



# **Storey County Planning Commission Meeting and Public Workshop Agenda**

Thursday September 5, 2019 6:00 p.m. (Carson  
Water Subconservancy District Floodplain and  
Groundwater display at 5:30 p.m.)  
Virginia City Highlands Fire Station  
2610 Cartwright Road, Virginia City Highlands

*Jim Hindle – Chairman*  
*Jim Collins – Planning Commissioner*  
*Larry Prater – Planning Commissioner*  
*Summer Pellett – Planning Commissioner*

*John Herrington – Vice-Chairman*  
*Kris Thompson – Planning Commissioner*  
*Adrienne Baugh – Planning Commissioner*

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**All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.**

1. **Call to Order at 6:00 p.m.**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Discussion/Possible Action:** Approval of Agenda for September 5, 2019.
5. **Discussion/Possible Action:** Approval of Minutes for August 1, 2019.
6. **Discussion/Possible Action:** Approval of Minutes for August 15, 2019.
7. **Town Hall Meeting Regarding USGS Water Study – Discussion Only:**  
The U.S. Geological Survey (USGS) will present an update on the Highlands Groundwater Investigation. Topics will include: status of the current monitoring network, how to access data, measured groundwater-level change, precipitation, Lousetown Creek seepage and flow, planned project tasks and general question and answer session. County staff has and will continue to collaborate with the USGS and other federal, state, and/or local agencies, as well as residents and stakeholders of the Highlands and recommendations to the board and planning commission to develop recommendations based on findings, and to prepare to report findings upon conclusion of the study. Public questions and comments are encouraged. The Planning Department may be reached at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org) with questions.
8. **Discussion only:** Discussion on the adopted Carson River Watershed Floodplain Management Plan prepared by the Carson Water Subconservancy District.
9. **Discussion/Possible Action:** 2019-038 Variance by applicants Larry Austin and Beth Foates Austin. The applicants request a variance to allow for a reduced front yard setback to construct a detached garage. The applicant proposes a detached garage be placed 11-feet from the front yard roadway easement of Hanaupah Road. The property is located at 4680 Hanaupah Road, Highland Ranches, Storey County, Nevada, Assessor's Parcel Number (APN) 003-401-10.

10. **Presentation (Annual SUP Update):** By Comstock Mining, LLC. (Gold Hill/American Flat) Special Use Permit Holder to present its annual compliance review in accordance with the conditions of Special Use Permit No. 2000-222-A-5.

Note for Items 11, 12 and 13 additional information including, but not limited to, draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org), or viewed online at <http://storeycounty.org/517/Updates>. In addition to the provisions of the NRS, any person may complete and return to the Board a statement supporting or opposing the proposed amendments to the county code and/or zoning ordinance. These items may be heard and discussed together if determined appropriate by the planning commission.

11. **Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning regulating building setback, height, bulk, area, dimension, and density; parking requirements, egress, easements and right-of-ways; accessory structures and buildings; fences, hedges, and barriers; and other properly related matters in the following regulatory zones: CR Commercial-Residential; R1 Single-Family and R2 Multi-Family Residential; E Estate; F Forestry; A Agriculture; I1 Light Industrial and I2 Heavy Industrial; and SPR Special Planning Review zones.
12. **Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning regulating shipping containers and accessory non-dwelling uses in all regulatory zones; watch-persons' accessory dwellings in the I1 Light Industrial, I2 Heavy Industrial, and IC Industrial Commercial zones; accessory dwelling units ("in-law quarters") in the following regulatory zones: CR Commercial-Residential; R1 Single-Family and R2 Multi-Family Residential; E Estate; F Forestry; A Agriculture; and SPR Special Planning Review zones.
13. **Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning modifying, clarifying, elaborating upon, and consolidating land use and other terms and definitions in Chapter 17.10 Definitions and as those terms and definitions apply to and within all regulatory zones and all other provisions in the zoning ordinance.
14. **Discussion Only/No Possible Action:** Map amendments to the Official Storey County Zoning Map, changing zone districts R1 Single-Family Residential to SFR Single-Family Residential, R2 Multi-Family Residential to MFR Multi-Family Residential, I1 Light Industrial to IL Light Industrial, I2 Heavy Industrial to IH Heavy Industrial, and adding IN Neighborhood Industrial to the list of classified zones, affecting all listed zones in Storey County except those located within the annexed portions of the Tahoe-Reno Industrial Center, and other properly related matters.
15. **Discussion/Possible Action:** Determination of next Planning Commission meeting.
16. **Discussion/Possible Action:** Approval of Claims.
17. **Correspondence** (no action)
18. **Public Comment** (no action)
19. **Staff** (no action)
20. **Board Comments** (no action)
21. **Adjournment**

**Notes:**

- There may be a quorum of Storey County Commissioners in attendance, but no action or discussion will be taken by the Commissioners.
- Public comment will be allowed after each item on the agenda (this comment should be limited to the item on the agenda). Public comment will also be allowed at the end of each meeting (this comment should be limited to matters not on the agenda).

- Items on the agenda may be taken out of order, the public body may combine two or more agenda items for consideration, and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.
- Additional information pertaining to any item on this agenda may be requested from Lyndi Renaud, Planning Department (775-847-1144).
- Supporting material is available to the public and may be obtained at <http://www.storeycounty.org/agendacenter> or the Storey County Courthouse, Planning Department, 26 South B Street, Virginia City, Nevada.

**Certification of Posting**

I, Lyndi Renaud, on behalf of the Storey County Planning Commission, do hereby certify that I posted, or caused to be posted, a copy of this Agenda at the following locations on or before August 27, 2019: Virginia City Post Office; Storey County Courthouse; Virginia City Fire Station 71; Virginia City RV Park; Mark Twain Community Center; Rainbow Bend Clubhouse; Lockwood Community Center; Lockwood Fire Station; Virginia City Highlands Fire Station; and the Virginia City Highlands Online Message Board. By Lyndi Renaud, Secretary



**STOREY COUNTY PLANNING  
COMMISSION MEETING**  
Thursday August 1, 2019 6:00 p.m.  
Storey County Courthouse, District Courtroom  
26 South B Street, Virginia City, NV

**MEETING MINUTES**

CHAIRMAN: Jim Hindle

VICE-CHAIRMAN: John Herrington

COMMISSIONERS:

Larry Prater, Kris Thompson, Summer Pellett, Jim Collins

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- 1. Call to Order:** The meeting was called to order by the Chairman at 6:04 P.M.
  - 2. Roll Call:** Jim Hindle, Larry Prater, John Herrington, Jim Collins. **Absent:** Summer Pellett, Kris Thompson (Mark Twain Commissioner vacant).  
**Also Present:** Senior Planner Kathy Canfield, County Manager Austin Osborne, Deputy D.A. Keith Loomis and County Commissioner Jay Carmona.
  - 3. Pledge of Allegiance:** The Chairman led those present in the Pledge of Allegiance.
  - 4. Discussion/Possible Action:** Approval of Agenda for August 1, 2019.  
**Motion:** Amend to combine items 9 through 12, and Approval of Agenda for August 1, 2019, **Action:** Approve, **Moved by** Commissioner Herrington, **Seconded by** Commissioner Prater, **Vote:** Motion carried by unanimous vote (**summary:** Yes=4).  
No Public Comment.
  - 5. Discussion/Possible Action:** Approval of Minutes for May 16, 2019.  
**Motion:** Approve Minutes for May 16, 2019, **Action:** Approve, **Moved by** Commissioner Prater, **Seconded by** Commissioner Collins, **Vote:** Motion carried by unanimous vote (**summary:** Yes=4).
  - 6. Discussion/Possible Action:** Approval of Minutes for June 6, 2019.  
**Motion:** Approve Minutes for June 6, 2019, **Action:** Approve, **Moved by** Commissioner Herrington, **Seconded by** Commissioner Collins, **Vote:** Motion carried by unanimous vote (**summary:** Yes=4).

No Public Comment

7. **Discussion/Possible Action:** Special Use Permit request 2019-032 by Community Chest Inc. The applicant is requesting to operate a childcare facility at the existing Storey County Youth & Community Resource Center exceeding four children. The facility will provide childcare for both pre-school age children in addition to before and after school programs and summer programs for school-age children. The facility is located on property owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02.

**Senior Planner Canfield:** Summarized the request by the applicant. The Community Chest has been providing childcare at this site for a number of years and would like to provide childcare for pre-school age children. This site is zoned public and a special use permit is required for care of more than four children. This application addresses the existing use and to provide for pre-school childcare. This has been identified as a need in Storey County. Staff did not receive any comment from the public and is recommending approval. The applicant Erik Schoen is here to answer any questions.

Senior Planner Canfield recommended an amendment to the motion 7A. to include "and summer programs".

**Erik Schoen, Community Chest Director:** Said that they (Community Chest) is excited to offer childcare for pre-school age children. This has been the most requested service, early childhood education, to offer in the community. If this request is approved, we will move forward with the state licensing requirements for this service. The Community Chest has already modified the bathrooms and equipment needed to operate. This service is primarily for use by residents and people that work in the county. It is difficult for people to find care locally that they can afford and trust. The ages for pre-school care will range from three to five years to start and potentially younger; however offering care to children under three increases the staff to child ratio. No modification to the existing park will be needed to service younger children.

No Public Comment.

**Motion:** In accordance with the recommendation by staff to amend the motion to include the wording "and summer programs" in the motion to approve (7.A), the findings of fact under Section 3.A of this report, and other findings deemed appropriate by the Planning Commission, and in compliance with the conditions of approval, I Larry Prater recommend approval of Special Use Permit 2019-032 to operate a childcare facility at the existing Storey County Youth & Community Resource Center exceeding four children. The facility will provide childcare for both pre-school age children in addition to before and after school programs and summer programs for school-age children. The facility is located on property owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02. **Action:** Approve, **Moved by** Commissioner Prater, **Seconded by** Commissioner Herrington,

- (1) This approval is for Special Use Permit 2019-032 to operate a childcare facility at the existing Storey County Youth & Community Resource Center exceeding four children. The facility will provide childcare for both pre-school age children in addition to before and after school programs for school-age children. The facility is located on property owned by Storey County, located at 175 East Carson Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-156-02.
- (2) The proposed project complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.
- (3) The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.
- (4) The proposed project will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.

- (5) The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.
- (6) The Special Use Permit conforms to the 2016 Storey County Master Plan for the Virginia City, Comstock Area Plan area in which the subject property is located. A discussion supporting this finding is provided in Section 2.C of this staff report and the contents thereof are cited in an approval of this Special Use Permit.
- (7) The conditions under the Special Use Permit do not conflict with the minimum requirements in Storey County Code Sections 17.03.150 - Special Use Permit and Section 17.15 P - Public Zone.

No Public Comment.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=4).

- 8. Discussion/Possible Action:** A zoning code text amendment, File 2019-031, to amend the language of Chapter 17.40, E Estates Zone, and Section 17.12.100(H) of the Storey County Zoning Ordinance, to change the number of dogs allowed and the acreage size associated with a Special Use Permit requirement. This zone text amendment would be applicable to all land within Storey County zoned Estates. This zone text amendment was requested by a Storey County property owner.

**Senior Planner Canfield:** Summarized the Storey County property owner's request to change the zoning language in the Estate zone to increase the number of dogs allowed and reduce the acreage requirement for allowed number of dogs. The changes were suggested by the property owner as detailed below.

Potential language as related to the applicant's request is as follows (red italicized is to be deleted, blue underlined is added):

- Section 17.12.100(H) – General Provisions: “Up to 4 dogs and 2 pot-belly pigs more than 12 weeks of age are allowed in any zone. A special use permit is required to exceed this number. ~~A minimum of 10 acres is required to obtain a special use permit for this use.~~ This restriction does not apply to the A Agriculture and E Estates zone.”
- Section 17.40.025(B) – Estates Zone: “The keeping of 5 or more dogs or 3 or more pot-belly pigs more than 12 weeks old, but not a commercial kennel. ~~A minimum of 10 acres is required.~~ The keeping of five dogs shall require a minimum of 2 acres, the keeping of 6 to 8 dogs shall require a minimum of 5 acres, and the keeping of over 9 dogs shall require a minimum of 10 acres.”

Staff has concerns with this request and is not supportive of the change to the code for the following reasons:

- The breakdown of dogs per acre as proposed identifies 2 acre, 5 acre and 10 acre parcel sizes for the Estates zone. The vast majority of parcel sizes in the Estates zones are 1 acre, 10 acres and 40 acres. There are very few 2 acre and 5 acre parcels in which this modification would apply.
- Modifying the code language to remove the 10 acre size minimum has the potential to increase the amount of special use permit applications associated with dogs being reviewed by the Planning Commission and the Board of County Commissioners. In reviewing the findings to be made to approve a special use permit, the Planning Commission and the Board must find that the use does not cause a negative impact on adjacent land uses and results in no substantial or undue adverse effect on adjacent property or the character of the neighborhood. The Planning Commission and Board will potentially be put in the position to decide among neighbors whose dogs “behave” and whose dogs are a “nuisance”.
- Staff's opinion is the amount of dogs on a parcel should be by right, and if the dogs allowed by right negatively impact the neighborhood, then enforcement of a nuisance can be applied. It may be appropriate for a larger property to have more dogs as a minimum of a 10 acre property typically has homes and land spread out enough so that impacts to neighbors are minimized significantly.
- A more appropriate way to address dogs within Storey County may be to develop an Animal Ordinance for the entire County, rather than have numbers of animals and/or acreage identified in a zoning ordinance. Animal Ordinances typically address public health and safety and nuisances.

- Storey County already allows for more dogs per residence than any of the surrounding counties. Lyon, Douglas and Washoe counties only allow for 3 dogs.
- Staff's recommendation is to keep the existing code language and not recommend approval of the proposed changes.

**Brief discussion** between commission members and staff regarding the concerns listed above, breeding, kennels and home enterprises.

No Public Comment and the applicant was not present at the meeting.

**Motion:** In accordance with the recommendation by staff, and in accordance with the Findings of Fact under Section 5(B) of this report, and other findings deemed appropriate by the Planning Commission, I Larry Prater, recommend denial of zoning code text amendment, File 2019-031, to amend the language of chapter 17.40, E Estates Zone, of the Storey County Zoning Ordinance, to allow for a change to the number of dogs and the acreage size associated with a Special Use Permit requirement. This request also amends Section 17.12.100(H), General Provisions, which identifies the acreage requirement. This zone text amendment would be applicable to all land within Storey County zoned Estates. The modifications are as follows (blue underlined is to be added, red italicized to be deleted):

- Section 17.12.100(H) – General Provisions: “Up to 4 dogs and 2 pot-belly pigs more than 12 weeks of age are allowed in any zone. A special use permit is required to exceed this number. ~~A minimum of 10 acres is required to obtain a special use permit for this use.~~ This restriction does not apply to the A Agriculture and E Estates zone.”
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No Public Comment.

**Action:** Deny, **Moved by** Commissioner Prater, **Seconded by** Commissioner Collins,

**Senior Planner Canfield** read the Findings of Fact:

- (1) This denial is for a zoning code text amendment, File 2019-031, to amend the language of chapter 17.40, E Estates Zone, of the Storey County Zoning Ordinance, to allow for a change to the number of dogs and the acreage size associated with a Special Use Permit requirement. This request also amends Section 17.12.100(H), General Provisions, which identifies the acreage requirement. This zone text amendment would be applicable to all land within Storey County zoned Estates. The modifications are as follows (blue underlined is to be added, red italicized to be deleted):
  - Section 17.12.100(H) – General Provisions: “Up to 4 dogs and 2 pot-belly pigs more than 12 weeks of age are allowed in any zone. A special use permit is required to exceed this number. ~~A minimum of 10 acres is required to obtain a special use permit for this use.~~ This restriction does not apply to the A Agriculture and E Estates zone.”
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- (2) The language for the zoning code text amendment do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding use.

**Vote:** Motion carried by unanimous vote (**summary:** Yes for denial=4).

Note for Items 9, 10, and 11, additional information including, but not limited to, draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org), or viewed online at <http://storeycounty.org/517/Updates>. In addition to the provisions of the NRS, any person may complete and return to the Board a statement supporting or opposing the proposed amendments to the county code and/or zoning ordinance. These items may be heard and discussed together if determined appropriate by the planning commission.

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**Senior Planner Canfield:** Said that staff is not requesting action tonight, and is still working on the changes, clarification and clean up to the code.

**Public Comment:**

**Bruce McClain, Mark Twain resident:** Said that he has a 1.3 acre property on Lafond Avenue. Stated his support for the code revision to increase the allowance of 5,000 square feet or more in accessory structures as opposed to the 4,000 square feet, which it is now. Visited the planning department to inquire about accessory structures and was told that the Title 17 revision is proposed to increase the square footage to 5,000 square feet and would most likely be approved. Said the property he bought has an existing building on it which is basically useless. He would like to put a new shop and garage on the property. He restores cars as a hobby and needs a place to store equipment and cars indoors. Having accessory structures on a property reduces weeds, dust and clutter.

**Senior Planner Canfield:** Stated that staff is supportive of the revision to allow for 5,000 square feet for accessory structures in the Estate zone.

**Kenneth Bauer, 9 year Highlands resident:** Said he came to the meeting to address the agenda item which included shipping containers. Moved up here and found out about challenges to living up here. Theft, critters and weather are issues. A shipping container that is sealed properly and vented are ideal for storing tools, equipment, etc. and are great for securing property because of the ability to place locks on the container. Containers are mobile. He said he moved his with his pickup truck. Talked to the neighbors about building a shed and the permits required to place one. Said his container is 8' x 20' (160 square feet) and is perfect for storing "overflow" from the garage. These are good for seasonal equipment and tools. Said they are sensitive to their neighbors in acquiring a container which is earth tone and matches the house. Didn't find anything in the county codes or the CCRs, which stated that these were not permissible. Supports allowing these to be utilized by property owners.

**Vice Chairman Herrington:** Said that he agrees with Mr. Bauer and said that small things can be done to make containers more attractive.

**Chairman Hindle:** Asked Senior Planner Canfield if there were any conflicts regarding the codes for shipping containers and the HOA.

**Senior Planner Canfield:** Said she is not familiar with what the HOA CCRs are for containers. Staff is proposing to de-regulate code for containers, which was put into effect a couple of years ago. Supports what Mr. Bauer has done on his property to utilize a shipping container for storage. Staff is proposing limiting square footage totals in regards to the containers, but overall is de-regulating them. Staff is proposing a limit of 1,280 cumulative square feet in the 1 acres for containers in the Estate zone. The HOA can be more stringent.

**Jay Carmona, VCH resident and VCHPOA President:** Said that the 1 acre association doesn't have any specific regulations regarding shipping containers. Said that anything that is brought onto the lot in the 1 acres has to be approved by the architectural committee. He understands that many properties in the Highlands have shipping containers located on them. Glad to see that the commission is considering loosening up restrictions on these because they are extremely handy and have a lot of flexibility. He attended a 10 acre meeting and found that they do have regulations for containers. Shipping containers in the 10 acres must be removed from the property on completion of a home.

**Vice Chairman Herrington:** Asked Jay if the 1 acres requires approval for a garden shed.

**Jay Carmona:** Said that in theory, yes, they do need approval from the architectural committee, but they do get erected without approval.

**Mary Streng, 11 year Highlands resident (1 acres):** Said that that they have been fortunate to have a very nice neighbor next to them. Their house was completed last summer. They still have a shipping container on the property 15' from her driveway. Said she understands how shipping containers can be used for storage, but doesn't like them being placed in the front yard area visible to the neighbors. Would like some type of statement which states how close they can be to someone else's property. There was never any discussion about this with the neighbors. Said that her husband talked to them a few times already. They have 3 acres and have room to put the shipping containers somewhere else on the property. Joe Starnes (Community Development) came out and he said that the CCRs don't stipulate where the containers can be placed. She would like to see something that requires them to be out of proximity to the neighbor's property. Asked if the CCRs for the 1 acre can state that they must be moved after construction is completed.

**Jay Carmona:** Answered that for the CCRs to be amended it would take a vote of approximately two thirds of the 1 acre homeowners which would be next to impossible to achieve.

**Chairman Hindle:** Said that the HOA CCRs are not within the purview of the planning commission or the county. Thanked the public for their comments and encouraged them to submit any comments to the planning department.

**Discussion** continued between staff and commission members about shipping container regulations.

**Clay Mitchell, Virginia City resident:** Asked if oversight by the Comstock Historic District Commission (CHDC) would be required regarding shipping containers in Virginia City.

He said that he is also in favor of increasing the non-dwelling footprint for accessory buildings. Wondering if it would make sense to have some sort of a percentage of lot coverage restriction to account for the difference sizes of lots or if the different zoning designations allows us enough variation. Should be able to address different lot sizes in that way.

**Senior Planner Canfield:** Said that is correct. The Historic District would have to review whatever proposal someone has for placing a shipping container. She also said that each zone is proposed to have limits to cumulative square footage of containers allowed.

### **13. Discussion/Possible Action:** Determination of next planning commission meeting.

**Motion:** Next planning commission meeting to be held on August 15, 2019 at 6:00 P.M. at the Storey County Courthouse Virginia City, Nevada, **Action:** Approve, **Moved by** Commissioner Herrington, **Seconded by** Commissioner Prater, **Vote:** Motion carried by unanimous vote (**summary:** Yes=4).

No Public Comment

**14. Discussion/Possible Action:** Approval of claims – None

**15. Correspondence (No Action)** – None

**16. Public Comment (No Action)** – None

**17. Staff (No Action)** – Senior Planner Canfield said that staff advertised for a Planning Commissioner position for the Mark Twain district to replace Laura Kekule. Staff received two letters of interest. One interview is scheduled, and staff is still trying to contact the other applicant.

Staff had meeting with FEMA staff a couple of weeks prior to discuss emergency and hazard mitigation planning and what services they can offer versus what our concerns were. As result of the meeting, the biggest items staff identified as concerns were earthquakes, fires and flooding. Staff will be having further discussion with them to see what kind of programs are in place to help us in addition to existing county programs. Staff and other departments in the county also has a meeting/training coming up with the Army Corps of Engineers to see what programs they have to offer for emergencies. This ties in with the county's Emergency Management plans that are already in place.

**County Manager Austin Osborne:** Fulcrum Sierra Biofuels is currently being constructed. The project was approved in 2006. There are a couple of 500' cranes on the jobsite. The job is moving forward quickly.

Public Works is installing driveway and side road culverts throughout the Mark Twain community. This is about a 150k project and is not dependent on the Mark Twain Flood Study. This is being completed in areas that have already been identified as problem areas. August 14<sup>th</sup> is the date that JE Fuller will present the findings of the Dayton Valley Area Drainage Master Plan study at 5:30 pm at the Mark Twain Community Center. This will be the last workshop. Residents will be able to look at maps and give comments before this goes to the county commission for adoption. This will give us the findings and direction needed to address flooding problems in the future.

Peri Ranch Road easements in Lockwood are moving forward. Keith is working on legal matters with the Lockwood Community Corporation (LCC) regarding the easements. Ultimately, this will allow the county to pave and maintain a portion of Peri Ranch Road through the LCC community.

Public Works has purchase a tractor with a long arm on it that has a mower at the end. This will allow them to mow down weeds along the shoulders of primarily Cartwright and Lousetown. It also extends out to grind sagebrush to help with fuel reduction. This will be used countywide.

Gold Hill Sewer Project is moving forward.

The Virginia City Freight Depot on E Street is moving forward.

**Board Comments (No Action) –**

**Chairman Hindle:** Asked about weed abatement in the Virginia City Area.

**County Manager Austin Osborne:** Weed abatement in the Virginia City and Gold Hill area has been done annually the past few years in cooperation with the Dayton Valley Conservation District (DVCD), but is on hold due to the DVCD's inability to obtain qualified staff to complete the spray. \*

\*This info was brought forth by Lyndi Renaud Planning Assistant during staff comment. She has been corresponding with Rob Holley of the DVCD regarding the program. He will let staff know when they have a crew that can do the spray.

**Senior Planner Canfield:** Storey County is part of a new weed management group that is working with Washoe County and groups within Washoe County such as Keep Truckee Meadows Beautiful and others. Meeting with Department of Agriculture and these groups in order to work on funding and projects to move the weed management program forward.

**18. Adjournment (No Action)** - The meeting was adjourned at 7:25 pm.

Respectfully Submitted, By Lyndi Renaud



# STOREY COUNTY PLANNING COMMISSION MEETING

Thursday August 15, 2019 6:00 p.m.  
Storey County Courthouse, District Courtroom  
26 South B Street, Virginia City, NV

## MEETING MINUTES

CHAIRMAN: Jim Hindle

VICE-CHAIRMAN: John Herrington

COMMISSIONERS:

Larry Prater, Kris Thompson, Summer Pellett, Jim Collins

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1. **Call to Order:** The meeting was called to order by the Chairman at 6:00 P.M.
  2. **Roll Call:** Summer Pellett, Kris Thompson, Larry Prater, John Herrington, **Absent:** Jim Hindle, Jim Collins, (Mark Twain Commissioner vacant).

**Also Present:** Senior Planner Kathy Canfield, County Manager Austin Osborne,

3. **Pledge of Allegiance:** The Chairman led those present in the Pledge of Allegiance.
4. **Discussion/Possible Action:** Approval of Agenda for August 15, 2019.

**Motion:** Amend to combine items 6 through 9, and Approval of Agenda for August 15, 2019, **Action:** Amend and Approve, **Moved by** Commissioner Pellett, **Seconded by** Commissioner Thompson, **Vote:** Motion carried by unanimous vote (**summary:** Yes=4).

No Public Comment.

5. **Discussion/Possible Action:** 2019-036 Variance for a reduced setback by applicants Rich and Carol Stockand. The applicants request a variance to allow the front and west side yard setbacks for the construction of a new detached garage to be reduced from the required 30-feet to 18-feet for the front yard setback and from the required 15-feet to 8-feet for the west side yard setback. The property is located at 21371 Crestview Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-181-17.

**Senior Planner Canfield:** Summarized the request for a reduced setback for a detached garage. Staff is recommending approval of the variance based on the topography of the lot, location of existing utilities, drainage, septic and leach field. Staff received correspondence supporting the reduced setback from two abutting neighbors. Surrounding properties within 300 feet and beyond were noticed and staff did not receive any opposition.

**Commissioner Thompson:** Asked the applicant Rich Stockand what the detached garage will be used for.

**Rich Stockand, applicant:** Said that it will be for vehicles and extra storage.

No Public Comment.

**Motion:** In accordance with the recommendation by staff, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Planning Commission, and in compliance with the conditions of approval, I Kris Thompson, recommend approval of Variance 2019-036 to allow the front and west side yard setbacks for the construction of a new detached garage to be reduced from the required 30-feet to 18-feet for the front yard setback and from the required 15-feet to 8-feet for the west side yard setback. The property is located at 21371 Crestview Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-181-17.

**Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Pellett,

**Senior Planner Canfield** read the findings into the record:

- (1) This variance (Variance 2019-036) allows the front and west side yard setbacks for the construction of a new detached garage to be reduced from the required 30-feet to 18-feet for the front yard setback and from the required 15-feet to 8-feet for the west side yard setback. The property is located at 21371 Crestview Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-181-17.
- (2) The subject property is located within Estates E-1 VCH zoning in which single family residences are an allowed use and detached garages are an allowed accessory use.
- (3) That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification.
- (4) That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.
- (5) That the granting of the Variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the area of the subject property.
- (6) The proposed Variance is in compliance with all Federal, Nevada State, and Storey County regulations.
- (7) The proposed Variance is in compliance with Storey County Code 17.03.140 Variances and 17.12 General Provisions and 17.40 E Estate Zone when all Conditions of Approval are met.
- (8) The proposed Variance is in compliance with and supports the goals, objectives and policies of the 2016 Storey County Master Plan.

No Public Comment.

**Vote:** Motion carried by unanimous vote (**summary:** Yes=4).

Note for Items 6, 7, and 8, additional information including, but not limited to, draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org), or viewed online at <http://storeycounty.org/517/Updates>. In addition to the provisions of the NRS, any person may complete and return to the Board a statement supporting or opposing the proposed amendments to the county code and/or zoning ordinance. These items may be heard and discussed together if determined appropriate by the planning commission.

- 6. Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning regulating building setback, height, bulk, area, dimension, and density; parking requirements, egress, easements and right-of-ways; accessory structures and buildings; fences, hedges, and barriers; and other properly related matters in the following regulatory zones: CR Commercial-Residential; R1 Single-Family and R2 Multi-Family Residential; E Estate; F Forestry; A Agriculture; I1 Light Industrial and I2 Heavy Industrial; and SPR Special Planning Review zones.

7. **Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning regulating shipping containers and accessory non-dwelling uses in all regulatory zones; watch-persons' accessory dwellings in the I1 Light Industrial, I2 Heavy Industrial, and IC Industrial Commercial zones; accessory dwelling units ("in-law quarters") in the following regulatory zones: CR Commercial-Residential; R1 Single-Family and R2 Multi-Family Residential; E Estate; F Forestry; A Agriculture; and SPR Special Planning Review zones.
8. **Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning modifying, clarifying, elaborating upon, and consolidating land use and other terms and definitions in Chapter 17.10 Definitions and as those terms and definitions apply to and within all regulatory zones and all other provisions in the zoning ordinance.
9. **Discussion Only/No Possible Action.** Map amendments to the Official Storey County Zoning Map, changing zone districts R1 Single-Family Residential to SFR Single-Family Residential, R2 Multi-Family Residential to MFR Multi-Family Residential, I1 Light Industrial to IL Light Industrial, I2 Heavy Industrial to IH Heavy Industrial, and adding IN Neighborhood Industrial to the list of classified zones, affecting all listed zones in Storey County except those located within the annexed portions of the Tahoe-Reno Industrial Center, and other properly related matters.

**Senior Planner Canfield:** Said that staff is not requesting action tonight, and is still working on the changes, clarification and clean up to the code. Will be providing a paper copy to all commissioners for review soon.

No Public Comment

10. **Discussion/Possible Action:** Determination of next planning commission meeting.

**Motion:** Next planning commission meeting to be held on September 5, 2019 at 6:00 P.M. at the Virginia City Highlands Fire Station, Virginia City Highlands, Nevada, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Prater, **Vote:** Motion carried by unanimous vote (**summary:** Yes=4).

No Public Comment

11. **Discussion/Possible Action:** Approval of claims – None

12. **Correspondence (No Action)** – None

13. **Public Comment (No Action)** – None

14. **Staff (No Action)** –

**Senior Planner Canfield:** Dayton Valley Area Drainage Master Plan presentation was completed at the Mark Twain Community Center last night. This was to present findings and get final comment from residents. It was heavily attended by the community. This plan will help guide the county in addressing flooding issues in the future for the Mark Twain area. It will be heard at the August 20<sup>th</sup> BOCC meeting for discussion and possible adoption.

Attended a CHDC Monday night to discuss the new sign ordinance and how it relates to the Historic District's regulations. The county can review sign proposals if requested, but no sign permits are required.

**Commissioner Thompson:** Asked Senior Planner Canfield if a new planner will be coming on board since Austin is now the County Manager. Also asked how staff is doing without him.

**Senior Planner Canfield:** Answered that right now staff (Kathy and Lyndi) are able to handle the workload and will consider hiring a planner in the future. A new planner position has been budgeted for. Said that many applications for variances and special use permits have been submitted that are consuming staff's time. Working on prioritizing projects.

**County Manager Austin Osborne:** Said he will look to Kathy and Lyndi to decide when a new planner is needed. Understands that training will be time consuming as well and add to the already full workload.

**County Manager Austin Osborne** gave an update on the following projects:

- Tractor that has an extended arm with a mower/masticator attachment has been purchased by Public Works. This will primarily be used to clear weeds and vegetation growing along Cartwright and Lousetown, and will also be used in

other communities. It only requires one or two people to operate which will allow Public Works to mow and masticate more than once a year, perhaps spring and fall.

- Public Works is working on installing driveway culverts in existing flood problem areas in County ROWs in the Mark Twain community.
- A Town Hall Meeting will be held at the VCH Fire Station on August 22, 2019 at 6 pm. This is in regards to the status of land development and proposals in and around the Virginia City Highlands area.

**Board Comments (No Action) – None**

**15. Adjournment (No Action) -** The meeting was adjourned at 6:26 pm.

Respectfully Submitted, By Lyndi Renaud

**Storey County  
Planning Department**  
Storey County Courthouse  
26 South B Street, PO Box 176, Virginia City, Nevada 89440  
Phone 775-847-1144 – Fax 775-847-0949  
[planning@storeycounty.org](mailto:planning@storeycounty.org)

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**To:** Storey County Planning Commission

**From:** Storey County Planning Department

**Meeting Date:** September 5, 2019 at 6:00 p.m.

**Meeting Location:** Virginia City Highlands Fire Station, 2610 Cartwright Road, Virginia City Highlands, Storey County, Nevada

**Staff Contact:** Kathy Canfield

**File:** 2019-038

**Applicant:** Larry and Beth Ann (Foate) Austin

**Property Owner:** Larry and Beth Ann (Foate) Austin

**Property Location:** 4680 Hanaupah Road, Highland Ranches, Storey County, Nevada, APN 003-401-10

**Request:** The applicant requests a variance (Variance 2019-038) to allow for a reduced front yard setback to construct a detached garage. The applicant proposes a detached garage be placed 11-feet from the front yard roadway easement of Hanaupah Road. The property is located at 4680 Hanaupah Road, Highland Ranches, Storey County, Nevada, Assessor's Parcel Number (APN) 003-401-10.

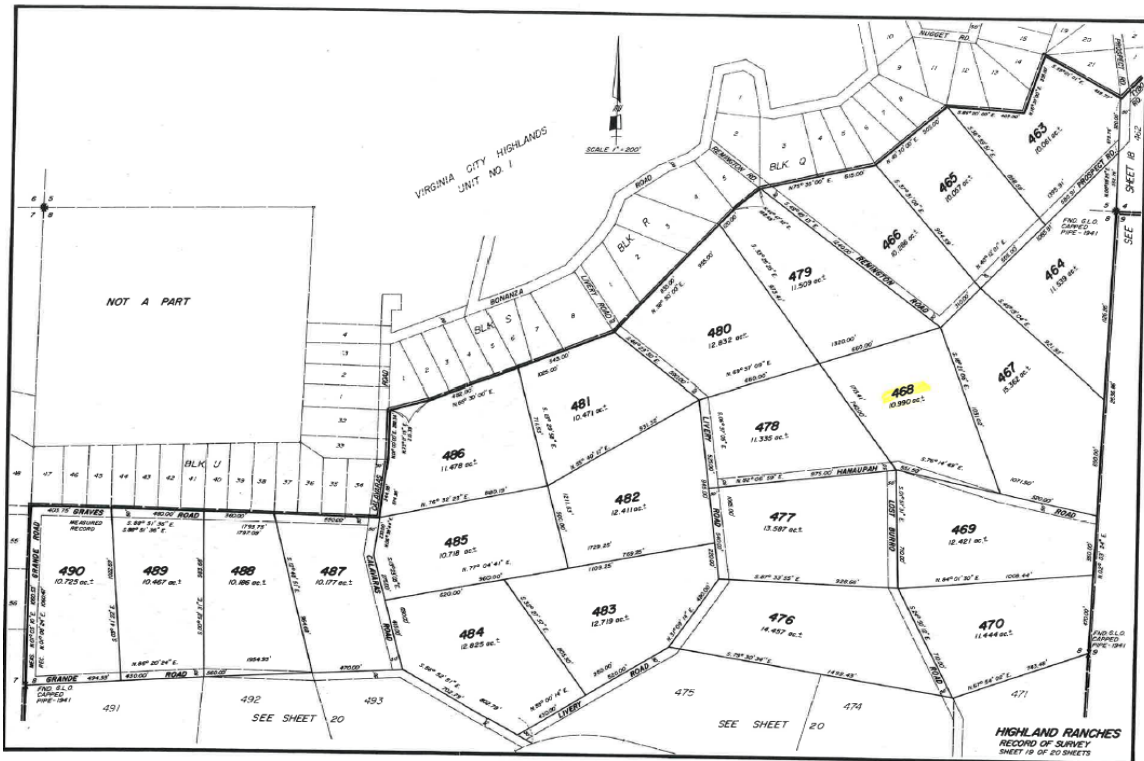
**1. Background & Analysis**

**A. Site Location and Characteristics.** The parcel is approximately 10.99 acres and is located within the Highland Ranches area of Storey County. The property contains an existing single family residence. The parcel has a level area adjacent to Hanaupah Road and then drops sharply downward. One corner of the property touches Remington Road and Prospect Road, however, there is no access from these roadways to the residence because of the hillside. Surrounding land uses include vacant residential land to the north, south and west, and two developed residential parcels to the east. Hanaupah Road ends one parcel to the east of the applicant's parcel. The property is zoned Estates E-10 HR.





Project Site



Subdivision map



*Approximate location, not to scale.*



*Approximate location, view from Hanaupah Road, looking west*



*View from Remington Road, looking south*



*View from Livery Road, looking east*

- B. Proposed Project.** The applicant is proposing to add a detached garage to the site. In determining the best location for the new garage, the applicant considered several locations on the parcel. Although the parcel is over 10 acres in size, because of the sharp drop off topography of the site, there is limited level area for a garage location. The location of the well and the septic system also utilize portions of the available level area. A detailed discussion of alternative locations considered, along with photographs of the site, is included in Appendix A of this staff report. The applicants are requesting a variance to allow for an 11-foot front yard setback from the Hanaupah Road easement.
- C. Setbacks.** This property is located within the E-10 HR Estates zone of the Virginia City Highlands. The setbacks for this zoning district require a 30-foot front yard, 15-foot side yards and 40-foot rear yard. This parcel has a portion of the Hanaupah Road roadway easement from which the front yard setback is measured. The shape of the easement is unusual, splitting the easement between the applicant's property and the property across the street.



- D. Variance.** The applicant has requested a variance to the front yard setbacks. The applicant has proposed a front yard setback of 11-feet, versus the required 30-foot setback measured from the roadway easement. Section 17.03.140 of the Storey County Code identifies the process for Variances. This report follows the requirements outlined in the Code.

**2. Compatibility and Compliance**

**A. Compatibility with surrounding uses and zones.** The following table documents land uses, zoning classification and master plan designations for the land at and surrounding the proposed project. There are no evident conflicts between the proposed garage addition and Storey County Title 17 Zoning or the 2016 Master Plan with the exception of the setback which is addressed with the Variance application.

	Land Use	Master Plan Designation	Zoning
Applicant's Land	Residential	Single family estate	E 10 HR
Land to the North	Residential	Single family estate	E 10 HR
Land to the East	Vacant - residential	Single family estate	E 10 HR
Land to the South	Vacant - residential	Single family estate	E 10 HR
Land to the West	Vacant - residential	Single family estate	E 10 HR

**B. Variiances.** The Zoning Code section 17.03.140 Variances states that a Variance to the provisions of its title may be granted by the Storey County Board of County Commissioners (the Board) with action by the Storey County Planning Commission (the Planning Commission) where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulations, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the lot or parcel, the strict application of the regulations enacted under this title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon the owner of property.

Within Section SCC 17.03.140 (F) it states: The Board's approval, approval with conditions, or denial of a Variance must be based on Findings that indicate that the proposed use is appropriate in the location for which it is approved. The Findings listed in this subsection are the minimum to be cited in an approval; the body may include additional Findings in their decision. The Board and Planning Commission must cite Findings of Fact in the motion for approval, approval with conditions, or denial.

At a minimum, an approval must be based on Findings that the proposal:

- (1) That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification.**

The proposed variance would allow for the construction of a detached garage with an 11-foot front yard setback. The parcel is approximately 10.99 acres in size, but a significant portion of the parcel has a steep slope making building extremely difficult. The proposed garage would be placed on a level portion of the parcel away from the slope. The level portion of the parcel is limited with the location of the residence, along with the well and septic system.

The applicant has stated that they have spoken with the property owner to the east and they have no objection to the proposed garage location.

**(2) That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.**

The proposed variance will allow for the applicant to construct a detached garage in a vacant area of their property without the necessity of relocating utility lines, septic systems and without having to add fill to a steep slope or construct extreme foundation measures for a garage cantilevering over a steep slope. The applicant desires the garage to be located close to the residence, and the site of the proposed garage is relatively level, requiring minimal grading, fill or retaining walls.

**(3) That the granting of the Variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.**

The proposed detached garage is not expected to detrimentally impact the surrounding properties or the general public. Hanaupah Road ends one parcel further from the applicant's land. Traffic on this portion of the roadway is minimal as it does not connect to any other roadway. The detached garage would be located 11 feet from the roadway easement edge.

**C. Storey County Zoning Code.** The property is located within Estates E 10 HR zoning district. The site is developed with a single family residence and the proposed detached garage is a permitted accessory use. Except for the front yard setback, the proposed project is consistent with the E 10 HR zoning requirements.

**D. 2016 Storey County Master Plan.** Chapter 3, Land Use, of the Storey County Master Plan identifies the Highlands as "composed of custom site-built single-family residences located on large parcels. This pattern is expected to continue in this area for the foreseeable future." The approval of this variance is not expected to impact the character of the area.

**3. Findings of Fact**

**A. Motion for approval.** The following findings of fact are evident with regard to the requested Variance when the recommended conditions of approval in Section 4, Recommended Conditions of Approval, are applied.

(1) This variance (Variance 2019-038) is to allow for a reduced front yard setback to construct a detached garage. The applicant proposes a detached garage be placed 11-feet from the front yard roadway easement of Hanaupah Road. The property is located at 4680 Hanaupah Road, Highland Ranches, Storey County, Nevada, Assessor's Parcel Number (APN) 003-401-10.

- (2) The subject property is located within Estates E-10 VR zoning in which single family residences are an allowed use and detached garages are an allowed accessory use.
- (3) That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification.
- (4) That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.
- (5) That the granting of the Variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the area of the subject property.
- (6) The proposed Variance is in compliance with all Federal, Nevada State, and Storey County regulations.
- (7) The proposed Variance is in compliance with Storey County Code 17.03.140 Variances and 17.12 General Provisions and 17.40 E Estate Zone when all Conditions of Approval are met.
- (8) The proposed Variance is in compliance with and supports the goals, objectives and policies of the 2016 Storey County Master Plan.

**B. Motion for denial.** Should a motion be made to deny the Variance request, the following Findings with explanation of why should be included in that motion.

- (1) This denial is for a variance (Variance 2019-038) to allow for a reduced front yard setback to construct a detached garage. The applicant proposes a detached garage be placed 11-feet from the front yard roadway easement of Hanaupah Road. The property is located at 4680 Hanaupah Road, Highland Ranches, Storey County, Nevada, Assessor's Parcel Number (APN) 003-401-10.
- (2) There are no special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance that would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification.
- (3) The granting of the application is not necessary for the preservation and enjoyment of substantial property rights of the applicant.
- (4) That the granting of the application will, under the circumstances of the particular case, adversely affect to a material degree the health or safety of

persons residing or working in the area of the subject property and will be materially detrimental to the public welfare or materially injurious to property or improvements in the area of the subject property.

- (5) The proposed Variance is not in substantial compliance with all Federal, Nevada State, and Storey County regulations.
- (6) The proposed Variance is not in substantial compliance with and does not support the goals, objectives and recommendations of the Storey County Master Plan.
- (7) The conditions of approval under the Variance do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for the surrounding uses.
- (8) No reasonable level of conditions of approval imposed on this Variance would be sufficient to reasonably mitigate visual, safety or other potential impacts on adjacent and surrounding residences and land uses.

#### 4. Recommended Conditions of Approval

- A. **Variance** This variance (Variance 2019-038) is to allow for a reduced front yard setback to construct a detached garage. The applicant proposes a detached garage be placed 11-feet from the front yard roadway easement of Hanaupah Road. The property is located at 4680 Hanaupah Road, Highland Ranches, Storey County, Nevada, Assessor's Parcel Number (APN) 003-401-10.
- B. **Compliance.** The Variance must comply with Storey County Codes, and submitted plans and reports, as approved. The Applicant must provide the Community Development Department site plans drawn to scale prior to obtaining a Building Permit.
- C. **Null and Void.** If the Variance is not exercised within 12 months of the date of approval, unless additional time is granted by the Board with action by the Planning Commission, based upon consideration of the specific circumstances of the project, then without further action, the Variance will be null and void and no non-conforming development activity may be made on the property except on the granting of a new Variance.
- D. **Hold Harmless.** The Property Owners agree to hold Storey County, its Officers and Representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this Variance.
- E. **Permits and Expiration.** The Applicant shall apply for all Building and Fire permits for the structure within 12 months from the date of Board approval for this Variance, and continuously maintain the validity of those permits, as appropriate, or this approval will become null and void.

- F. **Taxes Paid.** Before obtaining a Building Permit, the Applicant must show the Planning Department evidence that all property taxes on the land are paid to-date.
- G. **Distances.** The reduced front yard setback is approved to be 11-feet from the Hanaupah Road roadway easement for a detached garage. All other setbacks (proposed or existing) must be in compliance with the Storey County Code.
- H. **Easement.** The granting of this Variance will not affect any existing easements on the subject property. No building may be constructed over an easement, ROW or within a building setback area not otherwise allowed by this Variance.

**5. Public Comment**

As of August 27, 2019, Staff has not received any comments regarding the proposed variance.

**6. Power of the Board & Planning Commission**

At the conclusion of the hearing, the Planning Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the Findings of the Planning Commission upon which it bases its decision. The decision of the Planning Commission in the matter of granting the Variance is advisory only to the Board and that governing body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

**7. Proposed Motions**

This section contains two motions from which to choose. The motion for approval is recommended by staff in accordance with the findings under Section 3.A of this report. Those findings should be made part of the approval motion. A motion for denial may be made and that motion should cite one or more of the findings shown in Section 3.B. Other findings of fact determined appropriate by the Planning Commission should be made part of either motion.

**A. Recommended motion for approval**

In accordance with the recommendation by staff, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Planning Commission, and in compliance with the conditions of approval, I (*planning commissioner*), recommend approval of Variance 2019-038 to allow for a reduced front yard setback to construct a detached garage. The applicant proposes a detached garage be placed 11-feet from the front yard roadway easement of Hanaupah Road. The property is located at 4680 Hanaupah Road, Highland Ranches, Storey County, Nevada, Assessor's Parcel Number (APN) 003-401-10.

**B. Alternative motion for denial**

Against the recommendation by staff, but in accordance with the Findings of Fact under Section 3.B of this report, and other findings deemed appropriate by the Planning Commission, I (*planning commissioner*), recommend denial of Variance 2019-038 to allow for a reduced front yard setback to construct a detached garage. The applicant proposes a detached garage be

placed 11-feet from the front yard roadway easement of Hanaupah Road. The property is located at 4680 Hanaupah Road, Highland Ranches, Storey County, Nevada, Assessor's Parcel Number (APN) 003-401-10.

## Appendix A - Justification Statement

**Detail Description/Justification of Project**

Attached additional pages as necessary

It is proposed to construct a 40' x 60' detached garage at 4680 Hanaupah Rd in the Virginia City Highlands. The proposed location is in the Southeast corner of the lot. If approved, the garage would be set back approximately the 25' road easement (measuring from the middle of Hanaupah Rd) plus an additional 11' of required 30' easement. Our parcel is irregularly shaped and sharply slopes beyond the proposed building location. Locating the building closer to the house does not allow for increased setback. Locating the garage on the other side of the house interferes with the well and the property slopes even more.

We therefore ask the Planning Commission and County Commissioners to approve a variance to the 30' setback. Our neighbor (Ollson) has expressed "no objection" to this proposal.

Please see additional pages illustrating the slope of land on the property.

Larry Austin





Pic 4

Garage and leach field

Pic 5

Pic 3 Pic 2 Pic 1

Proposed location

Pic 6

Pic 7 Well and piping to house





PIC 3



PIC 2



PIC 1



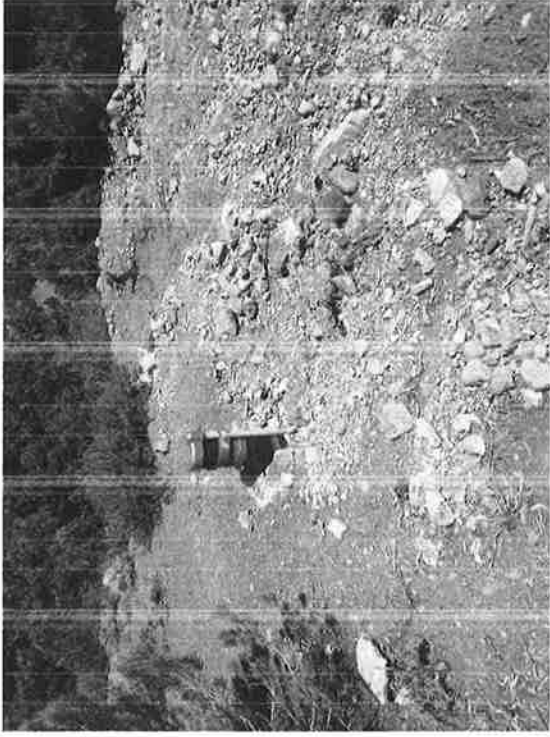
PIC 6



PIC 5



PIC 4



**PIC 7**