



Board of Adjustment Staff Report

Meeting Date: June, 06, 2019

Agenda Item: 8M

SPECIAL USE PERMIT CASE NUMBER: WSUP19-0011 (Chagolla Residence)

BRIEF SUMMARY OF REQUEST: To allow a Single Family Home in a Neighborhood Commercial zone.

STAFF PLANNER: Jacob Parker
775.328.3628
jparker@washoecounty.us

CASE DESCRIPTION

For possible action, hearing, and discussion to approve a special use permit for the placement of a ±2488 square foot single family dwelling in a neighborhood commercial (NC) regulatory zone.

Applicant/Property Owner: Roberto A. Chagolla
Location: 5134 Sun Valley Blvd.
APN: 085-021-82
Parcel Size: 7,849 sq. ft.
Master Plan: Commercial (C)
Regulatory Zone: Neighborhood Commercial (NC)
Area Plan: Sun Valley
Citizen Advisory Board: Sun Valley
Development Code: Authorized in Article 810, Special Use Permits
Commission District: 3 – Commissioner Jung



STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number WSUP19-0011 for Roberto Chagolla, having made all five findings in accordance with Washoe County Code Section 110.810.30.

(Motion with Findings on Pages 9)

Staff Report Contents

Special Use Permit.....3

Vicinity Map.....4

Site Plan.....5

Project Evaluation8

Sun Valley Citizen Advisory Board (SVCAB)8

Reviewing Agencies8

Recommendation9

Motion9

Appeal Process10

Exhibits Contents

Conditions of ApprovalExhibit A

Public NoticeExhibit B

Project Application.....Exhibit C

Special Use Permit

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

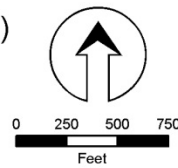
- Prior to permit issuance (i.e. a grading permit, a building permit, etc.)
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure
- Prior to the issuance of a business license or other permits/licenses
- Some Conditions of Approval are referred to as “Operational Conditions.”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

The Conditions of Approval for Special Use Permit Case Number WSUP19-0011 are attached to this staff report and will be included with the Action Order, if approved.

The subject property is designated as Neighborhood Commercial (NC). The proposed use of a new home is classified a Single Family Detached Residence which is permitted in NC with a special use permit per WCC 110.302.05.1. Therefore, the applicant is seeking approval of this SUP from the Board of Adjustment.



WSUP19-0011 (Chagolla Manufactured Home)
Vicinity Map



Community Services
Department

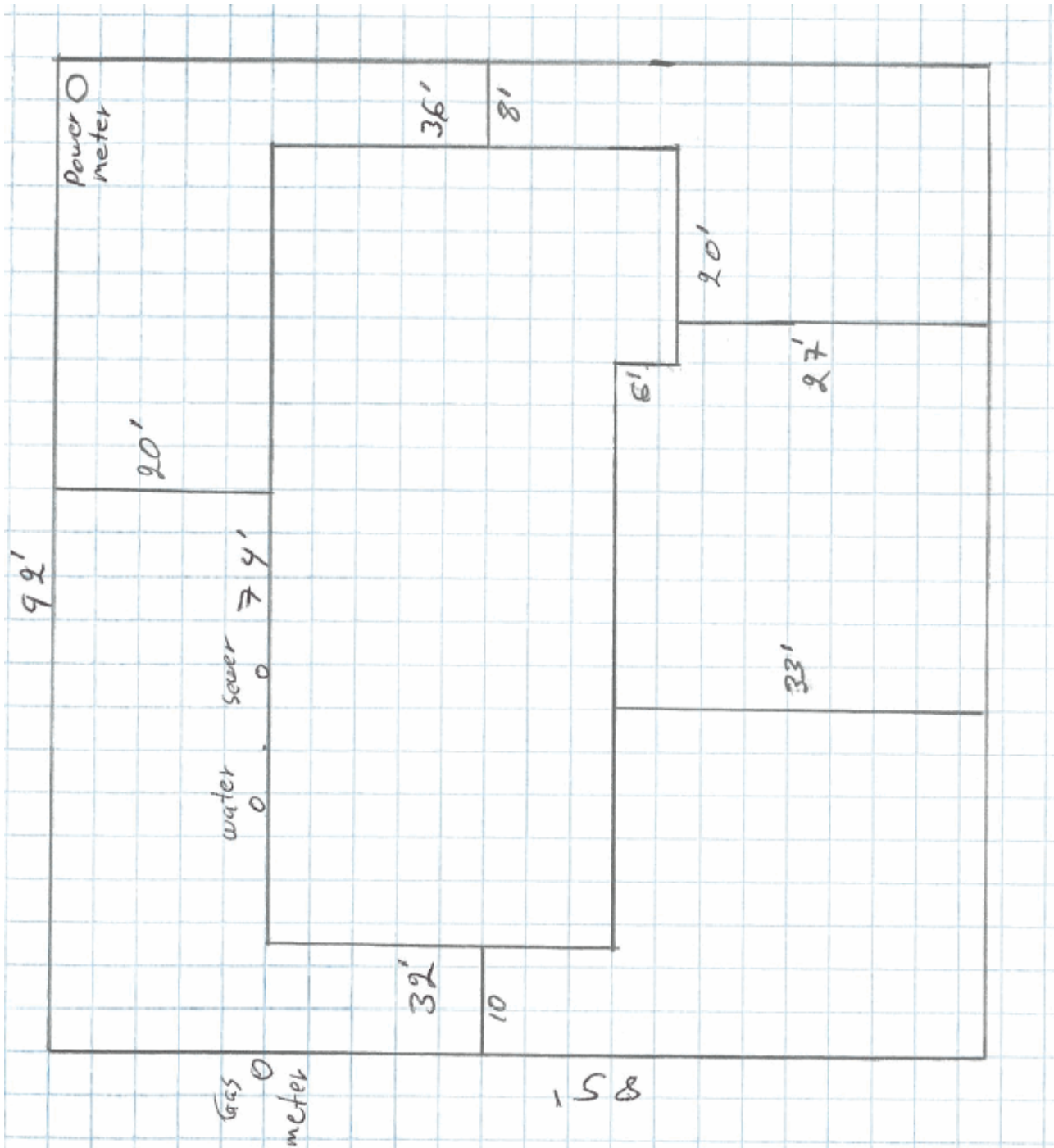
WASHOE COUNTY
NEVADA
1861

1001 E Ninth St
Reno, Nevada 89512 (775) 328-3600

Source: Planning and Building Division

Date: 04/16/2019

Vicinity Map



Site Plan





Project Evaluation

The applicant applied for a special use permit to allow the placement of a ±2488 sq. ft. dwelling on a property with a neighborhood commercial (NC) regulatory zone.

Washoe County recently adopted a master plan amendment to allow for manufactured homes within the neighborhood commercial (NC) regulatory zone in the Downtown Character Management Area of the Sun Valley Area Plan with approval of a Special Use Permit.

The surrounding properties are all manufactured homes on lots of similar size and shape. The parcels in the immediate area have all been divided to small lots for placement of manufactured homes. This parcel was created as part of a division of land into 4 parcels of similar size. The parcel is surrounded by similarly attributed parcels ±500 feet in all directions, ±2000 feet east and west. The applicant has stated that the placing of a home on the parcel will increase the value of the surrounding parcels with the decrease of vacant land. Additionally, the placement of the home will prevent any vehicles from being parked on the lot as well as decrease land available for possible illegal dumping or camping while it stands vacant.

Sun Valley Citizen Advisory Board (SVCAB)

The Sun Valley CAB did not meet during the time period for review. A review worksheet was sent to the CAB. No comments were returned.

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
 - Engineering and Capital Projects Division
- Washoe County Health District
 - Emergency Medical Services
 - Environmental Health Services Division
- Sun Valley General Improvement District
- Washoe-Storey Conservation District
- Truckee Meadows Fire Protection District
- Regional Transportation Commission

Four out of the eight 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.

- Washoe County Planning and Building Division addressed the hours of operation, set landscaping, parking and lighting standards and imposed operational conditions that will be in effect for the life of the project.
Contact: Jacob Parker, 775.328.3628, jparker@washoecounty.us
- The Water Rights Manager of the Washoe County Planning and Building Division addressed water supplied to the site.
Contact: Vahid Behmaram, 775.954.4647, vbehmaram@washoecounty.us

- Washoe County Engineering and Capital Projects addressed the general requirements of building on the site and observing the easements on the parcel when placing the dwelling.
Contact: Leo Vesely, 775.328.2313, lvesely@washoecounty.us
- Sun Valley General Improvement District addressed utilities to the site and inspection prior to Certificate of Occupancy can be issued.
Contact: Chris Melton, 775.673.2253, CMelton@svgid.com

Staff Comment on Required Findings

WCC Section 110.810.30, Article 810, *Special Use Permits*, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the request. Staff has completed an analysis of the special use permit application and has determined that the proposal is in compliance with the required findings as follows.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Sun Valley Area Plan.

Staff Comment: The proposed dwelling is consistent with the Master Plan and the Sun Valley Area Plan upon issuance of a Special Use Permit.

2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

Staff Comment: The proposed single family dwelling has adequate utilities, access, drainage and facilities.

3. Site Suitability. That the site is physically suitable for a detached single family dwelling and for the intensity of such a development.

Staff Comment: The site has historically been used as a residential property with manufactured home(s) and is suitable for this application.

4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

Staff Comment: An issuance of a Special Use Permit will be in compliance with the Washoe County Development Code and will not do undue harm to the public, surrounding properties and area overall.

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 There are no military installations near the proposed site.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Special Use Permit Case Number WSUP19-0011 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve

with conditions Special Use Permit Case Number WSUP19-0011 for Roberto Chagolla, having made all five findings in accordance with Washoe County Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Sun Valley Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for a detached single family dwelling and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
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

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant.

Applicant/Owner Roberto A. Chagolla
 P.O. Box 3753
 Sparks, NV 89432



Conditions of Approval

Special Use Permit Case Number WSUP19-0011

The project approved under Special Use Permit Case Number WSUP19-0011 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on June 6, 2019. 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.

Unless otherwise specified, all conditions related to the approval of this Special Use Permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the conditions of approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the institution of revocation procedures.

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

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

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

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

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

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.**

- **The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**

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

Washoe County Planning and Building Division

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

Contact Name – Jacob Parker (775) 328-3628, jparker@washoecounty.us

- a. The applicant shall attach a copy of the Action Order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- c. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- d. The following **Operational Conditions** shall be required for the life of the Single Family Dwelling:
 - i. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by Planning and Building.

Washoe County Engineering and Capital Projects

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

Contact Name – Leo Vesely and (775) 328-2313, ivesely@washoecounty.us

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. Structure location shall be adjusted so that structure does not encroach into any of the easements shown on Parcel Map #2771

Washoe County Community Services Department (CSD) Water Rights

3. The following condition is a requirement of the Water Rights Manager, which shall be responsible for determining compliance with this condition.

Contact Name – Vahid Behmaram, 775.954.4647, vbehmaram@washoecounty.us

- a. Applicant shall provide a will serve letter in support of the proposed project, or an acknowledgement letter from SVGID, the water supplier, indicating that sufficient water rights are available to the proposed project.

Sun Valley General Improvement District

4. The following condition is a requirement of the Sun Valley General Improvement District, which shall be responsible for determining compliance with this condition.

Contact Name – Chris Melton, 775.673.2253, CMelton@washoecounty.us

- a. Compliance with applicable regulations and policies of the Sun Valley General Improvement District shall be required
- b. Sewer must be inspected by SVGID prior to Certificate of Occupancy.

*** End of Conditions ***

OFFICIAL NOTICE OF PUBLIC HEARING

DATE: May 24, 2019

You are hereby notified that the **Washoe County Board of Adjustment** will conduct a public hearing at the following time and location:

1:30 p.m., Thursday, June 6, 2019

County Commission Chambers, 1001 East Ninth Street, Reno, NV 89512

Special Use Permit Case Number WSUP19-0011 (Chagolla Residence) – For possible action, hearing, and discussion to approve a special use permit for the placement of a ±2488 square foot single family dwelling in a neighborhood commercial (NC) regulatory zone.

- Applicant/Property Owner: Roberto A. Chagolla
- Location: 5134 Sun Valley Blvd.
- APN: 085-021-82
- Parcel Size: 7,849 sq. ft.
- Master Plan: Commercial (C)
- Regulatory Zone: Neighborhood Commercial (NC)
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 3 – Commissioner Jung
- Staff: Jacob Parker, Planner
Washoe County Community Services Department
Planning and Building Division

- Phone: 775.328.3628
- E-mail: jparker@washoecounty.us

As an owner of property in the vicinity, you are invited to present testimony relative to these matters.

To access additional information about this item, please visit our website at www.washoecounty.us/csd/planning_and_development/, choose **Boards and Commissions**, then **Board of Adjustment, Meetings, +2019**. Then click on the above referenced meeting date.

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information		Staff Assigned Case No.: _____	
Project Name: <i>Single Family Home with attached garage</i>			
Project Description: <i>Single Family Home</i>			
Project Address: <i>5134 Sun Valley Blvd Sun Valley NV 89433</i>			
Project Area (acres or square feet): <i>1900 sq ft approx</i>			
Project Location (with point of reference to major cross streets AND area locator): <i>On Sun Valley Blvd between Carol Dr and First st</i>			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
<i>085-021-82</i>	<i>0.18</i>		
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: <i>Roberto A. Chagolla</i>		Name:	
Address: <i>P.O. Box 3753</i>		Address:	
<i>Sparks, NV</i> Zip: <i>89432</i>		Zip:	
Phone: <i>775-219-7474</i> Fax:		Phone: Fax:	
Email: <i>chagollaroberto@yahoo.com</i>		Email:	
Cell: Other:		Cell: Other:	
Contact Person:		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone: Fax:		Phone: Fax:	
Email:		Email:	
Cell: Other:		Cell: Other:	
Contact Person:		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Property Owner Affidavit

Applicant Name: Roberto A. Chagolla

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, Roberto A. Chagolla
(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): 085-021-82

Printed Name Roberto A. Chagolla

Signed Roberto A. Chagolla

Address 555 E. 8th Ave

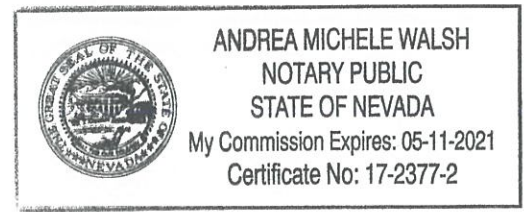
Sun Valley, NV 89433

Subscribed and sworn to before me this
12th day of April, 2019.

Andrea Michele Walsh
Notary Public in and for said county and state

My commission expires: 05/11/2021

(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

Special Use Permit Application Supplemental Information

(All required information may be separately attached)

1. What is the project being requested?

Build a single family home

2. Provide a site plan with all existing and proposed structures (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.)

3. What is the intended phasing schedule for the construction and completion of the project?

Start May 1 2019 End January 30 2020

4. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

Flat lot surrounded by mobile homes

5. What are the anticipated beneficial aspects or affects your project will have on adjacent properties and the community?

Raising the value of adjacent houses and add housing

6. What are the anticipated negative impacts or affect your project will have on adjacent properties? How will you mitigate these impacts?

Typical construction, added noise, traffic
Mitigate by build as fast as possible

7. Provide specific information on landscaping, parking, type of signs and lighting, and all other code requirements pertinent to the type of use being purposed. Show and indicate these requirements on submitted drawings with the application.

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

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

9. Utilities:

a. Sewer Service	✓
b. Electrical Service	✓
c. Telephone Service	
d. LPG or Natural Gas Service	
e. Solid Waste Disposal Service	
f. Cable Television Service	
g. Water Service	✓

For most uses, Washoe County Code, Chapter 110, Article 422, Water and Sewer Resource Requirements, requires the dedication of water rights to Washoe County. Please indicate the type and quantity of water rights you have available should dedication be required.

h. Permit #		acre-feet per year	
i. Certificate #		acre-feet per year	
j. Surface Claim #		acre-feet per year	
k. Other #		acre-feet per year	

Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources).

--

10. Community Services (provided and nearest facility):

a. Fire Station	110 Quartz Ln Sun Valley NV
b. Health Care Facility	
c. Elementary School	Sun Valley Elementary
d. Middle School	Sparkle Middle
e. High School	Procter R Hug High school
f. Parks	
g. Library	
h. Citifare Bus Stop	

Property Tax Reminder Notice

WASHOE COUNTY
 PO BOX 30039
 RENO, NV 89520-3039
 775-328-2510

PIN: 08502182
 AIN:

Balance Good Through:	04/12/2019
Current Year Balance:	\$0.00
Prior Year(s) Balance: (see below for details)	\$0.00
Total Due:	\$0.00

AUTO
 :894324:
 ROBERTO CHAGOLLA
 PO BOX 3753
 SPARKS NV 89432

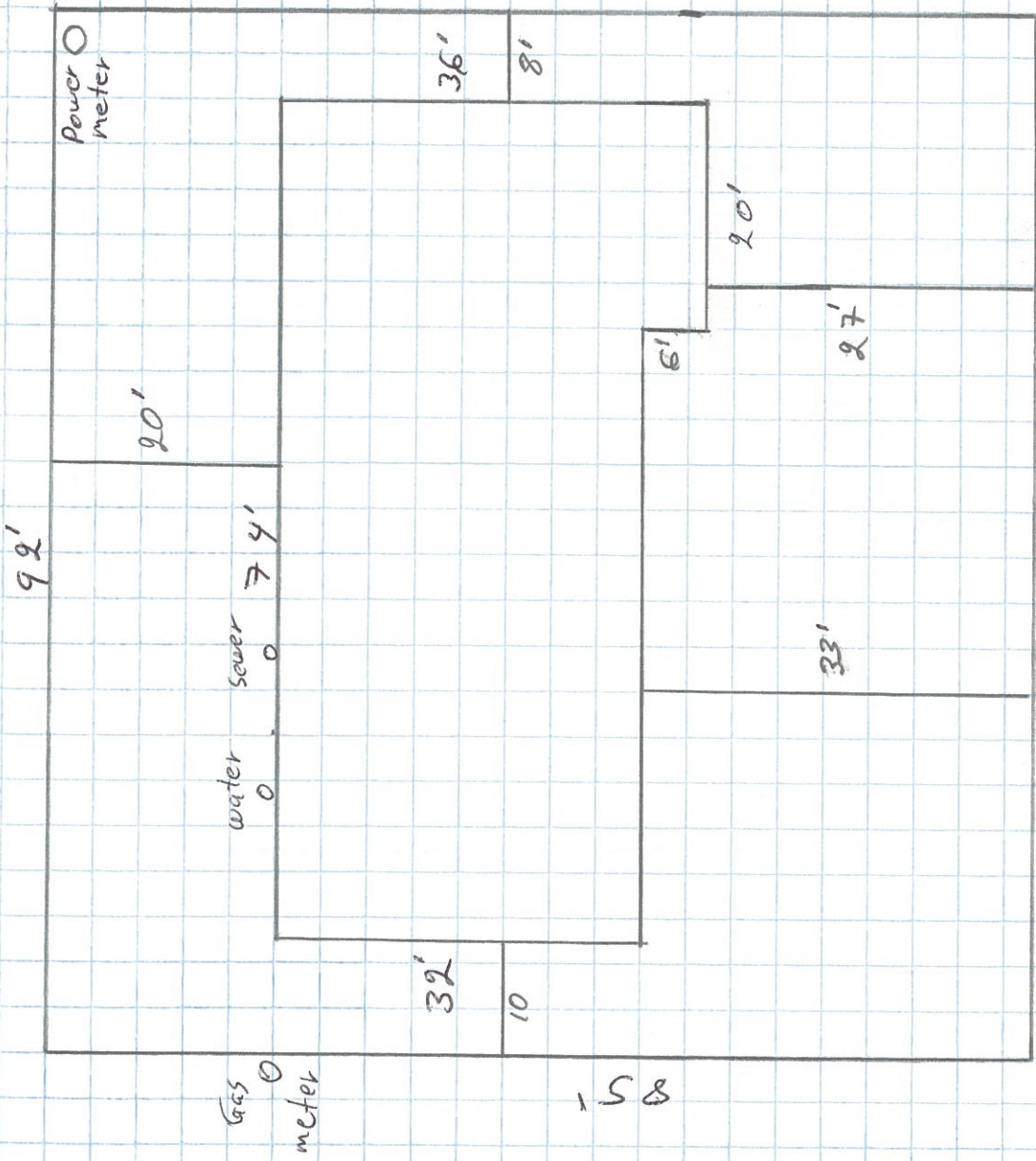
Description:

Situs: 5134 SUN VALLEY BLVD
 WASHOE COUNTY

This is a courtesy notice. If you have an impound account through your lender or are not sure if you have an impound account and need more information, please contact your lender directly. Please submit payment for the remaining amount(s) according to the due dates shown. Always include your PIN number with your payment. Please visit our website: www.washoecounty.us/treas

Current Charges									
PIN	Year	Bill Number	Inst	Due Date	Charges	Interest	Pen/Fees	Paid	Balance
08502182	2018	2018078601	1	08/20/2018	64.03	0.00	9.60	73.63	0.00
08502182	2018		2	10/01/2018	64.00	0.00	7.04	71.04	0.00
08502182	2018		3	01/07/2019	64.00	0.00	3.84	67.84	0.00
08502182	2018		4	03/04/2019	64.00	0.00	0.00	64.00	0.00
Current Year Totals					256.03	0.00	20.48	276.51	0.00

Prior Years								
PIN	Year	Bill Number	Charges	Interest	Pen/Fees	Paid	Balance	
Prior Years Total								



Scale 1/4" = 4'

