



WASHOE COUNTY BOARD OF ADJUSTMENT Meeting Minutes

Board of Adjustment Members

Rob Pierce, Chair
Don Christensen, Vice Chair
Kathie Julian
Peter Ghishan
Leo A. Horishny

Thursday, December 5, 2024
1:30 p.m.

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

Secretary

Trevor Lloyd

and available via
Zoom Webinar

1. Determination of Quorum

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

Members Present: Rob Pierce, Chair
Don Christensen, Vice Chair
Kathie Julian (via Zoom)
Peter Ghishan
Leo A. Horishny*

Members Absent: None

Staff Present: Courtney Weiche, Senior Planner, Planning and Building Division
Eric Young, Senior Planner, Planning and Building Division
Julee Olander, Planner, Planning and Building Division
Elizabeth Hickman, Deputy District Attorney, District Attorney's Office
Adriana Albarran, Recording Secretary, Planning and Building Division
Brandon Roman, Recording Secretary, Planning and Building Division

2. Pledge of Allegiance

Chair Pierce led the pledge of allegiance.

3. Ethics Law Announcement and Instructions for Providing Public Comment via Zoom/Telephone

Deputy District Attorney Elizabeth Hickman recited the Ethics Law standards and the instructions for providing public comment via Zoom/telephone.

***1:32 p.m. Member Horishny arrived.**

4. Appeal Procedure

Secretary Trevor Lloyd recited the appeal procedure for items heard before the Board of Adjustment.

5. Public Comment

There was no response to the request for public comment.

6. Approval of the December 5, 2024, Agenda

Chair Pierce announced there was a request that Agenda Item 8.E. be heard second, which he would accommodate.

In accordance with the Open Meeting Law, Member Ghishan moved to approve the agenda of December 5, 2024, as modified. Chair Pierce seconded the motion, which carried unanimously.

7. Approval of the November 7, 2024, Draft Minutes

Member Horishny moved to approve the minutes of November 7, 2024, as written. Chair Pierce seconded the motion, which carried unanimously.

8. Public Hearing Items

A. Appeal of Decision Case Number WSTR21-0283 (STR Appeal – 916 Harold Drive #36)

– For hearing, discussion, and possible action to affirm, modify, reverse, or remand a decision of the Washoe County Director of Planning and Building to reduce the appellant’s short-term rental (STR) occupancy from eight (8) persons to four (4) persons based on a reduction in designated parking from two (2) spaces to one (1) space. The appellant is requesting an occupancy of eight (8) persons with two (2) parking spaces.

- Appellant: Matthew Castagnola
- Property Owner: Matthew J & Bernadette M Castagnola
- Location: 916 Harold Dr, Unit #36
Incline Village, NV 89451
- APN: 131-140-36
- Parcel Size: 0.001 acre
- Master Plan: Tahoe – Fairway
- Regulatory Zone: Tahoe – Fairway
- Area Plan: Tahoe
- Development Code: Authorized in Article 912, Establishment of Commissions, Boards and Hearing Examiners
- Commission District: 1 – Commissioner Hill
- Staff: Courtney Weiche, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3608
- E-mail: cweiche@washoecounty.gov

Chair Pierce indicated this item was postponed until a later date.

E. Special Use Permit Case Number WSUP24-0015 (Bryan Canyon Road Pond and Restoration) – For hearing, discussion and possible action to approve a special use permit for major grading resulting in up to 6-acres of land disturbance, 14,754 cy of cut & 14,753 cy of fill, to create a dam structure to build a pond and rectify illegal grading. The application includes a request to vary grading standards to allow for more than 10ft of difference from the natural grade.

- Applicant/Property Owner: SC Advisors, LLC
- Location: 0 Bryan Canyon Road
- APN: 055-301-38
- Parcel Size: 346.48 acres
- Master Plan: Rural
- Regulatory Zone: General Rural
- Area Plan: South Valleys
- Development Code: Authorized in Article 438, Grading and 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

Senior Planner Courtney Weiche conducted a PowerPoint presentation and reviewed slides with the following titles or descriptions: Applicant Request; Location; Background; Site Plan; Area of Disturbance; Cross Sections; Cut/Fill Analysis; two photos; Public and Agency Comment; Findings; and Possible Motion.

Ms. Weiche noted the staff report erroneously included a request to vary grading standards to allow for more than ten feet of difference from the natural grade. However, the grading section was recently amended and that was allowed with approval of a special use permit (SUP). She went over the features on the subject parcel and reviewed the history of the grading, noting the item was scheduled in response to an administrative penalty notice by Code Enforcement. Since then, the applicant reduced the size of the pond and the dam. She stated enforcement action was halted pending the outcome of this hearing. She remarked a water right change application would need to be approved by the Nevada Division of Water Resources.

Ms. Weiche explained that the engineer's memo contained three narratives that were not intended to be included as conditions of approval, and those were conditions 2.a., 2.b., and 2.x.

On the call for public comment. Mr. Jeffrey Phillips expressed concern via Zoom about the adequacy of the dam, saying failure could result in water washing onto his property. He noted the nearby culvert filled up quickly during rain and snow events, and he proposed that it be enlarged for that contingency.

Mr. Stan Haskell said he provided an easement to the applicant so he could access his land. He spoke about a flooding event in 2017 where runoff nearly filled the entire culvert. He expressed concern about dam failure, which could damage his road and his house, and he urged the Board to consider that when making its decision.

Mr. John Kerry wondered how pond water would be circulated to prevent mosquitoes, especially since the property did not have electricity. Should the County be released from liability, he felt the owner should be required to have a \$10 million liability policy.

Member Julian asked for clarification about the conditions recommended for removal. Senior Licensed Engineer Janelle Thomas explained that engineer response memos typically separated discussion items and conditions of approval, and in this case three discussion items were inadvertently placed in the wrong section.

Member Julian requested more information about the use of water for non-irrigation purposes. Ms. Thomas responded dedication of water rights was outside the purview of Washoe County Engineering and would be addressed directly by the State of Nevada. The applicant would be required to provide documentation proving adequate water rights and that they were being used in the proper manner.

Regarding liability, Deputy District Attorney Elizabeth Hickman said Washoe County could only require the waiver of liability as to the County. Beyond that, it would be a private party to private party liability situation. She was unsure whether the facts in the record would allow the Board of Adjustment (BOA) to include a condition regarding maintenance of liability proportional to the project.

Member Julian inquired about the requirement to hold neighborhood meetings. Secretary Trevor Lloyd said staff had a list of applications for which meetings were required, and grading was not one of them. Ms. Hickman added that the issue of grading was before the Board; dam permits were issued through the Division of Water Resources. Mr. Lloyd said staff would be responsible for ensuring the dam complied with the standards imposed for such a construction. Ms. Thomas mentioned that, as proposed, the dam would trigger the need for a dam permit as it did not meet the State's criteria for height or volume. The conditions of approval incorporated all conditions the State would require for a dam permit.

Member Horishny asked about the criteria for a dam permit, wondering whether the applicant was staying below those thresholds to avoid liability. Ms. Thomas said the State defined a dam as a structure greater than 20 feet in depth and containing 20 acre feet of water or more. Greg Stedfield with Resource Concepts displayed a graphic showing that the dam was well below the jurisdictional size. He said he was only brought onto this project for the second SUP application process.

Member Horishny wondered about the size of the original dam. Mr. Lloyd said he would research that and provide an answer later in the item. Mr. Stedfield calculated that the size of the original proposal was around six acres, and the majority of the grading in this application was to restore the grade and revegetate the area. He pointed out the exhibits in the application were not final designs and plans would likely evolve. The operations and maintenance of the pond would be determined through Washoe County as part of the grading plan review process.

Member Horishny said he was unclear about how the applicant was connected to the subject property. Mr. Stedfield said there was no structure on the property. Discussion ensued whether that should be taken into account when making a decision.

Member Horishny inquired why the applicant was required to build a pond to maintain his water rights. Chair Pierce stated the BOA was responsible for considering the grading. Ms. Hickman said water rights could generally be lost if the water was not put into use. However, the Board needed to limit its consideration to the five factors under County Code Section 110.810.30.

Vice Chair Christensen wondered why the pond was being constructed. Mr. Stedfield replied it was for water impoundment and recreational fishing. Member Christensen said he did not like the project the first time and was disinclined to vote for it now as presented.

Chair Pierce wanted assurance that staff felt this project was safe. Ms. Thomas believed the conditions created by staff addressed public health and safety concerns, which was why staff recommended approval. The downstream culvert would be considered as part of the breach analysis, a requirement of one of the conditions. There would also be a robust emergency action plan. Chair Pierce reminded the Board that it was to only consider the SUP for major grading.

Member Julian wanted confirmation that the earlier denial was for a pond containing 20 acre feet of water. She felt the grading was linked to the dam and the final amount of water involved. Mr. Lloyd was still attempting to locate that figure. Chair Pierce recalled the Board had been primarily concerned with the size of the first proposal, and the applicant was trying in good faith to fix past illegal grading. Mr. Lloyd confirmed that the minutes of the prior meeting indicated the applicant's pond would hold approximately 20 acre feet of water.

Member Julian inquired whether there was a change in how the volume of the two proposals was calculated. Ms. Thomas believed the volumes would always be calculated the same way.

Member Horishny wondered what would happen if the grading were approved but the dam was not. As part of the building permit application, Ms. Thomas replied, staff reviewed them for conformance with the SUP. Any significant changes to the volume of material moved or water stored would require approval by the BOA.

Member Julian said there would be little opportunity for public review in application of the conditions of approval. She wondered why the County planned to remove itself from liability if staff felt the proposal was safe. She wished seismic and hydrological studies had been done prior to the BOA being asked to vote on the matter.

Member Ghishan moved that Special Use Permit Case Number WSUP24-0015 for the applicant be approved with the conditions included as Exhibit A to this matter, except 2.a, 2.b, and 2.x, having made all five findings in accordance with Washoe County Code Section 110.810.30. Chair Pierce seconded the motion, which failed on a vote of 2 to 3 with Vice Chair Christensen and Members Horishny and Julian voting no.

Secretary Trevor Lloyd recited the appeal procedure.

B. Special Use Permit Case Number WSUP24-0014 (Virginia Peak Telecom Tower).— For hearing, discussion, and possible action to approve a special use permit for a commercial lattice tower antenna at Virginia Peak, an existing telecommunications site; to vary height standards from 35' to 104'; and to waive standards for parking and landscaping. The new facility will consist of a 100-foot-tall lattice microwave tower with an antenna reaching 104 feet.

- Applicant: NV Energy
- Property Owner: H&N Properties, LLC
- Location: 0 Rodero Dr
- APN: 076-580-02
- Parcel Size: 421.86 acres
- Master Plan: Rural
- Regulatory Zone: General Rural

- Area Plan: Truckee Canyon
- Development Code: Authorized in Article 810, Special Use Permit and Article 324, Communication Facilities
- Commission District: 5 – Commissioner Herman
- Staff: Eric Young, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3613
- E-mail: eyoung@washoecounty.gov

Senior Planner Eric Young conducted a PowerPoint presentation and reviewed slides with the following titles: Remote Location... Vicinity Map; Request; Site Plan - Small Scale (2 slides); Renderings; Evaluation; Reviewing Agencies; Public Notice; Findings; Additional Findings (2 slides); and Possible Motion. He explained the leased site was a 421-acre portion of a 10,000-acre parcel, and it was the last parcel in the East Truckee Canyon Area Plan before the beginning of the Warm Springs Area Plan.

There was no response to the call for public comment.

Member Horishny said the existing 30-foot tower was very visible from State Route (SR) 447 and wondered why a larger one was necessary. He asked about the coloration of the structure. Mr. Young urged anyone interested in seeing the site to only access it from SR 447. He said the site was chosen because lattice towers, being unaesthetically attractive, and they are limited to predetermined locations. The towers would still be visible, and it would be required to be a neutral color to fit in as best it could. Member Horishny made a request that similar future items contain photos showing views from nearby locations such as highways. Vice Chair Christensen added his request that GPS coordinates be provided for these types of items.

Member Ghishan inquired about fines. Mr. Young responded that State statute laid out the authority of general improvement districts, and this would not be one of the instances where they could impose fines.

Member Horishny moved that Special Use Permit Case Number WSUP24-0014 for NVEnergy be approved, having made all required findings in accordance with Washoe County Code, subject to the conditions contained in Exhibit A to the staff report. Member Julian seconded the motion, which carried unanimously.

2:57 p.m. The Board recessed.

3:07 p.m. The Board reconvened with all Members present.

C. Special Use Permit Case Number WSUP24-0016 (Lead with Horses) – For hearing, discussion, and possible action to approve a special use permit for a new commercial stable use type for the purpose of establishing an equine assisted therapy and education facility. The proposed use will include boarding up to thirty (30) horses and site improvements to support the facility. The applicant is also requesting to modify applicable parking and landscaping requirements.

- Applicant/Property Owner: Lead With Horses
- Location: 2575 Lakeshore Drive
- APN: 050-330-03

- Parcel Size: 9.849 acres
- Master Plan: Rural Residential (RR)
- Regulatory Zone: Low Density Rural (LDR)
- Area Plan: South Valleys
- Development Code: Authorized in Article 810, Special Use Permits
- Commission District: 2 – Commissioner Clark
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander conducted a PowerPoint presentation and reviewed slides with the following titles: Background; Analysis; Site Characteristics; Eastern Area Site Plan; Western Area Site Plan; photos (2 slides); Proposed Structures; Site Development; elevations (2 slides); Traffic; Parking; Water and Sewer Facilities; Manure Management Plan; Modifications - Parking; Modifications - Landscaping (3 slides); Neighborhood Meeting; Noticing; Reviewing Agencies; and Findings and Motion.

AnnMarie Lain with Juniper & Sage, representing the applicant, conducted a slideshow presentation and reviewed slides with the following titles or descriptions: Table of Contents; LEAD with Horses; introductions (3 slides); Additional Attendees; LEAD Current Condition; Car Current Location; Through the Power of Horses; Request; Project Location; Detailed Location; Zoning; Low Density Rural Regulatory Zone; Project Timeline; noticing list; Current Site Conditions; Proposed New Facilities; Concerns; icons; and photos.

Ms. Lain discussed the partnership with LEAD with Horses (LEAD) and the Center for Adoptive Riding. She listed religious assembly, commercial stables, commercial kennels, and wholesale nursery sales as examples of commercial businesses requiring special use permits (SUPs). She estimated this project would generate 63 unique daily trips, which was under the County's threshold triggering a traffic study. Hours of operation would be limited and there would be no use of outdoor speakers, nor would LEAD install any stadium-style lighting. The applicant was working to obtain water rights, she continued, which were required prior to business license approval. She contested the project would not negatively impact property values.

On the call for public comment, Mr. Donn Marier expressed support for the application, adding he was a volunteer with LEAD. He told a story about a child's positive development through the program. He described the business as a stabilizing factor in the community and urged the Board to approve the item.

Ms. Sara Schweppe spoke about her volunteerism with LEAD and her prior military history. She mentioned LEAD's work with veterans experiencing post-traumatic stress disorder, which some found more valuable than other forms of therapy. She reviewed the benefits of the program for children and teens, highlighting how it encouraged them to open up about traumatic experiences and stressors.

Ms. Jeane Spada-Allgood, Executive Director of LEAD, asked the Board to approve the SUP request, saying the existing organization practiced responsible management. She stated LEAD provided a valuable resource to the community and honored the county's western heritage. She discussed her role as a facilitator of equine-assisted counseling and the benefits for those who

attended the program. The new space would allow LEAD to serve more patrons, noting there currently was a waitlist.

Ms. Ashley Belt expressed support for LEAD and talked about her educational experience with horses. She reviewed her history with the organization, starting with her time as a part-time equine specialist through her current role as the barn and facilities manager. She reviewed the four different programs offered by LEAD and said staff had grown from three to ten employees, not counting volunteers. She implored the Board to approve the SUP.

Ms. Irena Salaun noted she lived directly north of the subject parcel. While she understood the value of the services offered, she expressed concern regarding technical issues during the neighborhood meeting and discrepancies in the County's report. Additionally, the area's covenants, conditions, and restrictions (CC&Rs) specified there would be no buildings on the property for fire concerns. She requested a list of who received notice of the meeting and asked that the Board postpone their decision so residents could learn more about the issues.

Ms. Tina Schennum-Springmeyer expressed concern with a commercial business in a residential neighborhood. She said she was not aware of a plan to include an 8,000 square foot barn, and lights on those buildings would impact her view of the night sky. She supported the mission of LEAD but hoped the Board would consider the neighbors' concerns.

Member Julian requested more information about the noticing process. Ms. Olander said she noticed 46 property owners in a 1,000 radius of the subject property. The notices were sent out on November 22.

Member Ghishan asked about the time frames related to the issuance of the SUP. Ms. Olander responded all structures would need to be constructed within the next four years, though the applicant could seek an extension through the Board of Adjustment (BOA). The decision to allow four years was made in part because of challenges involved with obtaining commercial septic services and water rights.

Member Ghishan inquired about the feasibility of the proposal. Silas Callahan with DOWL Engineering said everything was feasible, though effort would be needed in conversion of the property to accommodate the commercial purposes. He believed a well could be installed without issue. He commented the concern over wells running dry was a concern throughout Nevada. He spoke about the need to stay within the provided water rights and to ensure that there would be no detrimental effects.

Member Ghishan brought up the discrepancies mentioned during public comment regarding the number of buildings discussed during the neighborhood meeting and today's presentation. Mr. Callahan acknowledged that one building grew in size between the two meetings and another was relocated to outside the 50-foot setback. Chair Pierce added that he saw a note in the public comment about that barn, leading him to believe it was discussed at the meeting.

Recognizing it was out of the Board's purview, Chair Pierce asked whether CC&Rs were considered. Mr. Callahan said he would need to investigate the matter.

Vice Chair Christensen asked whether the property was in a floodplain. Senior Licensed Engineer Janelle Thomas confirmed it was not.

Member Horishny asked whether two restrooms compliant with the Americans with Disabilities Act (ADA) would be enough to serve LEAD's clients. Ms. Spada-Allgood said there would be two ADA-compliant restrooms with two additional restrooms.

Member Horishny asked about sewage capacity. Ms. Olander responded approval of the SUP would allow the applicant to investigate issues like that. Water and sewer concerns would need to be resolved before approval of a business license.

Member Horishny expressed surprise that the process was this far along and the issue of CC&Rs had not yet been contemplated. Secretary Trevor Lloyd said the applicants might want to consider the CC&R issue, but it was not within the purview of the BOA to consider them since the County had no enforcement authority over them. Ms. Lain indicated the CC&Rs did not show up in the title report, leading her to believe they were not enforceable, but she would investigate the matter further.

Member Julian wondered how the BOA could ensure any promises made during neighborhood meetings were incorporated into projects moving forward, and what would be done if they were not incorporated. Ms. Lain noted the application included conditions to which the applicants would agree, such as prohibitions on stadium lights and outdoor speakers, should the Board want to include them as conditions.

Member Julian asked why they were not included as conditions and whether the BOA had the authority to add them. Deputy District Attorney Elizabeth Hickman said it would be appropriate to add any conditions to which the applicant agreed. She noted the drop-off policy was already included as a condition. Member Julian said she was willing to support the application if those conditions were included in writing. Ms. Olander reminded Member Julian that all proposed conditions were included in the staff report, which was a public record.

Member Julian suggested that a prohibition on stadium lights and speakers, as well as a limit to the hours of operation as detailed in the staff report, be included as conditions. She did not believe that everything listed in staff reports became conditions of approval, making them less easily enforced. Chair Pierce stated he could not support that because of the broad nature of the prohibition, noting speakers and lights might be necessary for safety. Mr. Lloyd agreed that any conditions added should be well defined.

Discussion ensued among the Board, Ms. Lain, and Ms. Olander about the need to include conditions addressing things already covered by the Washoe County Code. It was determined that no specific lighting condition was needed but a restriction against outdoor amplification would be included. Ms. Spada-Allgood confirmed only LEAD's horses would be allowed on site. In response to Member Julian's query, Mr. Lloyd reviewed the lighting requirements in the Code. Ms. Lain commented that operations would cease at 6:00 p.m., so there would not be a need for outdoor lighting except for safety purposes.

Member Ghishan moved to approve the SUP with conditions. Further discussion ensued regarding the conditions that would be included as part of that motion. Mr. Lloyd and Ms. Olander confirmed the specifics of the conditions.

Member Ghishan moved that Special Use Permit Case Number WSUP24-0016 for LEAD with Horses be approved with the conditions included as Exhibit A to this matter, including a prohibition on noise amplification and hours of operation between 7:00 a.m. and 6:00 p.m., seven days a week, having made all five findings in accordance with Washoe County Code Section 110.810.30. He further moved that the development code standards applicable to parking and landscaping requirements be modified as specified in the staff report. Chair Pierce seconded the motion, which passed unanimously.

D. Special Use Permit Case Number WSUP24-0017 (Cat Shelter) – For hearing, discussion, and possible action to approve a special use permit to expand an existing commercial kennel and allow for a new cat sanctuary to include the addition of a 4,000 SF cat shelter, a 3,750 SF indoor multi-purpose facility, and 5,000 SF outdoor multi-purpose facility at a site with an existing commercial kennel.

- Applicant/Property Owner: Canine Rehabilitation Center & Cat Sanctuary
- Location: 555 US Hwy 395 S
- APN: 046-080-16
- Parcel Size: 5.2 acres
- Master Plan: Commercial (C)
- Regulatory Zone: General Commercial (GC)
- Area Plan: South Valleys
- Development Code: Authorized Article 302, Allowed Uses & Article 810, Special Use Permits
- Commission District: 2 – Commissioner Clark
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander conducted a PowerPoint presentation and reviewed slides with the following titles or descriptions: Request; Background (2 slides); Evaluation; Site Characteristics; photos (2 slides); Mater (sic) Plan & Regulatory Zoning; Traffic; Parking and Landscaping; site plan; Front Elevation; Rear Elevation; Floor Plan; Site Development; Noticing; Reviewing Agencies; and Findings and Motion. Two reasons for the four-year term for the special use permit (SUP), she explained, were the challenges with the Nevada Department of Environmental Protection and fundraising issues.

There was no response to the call for public comment.

Member Horishny asked whether this proposal was the same as the one made in 2021. Ms. Olander replied it was primarily the same, though the four-year limit for the SUP was different.

Member Ghishan wondered why an approved occupancy permit was required now when the facility was already in business. Senior Licensed Engineer Janelle Thomas said the Nevada Department of Transportation needed to approve the application to ensure the driveway would be of adequate width given the intensification of the use, but major improvements would not be needed. Ms. Olander confirmed every part of the application would need to be completed within the four-year timeframe, and any instance where the square footage would expand beyond 10 percent of the square footage in this proposal would need to come back to the Board of Adjustment to amend the SUP.

Member Horishny moved that Special Use Permit Case Number WSUP24-0017 for Canine Rehabilitation Center & Sanctuary be approved with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30: Consistency; Improvements; Site Suitability; Issuance Not Detrimental; and Effect on a Military Installation. Vice Chair Christensen seconded the motion, which passed unanimously.

9. Chair and Board Items

A. Future Agenda Items

There were no requests.

B. Requests for Information from Staff

There were no requests.

10. Director's and Legal Counsel's Items

A. Report on Previous Board of Adjustment Items

Secretary Trevor Lloyd mentioned a second reading for an ordinance dealing with care of the infirm, which would take place at the next Board of County Commissioners' meeting. He reminded the Board Members there would be a training for them and the Planning Commission next Monday.

B. Legal Information and Updates

There were no updates.

11. Public Comment

There was no response to the request for public comment.

12. Adjournment

The meeting adjourned at 4:34 p.m.

Respectfully submitted by Derek Sonderfan, Independent Contractor

Approved by Board in Session on January 2, 2025



Trevor Lloyd
Secretary of the Board of Adjustment