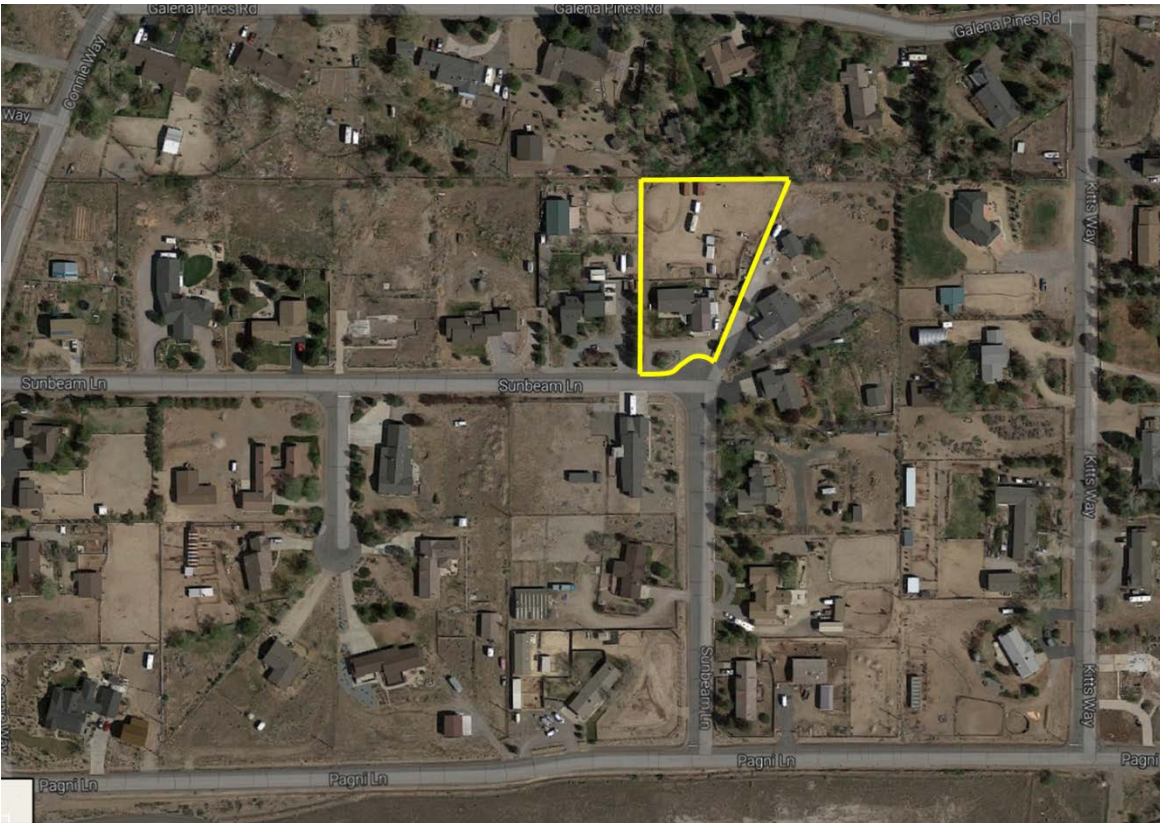


SUNBEAM LANE ABANDONMENT APPLICATION



Prepared by:



September 15, 2016

SUNBEAM LANE ABANDONMENT

Prepared for:

Jerry Havniar
70 Sunbeam Lane
Reno, NV 89521

Prepared by:

Rubicon Design Group, LLC
100 California Avenue, Suite 202
Reno, Nevada 89509
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September 15, 2016

SUNBEAM LANE ABANDONMENT

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Property Tax proof of payment
Title Report
Legal Description
24x36 Site Plan

SUNBEAM LANE - ABANDONMENT

Introduction

This application includes the following request:

- An abandonment application to abandon four (4) feet of right-of-way in front of 70 Sunbeam Lane to bring an existing, County-permitted garage into compliance.

Project Location

The subject property is located at 70 Sunbeam Lane in Pleasant Valley between Interstate 580 and US 395-A and north of Pagni Lane. The parcel affected by the proposed right-of-way abandonment totals 1.022 acres and is identified as APN 045-611-06. The property is zoned Low Density Suburban (LDS) and is used as a single family residence. All neighboring properties are also zoned Low Density Suburban and consist of single family residences. Figure 1 (below) depicts the project location.



Figure 1 – Vicinity Map

SUNBEAM LANE - ABANDONMENT

Project Summary

The existing 1,560 square-foot single family residence was built in 1985. In 2013, the property owner received a building permit to build a new garage onto the front of this residence, which has since been constructed as approved by County staff with Building Permit 13-0005. In June 2016, the property owner received a letter from the Washoe County Department of Building and Safety informing him that the garage was built four (4) feet into the required front yard setback area.

The purpose of this request is to abandon the corresponding four (4) feet of Sunbeam Lane directly in front of the property to bring the existing garage into conformance and avoid the need to tear down the garage and go through the building permit process a second time. Figure 2 (below) shows the area to be abandoned in yellow.



Figure 2 – Proposed Abandonment

SUNBEAM LANE - ABANDONMENT

Impacts

There are effectively no impacts from the proposed change. No new traffic, noise, or other adverse changes will occur. The intensity of use of the area will not change and each parcel will continue to be zoned for a single family house. No new uses will be introduced with this change.

As is demonstrated in Figure 2 (above) existing access patterns will remain functional for all parcels in the area. The abandonment will occur in the bulb area directly in front of the subject parcel where Sunbeam Lane curves. Therefore, the travel lanes themselves will remain the same width and other properties along the bulb will retain their original access. No new driveways or roads are needed.

Zoning Code

The parcel in question is zoned Low Density Suburban (LDS). The subject parcel is 1.022 acres, which is consistent with the minimum lot size of 35,000 square feet in the LDS zone.

Building Envelope

The LDS zone standards include 30-foot front and rear yard setback requirements, along with a 12-foot side yard setback requirement (Washoe County Development Code, Section 110.406.05). Abandonment of the four (4) feet in question will bring the existing garage into compliance with the required 30-foot front yard setback. Side and rear yard setbacks will not be impacted.

Abandonment Findings

Section 110.806.20 of the Washoe County Development Code includes findings that must be made by the Planning Commission in order to approve an abandonment. These findings are listed below in *italics* and are addressed in **bold face** type.

(a) Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the applicable area plans;

The proposed abandonment has no impact on the goals of the Master Plan. Access to all parcels is maintained, no new parcels are being created, and the affected properties will remain in a use (single family housing) that is compatible with the area.

(b) No Detriment. The abandonment or vacation does not result in a material injury to the public; and

The abandonment will have no impact on the public. The overall existing access pattern for all parcels in the area will remain intact.

SUNBEAM LANE - ABANDONMENT

(c) Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

No public utility easements are to be abandoned. The easements in question are access easements only.

Washoe County Development Code, Section 110.806.00

Washoe County Development Code, Section 110.806 defines the procedures for processing an abandonment. This code section, in its entirety, is *included below in italics*, with **explanations/responses in bold**.

Purpose. The purpose of this article, Article 806, Vacations and Abandonments of Easements or Streets, is to provide for the vacation or abandonment of easements or streets.

Section 110.806.05 Requirements for Application. Applications for the vacation or abandonment of a street or easement owned by the County, or a government patent easement, may be initiated by the Board of County Commissioners, Planning Commission, the Director of Community Development or an owner of real property abutting an easement or public street right-of-way through an application to the Department of Community Development or as part of a tentative subdivision map application if the abandonment or vacation application is related to the tentative map proposal. If the application for the vacation or abandonment of an easement or street is included as part of a tentative subdivision application, the noticing of the tentative subdivision map application shall include a description of the street or easement to be vacated or abandoned. No application shall be processed when the information necessary to review and decide upon it is deemed to be incomplete by the Director of Community Development.

Application materials are included. The proposed right-of-way to be abandoned is not part of a tentative subdivision application.

Section 110.806.10 Supplemental Guidelines, Standards and Criteria. In addition to the standards and findings set forth in the Development Code, the Director of Community Development may prepare supplemental guidelines for the submission of applications and minimum standards and criteria for approval of applications.

This application has addressed all applicable standards.

Section 110.806.15 Review Procedures of Planning Commission. The Planning Commission shall review applications for abandonments and vacations in accordance with the provisions of this section.

(a) General Provisions. The Planning Commission shall conduct a public hearing for the purpose of receiving evidence relative to the application. The evidence shall be reviewed to determine if the application is consistent with existing policies, standards and required findings.

The applicant will participate in the required hearing.

SUNBEAM LANE - ABANDONMENT

(b) Time Period for Hearing and Action. The Planning Commission shall hold a public hearing on the application for vacation or abandonment of an easement or street not less than 10 business days after the newspaper notice as required below is first published.

No action required by applicant.

(c) Notice of Planning Commission Hearing.

(1) Notice of Vacation or Abandonment, Only. Notice of a vacation or abandonment application to be heard by the Planning Commission shall be given by mailing to each owner of property abutting or connected to the proposed vacation or abandonment a notice of the proposed vacation or abandonment application through a delivery method that does not require signature of receipt of the notice by the abutting property owner, but does confirm delivery of the notice to the abutting property owner. Mailing of the notice shall occur at least 10 business days prior to the date of the Planning Commission's public hearing. Furthermore, a notice shall be published at least once in a newspaper of general circulation in the County not less than 10 business days prior to the date of the Planning Commission's public hearing.

No action required by applicant.

(2) Notice of Vacation or Abandonment Combined with Tentative Subdivision Map Application. If the vacation or abandonment application is part of a tentative subdivision map application, the notice of the proposed vacation or abandonment shall be contained in the notice for the tentative subdivision map, and each owner of property abutting or connected to the proposed vacation or abandonment shall be provided notice of the combined proposed vacation or abandonment and tentative subdivision notice pursuant to the requirements of subsection (1). Notice shall be published at least once in a newspaper of general circulation in the County pursuant to the requirements of subsection (1).

No action required by applicant.

(3) Notice of Public Utility and Community Antenna Television Company. Each public utility as defined in NRS 360.815 and each community antenna television company as defined in NRS 711.030 serving the area in which an easement or street is proposed to be abandoned shall receive a notice no later than 10 business days prior to the date of the Planning Commission's public hearing on the application. Accompanying the application shall be a request that the public utility and/or community antenna television company indicate in writing whether that entity wishes to have an easement for its purposes provided.

No action required by applicant.

(d) Action by the Planning Commission. Except as provided in Section 110.806.40, if, upon public hearing, the Planning Commission is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The Planning Commission may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. Notwithstanding the final decision of the Planning Commission, if a public utility and/or community antenna television company requests an easement for its purposes pursuant to the notice provided in subsection (c)(3), an easement in

SUNBEAM LANE - ABANDONMENT

favor of the public utility and/or community antenna television company shall be provided and the County shall ensure recordation of same.

The applicant will adhere to any conditions that may be applied and agreed to at a hearing.

Section 110.806.35 Appeals to Board of County Commissioners.

(a) An appeal of the Planning Commission's decision regarding a vacation or abandonment of an easement or street may be appealed to the Board of County Commissioners following the procedure set out in WCC 110.912.20 of the Development Code.

No action required by applicant.

(b) Except as provided in Section 110.806.40, if, upon public hearing on the appeal of the Planning Commission's final action on an abandonment or vacation of an easement or street, the Board is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The Board may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. The action of the Board of County Commissioners shall be final for the purposes of judicial review. Notwithstanding the final decision of the Board of County Commissioners, if a public utility and/or community antenna television company requests an easement for its purposes pursuant to the notice provided in subsection 110.806.15(c)(3), an easement in favor of the public utility and/or community antenna television company shall be provided and the County shall ensure recordation of same.

The applicant will adhere to any conditions that may be applied and agreed to at a hearing.

Section 110.806.40 Utility or Community Antenna Television Company Easement. If a public utility or community antenna television company has an easement over the property, the Planning Commission or the Board, after a hearing on the appeal of the Planning Commission final action, shall provide in its order for the continuation of that easement.

Not applicable.

Section 110.806.45 Legal Description. The applicant shall submit to the Engineering Division, a legal description for the area of the vacation or abandonment prepared by a Nevada Professional Land Surveyor, prior to publication of the order of vacation or abandonment, to the satisfaction of the Engineering Division.

Legal description is included with this application.

Section 110.806.50 Recordation. The order must be recorded in the Office of the County Recorder if all the conditions of the order have been fulfilled and, upon the recordation, title to the street or easement reverts to the abutting property owners in the approximate proportion that the property was dedicated by the abutting property owners or their predecessors in interest.

The applicant will act as required in order to record documents.

SUNBEAM LANE - ABANDONMENT

Section 110.806.55 Sale of Vacated Portion. In the event of a partial vacation of a street where the vacated portion is separated from the property from which it was acquired by the unvacated portion of it, the Board may sell the vacated portion upon such terms and conditions as it deems desirable and in the best interests of the County. If the Board sells the vacated portion, it shall afford the right of first refusal to each abutting property owner as to that part of the vacated portion which abuts his/her property, but no action may be taken by the Board to force the owner to purchase the portion and that portion may not be sold to any person other than the owner if the sale would result in a complete loss of access to a street from the abutting property.

Not applicable.

Section 110.806.60 Payments. If the street was acquired by dedication from the abutting property owners or their predecessors in interest, no payment is required for title to the proportionate part of the street reverted to each abutting property owner. If the street was not acquired by dedication, the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, may make its order conditional upon payment by the abutting property owners for their proportionate part of the street of such consideration as the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, determines to be reasonable. If the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, determines that the vacation has a public benefit, it may apply the benefit as an offset against any determination of reasonable consideration which did not take into account the public benefit.

Not applicable.

Section 110.806.65 Light and Air. Any easement for light and air adjacent to any vacated street is vacated upon the vacation of the street.

Not applicable.

Section 110.806.70 Reservations. In any vacation or abandonment of any street or portion of it, the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, may reserve and except therefrom any easements, rights, or interests therein which it deems desirable for the use of the County or any public utility. The abandonment or vacation of a government patent easement pursuant to this section addresses only the County's interest in the subject easement and cannot be relied upon for purposes of clearing title to the property.

It is unlikely that the easements present any value to the County as they serve privately-owned parcels.

Section 110.806.75 Consistency with Plan. No procedures or approvals that are provided for in this article may be in contravention to the Master Plan.

This request has no impact on Master Plan policies or implementation.

SUNBEAM LANE - ABANDONMENT

Section 110.806.80 Reapplication. When an application for a vacation or abandonment of an easement or street has been denied, a subsequent application for the same easement or street right-of-way shall not be submitted for the next six (6) consecutive months commencing from the date of the final action by the Planning Commission or Board of County Commissioners, whichever is later.

No action required by applicant.

Community Services Department
Planning and Development
ABANDONMENT APPLICATION



Community Services Department
Planning and Development
1001 E. Ninth St., Bldg A
Reno, NV 89520

Telephone: 775.328.3600

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

Project Information		Staff Assigned Case No.: _____	
Project Name: Sunbeam Lane Abandonment			
Project Description: Request to abandon four (4) feet of right-of-way adjacent to a developed parcel.			
Project Address: 70 Sunbeam Lane			
Project Area (acres or square feet): 1.022			
Project Location (with point of reference to major cross streets AND area locator): Pleasant Valley west of US 395A and north of Pagni Lane			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
045-611-06	1.022	<i>LDS</i>	
Section(s)/Township/Range: S07/T17/R20			
Indicate any previous Washoe County approvals associated with this application: Case No.(s). Building Permit 13-0005			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Jerry Havniear		Name: Rubicon Design Group	
Address: 70 Sunbeam Lane		Address: 100 California Avenue, Suite 202	
Reno, NV	Zip: 89521	Reno, NV	Zip: 89509
Phone: 775-849-2250	Fax:	Phone: 775-425-4800	Fax:
Email: jhavniear@charter.net		Email: mrambo@rubicondesigngroup.com	
Cell:	Other:	Cell: 775-393-0035	Other:
Contact Person: Jerry Havniear		Contact Person: Michele Rambo	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Jerry Havniear		Name:	
Address: 70 Sunbeam Lane		Address:	
Reno, NV	Zip: 89521		Zip:
Phone: 775-849-2250	Fax:	Phone:	Fax:
Email: jhavniear@charter.net		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: Jerry Havniear		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Abandonment Application Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to vacations and abandonments may be found in Article 806, Vacations and Abandonments of Easements or Streets.

1. What is the abandonment being requested?

This request is to abandon four (4) feet of right-of-way on Sunbeam Lane in front of APN 045-611-06. Please see the included supporting documents for exact location and measurements.

2. On which map or document (please include with application) is the easement or right-of-way first referenced?

Street right-of-way is shown as part of Sunrise Estates on Tract Map #1855 (attached to the Title Report).

3. What is the proposed use for the vacated area?

No development will occur along the four (4) - foot abandoned area. The abandonment will be used as part of the required 30-foot front setback area.

4. What replacement easements are proposed for any to be abandoned?

No replacement easements are proposed. The subject parcel, as well as others along Sunbeam Lane, will maintain the legal access that they currently have.

5. What factors exist or will be employed to prevent the proposed abandonment from resulting in significant damage or discrimination to other property in the vicinity?

None. All parcels will maintain their current access points.

6. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the abandonment request? (If so, please attach a copy.)

Yes No

Washoe County Treasurer
 Tammi Davis

Account Detail

[Back to Search Results](#)
[Change of Address](#)
[Print this Page](#)

Washoe County Parcel Information		
Parcel ID	Status	Last Update
04561106	Active	9/8/2016 2:09:47 AM
Current Owner: HAVNIEAR, JERRY		SITUS: 70 SUNBEAM LN WCTY NV
70 SUNBEAM LN RENO, NV 89521		
Taxing District 4000	Geo CD:	
Legal Description		
SubdivisionName SUNRISE ESTATES Lot 6 Block A Township 17 Range 20		

Tax Bill (Click on desired tax year for due dates and further details)					
Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Balance Due
2016	\$1,880.47	\$470.12	\$0.00	\$0.00	\$1,410.35
2015	\$1,875.03	\$1,875.03	\$0.00	\$0.00	\$0.00
2014	\$1,820.42	\$1,820.42	\$0.00	\$0.00	\$0.00
2013	\$1,661.88	\$1,661.88	\$0.00	\$0.00	\$0.00
2012	\$1,785.24	\$1,785.24	\$0.00	\$0.00	\$0.00
Total					\$1,410.35

Important Payment Information

- ALERTS:** If your real property taxes are delinquent, the search results displayed may not reflect the correct amount owing. Please contact our office for the current amount due.
- For your convenience, online payment is available on this site. E-check payments are accepted without a fee. However, a service fee does apply for online credit card payments. See Payment Information for details.

Pay Online

Payments will be applied to the oldest charge first.

Select a payment option:

Total Due \$1,410.35
 Oldest Due \$470.12
 Partial

[ADD TO CART](#)

\$0.00

Pay By Check

Please make checks payable to:
WASHOE COUNTY TREASURER

Mailing Address:
 P.O. Box 30039
 Reno, NV 89520-3039

Overnight Address:
 1001 E. Ninth St., Ste D140
 Reno, NV 89512-2845

- Payment Information**
- Special Assessment District**
- Installment Date Information**
- Assessment Information**

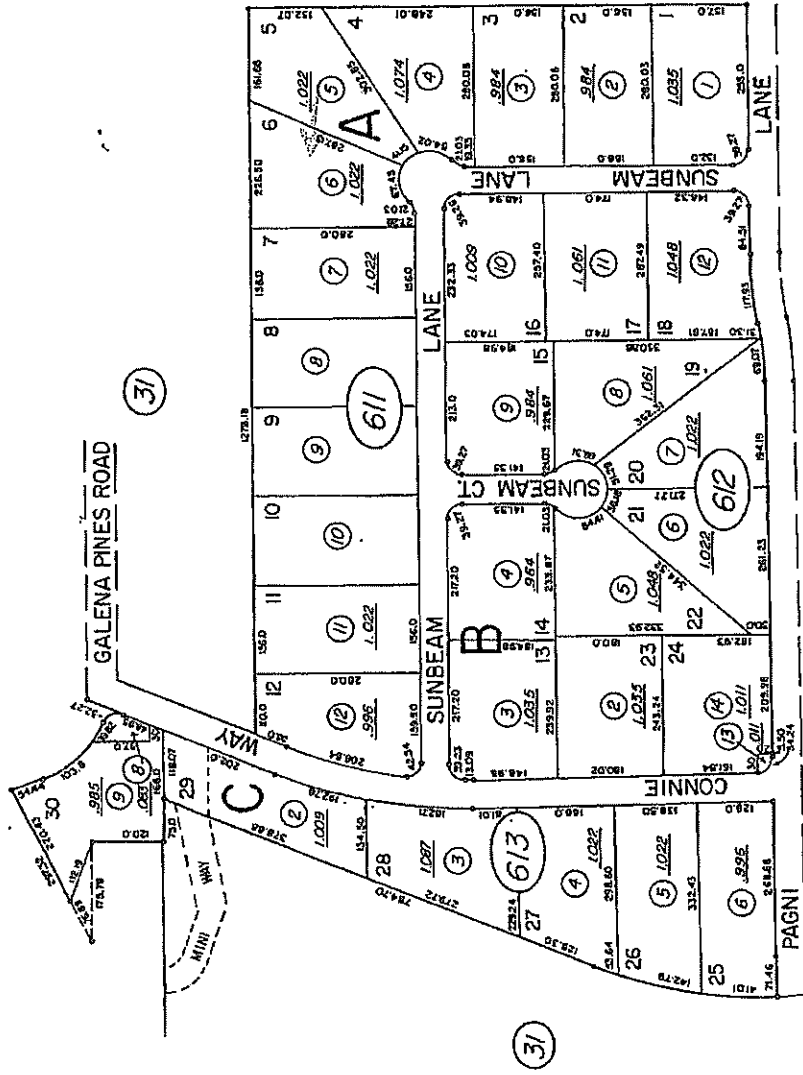
The Washoe County Treasurer's Office makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. If you have any questions, please contact us at (775) 328-2510 or tax@washoecounty.us

This site is best viewed using Google Chrome, Internet Explorer 11, Mozilla Firefox or Safari.



45-61

SUNRISE ESTATES



BOOK 46

Drawn by	CFB 7/79
Revised	9/82 4/85
Superseded	

Assessor's Map County of Washoe, Nevada
 NOTE - ASSESSOR'S BLOCK NUMBERS SHOWN IN ELLIPSES
 ASSESSOR'S PARCEL NUMBERS SHOWN IN CIRCLES

NOTE: This Map is prepared for the use of the Washoe County Assessor for Assurment and illustrative purposes only. It does not represent a survey of the premises. No liability is assumed as to the sufficiency or accuracy of the data delineated hereon.

LEGAL DESCRIPTION
FOR
AREA OF ABANDONMENT
A.P.N. 045-611-06

BEGINNING at the most Southeasterly corner of said A.P.N. 045-611-064, said point also being the Southeast corner of Lot 6, Block A, Sunrise Estates, Subdivision Tract Map No. 1855, Official Records of Washoe County, Nevada. S 28°53'51" W, a distance of 4.00 feet;

THENCE through a non-tangent curve to the left, having a radius of 46.00 feet, through a central angle of 77°17'13", a distance of 62.05 feet, a chord bearing of S 80°15'14" W, a chord distance of 57.45 feet;

THENCE through a reverse, non-tangent curve to the right, having a radius of 17.00 feet, through a central angle of 48°11'23", a distance of 14.30 feet, a chord bearing of S 65°42'19" W, a chord distance of 13.88 feet;

THENCE S 89°48'00" W, a distance of 8.94 feet;

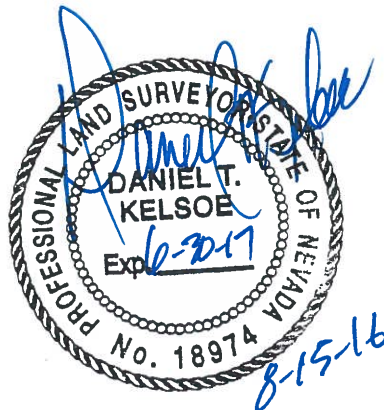
THENCE through a non-tangent curve to the left, having a radius of 25.00 feet, through a central angle of 48°11'23", a distance of 21.03 feet, a chord bearing of N 65°42'19" E, a chord distance of 20.41 feet;

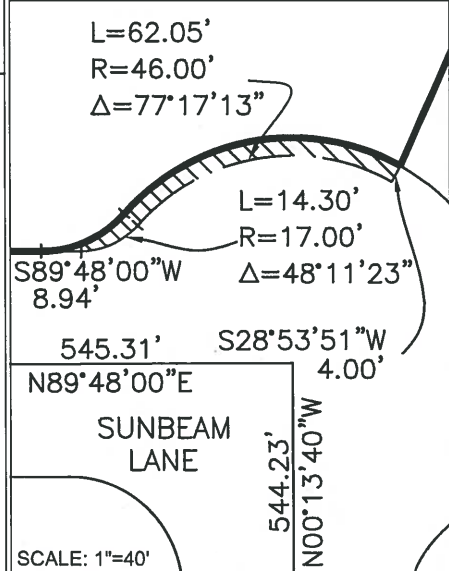
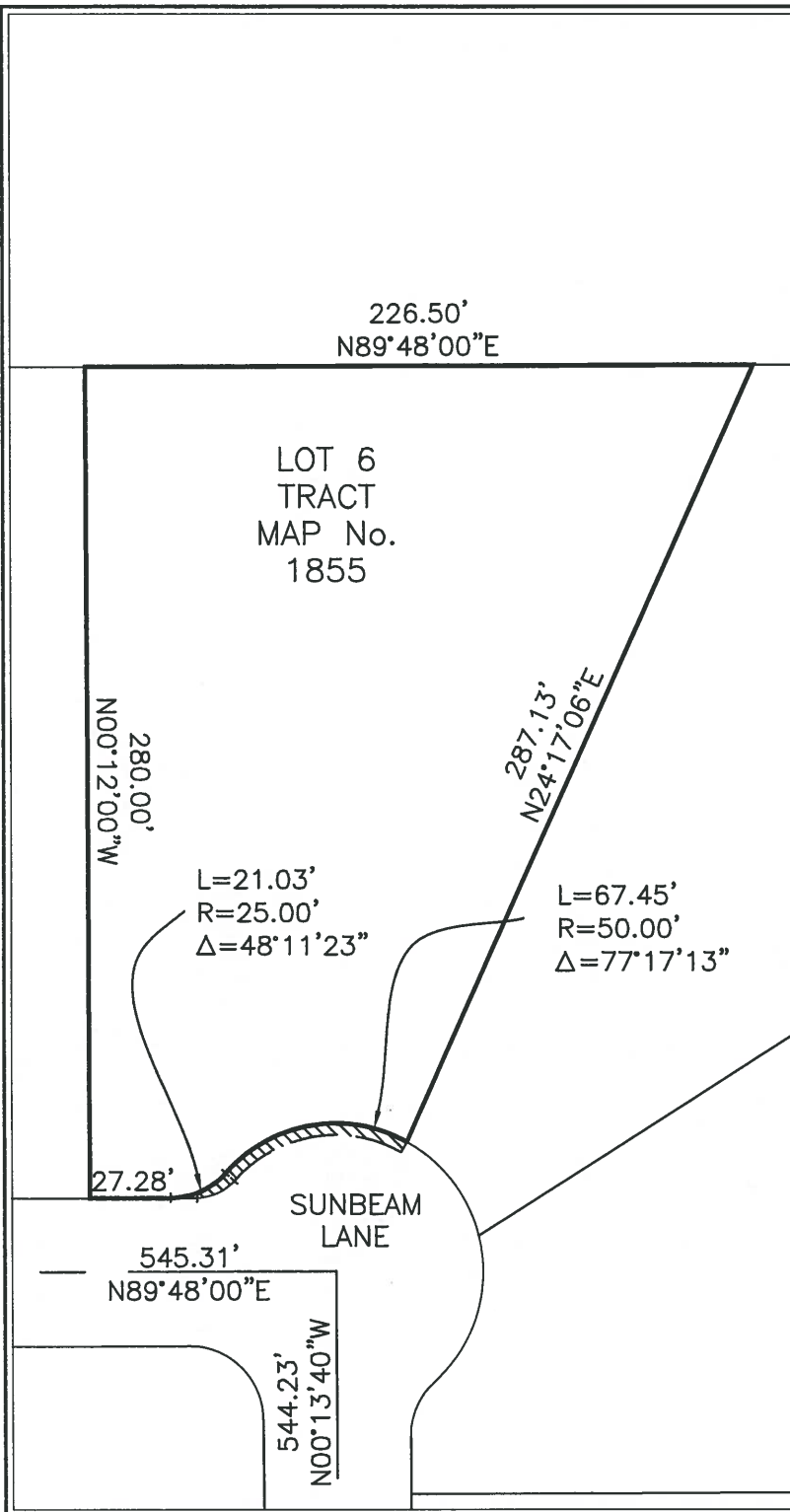
THENCE through a reverse curve to the right, having a radius of 50.00 feet, through a central angle of 77°17'13", a distance of 67.45 feet, a chord bearing of N 80°15'14" W, a chord distance of 62.45 feet, to the **POINT OF BEGINNING**.

CONTAINING: 305.5 Square Feet, more or less

BASIS OF BEARINGS: The Basis of Bearings for this document is the same as that shown on Subdivision Tract Map No. 1855, Sunrise Estates.

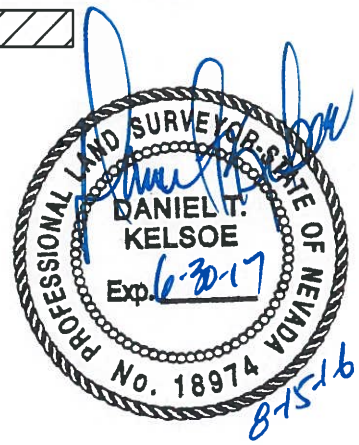
Daniel T. Kelsoe, PLS 8419
Prepared by the Firm of:
Robison Engineering Co.
846 Victorian Ave, Suite 20
Sparks, Nevada 89431
775-852-2251





SCALE: 1"=40'

AREA TO BE ABANDONED:
305.5 SQUARE FEET



Robison Engineering
COMPANY, INC.
846 VICTORIAN AVENUE
SPARKS, NV 89431
www.robisoneng.com
775-852-2251

DRAWN: DTK
DATE: 2016-08-15

PREPARED FOR:
JERRY HAVNIEAR
RENO, NV

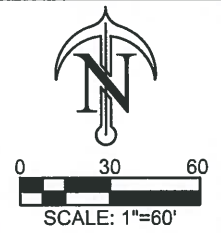


EXHIBIT B
RIGHT-OF-WAY ABANDONMENT
70 SUNBEAM LANE
RENO, NEVADA
APN 045-611-06
EXHIBIT TO ACCOMPANY
LEGAL DESCRIPTION
WASHOE COUNTY CALIFORNIA
PROJECT NO. 1-667-08.001