



# WASHOE COUNTY BOARD OF ADJUSTMENT Notice of Meeting and Agenda

Thursday, December 5, 2024  
1:30 p.m.

## Board of Adjustment Members

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

## Secretary

Trevor Lloyd

Washoe County Administrative Complex  
Commission Chambers  
1001 East Ninth Street, Building A  
Reno, NV 89512

and available via  
Zoom Webinar

This meeting will be held in the County Commission Chambers and via Zoom teleconference. To attend this meeting via Zoom teleconference, please log into the Zoom webinar at the following link: <https://us02web.zoom.us/j/87215675749> or you can join the meeting by typing zoom.us into your computer browser, clicking "Join a Meeting" on the ZOOM website, and entering this **Meeting ID: 872 1567 5749**. NOTE: This option will require a computer with audio and video capabilities.

Alternatively, you can join the meeting via telephone only by dialing +1 669-900-9128, entering the **Meeting ID: 872 1567 5749** and pressing #.

The meeting will be televised live and replayed on Washoe Channel at: <https://www.washoecounty.gov/mgrsoff/Communications/wctv-live.php> also on YouTube at: <https://www.youtube.com/user/WashoeCountyTV>.

## PUBLIC HEARING ITEMS

(Complete case descriptions are provided beginning on page three of this agenda)

- **Postponed Appeal of Decision Case Number WSTR21-0283 (STR Appeal – 916 Harold Drive #36)**
- **Special Use Permit Case Number WSUP24-0014 (Virginia Peak Telecom Tower)**
- **Special Use Permit Case Number WSUP24-0016 (Lead with Horses)**
- **Special Use Permit Case Number WSUP24-0017 (Cat Shelter)**
- **Special Use Permit Case Number WSUP24-0015 (Bryan Canyon Road Pond and Restoration)**

**Possible Changes to Agenda Order and Timing.** Discussion may be delayed on any item on this agenda, and items on this agenda may be taken out of order, combined with other items and discussed or voted on as a block, removed from the agenda, moved to the agenda of another later meeting or moved to or from the consent section. Items designated for a specified time will not be heard before that time but may be delayed beyond the specified time.

**Public Comment.** Public comments are welcomed during the public comment periods at the beginning and end of the meeting and during public hearing and planning items and are limited to three (3) minutes per person. Persons may not allocate unused time to other speakers.

During the general public comment periods at the beginning and end of the meeting, speakers may address any matter either on or off the agenda, including items heard on the consent section of the agenda. For

the remainder of the agenda, public comment will only be heard during public hearing and planning items and should be about the specific item being considered by the Board. If an item is continued, then public comment will not be heard for that item until the date of the continued hearing.

Presentations and public comment for individual agenda items are limited as follows: fifteen minutes each for staff and applicant presentations and three minutes for individual speakers unless extended by questions from the Board or by action of the Chair. All comments are to be directed to the Board as a whole and not to one individual. Emails will be included in the record but will only be read aloud during the meeting subject to the chair's discretion and if time permits.

**Public Participation.** Any public wishing to present printed materials at the hearing must bring six (6) printed copies. Any public wishing to show digital materials at the hearing (photos, presentation, etc.) must email the materials to Recording Secretary Adriana Albarran ([AAlbarran@washoecounty.gov](mailto:AAlbarran@washoecounty.gov)) by 4:00 p.m. the business day immediately preceding the meeting. Please note that USB drives or any other digital media will not be accepted due to the risk of introducing viruses or malicious code, which could potentially compromise the County's systems.

Members of the public may submit public comment by either attending the meeting in person, attending the meeting via teleconference or attending by telephone only. To provide public comment via Zoom, log into the ZOOM webinar at the above link and utilize the "Raise Hand" feature during any public comment period. To provide public comment via telephone only, press \*9 to "Raise Hand" and \*6 to mute/unmute.

Additionally, public comment can be submitted via email to [washoe311@washoecounty.gov](mailto:washoe311@washoecounty.gov). The County will make reasonable efforts to send all email comments received by 4:00 p.m. on December 4, 2024, to the Committee members prior to the meeting.

**Responses to Public Comments.** The Board of Adjustment may deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. The Open Meeting Law does not expressly prohibit responses to public comments by the Board. However, responses from Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. To avoid this situation and to ensure that the public has notice of all matters the Board will consider, members may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action, or to ask that a matter be listed on a future agenda.

**Forum Restrictions and Orderly Conduct of Business.** The Board of Adjustment conducts the business of Washoe County and its citizens during its meetings. The presiding officer may order the removal of any person whose statement or other conduct disrupts the orderly, efficient or safe conduct of the meeting. Warnings against disruptive comments or behavior may or may not be given prior to removal. The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of speech that may be reasonably limited.

**Posting of Agenda.** Pursuant to NRS 241.020(4)(b), the Agenda for the Board of Adjustment has been posted at the following location: Washoe County Administration Building (1001 E. 9<sup>th</sup> Street, Bldg. A); and has been electronically posted at [https://www.washoecounty.gov/csd/planning\\_and\\_development/board\\_commission/board\\_of\\_adjustment/index.php](https://www.washoecounty.gov/csd/planning_and_development/board_commission/board_of_adjustment/index.php) and <https://notice.nv.gov>.

**How to Get Copies of Agenda and Support Material.** Copies of this agenda and supporting materials for the items on the agenda provided to the Board of Adjustment may be obtained on the Planning and Building Division's website at [https://www.washoecounty.gov/csd/planning\\_and\\_development/board\\_commission/board\\_of\\_adjustment/index.php](https://www.washoecounty.gov/csd/planning_and_development/board_commission/board_of_adjustment/index.php) or at the Planning and Building Division Office (contact Adriana Albarran, 1001 E. Ninth Street, Building A, phone 775.328.2721 or e-mail [aalbarran@washoecounty.gov](mailto:aalbarran@washoecounty.gov)). If you make a request, we can provide you with a link to a website, send you the material by email or prepare paper copies for you at no charge. Supporting materials are available to the public at the same time they are available to Board members. If material is distributed at a meeting, it is available within one business day after the meeting.

**Special Accommodations.** The facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g. sign language interpreters or assisted listening devices) at the meeting should notify the Washoe County Planning and Building Division at (775) 328-6100 at least two working days prior to the meeting.

**Appeal Procedure.** Most decisions rendered by the Board of Adjustment are appealable to the Board of County Commissioners. If you disagree with the decision of the Board of Adjustment and you qualify as an aggrieved person/party of record who is aggrieved by a decision of the Board of Adjustment may: (i) Seek judicial review of the decision by filing a petition in the Second Judicial District Court for the State of Nevada within 25 days from the date the decision is filed with the secretary of the board; or, (ii) Appeal the decision to the Board of County Commissioners in accordance with Section 110.912.20 of this Article within 10 days of the date the decision is filed with the secretary of the board. Per WCC Section 110.910.15(i)(6), when a petition for judicial review is filed, the court rules shall govern the proceeding. This judicial review is in lieu of an appeal to the Board of County Commissioners as authorized by NRS 278.310(3)(b).

## AGENDA

1:30 p.m.

1. **Determination of Quorum** [Non-action item]
2. **Pledge of Allegiance** [Non-action item]
3. **Ethics Law Announcement and Instructions for Providing Public Comment via Zoom/Telephone** [Non-action item]
4. **Appeal Procedure** [Non-action item]
5. **Public Comment** [Non-action item]

Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the agenda. However, action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item. Comments are to be made to the Board of Adjustment as a whole.

6. **Approval of the December 5, 2024 Agenda** [For possible action]
7. **Approval of the [November 7, 2024](#) Draft Minutes** [For possible action]

Board members may identify any additions or corrections to the draft minutes as transcribed.

8. **Public Hearing Items** [For possible action]

**A. Postponed Appeal of Decision Case Number WSTR21-0283 (STR Appeal – 916 Harold Drive #36) [For Possible Action]** – For hearing, discussion, and possible action to affirm, modify, reverse, or remand a decision of the Washoe County Director of Planning and Building to reduce the appellant’s short-term rental (STR) occupancy from eight (8) persons to four (4) persons based on a reduction in designated parking from two (2) spaces to one (1) space. The appellant is requesting an occupancy of eight (8) persons with two (2) parking spaces.

- Appellant: Matthew Castagnola
- Property Owner: Matthew J & Bernadette M Castagnola
- Location: 916 Harold Dr, Unit #36  
Incline Village, NV 89451
- APN: 131-140-36
- Parcel Size: 0.001 acre
- Master Plan: Tahoe – Fairway

- Regulatory Zone: Tahoe – Fairway
- Area Plan: Tahoe
- Development Code: Authorized in Article 912, Establishment of Commissions, Boards and Hearing Examiners
- Commission District: 1 – Commissioner Hill
- Staff: Courtney Weiche, Senior Planner  
Washoe County Community Services Department  
Planning and Building
- Phone: 775.328.3608
- E-mail: [cweiche@washoecounty.gov](mailto:cweiche@washoecounty.gov)

**B. [Special Use Permit Case Number WSUP24-0014 \(Virginia Peak Telecom Tower\)](#) [For Possible Action] – For hearing, discussion, and possible action to approve a special use permit for a commercial lattice tower antenna at Virginia Peak, an existing telecommunications site; to vary height standards from 35’ to 104’; and to waive standards for parking and landscaping. The new facility will consist of a 100-foot-tall lattice microwave tower with an antenna reaching 104 feet.**

- Applicant: NV Energy
- Property Owner: H&N Properties, LLC
- Location: 0 Rodero Dr
- APN: 076-580-02
- Parcel Size: 421.86 acres
- Master Plan: Rural
- Regulatory Zone: General Rural
- Area Plan: Truckee Canyon
- Development Code: Authorized in Article 810, Special Use Permit and Article 324, Communication Facilities
- Commission District: 5 – Commissioner Herman
- Staff: Eric Young, Senior Planner  
Washoe County Community Services Department  
Planning and Building
- Phone: 775.328.3613
- E-mail: [eyoung@washoecounty.gov](mailto:eyoung@washoecounty.gov)

**C. [Special Use Permit Case Number WSUP24-0016 \(Lead with Horses\)](#) [For Possible Action] – For hearing, discussion, and possible action to approve a special use permit for a new commercial stable use type for the purpose of establishing an equine assisted therapy and education facility. The proposed use will include boarding up to thirty (30) horses and site improvements to support the facility. The applicant is also requesting to modify applicable parking and landscaping requirements.**

- Applicant/Property Owner: Lead With Horses
- Location: 2575 Lakeshore Drive
- APN: 050-330-03
- Parcel Size: 9.849 acres
- Master Plan: Rural Residential (RR)
- Regulatory Zone: Low Density Rural (LDR)
- Area Plan: South Valleys
- Development Code: Authorized in Article 810, Special Use Permits

- Commission District: 2 – Commissioner Clark
- Staff: Julee Olander, Planner  
Washoe County Community Services Department  
Planning and Building
- Phone: 775.328.3627
- E-mail: [jolander@washoecounty.gov](mailto:jolander@washoecounty.gov)

**D. Special Use Permit Case Number WSUP24-0017 (Cat Shelter) [For Possible Action] –** For hearing, discussion, and possible action to approve a special use permit to expand an existing commercial kennel and allow for a new cat sanctuary to include the addition of a 4,000 SF cat shelter, a 3,750 SF indoor multi-purpose facility, and 5,000 SF outdoor multi-purpose facility at a site with an existing commercial kennel.

- Applicant/Property Owner: Canine Rehabilitation Center & Cat Sanctuary
- Location: 555 US Hwy 395 S
- APN: 046-080-16
- Parcel Size: 5.2 acres
- Master Plan: Commercial (C)
- Regulatory Zone: General Commercial (GC)
- Area Plan: South Valleys
- Development Code: Authorized Article 302, Allowed Uses & Article 810, Special Use Permits
- Commission District: 2 – Commissioner Clark
- Staff: Julee Olander, Planner  
Washoe County Community Services Department  
Planning and Building
- Phone: 775.328.3627
- E-mail: [jolander@washoecounty.gov](mailto:jolander@washoecounty.gov)

**E. Special Use Permit Case Number WSUP24-0015 (Bryan Canyon Road Pond and Restoration) [For Possible Action] –** For hearing, discussion and possible action to approve a special use permit for major grading resulting in up to 6-acres of land disturbance, 14,754 cy of cut & 14,753 cy of fill, to create a dam structure to build a pond and rectify illegal grading. The application includes a request to vary grading standards to allow for more than 10ft of difference from the natural grade.

- Applicant/Property Owner: SC Advisors, LLC
- Location: 0 Bryan Canyon Road
- APN: 055-301-38
- Parcel Size: 346.48 acres
- Master Plan: Rural
- Regulatory Zone: General Rural
- Area Plan: South Valleys
- Development Code: Authorized in Article 438, Grading and Article 810, Special Use Permits
- Commission District: 2 – Commissioner Clark
- Staff: Courtney Weiche, Senior Planner  
Washoe County Community Services Department  
Planning and Building
- Phone: 775.328.3608

- E-mail: [cweiche@washoecounty.gov](mailto:cweiche@washoecounty.gov)

**9. Chair and Board Items** [Non-action item]

- A. Future Agenda Items
- B. Requests for Information from Staff

**10. Director's and Legal Counsel's Items** [Non-action item]

- A. Report on Previous Board of Adjustment Items
- B. Legal Information and Updates

**11. Public Comment** [Non-action item]

Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

**12. Adjournment** [Non-action item]