



Storey County Planning Commission Meeting Agenda

Thursday March 18, 2021 at 6:00 p.m.
Storey County Courthouse, District Courtroom*
26 South B Street, Virginia City, NV

Jim Hindle – Chairman
Bryan Staples – Planning Commissioner
Jim Umbach – Planning Commissioner

Summer Pellett- Vice Chairman
Kris Thompson – Planning Commissioner
Adrienne Baugh – Planning Commissioner

No members of the public will be allowed in the District Courtroom due to concerns for public safety resulting from the COVID-19 emergency and pursuant to the Governor of Nevada's Declaration of Emergency Directive 006 Section 1 which suspends the requirement in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate.

Further, due to the Governor's mandated steps to protect against the spread of COVID-19, the Storey County Planning Commission is hosting a teleconference meeting this month. Members of the public who wish to attend the meeting remotely, may do so by accessing the following meeting on Zoom.com. Public comment may be made by communication through zoom.

***Join Zoom Meeting:** <https://us02web.zoom.us/j/88607320146> **Meeting ID: 886 0732 0146**

Dial by your location
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US
+1 301 715 8592 US
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Meeting ID: 886 0732 0146

Find your local number: <https://zoom.us/u/adi9WjdtNr>

**For additional information or supporting documents please contact the
Storey County Planning Department at 775-847-1144.**

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/For Possible Action:** Approval of Agenda for March 18, 2021.
5. **Discussion/For Possible Action:** Approval of Minutes for February 18, 2021.
6. **Discussion/For Possible Action:** Special Use Permit request 2021-10 by Kris and Kate Hukari. The applicants request a special use permit to allow for a 5-foot side yard setback from the roadway easement line on the north side of the property and for a 12-foot side yard setback along the south property line. The property is located within the Virginia City Highlands at 2045 Alpine Road, Storey County, Nevada, Assessor's Parcel Number (APN) 003-081-43.
7. **Discussion/For Possible Action:** Determination of next Planning Commission meeting.
8. **Discussion/For Possible Action:** Approval of Claims.
9. **Correspondence** (no action)
10. **Public Comment** (no action)
11. **Staff** (no action)
12. **Board Comments** (no action)
13. **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 March 9, 2021: Storey County Courthouse; Storey County Community Development; Virginia City Fire Station 71; Virginia City RV Park. Courtesy copies of the agenda are posted at the Virginia City Post Office, Mark Twain Community Center, Lockwood Community/Senior Center, Canyon GID, Rainbow Bend Clubhouse, Lockwood Fire Station, Virginia City Highlands Fire Station, Virginia City Highlands Online Message Board, the Nevada State website at <https://notice.nv.gov/> and to the Storey County website at <https://www.storeycounty.org/agendacenter>.



By Lyndi Renaud, Secretary of the Planning Commission



STOREY COUNTY PLANNING COMMISSION

Meeting

Thursday February 18, 6:00 p.m.
26 South B Street, District Courtroom, Via Zoom
Virginia City, Nevada

MEETING MINUTES

CHAIRMAN: Jim Hindle

VICE-CHAIRMAN: Summer Pellett

COMMISSIONERS:

Kris Thompson, Adrienne Baugh, Bryan Staples, Jim Umbach

1. **Call to Order:** The meeting was called to order by the Chairman at 6:01 P.M.
2. **Roll Call via Zoom:** Jim Hindle, Adrienne Baugh, Summer Pellett, Bryan Staples, Jim Umbach.
Absent: Kris Thompson.

Also Present: Senior Planner Kathy Canfield, County Manager Austin Osborne, and County Commissioner Jay Carmona.

3. **Pledge of Allegiance:** The Chairman led the Pledge of Allegiance.
4. **Discussion/For Possible Action:** Approval of Agenda for December 17, 2020.

Chairman Hindle welcomed Jim Umbach, the new planning commissioner, and welcomed Larry Prater to the meeting as part of the public tonight.

Motion: Approval of Agenda for February 18, 2021, **Action:** Approve, **Moved by** Commissioner Umbach, **Seconded by** Commissioner Baugh, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment.

5. **Discussion/For Possible Action:** Election of Chairperson and Vice-Chairperson for 2021.

Chairman Hindle asked if there was anyone interested in being the chairperson this year.

Senior Planner Canfield read a statement from Commissioner Thompson "I believe Jim Hindle is and has been a superb chairperson, and I support him all the way for another term. And Summer for Vice Chair".

Chairman Hindle said that he is more than welcome to give up being chair if someone wants to nominate another person. Commissioner Pellett said that if Chairman Hindle doesn't want to chair anymore, she would be more than happy to do it. Chairman Hindle stated that he can do it one more year.

Commissioner Staples nominated Chairman Hindle to serve as chairperson for another year.

Public Comment: Larry Prater former planning commissioner said that he remembers Chairman Hindle a year ago state that two terms were sufficient and maybe it could be passed on to the vice chairman or some other member of the commission. Said he thinks Commissioner Pellett would do a good job as chairperson (statement was made in good spirit).

Chairman Hindle said he would accept the nomination for Chair for one more year then pass it on to someone else.

Motion: Nominate Jim Hindle for Chairperson and Summer Pellett as Vice Chairperson for 2021, **Action:** Approve, **Moved by** Commissioner Staples, **Seconded by** Commissioner Baugh, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

6. **Discussion/For Possible Action:** Approval of Minutes for December 17, 2020.

Motion: Approval of Minutes for December 17, 2020, **Action:** Approve, **Moved by** Commissioner Staples, **Seconded by** Commissioner Baugh, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment

7. **Presentation/No Action:** Presentation of plaque recognizing Larry's Prater's years of distinguished service on the Storey County Planning Commission.

Planning Assistant Lyndi Renaud: Said that she has the plaque here in the office and it is beautiful. Renaud told Mr. Prater that we (county) appreciate all your help over the years. Renaud said she has been here 8 years and knows that he has been on the commission for a much longer time before that and the county appreciates all the work he has done over the years. Renaud told Mr. Prater that she and Kathy will be delivering the plaque to him next week.

Senior Planner Canfield thanked Mr. Prater and stated that she has appreciated his work and wisdom over the years and will definitely be tapping into his history and knowledge of what's gone on. We (staff) will take advantage of that.

Mr. Prater said he would still like to receive the agendas so he can still know what is going on and comment from time to time. He said he has been doing this a long time and has really enjoyed working with everyone. Prater wished James (Umbach) good luck and said he is sure he will do a good job, and it's a good thing that Rainbow Bend will be represented.

Commissioner Umbach thanked Mr. Prater and said that he's sure we (commission) can benefit from Prater's knowledge from time to time. Umbach said he is looking forward to serving.

Senior Planner Canfield read a statement from Commissioner Thompson: "When I first was appointed to the Planning Commission, Larry was the Chairman. He was such a great example for all of us. He was steady, calm, and even handed every time, all the time. He really enjoyed it the most I believe when we meetings with a lot of attendance. He loved to engage with the residents in the audience and those making statements. They knew they were being heard and understood with Larry. He did his level best to accommodate every single concern of theirs. A class act all the way in my book. On behalf of myself and on behalf of Don Roger Norman, Lance Gilman, Donny Gilman, and Tahoe Reno Industrial Center, thank you for your many years of very valuable and critical service to our County, our Residents, and our businesses.

Kris Thompson"

Mr. Prater asked Kathy (Canfield) to convey to Kris (Thompson) that he really appreciated that.

Chairman Hindle said to Larry that he had been on the commission many years before he joined and was always a “wise voice, a rational voice”. Said he has always appreciated Prater’s counsel and the history he was able to bring with past developments and cases that we (commission) heard. Hindle told Prater that he will be missed.

County Manager Osborne said he worked with Mr. Prater since around 2004 when they were at the old justice center. Osborne told Prater that he not just enjoyed working with him on the planning commission, then as planning staff and now (county manager). Osborne said he remembers Prater letting everyone speak and then he would bring up something really impactful to what had been discussed. He said he remembers the words he (Larry) said “biting the bullet” on one of the biggest decisions for Storey County which was Cordevista. Osborne said he remembers all those meetings and the comments Prater made and all of the research he put together to make decisions. He said Prater’s engineering (background) always came out somehow, whether it was mechanical, land use or otherwise, he always had some kind of angle to an application that was based on his knowledge of engineering and construction industry. His opinion was always valuable to the county and this planning commission. Osborne told Mr. Prater that he really enjoyed working with him and thanked him for serving. Osborne told Prater that he should be very proud of himself for what he’s done for the tax payers, residents and the businesses of the county. Mr. Prater thanked Mr. Osborne.

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

Motion: Next planning commission meeting to be held on March 18, 2021 at 6:00 P.M. at the Storey County Courthouse, Virginia City, Nevada, Via Zoom, **Action: Approve, Moved by** Commissioner Staples, **Seconded by** Commissioner Umbach, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment

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

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

11. **Public Comment (No Action)** –

Commissioner Carmona said that Starlink is accepting deposits for internet service; for anyone struggling with internet service. Carmona said he is by no means a stockholder but says this may be a good option for anyone with internet problems.

12. **Staff (No Action)** – Senior Planner Canfield mentioned that staff is still working on filling the VC district planning commissioner position. Staff posted the position again and received at least one, if not two letters of interest. Closing date for the posting was Monday. Canfield said the planning department has been working on some road projects in the TRIC. These projects don’t necessarily come to the planning commission, but they do take up some time and they will be going to the board as they get sorted out. Staff has also been working with Public Works on a couple of projects one of which is a park project in the Virginia City area and also the Highlands Community Center helping with details that have to do with zoning codes and requirements. Staff has also been very busy with lots of phone calls and project/development inquiries.

County Manager Osborne: The bill that we (county) have in the legislator right now is to have the county join the Carson Water Subconservancy District (CWSD). The bill is being sponsored by Senator Settlemeyer and Assemblyman Wheeler. The CWSD is a non-regulatory board. Kathy (Canfield) sits on it and the biggest thing the county will probably get out of this is to get some flood mitigation projects in Storey County starting with Mark Twain. The county’s membership on this board will allow the county to be eligible for FEMA grant money and other types of resources related to conservation and flood management.

Chairman Hindle asked for an update on the Gold Hill septic plant.

County Manager Osborne: Update on the Gold Hill Septic Plant; one water tank is almost complete. The inside is lined and dismantling of the tank next to it will start after that. Public Works has some challenges with still maintaining the septic system while constructing the new plant. April is when all of the plant building materials for the batch plant will arrive and the plant should be open in the early part of July. SNC Construction is doing the work and it should look nice and is designed to look like a rusty corrugated building.

Chairman Hindle asked County Manager Osborne about the potential Innovation Zone bill that may be introduced in the legislature.

County Manager Osborne: Stated that there is no bill technically in existence at the moment so we (county) are relying on what's available such as drafts that have been circulated around the state. They county commissioners have not taken an official position on this until a real bill comes out. It is not appropriate until that time. There are too many unknowns. The county has a team put together to respond appropriately when the time comes. Osborne said there is a county commission meeting tomorrow and there is an agenda item to give staff direction on how the county commission would like to go about this. If anyone gets questions about this topic they may direct them to the county manager's office.

Commissioner Baugh stated that she will not be at the March meeting.

Commissioner Umbach said he looks forward to working with everyone the next several years.

13. **Board Comments (No Action)** – None

14. **Adjournment (No Action)** - The meeting was adjourned at 6:38 p.m.

Respectfully Submitted, By Lyndi Renaud

STOREY COUNTY PLANNING DEPARTMENT

Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440 Phone (775)
847-1144 – Fax (775) 847-0949
planning@storeycounty.org



To: Storey County Planning Commission

From: Storey County Planning Department

Meeting Date: March 18, 2021

Meeting Location: Storey County Courthouse, 26 S. B Street, Virginia City, Storey County, Nevada, via Zoom

Staff Contact: Kathy Canfield

File: 2021-10

Applicants: Kris and Kate Hukari

Property Owner: Kris and Kate Hukari

Property Location: 2045 Alpine Road, Storey County, Nevada.

Request: The applicants request a special use permit to allow for a 5-foot side yard setback from the roadway easement line on the north side of the property and for a 12-foot side yard setback along the south property line. The property is located within the Virginia City Highlands at 2045 Alpine Road, Storey County, Nevada, Assessor’s Parcel Number (APN) 003-081-43.

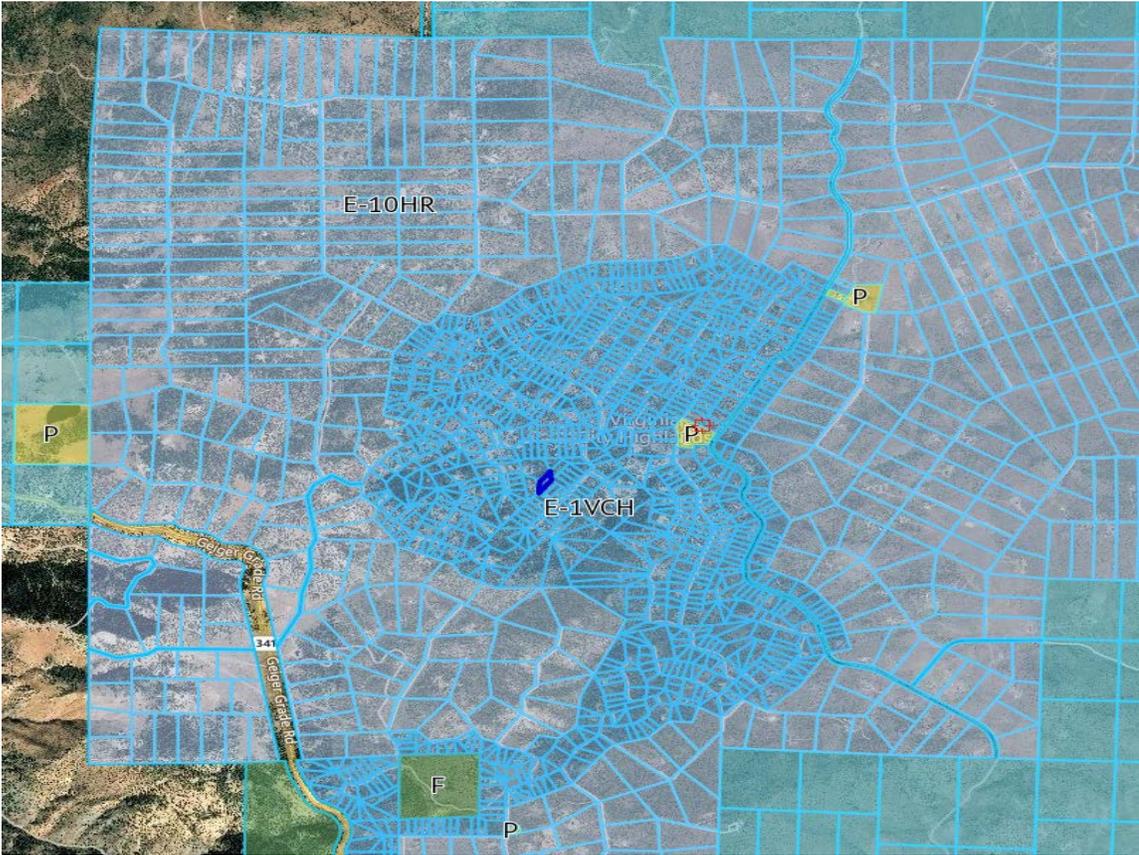
1. Background & Analysis

- A. Site Location & Background.** The proposed location is within the 1-acre Virginia City Highlands subdivision. The parcel itself has a “diamond” shape and the 50-foot roadway access easement for Alpine Road is located entirely on the parcel. Because of the shape of the parcel and the road access easement, when the setbacks are applied to the property, the area for development is limited to a long narrow area of the parcel which appears to be about 1/3rd of the property.

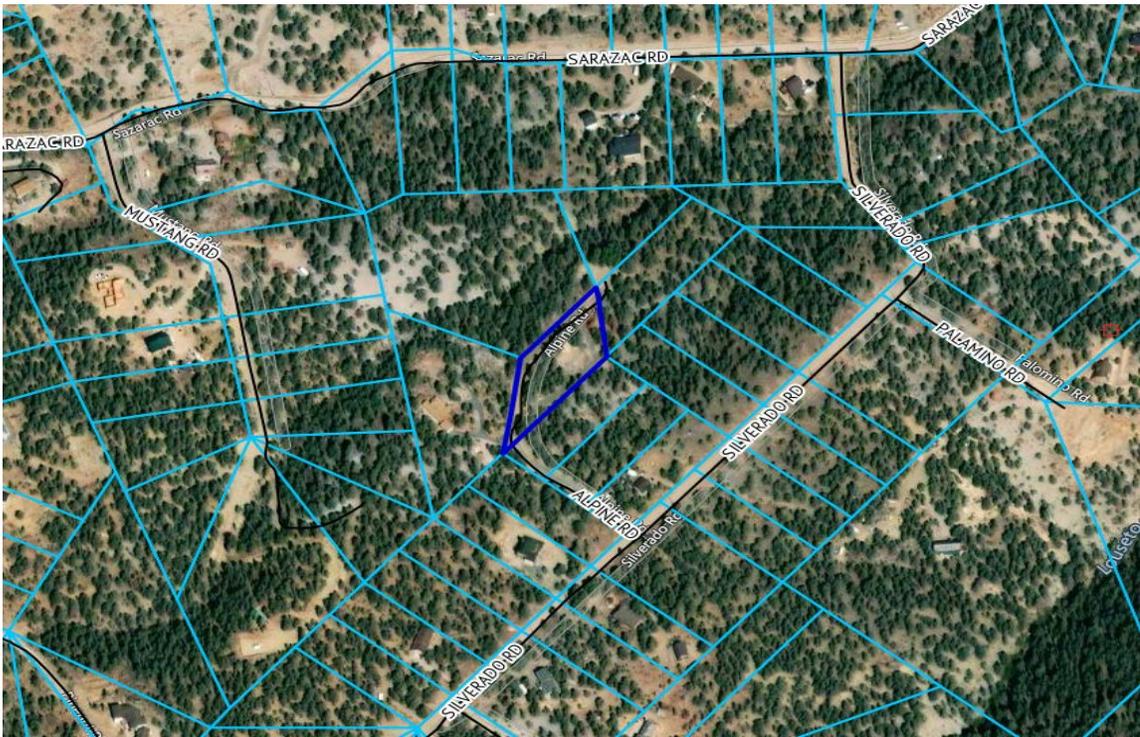
The property is served by Alpine Road, which extends along the west and north side of their property. The 50-foot wide roadway easement terminates at the northeast corner of their property into a turnaround area and serves three additional undeveloped properties. The access hasn’t been developed to a completed roadway width, and exists wide enough for one vehicle. There were some misunderstandings regarding the location of the roadway easement which have been clarified by locating property corners and measuring the 50-foot

easement at the property as opposed to on paper. It should be noted that the roadway easement is a private access easement for the residence of the Virginia City Highlands and is not a public access easement. The roadway easement is the responsibility of the Virginia City Highlands Property Owner's Association, not Storey County.

The applicant has applied for the construction of a residence on the parcel with the Community Development Department and have their well and septic system permitted and installed on the property. The applicant has proceeded with placing some accessory structures on the parcel and the Community Development Department is working with them to correct the location placement and getting the correct permitting to begin construction on the residence to be consistent with County regulations. Construction of the residence is not contingent on this special use permit request.

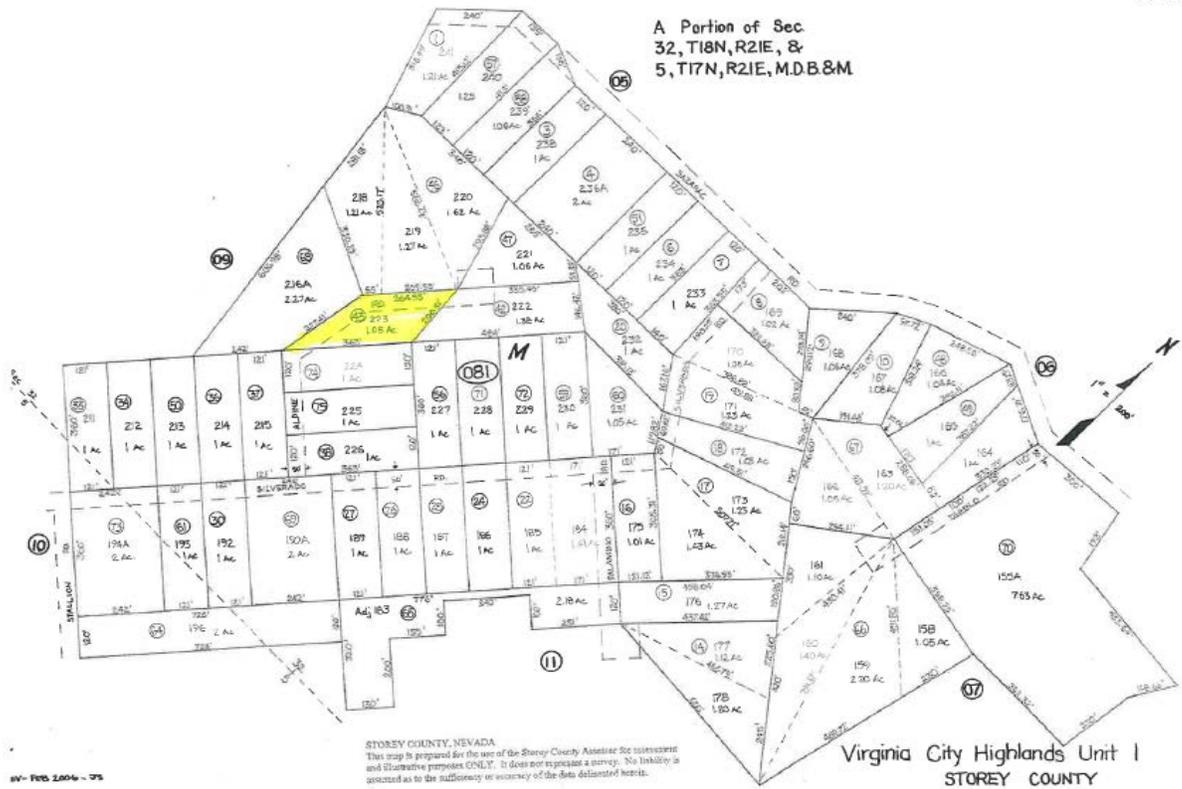


Vicinity Map



Location Map

05-08



Assessor's Parcel Map

- B. Proposed Project.** The applicants propose to construct a residence, a barn and several accessory buildings, including a two-story shed with a loft of approximately 300 square feet.

The zoning district allows for accessory structures under 200 square feet in size to be located within 3 feet of the side or rear property line or roadway easement line. The maximum square footage for accessory buildings in the Estates zone is 5,000 square feet total, which the applicant meets. This special use permit is a request to allow for the barn structure to be located five feet from the side-yard roadway easement (versus the required 15 feet) and for the two-story shed to be located 12-feet from the side-yard setback (versus the required 15 feet).

2. Use 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 abandonment and Storey County Title 17 Zoning or the 2016 Master Plan.

	Land Use	Master Plan	Zoning
Applicant’s Land	Vacant, proposed residential	Single Family Estate	<u>Estates 1VCH</u>
Land to the North	vacant	Single Family Estate	<u>Estates 1VCH</u>
Land to the East	vacant	Single Family Estate	<u>Estates 1VCH</u>
Land to the South	vacant	Single Family Estate	<u>Estates 1VCH</u>
Land to the West	residential	Single Family Estate	<u>Estates 1VCH</u>

B. Compliance with the Storey County Code. The property is located within Estates E-1 zoning district. Residential uses are an allowed use and accessory uses up to a total of 5,000 square feet are permissible. Because of the shape of the parcel, and with the roadway access being solely located on this parcel, the applicant has requested a special use permit to encroach into the side yard setback for two accessory structures.

C. General use allowances and restrictions. Storey County Code 17.03.150, Special Use Permit, identifies the administration for the Board and Planning Commission for allowing a special use permit. The approval, approval with conditions, or denial of the Special Use Permit must be based on findings of fact that the proposed use is appropriate or inappropriate in the location. The findings listed below are the minimum to be cited in an approval, with rationale for the findings included below each finding.

(1) 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.

The proposed residential use with accessory structures associated with the primary residential use is allowed for the Estates zoning district. The proposed use is consistent with the surrounding residential neighborhood. The Master Plan identifies the Virginia City Highlands subdivision as “single family estate”. The proposed use of the property is consistent with this designation.

(2) 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.

The special use permit to encroach into the side yard setbacks is requested because of the shape of the parcel and the roadway easement that is located entirely on the parcel of land. The roadway easement is a private easement for the Property Owners within the Virginia City Highlands subdivision. This segment of the roadway serves three adjacent properties and ends in turnaround area at the northeast corner of the parcel. The roadway is dirt and is at a width for one vehicle. This roadway does not connect to any other roadways in this location and would be utilized only by the adjacent property owners. Vehicle speeds on this segment would be slow because of the slope, width and terrain. Encroachment into the south side yard is desired because of the narrowness of the developable area of the parcel due to the roadway encroachment and the setbacks. While the barn might be located up to the five feet of the easement line, the actual dirt access is located a distance away within the 50-foot wide easement. For the accessory building on the south side, encroaching three feet into the 15-foot required setback allows for building separation within the developable area, along with maintaining a 12-foot setback from property line with the adjacent residential parcel.

- (3) 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.**

The residential use will be similar to other residential uses within the Virginia City Highlands subdivision. The roadway access will be maintained on this parcel, and the 5-foot setback from the access easement for the barn structure will not interfere with access to adjacent properties. Encroachment in the south side yard setback will allow for building separation on the developable portion of the property while still maintaining a 12-foot setback from the property line of the adjacent neighbor.

- (4) 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.**

The proposed use is not expected to require any additional governmental services or impact existing facilities.

D. Compliance with 2016 Storey County Master.

The Master Plan has identified this area as Single Family Estate. 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 special use permit is not expected to impact the character of the area.

3. Findings of Fact

The Storey County Planning Commission shall cite Findings in a recommended motion for approval, approval with conditions, or denial. The recommended approval, approval with conditions or denial of the requested Special Use Permit must be based on Findings. The Findings listed in the following subsections are the minimum to be cited. The Planning Commission may include additional Findings in their decision.

A. Motion for Approval. The following Findings of Fact are the minimum to be cited for a recommendation of approval or approval with conditions. The following Findings are evident with regard to the requested Special Use Permit when the recommended conditions in Section 4 are applied. At a minimum, an approval or conditional approval must be based on the following Findings:

- (1) This approval is to allow for a 5-foot side yard setback from the roadway easement line on the north side of the property and for a 12-foot side yard setback along the south property line. The property is located within the Virginia City Highlands at 2045 Alpine Road, Storey County, Nevada, Assessor's Parcel Number (APN) 003-081-43.
- (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 Highlands in which the subject property is located. A discussion supporting this finding is provided in Section 2.D 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, 17.12 – General Provisions, and Section 17.40 – E Estates Zone.

B. **Motion for denial.** Should a motion be made to deny the Special Use Permit request, the following findings with explanation why should be included in that motion.

- (1) This denial is to allow for a 5-foot side yard setback from the roadway easement line on the north side of the property and for a 12-foot side yard setback along the south property line. The property is located within the Virginia City Highlands at 2045 Alpine Road, Storey County, Nevada, Assessor’s Parcel Number (APN) 003-081-43.
- (2) The conditions under the Special Use Permit conflict with the minimum requirements in Storey County Code Sections 17.03.150 - Special Use Permit, 17.12 – General Provisions, and Section 17.40 -E Estates Zone.
- (3) The conditions under the Special Use Permit do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding use.

4. **Recommended Conditions of Approval**

- A. **Special Use Permit.** This approval is to allow for a 5-foot side yard setback from the roadway easement line on the north side of the property and for a 12-foot side yard setback along the south property line. The property is located within the Virginia City Highlands at 2045 Alpine Road, Storey County, Nevada, Assessor’s Parcel Number (APN) 003-081-43.
- B. **Compliance.** The Special Use Permit 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. **Requirements.** The Permit Holder/Licensee shall apply for any/all required permits and licenses, including building and fire permits, for the project within 24 months from the date of final approval of this Special Use Permit, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This permit shall remain valid as long as the Permit Holder remains in compliance with the terms of this permit and Storey County, Nevada State, and federal regulations.
- 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. **Taxes Paid.** Before obtaining a Building Permit for the accessory structures associated with this Special Use Permit, the Applicant must show the Planning Department evidence that all property taxes on the land are paid to-date.
- F. **Distances.** The reduced north side yard setback is approved to be 5-feet from the roadway access easement line (south side of easement), and the south side yard setback is approved

to be 12 feet from the south property line. All other setbacks (proposed or existing) must be in compliance with the Storey County Code.

- G. **Easement.** The granting of this Special Use Permit 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 Special Use Permit.

5. Public Comment

As of March 9, 2021, Staff has received no comments from the public.

6. Power of the Board and 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 Approval is advisory only to the Board of County Commissioners 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 that 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 (motion for approval)

In accordance with the recommendation by staff, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I [*Planning Commissioner*], hereby recommend approval to allow for a 5-foot side yard setback from the roadway easement line on the north side of the property and for a 12-foot side yard setback along the south property line. The property is located within the Virginia City Highlands at 2045 Alpine Road, Storey County, Nevada, Assessor's Parcel Number (APN) 003-081-43.

B. Alternative Motion (motion for denial)

In accordance with the Findings under section 3.B of this report and other Findings against the recommendation for approval with conditions by Staff, I [*Planning Commissioner*], hereby recommend denial of the applicant's request to allow for a 5-foot side yard setback from the roadway easement line on the north side of the property and for a 12-foot side yard setback along the south property line. The property is located within the Virginia City Highlands at 2045 Alpine Road, Storey County, Nevada, Assessor's Parcel Number (APN) 003-081-43.

