



WASHOE COUNTY BOARD OF ADJUSTMENT Meeting Minutes

Board of Adjustment Members

Kristina Hill, Chair
Clay Thomas, Vice Chair
Don Christensen
Rob Pierce
Brad Stanley

Thursday, January 6, 2022

1:30 p.m.

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

Secretary

Trevor Lloyd

and available via
Zoom Webinar

1. Determination of Quorum

Chair Hill called the meeting to order at 1:30 p.m. The following members and Staff were present:

Members Present: Kristina Hill, Chair
Clay Thomas, Vice-Chair
Don Christensen
Rob Pierce
Brad Stanley

Members Absent: None

Staff Present: Chris Bronczyk, Planner, Planning and Building Division
Trevor Lloyd, Planning Manager, Planning and Building Division
Michael Large, Deputy District Attorney, District Attorney's Office
Donna Fagan, Recording Secretary, Planning and Building Division
Lacey Kerfoot, Recording Secretary, Planning and Building Division
Adriana Albarran, Office Support Specialist, Planning and Building Division

2. Pledge of Allegiance

Member Christensen led the pledge of allegiance.

3. Ethics Law Announcement

Deputy District Attorney Michael Large recited the Ethics Law standards.

4. Appeal Procedure

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

5. General Public Comment and Discussion Thereof

There was no response to the request for public comment.

6. Approval of the Agenda

In accordance with the Open Meeting Law, Member Christensen moved to approve the agenda of January 6, 2022. Member Pierce seconded the motion, which carried unanimously.

7. Approval of the November 4, 2021 and December 8, 2021 Draft Minutes

Member Thomas moved to approve the minutes of November 4, 2021. Member Stanley seconded the motion, which carried unanimously.

Member Stanley referenced page 2 of 3, in the 5th paragraph of the December 8, 2021 minutes – He clarified it should read: DDA Large stated 'Reasonable minds may differ.' Instead of 'defer.' Member Stanley moved to approve the December 8, 2021 minutes as amended. Member Thomas seconded the motion which carried unanimously.

8. Public Hearing Item

A. [Administrative Permit Case Number WAC21-0008 \(De La Montanya Winery\)](#) [For possible action] – For hearing, discussion, and possible action to approve an amendment of conditions for Administrative Permit Case Number WADMIN19-0014 (De La Montanya Winery) for an extension of time of 2-years for a proposed winery and tasting room.

- Applicant/Owner: Dennis and Tina De La Montanya
- Location: Mt. Rose Highway and Bordeaux Drive
- APN: 047-162-19; 047-162-21
- Parcel Size: 1.0 Acre; 1.01 Acre
- Master Plan: Suburban Residential (SR)
- Regulatory Zone: Low Density Suburban (LDS)
- Area Plan: Forest
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 2 – Commissioner Lucey
- Staff: Chris Bronczyk, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3612
- E-mail: cbronczyk@washoecounty.gov

Planner Chris Bronczyk provided a presentation.

Public Comment:

There was no response to the request for public comment.

Discussion by Commission:

The applicant was present to answer questions but did not have a presentation.

Chair Hill stated she recalls this application was previously denied, and they took it to the Board of County Commissioners who approved it; now they want an extension. Chair Hill stated she could support it.

Member Stanley stated he spoke to Mr. Bronczyk. It's not setting a precedent to give extensions due to COVID and now more common practice. Mr. Bronczyk stated he had granted other extensions to SUPs. Member Stanley referenced the Truckee Meadows Fire and Rescue Agency Review; Brittney Lemon stipulates that the extension and construction would be under the code and restrictions or governing decision at the time two years hence. Member Stanley

asked if that was true for the other reviewing agencies. Mr. Bronczyk stated he believes so. Mr. Lloyd stated because they received the approval two years ago, it would fall under the planning criteria for the rules that were in place at the time. However, they will be required to submit a building permit and the building permit criteria, and standards will have to be complied at the time of submission.

Motion: 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 Amendment of Conditions Case Number WAC21-0008 for Dennis De La Montanya, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.808.25:

1. **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Forest 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 winery and crop production 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.

Member Pierce seconded the motion, which carried unanimously.

9. Chair and Board Items

- A. Future agenda items – None
- B. Requests for information from Staff

Member Thomas referenced the last application before the Board and stated an assumption of an increase in COVID related extensions. Mr. Lloyd stated we hadn't seen a significant increase; however, it's possible. Member Thomas asked if there is leeway or latitude to allow the department to take on the responsibility to grant these types of requests without coming back to the Board. He referenced situations such as withdrawals. He asked if there was a way for these to be resolved without coming to the Board. DDA Large stated Staff can agendaize how to address delayed requests. We could review and analyze the cases. We may require a code change to be able to address them internally by Staff if the requests increase due to COVID. Mr. Lloyd stated we could certainly have an informational item on the next agenda.

Member Stanley thanked Staff for the training session in December. He thought it was useful to understand the goal and direction of the department. He said it was unique and helpful. Chair Hill agreed.

10. Director's and Legal Counsel's Items

- A. Report on Previous Board of Adjustment Items - None

B. Legal Information and Updates - None

11. General Public Comment and Discussion Thereof

There was no response to the request for public comment.

12. Adjournment [Non-action item]

With no further business scheduled before the Board of Adjustment the meeting adjourned at 1:49 p.m.

Respectfully submitted by Misty Moga, Independent Contractor

Approved by Board in Session on February 3, 2022

Trevor Lloyd

Trevor Lloyd
Secretary to the Board of Adjustment