will rely on Individual Domestic wells as their source of domestic water supply.
- b. Washoe County code requires that the applicant for a parcel map with parcels served by an individual domestic well, to bring forth an approved and recorded "<u>Affidavit of</u> <u>Relinguishment for Domestic Wells</u>" by the Nevada State Engineer's office. The applicant shall complete the relinquishment process with the State Engineer's office and record the approved form with the County Recorder's office and submit a recorded copy to Washoe County as a pre-requisite to approval of their parcel map.
- c. The Relinquishment form is available at the following site: <u>water.nv.gov/forms/forms20/Waiver_Drilling/4041F_Affidavit-Relinquishment_for</u> <u>Domestic Wells.pdf</u>
- d. Washoe County retains the authority to impose its own review and reject water rights which do not comply with Washoe County code and area plans. *Therefore, a preview of*

water rights intended to support the project (prior to relinquishment process) will be helpful for both the applicant and Washoe County staff.

- e. The ground water rights subject to relinquishment MAY NOT be supplemental ground water which supplement primary surface water rights.
- f. The amount of water rights necessary is 2.00 acre-feet of ground water rights per newly created parcel. The original parcel is deemed exempt from the relinquishment process. In the way of an example, if one parcel is subdivided into a total of 4, there are 3 newly created parcels and one existing or remains thereof. The parcel map under WTPM23-0006 will create only 1 newly created parcel which will require the relinquishment of 2.00 acre-feet of ground water rights.
- g. The water rights must be in good standing with the State of Nevada, with current title. The water rights must be from the same hydrographic basin as the lands subject to the parcel map and comply with the appropriate area plan.

Nevada Division of Water Resources

6. The following condition is a requirement of Nevada Division of Water Resources, which shall be responsible for determining compliance with this condition.

Contact Name – Steve Shell, Water Rights Specialist II, 775.684.2836, <u>sshell@water.nv.gov</u>

a. Any water used on the described lands should be provided by an established utility or under permit issued by the State Engineer's Office.

Washoe County Regional Parks and Open Space

7. The following condition is a requirement of Washoe County Regional Parks and Open Space, which shall be responsible for determining compliance with this condition.

Contact Name – Faye-Marie Pekar, Park Planner, 775.328.3623, <u>fpekar@washoecounty.gov</u>

a. In alignment with the Washoe County Open Space and Natural Resource Management Plan, Recreational Resources Goal 6: Minimize resource pressures posed by development near open space areas and Goal 6.3, fire breaks between developed areas and open space should be provided by the applicant to minimize wildland fire danger and minimize other potential urban interface conflicts.

*** End of Conditions ***

From:	Program, EMS
То:	Olander, Julee
Cc:	Program, EMS; Miller, April; Smith, Sarah C.
Subject:	FW: August Agency Review Memo I
Date:	Monday, August 26, 2024 9:18:20 AM
Attachments:	August Agency Memo 1.pdf
	<u>image001.png</u>
	image002.png
	image003.png
	image004.png
	image005.png
	image006.png
	image007.png
	image008.png
	image009.png
	image010.png
	image011.png

Good Afternoon,

The EMS Program has reviewed the August Agency Review Memo I - Amendment of Conditions Case Number WAC24-0008 for WTPM23-0006 (Ophir Hill) and has no concerns or questions at this time based on the information provided.

One thing of note on the Parcel Map Review, the owner for parcels 046-032-05 and 046-032-04 (Boulder Creek Enterprises) is not congruent with the applicant/property owner with parcel 046-03-02 (Burdick Excavating Co., Inc.).

Thank you,





Date: August 30, 2024

- To: Julee Olander, Planner
- From: Janelle K. Thomas, P.E., Senior Licensed Engineer Robert Wimer, P.E., Licensed Engineer
- Re: Amendment of Conditions Case WAC24-0008 for WTPM23-0006 APN: 046-032-02, 046-032-04 & 046-032-05

GENERAL COMMENTS

Washoe County Engineering staff has reviewed the above referenced application. The Amendment of Conditions case is to approve an Amendment of Conditions to adjust a proposed parcel line in order to ensure that the accessory structure and dwelling are on the same parcel. The Engineering and Capital Projects Division recommends approval with no additional comments or conditions of approval based upon our review of the site and the application prepared by Lumos & Associates.

1001 E. 9th Street Reno, NV 89512 | P: (775) 328-2040 | F: (775) 328-3699 | washoecounty.gov

Hi Julee,

When the parcels are developed on, they will be required to meet our standard requirements.

For the subdivision, we have no specific comments.

"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/.

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"



September 3, 2024

Washoe County Community Services Planning and Development Division

RE: Ophir Hill Parcel Map; 046-032-02, 04 & 05 Amendment of Conditions; WAC24-0008

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 the proposed amendments. The requirements outlined in the previous approval are still required.
- b) Condition #2: The project is proposed on a parcel served by private domestic water well and individual onsite sewage disposal system.
- c) Condition #3: If the project is approved all subsequent building plans and permits must be routed to EHS for review and subsequent approval.

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,

*l*ames **B**nglish, RE

ÉHS Supervisor **Environmental Health Services** Northern Nevada Public Health





Date: August 30, 2024

- To: Julee Olander, Planner
- From: Timber Weiss, P.E., Licensed Engineer
- Re: Detached Accessory Dwelling Case Number WDADAR24-0007 (Franco ADU)

GENERAL PROJECT DISCUSSION

For possible action by the Washoe County Director of Planning and Building to approve an administrative review permit for a 800 SF detached accessory dwelling on a parcel with a 2,080 square feet main dwelling unit.

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 are sufficient water rights to support the Detached Dwelling, TMWA will simply issue a letter indicating no additional water rights are necessary.



Carson City • El Dorado Hills • Fallon • Lake Tahoe • Reno

Reno 950 Sandhill Road, Suite 100 Reno, Nevada 89521 775.827.6111

Ophir Hill Tentative Parcel Map

Amendment of Conditions WTPM23-0006

Prepared for:

Burdick Excavating Company, Inc. P.O. Box 22330 Carson City, Nevada 89721 (775)297-4566

Prepared by:

Lumos & Associates 950 Sandhill Road, Suite 100 Reno, Nevada 89521 (775)827-6111

Table of Contents

Cover Letter Application Fee Application for Amendment of Conditions Amended Condition Language Owner Affidavit Tentative Parcel Map Action Order WTPM23-0006 Proof of Payment of Property Tax

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: Ophir Hill			
Project Tentative Parcel Map to subdivide property into four residential parcels Description: (HDR zone).			
Project Address: 632 Old US 395,	Washoe Valley, Nevada	89704	
Project Area (acres or square fe	et): 11.35 ac.		
Project Location (with point of r	eference to major cross	streets AND area locator):	
632 Old US 395, Washoe Valley, Ne	vada. Approx. 0.75 mi. s	outh of Davis Creek Park Road. South	n Valleys Planning Area.
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
046-032-02	5.17	046-032-05	3.58
046-032-04	2.48		
Case No.(s). WTPM23-000	6, WSUP22-0027		
Applicant Inf	ormation (attach	additional sheets if neces	sary)
Property Owner:		Professional Consultant:	
Name: Burdick Excavating Compan	y, Inc	Name: Lumos & Associates	
Address: P.O. Box 22330		Address: 950 Sandhill Road, Suite	100
Carson City, NV	Zip: 89721	Reno, NV	Zip: 89521
Phone: 775-297-4566	Fax:	Phone: 775-827-6111	Fax:
Email: lburdick@burdickexc.com		Email:ethomas@lumosinc.com	
Cell: 530-362-1095	Other:	Cell:	Other:
Contact Person: Linda Burdick		Contact Person: Edward C. Thomas, P.E.	
Applicant/Developer:		Other Persons to be Contac	ted:
Name: Same		Name: Lumos & Associates	
Address:		Address: 308 N. Curry Street	
	Zip:	Carson City, NV	Zip: 89706
Phone:	Fax:	Phone: 775-883-7077	Fax:
Email:		Email: gphillips@lumosinc.com	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person: Greg Phillips, P.	L.S.
	For Office	Use Only	
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

February 2024

Amendment of Conditions Application Supplemental Information

(All required Information may be separately attached)

Required Information

- 1. The following information is required for an Amendment of Conditions:
 - a. Provide a written explanation of the proposed amendment, why you are asking for the amendment, and how the amendment will modify the approval.
 - b. Identify the specific Condition or Conditions that you are requesting to amend.
 - c. Provide the requested amendment language to each Condition or Conditions, and provide both the *existing* and *proposed* condition(s).

Owner no longer wishes to convert the existing barn structure located on APN 046-032-02 to a livable structure and no longer wishes to demolish the existing residence on APN 046-032-04. To accomplish this change, the owner wishes to revise the proposed parcel layout to place the barn structure on proposed Parcel B with. With this change, the barn will be an accessory structure to the existing residence on Parcel B.

This application requests amendments to Conditions 1.h. and 1.i. Please see attached description of existing and amended language for Conditions 1.h and 1.i.

2. Describe any potential impacts to public health, safety, or welfare that could result from granting the amendment. Describe how the amendment affects the required findings as approved.

The requested amendment does not have an effect on public health, safety, or welfare.



www.LumosInc.com

Reno 950 Sandhill Road, Suite 100 Reno, Nevada 89521 775.827.6111

August 8, 2024

Katy Stark, Planner Washoe County Community Services Department 1001 E. 9th Street Reno, NV 89512

Subject: WTPM23-0006 – Ophir Hill Tentative Parcel Map Amendment to Conditions 1.h. and 1.i.

Dear Ms. Stark:

On behalf of the applicant, Burdick Excavating Company, Inc., we respectfully request amendments to Conditions 1.h. and 1.i. of the approved WTPM23-0006 – Ophir Hill.

Original Language Condition 1.h.

Prior to the recordation of the final map, the metal building/accessory structure located on Parcel D must be legally converted (with issued certificate of occupancy) to a main residence or a new residence must be constructed (with issued certificate of occupancy) or the accessory structure must be removed. All other structures/residences must be removed prior to recordation of the final map.

Proposed Language Condition 1.h.

This condition is no longer relevant and shall be stricken.

Original Language Condition 1.i.

The distance between the edge of the access easement and the west side of the structure on Parcel D must be a minimum of 30 feet. Prior to recordation of the final map, evidence of this 30-foot minimum setback must be provided.

Proposed Language Condition 1.i.

The distance between the edge of the access easement and the west side of the structure on Parcel B must be a minimum of 30 feet. Prior to recordation of the final map, evidence of this 30-foot minimum setback must be provided.

If you have any questions, please do not hesitate to contact me at 775.827.6111.

Sincerely,

Edward C. Thomas, P.E. Senior Engineer

L:\LAProj\9103.004 - Ophir Hill Grading-NDOT-PM\3-Design\Tentative Parcel Map\9103004 - WTPM23-0006 - Amendments to Conditions.docx WAC24-0008



Parcel Map Review Committee Action Order

Tentative Parcel Map Case Number WTPM23-0006 (Ophir Hill)

Decision:	Approval with Conditions
Decision Date:	July 13, 2023
Mailing/Filing Date:	July 14, 2023
Property Owner:	Burdick Excavating Co., Inc.
Staff Planner:	Katy Stark, Planner
	Phone: 775.328.3618
	E-Mail: krstark@washoecounty.gov

Tentative Parcel Map Case Number WTPM23-0006 (Ophir Hill) – For hearing, discussion, and possible action to approve a tentative parcel map to allow the merger and subsequent re-division of three existing parcels of land into four parcels of land. The existing parcels are 5.29 acres, 2.48 acres and 3.58 acres in size. The resulting parcels will be 2.53 acres, 2.53 acres, 2.97 acres, and 3.26 acres.

- Applicant / Property Burdick Excavating Co., Inc. Owner:
- Location: 632 Old US 395, Washoe Valley, NV 89704
- APN: 046-032-02, 046-032-04 & 046-032-05
- Parcel Size: 5.29 acres, 2.48 acres & 3.58 acres (total: 11.35 acres)
- Master Plan: Rural Residential
- Regulatory Zone: High Density Rural (HDR)
- Area Plan: South Valleys
- Development Code: Authorized in Article 606, Parcel Maps
- Commission District: 2 Commissioner Clark

Notice is hereby given that the Washoe County Parcel Map Review Committee granted approval with conditions for the above referenced case number based on the findings in accordance with Washoe County Development Code Article 606, Parcel Maps. If no appeals have been filed within 10 calendar days from the Mailing/Filing Date shown on this Action Order, the approval by the Washoe County Parcel Map Review Committee is final. If filed, an appeal stays any further action on the decision until final resolution of the appeal. An appeal shall be filed in accordance with the provisions found in Article 912 of the Washoe County Development Code.

The action was based on the Committee's review of the following criteria in accordance with Washoe County Development Code Article 606, Parcel Maps:

1) General improvement considerations for all parcel maps including, but not limited to:

- (i) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal.
- (ii) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the parcels of land being created.
- (iii) The availability and accessibility of utilities.
- (iv) The availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks.
- (v) Conformity with the zoning ordinances and master plan.
- (vi) General conformity with the governing body's master plan of streets and highways.
- (vii) The effect of the proposed division of land on existing public streets and the need for new streets or highways to serve the parcels of land being created.
- (viii) Physical characteristics of the land such as floodplain, slope and soil.
- (ix) The recommendations and comments of those entities reviewing the tentative parcel map pursuant to NRS 278.330 and 278.348, inclusive.
- (x) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands.
- (xi) Community antenna television (CATV) conduit and pull wire.
- (xii) Recreation and trail easements.

This Action Order is issued subject to the attached conditions and Washoe County development standards. Please contact the planner assigned to your project at the above-referenced phone number within 7 days of receipt of this Order to review the steps necessary to satisfy the Conditions of Approval. Any business license, certificate of occupancy, or final approval shall not be issued until all of the Conditions of Approval are satisfied. Additionally, compliance shall be required with all federal, state, and local statutes, ordinances, and regulations applicable to the approved project.

This Action Order does not authorize grading or building without issuance of the necessary permits from the Washoe County Planning and Building Division.

Washoe County Community Services Department Planning and Building Division

(hris Broncryk

Christopher Bronczyk, Parcel Map Review Committee Chair Senior Planner, Planning and Building Division

> WAC24-0008 EXHIBIT D

To:	Burdick Excavating Co., Inc.
Subject:	WTPM23-0006
Mailing Date:	July 14, 2023
Page:	Page 3 of 3

CB/KS/AA

Enclosure: Conditions of Approval

Applicant/Owner:	Burdick Excavating Co., Inc., Attn: Linda Burdick Iburdick@burdickexc.com
Consultant:	KLS Planning & Design Group, Attn: John Krmpotic johnk@klsdesigngroup.com
Other:	Lumos Engineering, Attn: Ed Thomas <u>Ethomas@lumosinc.com</u>
Action Order xc:	Jennifer Gustafson, District Attorney's Office; Keirsten Beck, Assessor's Office; Rigo Lopez, Assessor's Office; Matthew Philumalee, Engineering and Capital Projects; Dale Way, Truckee Meadows Fire Protection District; Wesley Rubio, Health District; Timber Weiss, Water Rights; Faye-Marie Pekar, Regional Parks and Open Space; Steve Shell, Nevada Division of Water Pesagurage, schell@water pagev

Water Resources, sshell@water.nv.gov

WAC24-0008 EXHIBIT D



Conditions of Approval

Tentative Parcel Map Case Number WTPM23-0006

The tentative parcel map approved under Parcel Map Case Number WTPM23-0006 shall be carried out in accordance with the conditions of approval granted by the Washoe County Parcel Map Review Committee on July 13, 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 tentative parcel map shall be met or financial assurance must be provided to satisfy the conditions of approval prior to the recordation of a final parcel map. 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 tentative parcel map 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 tentative parcel map may result in the institution of revocation procedures.

Washoe County reserves the right to review and revise the conditions of approval related to this tentative parcel map 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 recordation of a final map.
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The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

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

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DIRECTOR OF PLANNING AND BUILDING CERTIFICATE

THE FINAL PARCEL MAP CASE NO. WTPM23-0006 MEETS ALL APPLICABLE STATUTES, ORDINANCES AND CODE PROVISIONS; IS IN SUBSTANTIAL CONFORMANCE WITH THE TENTATIVE MAP AND ITS CONDITIONS, WHICH ARE INCORPORATED HEREIN BY THIS REFERENCE, AND THOSE CONDITIONS HAVE BEEN SATISFIED FOR RECORDATION OF THIS MAP. THE OFFER(S) OF DEDICATION IS (ARE) REJECTED AT THIS TIME, BUT WILL REMAIN OPEN IN ACCORDANCE WITH NEVADA REVISED STATUTES CHAPTER 278.

THIS FINAL MAP IS APPROVED AND ACCEPTED THIS _____ DAY OF _____, 20_____, BY THE DIRECTOR OF PLANNING AND BUILDINIG OF WASHOE COUNTY, NEVADA, IN ACCORDANCE WITH NEVADA REVISED STATUTES 278.471 THROUGH 278.4725.

KELLY MULLIN, DIRECTOR, PLANNING AND BUILDING DIVISION

- f. The applicant shall provide verification to the Planning and Building Division that all conditions from the Truckee Meadows Fire Protection District have been satisfied.
- g. The approval for this tentative parcel map does not include improvements for driveways to building pads. Grading for access to building pads, if they exceed the criteria stated in the previous condition, shall require a special use permit.
- h. Prior to recordation of the final map, the metal building/accessory structure located on Parcel D must be legally converted (with issued certificate of occupancy) to a main residence or a new residence must be constructed (with issued certificate of occupancy) or the accessory structure must be removed. All other structures/residences must be removed prior to recordation of the final map.
- i. The distance between the edge of the access easement and the west side of the structure on Parcel D must be a minimum of 30 feet. Prior to recordation of the final map, evidence of this 30-foot minimum setback must be provided.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of the Engineering and Capital Projects, which shall be responsible for determining compliance with these conditions.

Contact Name – Matthew Philumalee, PLS, 775.328.2315, <u>mphilumalee@washoecounty.gov</u>

- a. Comply with the conditions of the Washoe County technical check for this map.
- b. An NDOT driveway permit is required.
- c. Add the FEMA floodplains to the map.
- d. Add the following note to the map: Any structures within a FEMA flood zone must comply with the Washoe County Development Code Article 416.
- e. Add the following note to the final map; "For each parcel created by this final map, access and drainage improvements meeting the requirements of Washoe County Development Code are required with said improvements to be included within an approved residential building permit."
- f. All boundary corners must be set.
- g. Add a Security Interest Holder's Certificate to the map if applicable.
- h. Add the following note to the map; "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."
- i. Any Final Parcel Map associated with this Tentative Parcel Map shall not be approved or recorded until substation completion of the work associated with WSUP22-0027 (Ophir Hill Grading) is complete to the satisfaction of the County Engineer.

Washoe County Health District, Environmental Health Division

3. 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 – Wesley Rubio, MPH, REHS, EHS Supervisor, 775.328.2434, <u>wrubio@washoecounty.gov</u>

- a. Prior to approval, the septic system for the existing house (046-032-04) must be located and identified to ensure compliance with the DBOH Regulations Governing Sewage, Wastewater, and Sanitation.
 - i. Or the existing house must be removed, and the septic system abandoned under permit prior to any final approval.
- b. Identify all water wells on the proposed map, and the water source for the existing house. All wells and the type of usage must be identified on a map.
- c. Each proposed parcel will require a Test Trench to be completed and inspected by the Health District prior to any final approval.
- d. To obtain final approval and signature on the Final Map by the Health District the following must be provided:
 - i. Paper or electronic plot plan identifying the location of all wells, test trench locations, and the location of the existing septic system serving the House on current APN (046-032-04).
 - ii. Copies of the test trench inspection and any other documentation from the Health District must be included with the plan submittal for review and signature.

Truckee Meadows Fire Protection District

4. 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 – Dale Way, Deputy Fire Chief – Fire Prevention, 775.326.6000, <u>dway@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 Rights

5. The following conditions are a requirement of Washoe County Water Rights, which shall be responsible for determining compliance with these conditions.

Contact Name – Timber Weiss, Licensed Engineer, 775.954.4626, <u>tweiss@washoecounty.gov</u>

- a. The subject parcel is not near any municipal, quasi-municipal or private water delivery infrastructure; therefore, resulting parcels will rely on Individual Domestic wells as their source of domestic water supply.
- b. Washoe County code requires that the applicant for a parcel map with parcels served by an individual domestic well, to bring forth an approved and recorded <u>"Affidavit of</u> <u>Relinguishment for Domestic Wells</u>" by the Nevada State Engineer's office. The applicant shall complete the relinquishment process with the State Engineer's office and record the approved form with the County Recorder's office and submit a recorded copy to Washoe County as a pre-requisite to approval of their parcel map.
- c. The Relinquishment form is available at the following site: <u>water.nv.gov/forms/forms20/Waiver Drilling/4041F Affidavit-Relinguishment for Domestic Wells.pdf</u>
- d. Washoe County retains the authority to impose its own review and reject water rights which do not comply with Washoe County code and area plans. *Therefore, a preview of*

water rights intended to support the project (prior to relinquishment process) will be helpful for both the applicant and Washoe County staff.

- e. The ground water rights subject to relinquishment MAY NOT be supplemental ground water which supplement primary surface water rights.
- f. The amount of water rights necessary is 2.00 acre-feet of ground water rights per newly created parcel. The original parcel is deemed exempt from the relinquishment process. In the way of an example, if one parcel is subdivided into a total of 4, there are 3 newly created parcels and one existing or remains thereof. The parcel map under WTPM23-0006 will create only 1 newly created parcel which will require the relinquishment of 2.00 acre-feet of ground water rights.
- g. The water rights must be in good standing with the State of Nevada, with current title. The water rights must be from the same hydrographic basin as the lands subject to the parcel map and comply with the appropriate area plan.

Nevada Division of Water Resources

6. The following condition is a requirement of Nevada Division of Water Resources, which shall be responsible for determining compliance with this condition.

Contact Name – Steve Shell, Water Rights Specialist II, 775.684.2836, <u>sshell@water.nv.gov</u>

a. Any water used on the described lands should be provided by an established utility or under permit issued by the State Engineer's Office.

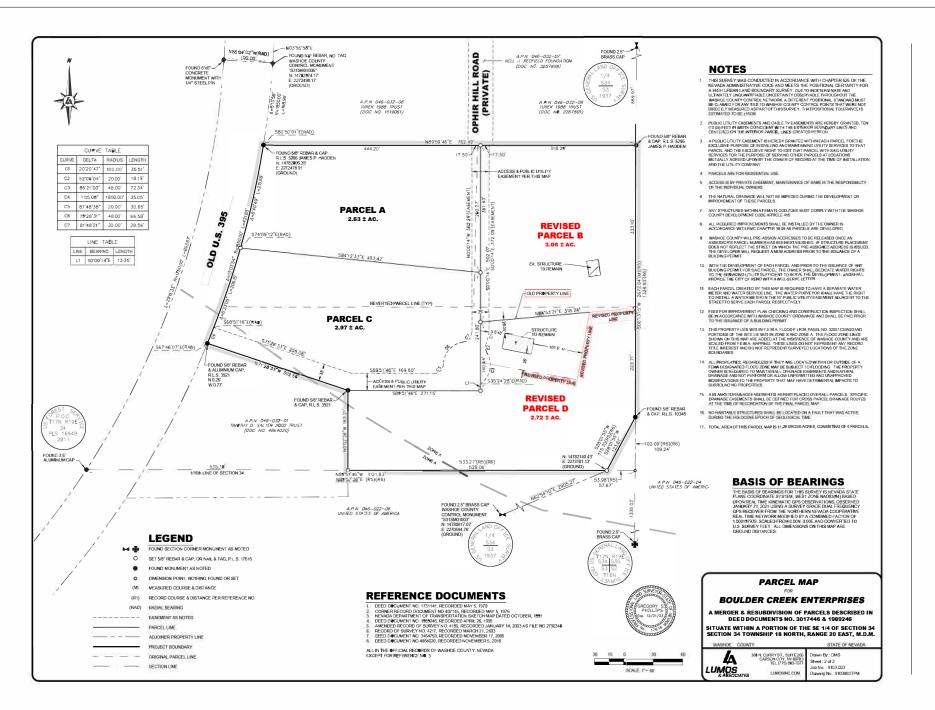
Washoe County Regional Parks and Open Space

7. The following condition is a requirement of Washoe County Regional Parks and Open Space, which shall be responsible for determining compliance with this condition.

Contact Name – Faye-Marie Pekar, Park Planner, 775.328.3623, <u>fpekar@washoecounty.gov</u>

a. In alignment with the Washoe County Open Space and Natural Resource Management Plan, Recreational Resources Goal 6: Minimize resource pressures posed by development near open space areas and Goal 6.3, fire breaks between developed areas and open space should be provided by the applicant to minimize wildland fire danger and minimize other potential urban interface conflicts.

*** End of Conditions ***



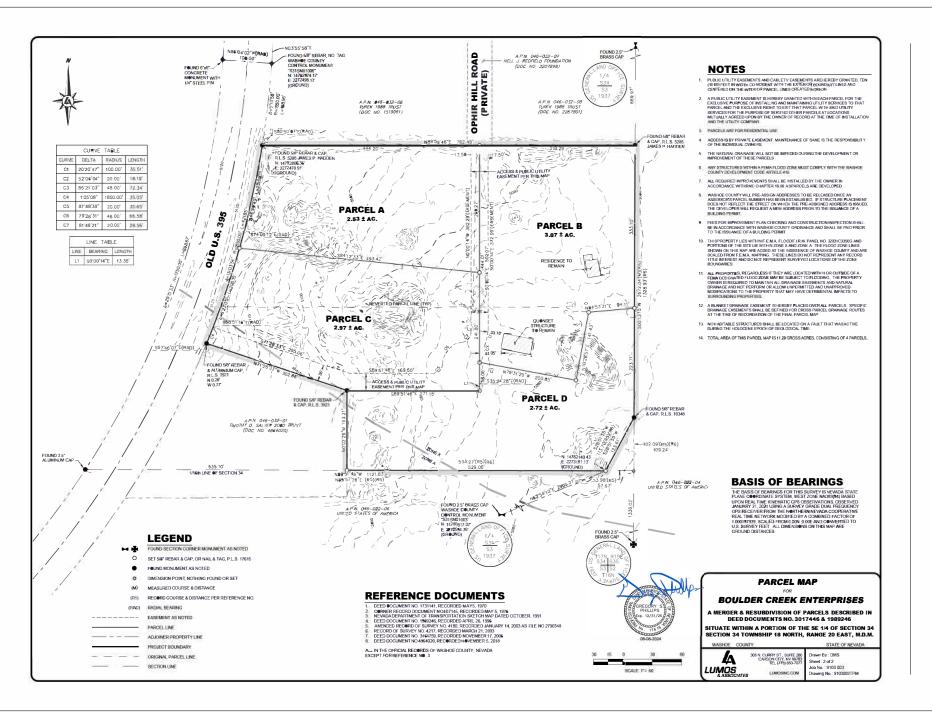
OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED, LINDA BURDICK, PRESIDENT OF BOULDER CREEK ENTERPRISES, A NEVADA CORFORMATION, BURDICK EXCANATING COMPARY, INC. A CALFORNA CORFORATION ARE THE OWNERS OF THE TRACTS OF UND REPRESENTED ON THIS PLAT, AND HAS CONSENTED TO THE REPRARATION AND RECORDATION OF THIS PLAT AND THAT THE SAME IS EXECUTED IN COMPLANCE WITH AND SUBJECT TO THE REPRARATION OF N.R.S. OHNTER 27,81 THE PUBLIC UTLIFY DESKEMENTS, AND ACCESS EXERCITION SHOW AND RECORDED BY NOTE ARE	REGONAL PARK
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THE FINAL MAP IS APPRIVED AND ACCEPTED THIS DAY OF 20 PY THE DIVISION DIRECTOR OF PLANING AND BULDING OF WASHDE COUNTY, NEVADA, IN ACCORDANCE WITH NEVADA REVISED STATUTES 278.471 THROUGH 278.4726.	NEWADA BELI, TELEPHONECOMPANY DISA AYAT NEVADA DATE BY
BY: RELLY MULLIN DATE TIS: DIRECTOR OF PLANNING & BUILDING DIVISION	STATE OF
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TITLE COMPANY CERTIFICATE	
THE UNDERSIGNED HEREBY CERTIFIES THAT THIS PLAT HAS BEEN EXAMINED AND THAT LINDA BURDICK, OWNER OF RECORD AND INTERSITIN THE UND DELINATED HEREON AND THAT THEY ARE THEN.Y OWNER OF THE RECORD OF SHID LAND, THAT NO THE HOLD OF RECORD A SECURITY INTERSITY IN THE LINDA SECURITY. SHOWN BELOW,	STATE OF }SS: COUNTY OF }SS: ON THIS DAY OF IN THE YEAR 200, BEFORE ME, A
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	In the entity on behalf of which the person acted, executed the instrument witness my hand and official seal.

	SURVEYOR'S CERTIFICATE
	L GREGORY S. PHILLIPS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, AS AGENT FOR LUMOS AND ASSOCIATES, INC., CERTIFY THAT:
$7 \qquad > N$	1) THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF BOULDER CREEK ENTERPRISES
	2) THE LANDSSURVEYED LIE WITHIN A PORTION OF THE SWIIA OF THE NIVIA OF SECTION 11, THEN, R. 19E, M.D.M., AND THE SURVEY WAS COMPLETED ON AUGUST 7, 2024
	3) THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE COMPRIMING BODY GAVE ITS FINAL APPROVAL,
WASHKE LAKE	4) THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.
	GRECORY S PHILIPS PLS 17616
	DISTRICT BOARD OF HEALTH CERTIFICATE
Y COMPANY CERTIFICATES	THIS MAP IS APPRIVED BY THE WASHOE COUNTY DISTRICT BOARD OF HEALTH. THIS APPROVAL CONCERNS SEWAGE DISPOCAL, WATER POLLIDION, WATER QUALITY, AND WATER SUPPLY FACILITIES. THIS MAP HAS BEEN FOUND TO MEET ALL APPLICABLE REQUIREMENTS AND PROVISIONS OF THE ENVIRONMENTAL HEALTH SERVICES DIVISION OF THE WASHOE COUNTY HEALTH DISTRICT.
EMENTS SHOWN ON THIS PLAT HAVE BEEN CHECKED, ACCEPTED, AND APPROVED BY THE TABLE TV AND PUBIC UTILITY COMPANES	
POWER COMPANY DANA NY ENERGY DATE	FOR THE DISTRICT BOARD OF HEALTH DATE
	WATER & SEWER RESOURCES REQUIREMENTS
UNICATIONS DATE	THE PROJECT/DEVEL & WHENT DEPICITED ON THIS IN CONFORMANCE WITH THE PROVISIONS OF ARTICLE 422 OF WASHING COUNTY CHAPTER 110 DEVELOPMENT CODE
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	VAND REHAVARAM DATE WASHDE COUNTY COMMUNITY SERVICES DEPARTMENT
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ND OFFICIAL SEAL	A P.N. NO. 066 032 02, 046 032 04 & 046 032-05
}ss	LINEA ACCES DATE WASHER COUNTY TREASURER

SURVEYOR'S CERTIFICATE

OR THE FISCAL YEAR HAVE BEEN CONVERSION OF THE PROPERTY LINDA JACOBS DATE. WASHOE COUNTY TREASURER PARCEL MAP FOR BOULDER CREEK ENTERPRISES A MERGER & RESUBDIVISION OF PARCELS DESCRIBED IN DEED DOCUMENTS NO. 3017446 & 1989246 SITUATE WITHIN A PORTION OF THE SE 1/4 OF SECTION 34 SECTION 34 TOWNSHIP 18 NORTH, RANGE 20 EAST, M.D.M. WASHOE COUNTY STATE OF NEVADA 305 N. CURRY ST., SUITE 200 CARSON CITY, NV 59703 TEL (775) 883-7077 Drawn By : DMS Sheet : 1 of 2 Job No.: 9103.003 Drawing No 4 LUMOS LUMOSING COM ATES



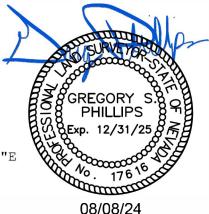
Boulder Creek Enterprises - Revised TPM

Name: Parcel A

End North: 14782595.8922' East: 2272432.2240'

Segment #1 : Curve

Length: 215.69' Radius: 1850.00' Delta: 6°40'49" Tangent: 107.97' Chord: 215.57' Course: N12° 30' 23"E Course In: N74° 09' 12"W Course Out: S80° 50' 01"E RP North: 14783101.0604' East: 2270652.5316' End North: 14782806.3471' East: 2272478.9053'



Segment #2 : Line

Course: N8	39° 59' 46"E	Length:	444.20'
North: 147	782806.3773'	East: 2	272923.1053

Segment #3 : Line

Course:	S0°	00'	14"E	Length	260.27'
North: 1	L 4 782	546.	1073'	East:	2272923.1230'

Segment #4 : Line

Course: N84° 12' 33"W Length: 493.42' North: 14782595.8919' East: 2272432.2210'

 Perimeter: 1413.59'
 Area: 110174.00 Sq. Ft.
 2.53 Acres

 Error Closure:
 0.0030
 Course: S84° 58' 00"W

 Error North:
 -0.00026
 East: -0.00299

Precision 1: 471153.33

Name: Parcel C

North: 14782362.3679' East: 2272923.1398'

Segment #1 : Line

Course: S0° 00' 14"E Length: 58.06' North: 14782304.3079' East: 2272923.1438'

Segment #2 : Line Course: N89° 51' 46"W Length: 271.15' North: 14782304.9573' East: 2272651.9945' Segment #3 : Line Course: N71° 28' 33"W Length: 302.66' North: 14782401.1138' East: 2272365.0154' Segment #4 : Curve Length: 206.15' Radius: 1850.00' Delta: 6°23'05" Tangent: 103.18' Chord: 206.05' Course: N19° 02' 20"E Course In: N67° 46' 07"W Course Out: S74° 09' 12"E RP North: 14783101.0575' East: 2270652.5380' End North: 14782595.8923' East: 2272432.2310' Segment #5 : Line Course: S84° 12' 33"E Length: 493.42' East: 2272923.1330' North: 14782546.1077' Segment #6 : Line Length: 183.74' Course: S0° 00' 14"E North: 14782362.3677' East: 2272923.1454' Perimeter: 1515.19' Area: 129507.01 Sq. Ft. 2.97 Acres Course: S87° 24' 01"E Error Closure: 0.0056 Error North: -0.00026 East: 0.00563 Precision 1: 270550.00 Name: Parcel B North: 14782473.2975' East: 2273240.1127' Segment #1 : Line Course: S84° 53' 21"W Length: 94.11' East: 2273146.3768' North: 14782464.9140' Segment #2 : Line Course: S10° 28' 57"W Length: 141.43' East: 2273120.6457' North: 14782325.8444'

Segment #3 : Line Course: N79° 31' 25"W Length: 200.85' North: 14782362.3650' East: 2272923.1439' Segment #4 : Line Course: N0° 00' 14"W Length: 183.74' North: 14782546.1050' East: 2272923. East: 2272923.1315' Segment #5 : Line Course: N0° 00' 14"W Length: 260.27' North: 14782806.3750' East: 2272923.1138' Segment #6 : Line North: 14782806.3966' Course: N89° 59' 46"E Length: 318.29' East: 2273241.4038' Segment #7 : Line Course: S0° 13' 15"W Length: 333.10' North: 14782473.2990' East: 2273240.1199' Perimeter: 1531.79' Area: 133714.66 Sq. Ft. 3.07 Acres Error Closure: 0.0074 Course: N78° 08' 45"E Error North: 0.00152 East: 0.00726 Precision 1: 206998.65 Name: Parcel D North: 14782140.4831' East: 2273181.1598' Segment #1 : Line Course: N89° 51' 46"W Length: 529.06' North: 14782141.7502' East: 2272652.1013' Segment #2 : Line Course: N0° 02' 26"W Length: 163.21' North: 14782304.9602' East: 2272651.9858'

Segment #3 : Line

Course: S89° 51' 46"E Length: 271.15' North: 14782304.3108' East: 2272923.1350' Segment #4 : Line Course: N0° 00' 14"W Length: 58.06' North: 14782362.3708' East: 2272923.1311' Segment #5 : Line Course: S79° 31' 25"E North: 14782325.8502' Length: 200.85' East: 2273120.6329' Segment #6 : Line Course: N10° 28' 57"E Length: 141.43' North: 14782464.9198' East: 2273146.3640' Segment #7 : Line Course: N84° 53' 21"E Length: 94.11' North: 14782473.3034' East: 2273240.0998' Segment #8 : Line Course: S0° 13' 15"W Length: 223.71' North: 14782249.5950' East: 2273239. East: 2273239.2376' Segment #9 : Line Course: S28° 01' 55"W Length: 123.61' East: 2273181.1454' North: 14782140.4862' Area: 118385.64 Sq. Ft. 2.72 Acres Perimeter: 1805.19' 0.0148 Course: N77° 56' 40"W Error Closure: Error North: 0.00308 East: -0.01443

Precision 1: 121972.30