

Attention:

October 1, 2019

Kristina Hill

Clay Thomas

Lee Lawrence

Kim Toulouse

Planner/Community Services Dept – Planning and Building Division

To the Washoe County Board of Adjustment

Re: Special Use Permit Case Number WSUP19-0018

Foothill Storage at 1525 Geiger Grade

Pertaining to the onsite storage of operable vehicles

I strongly urge you to approve this permit. This permit is for the onsite storage of operable vehicles. These vehicles are largely recreational vehicles, boats and trailers pulling into Foothill Storage, primarily before or after a weekend, and traveling directly from Kivett Lane, which is little more than a few hundred feet. It is important to note that these vehicles are not large trucks! Noise from this traffic has never been a problem. The volume of recreational vehicle/trailer traffic is negligible and highly seasonal, and generally only five or so in total per weekend. Due to the excellent condition of the King Lane, dust is almost non-existent.

This is a permit application for an addition to an existing identical business that has never been a neighborhood problem.

I have lived at 1534 King Lane for about five years now. In that time King Lane has not only been well maintained by Mr. Mark Hain, but actually improved, both structurally and esthetically. I have always been impressed by the fact that King Lane is in much better condition than other dirt roads in the area; which is to his credit. Without his conscientious effort to maintain this stretch of road, King Lane would look like Pinion Ln, which is barely drivable! All of us in the neighborhood appreciate his work!

Any complaints to the contrary are exaggerated and not based on the facts. Most of the non-resident traffic on King Lane is from people driving to and from the Ole Tyme Saloon and Nik-N-Willies Pizza and Deli. And even that traffic is minor, and not usually problematic!

Denying this permit would be a disservice to Mr. Mark Hain and Foothill Storage, whose business depends on this route, and more importantly, whose existing business has not created issues to date.

To address several issues specifically:

- *Foothill Storage has no negative impacts on adjacent properties or surrounding areas.*
- *The property in question is clean, fully fenced with a visual barrier and attractively landscaped and well maintained.*

WSUP19-0018
BOA 10/2/19

Fellow members of the Washoe County Board of Adjustment:

September 26, 2019

Kristina Hill, Vice Chair

Brad Stanley

Clay Thomas, Chair

Lee Lawrence

Kim Toulouse

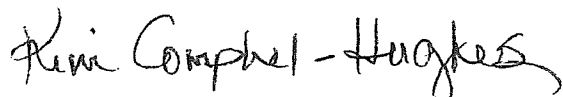
My name is Kim Compbel-Hughes, my father Fred Compbel and I have resided at 1536 King Ln., Reno, NV for over two decades. I'm writing today in regards to the Special Use Permit Case Number WSUP19-0018 request. I understand, through chatter of neighbors, that opposition was presented regarding the Foothill Storage permit. Frankly, denying this permit would be a grave misfortune for our neighborhood and committee.

During the past years, my father and I have developed the utmost respect for Mark Hain and his professionalism. His property is cleaned and well maintained. The RVs and/or trailers accessing his storage property create very little noise, dust, and light traffic. With this type of business, and its location, it makes sense those vehicles enter from the South entrance (King Ln.) and exit through the North gates (Hwy 341/Geiger Grade). My property on King Ln. is across the road directly south of the entrance for Foothill Storage. On average, I only see three-to-five vehicles enter Foothill Storage per week, usually on Sunday and typically during the summer season.

I have only the fondness opinions of Mark Hain and his character as our neighbor. This man always offers a helping hand. He has pulled boulders from the drainage ditch crossing the easement of my property, which gives my neighbor access to their homes; this also opens the drain during flood season. He fills pot holes, when needed, on King Ln. During the winter, he plows the snow from the road maintaining open access to my home and my neighbors' homes. He helps with cutting down fallen trees, and also assistant with disposal, in neighboring yards. This alone helps our community's efforts in preventing fires.

In my opinion, Mark Hain is an asset to our neighborhood and community. He cares about us and always does what is in the best interest of everyone. I urge you to grant Foothill Storage their Special Use Permit. Thank you for your time.

Sincere regards,



9-18-19

To whom it may concern
Mark at the storage
has been helpful over the
years.

Every winter & at other
times, has made sure
King's Rd. was drivable
to all that use it to get
to & from their homes.

Obe Shaw
14905 Kivett

Dispute on King Ln

From: Amber Wells (adwgimp1@yahoo.com)

To: hainenterprises@att.net

Date: Thursday, October 3, 2019, 11:10 AM PDT

Dear Bob Lucey,

Mark Hains is an exceptional neighbor, he maintains and has made many improvements to King Ln over the years. Ourselves and our neighbors appreciate his efforts and all his hard work he has done. We have no complaints of excess traffic on King Ln and in NO way is the Foothill Storage hampering in our daily lives.

Sincerely,
Mr & Mrs Edgington

Property owners of 1532 King Ln
Sent from my iPhone

5-13-17



5-13-17



11-10-17



5-13-17



WSUP 19-0019
Bacon Submission
PDA 10/3/19

Foothills Outdoor Boat and RV Storage, 1545 Geiger Grade, Mark Hain owner

From: terri.bacon@sbcglobal.net

To: code-enforcement@washoecounty.us

Date: Monday, November 13, 2017 11:11 AM PST

Hello,

We would like to know what is going on at the above referenced business. The owner, Mark Hain, has purchased the lot directly to the west, which used to be Jim's Automotive on Geiger Grade (Jim passed away recently). He has been clearing out the lot and bringing in dirt and leveling it for the last few months. We live directly across from this lot on King Lane, which is a dirt road. The owner is out there just about every day using heavy equipment and making noise. Just a couple of days ago he brought in a huge boat which is now parked on the lot along with some of his rental trucks and junk which has not been removed.

He is using our road, King Lane, for access into his existing business and the additional lot. The entrance is directly across from our driveway. We would like to know if the County is aware of this project and to voice our concerns over the increased noise, traffic, impact to our road, and lack of screening on this lot. We would like to know if a public hearing is planned for approval of this project.

Thank you for your attention to this matter.

Bruce and Teresa Bacon

1530 King Lane

Reno, NV 89521

775-853-6634 (home)

775-232-1482 (cell)

11-14-17



11-13-17



2-5-18



11-20-17



Re: Foothills Outdoor Boat and RV Storage, 1545 Geiger Grade, Mark Hain owner

From: Teresa Bacon (terri.bacon@sbcglobal.net)

To: Code-Enforcement@washoecounty.us

Date: Tuesday, November 14, 2017 02:51 PM PST

Thank you, Johnna. It turns out the drilling was to put in fence posts and they are getting ready to cement them in. A cement truck just arrived.

On Nov 14, 2017, at 10:00 AM, Code-Enforcement <Code-Enforcement@washoecounty.us> wrote:

Dear Ms. Bacon:

I just got off the phone with your husband, Bruce. We has a long conversation about the parcels around your property and the conversations that you've already had with your neighbor across the street. We have created a complaint in our system to address your concerns and I am in the middle of researching the access areas to all the properties. Here is my contact information below. Please feel free to call me or email me with any additional information.

-Johnna

Johnna Chism

Office Support Specialist | Washoe County Community Services Department | Planning & Building Division

Code-Enforcement@washoecounty.us | (775)328-6106 | Fax (775)328-6133 | 1001 E. Ninth St, Bldg A, Reno NV 89512

<[image001.png](#)>

Connect with us: [cMail](#) | [Twitter](#) | [Facebook](#) | www.washoecounty.us

From: terri.bacon@sbcglobal.net [<mailto:terri.bacon@sbcglobal.net>]

Sent: Monday, November 13, 2017 11:11 AM

To: Code-Enforcement

Subject: Foothills Outdoor Boat and RV Storage, 1545 Geiger Grade, Mark Hain owner

Foothills Storage

From: Teresa Bacon (terri.bacon@sbcglobal.net)

To: code-enforcement@washoecounty.us

Date: Monday, February 12, 2018 02:46 PM PST

Please have someone look into what is being done out here. He is building a wall and has excavated the roadway.

Thanks very much.

Teresa Bacon

Sent from my iPhone



IMG_2336.JPG

144.4kB

Re: Code Enforcement Complaint 1525 Geiger Grade

From: Teresa Bacon (terri.bacon@sbcglobal.net)

To: BFarmer@washoecounty.us

Date: Tuesday, February 13, 2018 11:44 AM PST

Thank you, Brian.

Sent from my iPhone

On Feb 13, 2018, at 10:33 AM, Farmer, Brian <BFarmer@washoecounty.us> wrote:

Ms. Bacon,

I received your complaint and inspected the property in question. The Washoe County Code allows for retaining walls to be built without a permit if they are less than 4 feet tall. When I went out the property today, the retaining wall constructed was under that height and appeared to be completed, therefore it is not a violation. If more work is done on the wall and it exceeds 4 feet, please notify our office. As for the excavating on the private road, the Washoe County Code under section 438 Grading Standards, "Surface grading for leveling and maintaining existing roadways and driveways" is also exempt from a permit. At this time no violation exists on this property as it pertains to the retaining wall or the road grading.

Brian Farmer

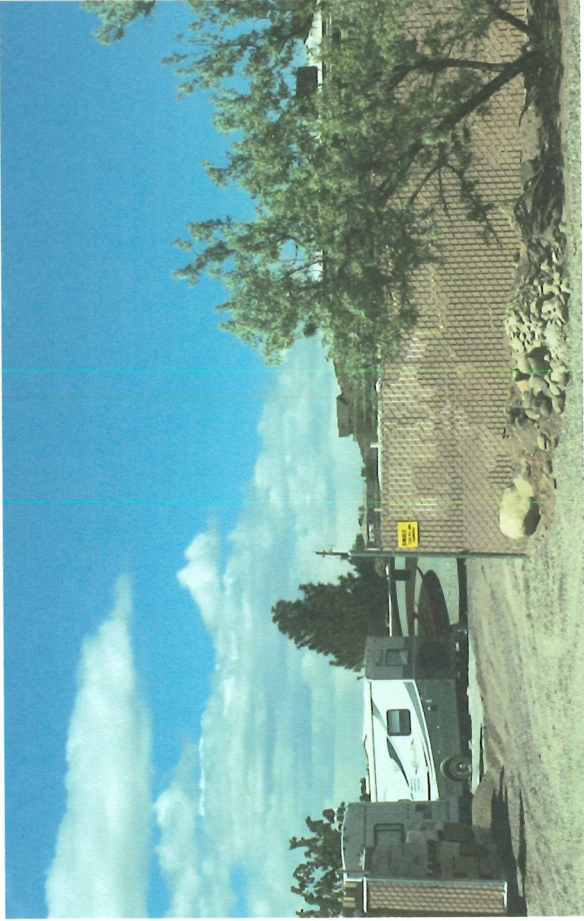
Code Enforcement Officer II | Washoe County Community Services Department | Planning & Building Division

bfarmer@washoecounty.us | o 775.328.2312 | f 775.328.6133 | 1001 E. Ninth St., Bldg. A, Reno, NV 89512

<image001.png>

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5-11-18



5-12-18



5-12-18



6-26-18



Foothills RV Storage complaint, 1525 Geiger Grade Road, back entrance (west)

From: Terri Bacon (terri.bacon@sbcglobal.net)

To: code-enforcement@washoecounty.us

Date: Thursday, August 23, 2018 12:17 PM PDT

I am making a complaint about the pieces of junk that have been placed outside the fence at Foothills RV Storage. There is an old truck and an axle with wheels. These have been there for a couple months, directly across from our house. I have to look at them every day. Mr. Hain has also dumped two piles of gravel on the roadway which are unsightly and could easily be stored inside the fenced area. There are also some noxious weeds being allowed to grow in his landscaping and a tree looks like it is dead.

I would like to remain anonymous on this complaint.

Thank you.

Teresa Bacon
1530 King Ln
Reno, NV 89521

Attachments (2 photos)

 IMG_2417.JPG
2.2MB

 IMG_2475.JPG
1.9MB

Re: Foothills RV Storage complaint, 1525 Geiger Grade Road, back entrance (west)

From: Terri Bacon (terri.bacon@sbcglobal.net)

To: Code-Enforcement@washoecounty.us

Date: Friday, August 24, 2018 08:46 AM PDT

Thank you, Johnna.

On Aug 24, 2018, at 8:02 AM, Code-Enforcement <Code-Enforcement@washoecounty.us> wrote:

Teresa,

We will open a complaint and investigate the property. Washoe County Code Enforcement does not regulate weeds or dead vegetation, but we will investigate the building material (gravel) as well as the truck.

-Johnna

<image001.png>

Johnna Chism, Office Support Specialist

Code Enforcement, Planning & Building Division | Community Services Department

Code-Enforcement@washoecounty.us | Office: 775.328.6106 | Fax: 775.328.6133

P.O. Box 11130, Reno, NV 89520-0027

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

<image002.png> <image003.png> <image004.png> <image005.png>

From: Terri Bacon [<mailto:terri.bacon@sbcglobal.net>]

Sent: Thursday, August 23, 2018 12:17 PM

To: Code-Enforcement

Subject: Foothills RV Storage complaint, 1525 Geiger Grade Road, back entrance (west)

I am making a complaint about the pieces of junk that have been placed outside the fence at Foothills RV Storage. There is an old truck and an axle with wheels. These have been there for

Foothills Storage

From: Terri Bacon (terri.bacon@sbcglobal.net)

To: code-enforcement@washoecounty.us

Date: Monday, September 24, 2018 04:54 PM PDT

Hello Johnna,

Could you please give me an update on my complaint regarding the junk that is on King Lane in front of the Foothills storage West? He has moved the truck, but the rest of the items are still there, including the piles of rock. I have heard nothing as yet.
Thank you.

Teresa Bacon
1530 King Ln
Reno NV 89521



IMG_2498.JPG
1.8MB

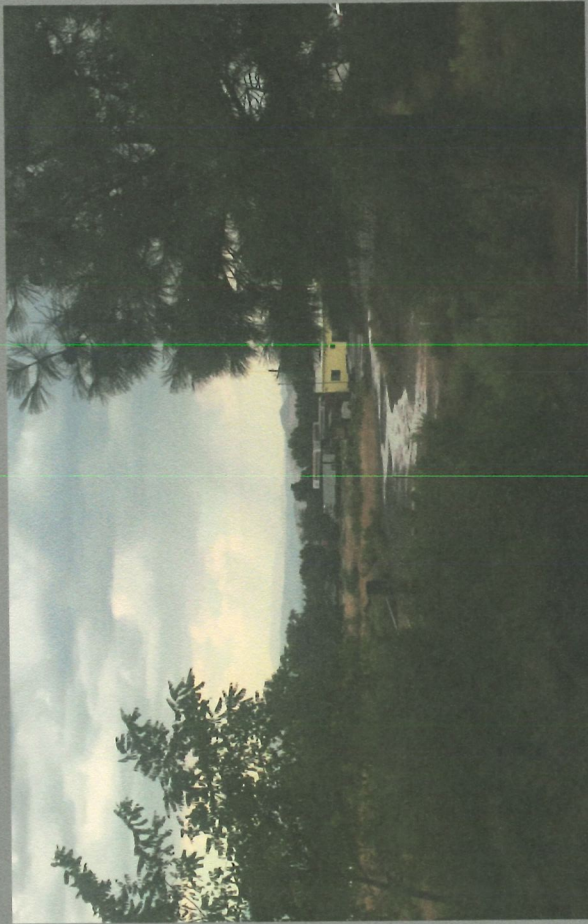


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2.6MB



IMG_2475.JPG
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7-21-18



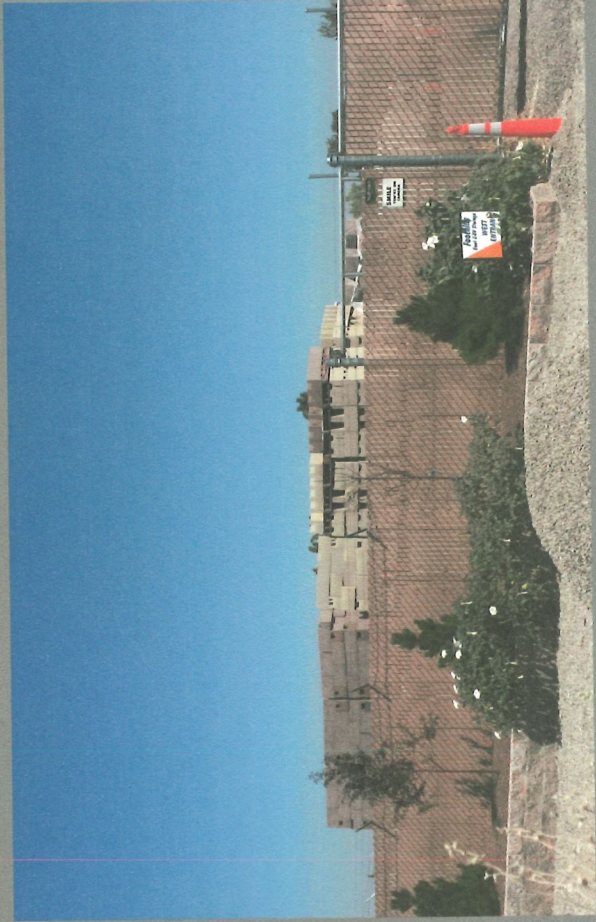
7-21-18



7-23-18



8-23-18



Re: Foothills Storage

From: Teresa Bacon (terri.bacon@sbcglobal.net)

To: Code-Enforcement@washoecounty.us

Date: Wednesday, September 26, 2018 02:44 PM PDT

Johnna,

Mr. Hain was just at his Foothills storage yard with his truck, trailer, and loader. He took the loader and bladed the road, which did not need to be bladed. He spread some gravel on the entrance to his storage lot and consolidated the two gravel piles into one large pile. He also took away the rusted out rock sorter, but left the wheels and the pipe.

I will keep you updated if any more activity is observed that needs to be reported.

Thank you for your time.

Teresa Bacon

On Sep 26, 2018, at 1:38 PM, Teresa Bacon <terri.bacon@sbcglobal.net> wrote:

Johnna,

Thank you for your reply regarding this matter, a complaint about junk items at foothills storage. The rusted out large pipe was actually in the back of the old truck. The truck was removed but the pipe was left on the ground. The rusted rock sorter, or whatever, has been there for some weeks. I have a picture that was taken on September 11 with that in it. And the wheels, which do not have a trailer attached, are obviously junk.

Mr. Hain has a trailer that he uses in his business. In fact, he brought in another load of gravel yesterday and dumped it in front of the wall. This material is not being used to maintain the road on King Lane. He has a business in which he uses this material. The material is laying there and has been for months. I am surprised that he has not been questioned about what he intends to do with this material.

My husband is supposed to be maintaining the roadway per an agreement with the county which was in place when he developed the parcel map. Mr. Hain has taken it upon himself to occasionally (maybe once a year) spread some gravel and blade the road. He has also covered up our ditches and destroyed the drainage for water run off. He is doing this without permission from the county and in fact was never required to get a special use permit to expand his business to the western lot when the previous owner died. He was allowed to bring in loads of fill dirt, level the property, which had never been touched before, and expand his business without any permit from the county.

I find it surprising that your inspector has even been out to the property, as he would see that there is junk laying there.

I don't suppose he cares because it is not his property that is losing value.

I have more pictures that I have just taken if your inspector cares to see them. Hopefully with this new complaint he will actually come out to the property and see for himself what I am talking about.

Teresa Bacon

On Sep 26, 2018, at 8:08 AM, Code-Enforcement <Code-Enforcement@washoecounty.us> wrote:

Ms. Bacon:

The complaint # WCMP18-02202 was closed on 09/13/18. The original complaint was for a junk commercial truck and piles of gravel. The comments on the case are as follows:

"Junk vehicle removed, and gravel pile is not obstructing egress/ingress and does not meet the threshold of 50 cubic yards..case closed"

To address the items shown in your photos below:

- 1.) Gravel - remains the same and is not a code violation per the 09/13/18 inspection, also, in a previous email that CEO Farmer addressed to you on 02/13/2018, you were informed of the following Washoe County Code under section 438 Grading Standards, "Surface grading for leveling and maintaining existing roadways and driveways" is also exempt from a permit.
- 2.) Trailer – Washoe County Code Enforcement does not have any specific codes to address trailers, it is not a "vehicle", and if it appears to be in working condition, it is allowed on private property, but I will be sure the code enforcement officer is aware of it during their next inspection.
- 3.) 2 Metal Items – These items appear to be new since the last code enforcement officer inspected the property We can open up a new case to address the two new items, metal rock sorter (??) and the metal culvert/large pipe.

A new complaint #WCMP18-02381 has been entered into the system and the code enforcement officer will investigate.

-Johnna

<image004.png>

Johnna Chism, Office Support Specialist

Code Enforcement, Planning & Building Division | Community Services Department

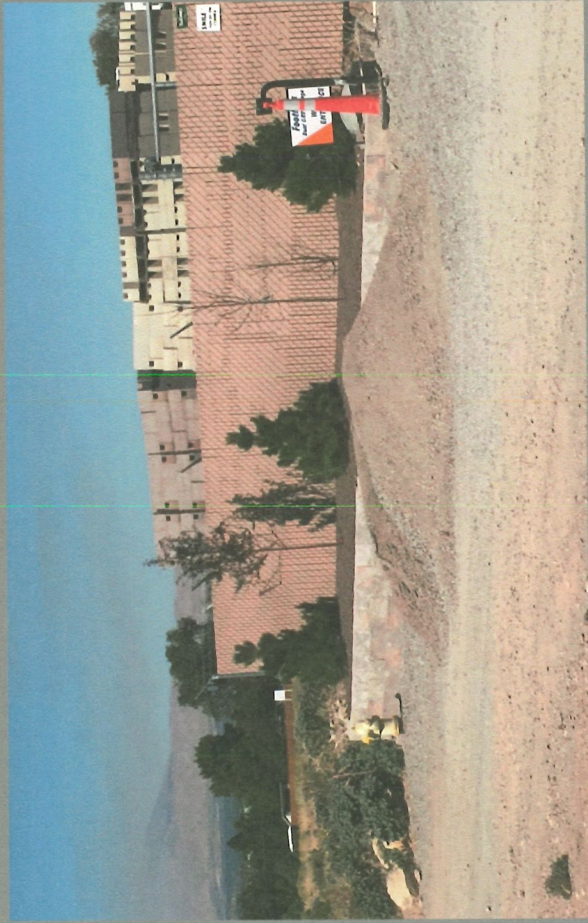
Code-Enforcement@washoecounty.us | Office: 775.328.6106 | Fax: 775.328.6133

P.O. Box 11130, Reno, NV 89520-0027

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

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9-26-18



9-26-18



9-27-18



10-20-18



10-24-18



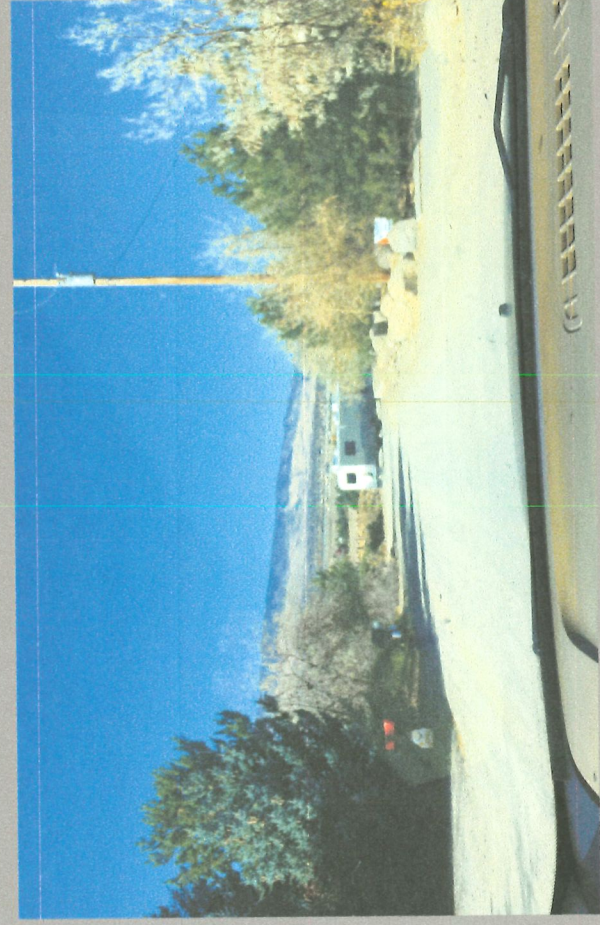
10-24-18



11-30-18



11-8-18



Re: Fwd: Foothills Storage

From: Terri Bacon (terri.bacon@sbcglobal.net)

To: code-enforcement@washoecounty.us

Cc: lbarretta@washoecounty.us; bwebb@washoecounty.us

Date: Friday, October 19, 2018 02:12 PM PDT

Johnna:

I am writing because the rusted pipe is still in the same spot as before at the Foothills Storage area. Mr. Hain has been working there a few times in the last month but has never removed the pipe. He trimmed some trees and left the branches in a pile which has been there a couple of weeks. I know that Ms. Barretta was out there and spoke with him and he told her that he would have everything cleaned up within a week. It has been much longer than that. (I overheard his part of the conversation, in which he was rude to her. He stated he thought she was a neighbor. In other words, it's okay to be rude to a neighbor.)

My husband does have a copy of the road maintenance agreement with the county, but just has not had a chance to bring it in. He does plan to do so. We never questioned whether he needed a permit to work on the road, however, we did question why he did not need a permit to level the lot, which was sloped, bring in fill dirt, and add a whole new storage area with 20 or so huge RVs stored there (which he is making money off of). We have people driving their huge RVs in and out at all hours right across the road from our house. This is a narrow dirt road with no room for large RVs. He does have an entrance on Geiger Grade, why can't they use that?

I don't have much time to constantly follow up with you about this problem, but even so it still remains very much on my mind because I look at it every day. I would appreciate a follow up to my complaint.

Thanks so much,

Teresa Bacon
232-1482

On Thursday, September 27, 2018 11:04 AM, Teresa Bacon <terri.bacon@sbcglobal.net> wrote:

11-30-18



11-30-18



11-30-18



11-30-18



11-30-18



12-19-18



12-19-18



12-19-18

1525 and 1545 Geiger Grade, Foothills Storage

From: Terri Bacon (terri.bacon@sbcglobal.net)
To: code-enforcement@washoecounty.us
Bcc: bruce.bacon@yahoo.com
Date: Monday, January 21, 2019, 12:22 PM PST

Dear Johnna,

My husband Bruce spoke to Roger Pelham, Sr. Planner, a couple of weeks ago about continuing code violations at the above addresses. The reason I am writing you today is that Roger requested that we submit another complaint in reference to a possible unlawful expansion of the Foothills Storage Special Use Permit, Case No. SB06-021, dated December 21, 2006.

Specific questions that should be addressed in your investigation deal with ingress/egress, hours of operation, and drainage required that has never been built.

The expansion of this SUP onto the property at 1525 Geiger is also of concern, as is the storage of construction materials outside the fenced property associated with the landscaping business operated on these properties.

It appears that this may be beyond the scope of your normal code violation investigation, so we are requesting a meeting to discuss this with Washoe County Engineering, Building and Safety and your own department to resolve these issues.

Please cc my husband, Bruce, as well.

His contact information is bruce.bacon@yahoo.com
775-843-2267

Thank you for your prompt attention to this matter.

Teresa Bacon
1530 King Lane
Reno, NV 89521

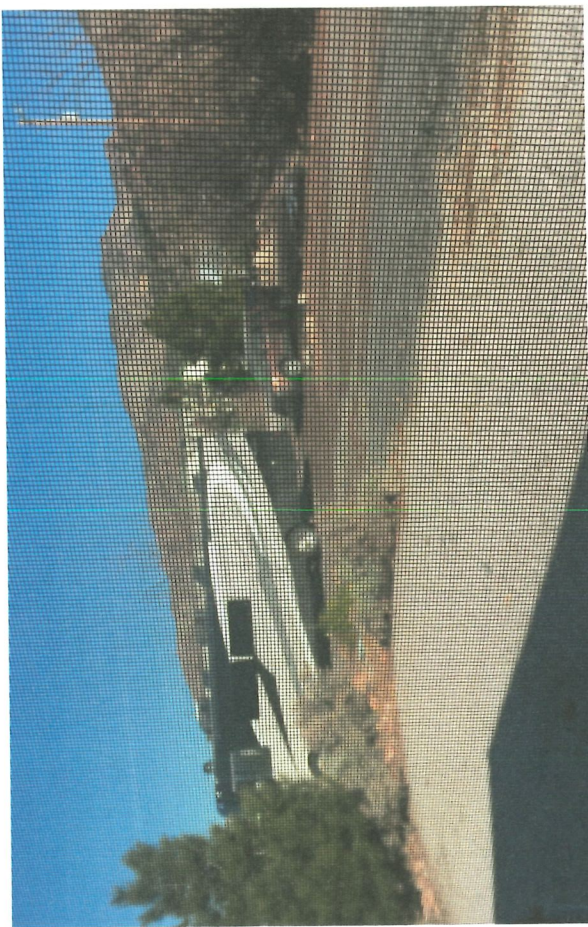
1-16-19



1-16-19



1-10-19



1-16-19



January 17, 2019

Re: 1525 and 1545 Geiger Grade, DBA Von Metal V Twin Corp and Foothills Storage

Dear Ms. Chism:

In previous requests, we have resolved ongoing complaints with Mr. Mark Hain, the owner of the two subject properties, including an email of September 24, 2018. Thank you for resolving that matter in a timely manner.

I must, however, bring up additional items of complaint that were not resolved. In researching the Special Use Permit connected to 1545 Geiger Grade, there are other issues that still need to be resolved. On October 19, 2018, we discussed a road maintenance agreement between the Bacons and Washoe County for purposes of road maintenance. No one on your staff was able to find it. The following is the recording reference for your information. This is Agreement #1881169, recorded 3/28/1995.

There are many violations of the Special Use Permit, SUP Case #SB06-021, dated December 21, 2006, prepared by Roger Pelham, Sr. Planner.

The requested action was deemed approved with numerous conditions:

1. Consistency
2. Improvements
3. Site suitability
4. Issuance not detrimental
5. Reasoned consideration

In the land use summary, parking required per Section 110.410.25 (e) requires all parking spaces shall be paved and permanently maintained with asphalt or cement unless a variance is obtained. In the Analysis section, the use is described as "relatively low impact". The second paragraph of the Background section indicates entry into the facility from King Lane only and that exit from the facility should be onto Geiger Grade only. In the third paragraph the SUP again refers to a "relatively benign use" and conditions the hours of operation at the storage facility to be between the hours of 7:00 a.m. and 7:00 p.m. The Land Use Portion indicates an allowable permit conditioned on a special use as approved by Washoe County. On page 5, the AGENCY comments indicated approvals were received from the Engineering Division and Regional Transportation and the Reno Fire Department. On page 6, no unique or extraordinary conditions of approval were requested. All of the conditions are related to the service needs and/or development impacts of the reviewing agencies resulting from the Special Use Permit proposal. Page 7 Conditions for SUP Case No. SB06-21, paragraph 4:

Washoe County reserves the right to renew and revise.

Page 8, GENERAL CONDITIONS, construction plans must be approved and completed from the date of approval by Washoe County. Page 8, OPERATIONAL CONDITIONS, No. 6: Access to the storage facility shall be from King Lane only and egress from the storage facility shall be onto Geiger Grade only, the configuration of the parking spaces shall be modified accordingly.

RE: 1525 and 1545 Geiger Grade, Foothills Storage

From: Code-Enforcement (Code-Enforcement@washoecounty.us)
To: bruce.bacon@yahoo.com; terri.bacon@sbcglobal.net
Cc: LBarretta@washoecounty.us; CGiesinger@washoecounty.us
Date: Monday, January 28, 2019, 12:46 PM PST

Mr. and Ms. Bacon:

Two case numbers have been created to address your concerns listed in your January 21, 2019, email.

To answer your request for a meeting... "It appears that this may be beyond the scope of your normal code violation investigation, so we are requesting a meeting to discuss this with Washoe County Engineering, Building and Safety and your own department to resolve these issues"... All items listed in your email would be addressed by Washoe County Code Enforcement, but if you wish to request an additional meeting, you may do so by contacting Planning Manager, Chad Giesinger, directly. While we work closely with the Engineering Department and Building Department, I have included their contact information for you as well.

Code Enforcement Officer, Lora Barretta, will investigate both properties at 1525 and 1545 Geiger Grade. If you have any specific questions for the investigation, you may contact her directly. For general information on the open complaint cases, you may contact our main line as well and I will be happy to update you on the case per the information available in our case files.

Case #: WCMP19-00090

Address: 1545 GEIGER GRADE RD.

Complaint: Operating outside the Special Use Permit, SB06-021, specifically access/egress, operating hours, drainage

Case #: WCMP19-0091

Address: 1525 GEIGER GRAD RD:

Complaint: Activates from neighboring property (1545 Geiger Grade Rd) are occurring on this property without appropriate permits/SUP/Business Licensing

Chad Giesinger, Planning Manager

775-328-3626

cgiesinger@washoecounty.us

Lora Barretta, Code Enforcement Officer II

775-328-3630

ibarretta@washoecounty.us

Washoe County Engineering

Main: 775-328-2040

Washoe County Building Department

Main: 775-328-2020

-Johnna

Johnna Chism, Office Support Specialist

Code Enforcement, Planning & Building Division | Community Services Department

Code-Enforcement@washoecounty.us | Office: 775.328.6106 | Fax: 775.328.6133

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

From: Bruce Bacon [mailto:bruce.bacon@yahoo.com]
Sent: Wednesday, January 23, 2019 5:01 PM
To: Code-Enforcement
Subject: Re: 1525 and 1545 Geiger Grade, Foothills Storage

Very good. Thank you.

Sent from my iPhone

On Jan 23, 2019, at 3:46 PM, Code-Enforcement <Code-Enforcement@washoecounty.us> wrote:

Ms. Bacon:

Thank you for your email below. I apologize for the delay in responding to your concerns. I have been researching the items listed below and require a bit more time with both Roger Pelham and Code Enforcement's manager, Chad Giesinger, who's schedules have been booked. I will update you on the complaint cases as soon as I am able.

Thank you in advance for your patience,

-Johnna

<image001.png>

Johnna Chism, Office Support Specialist

Code Enforcement, Planning & Building Division | Community Services
Department

Code-Enforcement@washoecounty.us | Office: 775.328.6106 | Fax: 775.328.6133

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

Source: https://www.washoecounty.us/Community-Services/Code-Enforcement/

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Subject: 1525 and 1545 Geiger Grade, Foothills Storage

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775-843-2267

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Teresa Bacon

1530 King Lane

Reno, NV 89521

3-28-19



5-22-19

1-16-19



5-22-19

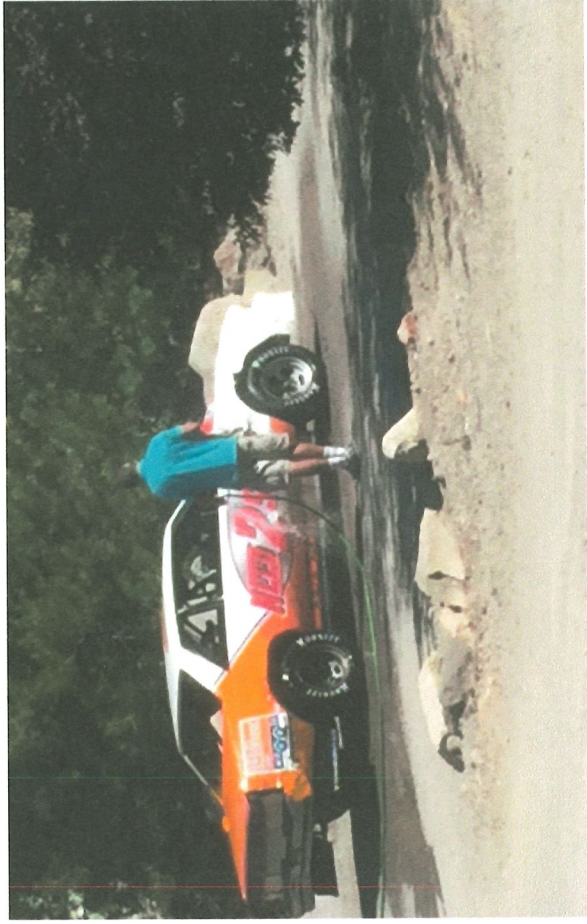
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SOUTH TRUCKEE MEADOWS ADVISORY BOARD

September 5, 2019

WSUP19-0018 (1525 GEIGER GRADE, FOOTHILLS STORAGE II)

SB06-21 (1545 GEIGER GRADE, FOOTHILLS STORAGE I)

Dear Board Members

I am Bruce Bacon. My wife, Terri and I live at 1530 King Lane, directly south of the Foothills Storage II. This letter is a short summary of our experience with Mark Hain, owner of the two subject properties and the reasons we object to granting this SUP. During the period from 2006 to present we have had numerous interactions with Mr. Hain concerning the operation of his business. The attached timeline will provide a partial listing of previous requests and complaints with Washoe County Zone Enforcement and Planning personnel.

Mr. Hain purchased 1545 Geiger Grade in September, 2006. This property was previously owned by a wood-worker, cabinet maker. He conducted business as a sole proprietor, without employees, with a traffic input that was negligible, and almost totally unnoticed. Mr. Hain apparently used the premises as a construction yard for his landscape/construction business, as we observed him entering and exiting with landscape and paver materials. This use was not overly noxious, except for the fact that he used King Lane rather than Geiger Grade for ingress-egress.

My first encounter with Mark Hain was shortly after he began storing RV's on his lot. This was due to Mr. Hain filling and covering the "V" ditch on the north easterly side of King Lane. These ditches were constructed by Sierra Engineering Construction on both sides of King Lane as a condition of approval for a Parcel Map submitted at the instance of my wife and I in 1994, (PARCEL MAP 2770). I questioned Mr. Hain as to why he did this and his reply were words to the effect that "I can't install a culvert; I need a flat driveway for the RV entry".

I explained to Mr. Hain that I was conditioned by a ROAD MAINTENANCE AGREEMENT to maintain the "V" ditch until it exited the prolongation of the westerly line of my lot at 1530 King Ln. and requested that Mr. Hain install a drainage culvert at his driveway to facilitate drainage and still allow a flat access into his facility. This request was dismissed as unimportant by Mr. Hain, and the result was that over the next period of heavy winter rain run-off, the "V" ditch on the south westerly side of King Ln. was totally destroyed and rendered ineffective. This caused a great hardship to the 4 lots that access the driveway entrance from King Ln. After I informed Mr. Hain of my responsibility to maintain these ditches I re-dug them so King Ln. would once again transmit run-off per the original design. Mr. Hain again filled in the ditches to the further detriment of his King Ln. neighbors.

We have been able to resolve one ongoing complaint (storage of junk vehicles, pipes and other items in the King Ln. driveway) with Mr. Mark Hain, after several complaints to Washoe County Zoning Division. **In researching the Special Use Permit connected to 1545 Geiger Grade. I must, however, bring up additional items of complaint that were not resolved.**

These are additional issues that still need to be resolved, either as a continuing violation or by failure to comply within the original Conditions of Approval of Special Use Permit, SUP Case #SB06-021, dated December 21, 2006.

**WSUP19-0018
PUBLIC LETTER**

On October 19, 2018, I discussed with Washoe County zoning personnel the ROAD MAINTENANCE AGREEMENT between the Bacons and Washoe County. No one on the Washoe County staff was able to find it even though it is a recorded document. The following is the recording reference for your information, Agreement #1881169, recorded 3/28/1995.

The requested action was deemed approved with numerous conditions:

1. Consistency
2. Improvements
(Article 400 of the Development Code has been entirely ignored)
3. Site suitability
4. Issuance not detrimental
(We, and others, have been adversely affected by Mr. Hain ignoring BMP'S)
5. Reasoned consideration

The following are summaries taken directly from the Washoe County Development code with my comments enclosed within parenthesis and italicized for clarity.

In the LAND USE SUMMARY Section, parking required per Section 110.410.25 (e) requires all parking spaces shall be paved and permanently maintained with asphalt or cement unless a variance is obtained. In the Analysis section, the use is described as “relatively low impact”...*(There exists an occasional amount of dust from the existing facility located at 1525 Geiger Grade)* The second paragraph of the Background Section indicates entry into the facility from King Lane only and that exit from the facility should be onto Geiger Grade only... *(On numerous occasions, patrons of the storage facility have exited onto King Lane, interfering with normal access to our property, including encroachments into the King Lane driveways opposite the Foothills Storage entrance)* In the third paragraph the SUP again refers to a “relatively benign use” and conditions the hours of operation at the storage facility to be between the hours of 7:00 a.m. and 7:00 p.m. *(Only occasional prohibited hours on entry/exit have been observed)*

The LAND USE SUMMARY section indicates an allowable permit conditioned on a special use as approved by Washoe County. On page 5, the AGENCY comments indicated approvals were received from the Engineering Division and Regional Transportation and the Reno Fire Departments. *(Several deficiencies required by this SUP either have not been completed or ignored completely, to be addressed in other paragraphs.*

On page 6, no unique or extraordinary conditions of approval were requested. All of the conditions are related to the service needs and/or development impacts of the reviewing agencies resulting from the Special Use Permit proposal. Page 7 Conditions for SUP Case No. SB06-21, paragraph 4:

Washoe County reserves the right to renew and revise... *(No follow-up investigations have been made indicating compliance with the original 2006 approval.)*

Page 8 (1.) GENERAL CONDITIONS, The applicant shall demonstrate conformance to the plans approved as part of this Special Use Permit... *(No professionally prepared plan has ever been submitted*

addressing offsite drainage and the containment of flood waters or fugitive water outflow as required in Washoe Development sections 416 through 421)

Page 8, OPERATIONAL CONDITIONS, No. 6: Access to the storage facility shall be from King Lane only and egress from the storage facility shall be onto Geiger Grade only, the configuration of the parking spaces shall be modified accordingly. *(As previously mentioned, numerous violations of this condition have been documented by neighboring property owners).*

In the ENGINEERING CONDITIONS noted on Page 9, 13(A). A complete set of construction improvement drawings ... including best management practices (BMP'S) and shall include **detailed** plans for grading, site drainage, erosion control... *(These plans have never been submitted or adhered to, causing serious degradation of existing drainage improvements affecting residents of King Lane. These pertain to maintenance of private drainage improvements conditioned by Washoe County per the attached document entitled ROAD MAINTENANCE AGREEMENT, recorded as Document No. 1881169, in Book 4271, Page 0546 in the Official Records of Washoe County: see attached document).*

Further ENGINEERING CONDITIONS noted on Page 9 (B). An encroachment permit from the Nevada Department of Transportation shall be obtained for the proposed driveway onto State Route 341. The County Engineer shall determine compliance with this condition. *(No record of application for this permit is on file with NDOT.)*

Page 10 LANDSCAPING AND DESIGN (16). Requires wet-stamped plans by a landscape professional be submitted per Section 408, 410, and 412 of the Development Code. *(No record that this condition has been met can be found in the planning file.)*

Other factors that have been overlooked in the granting of the 2006 SUP are the lack of recognition of the increased usage of a quiet non-commercial private access road and the inadequate design and mitigation normally required by this type of commercial improvement as required by Article 400 DEVELOPMENT STANDARDS. I would be hard-pressed to find a similar usage of any major improvement or change of use not requiring full roadway and drainage improvements.

The Special Use Permit requires the acts of the neighboring party to contribute to the benefit of the community and demonstrate the evidence of being a "good neighbor". Unfortunately, the operator of the Foothill Storage has demonstrated neither of these qualities and should not be allowed to expand the business *(presently operating without the required SUP)* until the required conditions of his first request are completed.

Respectfully submitted,

Bruce M. Bacon, 1530 King Lane

September 5, 2019

Dear Ms. Chism:

Re: 1525 and 1545 Geiger Grade, DBA Von Metal V Twin Corp and Foothills Storage

Dear Ms. Chism:

In previous requests, we have resolved ongoing complaints with Mr. Mark Hain, the owner of the two subject properties, including an email of September 24, 2018. Thank you for resolving that matter in a timely manner.

I must, however, bring up additional items of complaint that were not resolved. In researching the Special Use Permit connected to 1545 Geiger Grade, there are other issues that still need to be resolved. On October 19, 2018, we discussed a road maintenance agreement between the Bacons and Washoe County for purposes of road maintenance. No one on your staff was able to find it. The following is the recording reference for your information. This is Agreement #1881169, recorded 3/28/1995.

There are many violations of the Special Use Permit, SUP Case #SB06-021, dated December 21, 2006, prepared by Roger Pelham, Sr. Planner.

The requested action was deemed approved with numerous conditions:

1. Consistency
2. Improvements
3. Site suitability
4. Issuance not detrimental
5. Reasoned consideration

In the land use summary, parking required per Section 110.410.25 (e) requires all parking spaces shall be paved and permanently maintained with asphalt or cement unless a variance is obtained. In the Analysis section, the use is described as “relatively low impact”. The second paragraph of the Background section indicates entry into the facility from King Lane only and that exit from the facility should be onto Geiger Grade only. In the third paragraph the SUP again refers to a “relatively benign use” and conditions the hours of operation at the storage facility to be between the hours of 7:00 a.m. and 7:00 p.m. The Land Use Portion indicates an allowable permit conditioned on a special use as approved by Washoe County. On page 5, the AGENCY comments indicated approvals were received from the Engineering Division and Regional Transportation and the Reno Fire Department. On page 6, no unique or extraordinary conditions of approval were requested. All of the conditions are related to the service needs and/or development impacts of the reviewing agencies resulting from the Special Use Permit proposal. Page 7 Conditions for SUP Case No. SB06-21, paragraph 4:

Washoe County reserves the right to renew and revise.

Page 8, GENERAL CONDITIONS, construction plans must be approved and completed from the date of approval by Washoe County. Page 8, OPERATIONAL CONDITIONS, No. 6: Access to the storage facility shall be from King Lane only and egress from the storage facility shall be onto Geiger Grade only, the configuration of the parking spaces shall be modified accordingly.