



# WASHOE COUNTY BOARD OF ADJUSTMENT DRAFT Meeting Minutes

## Board of Adjustment Members

Clay Thomas, Chair  
Kristina Hill, Vice Chair  
Lee Lawrence  
Brad Stanley  
Kim Toulouse  
Trevor Lloyd, Secretary

Thursday, October 3, 2019  
1:30 p.m.

Washoe County Administration Complex  
Commission Chambers  
1001 East Ninth Street  
Reno, NV

The Washoe County Board of Adjustment met in regular session on Thursday, October 3, 2019, in the Washoe County Administrative Complex Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

## 1. \*Determination of Quorum

Chair Thomas called the meeting to order at 1:31 p.m. The following members and staff were present:

Members present: Clay Thomas, Chair  
Brad Stanley  
Kristina Hill, Vice-Chair  
Kim Toulouse

Members absent: Lee Lawrence

Staff present: Trevor Lloyd, Planning Manager, Planning and Building Division  
Chad Giesinger, Planning Manager, Planning and Building Division  
Julee Olander, Planner, Planning and Building Division  
Chris Bronczyk, Planner, Planning and Building Division  
Sophia Kirschenman, Park Planner, Planning and Building Division  
Donna Fagan, Recording Secretary, Planning and Building Division

## 8. Public Hearings

The Board of Adjustment may take action to approve (with or without conditions), modify and approve (with or without conditions), or deny a request. The Board of Adjustment may also take action to continue an item to a future agenda.

**B. Special Use Permit Case Number WSUP19-0018 (Foothill Storage)** – For possible action, hearing, and discussion to approve a special use permit to allow for the storage of operable vehicles on a 0.9 acre site at 1525 Geiger Grade.

- Applicant/Property Owner: Mark & Melanie Hain
- Location: 1525 Geiger Grade
- APN: 017-051-04
- Parcel Size: 0.9 acres
- Master Plan: Commercial

- Regulatory Zone: General Commercial (GC)
- Area Plan: Southeast Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in 302, Allowed Uses & 810, Special Use Permits
- Commission District: 2 – Commissioner Lucey
- Staff: Julee Olander, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3627
- E-mail: [jolander@washoeCounty.us](mailto:jolander@washoeCounty.us)

Chair Thomas opened the public hearing. Chair Thomas asked for member disclosures. There were no member disclosures.

Julee Olander, planner, provided a staff report and presentation.

Member Stanley said we are considering King Lane versus Geiger Grade and paving versus non-paving of the storage lot. He asked are we considering the staff recommendation. Ms. Olander noted the conditions of approval with paving where there are vehicles with motors and gravel for storage of non-motors such as trailers; and the possibility of paving King Lane, if the applicant wishes to use it. Chair Thomas asked about access. Ms. Olander showed on the map the access off of King Lane for the new business location and exit to Geiger Grade from the old business. Ingress from King Lane and egress to Geiger Grade.

Member Hill asked if they are required to merge the property. Ms. Olander said no, they just need to get a business license for the new location.

Mark Hain, Foothill Storage owner/applicant, provided a PowerPoint slideshow.

Member Toulouse asked who the road belongs to. Ms. Olander said its unknown who owns King Lane. It was never dedicated to the County. She said it's recorded as a parcel and being used as a roadway. She said the land surveyor said when it was created it was supposed to be dedicated to the County. Member Toulouse asked if King Lane is a legal easement for Mr. Hain to use. Ms. Olander said she isn't aware of a document that has given any individuals to use it that way; she said he could have prescriptive rights. She said she isn't aware of any document. Member Toulouse asked if the County would be ok if the Board made a condition regarding maintenance agreement with the County. Ms. Olander said she would have to ask Engineering or perhaps Mr. Lloyd would know. Mr. Lloyd said we don't have enough knowledge to change the condition. Chair Thomas said NDOT allows access from Geiger Grade. It's a legal access. Member Stanley asked if the condition can be met. Ms. Olander said if King Lane could be brought up to standards and dedicated, then we could move forward with the documentation. Member Stanley asked if she didn't recommend King Lane. She said that her approach is to use Geiger since it's a public right-of-way but Mr. Hain has to reconfigure the driveways. King Lane can be used for emergency access. Member Toulouse asked if the County would be ok to change condition (d) until the King Lane legal easement can be established. Ms. Olander said King Lane is an unimproved road; even if we could resolve the ownership of King Lane, it would need to be brought up to County standards for trucks to use. Commercial sites don't typically use dirt roads for access. Member Toulouse asked if Mr. Hain would be ok with updated condition. Mr. Hain said no. He explained how he was advised to use King Lane. He wanted to know why he is the only one not allowed to use King Lane. He wondered if it's discrimination. He said it's been used as a road since 1957.

Chair Thomas made it clear that the Board isn't looking to discriminate against Mr. Hain. Chair Thomas asked the percentage of the lot to be paved in asphalt. Mr. Hain said they would install pavers to help with water flow and spoke about gravel. He added if he is required to have a certain percentage of pavers it would limit the number of different vehicles that can be parked there. He recommended oil pans. It would alleviate problems. Chair Thomas asked what percentage of his current inventory has motors. Mr. Hain said 4 out of 40 vehicles.

Melanie Hain spoke about the access lane. She said there would a lot of traffic entering the old property from Geiger Grade. She said they are asking for one way ingress access from King Lane and egress from the old property onto Geiger Grade. NDOT cannot voice an opinion.

Public Comment:

Bruce Bacon said he lives on King Lane, directly behind the proposed storage. He said there are a lot of incorrect statements being made. He said there are embellishments. He said he wrote a letter to the CAB. He said it's detailed and addresses the issues. He said the SUP from 2006 was not properly completed. NDOT has never received an application from Mr. Hain. Washoe County's review of the 2019 SUP is not adequate. He said Washoe County's report said it's an empty lot and but has been illegally operating for a year. He said it's operating without a building permit. It has been bulldozed. He objects based on article 2 and 4. He said Mr. Hain filled in the drainage ditches and they have had to be re-dug. He said he dedicated 25 foot strip to Washoe County. He said this needs to be continued until it can be addressed.

There were no requests for public comment; Chair Thomas closed the public comment.

Richard Oujevolk, 'OJ', NDOT District 2 Traffic Engineer Supervisor, was present to answer questions. Chair Thomas asked if NDOT approves access from Geiger Grade. OJ said a property cannot be land locked per NRS. Geiger Grade can be used if King Lane cannot be used. He showed the parcel map. Chair Thomas asked if there were considerations given to safety. OJ said they reviewed the crash data and it doesn't raise any concerns. It's lower than the crash rate. OJ said because the lots are 108 feet commercial lots, there is land locking issues and they have to afford everyone access. OJ said this portion of the road were part of the LRTP upgrade for 2027. He said we cannot deny access due to their land lock issue. Member Stanley asked if OJ ha an opinion on King Lane. OJ said secondary access would be great but he said they cannot address land use. He said they have to afford them access.

Member Stanley said after hearing everyone and reviewing information, King Lane seems too ambiguous to use and recommend not allowing it. He asked if they are voting to approve this with the use of Geiger Grade only until King Lane is resolved for access. Member Hill said that is how the staff wrote it. King Lane is just a parcel; they cannot give permission to access from there. They need to change their layout for Geiger Grade access. Member Toulouse agreed and added there isn't enough evidence regarding King Lane legal access. He would like to see legal documentation first before approving; he indicated he would like to approve it as staff presented it.

Ms. Olander requested direction regarding pavement of asphalt/cement or pavers. Mr. Lloyd said this Board can vary the standards; if you decided on pavers, it will vary the concrete/asphalt standards. Member Toulouse asked if the County is ok to change condition 1(g) to insert word 'pavers' instead of paved. Mr. Lloyd said there is nothing in code, but rather a preference by this Board to decide to choose pavers. Member Toulouse said he wasn't sure if they have the same environmental protection because you typically don't see pavers at commercial. Mr. Pelham, senior planner, said in his experience, concrete pavers have been accepted as an approved standard. Member Hill said pavers are not conducive to plowing snow. She said she didn't believe it was appropriate for commercial use, but Mr. Hain is a paver contractor.

Chair Thomas said the current site has 10% vehicles with motors. He wondered if the Board wanted to put a number on the pavement on the new site. Member Hill said runoff can be mitigated with asphalt with drainage.

Member Stanley moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number WSUP19-0018 for Mark & Melanie Hain, having made all five findings in accordance with Washoe County Code Section 110.810.30. Member Hill seconded the motion which carried unanimously.

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 storage of operable vehicles 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;
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.

**11. \*General Public Comment and Discussion Thereof**

With no requests for public comment, Chair Thomas closed the public comment period.

**12. Adjournment**

Meeting adjourned at 5:17 p.m.

Respectfully submitted by Misty Moga, Independent Contractor

Approved by Board in session on \_\_\_\_\_, 2019

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Trevor Lloyd  
Secretary to the Board of Adjustment