



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: January 14, 2020

DATE: December 13, 2019

TO: Board of County Commissioners

FROM: Julee Olander, Planner, Planning and Building Division, Community Services Department, 328-3627,
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THROUGH: Mojra Hauenstein, Arch., Planner, Division Director, Planning & Building Division, Community Services Department, 328-3619,
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SUBJECT: Public Hearing: Appeal of the Washoe County Board of Adjustment's approval of Special Use Permit Case Number WSUP19-0018 (Foothill Storage) to approve a special use permit to allow for the storage of operable vehicles on a 0.9-acre site at 1525 Geiger Grade for the property and business owner Mark and Melanie Hain. (Commission District 2.)

SUMMARY

The appellant, Mark and Melanie Hain are seeking to overturn the Washoe County Board of Adjustment's (BOA) approval on October 3, 2019. The appellant is appealing the approved conditions of approval concerning the use of King Lane and paving the parking area.

Washoe County Strategic Objective supported by this item: Stewardship of our Community.

PREVIOUS ACTION

On September 5, 2019, the special use permit (SUP) was heard by the South Truckee Meadows/Washoe Valley Citizen Advisory Board (STM/WV CAB). The CAB recommended to approve the use at the site and to forward the CAB minutes.

On October 3, 2019, the SUP was considered in a public hearing before the BOA. The BOA approved the SUP, with conditions. All members were in favor and the Board was able to make all of the findings.

BACKGROUND

The SUP was approved with conditions and the appellant is requesting that the following conditions be removed:

- 1-d. The applicant shall use Geiger Grade to enter and exit the site and King Lane shall be gated and used for emergency use only.

AGENDA ITEM # _____

- 1-g. The applicant shall pave all driveways and roadway on the site and stored vehicles with engines shall be parked on paved spaces and other stored parking spaces may be gravel.
- 1-h. The applicant shall provide a parking management plan showing the location of driveways and parking spaces and state the type of surface material on the driveway areas and parking spaces before the business license is approved.
- 2-e. Provide documentation confirming that both legal access and the right to maintain/improve King Lane have been granted to the site.
- 2-k. Prior to using King Lane as access to the site, improve King Lane, between the site access and Kivett Lane, to minimum public or private street standards in accordance with Article 110. 436, Street Design Standards. If King Lane remains a private street, the construction improvement drawings shall be included in the building/grading permit application. If King Lane is to be offered for dedication to Washoe County and constructed to County standards; the King Lane construction improvement drawings shall be submitted to the Engineering and Capital Projects Division through the Construction Plan Review application and process, and shall be approved prior to issuance of the building/grading permit.

The applicant has an existing business for storage of operable vehicles on the adjacent parcel (APN: 017-051-05) which was approved with permit SB16-021. This permit allowed the applicant to enter the site on King Lane and exit on Geiger Grade. The applicant was intending to use the same entrance and exit for the new business on APN: 017-051-04. The applicant states that King Lane has been used as a roadway since the 1950's, however no documentation was included with the application showing that the applicant had the right to maintain and/or access King Lane. The County shows King Lane as a parcel with an unknown ownership and is viewed as an unimproved dirt access easement.

The applicant's appeal is also requesting that condition 1-g for the parking areas be removed. Washoe County Code 110.410 requires that the surface of parking areas be paved with asphalt or cement. There was discussion at the BOA meeting to possibly vary the paving standards, however the condition was not changed.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners affirm the decision of the Board of Adjustment and uphold the approval of Special Use Permit Case Number WSUP19-0018, with the approved conditions.

POSSIBLE MOTION

Should the Board agree with the Board of Adjustment's approval of Special Use Permit Case Number WSUP19-0018 (Foothill Storage), staff offers the following motion:

“Move to deny the appeal and affirm the decision of the Board of Adjustment to approve Special Use Permit Case Number WSUP19-0018 (Foothill Storage), with the approved

conditions. The approval is based upon the ability to make the findings required by WCC Section 110.804.25, *Findings*.

Should the Board disagree with the Board of Adjustment's approval of Special Use Permit Case Number WSUP19-0018 (Foothill Storage) and amend the conditions of approval, staff offers the following motion:

“Move to approve the appeal and reverse the decision of the Board of Adjustment for Special Use Permit Case Number WSUP19-0018 (Foothill Storage) removing conditions 1-d, g, & h and 2-e & k. The approval is based on the Board's ability to make all four of the findings required by WCC Section 110.804.25, *Findings*.”

Attachments:

- Attachment A: Appeal Application dated 10/15/19
- Attachment B: Board of Adjustment Signed Action Order
- Attachment C: Board of Adjustment Staff Report dated 10/3/19
- Attachment D: BOA Minutes dated 10/3/19
- Attachment E: STM/WV CAB minutes dated 9/5/19

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