



STOREY COUNTY PLANNING COMMISSION

Meeting

Thursday May 19, 2022 6:00 p.m.
26 South B Street, District Courtroom and Zoom
Virginia City, Nevada

MEETING MINUTES

CHAIRMAN: Jim Umbach

VICE-CHAIRMAN: Alexia Sober

COMMISSIONERS:

Kris Thompson, Adrienne Baugh, Bryan Staples, Jim Hindle, Summer Pellett

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- Call to Order:** The meeting was called to order by the Chairman at 6:00 P.M.
 - Roll Call via in person and Zoom:** Jim Hindle, Jim Umbach, Adrienne Baugh, Kris Thompson, Bryan Staples.
Absent: Summer Pellett, Alexia Sober

Also Present: Planning Manager Kathy Canfield, County Manager Austin Osborne and County Commissioner Jay Carmona.
 - Pledge of Allegiance:** The Chairman led the Pledge of Allegiance.
 - Discussion/For Possible Action:** Approval of Agenda for May 19, 2022.

Motion: Approval of Agenda for May 19, 2022, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Baugh, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment.
 - Discussion/For Possible Action:** Variance 2022-14 by applicant James Collins. A request to allow for a reduced front yard setback to construct a primary residence and to allow for dwelling construction on a parcel of land not served by a 50-foot right-of-way or a 24-foot wide traveled way. The applicant proposes a 15-foot front yard setback from Howard Street and be accessed by an existing traveled way less than 24' in width. The property is located at 336 North Howard Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-033-03 and is identified as Lot 8A of Block 22, shown on record of survey map 136112, recorded in the Office of the Storey County Recorder on May 3, 2022.

Planning Manager Canfield gave a summary of the request. The applicant is proposing to construct a single family residence with a one car attached garage. The property has a depth of approximately 88 feet and the residence has a length of 58 feet. When the required front setback of 20 feet, plus the required rear setback of 10 feet are considered, the entire depth of the parcel is utilized. The applicant is requesting a variance to the front yard setback to allow for a setback of 15-feet from the Howard Street property line, which will allow for a small rear yard/pedestrian access between the rear of the residence and the steep slope to the property line. The rear property line setback would be at 15-feet instead of the required 10-feet.

To follow the required setbacks, the rear of the building would be constructed up to the steep slope, giving no pedestrian access to the rear of the residence. The applicant would like to move the residence forward 5-feet to allow for access around the entire building.

Howard Street in this location varies in width less than 24-feet wide and is unpaved. The roadway acts as a primary access to one other property to the north and as a secondary access to residences that front A Street. The roadway does not connect to any other Storey County maintained roads past the intersection of Howard Street and Carson Street and traffic on this roadway is minimal. The roadway is approximately 20-feet in width from the intersection to the applicant's property.

If allowed for the reduction in the front yard setback, there would be approximately 30-feet between the front of the residence and the edge of the travelled way, and onsite parking would have 15 linear feet of onsite space. Visibility when driving on Howard Street would not be impacted by the proposed encroachment into the setback.

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 Jim Hindle, recommend approval of Variance File 2022-14 to allow for a reduced front yard setback to construct a primary residence and to allow for dwelling construction on a parcel of land not served by a 50-foot right-of-way or a 24-foot wide traveled way. The applicant proposes a 15-foot front yard setback from Howard Street and be accessed by an existing traveled way less than 24' in width. The property is located at 336 North Howard Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-033-03 and is identified as Lot 8A of Block 22, shown on record of survey map 136112, recorded in the Office of the Storey County Recorder on May 3, 2022., **Action:** Approve, **Moved by** Commissioner Hindle, **Seconded by** Commissioner Thompson,

Planning Manager Canfield read the findings into the record:

- (1) This variance (File 2022-14) is to allow for a reduced front yard setback to construct a primary residence and to allow for dwelling construction on a parcel of land not served by a 50-foot right-of-way or a 24-foot wide traveled way. The applicant proposes a 15-foot front yard setback from Howard Street and be accessed by an existing traveled way less than 24' in width. The property is located at 336 North Howard Street, Virginia City, Storey County, Nevada, Assessor's Parcel Number (APN) 001-033-03 and is identified as Lot 8A of Block 22, shown on record of survey map 136112, recorded in the Office of the Storey County Recorder on May 3, 2022.
- (2) The subject property is located within R-1 Residential zoning in which single family residences are an allowed 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 17.16 R-1 Residential 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=5).

6. **Discussion/For Possible Action:** Review of Condition of Approval M, Annual Review of Special Use Permit 2020-012, a request to operate a two-room bed and breakfast inn within an existing residence in the R1-Residential zone. The property owners will occupy the residence and two bedrooms, along with common rooms, will be available for guests. Parking for the inn will be provided onsite. The subject property is located at 120 N. Howard, Virginia City, Storey County, Nevada and having Assessor's Parcel Number 001-023-06.

Planning Manager Canfield summarized the item. The Board of County Commissioners at their April 7, 2020 meeting, approved the request for a bed and breakfast subject to the recommendation by the Planning Commission and staff. The Special Use Permit contains the following Condition of Approval:

- M. **Annual Review.** At a regularly scheduled public meeting on or about the month of May 2021, the Planning Commission, with coordination from the Permit Holder, shall review the operations at the property and determine any significant impacts of the proposed operation has on the adjacent neighborhood. At that time, if any negative impacts are identified and brought to the attention of the Planning Commission or County staff, additional mitigating conditions may be added to the Special Use Permit by the Board with action/recommendation by the Planning Commission. If no additional mitigation measures are imposed, no Board of County Commissioners review shall be required. At the Annual Review, the Planning Commission shall determine if further annual reviews are required.

The applicant did approach the Planning Department prior to the May 2021 date and stated that because of the pandemic, they hadn't been able to open immediately after obtaining the Special Use Permit as they had originally anticipated. The Planning Commission discussed this condition at the May 6, 2021 meeting and agreed to provide an additional year of operation prior to making a determination regarding compliance with Condition M.

The bed and breakfast has now been operating for approximately one year. The Planning Department has not received any concerns from neighbors regarding the operations. Staff also contacted the Sheriff's Office and the County Nuisance Officer and they also have not received any calls or complaints regarding the bed and breakfast operation. Planning staff have no further concerns regarding the potential impacts to the neighborhood. Staff is recommending that no further compliance reviews be required because the operation is compliant with all conditions of approval listed in the special use permit.

Commissioner Thompson commented that he wholeheartedly supports the staff recommendation of discontinuing condition M. annual compliance review due to the business operating in compliance.

No Public Comment

Motion: I Kris Thompson move to find that the bed and breakfast facility associated with Special Use Permit 2020-012 is operating accordingly with their conditions of approval, that no additional mitigating conditions

are needed, and the annual review identified in Condition of Approval M is no longer necessary., **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Baugh,

No Public Comment

Vote: Motion carried by unanimous vote (**summary:** Yes=5).

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

The commission discussed the potential of taking a tour of the Tahoe Reno Industrial Center (TRIC) and then having a planning commission meeting at the county offices located in TRIC. A tour and meeting will potentially be held there sometime in the next few months.

Motion: Next planning commission meeting to be tentatively held on June 2, 2022 at 6:00 P.M. location to be determined, in person and via Zoom, **Action:** Approve, **Moved by** Commissioner Hindle, **Seconded by** Commissioner Thompson, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment

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

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

10. **Public Comment (No Action)** – Kris Thompson commented as a member of the public regarding the work (development) in the county. Thompson gave a huge “Thank you” and appreciation to Pete Renaud, Director of Community Development, and Kathy Canfield, Planning Manager for encouraging all this. They are facing issues out here (TRIC) that are complicated and multi layered. They have done superbly. Also thanked all staff in their departments for all their efforts.

Commissioner Hindle asked when there might be a workshop held regarding RS2477 roads in the Highlands.

Planning Manager Canfield gave the commission an update of the RS2477 project. At the last Board meeting there was a discussion about the RS2477 roads. This project is looking at public land (BLM) in Storey County and identifying existing dirt roadways that have a history, and meet the definition of RS2477 roads, and are considered public access ways. Canfield clarified that the county right now is focused only on roads that are located on public land (BLM) which are used as public access ways, not roads that go through private property. That may be looked at on a case by case basis but the county is currently working on identifying roads that go thru BLM land to prevent the possibility of BLM closing roads that the people have used for many years to access public lands. Canfield said if anyone has questions or would like to see the research that has been completed, they can contact the planning department. Staff is happy to meet and share information about the ongoing project and staff is anticipating a workshop to present this to the public at some point.

11. **Staff (No Action)** –

County Manager Osborne: Mentioned the discussion that has been ongoing with NDOT and the county regarding where the jurisdiction lies on State Route 342 between Devil’s Gate and Virginia City. It has always been a problem because nobody really knows if it is just the road that NDOT owns or is it the road or the shoulder, or is it just a maintenance easement, etc.? This has created a lot of problems over the years when driveways are proposed or when Public Works need to put in a sewer or water line and things like that. Projects sometimes were red tagged by NDOT, etc. The county and NDOT have worked together to get an actual “memorial letter” signed by NDOT that basically states that all the land around the road is either owned by Storey County or is privately owned. The road is NDOT’s jurisdiction. Osborne also reiterated what Canfield said about the RS2477 road project. The most

important part of the project is to identify roads that traverse through BLM land to keep them open and prevent BLM from potentially closing them in the future. Roads on private properties that may qualify for an RS2477 road is looked on a case by case basis. The issue is more complicated that if the road is on public land.

Chairman Umbach mentioned a book he got while traveling through Goldfield. It is about Esmeralda County speaking out about public land issues. He looks forward to reading it because there could be some overlap with our county on this issue.

Planning Manager Canfield: The Carson Water Subconservancy District (CWSD) successfully applied for and was awarded a grant through FEMA to complete a drainage study for Virginia City and Six Mile Canyon. The project has started and there will be a public meeting on Tuesday June 21st at Piper's Opera House. The meeting will include a brief discussion on what the study is for and what it will ultimately determine. Maps and displays will be available for view. Public comment is encouraged. There will be public noticing done through social media regarding the meeting and property owners in the Virginia City and Six Mile Canyon will be receiving a notice in the mail. Lumos and Associates is the contractor who is working on this for us. The study is very similar to the one drainage study completed in Mark Twain.

12. **Board Comments (No Action)** - Commissioner Hindle said it is his honor to represent the county on the CWSD and let the commission know that coming up in July (July 20th) there will be a tour of the Marlette Lake water system prior to the CWSD monthly meeting. The tour is open to the public. Hindle also mentioned that it might be nice in the future, potentially June, to host something in Virginia City which would include a tour followed by the meeting.
13. **Adjournment (No Action)** - The meeting was adjourned at 6:39 p.m.

Respectfully Submitted, By Lyndi Renaud