



WILDLIFE PRESERVATION WALL

Variance Case Number WPVAR25-0011

Section 110.804.25 Findings

- ▶ (a) Special Circumstances. **Because of** the special circumstances applicable to the property, including either the:(1) Exceptional narrowness, shallowness or shape of the specific piece of property, or (2) By reason of exceptional topographic conditions, or (3) **Other 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;**
- ▶ (b) 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;
- ▶ (c) 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; and
- ▶ (d) 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.

Special Circumstances

- ▶ The property was previously home to one of the largest trees in the State of Nevada, a Fremont Cottonwood standing at 105 feet tall and 42 feet in circumference.
- ▶ The size of the tree and the property's location within migratory bird paths meant the tree was home to substantial wildlife.



Special Circumstances



- ▶ In 2017, the Coulters were forced to remove the tree after it began to split apart.
- ▶ Because the tree was of exceptional size and ecological significance, its removal created a special circumstance that required mitigation.
- ▶ The Coulters undertook efforts to create an arboretum and sanctuary to replace lost habitat and protect the wildlife that had lived in the tree and surrounding area.

Arboretum

- The Coulters embarked on an effort to create an arboretum by planting substantial new trees.
- This effort led to a significant increase in the migratory bird population visiting the area.



Wildlife

The arboretum supports the nesting of:

- Great Horn Owls
- Red Tail Hawks
- Falcons
- White Crowned Finch
- Redhead Finch
- Woodpeckers
- Doves
- Pigeons
- Quail
- Red Wing Blackbirds
- Nevada State Mountain Bluebird
- Blue Jays
- Crows
- Warblers
- Wrens
- Monarch Butterflies



➤ Smaller birds nest in the housing on the habitat structure. The openings to the birdhouse's are small enough to exclude starlings which are invasive.

➤ The arboretum provides safety and protection for the birds and also supports a natural food source for the birds to hunt safely.





Wildlife Preservation Wall

- ▶ To protect and cultivate the local wildlife, the Coulters built the existing Wildlife Preservation Wall to shield the maturing arboretum from high winds and other environmental hazards and protect the migratory bird population which takes refuge in the area.
- ▶ Additionally, the Coulters commissioned the creation of various birdhouses mounted on the wall to provide additional shelter for migratory birds.
- ▶ The height of the wall is necessary to ensure use by the birds; for example, finches prefer nest boxes placed over 8 feet high to ensure safety from predators.



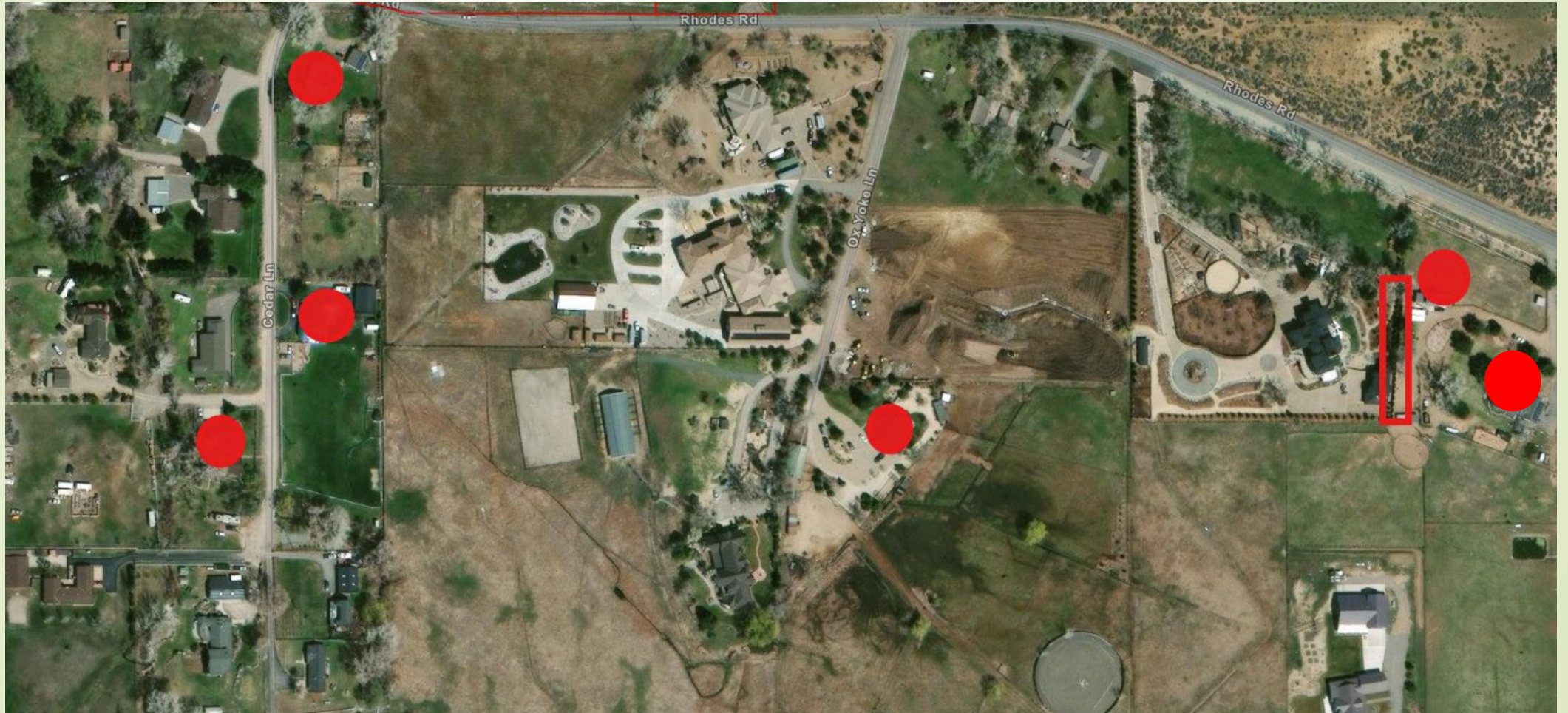






No Detriment & No Special Privileges

- The wall has been in place for years with no incident or issue.
- The Coulters received 8 letters of support from neighbors, including the adjacent property owner; each dot below signifies a neighbor who submitted a letter of support.





No Detriment & No Special Privileges

- ▶ The nature of this property resulting from special circumstances and the necessity to preserve active wildlife places the Coulters in a unique situation, distinct from surrounding properties to mitigate any detriment to wildlife.
- ▶ The preservation wall is not a privilege, but a necessity to protect the **existing** wildlife population.
- ▶ The wall is supported by neighbors and the community. For example, the arboretum is open to UNR's Master Gardener tour and is frequently visited and enjoyed by locals.



Use Authorized

- ▶ The project does not seek to authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property.
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