



# WASHOE COUNTY BOARD OF ADJUSTMENT DRAFT Meeting Minutes

## Board of Adjustment Members

Clay Thomas, Chair  
Kristina Hill, Vice Chair  
Lee Lawrence  
Brad Stanley  
Vacant  
Trevor Lloyd, Secretary

Thursday, December 3, 2020  
1:30 p.m.

Washoe County Administration Complex  
Commission Chambers  
1001 East Ninth Street  
Reno, NV

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No members of the public will be allowed in the BCC Chambers due to concerns for public safety resulting from the COVID-19 emergency and pursuant to the Governor of Nevada's Declaration of Emergency Directive 006 Section 1 which suspends the requirement in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate. This meeting will be held by teleconference only. The meeting will be televised live and replayed on Washoe Channel at: <https://www.washoecounty.us/mgrsoff/Communications/wctv-live.php> also on YouTube at: <https://www.youtube.com/user/WashoeCountyTV>

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## 1. \*Determination of Quorum

Chair Hill called the meeting to order at 1:35 p.m. The following members and staff were present via Zoom:

Members present: Kristina Hill, Chair  
Clay Thomas, Vice-Chair  
Brad Stanley

Members absent: Lee Lawrence

Staff present: Trevor Lloyd, Planning Manager, Planning and Building Division  
Roger Pelham, Senior Planner, Planning and Building Division  
Dan Cahalane, Planner, Planning and Building Division  
Chris Bronczyk, Planner, Planning and Building Division  
Julee Olander, Planning and Building Division  
Michael Large, Washoe County Deputy District Attorney  
Donna Fagan, Recording Secretary, Planning and Building Division

## 2. \*Pledge of Allegiance

Kristina Hill led the pledge of allegiance.

## 3. \*Ethics Law Announcement

DDA Michael Large recited the Ethics Law announcement.

## 4. \*Appeal Procedure

Trevor Lloyd recited the appeal procedure for items heard before the Board of Adjustment.

## 5. \*General Public Comment and Discussion Thereof

Cheryl Waymac (seeway) commented about the Arrowcreek pickleball courts. She stated she was an ambassador of the pickleball association. She stated it's a great sport, but the issue in Reno is the weather. We need indoor pickleball courts. It's a family sport enjoyed by young and old. She asked the Board to approve the courts.

There were no further requests for public comment, Chair Hill closed the public comment period.

## 6. Approval of Agenda

In accordance with the Open Meeting Law, Member Thomas moved to approve the agenda of December 3, 2020. Chair Hill seconded them motion which carried unanimously.

## 7. Possible action to approve October 1, 2020 Draft Minutes

Chair Hill noted a typo on page 3 of 6, 'decrease the amount of space should be *used*' instead of 'us.' In accordance with the Open Meeting Law, Member Stanley moved to approve the minutes of October 1, 2020. Member Thomas seconded the motion which carried unanimously.

## 8. Consent Item

**A. Extension of Time Request for Special Use Permit Case Number WSUP18-0007 (T-Mobile/Lighthouse Baptist Church)** – For possible action, hearing, and discussion to approve an extension of time for expiration of the approval of the special use permit, for two years, from October 8, 2020 until October 8, 2022. The special use permit was originally approved by the Washoe County Board of Adjustment to allow the construction of a new wireless cellular facility consisting of a 55-foot high tower utilizing a stealth design disguised as a pine tree (also known as a monopine) with faux branches screening the proposed antenna panels. The associated 30' x 30' (900 s.f.) lease area and equipment cabinets will be enclosed by a 7 foot concrete block wall, which will be treated with a stucco finish and painted to match the existing church building on property owned by the Lighthouse Baptist Church of Reno.

- Applicant: T-Mobile
- Property Owner: Lighthouse Baptist Church Reno
- Location: 5350 Pembroke Drive, 1/3 mile east of McCarran Blvd
  
- APN: 021-140-20
- Parcel Size: 4 acres
- Master Plan: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: Southeast Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 324, Communication Facilities and Article 810, Special Use Permits
  
- Commission District: 2 – Commissioner Lucey
- Staff: Roger Pelham, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
  
- Phone: 775.328.3622
- Email: [rpelham@washoecounty.us](mailto:rpelham@washoecounty.us)

This is a consent item. There were no requests for public comment. There was no discussion by the Board.

Member Thomas moved that the Washoe County Board of Adjustment approve the two-year Extension of Time Request until October 8, 2022, for Special Use Permit Case Number WSUP18-0007 for T-Mobile/Lighthouse Baptist Church, subject to the attached original conditions of approval, having made the findings that the request for extension was made in writing prior to the expiration date, that the circumstances

have not appreciably changed since the original approval and that the original findings remain valid. Member Stanley seconded the motion which carried unanimously.

Article 810 findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southeast Truckee Meadows 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 wireless communication facility, 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;

Article 324 findings:

Meets Standards. That the wireless communications facility meets all the standards of Sections 110.324.40 through 110.324.60 as determined by the Director of the Planning and Development Division and/or his authorized representative;

Public Input. That public input was considered during the public hearing review process;

Impacts. That the wireless communications facility will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County.

**9. Public Hearings**

The Board of Adjustment may take action to approve (with or without conditions), modify and approve (with or without conditions), or deny a request. The Board of Adjustment may also take action to continue an item to a future agenda.

**A. Variance Case Number WPVAR20-0006 (Reynolds Front Yard Setback Reduction)** – For possible action, hearing, and discussion to approve a variance to allow the reduction in the front yard setback (20') at two locations: at the front entryway area to a setback of 9'-10½", to facilitate the enclosure of the front entry and deck; and at the garage to a setback of 7'-5½", in order to facilitate expansion of the existing garage from a capacity of two cars to three cars.

- Applicant/Owner: John S. "Steve" Reynolds
- Location: 500 Ponderosa Ave, just northeast of its intersection with Red Cedar Drive
- APN: 122-116-24
- Parcel Size: ± 0.34 acres (± 14,810 square feet)
- Master Plan: Suburban
- Regulatory Zone: Medium Density Suburban
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village / Crystal Bay
- Development Code: Authorized in Article 804, Variances
- Commission District: 1 – Commissioner Berkbigler
- Staff: Roger Pelham, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775-328-3622
- E-mail: rpelham@washoecounty.us

Chair Hill called for disclosures; there were none.

Roger Pelham reviewed his staff report dated November 9, 2020.

Susie Yanagi, the applicant's representative, addressed the garage questions. She noted the owners are being responsible with proposed placement of the garage site. If it was a complete tear down, they would have the ability to move it back behind the setback. They are doing the best they can to minimize impact. She spoke about their approach. She said they believed the garage was intended to be a two-car garage; however, the family has four cars and also have to park in the driveway on the 12% slope. There is no street parking during the winter. The garage is recessed behind existing garage corner and will sit 7.5 feet from the property line. She showed the Board other properties who have similar variances in the area. She stated the CAB approved project; however, they encouraged the owners to get the neighbor's feedback. Ms. Yanagi shared letters she received from neighbors supporting the garage.

Member Thomas stated the staff report indicates some remedies such as moving the posts; the garage is wider than 16 feet. He asked if that was considered. Ms. Yanagi said it wasn't considered initially. If they do that it would impact the interior and room above. The house has been remodeled already. Member Thomas asked about extending the existing garage behind the dwelling. Ms. Yanagi said it was considered and in order for it to be out of the setback, it would have to be moved back 16 feet and that would be an appendage at the back of the building and would be more intrusive to the property and neighborhood. It would be an appendage off on its own with a longer driveway. It's not desirable considering TRPA coverage. She said that is why they extended it in the rear wall, have it coming out 20 feet which will unfortunately extend into the front setback. Member Thomas inquired about a third remedy with a three-car garage further to the north west. Ms. Yanagi said that would require double parking; it's not the most desirable because of double parking. There is a set of stairs. The owners were concerned with ice and snow in the winter and having to shuffle the cars around. He asked if their request is a convenience or what about staying within the setback with the other options. Ms. Yanagi said architecturally this would be appropriate with surrounding environment and less intrusions to the neighborhood.

Member Stanley said based on the requirements, what are the hardships the applicant is facing. Ms. Yanagi stated the building was already in the setback. It's not a tear down. It creates a hardship. Chair Hill stated tear down is an option. Member Stanley asked to what extent is this a variance. He asked about a partial variance. Mr. Pelham stated it's a good question to ask if we cannot make a finding of hardship. There is no physical hardship from doing these things within setbacks. The house was constructed within the hardship. The broadest interpretation is considering the Tahoe area and environment, part of land covered with snow in the winter in conjunction might be seen as a hardship for approving the covered walkway. Mr. Pelham spoke about a minor variance deviation which is a 10% variation. Member Stanley asked Mr. Pelham's opinion on the other subject properties. Mr. Pelham said every parcel of land is different, even right next door. It's going to be a different size, shape, topography. Mr. Pelham said another option is a detached garage. In general terms, those other properties, like this one, were built, in error, too close to the front property line several decades ago. He didn't want to speculate on those other properties. Member Thomas stated the other properties made as a comparison; our duties are to review this property as a unique property. Even though it might have happened at another property, we need to focus on the statutes that focus on this unique property. DDA Large spoke about the specific findings for this specific property. Mr. Lloyd noted the comparison of the properties was to show no special privileges and characteristics of this property, not the entire neighborhood. DDA Large recommend partial approval of the variance for the entry way but not garage, but both circumstances, when you say entry way, takes into account the placement of the residence. Mr. Pelham said partially yes. DDA Large asked if he wasn't taking that into consideration for the garage. Mr. Pelham said yes. He spoke about two parts of the evaluation of the entry way – the snow and it's partially built within the public right-of-way. It would be closer to conformance. Whereas, the garage is distinct as it would be a greater encroachment and further from conformance. DDA Large asked Mr. Pelham if these special circumstances are allowed because of extraordinary and exception circumstances. Mr. Pelham said yes. Chair Hill stated she attended the CAB meeting. The discussion was regarding existing size of the garage and if the addition would accommodate a third car. She said she visited the property. The owners are second homeowners. She looked into the window of the garage; the posts were on the west side of the garage. There is room for two smaller cars, not large trucks. It's designed to be a two-car garage.

Member Thomas said he listened to all sides and struggles since Washoe County code allows a variance with special circumstances. The factor is the snow in the area. He said the issue he has is that snow happens every year. If you buy a house by the airport, there is airport noise.

Chair Hill said proposed variance for the entry way is more credible because it brings the conditions more into compliance. She leans towards Staff's recommendation of the proposal, but not the rest.

Member Stanley (bad connection, inaudible) said he is disinclined to see this as a traditional variance. He said there is no hardship.

Chair Hill moved 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:

**PARTIALLY approve** Variance Case Number WPVAR20-0006 for John S. "Steve" Reynolds, to facilitate the enclosure of the front entry and deck by reducing the front setback to a setback of 9'10 1/2" with the Conditions of Approval included as Exhibit A for this matter, having made all four required findings in accordance with Washoe County Development Code Section 110.804.25.

AND

**PARTIALLY deny** Variance Case Number WPVAR20-0006 for John S. "Steve" Reynolds, to facilitate expansion of the garage from a capacity of two-cars to three cars by reducing the front setback to a setback of 7'5 1/2", being unable to make all four required findings in accordance with Washoe County Development Code Section 110.804.25. Member Thomas seconded the motion. Member Stanley lost connection and rejoined the meeting and voted to oppose. The motion carried 2 to 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;

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;

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;

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.

**B. Special Use Permit Case Number WSUP20-0014 (Red Peak West Cell Tower)** – For possible action, hearing, and discussion to approve a special use permit to allow the removal of an existing 15-foot-tall cellular communication tower and the construction and operation of a new 40-foot-tall cellular communication tower.

- Applicant: 51 Wireless, LLC
- Property Owner: Desert View Commercial Properties, LLC
- Location: At the top of Red Peak, approximately 1/4 mile southeast of the intersection of Sagehen Lane and Carolyn Way
- APN: 502-250-08
- Parcel Size: ±12.63 acres
- Master Plan: Rural
- Regulatory Zone: General Rural (GR)
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley

- Development Code: Authorized in Article 324, Communication Facilities
- Commission District: 3 – Commissioner Jung
- Staff: Roger Pelham, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3622
- E-mail: [rpelham@washoecounty.us](mailto:rpelham@washoecounty.us)

Chair Hill opened the public hearing. Roger Pelham reviewed his staff report dated November 7, 2020.

Chair Hill inquired about adequate fire road access. Mr. Pelham stated there is adequate access for maintenance vehicles and fire apparatus such as brush trucks. Mr. Pelham stated the applicant representative is available to answer questions.

Chair Hill called for member disclosures. There were none.

Nick Tagis, the applicant’s representative, was available to answer any questions.

There were no requests for public comment.

Chair Hill closed the public comment period.

Member Thomas moved 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 WSUP20-0014 for 51 Wireless, LLC. having made all findings in accordance with Washoe County Code Section 110.810.30 and Section 110.324.75, subject to the conditions contained in Exhibit A to the Staff Report. Member Stanley seconded the motion which carried unanimously.

**C. Administrative Permit Case Number WADMIN20-0010 (Club at Arrowcreek)** – For possible action, hearing, and discussion to approve an administrative permit per Table 110.302.05.3 to allow the use of indoor sports & recreation, which mostly includes participant sports conducted within an enclosed building, for a 9,000 sq. ft. indoor pickleball court on a 149.03 acre property at 2905 E. Arrowcreek Pkwy.

- Applicant/Property Owner: Lucky Star Golf, LLC
- Location: 2905 E. Arrowcreek Pkwy.
- APN: 152-021-03
- Parcel Size: ±149.06
- Master Plan: Suburban Residential (SR)
- Regulatory Zone: Parks & Recreation (PR)
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized Article 302, Allowed Uses & Authorized Article 808, Administrative Permit
- Commission District: 2 – Commissioner Lucey
- Staff: Julee Olander, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3627
- Email: [jolander@washoecounty.us](mailto:jolander@washoecounty.us)

Chair Hill called for member disclosures. There were no disclosures.

Julee Olander reviewed her staff report dated November 9, 2020.

Member Stanley (inaudible) spoke about a lot of activity on Arrowcreek Pkwy. and asked if a traffic study is required. Ms. Olander stated this isn't a huge use. She stated the applicant representative can address that and provide information.

Dave Snelgrove, the applicant's representative, stated this facility was originally part of the club house proposal that was presented last year. He stated Paul Solague, traffic engineer, conducted a study and analyzed it with Washoe County engineer Mitch Fink.

There were no requests for public comment via Zoom. Chair Hill noted she received emails of support. She said it looks like a nice project with a lot of support.

Member Thomas noted this project has come to us before as WADMIN18-00015 for 7,000 sq. ft. pickleball court; however, that application has expired and has now come before us as this project. It's a larger building in a different location; he said he doesn't have a problem with that. They are expanding and growing.

Member Thomas moved that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve Administrative Permit Case Number WADMIN20-0010 for Lucky Star Golf, LLC, having made all five findings in accordance with Washoe County Development Code Section 110.808.25. Member Stanley seconded the motion which carried unanimously.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest 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 indoor sports and recreation 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.

**D. Special Use Permit Case Number WSUP20-0016 (Lemmon Valley Tower)** – For possible action, hearing, and discussion to approve a special use permit to allow the construction of a new 50-foot-tall monopole on a 1.0-acre site adjacent to the TWMA water tank. The proposal also requests varying the landscaping and parking.

- Applicant: AT&T Mobility
- Property Owner: Truckee Meadows Water Authority (TMWA)
- Location: west of E. Patrician Drive & east of Reservoir Street
- APN: 080-730-09
- Parcel Size: 1 acre
- Master Plan: Suburban Rural (SR)
- Regulatory Zone: Public and Semi-Public Facilities (PSP)
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Development Code: Authorized in Article 324 Communication Facilities; and Article 810, Special Use Permits
- Commission District: 5 – Commissioner Herman
- Staff: Julee Olander, Planner

- Phone:
- Email:

Chair Hill called for member disclosure. There were none.

Julee Olander reviewed her staff report dated November 9, 2020.

Darren Nelson, nearby property owner, was available to answer any questions.

Derek Turner, the applicant's representative, was available to answer questions.

Member Thomas asked about co-locating towers on adjacent tower. Mr. Turner stated they have an agreement with municipal tower and the other tower is on an adjacent property. He spoke about the topography and service.

Chair Hill opened public comment.

Darren Nelson, the homeowner of the 46-acre parcel that surrounds the water tank that currently houses ATT's equipment, said he has had his privacy invaded by the cell tower maintenance workers by looking in his windows and garage. Signs were put up about 8 years ago which helped alleviate the problem. The tank is in the center of the property and he has to deal with constant traffic. The easement is in disrepair. He said he is having to deal with drainage issues caused by the water. TMWA will have a lease with ATT. ATT is not bound; it's not a permanent lease. They have to pay for a land lease. He has offered a lower lease to ATT. He said it impedes his mountain top view. There is a Verizon tower on the hillside with less impedance to his view. If ATT were to move, it would be near the Verizon tower. If they put up a pole, there is a better location tucked behind the hill with the same coverage.

There were no further requests for public comment. Chair Hill closed the public comment period.

Member Stanley ask Mr. Nelson if he was noticed.

Mr. Nelson stated the first notice he received was for this meeting. He said he heard rumors from his lawyer that they were talking about enforcing all towers to be removed from water tanks because it was a national security threat due to unvetted people being on the municipal water tanks. They are paying a high rate to TMWA, a non-profit public utility. He said he isn't getting anything from it. They aren't maintaining the road; he said he uses his own equipment to maintain the road. He said he has met with TMWA and Washoe County.

Ms. Olander stated Mr. Nelson should have received two notices. One was a courtesy notice for the CAB meeting and one notice for this meeting. Member Stanley asked how many people were noticed. Ms. Olander stated 197 notices went out.

Member Thomas asked Mr. Nelson some clarifying questions. He asked about people encroaching on his property looking for the cell towers; but since then, signs were put up. Mr. Nelson confirmed. He asked if an additional 60 ft tower would be easier to identify. Mr. Nelson said that's not correct. It's because the entrance is past the asphalt. There is no GPS route to get them there, that's why they were going to his house. Member Thomas asked about the maintenance on the road. Mr. Nelson stated he has worked on the drainage which has been flowing and contaminating his water. Member Thomas asked if Verizon and the tank block his view of the valley. Mr. Nelson said Verizon tower is too far back; the water tower is an obstruction to his view. Member Thomas asked if the lease TMWA is charging is higher than if Mr. Nelson was given the offer to put the tower on his land. Mr. Nelson said it's substantially higher.

Member Stanley asked about SUP agreement. Mr. Nelson said the tank already has a tower on it.

Member Thomas stated he understands Mr. Nelson's concerns. The issues aren't insurmountable. Maintenance of easements can be worked through. Obstruction was already occurring. If ATT wants to work with TMWA instead of private individual, that doesn't affect the Board's decision.



Member Stanley stated he is concerned about noticing and lack of contact with the participants. Mr. Lloyd stated notices were sent out per state law and county code and therefore cannot be a basis for the BOA's decision.

Chair Hill moved 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 WSUP20-0016 for AT&T Mobility having made all findings in accordance with Washoe County Code Section 110.810.30 and Section 110.324.75, subject to the conditions contained in Exhibit A to the Staff Report. Member Thomas seconded the motion. Member Stanley opposed. The motion carried 2-1.

**D. Special Use Permit Case Number WSUP20-0019 (Silverado Continuum Care Community) –**

For possible action, hearing, and discussion to approve a special use permit to allow the use of Continuum of Care Facilities, Seniors, for a 157 unit continuum care rental community, in accordance with Washoe County Code (WCC) Table 110.302.05.3 for a 11.21 acres site north of 275 Neighborhood Way.

- Applicant: Silverado Homes NV Inc.
- Property Owner: Spanish Springs Associates LP
- Location: parcel north of 275 Neighborhood Way
- APN: 532-031-16
- Parcel Size: 11.21 acres
- Master Plan: Commercial (C)
- Regulatory Zone: Neighborhood Commercial (NC)
- Area Plan: Spanish Springs
- Citizen Advisory Board: Spanish Springs
- Development Code: Authorized Article 302, Allowed Uses; Authorized Article 438, Grading and Authorized; & Article 810, Special Use Permits
  
- Commission District: 4- Commissioner Hartung
- Staff: Julee Olander, Planner  
Washoe County Community Services Department  
Planning and Building Division
  
- Phone: 775.328.3627
- Email: [jolander@washoecounty.us](mailto:jolander@washoecounty.us)

Chair Hill called for member disclosures. There were none.

Julee Olander reviewed her staff report dated November 9, 2020. Staff is recommending modifying conditions including 2(h)stormwater runoff; 1(e) landscaping prior to issuance of certificate of occupancy.

Stacie Huggins, the applicant's representative, was available to answer questions.

There were no requests for public comment. Chair Hill closed the public comment period.

Chair Hill said this looks like a great project. With the aging population, this looks like a nice project to accommodate our seniors.

Staff took a moment to reach Member Stanley, who had lost his Zoom connection.

Member Stanley agreed with Chair Hill. He stated staff answered his questions about the project. He stated he was having issues with audio. He logged off and logged back on.

Member Thomas asked Ms. Olander about conditions 1(e) and 2(h). He asked if that was her recommendation or the applicants. Ms. Olander noted 2(h) was from engineering which is in agreement with the applicant to remove that condition. Ms. Olander was in agreement with the applicant about condition 1(e) due to the different phases. The landscaping will be addressed during the building permit process. They will meet requirements during the building permit process. Member Thomas said he didn't want to eliminate

landscaping but understands it will be in phasing. Ms. Olander read the condition with proposed removal of language.

Member Thomas moved 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 amended conditions as presented, Special Use Permit Case Number WSUP20-0019 for Silverado Homes NV Inc., having made all five findings in accordance with Washoe County Code Section 110.810.30. Member Thomas noted the amended conditions with removal of condition 1(e) prior to issuance of certificate of occupancy and 2(h) would be removed. Member Stanley seconded the motion which carried unanimously.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Spanish Springs 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 continuum of care facilities, seniors, 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.

**F. Special Use Permit Case Number WSUP20-0015 (Black Rock RV Park)** – For possible action, hearing, and discussion to approve a special use permit for the establishment of a Commercial Campground/RV Park use type on 4.86 acres.

- Applicant/Property Owner: Black Rock City Properties, LLC
- Location: 255 Main St, Gerlach
- APN:
- Parcel Size: 4.86 acres
- Master Plan: Commercial/Rural
- Regulatory Zone: 15% Tourist Commercial, 11% Parks and Recreation, 74% General Rural
- Area Plan: High Desert
- Citizen Advisory Board: Empire/Gerlach
- Development Code: Authorized in Article 810
- Commission District: 5 – Commissioner Herman
- Staff: Dan Cahalane, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3628
- Email: [dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us)

Dan Cahalane reviewed his staff report dated November 9, 2020.

Member Stanley inquired about code. Mr. Cahalane read the code and stated there is a 60-day residency limits. Member Stanley asked about an on-site manager.

Member Thomas asked about Article 316 compliance; there are 10 items where the applicant won't be complying. He asked how to approve the project when they aren't in compliance. Mr. Cahalane stated this project will built in a phasing plan. He read condition 1(e). The applicant is required to meet all standards before obtaining building permit or business license. Staff can make the findings and the applicant has to

meet code. Member Thomas asked how many phases there are and how long until each phase is complete. Mr. Cahalane stated the applicant will address those questions.

Mike Railey, the applicant's representative, addressed the questions. He stated they are requesting an all-weather surface because of the rural character and feedback from CAB. This is more of a campground than an urban RV park. There will be a manager's quarters to enforce rules and regulations. He said they believe there will be a demand for this type of project. Phasing will depend on demand. The citizens in the area built the park with a pool. However, the health district had issues with pool. Black Rock Cities finished out the original vision of the property. Mr. Railey stated the applicant agrees with conditions. Phasing will take 5-10 years depending on demand or spaces will become larger. He said he appreciates the flexibility in conditions. The CAB and GID were supportive.

Member Thomas stated his concern was the phased approach is not definitive. If you do half the park and never complete other half, you don't have to complete the phased in requirements. He wanted to know the benchmarks to know when those requirements would be put in place. Mr. Railey said code will be checked and the applicant will need to conform during each phase. Mr. Cahalane agreed and said he can better clarify – each phase should meet code at completion of each phase. Mr. Lloyd recommend amending condition 1(c) - initial permits need to be submitted within 2 years but include a final timeframe such as 6 years or "X" amount of year where all phases are to be completed. Mr. Railey stated he would like 10 years but had no objection to that condition.

Member Stanley asked about phases being based on code. Mr. Lloyd stated development code applies at the time you submit to building for a permit. Current code applies to current SUP; building aspects will apply when it is being built. If they don't build until 5 years from now, the codes at that time will apply. Mr. Lloyd stated they are subjected to development code at that time.

Member Thomas asked Mr. Railey about it being used as a staging area for Burning Man. Mr. Railey said this will be a year-round RV park but may be closed during Burning Man and the dump won't be available to Burning Man participants to dump. Open spaces may be used by Burning Man with agreed upon stipulations. Member Thomas asked about spaces dedicated for RV sizes. Mr. Railey said it will meet RV park standards. Some spaces can accommodate large RVs with trailers. They can either fit within a space or fit side-by-side. Smaller spaces won't accommodate larger RVs but management can manage that.

Member Stanley asked if the SUP extends for 10 years, should the Board be concerned with anything. Mr. Lloyd said it's not typical that the Board extends the life of an SUP out a decade. Mr. Lloyd said 10 years will be a judgement call for this Board to determine if it's too long. Codes do change from time to time. Look at all the aspects of this request: location, potential risk. Member Stanley asked about timeline for the phases. Mr. Lloyd stated that becomes a challenge. Chair Hill said she likes what they have stated regarding construction within 2 years. She stated an SUP is to allow use; they have to comply with building permits and expiration dates. Mr. Railey stated a majority of the construction is already completed with the pool. In terms of sewer and water lines, landscaping, there won't be much new construction onsite.

There were no requests for public comment. Chair Hill closed the public comment period.

Member Thomas stated he struggles with the unknowns regarding landscapes and 10 of the items that will be phased in unless the Board wants to condition that. He asked what it looks like over extended periods of time. Mr. Railey stated he understands his concerns. COVID has impacted financing ability of Black Rock. If not complete within six years, we can bring it back to the Board to grant additional time. Member Thomas asked Mr. Lloyd if he is ok with that. Mr. Lloyd stated he would be more comfortable varying certain standards or requiring standards are met prior to issuing a business license.

Mr. Railey said financial hardships have caused delays in getting started. Mr. Lloyd asked the Board if they want to tie it to the number of units such as 10 units. Mr. Cahalane noted the applicants are required to submit phasing plans prior to business license or building permit issuances; we will require to have a plan prior those issuances. Mr. Lloyd said the infrastructure improvements need to be approved with phasing. Mr. Cahalane said all phases should be in accordance with the development code. He said that was his intension. He said he wanted to see everything before moving forward. Mr. Railey said if they built 10 sites they will be required to provide 10 power boxes within that phase.

Mr. Railey said whatever is built would conform; nothing would be left an eyesore. They wouldn't do anything that wouldn't meet code. It's common residential, commercial project phased approaches.

Member Thomas said it's a good project and will do well out there and is needed. He said there are a lot of unknown. He heard Mr. Cahalane state they couldn't be issued a certificate of occupancy until it's complete, but he's not sure that's the expectation. Mr. Lloyd said each phase will meet the required code 316.20-40, and they wouldn't have to complete the infrastructure for the entire project, just for that particular phase. Member Thomas stated required standards – lighting, paving, water supply, pull through spaces, minimal width, exterior screening, would have to be done for phase one at least. Mr. Cahalane said those would need to be done per phase. to meet code. Mr. Railey would like the paving requirements waived with all-weather gravel material.

Chair Hill reiterated the request – water and sewer would have to be complete for the sites they develop, not for the entire property. Mr. Cahalane shared 'all phases of this development must be completed within six years.'

Chair Hill moved 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 WSUP20-0015 for Black Rock City, LLC., for the following requests 1) establishment of a commercial campground/RV park use type, 2) request to vary parking and landscaping standards as recommended in the conditions of approval in Exhibit A and amended conditions as proposed by staff including request to modify the paving condition and all phases must meet current code requirements, having made all five findings in accordance with Washoe County Code Section 110.810.30. Member Stanley seconded the motion which carried unanimously.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the High Desert 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 commercial campground/RV park., 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.

**G. Special Use Permit Case Number WSUP20-0017 (Amundson Roofing)** – For possible action, hearing, and discussion to approve the establishment of a construction sales and services use type in accordance with the South Valleys Area Plan Old Washoe City Historic Commercial District Character Management Area.

- Applicant/Property Owner: Sector 9, LLC
- Location: 300 US Highway 395 S
- APN: 050-220-35
- Parcel Size: 1.76 acres
- Master Plan: Commercial
- Regulatory Zone: General Commercial
- Area Plan: South Valleys
- Citizen Advisory Board: South Truckee Meadows/South Valleys
- Development Code: Authorized in Article 812
- Commission District: 2 – Commissioner Lucey

- Staff: Dan Cahalane, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3628
- Email: [dcahalane@washoecounty.us](mailto:dcahalane@washoecounty.us)

Dan Cahalane reviewed his staff report dated November 6, 2020.

Member Thomas stated the conditions of approval included landscaping with trees. Mr. Cahalane said that is required per code. Landscaping includes requirements for a noxious weed plan, outline vegetation species, number of plants, native status, and water uses and calculations of landscape area. Member Thomas spoke about the surrounding area and stated there is a single-family residence to the south and a parcel that is undeveloped. He asked if that is zoned residential. Mr. Cahalane stated its vacant so there is no screening required. Member Thomas asked if someone moves into that lot, would they have to put up screening afterward. Mr. Cahalane said they would come in knowing there is no screening.

Mike Railey, the applicant’s representative, was available to answer questions.

There were no requests for public comment. Chair Hill closed the public comment period.

Member Stanley inquired about the Army Corp of Engineers. Mr. Railey stated the land is dry, no sign of aquatic species or wetlands. It will be a simple determination. Further to the east, it’s wetlands. The area that is identified, it’s not going to be developed. Member Stanley spoke about a dry wetland that came up during the construction of the connector. Chair Hill noted there is a condition to have Army Corp review.

Member Stanley said it looks like a great project.

Chair Thomas moved 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 WSUP20-0017 for Sector 9 LLC, having made all five findings in accordance with Washoe County Code Section 110.810.30. Member Stanley seconded the motion which carried unanimously.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and South Valleys 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 Construction Sales and Services use type., 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.

**H. Administrative Permit Case Number WADMIN20-0011 (Rollings Garage)** – For possible action, hearing, and discussion to approve an administrative permit for the construction of a 4,000 square foot detached accessory structure which is larger than the primary residence.

- Applicant/Owner: Matthew Rollings
- Location: 800 Apple Blossom Drive
- APN: 508-030-31
- Parcel Size: 5 Acres
- Master Plan: Suburban Residential (SR); Rural (R)

- Regulatory Zone: Low Density Suburban (LDS); General Rural (GR)
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 808, Administrative Permits; Article 306, Detached Accessory Structures
- Commission District: 5 – Commissioner Herman
- Staff: Chris Bronczyk, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3612
- Email: cbronczyk@washoecounty.us

Chris Bronczyk reviewed his staff report dated November 1, 2020.

Chair Hill asked where the 900 sq. ft. resident is located. Mr. Bronczyk showed it on the site plan.

Matt Rollings, the property owner, was available but didn't have a presentation. Mr. Rollings stated Chris had been helpful through the process. He said he wants to build a big garage on his property. Member Stanley thanked Mr. Rollings for his comments.

There were no requests for public comment. Chair Hill closed the public comment period.

Member Thomas stated he wished he had the land to build something like this.

Member Thomas moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve Administrative Permit Case Number WADMIN20-0011 for Matthew Rollings, having made all five findings in accordance with Washoe County Development Code Section 110.808.25. Member Stanley seconded the motion which carried unanimously.

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 a detached accessory structure larger than the primary residence, 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.

**I. Special Use Permit Case Number WSUP20-0018 (Truckee Meadows Fire Station #37)** – For possible action, hearing and discussion to approve a special use permit for the redevelopment and improvement of a fire station (safety services civic use type) located on West Hidden Valley Drive. The subject site is zoned Medium Density Suburban. The proposal replaces the existing facilities with a single larger building including administrative offices, an apparatus bay, and improvement to an existing single-family residence utilized by the on-duty fire crew.

- Applicant: Washoe County
- Property Owner: Truckee Meadows Fire Protection District
- Location: 3255 W Hidden Valley Drive
- APN: 051-122-09; 051-122-10; 051-192-01; 021-160-38

- Parcel Size: 0.25 acres; 0.32 acres; 0.07 acres; 0.15 acres
- Master Plan: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Southeast Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 2 – Commissioner Lucey
- Staff: Chris Bronczyk, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3612
- Email: [cbronczyk@washoecounty.us](mailto:cbronczyk@washoecounty.us)

Chris Bronczyk reviewed his staff report dated November 10, 2020.

Member Stanley asked if DDA Large has concerns about the property not being fully conveyed by the City yet. DDA Large said no.

Stacie Huggins, the applicant’s representative, was available to answer questions.

There were no requests for public comment. Chair Hill closed the public comment period.

There were no disclosures.

Member Stanley stated this is a great project and well deserved.

Member Thomas moved 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 WSUP20-0018 for Truckee Meadows Fire Protection District, having made all five findings in accordance with Washoe County Code Section 110.810.30. Member Stanley seconded the motion which carried unanimously.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southeast Truckee Meadows 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 safety service use type, 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.

**J. Special Use Permit Case Number WSUP20-0020 (Lakeshore Grading)** – For possible action, hearing, and discussion to approve a special use permit to allow for a driveway to traverse a slope of thirty (30) percent or greater, and to construct a permanent earthen structure greater than 4.5 feet in height within the required front yard setback. The proposal is also requesting to vary standards found in Washoe County Code (WCC) Section 110.438.45 (a) to allow slopes in excess of, or steeper than, three horizontal to one vertical (3:1) and WCC Section 110.438.45 (d) to allow retaining walls taller than and one-half (4.5) feet within the front yard setback.

- Applicant/Property Owner: Aqua Verde Investment Group, LLC
- Location: 447 Lakeshore Boulevard

- APN: 123-250-07
- Parcel Size: 1.19 Acres
- Master Plan: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Tahoe Area
- Citizen Advisory Board: Incline Village / Crystal Bay
- Development Code: Authorized in Article 810, Special Use Permits; Article 438, Grading Standards
- Commission District: 1 – Commissioner Berkbigler
- Staff: Chris Bronczyk, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3612
- Email: cbronczyk@washoecounty.us

Chris Bronczyk reviewed his staff report dated November 9, 2020.

Chair Hill said the consistency finding seems inconsistent. She thought a variance would be more appropriate instead of a special use permit. Mr. Bronczyk stated a major grading threshold requires a special use permit. Chair Hill stated North Lake Tahoe Fire Protection District's (NLTFPD) October 28 correspondence indicates significant operational concerns for vehicle access. She said Jennifer Donahue from NLTFPD indicated they haven't been working with the applicant. Mr. Bronczyk stated he received an email from Jennifer that they have been working with the applicant on Tuesday. He said for full transparency, he shared the emails he received from agency review. Chair Hill asked if they addressed the non-conforming water supply. Mr. Bronczyk said this is something that can be conditioned.

Member Stanley asked how the parcel is currently zoned. Mr. Bronczyk said it is zoned MDS.

Member Thomas asked who the individual was that opposed, on the CAB board. Chair Hill said her concern is the structure view from the lake is 100 ft tall. Mr. Bronczyk noted the request is for retaining walls and driveway. Height was not taken into consideration for this case. Mr. Bronczyk stated there were concerns with access but NDOT addressed them. Member Thomas asked how the property has site suitability when they have to ask for special use permit to build on it. Mr. Lloyd said zoned as MDS, this property has always been intended to be a residence. He stated they sat down with the applicant; the only way to build on the lot is through this process. We review every possible avenue. Site suitability is defined by development code as zoning of the parcel which is MDS. It's intended purpose is for a residence and the only way to do it is with an SUP. It's two different things we are discussing. The only items for consideration before this board is a grading permit and earthen structure more than 4.5 feet in height. The structure is not before you today. Slopes are in excess to 3:1.

DDA Large said it's the Board's duty to find site suitability. Site suitability is defined by development code in terms of zoning. Chair Hill said it doesn't seem consistent. The consistency finding is harder to make because there are so many things that need to be varied. DDA Large reiterated driveway and retaining wall is what is before the Board today.

Member Stanley asked for other examples of retaining walls that were approved in the area. Mr. Lloyd said there are incredibly steep slopes in this area. This is not unique. Lakeshore Blvd./SR28 have similar developments. There are other walls that exceed 4.5 feet in other parts of the property. Mr. Lloyd noted for the consistency finding, staff references the Tahoe area plan. It calls out the master plan in that finding.

Gary Hill, the applicant's representative, said in reality the structure height is 65 feet, not 100 feet. This project is approved by TRPA; they approve the elevation of garage. A 12% slope from the garage to the street is allowed and that is what we have. We need to build it the way we are asking. An SUP allows us to cut 30% slopes. Mr. Hill introduced Adrian Tieslau, the driveway engineer, he spoke about his conversation with the fire district and they require a hydrant at the street. He said NDOT is requesting hydronic heating on their portion of the right-a-way. Mr. Tieslau said there is turn-around access for emergency vehicles at the front of the garage and with a hydrant at the highway, NLTFPD is good with a hookup there and a hose can



be run down the driveway. Chair Hill asked about conforming water supply. Mr. Tieslau said there is domestic water along the highway through Incline Village General Improvement District (IVGID). He wasn't sure about water rights. Mr. Hill said he didn't think they needed any water rights but they had plenty of water accessible with the fire hydrant. And, the home will be fully sprinklered and fire alarmed. Chair Hill asked about WUI code conformance. Mr. Lloyd stated it has to meet North Tahoe Fire Protection District's fire-retardant materials. Mr. Lloyd reminded the Board; any structural permitting is going to need to get approval from NLTFPD and they will be looking at fire retardant building materials for the structure but that is not what we are looking at here. Chair Hill said water and fire access are important.

Member Stanley asked how many cubic feet is being moved for the driveway. He asked if there are any trees or vegetation being removed for the driveway. Mr. Midkiff, project consultant, there will be a fire hydrant at the street, the driveway, if NDOT permits, will be heated and the garage is designed to have a turn-table so an ambulance can be turned around and drive out so they are not backing out. The NLTFPD indicated they were okay with that access. The mouth of the driveway is 42 feet wide to allow access from east or west and a fire engine to stage, if necessary. The driveway meets all the requirements of the agencies code. The driveway isn't going to require removal of trees or major vegetation. With the retaining wall and structure, the house is being screened from the lake. Mr. Midkiff stated 300 cubic yards combined for cut and fill for the driveway, in the setback. Mr. Hill spoke about landscaping along the wall to hide it as well as a berm. It only sticks up above natural grade about a foot. You can't see it from the highway.

Mr. Midkiff spoke about meeting TRPA's requirements. He added the driveway will have max grade of 12%. He said it will cross the fill slope across the setback. Indicating the fill slope is over 3:1 and meets NDOT requirements. Chair Hill stated six trees are authorized to be removed by TRPA. There will be a lot of screening to offset the scenic impact of the structure, as viewed from the lake. Mr. Midkiff said they have a conditional NDOT permit that requires specific measures to meet the State standards for the driveway.

Chair Hill indicated, during the CAB meeting Mr. Midkiff said they might only be allowed to turn right out of the driveway but now you're saying there will be enough paving in the right away to allow a right hand turn, as well. Mr. Midkiff stated it's adequate now to turn either way.

There were no requests for public comment. Chair Hill closed the public comment period.

Member Thomas said without a driveway, there is no residence. We have had SUPs in the past with driveways with 30% grade. He said he isn't happy with a 10-foot wall. He said there will be ice and snow. Chair Hill stated she has concerns with large houses being constructed in the Crystal Bay area. They usually involve cranes on the highway with construction materials. She believes it's causes traffic issues, sometimes for years. It's also an impact on the community including a public health and safety issue.

Member Thomas moved 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 WSUP20-0020 for Aqua Verde Investment Group, LLC, having made all five findings in accordance with Washoe County Code Section 110.810.30. There was no second. The motion failed.

Chair Hill moved 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 deny Special Use Permit Case Number WSUP20-0020 for Aqua Verde Investment Group, LLC, having not made the following findings, #1, #3, and #4, in accordance with Washoe County Code Section 110.810.30. Member Stanley seconded the motion. The motion carried, 2-1, with Member Thomas opposing the motion.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan;
3. Site Suitability. That the site is physically suitable for single family residential 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;

Mr. Lloyd read the appeal process.

**10. Chair and Board Items**

**\*A. Future Agenda Items**

Mr. Lloyd updated the Board regarding a training in January or early February. Planning Commission training will happen next week and the Board of Adjustment members are welcome to attend.

**\*B. Requests for Information from Staff**

Mr. Lloyd spoke about Board of County Commissioners (BCC) filling the BOA vacancy on 1/8/2021. Member Thomas asked if, in the future, we can have consent agenda items. Chair Hill stated it's a good idea.

**11. Director's and Legal Counsel's Items**

**\*A. Report on Previous Board of Adjustment Items**

Member Stanley asked about BCC overturning BOA's denials. Mr. Lloyd provided an update and stated on November 17, the BCC overturned the BOA's denial for variance WPVAR20-0004 Merritt RYSB Reduction, in Spanish Springs.

**\*B. Legal Information and Updates**

None

**12. \*General Public Comment and Discussion Thereof**

There were no requests for public comment. Chair Hill closed the public comment period.

**13. Adjournment**

Meeting adjourned at 6:35 p.m.

Respectfully submitted by Misty Moga, Independent Contractor

Approved by Board in session on \_\_\_\_\_, 2021

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Trevor Lloyd  
Secretary to the Board of Adjustment