



# Planning Commission Staff Report

Meeting Date: February 4, 2020

Agenda Item: 9B

ABANDONMENT CASE NUMBER:  
VARIANCE CASE NUMBER:

WAB19-0003 Cooper Easement  
WPVAR19-0003 Cooper Variance

## BRIEF SUMMARY OF REQUEST:

To approve abandoning a portion of the access and utility easement. To request a variance of the front and side yard setbacks.

## STAFF PLANNER:

Planner's Name: Dan Cahalane; Chris Bronczyk  
Phone Number: 775.328.3628; 775.328.3612  
E-mail: [cbronczyk@washoecounty.us](mailto:cbronczyk@washoecounty.us);  
[dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us)

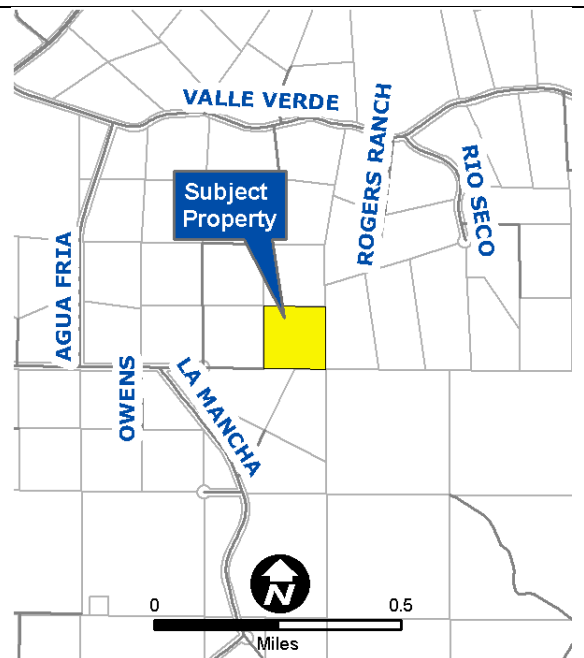
### CASE DESCRIPTION – Abandonment

For possible action, hearing, and discussion to approve abandoning a portion of the access and utility easement bulb, located in the southwestern corner of the subject parcel, in order to create a non-constrained buildable area.

### CASE DESCRIPTION – Variance

For possible action, hearing, and discussion to approve a variance of the setbacks located on the relocated easement per WAB19-0003. The required setbacks are 30 feet front and rear, and 50 feet for the side yards. The variance request is for a zero (0) feet for the front yard setback off the relocated access easement, and a ten (10) foot side yard setback on the western property line.

Applicant/ Property Owner: Jimmy and Marianna Cooper  
Location: 0 El Molino Drive  
APN: 076-381-64  
Parcel Size: 10 acres  
Master Plan: Rural (R)  
Regulatory Zone: General Rural (GR)  
Area Plan: Spanish Springs  
Citizen Advisory Board: Spanish Springs  
Development Code: Authorized in Article 806, Vacations and Abandonments of Streets and Easements and Article 804, Variances  
Commission District: 4 – Commissioner Hartung



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**STAFF RECOMMENDATION – Abandonment**

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 Planning Commission approve Abandonment Case Number WAB19-0003 for Cooper, having made all three findings in accordance with Washoe County Code Section 110.806.20.

*(Motion with Findings on Page 12)*

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**STAFF RECOMMENDATION – Variance**

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 Planning Commission deny Variance Case Number WPVAR19-0003 for Cooper, having been unable to make all five required findings in accordance with Washoe County Development Code Section 110.804.25:

*(Motion with Findings on Pages 12 and 13)*

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Washoe-Storey Conservation District Letter Dated 1/6/2020..... Exhibit G

Abandonment Public Notice..... Exhibit H

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### **Abandonment Definition**

The purpose of an abandonment is to allow for the vacation or abandonment of easements or streets. If the Planning Commission grants an approval of the abandonment, that approval is subject to conditions of approval. Conditions of approval are requirements that need to be completed prior to the recordation of the Resolution and Order of Abandonment.

The Resolution and Order of Abandonment is the legal record, prepared by the Engineering and Capital Projects Division which is recorded to complete the abandonment process. The Engineering and Capital Projects Division completes a technical review of the legal description, exhibit maps and any new easements, submitted by the applicant's surveyor, that are required by the conditions of approval. When the Engineering and Capital Projects Division is satisfied that all conditions of approval have been met, then the Engineering and Capital Projects Division will record the Resolution and Order of Abandonment with the County Recorder. The abandonment is complete upon the recordation of the Resolution and Order of Abandonment with the County Recorder.

The conditions of approval for Abandonment Case Number WAB19-0003 is attached to this staff report and will be included with the Action Order if granted approval.

- All conditions of approval are required to be completed before the abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a Resolution and Order of Abandonment by the Engineering and Capital Projects Division and after the recordation of the Resolution and Order of Abandonment by the County Recorder.

The subject property has a regulatory zone of General Rural (GR) which has front yard setbacks of 30 ft, side yard setbacks of 50 ft, and rear yard setbacks of 30 ft.

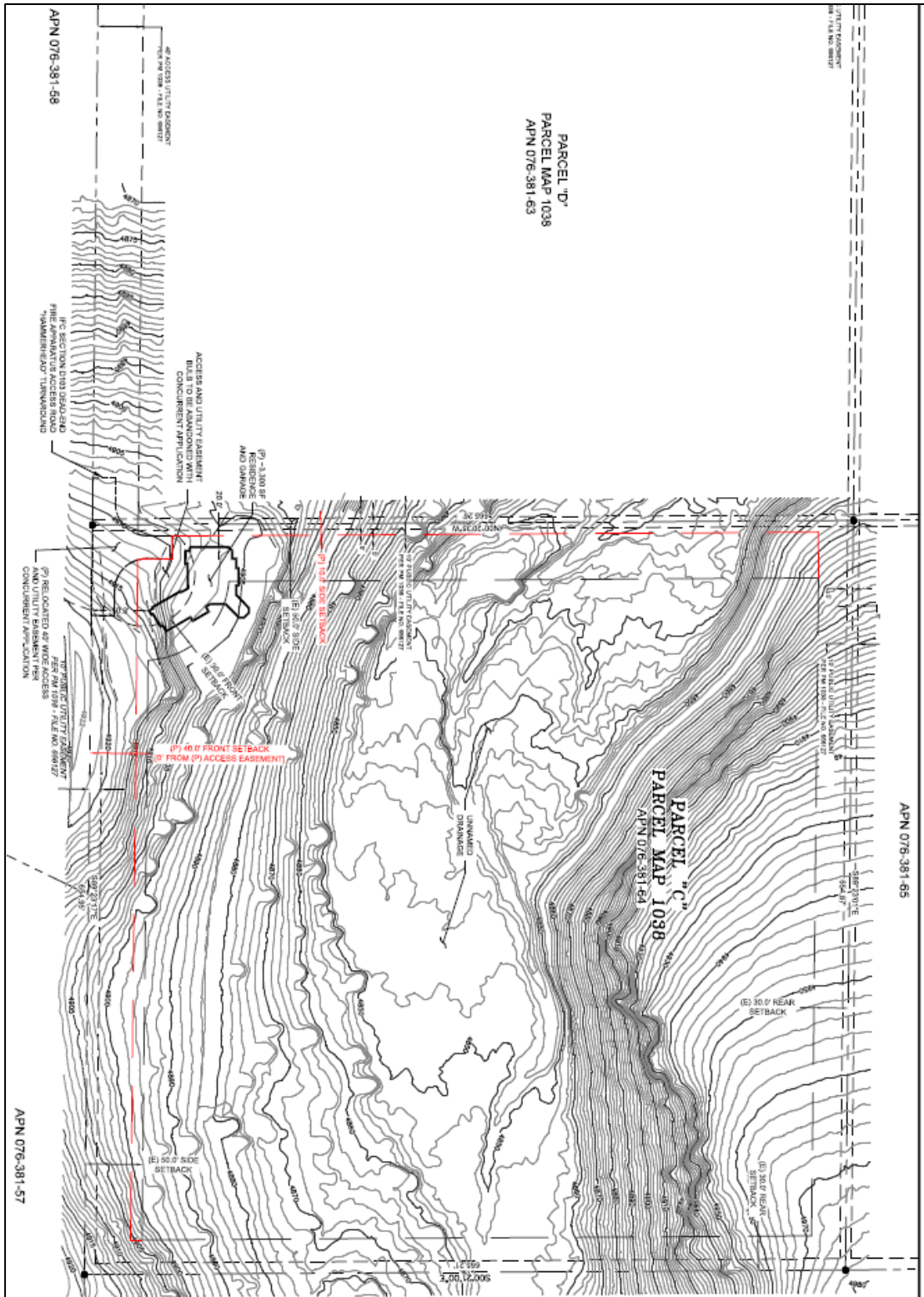
### **Variance Definition**

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 Planning Commission 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:

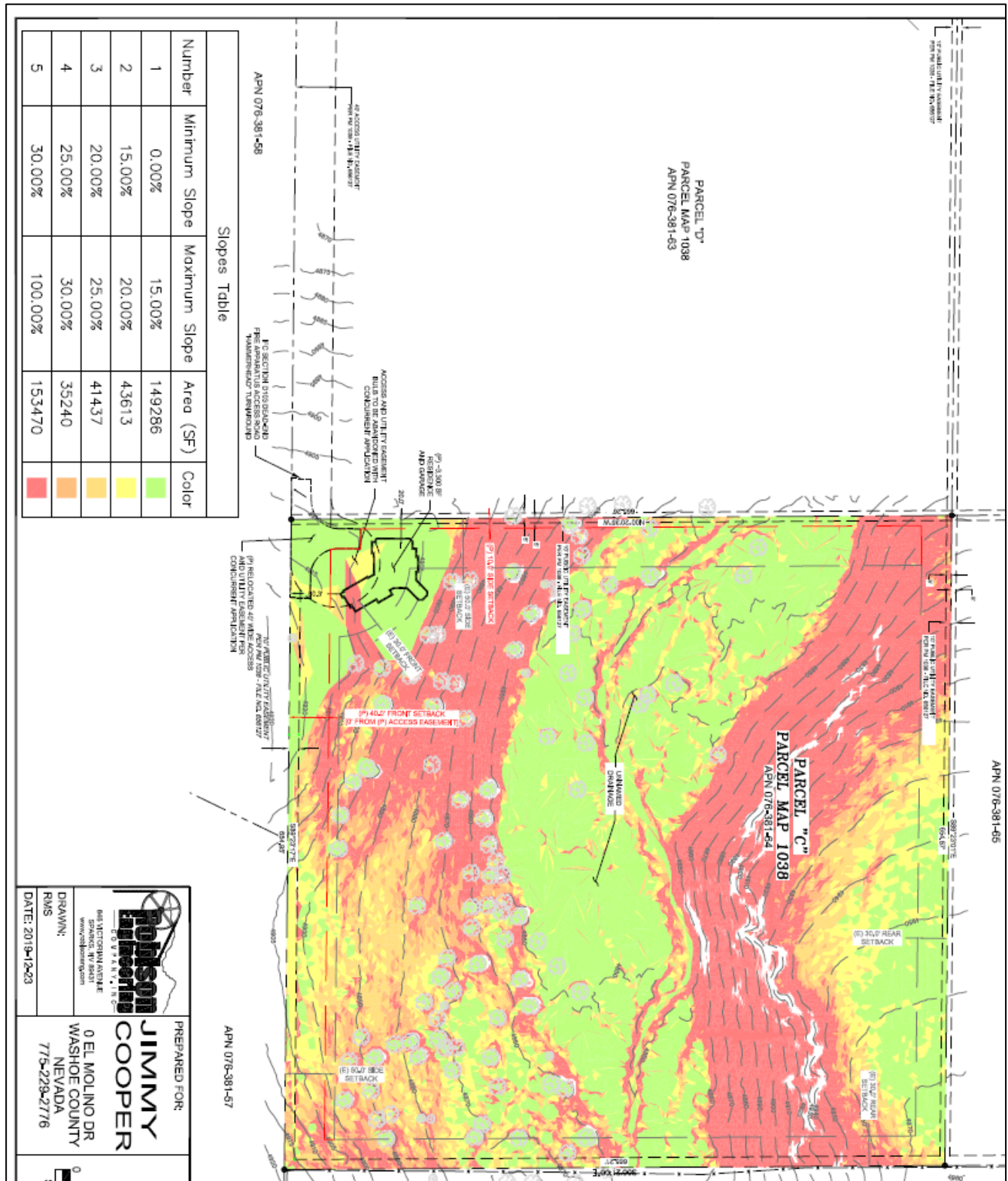
- Prior to permit issuance (i.e., a grading permit, a building permit, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure.
- Prior to the issuance of a business license or other permits/licenses.
- Some conditions of approval are referred to as "Operational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

The conditions of approval for Variance Case Number WPVAR19-0003 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 General Rural (GR), and the setbacks are 30 feet for the front yard setback, 30 feet for the rear yard setback, and 50 feet for the side yard setback.



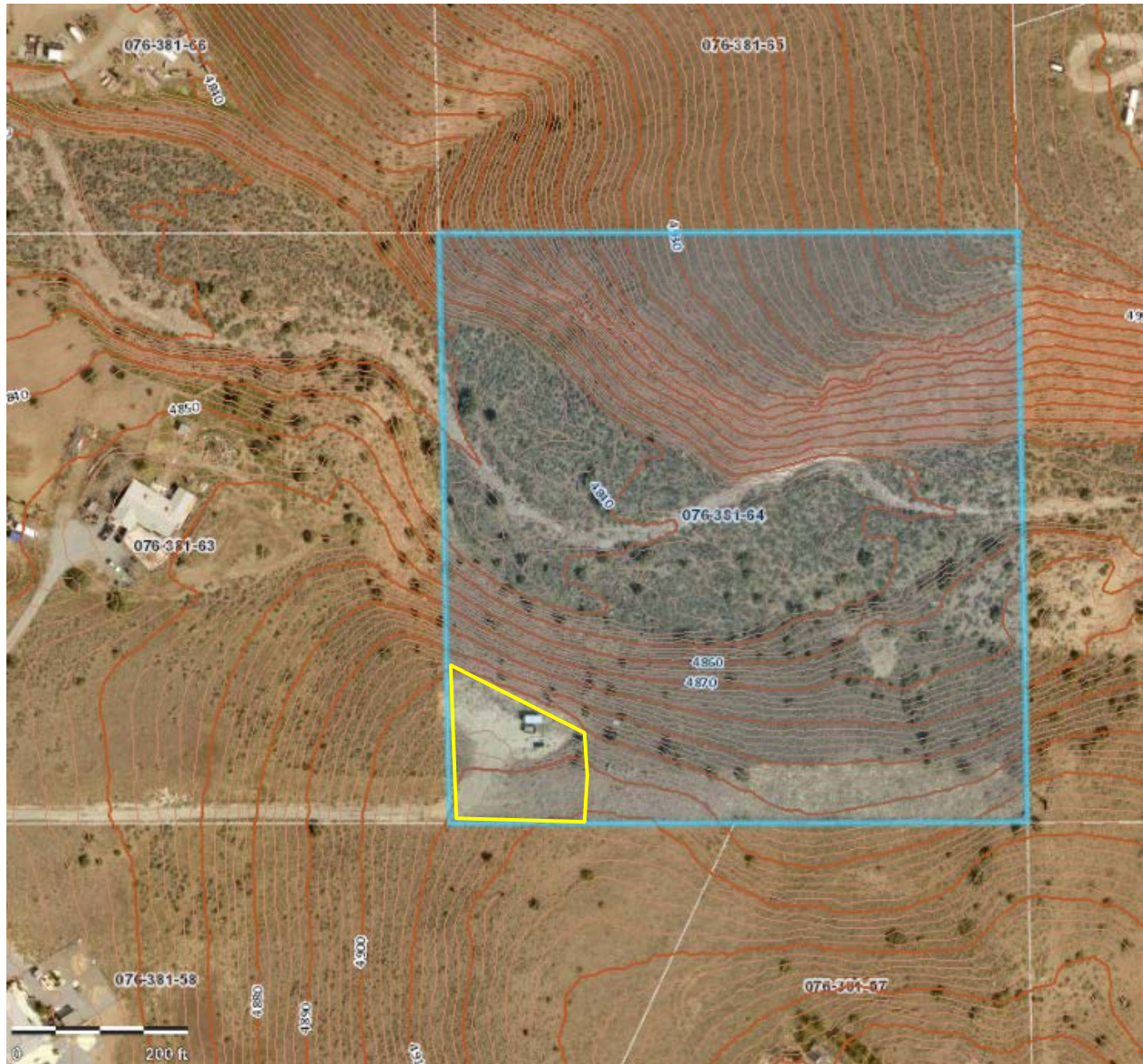
**Site Plan**



**Slope Map**

## Project Evaluation

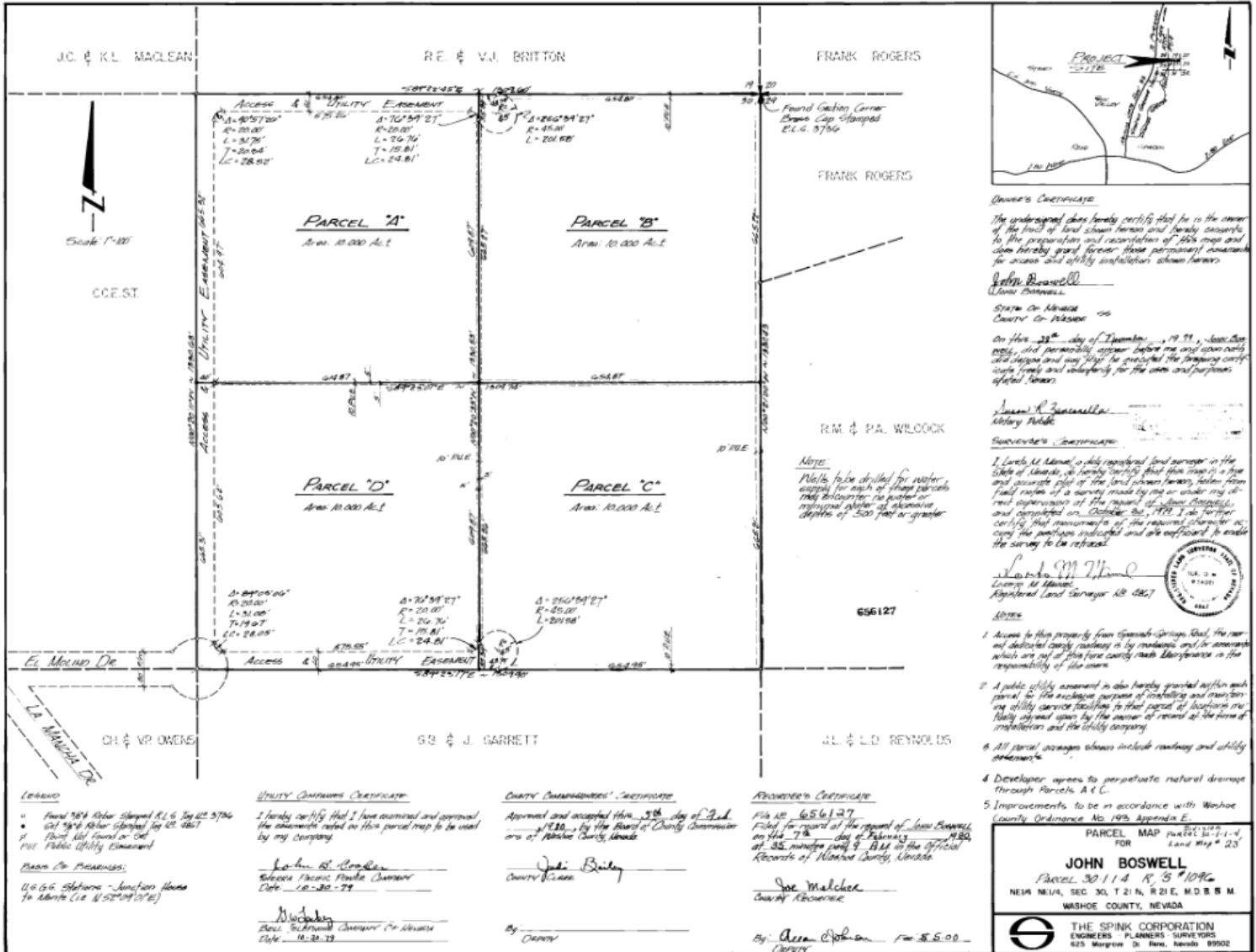
The subject parcel, APN 076-381-64, is 10 acres in size and has a regulatory zone of General Rural (GR). The required setbacks for the General Rural regulatory zone are 30 feet for the front yard setback, 30 feet for the rear yard setback, and 50 feet for the side yard setbacks. The parcel currently has a 45-foot radius access and utility bulb in its southwest corner.



The parcel is characterized by a steep canyon and natural drainage bisecting the property.

This leaves a  $\pm 60$ -foot strip along the southern property line that has relatively flat, buildable terrain that does not require large scale grading to reach the natural drainage way. The southwest corner of the lot is relatively flat and buildable, however, is where the access bulb is located, which when combined with the 30-foot front yard setback, creates an approximately 120 foot x 120 foot area (0.33 acres,  $\pm 14,440$  square feet) where the applicant cannot build. Rough calculations outline that there is approximately 3,150 square feet that is flat, buildable, and within the designated setbacks.

830/1038



Parcel Map # 1038 SHEET VI

The applicant is proposing an abandonment of the access bulb in favor of a hammerhead turnaround to provide a larger building pad. The hammerhead turnaround must be in compliance with Truckee Meadows Fire Protection District regulations. The applicant is also requesting a variance of zero (0) feet for the front yard setback off of the relocated access easement, and a ten (10) foot side yard setback on the western side.

The proposed hammerhead greatly reduces the access bulb's impact on the total developable area, providing at least 5,000 square feet that would allow residential construction without modifying existing front and side setbacks. Due to this, Washoe County Planning Staff do not support the applicant's variance request. However, Washoe County Planning Staff supports the applicant's abandonment request as it would greatly increase the amount of buildable area within the southwest corner of the parcel by replacing the large access bulb with a more space efficient hammerhead turn-around.



### **Spanish Springs Area Plan Policies**

**SS 4.2** The Washoe County Departments of Community Development and Public Works will establish and oversee compliance with design standards for grading that minimize the visual impact of all residential and non-residential hillside development.

*Staff Comment:* The proposed abandonment would provide an easily accessible area suitable for building without resorting to large scale grading. Therefore, the abandonment will minimize the visual impacts of residential hillside development.

### **Spanish Springs Citizen Advisory Board (SSCAB)**

The proposed project was presented by the applicant(s) or the applicant's representative at the regularly scheduled Citizen Advisory Board meeting on January 8, 2020. The attached CAB minutes (Exhibit B) reflect discussion on the following items:

- Effects of the applicant's proposed abandonment on surrounding property owners.
- Feasibility of developing the north side of the property.
- Steepness of the terrain and constraining geographic features.
- Functionality of the proposed replacement hammerhead
- Potential legal precedent being set based on the Washoe County abandonment language included as part of the Abandonment application:

*IMPORTANT NOTICE REGARDING ABANDONMENTS:*

*To the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, an abandonment request is in effect a "quitclaim" by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. For example, if the abandonment is approved by Washoe County and recorded, it will likely affect the allowable building envelope on the property, to the benefit of the applicant. However, even if the abandonment is approved, it should not be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, an approved abandonment by the County does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.*

- Impacts of development of the property on public to access to petroglyphs further up the canyon
- Rationale for varied setbacks versus neighboring properties
- Is the lot buildable with the underground electrical line.

The Spanish Springs CAB voted to recommend denial of the abandonment and denial of the variance based on concerns raised over the "Important Notice Regarding Abandonment." The CAB members voiced their support for allowing a change of the access easement, but they felt that they may be setting a precedent of allowing a change of the easement by recommending approval for the abandonment. Since the proposed variance is dependent upon the approval of the abandonment, the Spanish Spring CAB voted to recommend denial as well.

Prior to the vote, staff explained that the application language was standard language regarding Washoe County claim to the easement and outlined that it did not affect other property owner's deeded or other private legal mechanisms for access on the property. Moreover, staff outlined that the county will require recording the replacement hammerhead turnaround concurrently with the abandonment to ensure legal access to the property.

**Staff Comment:** The language included within the abandonment application represents a “quitclaim” by the County of whatever interest that it may hold in the easements included in the application. This does not affect any other property owner’s ownership interests in these easements. The applicant’s abandonment request only pertains to the County’s interest in the easement bulb in order to reduce setbacks and increase buildable area based on setbacks.

### **Reviewing Agencies**

The following agencies received a copy of the project application for review and evaluation.

- Washoe County Community Services Department
  - Planning and Building Division
  - Parks and Open Spaces
  - Engineering and Capital Projects
  - Water Rights Manager
- Nevada Department of Wildlife
- Washoe County Health District
  - Air Quality
  - Environmental Health
  - Emergency Medical Services
- Truckee Meadows Fire Protection District
- Regional Transportation Commission
- Washoe Storey Conservation District

Four out of the ten above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency’s comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order if the Planning Commission approves the requested abandonment.

- Washoe County Planning and Building Division addressed the effects of the abandonment, applicability of the variance, and recordation of replacement access to the property.  
**Contact: Dan Cahalane, 775.328.3628, [dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us); Chris Bronczyk, 775.328.3612, [cbronczyk@washoecounty.us](mailto:cbronczyk@washoecounty.us)**
- Washoe County Engineering addressed the design of the proposed hammerhead turn around, recordation requirements, and location of public utility easements.  
**Contact: Leo Vesely, 775.328.2041, [lvesely@washoecounty.us](mailto:lvesely@washoecounty.us)**
- Washoe County Health District addressed the location of onsite sewage disposal system, domestic well, and health related setbacks.  
**Contact: James English, 775.328. 2610, [jenglish@washoecounty.us](mailto:jenglish@washoecounty.us)**
- Washoe Storey Conservation District addressed the exterior building colors and the effect on the landscape.  
**Contact: Jim Tyler-Schaffer, [shafferjam51@gmail.com](mailto:shafferjam51@gmail.com)**

### **Staff Comment on Required Abandonment Findings**

WCC Section 110.806.20 requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before granting approval of the abandonment 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. Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Spanish Springs Area Plan

Staff Comments: The abandonment of the access easement is consistent with the policies, action programs, standards, and maps of the Master Plan and Spanish Springs Area Plan.

2. No Detriment. The abandonment or vacation does not result in a material injury to the public.

Staff Comments: The abandonment does not result in a material injury to the public. The applicant is proposing abandoning the access easement bulb in favor of a smaller, more space efficient hammerhead turn around which will be required to meet Truckee Meadows Fire Protection District requirements. Proposed approval conditioned upon recording the hammerhead turnaround as seen in Exhibit A, Conditions of Approval.

3. Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

Staff Comments: The applicant is only abandoning the bulb of the access easement. They are not requesting abandonment of the 10-foot public utility easement.

### **Staff Comment on Required Variance 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/Planning Commission 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.

1. Special Circumstances. 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.

Staff Comment: The parcel in question has constraining slopes. However, the concurrent abandonment of the access and utility bulb in favor of a hammerhead turn around with associated front yard setbacks of 30 feet provides ample space on slopes of 15% or less without requiring major grading. Therefore, we cannot make the finding that there are exceptional topographical conditions requiring a variance.

2. No Detriment. 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.

Staff Comment: The proposed variance will not create a substantial detriment to the public good as the development is in a rural master plan zone where there is ample space between current buildings and large setbacks to mitigate any new development.

3. No Special Privileges. 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.

Staff Comment: The granting of the variance will constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity with identical regulatory zoning. There is a sufficiently large building area in the south western corner of the parcel to build a large single-family dwelling unit or multiple smaller structures.

4. **Use Authorized.** The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

Staff Comment. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.

5. **Effect on a Military Installation.** Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment. The permit will not have a detrimental effect on the location, purpose or mission of a military installation.

### **Abandonment Recommendation**

After a thorough analysis and review, Abandonment Case Number WAB19-0003 is being recommended for approval with conditions. Staff offers the following motion for the Commission's consideration.

### **Variance Recommendation**

After a thorough analysis and review, Variance Case Number WPVAR19-0003 is being recommended for denial. Staff offers the following motion for the Board's consideration.

### **Abandonment 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 Planning Commission approve Abandonment Case Number WAB19-0003 for Cooper, having made all three findings in accordance with Washoe County Code Section 110.806.20.

1. Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Spanish Springs Area Plan, and
2. No Detriment. The abandonment or vacation does not result in a material injury to the public; and
3. Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

### **Variance 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 Planning Commission deny Variance Case Number WPVAR19-0003 for Cooper, having been unable to make all five required findings in accordance with Washoe County Development Code Section 110.804.25:

1. Special Circumstances. 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;
2. No Detriment. 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;

3. No Special Privileges. 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;
4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

**Appeal Process**

Planning Commission 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/Developer: Robison Engineering, CO: Ryan Switzer, PO Box 1505, Sparks, NV, 89432

Owner: Jimmy and Marianna Cooper, 100 James Ranch Ct, Reno, NV 89510



# Conditions of Approval

Abandonment Case Number WAB19-0003 and  
Variance Case Number WPVAR19-0003

The project approved under Abandonment Case Number WAB19-0003 and Variance Case Number WPVAR19-0003 shall be carried out in accordance with the conditions of approval granted by the Washoe County Planning Commission on February 4, 2020. 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. Furthermore, to the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, this request is in effect a “quitclaim” by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. Nothing in this abandonment should be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, this abandonment does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

**Unless otherwise specified**, all conditions related to the approval of this Abandonment shall be met prior to recordation of the Resolution and Order of Abandonment. Prior to recordation of the Resolution and Order of Abandonment, each agency shall determine when compliance of their specific conditions is met by the applicant as set forth in the Conditions of Approval. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Community Services Department – Planning and Building Division.

Compliance with the conditions of approval related to this abandonment 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. All conditions of approval must be met prior to the Engineering and Capital Projects Division recording the required Resolution and Order of Abandonment.

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

- All conditions of approval are required to be completed before the Abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a Resolution and Order of Abandonment by the Engineering and Capital Projects and after the recordation of the Resolution and Order of Abandonment by the County Recorder.

**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 CSD – Planning and Building Division, which shall be responsible for determining compliance with these conditions.

**Contact Name – Dan Cahalane, Planner, 775.328.3628, [dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us); Chris Bronczyk, Planner, 775.328.3612; [cbronczyk@washoecounty.us](mailto:cbronczyk@washoecounty.us)**

- 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 abandonment.**
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action. The County Engineer shall determine compliance with this condition.
- c. Prior to the recordation of the Resolution and Order of Abandonment, the applicant shall submit to the County Engineer for review and approval a description prepared by a registered professional of the offer of dedication to be abandoned and replacement private access.
- d. The applicant shall comply with all conditions necessary to affect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Washoe County Planning Commission or this conditional abandonment will be null and void.
- e. This Abandonment will be effective upon recordation of the Resolution and Order of Abandonment by the County Recorder.
- f. Applicant shall record a Truckee Meadows Fire Protection District approved hammerhead turn-around a replacement to the access bulb prior to final recordation of the abandonment.

### **Washoe County Engineering and Capital Projects**

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

**Contact Name – Leo Vesely, P.E., 775.328.2041, [lvesely@washoecounty.us](mailto:lvesely@washoecounty.us)**

- a. The proposed “Hammerhead Turn-around” configuration of the replacement easement shall be approved by the Truckee Meadows Fire Prevention District.
- b. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions and exhibit maps for the area of abandonment and any new easements that may be required, to the Engineering and Capital Projects Division for review and approval. The legal descriptions and exhibit maps shall be prepared by a Nevada professional land surveyor.
- c. Retention or relocation of all public utility easements is required to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted

and approved said easements, as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.

- d. The applicant shall comply with conditions necessary to effect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

**Washoe County Health District**

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 – James English, [jenglish@washoecounty.us](mailto:jenglish@washoecounty.us)**

- a. Condition #1: Applicant must demonstrate with the proposed new location of the home, there is still ample space for an onsite sewage disposal system, including the repair field.
- b. Condition #2: Applicant must demonstrate where a proposed domestic well will be sited.
- c. Condition #3: All setbacks to buildings and easements must be met regarding the siting of the well or onsite sewage disposal system.

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





# Spanish Springs Citizen Advisory Board

Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB. Minutes of the regular meeting of the Spanish Springs Citizen Advisory Board held December 8, 2020, 6:00 p.m. at the Spanish Springs Library at (7100A Pyramid Lake Highway).

**1. \*CALL TO ORDER/ DETERMINATION OF QUORUM** – The meeting was called to order at 6:00 p.m.

**MEMBERS PRESENT:** Sam Metz, Donald Christensen, Stan Smith, , Ken Theiss.

**MEMBERS ABSENT:** Matt Lee, Bruce Parks

**2. \*PLEDGE OF ALLEGIANCE** – The pledge was recited.

**3. \*PUBLIC COMMENT** – There were no requests for public comment, Ken Theiss closed the public comment period.

**4. APPROVAL OF AGENDA FOR THE REGULAR MEETING OF JANUARY 8, 2020:**

Stan Smith moved to approve the agenda for the meeting of **JANUARY 8, 2020**. Sam Metz seconded the motion to approve the agenda of **JANUARY 8, 2020**. Motion passed unanimously.

**5. APPROVAL OF THE MINUTES FOR THE MEETING OF DECEMBER 4, 2019:** Stan Smith moved to approve the minutes of **DECEMBER 4, 2019**. Sam Metz seconded the motion to approve the minutes of **DECEMBER 4, 2019**. Motion passed unanimously.

**6. DEVELOPMENT PROJECTS-** The project description is provided below with links to the application or you may visit the Planning and Building Division website and select the Application Submittals page: [www.washoecounty.us/comdev](http://www.washoecounty.us/comdev)

**6.A. Special Use Permit Case Number WSUP19-0029 (Summit Christian Church)** – Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request for a special use permit to allow for grading and expansion of religious assembly uses at 7075 Pyramid Highway. The grading includes ±50,000 cubic yards of cuts from the site with ±30,000 cubic yards to be placed on the north end of the site and ±20,000 cubic yards to be exported. The building expansion will occur over the next fifteen years including a new 40,689 sq. ft. two story worship center, a new 33,064 sq. ft. administrative building, and the addition of 369 parking spaces with the existing buildings being reconfigured. (for Possible Action)

- Applicant\Property Owner: Summit Christian Church
- Location: 7075 Pyramid Hwy
- Assessor's Parcel Number: 083-730-13
- Staff: Julee Olander, Planner, (775) 328-3627; [jolander@washoecounty.us](mailto:jolander@washoecounty.us)
- Reviewing Body: Tentatively scheduled for the Board of Adjustment on February 6, 2020

- Kerry Rohrmeier, Representative, provided a PowerPoint presentation. She spoke about the proposed project of the expansion of the worship center. She said this has been a long-term plan of expansion.
- MDS zoning with cluster style development.
- 40,689 sq. ft. worship center with seating for 1,500
- 13,060 sq. ft. administrative office building

- Reconfiguration of existing church for family use
- Interior storage
- 369 parking spaces with dark-sky compliant lighting – desert pallet colors
- The property is setback and above Pyramid highway
- She showed images of the proposed expansion

Stan smith asked about traffic. He asked if the ingress and egress can handle the extra cars. Ms. Rohrmeier said there is a traffic management plan and program. There should be no added impact with this site.

Ken Theiss asked about the turn lanes and semi trucks. Ms. Rohrmeier said the church is working with NDOT. Ken expressed concerns at the whoop-de-dos at the turn lanes and increased traffic.

Donald Christensen asked about the 15-year plan. He said the demographics may be different in 15 years. He said he wants to know the current plan. Lonny Johnson, Project Representative, said the worship will be the majority of the project which they are getting permits for in 2020. He said the administrative offices portion of the project will be deferred for 10 years. It will be a small add-on built later. And a small add-on to storage will come later in about 5 years. He said we are currently trying to get entitlements.

Ms. Rohrmeier said 15 year timeline is to allow them to build out.

Ken said permits are only good for so long. In 15 years, you will need more permits. Lonny said they are requesting only the grading and building permit.

Donald asked for clarification on the 13,000 sq. ft. for an administrative building. He asked if there are other plans for subleasing or other uses. Ms. Rohrmeier said they don't plan to sublet or allow other businesses to operate there. She wanted to clarify the square footage on her PowerPoint for administrative building was not correct. It should be 13,000 sq. ft. not 33,000 sq. ft.

Stan asked about increased traffic. Lonny said they currently have 700 seats. All the seats at the current facility will be moved to the proposed worship building. He said it most likely they won't go to 1,500 seats on the first day, but rather phased into it. Stan said eventually it will be double the current seating. Ms. Rohrmeier said the holidays are when they experience higher attendance than the typical Sunday. She said they are already equipped to deal with that.

Public Comment:

Cynthia Bymers wanted clarification and said there are 700 seats currently, but there will be up to 1500 seats in the proposed project. Ms. Rohrmeier said the current auditorium will be turned into a family area. Cynthia asked about the 30,000 sq. ft. mound. She asked what kind of mound it will be. Ms. Rohrmeier showed on the overview map the location on the mound on the right side of the property, north of the exit. Lonny said it will be graded and sculpted as a natural, meandering, re-vegetated mound with native grass and shrubs. Cynthia asked the height of the mound. Lonny said it will be a 3:1 slope with a max of 10 feet. Cynthia said 30,000 sq. ft. mound is a lot for that location. Lonny said they have to remove extra dirt and will be relocating some of it on the mound and haul the rest off of the property.

Hearing no further requests for public comment, Ken closed public comment period.

**MOTION: Stan Smith moved to forward community and Citizen Advisory Board comments to Washoe County staff and recommend approval Special Use Permit Case Number WSUP19-0029 (Summit Christian Church). Sam Metz seconded the motion to recommend approval. Donald Christensen opposed. The Motion carried 3 to 1.**

**6.B. Abandonment Case Number WAB19-0003 (Cooper Easement)** – Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request for abandoning a portion of the access and utility easement bulb to create a non-constrained buildable area. (for Possible Action)

- Applicant\Property Owner: Jimmy and Marianna Cooper
- Location: 0 El Molina Drive
- Assessor's Parcel Number: 076-381-64
- Staff: Dan Cahalane, Planner, (775) 328-3628; [dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us) and Chris Bronczyk, Planner, (775) 3283612; [cbronczyk@washoecounty.us](mailto:cbronczyk@washoecounty.us)
- Reviewing Body: Tentatively scheduled for the Planning Commission on February 4, 2020

Ryan Switzer, Project Engineer, said the items WAB19-0003 and WPVAR19-0003 are co-current and requested to present them together.

**6.C. Variance Case Number WPVAR19-0003 (Cooper Variance)** – Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request for a variance of the setbacks located on the relocated easement per WAB19-0002, and the westerly property line setback. The required setbacks are 30 feet front, and rear, and 50 feet for the side yard setbacks. The westerly property line is a side yard which requires a 50 foot setback, the request is for a 10 foot setback. The setback off the relocated easement is 30', the request is for a 0 foot setback off of a 40 foot easement. (for Possible Action)

- Applicant\Property Owner: Jimmy and Marianna Cooper
- Location: 0 El Molina Drive
- Assessor's Parcel Number: 076-381-64
- Staff: Dan Cahalane, Planner, (775) 328-3628; [dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us) and Chris Bronczyk, Planner, (775) 3283612; [cbronczyk@washoecounty.us](mailto:cbronczyk@washoecounty.us)
- Reviewing Body: Tentatively scheduled for the Board of Adjustment on February 6, 2020

Ryan Switzer, Robinson Engineering, showed the subject site on the Washoe County Regional Map, and provided an overview of the requests.

He said they are requesting a hammer head turn around design instead of the bulb, and then they can move forward with re-description of the easement. He said the bulb is taking up the southwest corner. He spoke about the topography as hilly, not buildable, and they cannot develop by the access easement.

Additionally, he said they are requesting a variance of the current setbacks. He said they are requesting the west-side setback to be 10 feet. He said once they have a hammer head turn around in place, they will be requesting 0 feet setback in the front. The rear and side setback would remain the same.

Ken asked about acreage. Ryan said its 10 acres. Ken asked about developing on the north east corner. Ryan said there are access issues. He said south west corner is the only access. He showed the next nearest road on the map. He said the only access is El Molina

Stan asked if a road could be built across the drainage. Ryan said it would be steep terrain. To have a road across, it would have to be a bridge, which wouldn't be financially feasible. Stan said he has issues with 0 ft. setback. Ryan said it would be on the side of the easement, and the structure wouldn't be built right on the property line, it would be more like 10-15 feet back. He said their current proposed floor plan works with this proposed configuration with the most development space. Stan said he is concerned with the public's access of the easement and if they had to turn around on the

easement onto the subject property. Ryan said the fire department or property owner would be the only one's driving down the easement. Ryan showed easement and proposed hammerhead and said it's partially into the access easement. If there were a fire, the fire truck could turn around and they wouldn't have to back up down the court.

Sam Metz said he has a big concern with abandonment. Washoe County cannot do an abandonment themselves. It might set a precedent for others to do this in the future. He said he cannot support the abandonment. He said he supports the amendment. Ryan asked for clarification on his concern with abandonment. Stan Metz said according to the application, Washoe County doesn't own property therefore they cannot abandon the property. Ryan said it's an adjustment. Abandoning and re-locating at the same time. Ken said it's not abandoning it; you are changing it. Ryan said they are concurrent. Sam said he believes the property owner has a right to do they want with their property, but he said he is concerned about the abandonment portion of the request.

Dan Cahalane, Washoe County Planner, said the application includes standard language to show what the County can and cannot abandon. The applicant is abandoning what they have legal access to. Sam said that's not how he is reading it.

Ken re-stated and clarified, it has to be abandoned, but there has to be a backup application to replace it. Dan said in this case, yes, they are replacing the abandoned portion of access in order to provide access.

Public comment:

Vanessa Coyle, property owner north of subject property, said the easement is next to her property, and wondered why they can change it. Ryan said the access easement is not changing in front her property. He said the only part that is changing is on the subject property. Vanessa said cars use that access road to look for petroglyphs. Vanessa said there is an easement on the other side of her property with a required setback. She said they were required to have a setback for the shop they tried to build on her property, but her request was denied. Ken said this is not changing anything on her property.

Dean Tishler said he has concerns. He asked Dan to remove this item from the board tonight. People were confused about the notices that went out. The notices were misleading. He said the first card, the address said 0 El Molina, and the other card for asking for easement adjustment, gave an address in Palomino valley. Dean provided background of this subject property. He said they bought this parcel on the Washoe County court house. It's not buildable. He said the original owner got money from Sierra Pacific to run a power line across the buildable space. It should have been declared 3 owners ago that its unbuildable. Unfortunately, the owners got into a trap. The powerline goes down that road through the buildable space. The powerline is underground. That area should have been declared open space. He said with setbacks and easement make it unbuildable. He said previous owner who was an architect spent hours trying to figure out how to build a house there. He said it's a sad situation. He said he doesn't think you could move forward with this.

Ryan said yes, there is a powerline underground, continuation of utility easement which is 10 feet wide would remain in place that wouldn't be affected.

Ken closed the public comment period. And asked if any board member wanted to make a motion.

MOTION: Sam Metz moved to deny the abandonment. He said he cannot support the abandonment. He but could support the owner doing what he wants with his property. He said he cannot see why they need an abandonment of existing plan with variance on the same property. They are tied together for some reason. He wants to support the hammerhead. There is more to the abandonment. It's setting precedent down the road. Stan second motion to deny. Motion carried unanimously.

MOTION: Ken Theiss noted because the abandonment item was denied, he moved to deny the setback variance. Stan Smith seconded the motion for denial. Sam opposed. Motion carried 3 to 1 with Sam Metz opposed the motion.

**6.D. Special Use Permit Case Number WSUP19-0030 (A Dog's Life)** – Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request for a Commercial Kennel. The project site will consist of a 20,000 square foot building, associated landscape and parking. The building will contain 15,000 sf of space for boarding and doggie day care, 2,000 sf for retail use, and 3,000 sf for a contractor's office. (for Possible Action)

- Applicant\Property Owner: Dixie D. May Trust
- Location: Corner of Ingenuity Ave. and Pyramid Hwy
- Assessor's Parcel Number: 530-492-01
- Staff: Chris Bronczyk, Planner, (775) 328-3612; [cbronczyk@washoecounty.us](mailto:cbronczyk@washoecounty.us)
- Reviewing Body: Tentatively scheduled for the Board of Adjustment on February 6, 2020

Kenny Brown, Representative, provided a project presentation.

Richard Wilson/Christine Wilson/ Rebecca (mother) are the business partners of A Dog's Life, a dog day care and boarding facility. Mr. Wilson said his vision is to provide dog care for community members. He said he has conducted research, and this will create local jobs and looking forward to providing this to the community.

Mr. Brown spoke about the project. He said there will be 1.9 acres for the kennel, and rest of portion will be developed later. It has the appropriate zoning. He said there is plenty of buffer between kennel and residential.

Sam Metz asked if this area will support this. He asked if there are enough dogs to support this. Mr. Wilson said research shows there are plenty of dogs in this area.

Donald Christensen wanted to illustrate his personal proximity to this subject property. He said there is a buffer with neighboring commercial zoning. He said he is within 1,000 ft and his backyard would face the side yard. He appreciated the proper zoning and SUP. He said his house is up on a grade with a catch basin with one will build behind him. He said he notified his neighbors and invited them to attend the meeting. None of his neighbors showed up; he said that is a sign of approval.

Mr. Brown noted there is information included regarding traffic impacts which are minimal. Donald said one neighbor who did respond was opposed. He said he will take it as 9 out of 10 as an approval.

Dave Snelgrove, CFA Representative, said the Wilsons have a plan to address the barking noises. He showed the outdoor play area on the map which is away from other properties.

Donald said he noticed a sale sign on the parcel. Mr. Wilson said they are in contract as long as they get this SUP. Dixie May Trust currently owns it. Donald said if we endorse it, are we endorsing it for another owner and business. Mr. Wilson said this our retirement. Mr. Wilson said the timeframe is 10 months to build. Mr. Wilson showed how they plan on minimizing the impacts of noise by placing larger dogs with block wall. All dogs will be brought in at 6 p.m. He showed the kennel locations on the property.

Sam Metz asked if there is an on-site manager. Mr. Wilson said there will be night staff.

With no requests for public comment, Ken closed the public comment period.

**MOTION: Stan Smith moved to recommend approval. Sam Metz seconded the motion to recommend approval. The motion carried unanimously.**

**7. \*WASHOE COUNTY COMMISSIONER UPDATE-** Commissioner Hartung was not in attendance.

**8. \*CHAIRMAN/ BOARD MEMBER ITEMS -** None

**9. \*GENERAL PUBLIC COMMENT AND DISCUSSION THEREOF –**

With no requests for public comment, Bruce Park closed the public comment period.

**ADJOURNMENT –** Meeting adjourned at 7:12 p.m.

Number of CAB members present: 18

Number of Public Present: 4

Presence of Elected Officials: 0

Number of staff present: 2

**From:** [Bob Smith](#)  
**To:** [Cahalane, Daniel](#); [matt@smithmech.net](mailto:matt@smithmech.net)  
**Subject:** RE: Variance and Abandonment - APN 076-381-64  
**Date:** Wednesday, January 08, 2020 11:42:51 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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

Hi Dan,

I haven't been to my property for several months, and I can't recall in detail, the beautiful views from various locations, which is a key aesthetic feature of my land, and the value thereof, and one which I certainly do want to preserve.

Would granting either, or both, the variance, and/or the abandonment potentially allow changes in the elevation(s) of any structures on the subject property – specifically, raising the elevation? If the house, or any structure could potentially be built higher, due to the variance or abandonment being granted, I would have an issue.

I want to be a good neighbor, and I don't necessarily want to oppose these items, I just need to have all of the facts, before making any decisions.

Sincerely,

Bob Smith

Sent from [Mail](#) for Windows 10

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**From:** [Cahalane, Daniel](#)  
**Sent:** Wednesday, January 8, 2020 11:09 AM  
**Subject:** RE: Variance and Abandonment - APN 076-381-64

Hi Bob,

The address of the meeting is Spanish Springs Library, 7100A Pyramid Lake Highway.  
The meeting starts at 6:00pm.

Please feel free to send me your concerns regarding this application via email.

Regards,  
Dan



**Dan Cahalane**

Planner | Community Services Department- Planning & Building Division  
[dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us) | Office: 775.328.3628 | Fax: 775.328.6133  
1001 E. Ninth St., Bldg A., Reno, NV 89512



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**From:** Bob Smith <rsmith@smithwalls.com>  
**Sent:** Wednesday, January 08, 2020 11:06 AM  
**To:** Cahalane, Daniel <DCahalane@washoecounty.us>; matt@smithmech.net; Bob Smith <rsmith@smithwalls.com>  
**Subject:** RE: Variance and Abandonment - APN 076-381-64

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

Hi Dan,

Thanks for sending this info to me. I will certainly have an interest in learning more about the variance, and abandonment issues.

I assert and reserve all of my rights as a property owner, directly adjacent to the subject property. I have contacted my cousin, Matt Smith, who is a partner in our property on El Molino Drive. (parcel #076-381-65). Matt may be able to attend the meeting tonight at the county building. Is the meeting at 6:00 pm? Please reply by email today, if possible, with the correct address and time.

Sincerely,

Bob Smith

Cell: 650-714-3708

Sent from [Mail](#) for Windows 10

---

**From:** [Cahalane, Daniel](#)  
**Sent:** Monday, January 6, 2020 12:41 PM  
**To:** [rsmith@smithwalls.com](#)  
**Subject:** RE: Variance and Abandonment - APN 076-381-64

Here is the location of the applications for 0 molina.

[https://www.washoecounty.us/csd/planning\\_and\\_development/applications/apps\\_commish\\_district\\_four.php](https://www.washoecounty.us/csd/planning_and_development/applications/apps_commish_district_four.php)

Please review WAB19-0003 Cooper Easement (Abandonment)  
Please review WVAR-003 Cooper variance

---

**From:** Cahalane, Daniel  
**Sent:** Monday, January 06, 2020 11:30 AM



To: [rsmith@smithwalls.com](mailto:rsmith@smithwalls.com)

Subject: Variance and Abandonment - APN 076-381-64

Hi Robert,

Here is the email chain so you can voice your concerns on the record.

Regards,



**Dan Cahalane**

Planner | Community Services Department- Planning & Building Division

[dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us) | Office: 775.328.3628 | Fax: 775.328.6133

1001 E. Ninth St., Bldg A., Reno, NV 89512



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Robison Engineering Company, Inc  
 846 Victorian Avenue, Suite 20  
 Sparks, NV US

www.robisoneng.com



Washoe County Planning Commission  
 1001 E. Ninth Street  
 Reno, NV 89512

Date: 2020-01-10

**SUBJECT:** APN 076-381-64 / 0 El Molino Dr  
CAB Comment Response Letter for Applications:  
Abandonment Case Number WAB19-0003 and  
Variance Case Number WPVAR19-0003

**RENG Project #**  
**1-1545-01.003**

Dear Planning Commission,

Thank you for your review of the above referenced project. Below are comments received during the January 8, 2020 Citizen Advisory Board (CAB) meeting, followed by our responses in italic.

1. Is it possible to develop on the north side of the property?  
*Development on the north side of the property is unattainable due to access constraints. The only access easement leading to the property terminates at the southwest corner of the property.*
2. How steep is the site?  
*The average slope of the site is 38%. Per the Slope Map included with the Variance application, slope areas are as follows:*

Number	Minimum Slope (%)	Maximum Slope (%)	Area (SF)
1	0	15	149,286
2	15	20	43,613
3	20	25	41,437
4	25	30	35,240
5	30	100	153,470

3. How does the hammer head look and work?  
*The "hammer head" turnaround is a standard International Fire Code (IFC) dead-end fire apparatus access road turnaround. There are two configurations depending on site constraints:*

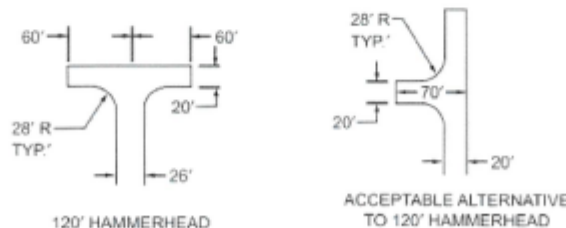


Figure 1: IFC Dead-End Fire Apparatus Access Road Turnarounds (adapted from IFC)

**Robison Engineering Company, Inc**  
846 Victorian Avenue, Suite 20  
Sparks, NV US

[www.robisoneng.com](http://www.robisoneng.com)



*For this project, we are proposing option two as recommended by the Truckee Meadows Fire Protection District.*

4. **Impacts of the application's "Important Notice Regarding Abandonments."**  
*The text questioned by the CAB members is standard language included in the Washoe County Abandonment application; it is not specific to this project. Our understanding is that the CAB's motion to deny the application was based solely on this text. If the CAB followed suite in the future, every application for easement abandonment would be denied. We ask the Planning Commission to review the application language and scrutinize the reasoning behind the CAB's motion to deny both applications. The application text has been provided below for reference. We think that the language is prudent to include in the application (informing the applicant that Washoe County's "quitclaim" may not eliminate all claims), but may have been confusing in this case:*

To the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, an abandonment request is in effect a "quitclaim" by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. For example, if the abandonment is approved by Washoe County and recorded, it will likely affect the allowable building envelope on the property, to the benefit of the applicant. However, even if the abandonment is approved, it should not be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, an approved abandonment by the County does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

5. **Petroglyph access point**  
*The site is private property and shall only be access with the owner's permission per Section 53.180 of the Washoe County Code.*
6. **Address the rationale for varied setbacks versus neighboring properties.**  
*All property owners are entitled to apply for Development Code variances per Chapter 110, Article 804 of the Washoe County Code. Whether or not the neighboring property owners were not aware of this option should not have no merit on the current application. In this case the setback variance is necessary due to geographic limitations: the buildable area largely coincides with the setback areas.*
7. **Is the lot buildable?**  
*In its current configuration, the buildable envelope is approximately 3,200 square feet of cumbersomely shaped space. With both proposed applications the building envelope would increase to approximately 8,500 square feet of more usable space, allowing proper drainage and yard use. See figures below:*

Robison Engineering Company, Inc  
846 Victorian Avenue, Suite 20  
Sparks, NV US

www.robisoneng.com

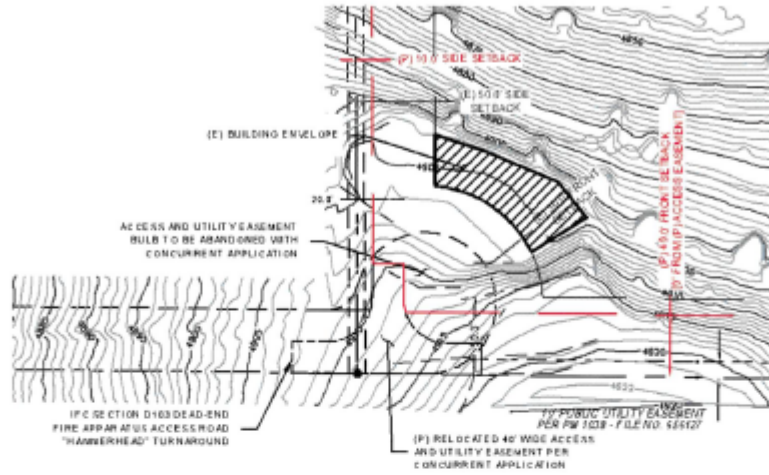


Figure 2: Existing Buildable Envelope

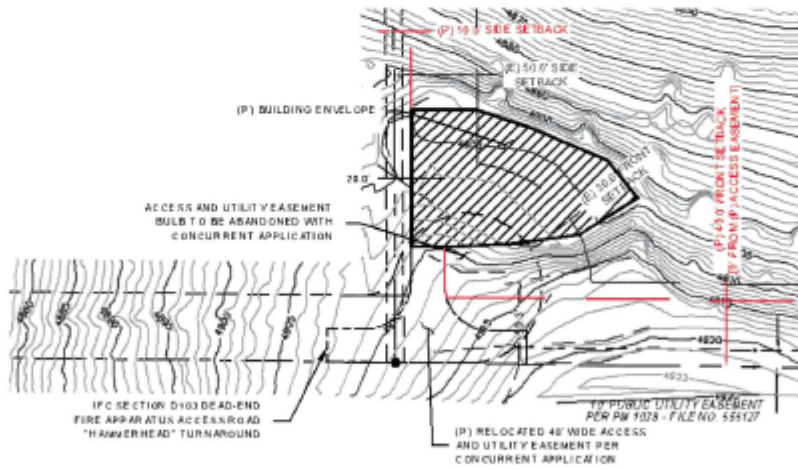


Figure 3: Proposed Buildable Envelope

Please do not hesitate to contact us if you have questions or would like additional information.

ROBISON ENGINEERING COMPANY  
Ryan Switzer, PE  
775-852-2251 x725  
[rswitzer@robisoneng.com](mailto:rswitzer@robisoneng.com)



# WASHOE COUNTY

## COMMUNITY SERVICES DEPARTMENT

### Engineering and Capital Projects

1001 EAST 9<sup>TH</sup> STREET  
PO BOX 11130  
RENO, NEVADA 89520-0027  
PHONE (775) 328-3600  
FAX (775) 328.3699

Date: January 3, 2020  
To: Chris Bronczyk, Planner, Planning and Building Division  
From: Leo Vesely, P.E., Engineering and Capitol Projects Division  
Re: Abandonment Case **WAB19-0003 – Cooper Easement**  
APN 076-381-64

#### GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff has reviewed the above referenced application. The application is for the abandonment of a portion a access and utility easement bulb to create a non-constrained buildable area. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the application prepared by Robison Engineering. The County Engineer shall determine compliance with all the following conditions of approval.

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

#### GENERAL CONDITIONS

Contact Information: Leo Vesely, P.E. (775) 328-2041

1. The proposed “Hammerhead Turn-around” configuration of the replacement easement shall be approved by the Truckee Meadows Fire Prevention District.
2. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions and exhibit maps for the area of abandonment and any new easements that may be required, to the Engineering and Capital Projects Division for review and approval. The legal descriptions and exhibit maps shall be prepared by a Nevada professional land surveyor.
3. Retention or relocation of all public utility easements is required to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements, as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.



INTEGRITY



EFFECTIVE COMMUNICATION



QUALITY PUBLIC SERVICE

**WAB19-0003 & WPVAR19-0003**

**EXHIBIT D**

Subject: Cooper Easement - WAB19-0003  
Date: January 3, 2020  
Page: 2

4. The applicant shall comply with conditions necessary to effect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

**DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)**

Contact Information: Leo Vesely, P.E. (775) 328-2041

There are no Drainage related comments.

**TRAFFIC AND ROADWAY (COUNTY CODE 110.436)**

Contact Information: Mitchell Fink (775) 328-2050

There are no Traffic related comments.

**UTILITIES (County Code 422 & Sewer Ordinance)**

Contact Information: Tim Simpson, P.E. (775) 954-4648

There are no utility related conditions of approval.



# WASHOE COUNTY

## COMMUNITY SERVICES DEPARTMENT

### Engineering and Capital Projects

1001 EAST 9<sup>TH</sup> STREET  
PO BOX 11130  
RENO, NEVADA 89520-0027  
PHONE (775) 328-3600  
FAX (775) 328.3699

Date: January 6, 2020  
To: Chris Bronczyk, Planner, Planning and Building Division  
From: Leo Vesely, P.E., Engineering and Capitol Projects Division  
Re: Variance Case **WPVAR19-0003 – Cooper Variance**  
APN 076-381-64

#### GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff has reviewed the above referenced application. The application is for the variance of setbacks to 10 feet for the west side yard and for 40 feet front yard. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the application prepared by Robison Engineering. The County Engineer shall determine compliance with all the following conditions of approval.

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

#### GENERAL CONDITIONS

Contact Information: Leo Vesely, P.E. (775) 328-2041

1. The proposed “Hammerhead Turn-around” configuration shall be approved by the Truckee Meadows Fire Prevention District.

#### DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Leo Vesely, P.E. (775) 328-2041

There are no Drainage related comments.

#### TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitchell Fink (775) 328-2050

There are no Traffic related comments.

#### UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Tim Simpson, P.E. (775) 954-4648

There are no utility related conditions of approval.



INTEGRITY



EFFECTIVE  
COMMUNICATION



QUALITY  
PUBLIC SERVICE

**WASHOE COUNTY  
HEALTH DISTRICT**  
ENHANCING QUALITY OF LIFE

December 26, 2019

Washoe County Community Services  
Planning and Development Division  
PO Box 11130  
Reno, NV 89520-0027

RE: Cooper Variance; 076-381-64-04  
Variance; WPVAR19-0003

Dear Washoe County Staff:

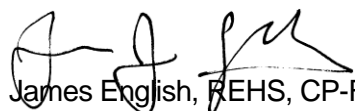
The following conditions are requirements of the Washoe County Health District, Environmental Health Division, which shall be responsible for determining compliance with these conditions.

**Contact Name – James English - [jenglish@washoecounty.us](mailto:jenglish@washoecounty.us)**

- a) Condition #1: Applicant must demonstrate with the proposed new location of the home, there is still ample space for an onsite sewage disposal system, including the repair field.
- b) Condition #2: Applicant must demonstrate where a proposed domestic well will be sited.
- c) Condition #3: All setbacks to buildings and easements must be met regarding the siting of the well or onsite sewage disposal system.

If you have any questions or would like clarification regarding the foregoing, please contact Jim English at [jenglish@washoecounty.us](mailto:jenglish@washoecounty.us) regarding all Health District comments.

Sincerely,

  
James English, REHS, CP-FS  
EHS Supervisor  
Environmental Health  
Washoe County Health District







Washoe-Storey Conservation District

Bret Tyler Chairmen  
Jim Shaffer Treasurer  
Cathy Canfield Storey app  
Jean Herman Washoe app

1365 Corporate Blvd.  
Reno NV 89502  
775 857-8500 ext. 131  
nevadaconservation.com

January 6, 2020

Washoe County Community Services Department

C/O Chris Bronczyk, Dan Cahalane, Planners

1001 E Ninth Street, Bldg A

Reno, NV 89512

R: WPVAR19-0003 Cooper Variance

Dear Chris and Dan,

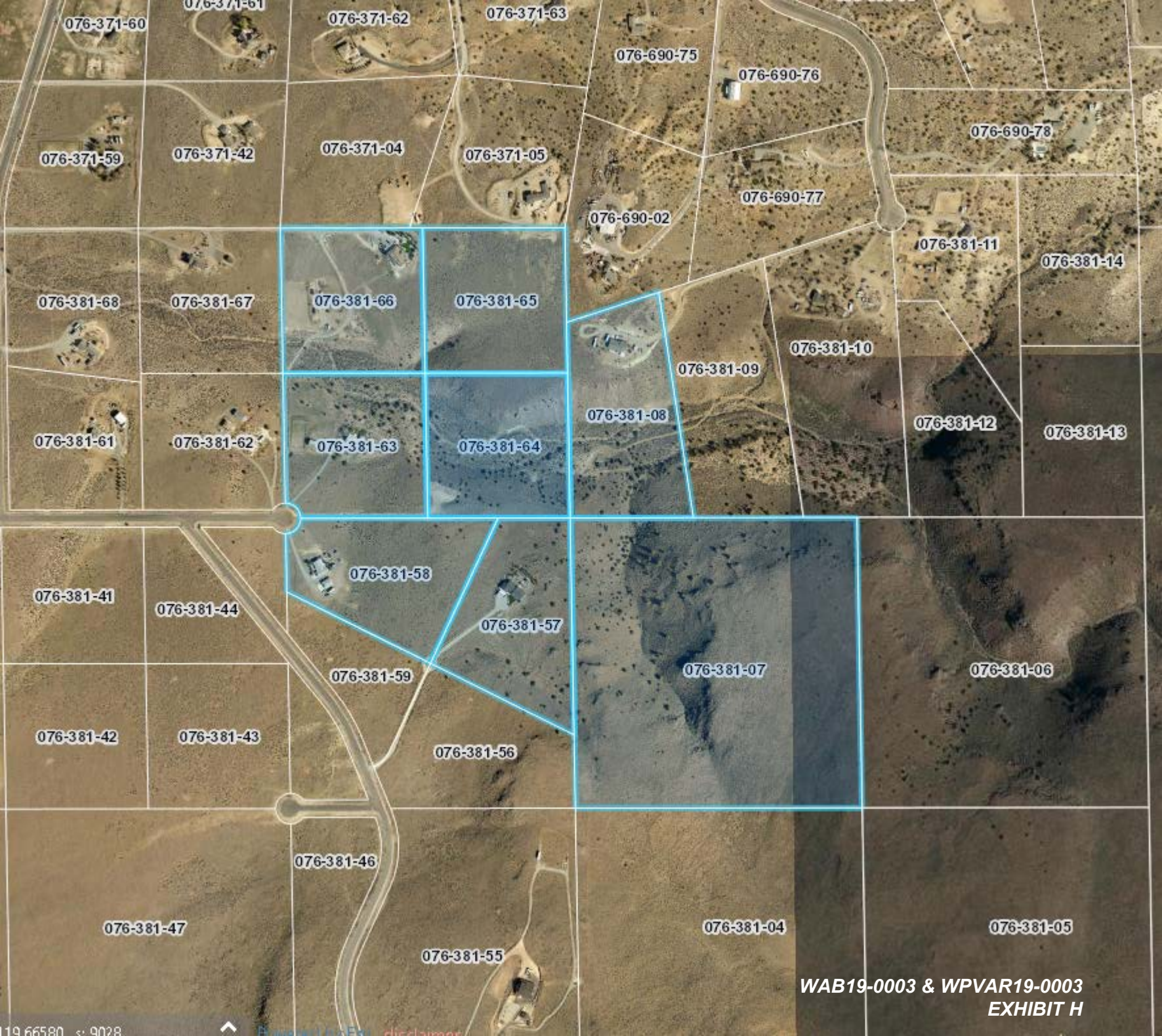
In reviewing the Cooper variance, the Conservation District has the following comment.

We request that the exterior building colors reflect the hillside and rock outcropping desert landscape.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources.

Sincerely,

Tyler-Shaffer



**WAB19-0003 & WPVAR19-0003  
EXHIBIT H**



**Sugarloaf**  
**534-521-01**  
**Space**

**076-690-83**

**076-381-01**

**WAB19-0003 & WPVAR19-0003**  
**EXHIBIT I**



Community Services Department  
Planning and Building  
ABANDONMENT APPLICATION



Community Services Department  
Planning and Building  
1001 E. Ninth St., Bldg. A  
Reno, NV 89512-2845

Telephone: 775.328.6100

## Abandonment

Washoe County Code (WCC) Chapter 110, Article 806, Abandonment, provides for the vacation or abandonment of easements or streets. Applications for the vacation or abandonment of a street or easement owned by the County, or a government patent easement, may be initiated by the Board of County Commissioners, Planning Commission, the Director of Planning and Building or an owner of real property abutting an easement or public street right-of-way. See WCC 110.806, for further information.

## Development Application Submittal Requirements

Applications are accepted on the 15<sup>th</sup> of each month (if the 15<sup>th</sup> is a non-work day, the first working day after the 15<sup>th</sup>)

1. **Fees:** See Master Fee Schedule. **Bring payment with your application to Community Services Department (CSD). Make check payable to Washoe County.** There may also be a fee due to the Engineering and Capital Projects for Technical Plan Check
2. **Development Application:** A completed Washoe County Development Application form.
3. **Owner Affidavit:** The Owner Affidavit must be signed and notarized by all owners of the property subject to the application request.
4. **Proof of Property Tax Payment:** The applicant must provide a written statement from the Washoe County Treasurer's Office indicating all property taxes for the current quarter of the fiscal year on the land have been paid.
5. **Application Materials:** The completed Abandonment Application materials.
6. **Title Report:** A preliminary title report, with an effective date of no more than one hundred twenty (120) days of the submittal date, by a title company which provides the following information:
  - Name and address of property owners.
  - Legal description of property.
  - Description of all easements and/or deed restrictions.
  - Description of all liens against property.
  - Any covenants, conditions and restrictions (CC&Rs) that apply.**Submit Title Report with "Original Packet" only. You may be requested to provide additional copies, but do not include Title Report in other copies of the packet.**
7. **Site Plan Specifications:**
  - a. Lot size with dimensions drawn using standard engineering scales (e.g. scale 1" = 100', 1" = 200', or 1" = 500') showing all streets and ingress/egress to the property.
  - b. Show the location and configuration of all proposed buildings (with distances from the property lines and from each other), all existing buildings that will remain (with distances from the property lines and from each other), all existing buildings that will be removed, and site improvements on a base map with existing and proposed topography expressed in intervals of no more than five (5) feet.
  - c. Show the location and configuration of wells, septic systems and leach fields, overhead utilities, water and sewer lines, and all easements.
  - d. Show locations of parking, landscaping, signage and lighting.
8. **Application Map Specifications:** Map to be drawn using standard engineering scales (e.g. scale 1" = 100', 1" = 200', or 1" = 500') clearly depicting the area subject to the request, in relationship to the exterior property lines. All dimensions and area values shall be clearly labeled and appropriate symbols and/or line types shall be included in the map legend to depict the map intent.

9. **Packets:** Three (3) packets and flash drive or DVD - any digital documents need to have a resolution of 300 dpi. One (1) packet must be labeled "Original" and contain a signed and notarized Owner Affidavit. Each packet shall include one (1) 8.5" x 11" reduction of any applicable site plan, development plan, and/or application map. These materials must be readable. Labeling on these reproductions should be no smaller than 8 point on the 8½ x 11" display. Large format sheets should be included in a slide pocket(s). Any specialized reports identified above shall be included as attachments or appendices and be annotated as such.

- 
- Notes:
- (i) Application and map submittals must comply with all specific criteria as established in the Washoe County Development Code and/or the Nevada Revised Statutes.
  - (ii) Appropriate map engineering and building architectural scales are subject to the approval of the Planning and Building and/or Engineering and Capital Projects.
  - (iii) All oversized maps and plans must be folded to a 9" x 12" size.
  - (iv) Based on the specific nature of the development request, Washoe County reserves the right to specify additional submittal packets, additional information and/or specialized studies to clarify the potential impacts and potential conditions of development to minimize or mitigate impacts resulting from the project. No application shall be processed until the information necessary to review and evaluate the proposed project is deemed complete by the Director of Planning and Building.
  - (v) **Labels:** If the assigned planner determines the abandonment will affect the access to a mobile home park, the applicant will be required to submit three (3) sets of mailing labels for every tenant residing in the mobile home park.

## 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.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <b>Cooper, Easement Abandonment</b>			
Project Description: Access and utility easement bulb abandonment and relocation. Cooper would like to abandon just the bulb part of the easement and relocate it further down on his property, in order to build in the only buildable area based on slope percentages being to high. We are also submitting a variance application to change setbacks in order to build in the only buildable area.			
Project Address: 0 El Molino Dr, Wshoe County NV 89411			
Project Area (acres or square feet): 10.0 Acres			
Project Location (with point of reference to major cross streets <b>AND</b> area locator): <b>NE of El Molino Dr and La Mancha Dr</b>			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
076-381-64	10		
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
<b>Applicant Information (attach additional sheets if necessary)</b>			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: Jimmy and Marianna Cooper		Name:	
Address: 100 James Ranch Ct		Address:	
Reno Nv	Zip: 89510		Zip:
Phone: 775-229-2776	Fax:	Phone:	Fax:
Email: jcooper@volitionco.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Jimmy Cooper		Contact Person:	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: Robison Engineering		Name:	
Address: Po Box 1505		Address:	
Sparks, Nv	Zip: 89432		Zip:
Phone: 775-852-2251	Fax:	Phone:	Fax:
Email: rswitzer@robisoneng.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Ryan Switzer		Contact Person:	
<b>For Office Use Only</b>			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

**Abandonment Application  
Supplemental Information**  
(All required information may be separately attached)

1. What and where is the abandonment that is being requested?

Please see attached

2. On which map or document (please include with application) is the easement or right-of-way first referenced?

Please see attached

3. What is the proposed use for the vacated area?

Please see attached

4. What replacement easements are proposed for any to be abandoned?

Please see attached

5. What factors exist or will be employed to prevent the proposed abandonment from resulting in significant damage or discrimination to other property in the vicinity?

Please see attached

6. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the abandonment request? (If so, please attach a copy.)

*     Yes	*     NoX
-----------	-----------

**IMPORTANT**

**NOTICE REGARDING ABANDONMENTS:**

To the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, an abandonment request is in effect a “quitclaim” by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. For example, if the abandonment is approved by Washoe County and recorded, it will likely affect the allowable building envelope on the property, to the benefit of the applicant. However, even if the abandonment is approved, it should not be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, an approved abandonment by the County does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.



## Abandonment Application Supplemental Information

1. What and where is the abandonment that is being requested?
  - a. *The Access and Utility Easement bulb in the SW corner of the lot. We will be replacing with a 120' Hammerhead fire apparatus access road per ICC codes. Please see the attached map, and legal descriptions with exhibit maps to further explain the replaced easement. The 10' PUE will not be abandoned.*
  
2. On which map or document (please include with application) is the easement or right-of-way first referenced?
  - a. *Parcel Map 1038, Recorded February 7, 1980 in the Official Records of Washoe County, Nevada.*
  
3. What is the proposed use for the vacated area?
  - a. *Residential building to be built in the only suitable area based on slope percentages. We are currently submitting a variance application to reduce the setback requirements so a residential structure may be built in the only area that is buildable. Please see attached slope map to further explain the area.*
  
4. What replacement easements are proposed for any to be abandoned?
  - a. *The 40' wide Access and Utility Easement will be replaced with a 120' Hammerhead fire apparatus access road per ICC codes. Please see the attached map, and legal descriptions with exhibit maps to further explain the replaced easement.*
  
5. What factors exist or will be employed to prevent the proposed abandonment from resulting in significant damage or discrimination to other property in the vicinity?
  - a. *The are no factors that will cause damage to other properties.*

# Property Owner Affidavit

**Applicant Name:** Jimmy Cooper

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA       )  
                                          )  
COUNTY OF WASHOE    )

I, MARIANNA COOPER  
(please print name)

being duly sworn, depose and say that I am the owner\* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

**(A separate Affidavit must be provided by each property owner named in the title report.)**

Assessor Parcel Number(s): 076-381-64

Printed Name MARIANNA COOPER

Signed [Signature]

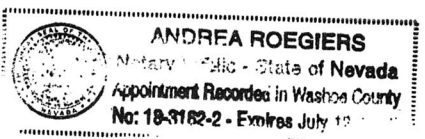
Address 100 James Ranch Ct  
Reno, NV 89510

Subscribed and sworn to before me this 13 day of December, 2019.

[Signature]  
Notary Public in and for said county and state

My commission expires: July 12, 2022

(Notary Stamp)



\*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

# Property Owner Affidavit

**Applicant Name:** Jimmy Cooper

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA     )  
                                  )  
COUNTY OF WASHOE    )

I, Jimmy Cooper  
(please print name)

being duly sworn, depose and say that I am the owner\* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

**(A separate Affidavit must be provided by each property owner named in the title report.)**

Assessor Parcel Number(s): 076-381-64

Printed Name Jimmy Cooper

Signed [Signature]

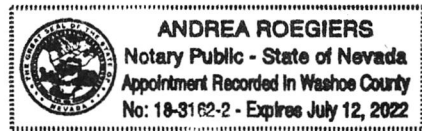
Address 100 JAMES RANCH CT  
RENO NV. 89510

Subscribed and sworn to before me this 25 day of November, 2019.

(Notary Stamp)

[Signature]  
Notary Public in and for said county and state

My commission expires: 7/12/22



\*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

Washoe County Treasurer  
 Tammi Davis

Account Detail

[Back to Account Detail](#)

[Change of Address](#)

[Print this Page](#)

**Disclaimer**

■ **ALERTS:** If your real property taxes are delinquent, the search results displayed may not reflect the correct amount owing. Please contact our office for the current amount due.


■ For your convenience, online payment is available on this site. E-check payments are accepted without a fee. However, a service fee does apply for online credit card payments. See [Payment Information](#) for details.


**Pay By Check**


Please make checks payable to:  
**WASHOE COUNTY TREASURER**


**Mailing Address:**  
 P.O. Box 30039  
 Reno, NV 89520-3039

**Overnight Address:**  
 1001 E. Ninth St., Ste D140  
 Reno, NV 89512-2845

 **Payment Information**

 **Special Assessment District**

 **Installment Date Information**

 **Assessment Information**

**CollectionCart**

Collection Cart	Items	Total	Checkout	View
Collection Cart	0	\$0.00		

**Pay Online**

No payment due for this account.

**Washoe County Parcel Information**

Parcel ID	Status	Last Update
07638164	Active	11/12/2019 2:08:12 AM

**Current Owner:**  
 COOPER FAMILY TRUST, JIMMY D & MARIANNA  
 100 JAMES RANCH CT  
 RENO, NV 89510

**SITUS:**  
 0 EL MOLINO DR  
 WCTY NV

**Taxing District**  
 4000

**Geo CD:**

Legal Description

Township 21 Section 30 Lot C Block Range 21 SubdivisionName SPANISH SPRINGS VALLEY RNCHS 2

**Tax Bill (Click on desired tax year for due dates and further details)**

Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Balance Due
<a href="#">2019</a>	\$457.57	\$457.57	\$0.00	\$0.00	\$0.00
<a href="#">2018</a>	\$436.63	\$436.63	\$0.00	\$0.00	\$0.00
<a href="#">2017</a>	\$419.19	\$419.19	\$0.00	\$0.00	\$0.00
<a href="#">2016</a>	\$408.43	\$408.43	\$0.00	\$0.00	\$0.00
<a href="#">2015</a>	\$408.27	\$408.27	\$0.00	\$0.00	\$0.00
<b>Total</b>					<b>\$0.00</b>

Robison Engineering Co.  
846 Victorian Ave, Suite 20  
Sparks, NV 89431

Jimmy Cooper  
APN: 076-381-64  
P.M.# 1038 W.C.R.  
Date: November 11th, 2019

**“EXHIBIT A”  
ACCESS AND UTILITY EASEMENT ABANDONMENT**

All that portion of the Access & Utility Easement as shown on Parcel C, of Parcel Map No. 1038, recorded February 7<sup>th</sup>, 1980 as document No. 656127 of Washoe County Official Records, State of Nevada, situate within the Northeast One Quarter (1/4) of the Northeast One Quarter (1/4) of Section 30, Township 21 North, Range 21 East, Mount Diablo Meridian, more particularly described as follows:

Beginning at the Southwest Corner of Parcel C as shown on Parcel Map No. 1038, recorded February 7<sup>th</sup>, 1980 as document No. 656127 of Washoe County Official Records, State of Nevada; thence on the Westerly Line of said Parcel C North 00°20'35" West a distance of 55.39 feet to the beginning of a non-tangent curve from which the radius bears South 76°02'44" East 45.00 feet; thence leaving said Westerly Line on said curve in a Northeasterly direction through a central angle 256°39'27" an arc distance of 201.58 feet to a point on the Southerly Line of said Parcel C; thence on said Southerly Line North 89°23'17" West a distance of 43.79 feet to the Point of Beginning, containing 6,707 square feet more or less.

End of Description.

The Basis of Bearings for the above description is Parcel Map # 1038 recorded February 7<sup>th</sup>, 1980 as document No. 656127 of Washoe County Official Records, State of Nevada.

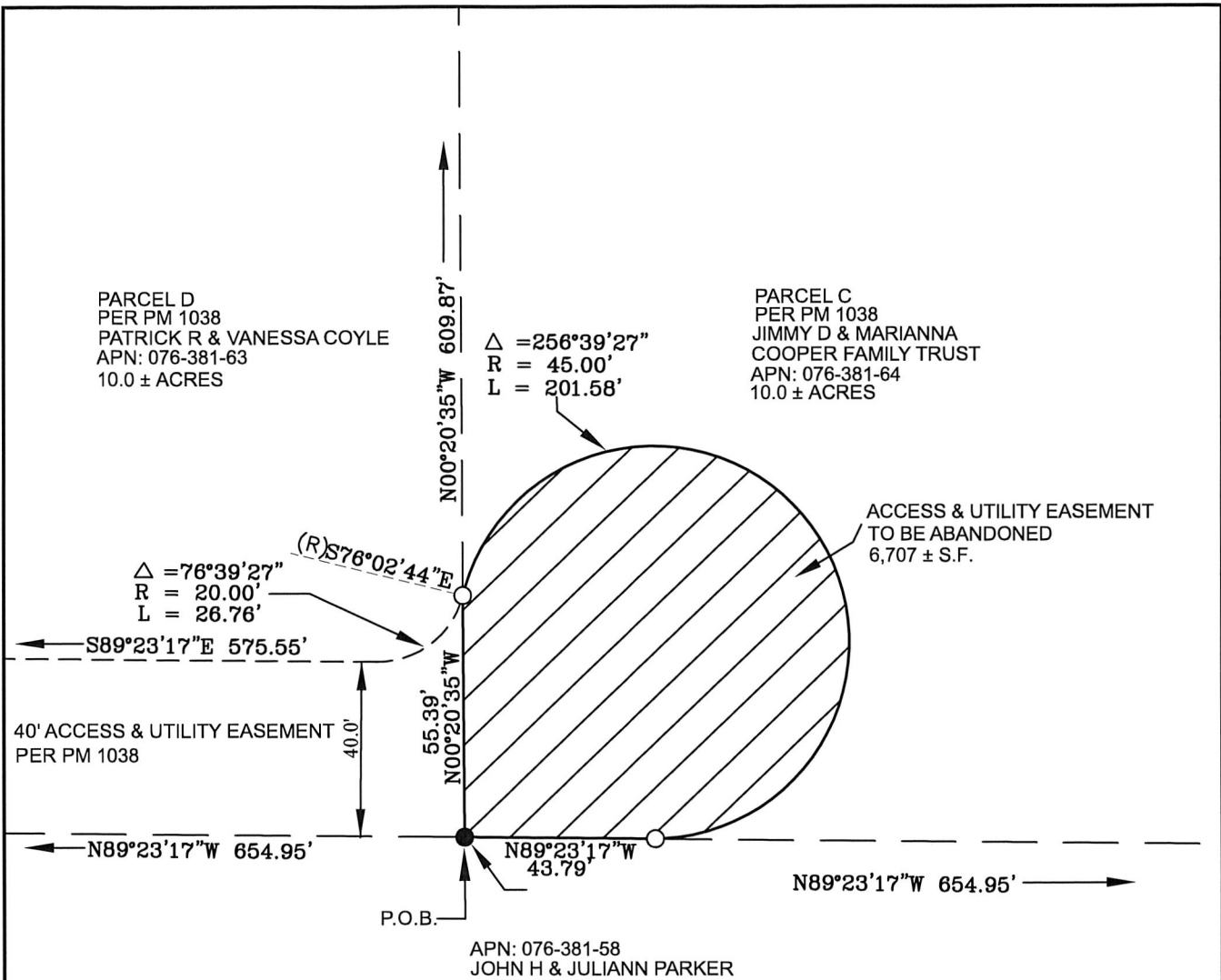
Refer this description to  
your title company before  
incorporating into any  
document.

Prepared by: \_\_\_\_\_  
Eric C. Sage  
P.L.S. 23301  
Exp. 6/30/20



PARCEL D  
PER PM 1038  
PATRICK R & VANESSA COYLE  
APN: 076-381-63  
10.0 ± ACRES

PARCEL C  
PER PM 1038  
JIMMY D & MARIANNA  
COOPER FAMILY TRUST  
APN: 076-381-64  
10.0 ± ACRES

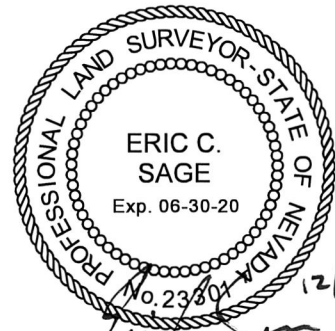


**LEGEND**

- DIMENSION POINT
- POINT OF BEGINNING (P.O.B.)
- ▨ AREA TO BE ABANDONED (6,707± S.F.)
- (R) RADIAL

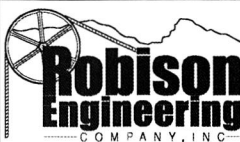
**BASIS OF BEARINGS**

PARCEL MAP # 1038 RECORDED ON  
FEBRUARY 7TH 1980, AS FILE NUMBER  
656127 IN THE OFFICIAL RECORDS OF  
WASHOE COUNTY, NEVADA.



Washoe County

Nevada



846 VICTORIAN AVENUE  
SPARKS, NV 89431  
www.robisoneng.com

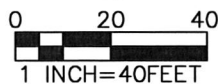
DRAWN: ANR

DATE: 2019-11-11

PREPARED FOR:

JIMMY  
COOPER

EL MOLINO DR  
WASHOE, NV  
1(775)229-2776



**EXHIBIT "B"**

Access & Utility Easement  
Abandonment

PORTION OF PARCEL C OF  
PARCEL MAP # 1038, W.C.R.  
SITUATE WITHIN THE NE 1/4 OF NE 1/4  
SECTION 30, T. 21 N., R. 21 E., M.D.M.

PROJECT NO. 1-1545-01.003

Robison Engineering Co.  
846 Victorian Ave, Suite 20  
Sparks, NV 89431

Jimmy Cooper  
APN: 076-381-64  
P.M.# 1038 W.C.R.  
Date: December 23rd, 2019

**“EXHIBIT A”  
ACCESS AND UTILITY EASEMENT**

Being an Access and Utility Easement, lying on, over, under and across a portion of Parcel C as shown on Parcel Map No. 1038, recorded February 7<sup>th</sup>, 1980 as File No. 656127 of Washoe County Official Records, State of Nevada, situate within the Northeast One Quarter (1/4) of the Northeast One Quarter (1/4) of Section 30, Township 21 North, Range 21 East, Mount Diablo Meridian, more particularly described as follows:

Beginning at the Southwest Corner of Parcel C as shown on Parcel Map No. 1038, recorded February 7<sup>th</sup>, 1980 as document No. 656127 of Washoe County Official Records, State of Nevada; thence on the Westerly Line of said Parcel C North 00°20'35" West a distance of 40.01 feet; thence leaving said Westerly Line South 89°23'17" East a distance of 8.33 feet to the beginning of a non-tangent curve, from which the radius bears North 72°47'11" West 28.00 feet; thence on said non-tangent curve through a central angle of 16°36'06" an arc distance of 8.11 feet; thence North 00°36'43" East a distance of 21.99 feet; thence South 89°23'17" East a distance of 20.00 feet; thence South 00°36'43" West a distance of 21.99 feet to the beginning of a tangent curve to the left, having a radius of 28.00 feet; thence on said tangent curve through a central angle of 90°00'00" an arc distance of 43.98 feet; thence South 89°23'17" East a distance of 23.17 feet; thence South 00°36'43" West a distance of 20.00 feet to a point on the Southerly Line of said Parcel C; thence on said Southerly Line North 89°23'17" West 80.00 feet to the Point of Beginning, containing 2,961 square feet more or less.

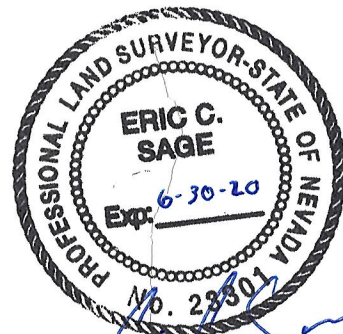
End of Description.

The Basis of Bearings for the above description is Parcel Map # 1038 recorded February 7<sup>th</sup>, 1980 as File No. 656127 of Washoe County Official Records, State of Nevada.

Refer this description to  
your title company before  
incorporating into any  
document.

Prepared by: \_\_\_\_\_  
Eric C. Sage  
P.L.S. 23301  
Exp. 6/30/20

*Eric C. Sage*  
12/23/19



**LEGEND**

- DIMENSION POINT
- POINT OF BEGINNING (P.O.B.)
- ▨ ACCESS & UTILITY EASEMENT (2,961 ± S.F.)
- (R) RADIAL

**BASIS OF BEARINGS**

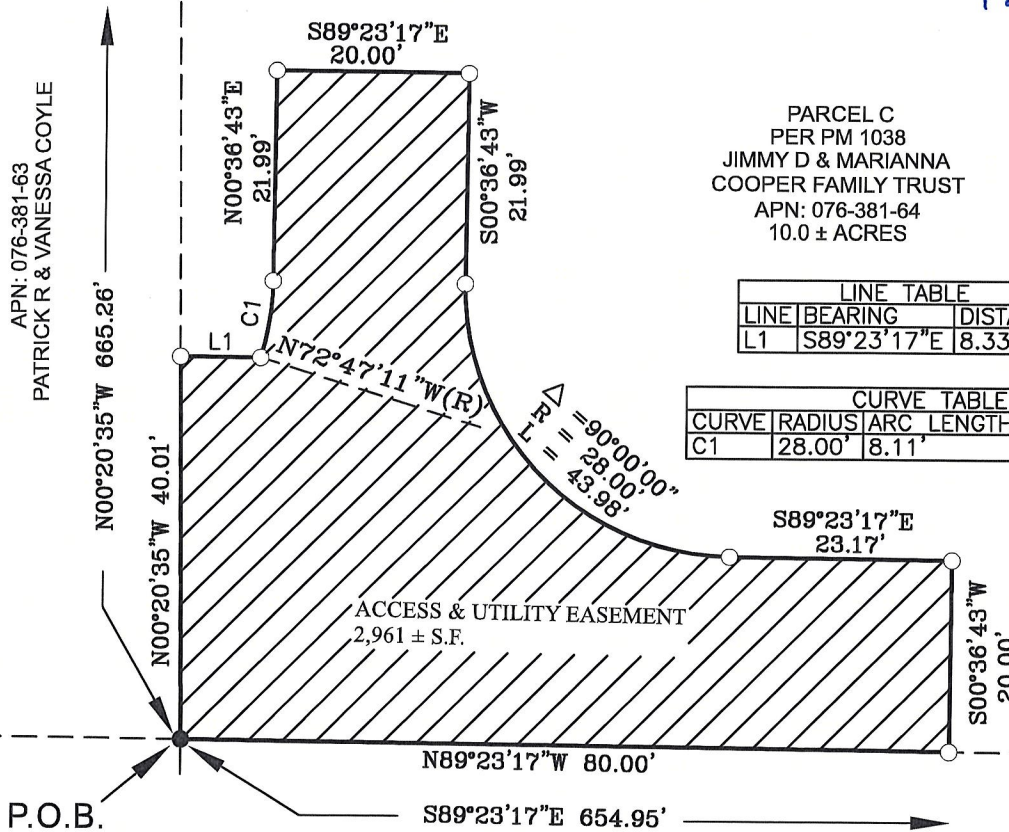
PARCEL MAP # 1038 RECORDED ON  
FEBRUARY 7TH 1980, AS FILE NUMBER  
656127 IN THE OFFICIAL RECORDS OF  
WASHOE COUNTY, NEVADA.



PARCEL C  
PER PM 1038  
JIMMY D & MARIANNA  
COOPER FAMILY TRUST  
APN: 076-381-64  
10.0 ± ACRES

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°23'17"E	8.33'

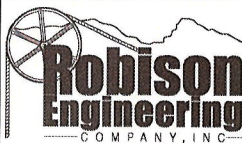
CURVE TABLE			
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	28.00'	8.11'	16°36'06"



APN: 076-381-58  
JOHN H & JULIANN PARKER

Washoe County

Nevada



846 VICTORIAN AVENUE  
SPARKS, NV 89431  
www.robisoneng.com

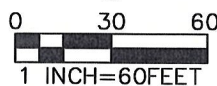
DRAWN: ANR

DATE: 2019-12-23

PREPARED FOR:

JIMMY  
COOPER

EL MOLINO DR  
WASHOE, NV  
1(775)229-2776



**Exhibit "B"**

**Access And Utility Easement**

PORTION OF PARCEL C OF  
PARCEL MAP # 1038, W.C.R.  
SITUATE WITHIN THE NE 1/4 OF NE 1/4  
SECTION 30, T. 21 N., R. 21 E., M.D.M.

PROJECT NO. 1-1545-01.003

WAB19-0003 & WPVAR19-0003

EXHIBIT J



Closure Calculations  
 Access and Utility Easement  
 11:07:30 2019

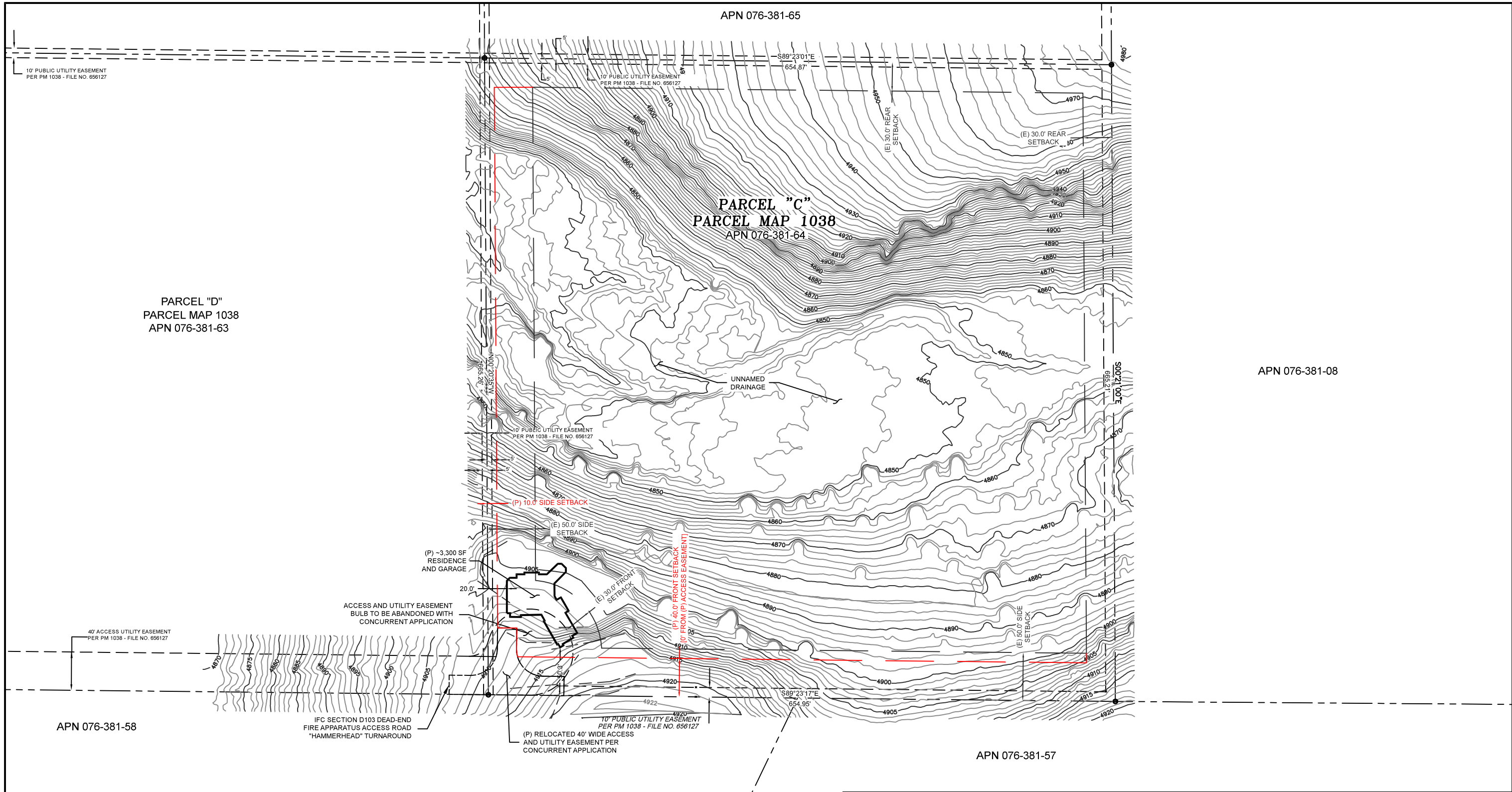
Mon Dec 23

Northing	Easting	Bearing	Distance
14914895.52	2328932.13		
		N 89°23'17" W	8.33
14914895.61	2328923.79		
		S 00°20'35" E	40.01
14914855.61	2328924.03		
		S 89°23'17" E	80.00
14914854.75	2329004.03		
		N 00°36'43" E	20.00
14914874.75	2329004.24		
		N 89°23'17" W	23.17
14914875.00	2328981.08		
Radius: 28.00      Chord: 39.60      Degree: 204°37'40" Dir: Right Length: 43.98      Delta: 90°00'00"      Tangent: 28.00 Chord BRG: N 44°23'17" W      Rad-In: N 00°36'43" E      Rad-Out: S 89°23'17" E Radius Point: 14914903.00, 2328981.38			
14914903.30	2328953.38		
		N 00°36'43" E	21.99
14914925.29	2328953.61		
		N 89°23'17" W	20.00
14914925.50	2328933.61		
		S 00°36'43" W	21.99
14914903.51	2328933.38		
Radius: 28.00      Chord: 8.08      Degree: 204°37'40" Dir: Right Length: 8.11      Delta: 16°36'06"      Tangent: 4.09 Chord BRG: S 08°54'46" W      Rad-In: N 89°23'17" W      Rad-Out: N 72°47'11" W Radius Point: 14914903.81, 2328905.38			
14914895.52	2328932.13		

Closure Error Distance > 0.0000  
 Total Distance > 287.59  
 Polyline Area: 2961 sq ft, 0.0680 acres



*Eric C. Sage*  
 12/23/19



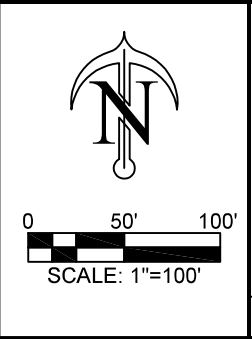
**Robison Engineering**  
 COMPANY, INC.  
 846 VICTORIAN AVENUE  
 SPARKS, NV 89431  
 (775) 852-2251  
 www.robisoneng.com

DRAWN:  
 ANR/RMS

DATE: 2019-12-23

PREPARED FOR:  
**JIMMY COOPER**

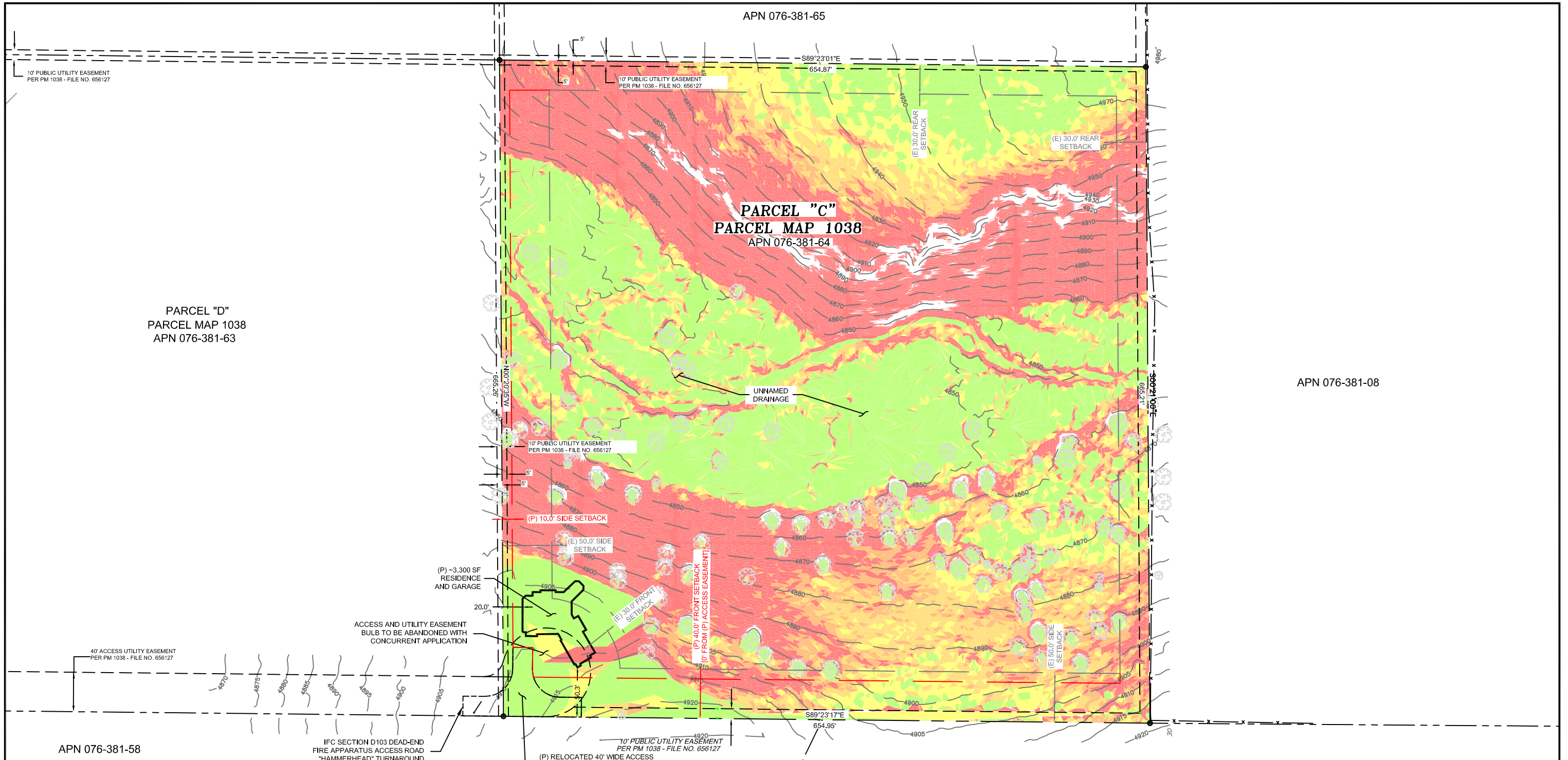
0 EL MOLINO DR  
 WASHOE COUNTY  
 NEVADA  
 775-229-2776



**EL MOLINO DR**  
**PROPOSED SETBACK VARIANCE**

APN: 076-381-64  
 PM 1038 LOT C  
 SPANISH SPRINGS VALLEY RANCHES 2

WASHOE COUNTY NV  
 PROJECT NO. 1-1545-01.003



PARCEL "D"  
PARCEL MAP 1038  
APN 076-381-63

**PARCEL "C"**  
**PARCEL MAP 1038**  
APN 076-381-64

APN 076-381-08

APN 076-381-58

APN 076-381-57

Number	Minimum Slope	Maximum Slope	Area (SF)	Color
1	0.00%	15.00%	149286	<span style="color: green;">■</span>
2	15.00%	20.00%	43613	<span style="color: yellow;">■</span>
3	20.00%	25.00%	41437	<span style="color: orange;">■</span>
4	25.00%	30.00%	35240	<span style="color: red;">■</span>
5	30.00%	100.00%	153470	<span style="color: red;">■</span>

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DRAWN:  
RMS

DATE: 2019-12-23

PREPARED FOR:  
**JIMMY COOPER**

0 EL MOLINO DR  
WASHOE COUNTY  
NEVADA  
775-229-2776

SCALE: 1"=100'

**EL MOLINO DR**  
**SLOPE MAP**

APN: 076-381-64  
PM 1038 LOT C  
SPANISH SPRINGS VALLEY RANCHES 2

WASHOE COUNTY NV  
PROJECT NO. 1-1545-01.003

Community Services Department  
Planning and Building  
VARIANCE APPLICATION



Community Services Department  
Planning and Building  
1001 E. Ninth St., Bldg. A  
Reno, NV 89512-2845

Telephone: 775.328.6100

9. **Packets:** Three (3) packets and flash drive or DVD - any digital documents need to have a resolution of 300 dpi. One (1) packet must be labeled "Original" and contain a signed and notarized Owner Affidavit. Each packet shall include one (1) 8.5" x 11" reduction of any applicable site plan, development plan, and/or application map. These materials must be readable. Labeling on these reproductions should be no smaller than 8 point on the 8½ x 11" display. Large format sheets should be included in a slide pocket(s). Any specialized reports identified above shall be included as attachments or appendices and be annotated as such.

- 
- Notes:
- (i) Application and map submittals must comply with all specific criteria as established in the Washoe County Development Code and/or the Nevada Revised Statutes.
  - (ii) Appropriate map engineering and building architectural scales are subject to the approval of Planning and Building and/or Engineering and Capital Projects.
  - (iii) All oversized maps and plans must be folded to a 9" x 12" size.
  - (iv) Based on the specific nature of the development request, Washoe County reserves the right to specify additional submittal packets, additional information and/or specialized studies to clarify the potential impacts and potential conditions of development to minimize or mitigate impacts resulting from the project. No application shall be processed until the information necessary to review and evaluate the proposed project is deemed complete by the Director of Planning and Building.
  - (v) **Labels:** If the assigned planner determines the abandonment will affect the access to a mobile home park, the applicant will be required to submit three (3) sets of mailing labels for every tenant residing in the mobile home park.

## 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.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <b>Cooper, Setback Variance</b>			
Project Description: El Molino Dr, Setbacks Variance. We are asking for a 0' front setback off the relocated easement per our abandonment application. And a 10' setback off the westerly property line. We are submitting for this variance because the SW corner of the lot is the only buildable area due to high slope percentages.			
Project Address: 0 El Molino Dr			
Project Area (acres or square feet): 10.0 Acres			
Project Location (with point of reference to major cross streets <b>AND</b> area locator): <b>NE of El Molino Dr and La Mancha Dr</b>			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
076-381-64	10.0		
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
<b>Applicant Information (attach additional sheets if necessary)</b>			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: Jimmy and Marianna Cooper		Name:	
Address: 100 James Ranch Ct		Address:	
Reno, Nv	Zip: 89510		Zip:
Phone: 775-229-2776	Fax:	Phone:	Fax:
Email: jcooper@volitionco.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Jimmy Cooper		Contact Person:	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: Robison Engineering		Name:	
Address: Po Box 1505		Address:	
Sparks, Nv	Zip: 89432		Zip:
Phone: 775-852-2251	Fax:	Phone:	Fax:
Email: rswitzer@robisoneng.com		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Ryan Switzer		Contact Person:	
<b>For Office Use Only</b>			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(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?

Please see attached

**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?

Please see attached

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?

Please see attached

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.)?

Please see attached

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

Please see attached

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

Yes     No    If yes, please attach a copy.

7. How is your current water provided?

Proposed well

8. How is your current sewer provided?

Proposed septic

## Variance Application Supplemental Information

1. What provisions of the Development Code (e.g. front yard setback, height, etc.) must be waived or varied to permit your request?
  - a. *Table 110.406.05.1 Building Placement Standards. Requesting 0' front yard setback off of access and utility easement (40' setback off property line), and 10' side yard setback on the westerly side. There is currently an Access and Utility Easement in the only buildable area so, we have concurrently applied to abandon the easement and relocate it further east on the property.*
  
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?
  - a. *Section 110.424.00 Hillside development. To accommodate only suitable area for development based on slope percentages. This is the only suitable area to build with slope percentages less than 15%, the other area with less than 15% slope is a drainage ditch and therefore unbuildable. We are asking for a variance so a residential structure may be built on the property in the only suitable area and, build in conformance with this section. Please see the attached slope map.*
  
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?
  - a. *Based on the existing elevation of the parcel, it is out of view of the neighboring property. Building a residence 30' closer to the southern property line and 20' closer to the westerly property line will not negatively impact the neighboring property because of how large the parcels are and the distance between the neighboring house and this proposed house.*
  
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.)?
  - a. *With this variance the owner will be able to build a residence on this property as it is zoned for, and will not have to build on the hillside or creek bed which are the only other options.*
  
5. What enjoyment or use of your property would be denied to you that is common to other properties in your neighborhood?
  - a. *Development of residential structure.*



# Property Owner Affidavit

**Applicant Name:** Jimmy Cooper

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA        )  
                                  )  
COUNTY OF WASHOE    )

I, MARIANNA COOPER  
(please print name)

being duly sworn, depose and say that I am the owner\* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

**(A separate Affidavit must be provided by each property owner named in the title report.)**

Assessor Parcel Number(s): 076-381-64

Printed Name MARIANNA COOPER

Signed [Signature]

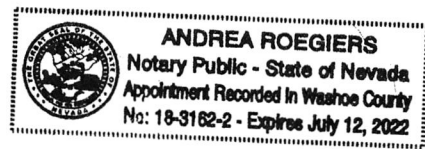
Address 100 James Ranch Ct.

Reno, NV 89510

Subscribed and sworn to before me this 13 day of December, 2019.

[Signature]  
Notary Public in and for said county and state

My commission expires: July 12, 2022



\*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

Property Owner Affidavit

Applicant Name: Jimmy Cooper

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA )
COUNTY OF WASHOE )

I, Jimmy Cooper (please print name)

being duly sworn, depose and say that I am the owner\* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 076-381-64

Printed Name Jimmy Cooper

Signed [Signature]

Address 100 JAMES RANCH CT

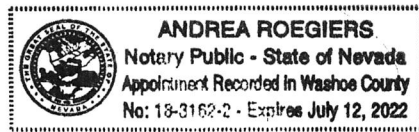
RENO N.V. 89510

Subscribed and sworn to before me this 25 day of November, 2019.

(Notary Stamp)

[Signature]
Notary Public in and for said county and state

My commission expires: 7/12/22



\*Owner refers to the following: (Please mark appropriate box.)

- Owner (checked)
Corporate Officer/Partner
Power of Attorney
Owner Agent
Property Agent
Letter from Government Agency with Stewardship

Washoe County Treasurer  
 Tammi Davis

Account Detail

[Back to Account Detail](#)

[Change of Address](#)

[Print this Page](#)

**Disclaimer**

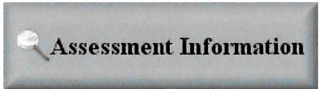
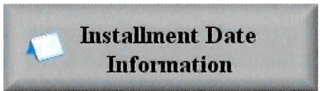
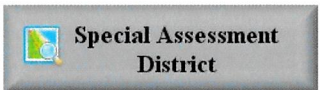
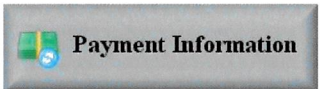
- **ALERTS:** If your real property taxes are delinquent, the search results displayed may not reflect the correct amount owing. Please contact our office for the current amount due.
- For your convenience, online payment is available on this site. E-check payments are accepted without a fee. However, a service fee does apply for online credit card payments. See [Payment Information](#) for details.

**Pay By Check**

Please make checks payable to:  
**WASHOE COUNTY TREASURER**

**Mailing Address:**  
 P.O. Box 30039  
 Reno, NV 89520-3039

**Overnight Address:**  
 1001 E. Ninth St., Ste D140  
 Reno, NV 89512-2845



**CollectionCart**

Collection Cart	Items 0	Total \$0.00	<a href="#">Checkout</a>	<a href="#">View</a>
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**Pay Online**

No payment due for this account.

**Washoe County Parcel Information**

Parcel ID	Status	Last Update
07638164	Active	11/12/2019 2:08:12 AM

**Current Owner:**  
 COOPER FAMILY TRUST, JIMMY D & MARIANNA  
 100 JAMES RANCH CT  
 RENO, NV 89510

**SITUS:**  
 0 EL MOLINO DR  
 WCTY NV

**Taxing District**  
 4000

**Geo CD:**

Legal Description

Township 21 Section 30 Lot C Block Range 21 SubdivisionName SPANISH SPRINGS VALLEY RNCHS 2

**Tax Bill (Click on desired tax year for due dates and further details)**

Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Balance Due
<a href="#">2019</a>	\$457.57	\$457.57	\$0.00	\$0.00	\$0.00
<a href="#">2018</a>	\$436.63	\$436.63	\$0.00	\$0.00	\$0.00
<a href="#">2017</a>	\$419.19	\$419.19	\$0.00	\$0.00	\$0.00
<a href="#">2016</a>	\$408.43	\$408.43	\$0.00	\$0.00	\$0.00
<a href="#">2015</a>	\$408.27	\$408.27	\$0.00	\$0.00	\$0.00
<b>Total</b>					<b>\$0.00</b>