



WASHOE COUNTY BOARD OF ADJUSTMENT **DRAFT** Meeting Minutes

Board of Adjustment Members

Rob Pierce, Chair
Don Christensen, Vice Chair
Kathie Julian
Peter Ghishan
Leo A. Horishny

Thursday, September 5, 2024

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 Pierce called the meeting to order at 1:30 p.m. The following members and staff were present:

Members Present: Rob Pierce, Chair
Kathie Julian
Peter Ghishan
Leo A. Horishny

Members Absent: Don Christensen, Vice-Chair

Staff Present: Julee Olander, Planner, Planning and Building Division
Elizabeth Hickman, Deputy District Attorney, District Attorney's Office
Adriana Albarran, Recording Secretary, Planning and Building Division
Brandon Roman, Recording Secretary, Planning and Building Division

2. Pledge of Allegiance

Chair Pierce led the pledge of allegiance.

3. Ethics Law Announcement and Instructions for Providing Public Comment via Zoom/Telephone

Deputy District Attorney Elizabeth Hickman recited the Ethics Law standards and instructions for providing public comment via Zoom/Telephone.

4. Appeal Procedure

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

5. Public Comment

There was no response to the request for public comment.

6. Approval of the September 5, 2024 Agenda

In accordance with the Open Meeting Law, Member Ghishan moved to approve the agenda of September 5, 2024. Member Julian seconded the motion, which carried on a 4-0 vote, with Vice Chair Christensen absent.

7. Approval of the August 1, 2024 Draft Minutes

Member Horishny moved to approve the minutes of August 1, 2024, as written. Member Julian seconded the motion, which carried on a 4-0 vote, with Vice Chair Christensen absent.

8. Public Hearing Items

A. Amendment of Conditions Case Number WAC24-0009 for WSUP23-0002 (IVGID Tank) [For Possible Action] – For hearing, discussion, and possible action to approve an amendment of conditions for Special Use Permit WSUP23-0002 to amend conditions of approval 1.e, to allow heavy equipment construction activities between 7 am to 7 pm, Monday through Saturday with expanded hours of 7 pm to 7 am for the pre-stressed cable installation.

- Applicant/Property Owner: Incline Village General Improvement District (IVGID)
- Location: 1250 Sweetwater Road
- APN: 130-010-08
- Parcel Size: 87.3 acres
- Master Plan: Tunnel Creek & Ponderosa Ranch
- Regulatory Zone: 67% TA_TC & 33% PR
- Area Plan: Tahoe
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 1 – Commissioner Hill
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander conducted a PowerPoint presentation and reviewed slides with the following titles: Request; Background; Site Plan (2 slides); Evaluation of Amendment of Conditions; Noticing; and Findings & Possible Motion.

IVGID Engineering Manager Hudson Kline added that the proposal was also submitted to the Tahoe Regional Planning Agency, who accepted the nighttime hours.

There was no response to the call for public comment.

Member Julian asked for more information about the soil conditions that precipitated the request for more time. Mr. Kline responded four feet of cut in the storage pond was required to meet grading conditions. In doing this, they found soft, organic materials which did not meet the bearing capacity needed on the foundation. Because of that, over-excavation was needed to buttress the ground conditions to provide the proper capacity. Additionally, two weeks were lost due to a large snow event in May.

Member Ghishan inquired about prestressed cables. Mr. Kline explained metal cable was wrapped around the precast panels 2,000 times to prevent fluid from pushing out, and the wire was pre-stressed to eliminate flexibility. The equipment proposed was a loader carrying the spools of cable and a man lift to position the cable. Fortunately, because of the small size of the crew that would be needed, the reverse alarms could be turned off on the vehicles.

Chair Pierce wondered about the noise that would be produced. Mr. Kline replied it would be minimal, adding that it would be further reduced by the tank itself. He expected the ambient noise coming from the highway between the subject parcel and the nearest neighbor to exceed the noise generated by construction.

Member Julian moved that Amendment of Conditions Case Number WAC24-0009 for Incline Village General Improvement District (IVGID) be approved with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30: Consistency, Improvements, Site Suitability, Issuance Not Detrimental, and Effect on a Military Installation. Member Horishny seconded the motion, which carried on a 4-0 vote, with Vice Chair Christensen absent.

B. Administrative Case Number WADMIN24-0009 (Summit Christian Church) [For Possible Action] – For hearing, discussion, and possible action to approve an administrative permit in accordance with WCC 110.808.25, as required by WCC Section 110.216.80 Table C-2 for religious assembly use type in the Public/Semi-Public Facilities regulatory zone, to construct a 10,000 SF administrative office building as an addition to an existing religious facility.

- Applicant/Property Owner: Summit Christian Church
- Location: 7075 Pyramid Highway
- APN: 083-730-13
- Parcel Size: 36.7 acres
- Master Plan: Open Space (OS)
- Regulatory Zone: Public/Semi-Public (PSP)
- Area Plan: Spanish Springs
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 4 – Commissioner Andriola
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Chair Pierce disclosed he knew the applicant, but as he was not directly involved in the process, he did not anticipate that familiarity impacting his vote.

Planner Julee Olander conducted a PowerPoint presentation and reviewed slides with the following titles: Request; Vicinity Map; Background; Evaluation; Site Plan; Elevations (2 slides); Floor Plans; Noticing/Neighborhood Meeting; Reviewing Agencies; Amended Condition; Findings; and Possible Motion. She noted the only phone call received was in opposition to the church expanding in any way.

There was no response to the call for public comment.

Member Horishny moved that Administrative Permit Case Number WADMIN24-0009 for Summit Christian Church be approved with the amended conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Development Code Section 110.808.25: Consistency, Improvements, Site Suitability, Issuance Not Detrimental, and Effect on a Military Installation. Member Ghishan seconded the motion, which carried on a 4-0 vote, with Vice Chair Christensen absent.

C. Special Use Permit Case Number WSUP24-0010 (Dunlap Residence) [For Possible Action] – For hearing, discussion, and possible action to approve a special use permit per WCC 110.810.30, as required by WCC Section 110.220.385, to expand an existing 3,266 SF residence to 5,038 SF by adding a new garage and elevator with living space connecting to an existing house.

- Applicant: GilanFarr Architecture
- Property Owner: Trang & Matt Dunlap
- Location: 1708 Lakeshore Blvd
- APN: 130-332-13
- Parcel Size: 7,357 SF
- Master Plan: East Shore
- Regulatory Zone: TA_ES
- Area Plan: Tahoe
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 1 – Commissioner Hill
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander conducted a PowerPoint presentation and reviewed slides with the following titles: Request; Vicinity Map; Background & Evaluation; Site Plan; Elevations (2 slides); Floor Plans; Noticing/Neighborhood Meeting (sic); Reviewing Agencies; and Findings & Motion.

Phil GilanFarr, representing the applicant, noted they worked with staff once it was discovered a special use permit (SUP) was required in the subdivision. He noted the conditions of approval were reviewed, and he believed all concerns could be addressed, including working with the Nevada Department of Transportation (NDOT) on an encroachment permit. He stressed the importance of being able to park safely off the highway core.

There was no response to the call for public comment.

Member Julian wanted clarification as to how construction would take place without blocking Route 28. Mr. GilanFarr responded that a 2,800 square foot offsite area would be used for construction staging and removal, and NDOT did not believe a traffic management plan was needed. He anticipated using a smaller piece of equipment and smaller dump trailer to move any material to the F.W. Carson yard. He provided visual annotations to the slide which showed how trucks would maneuver during construction without impeding traffic. GilanFarr Architecture was in discussions to possibly do a remodel job for the appellant's parcel at the same time, he stated, but even if the neighbor did not move forward with that remodel, they gave permission for the architect to use their property for this project.

Member Julian asked whether the proposal had been reviewed by NDOT. Ms. Olander confirmed NDOT had not yet reviewed it, but they included a condition that the applicant must work with them to use the access easement along Route 28. Secretary Trevor Lloyd stated he was not too familiar with NDOT's permitting process, but he did not believe there would be a public hearing.

Mr. GilanFarr stated he had already filed an application with NDOT, but the process was not yet complete. Typically, NDOT did not go through a public hearing process, but they had very stringent traffic control criteria. In addition to Tahoe Regional Planning Agency (TRPA) review, he continued, the project was being reviewed by the Nevada Department of Environmental Protection (NDEP) to ensure sediments were controlled.

Member Julian asked how this property was different than the property in Agenda Item 8.C. where problematic soil conditions were discovered by the Incline Village General Improvement District. Mr. GilanFarr noted his firm previously excavated two properties across the street, and they were aware of the different consistencies of soils in that area. In the unlikely event that use of the highway would be needed, construction would stop while a traffic management plan was created. He did not anticipate that situation.

Member Ghishan wondered whether the need for an SUP in this case was an aberration. Mr. Lloyd responded that, when the 2020 Tahoe Area Plan (TAP) was adopted, new regulatory zones were adopted, resulting in a few zones in Incline Village and Crystal Bay requiring SUPs for home expansion in residential neighborhoods. He commented staff hoped to eliminate that requirement when it proposed amendments to the TAP. He confirmed Member Ghishan's assertion that the Board was to consider expansion of an existing allowable use.

Member Ghishan inquired whether the administrative permit to encroach into the setback was for the addition. Ms. Olander said that was her understanding, and during that process it was discovered that an SUP would also be required. She explained there was no driveway on the property, and the easement in front of the property, which was essentially a shoulder, was where construction was proposed to take place.

Mr. GilanFarr added that no onsite parking currently existed, only street parking; after the expansion, onsite parking would be in the garage. He explained the process of working with TRPA to bring 400 feet of coverage to facilitate a garage that met all County standards. That was the purpose of the setback reduction. Building plans were already approved by the County, with the exception of the SUP, as was the TRPA permit. The next step after approval of the SUP, he went on, was obtaining NDOT approval.

Member Julian said her concern was that construction did not impede commuters and traffic to Sand Harbor. Though she understood construction traffic would only turn onto and off Route 28 to leave the area, she pointed to the project's close proximity to the highway and the speed limit of that road as potential concerns. She recognized this was not a typical suburban area, and she appreciated that an SUP was required. She supported the applicant having a garage.

Member Ghishan did not feel it was the Board's job to judge the substance of the remodel, and he supported the application.

Member Horishny moved that Special Use Permit Case Number WSUP24-0010 for GilanFarr Architecture be approved with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30: Consistency, Improvements, Site Suitability, Issuance Not Detrimental, and Effect on a Military Installation. Member Ghishan seconded the motion, which carried on a 4-0 vote, with Vice Chair Christensen absent.

9. Chair and Board Items

A. Future Agenda Items

There were no requests.

B. Requests for Information from Staff

There were no requests.

10. Director's and Legal Counsel's Items

A. Report on Previous Board of Adjustment Items

Secretary Trevor Lloyd noted a decision made by the Board of Adjustment on the Caillier appeal was upheld by the Board of County Commissioners (BCC) at its August 20 meeting. He indicated a significant amendment to the grading code was recently approved, and he offered to review those changes with any Members who were interested. He spoke about approval of a code amendment regarding care of the infirm which expanded who could sign off on the need for care.

Mr. Lloyd anticipated another training for both the Board of Adjustment and the Planning Commission in mid-November.

B. Legal Information and Updates

There were no updates.

11. Public Comment

There was no response to the request for public comment.

12. Adjournment

The meeting adjourned at 2:19 p.m.

Respectfully submitted by Derek Sonderfan, Independent Contractor

Approved by Board in Session on October 3, 2024

Trevor Lloyd
Secretary of the Board of Adjustment