



BOARD OF ADJUSTMENT MEETING MINUTES

Board of Adjustment Members

Robert F. Wideman, Chair

Mary S. Harcinske, Vice Chair

Philip J. Horan

Richard "R.J." Cieri

Kim Toulouse

William Whitney, Secretary

Thursday June 7, 2012

1:30 p.m.

Washoe County Commission Chambers
1001 East Ninth Street
Reno, NV

WASHOE COUNTY BOARD OF ADJUSTMENT

Minutes

June 7, 2012

The regular meeting of the Washoe County Board of Adjustment was scheduled for Thursday, June 7, 2012 at 1:30 p.m., in the Washoe County District Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. Determination of Quorum

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

Members present: Robert Wideman, Chair
Mary S. Harcinske
Philip Horan
Richard "R.J." Cieri

Members absent: Kim Toulouse

Staff present: Bill Whitney, Acting Director, Community Development
Trevor Lloyd, Senior Planner, Community Development
Eva Krause, AICP, Planner, Community Development
Grace Sannazzaro, Planner, Community Development
Greg Salter, Deputy District Attorney, District Attorney's Office
Dawn Spinola, Recording Secretary, Community Development

2. Pledge of Allegiance

Member Horan led the pledge to the flag.

3. Ethics Law Announcement

Deputy District Attorney (DDA) Salter recited the Ethics Law standards.

4. Appeal Procedure

Mr. Whitney recited the appeal procedure for items heard before the Board of Adjustment.

5. Public Comment

Cathy Brandhorst discussed challenges faced by the homeless.

6. Approval of Agenda

In accordance with the Open Meeting Law, Member Horan moved to approve the agenda of June 7, 2012. The motion, seconded by Member Harcinske, passed by a vote of four in favor and none against, Member Toulouse absent.

7. Approval of Minutes

Member Harcinske moved to approve the minutes of April 5, 2012. The motion was seconded by Member Horan and passed four in favor and none against, Member Toulouse absent.

8. Consent Items

None

9. Project Review Items

Agenda Item 9A

PUBLIC HEARING: Administrative Permit Case No. AP12-005 - Lake Tahoe SummerFest - To approve an administrative permit and outdoor community event business license for the Lake Tahoe SummerFest, an outdoor concert event to be held at the Sierra Nevada College in Incline Village, Nevada on August 3, 4, 5, 10, 11, 12, 17, 18 and 19, 2012. The proposed outdoor concerts will be held between the hours of 6:30 p.m. and 8:30 p.m. on August 3, 4, 10, 11, 17 and 18, 2012 (Fridays and Saturdays) and between the hours of 3:00 p.m. and 5:00 p.m. on August 5, 12 and 19, 2012 (Sundays). The concerts will be unamplified classical music venues located within a portable awning erected on the College for the event. Primary participant and spectator parking will be within the College campus, with additional off-site (overflow) parking at the Church at the intersection of Tahoe Boulevard and Country Club Drive and IVGID Recreation Facility, if needed. Event organizers estimate that approximately 1,300 participants and spectators will take part in the event during any one three-day event period, with a maximum of 500 participants and spectators on any one day of the event. Based on the testimony and evidence presented at the hearing, to include the report of reviewing agencies, the Board of Adjustment may approve the issuance of the administrative permit and business license with conditions, or deny the application.

- Location: Sierra Nevada College, 291 Country Club Drive, Incline Village, NV
- Assessor's Parcel No.(s): 127-040-10 (College), 130-050-01 (Church) and 127-040-07 (IVGID Recreation Center)
- Parcel Size: 17.05 acres (College), 1.4 acres (Church) and 16.2 acres (Recreation Center)
- Regulatory Zone(s): PSP
- Area Plan: Tahoe/Incline Tourist
- Citizen Advisory Board: Incline Village/Crystal Bay
- Commission District: 1 - Commissioner John Breternitz
- Development Code: Authorized in Article 310, Temporary Uses and Structures, and WCC Chapter 25, Business License Ordinance
- Section/Township/Range: Within Section 23, T16N, R18E, MDM, Washoe County, NV

Chair Wideman opened the public hearing.

Ms. Krause reviewed the staff report dated May 25, 2012.

Member Cieri noted the hours of the concerts noted in the staff report appeared to be different than the hours listed in the conditions. Ms. Krause explained she had changed the the conditions to allow them extra time for setup and teardown and the conditions contained the correct information.

Member Horan pointed out the parking at the church may be constrained as it was under construction and a substantial amount of equipment was being stored there. Ms. Krause clarified the church parking was part of the original proposal but was no longer being considered as an option.

Member Horan noted that was a congested area, particularly in the summertime evenings as people were leaving the lake for the day. He asked if there was to be any type of traffic control. Ms. Krause explained there was traffic control on site but the responsible agencies had not required it for the public streets.

Mr. Whitney suggested Ms. Krause could pass the comment along to the appropriate agencies for their consideration.

Applicant Madylon Meiling stated the event was associated with the Shakespeare Festival and supported by the community. She explained the tickets were sold online and there were a finite number. Patrons would not be able to arrive unannounced and purchase tickets on site. Regarding traffic, they were encouraging staggered arrival and carpooling and intended to monitor it and adapt as necessary as the events progressed.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Individual members voiced their support of the project.

Member Cieri moved to approve conditionally Administrative Permit Case No. AP12-005 - Lake Tahoe SummerFest. The motion was seconded by Member Harcinski and passed by a vote of four in favor and none against, Member Toulouse absent.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan, Tahoe Area Plan and the Incline Village Tourist Community 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 for an outdoor concert series 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; and

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.

Agenda Item 9B

PUBLIC HEARING: Administrative Permit Case No. AP12-004 - Everett Detached Garage - To allow the building of an accessory structure (garage and carport) that is bigger than the existing main dwelling.

- Location: 475 Tranquil Drive, Sparks NV
- Assessor's Parcel No.(s): 534-273-05
- Parcel Size: 1.33 Acres
- Regulatory Zone(s): LDS
- Area Plan: Spanish Springs
- Citizen Advisory Board: Spanish Springs CAB
- Commission District: 4 – Commissioner Robert Larkin
- Development Code: Authorized in Article 808, Administrative Permits
- Specific Plan: Within the Spanish Springs Area Plan
- Section/Township/Range: Within Section 25, T21N, R20E, MDM, Washoe County, NV

Chair Wideman opened the public hearing.

Ms. Krause reviewed the staff report dated May 25, 2012. She pointed out a deed restriction would be required that would restrict the use of the new structure to accessory uses only, not as a dwelling.

Member Harcinske noted she did not remember a deed restriction requirement in the past. Ms. Krause explained that was part a recent code change which allowed more fixtures in an accessory unit. That change could potentially allow the unit to become living quarters unless the deed restriction was in place.

Applicants Allayne and William Everett offered to answer any questions.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Horan moved to approve Administrative Permit Case No. AP12-004 - Everett Detached Garage. The motion was seconded by Member Harcinske and passed by a vote of four in favor and none against, Member Toulouse absent.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Spanish Springs 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 for a large accessory structure, 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; and
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.

Agenda Item 9C

PUBLIC HEARING: Special Use Permit Case No. SB12-007 – Hidden Valley Fire Station – To temporarily expand a Safety Service facility by installing a manufactured home (built to commercial coach standards) to be used as living quarters for professional firefighters.

AND

PUBLIC HEARING: Variance Case No. VA12-002 – To reduce the front yard setback from 20 feet to 15 feet to allow for the placement of the manufactured home.

- **Location:** 3255 Hidden Valley Drive, approximately 100 feet west of the intersection of Hidden Valley Drive and Pelham Drive
- **Assessor's Parcel No.:** 051-122-10
- **Parcel Size:** 0.326 acres
- **Regulatory Zone:** Medium Density Suburban (MDS)
- **Area Plan:** Southeast Truckee Meadows
- **Citizen Advisory Board:** Southeast Truckee Meadows
- **Commission District:** 2 – Commissioner David Humke
- **Development Code:** Authorized in Articles 302, Allowed Uses; 810, Special Use Permits; 410 Building Placement Standards; and 804 Variances
- **Section/Township/Range:** Within Section 22, T19N, R20E, MDM Washoe County, NV

Chair Wideman opened the public hearing.

Ms. Krause reviewed the staff report dated May 25, 2012. She explained the project was being conditioned as temporary, which in this case was approximately two to four years. It was being developed in response to the division of the fire departments to serve the residents of the Hidden Valley area. The unit itself was proposed to be a manufactured building to be used as housing for permanent, professional staff.

Ms. Krause demonstrated the lot was fully utilized and the new structure could not be placed anywhere other than the proposed location, necessitating the variance. The Fire Department had worked with the Citizen's Advisory Board to alleviate concerns regarding the appearance of the existing building, landscaping, paving, lights and sirens and they had voted unanimously in favor of both the variance and the special use permit (SUP).

Ms. Krause pointed out the conditions stated the variance and SUP expire July 1, 2016. If they wished the use to continue, they would be required to reapply. She explained the use was not detrimental to the area and that there were unusual restrictions on the lot itself.

Member Cieri noted the variance request was for different setbacks in separate areas of the staff report and Ms. Krause verified it was for a two-foot reduction.

Member Harcinske requested and received verification that this would be a full-time staffed station.

Keith Hill, Hidden Valley Country Club (HVCC) Golf Club Superintendent, stated the building would be on top of the easement for the water line that served the golf course and originated at a pump on the fire department lot. The building would hinder HVCC's ability to repair or upgrade the line.

Member Horan asked who had given HVCC the easement. Mr. Hill replied he had been informed of its existence but had not been able to locate validation documentation.

Member Cieri asked if Washoe County Engineering had seen the application and Ms. Krause replied they had prepared and submitted it. She displayed a drawing submitted by Engineering that showed all of the documented easements on the property and that the building would encroach on the front yard setback, not any easements. Member Cieri asked where the pipes in question were located and Ms. Krause replied she did not know, perhaps Dave Solaro, the acting Public Works Director, could expound.

Mr. Solaro stated that a survey of the site found no other easements than what was documented on the site plan. He stated they had worked with HVCC to provide them with access to the pumps. Member Horan asked if they were aware of any pipes and Mr. Solaro replied they had gone through a thorough process to determine where the utilities and easements were located and had not found any evidence of a pipe in that location.

Cathy Brandhorst discussed dangers faced by firefighters and the military.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

Member Cieri asked Counsel if there would be any legal ramifications if the project was approved and the building was in fact constructed over a pipeline. Deputy District Attorney (DDA) Salter replied there were potential property right issues and the Board may not be able to make the finding that it was not injurious to neighboring properties. He explained it was not up to the Board to decide on land title issues like easements, so that should not be a part of their deliberations. They could, however, make the determination the project was injurious to the neighboring properties.

Member Harcinske opined it may be best to approve the project for two years rather than four, allowing HVCC the opportunity to determine whether the pipe actually existed in that location and was or was not an issue. Since it could not currently be proven the pipe was there, it should not hold up the approval.

Mr. Whitney suggested an additional condition be added allowing HVCC access to the pipe if necessary. He pointed out this project was of utmost importance to the community and it was important it go forward. Chair Wideman asked if HVCC would be allowed access to the pipe with or without a condition and Mr. Whitney replied that might become a legal issue, which should be avoided.

Mr. Solaro explained the proposed structure was temporary and would be placed on a temporary foundation, so there was ample opportunity to access and address any issues with the pipes, if they were actually located there. He did not feel the need for an added condition.

Chair Wideman reiterated this construction was necessitated by the division of the Fire departments, so the public safety need was great and time available to provide it was limited. He acknowledged the testimony about the potential pipe and easement, but given the urgency of the circumstances, was willing to support the requests.

Member Horan moved to approve conditionally Special Use Permit Case No. SB12-007 – Hidden Valley Fire Station. The motion was seconded by Member Cieri and passed by a vote of four in favor and none against, Member Toulouse absent.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southeast Truckee Meadows 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 for the existing fire truck garage with the addition of temporary living quarters, 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, and;
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 Horan moved to approve conditionally Variance Case No. VA12-002 - Hidden Valley Fire Station. The motion was seconded by Member Cieri and passed by a vote of four in favor and none against, Member Toulouse absent.

The motion was based on the following findings:

1. Special Circumstances. Because of the special circumstances applicable to the property, including exceptional shape of the specific piece of property and exceptional situation created by the existing easements, the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
2. 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;
3. 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;

4. 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, and;
5. Effect on a Military Installation. The variance will not have a detrimental effect on the location, purpose and mission of the military installation.

Agenda Item 9D

PUBLIC HEARING: Administrative Permit Case No. AP12-003 – Evans Greenhouse Buildings - To allow the construction of two greenhouse buildings, Phase 1 of 4,000 square feet and Phase 3 of 30,000 square feet, as shown on the attached site plan. Phases 2 and 4, as shown on the site plan, are not requested at this time.

- Location: 31850 Cantlon Drive
- Assessor's Parcel No: 084-282-16
- Parcel Size: ±5.94 acres
- Regulatory Zone: Medium Density Rural
- Area Plan: East Truckee Canyon
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 4 – Commissioner Larkin
- Section/Township/Range: Within Sections 17 & 18 T20N R24E MDM
Washoe County, NV

Chair Wideman opened the public hearing.

Mr. Lloyd reviewed the staff report dated March 15, 2012. He noted the project was originally proposed to be larger than what was being requested but had been scaled back due to mandated limits on lot coverage and required setbacks from the Truckee River. Light emissions were a concern and had been addressed in the conditions. The Citizens Advisory Board (CAB) had not approved or denied the project but had asked the Board consider their concerns, which included the fact the project was commercial, there had been prior grading, concerns about traffic and odor and the potential for contamination of the river.

Bambi Van Dyke, Chair of the East Truckee Canyon CAB, stated all of their questions had been answered at the meeting. Their main concern had been that the water remain classified as an agricultural use rather than being changed to industrial or commercial, which it was. She stated the lights would be beneficial to the neighborhood as the residents had recently been experiencing problems with aggressive wildlife.

Ken Dallimore expressed concerns about setback easements from the river.

Carey Conley opined the project was commercial in nature and therefore did not belong in a residential area.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. None did.

DDA Salter noted for the record that Spencer Scott was present to represent the applicant.

Member Harcinske asked Mr. Lloyd if the setback concerns were addressed and he stated they were through Code requirements.

Chair Wideman wanted to know if the required water rights had been submitted and Mr. Lloyd explained Water Resources would review that prior to issuance of a building permit.

Member Horan asked if they were approving grading that had already been completed and if it had been done in anticipation of the project. Mr. Lloyd replied he did not know when it had been done or how much, but approval of that was not required and part of the current request.

Member Harcinkse moved to approve conditionally Administrative Permit Case No. AP12-003 – Evans Greenhouse Buildings. The motion was seconded by Member Cieri and passed by a vote of four in favor and none against, Member Toulouse absent.

The motion was based on the following findings:

1. Consistency. That, as conditioned, the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the East Truckee Canyon Area Plan;
2. Improvements. That, upon compliance with the conditions of approval imposed by the Board of Adjustment, 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 for two greenhouse structures for the commercial production of crops, and for the intensity of such a development;
4. Issuance Not Detrimental. That, as conditioned, 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; and
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of any military installation.

Agenda Item 9E

PUBLIC HEARING: Special Use Permit Case No. SB12-006 - Amy Ranch Commercial Stables aka High Desert Equine Center – To allow the operation of an equestrian facility for horse boarding, lessons, activities and events.

- Location: 4455 Amy Road
- Assessor's Parcel No: 077-140-06
- Parcel Size: ± 40.00 acres
- Regulatory Zone: General Rural Agricultural (GRA)
- Area Plan: Warm Springs
- Citizen Advisory Board: Warm Springs
- Development Code: Authorized in Article 302 Allowed Uses & Article 810 Special Use Permits

- Commission District: 5 - Commissioner Bonnie Weber
- General Improvement District: Palomino Valley
- Section/Township/Range: Within Section 22 T22 R21 MDM
Washoe County, NV

Chair Wideman opened the public hearing.

Ms. Sannazzaro reviewed the staff report dated May 23, 2012. She noted the stables had been operating commercially for two years and they were applying for approval of the facility, not any type of expansion. The applicant has already received approval for a second, larger facility nearby called Springwood Ranch, which will be completed in the spring of 2013. Many events currently held at Amy Ranch will move to Springwood.

Ms. Sannazzaro explained the applicant had made alterations to lights and sound so that the facility would have less of an impact on neighbors. The speakers were conditioned to only be used during special events. She displayed a table that showed the number of events and days for each type of special events which came to a total of 28 days annually. The CAB had heard many concerns from the public and had voted to recommend approval. Staff had received letters both in support of and against the application.

Ms. Sannazzaro went over the conditions created to mitigate the biggest impacts, which included hours of operation, number of horses, overnight camping limitations, dust control, manure management, water rights and limits on the number of spectators. The sound system hours of operation would be limited to 8 a.m. to 9 p.m. and lighting must be down shielded and turned off by 11 p.m. during the summer and 10 p.m. during the winter. .

Member Harcinske asked if the paddocks met setbacks and Ms. Sannazzaro replied they did.

Member Horan asked what triggered the knowledge that they were operating without a special use permit (SUP) and Ms. Sannazzaro replied there had been a complaint.

Ms. Sannazzaro explained she had reviewed conditions imposed on other stables during her analysis of the project and crafted the proposed conditions based on that research.

The applicant's representative stated they were prepared to answer any questions.

Darla Owen stated she was a neighbor and the sound system was a disturbance. She requested the conditions be altered to require the speakers to point down toward the floor of the arena. She requested Amy Ranch Stables be held to the same event time limitations as were placed on Springwood, and limitations be placed as to the number of consecutive days events could be held.

Jeff Wiggins, Chair of the Warm Springs CAB, noted the zoning in the area recently changed and that there were still ongoing negotiations about a portion of those changes, namely, number of horses allowed for boarding without a permit. He opined the Warm Springs zoning made the area unique. He pointed out Fire code had different regulations for more than 100 or 100 or fewer people so limiting it to 40 seemed inconsistent.

Ms. Sannazzaro explained to the Board she had spoken with Joan Presley, Truckee Meadows Fire Protection District, who was adamant the spectator count be limited to 40 for safety reasons. There were liability issues and the applicant had no objections to the condition. Regarding the sound system hours of use, Ms. Sannazzaro reiterated the days and hours were very limited and felt the restrictions in place were reasonable.

Chair Wideman asked her to comment on the request the speakers be pointed at a different angle and she suggested they speak to the applicant about the compromise. Member Cieri asked if there had been any complaints about the speakers over the last two years of operation and Ms. Sannazzaro replied she did not believe so.

Member Horan asked why the hours of operation for the Amy Ranch Stables were to be different than those imposed on Springwood. Ms. Sannazzaro stated the heat of the day was too much for the horses and Springwood has an enclosed facility. As Amy Ranch is outdoors, more of the events would need to be held in the evenings. Applicant's Representative Joe Juneau explained the majority of the events, including roping, happen in the summertime and therefore needed to be held in the evening when it is cooler. Member Horan expressed concern about allowing the event to go on until 10:00 p.m.

Chair Wideman asked if there was anything stopping the applicant from directing the speakers away from the resident's homes and Mr. Juneau replied there was not. He pointed out they had removed 50% of the speakers when they found out about the neighbor's concerns. Eric Anderson, Bighorn Consulting, reiterated Springwood Ranch would have an indoor arena that could be used for evening events. Therefore, the outdoor events would be ending at an earlier time and the lighting would not be a concern to the neighbors.

Chair Wideman closed the public hearing and asked if any Board members wished to provide disclosures. Member Cieri indicated he had signed a letter stating his awareness of the facility. Chair Wideman asked if that would affect his ability to judge the matter fairly and appropriately and Member Cieri replied it would not.

Member Cieri stated that cases like this in the past had been conditioned so that if there were three bona fide complaints within a certain time period, the SUP would be revoked and the applicant would have to reapply and bring the case back to the Board. He suggested that be considered for this project. Member Harcinske noted that on some cases they had placed a condition requiring a review 12 months after approval.

Discussion ensued regarding what substantiated a valid complaint and what type of complaint triggered the condition. Draft language was compiled for a new condition requiring the applicant to come before the Board if three valid complaints were received during a 12-month period. Member Cieri disagreed with the proposed language for the condition and indicated he was uncomfortable with the fact that three of any type of complaint could trigger the condition. He felt a complaint about the sound issue was valid and could be easily mitigated, but other potential complaints about things like dust and manure odor were not easily controlled and one windy day could put the stable out of business with the proposed limitations.

Member Harcinske pointed out they would not be out of business but would be required to come back to the Board for review of their permit.

Member Horan noted the applicant had indicated a willingness to work with the neighbors and they should trust the system. He explained to Ms. Owens she was welcome to speak publicly at any Board meeting to express her concerns.

Chair Wideman stated he was in support of adding a condition that triggered a review, but the details were not coming together, so it was better to let it go and let the system work as intended. Mr. Whitney noted approval of the SUP required the business to continue to function under all initial and operational conditions, which included most of what was being discussed. Chair Wideman reiterated the new condition should not be added.

DDA Salter requested a recess at 3:36 p.m. and Chair Wideman granted him five minutes. The meeting reconvened at 3:39 p.m.

Member Cieri stated he would abstain from voting and had no further comments.

Member Horan moved to approve conditionally Special Use Permit Case No. SB12-006 - Amy Ranch Commercial Stables. The motion was seconded by Member Harcinske and passed by a vote of three in favor and none against, Member Cieri abstaining and Member Toulouse absent.

The motion was based on the following findings:

1. Consistency. That the proposed commercial stable facility, ancillary uses, and special events are consistent with the action programs, policies, standards and maps of the Master Plan and the Warm Springs 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 for a commercial stable facility, including ancillary uses and special events, and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the special use 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; and
5. Effect on a Military Installation. Issuance of the special use permit will not have a detrimental effect on the location, purpose, or mission of any military installation.

10. Chair and Board Items

DDA Salter noted for the record that Special Use Permit Case No. SB12-002, AT&T Mobility at Incline Village High School, had been withdrawn and no action was required.

11. Director's Items

Member Horan complimented staff on their outstanding presentations.

12. Other Items

None.

13. Public Comment

Cathy Brandhorst spoke of public safety concerns.

14. Adjournment

There being no further business to come before the Board of Adjustment, the meeting adjourned at 3:47 p.m.

Respectfully submitted,

Dawn Spinola, Recording Secretary

Approved by Board in session on August 2, 2012

William Whitney
Secretary to the Board of Adjustment