



WASHOE COUNTY BOARD OF ADJUSTMENT Notice of Meeting and Agenda

Thursday, May 4, 2023
1:30 p.m.

Board of Adjustment Members

Clay Thomas, Chair
Rob Pierce, Vice-Chair
Don Christensen
Kathie Julian
Brad Stanley

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)

- **Amendment of Conditions Case Number WAC23-0002 (Black Rock 360)**
- **Administrative Permit Case Number WADMIN23-0004 (Eagle Place DAS)**
- **Administrative Permit Case Number WADMIN23-0005 (Gambler's Run Music Festival)**
- **Special Use Permit Case Number WSUP23-0009 (449 Lakeshore Blvd)**
- **Special Use Permit Case Number WSUP22-0033 (Mason Family Trust)**
- **Special Use Permit Case Number WSUP23-0010 (Amos Residence)**

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) by 4:00 p.m. the business day immediately preceding the meeting. Staff cannot accept thumb drives.

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. The County will make reasonable efforts to send all email comments received by 4:00 p.m. on May 3, 2023, 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. 9th Street, Bldg. A); and has been electronically posted at 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 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). 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. Support material is 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, you may appeal the decision in writing within ten (10) calendar days from the date that the decision being appealed is reduced to writing, filed with the Secretary of the Board of

Adjustment, and mailed to the original applicant in the proceeding being appealed, in accordance with Washoe County Code. Please call the Planning staff immediately at (775) 328-6100 for information on the appeal procedure and application fee.

AGENDA

1:30 p.m.

1. Determination of Quorum [Non-action item]

2. Pledge of Allegiance [Non-action item]

3. Ethics Law Announcement [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 May 4, 2023 Agenda [For possible action]

7. Approval of the [April 6, 2023](#) 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. [Amendment of Conditions Case Number WAC23-0002 \(Black Rock 360\)](#) [For Possible Action] – For hearing, discussion, and possible action to approve an amendment of conditions for Case Number WSUP21-0012, in order to amend the approved site plan and to extend the expiration date of the special use permit for an additional 3-years to meet the conditions from Washoe County Health District and NDEP, concerning water and wastewater management.

- Applicant/Property Owner: Burning Man Project
- Location: 550 State Route 34
- APN: 071-150-01
- Parcel Size: 360 acres
- Master Plan: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: High Desert
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 5 – Commissioner Herman
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

B. Administrative Permit Case Number WADMIN23-0004 (Eagle Place DAS) [For Possible Action] – For hearing, discussion, and possible action to approve an administrative permit for a 4,000 square foot detached accessory structure that is larger than the residence on the same parcel of land. The residence on the parcel is 3,000 square feet.

- Applicant/Property Owner: Nevada B Story and Marilyn J Story
- Location: 5204 Eagle Place, approximately 500 feet east of its intersection with Broken Spur Road
- APN: 077-560-13
- Parcel Size: ± 2.5 acres
- Master Plan: Rural Residential
- Regulatory Zone: High Density Rural
- Area Plan: Warm Springs
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 5 – Commissioner Herman
- Staff: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3622
- E-mail: rpelham@washoecounty.gov

C. Administrative Permit Case Number WADMIN23-0005 (Gambler’s Run Music Festival) [For Possible Action] – For hearing, discussion, and possible action to approve an administrative permit for an outdoor community event business license for the Gambler’s Run Music Festival. The event will be held at Crystal Bay Casino, 14 State Route 28, and approximately 800 people will be in attendance on each day of the festival. The dates of the festival are July 14-16, 2023, with outdoor activities being held from noon to 8:00 PM.

- Applicant: Crystal Bay Casino
- Property Owner: Miracle Investments LLC
- Location: 14 State Route 28
- APN: 123-042-15
- Parcel Size: 2.923 acres
- Master Plan: Tahoe – Crystal Bay Tourist
- Regulatory Zone: Tahoe – Crystal Bay Tourist
- Area Plan: Tahoe
- Development Code: Authorized in Article 808, Administrative Permits
- Commission District: 1 – Commissioner Hill
- Staff: Katy Stark, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3618
- E-mail: krstark@washoecounty.gov

D. Special Use Permit Case Number WSUP23-0009 (449 Lakeshore Blvd) [For Possible Action] – For hearing, discussion, and possible action to approve a special use permit to allow for a driveway to traverse a slope of thirty (30) percent or greater; to construct a permanent earthen structure greater than 4.5 feet in height within the required front yard setback; excavation of 1,000 cubic yards on slopes greater than 15%; and grading of one-half (0.5) acre (21,780 sf) or more on parcels less than six acres in size. The proposal is also requesting to

vary standards found in Washoe County Code (WCC) Section 110.438.45(a) to allow slopes in excess of, or steeper than, three horizontal to one vertical (3:1); WCC Section 110.438.45(d) to allow retaining walls taller than four and one-half (4.5) feet within the front yard setback; and WCC Section 110.438.45(c) to allow finished grading to vary from the natural slope by more than ten (10) feet in elevation.

- Applicant / Property Owner: Myers Family Trust
- Location: 449 Lakeshore Blvd
- APN: 123-250-08
- Parcel Size: 1.32 acres
- Master Plan: Crystal Bay (CB)
- Regulatory Zone: Tahoe_Crystal Bay (TA_CB)
- Area Plan: Tahoe
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 1 – Commissioner Hill
- Staff: Chris Bronczyk, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3612
- E-mail: cbronczyk@washoecounty.gov

E. [Special Use Permit Case Number WSUP22-0033 \(Mason Family Trust\)](#) [For Possible Action] – For hearing, discussion, and possible action to approve a special use permit to allow a ±584 sq. ft. detached accessory dwelling unit on a parcel with the regulatory zoning of medium density suburban (MDS) as required by Washoe County Code 110.306.25.

- Applicant / Property Owner: Robert and Shari Mason Family Trust
- Location: 7295 Lingfield Drive
- APN: 051-561-08
- Parcel Size: 15,158 square feet
- Master Plan: Suburban Residential
- Regulatory Zone: Medium Density Suburban
- Area Plan: Southeast Truckee Meadows
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 4 – Commissioner Andriola
- Staff: Courtney Weiche, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3608
- E-mail: cweiche@washoecounty.gov

F. [Special Use Permit Case Number WSUP23-0010 \(Amos Residence\)](#) [For Possible Action] – For hearing, discussion, and possible action to approve a special use permit for major grading of 2,630 cubic yards of cut material and 2,350 cubic yards of fill material on slopes of 15% or greater, disturbing a total of 85,787 square feet (1.97 acres) to provide for driveway access and building pads for a single-family dwelling and accessory structures. The applicant is also seeking to vary the following standards from Article 438: Section 110.438.45(c).

- Applicant / Property Owner: Amos Living Trust

- Location: 0 Andrew Lane
- APN: 017-350-54
- Parcel Size: 5.64 acres
- Master Plan: Suburban Residential and Rural
- Regulatory Zone: Low Density Suburban 18% and General Rual 82%
- Area Plan: South Valleys
- Development Code: Authorized in 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

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]