

STAFF REPORT FOR PLANNING COMMISSION MEETING OF OCTOBER 25, 2017

FILE NO: SUP-17-131

AGENDA ITEM: E-1

STAFF AUTHOR: Kathe Green, Assistant Planner

REQUEST: Special Use Permit to allow an existing building to be used as a guest building on property zoned Single Family 6,000 (SF6).

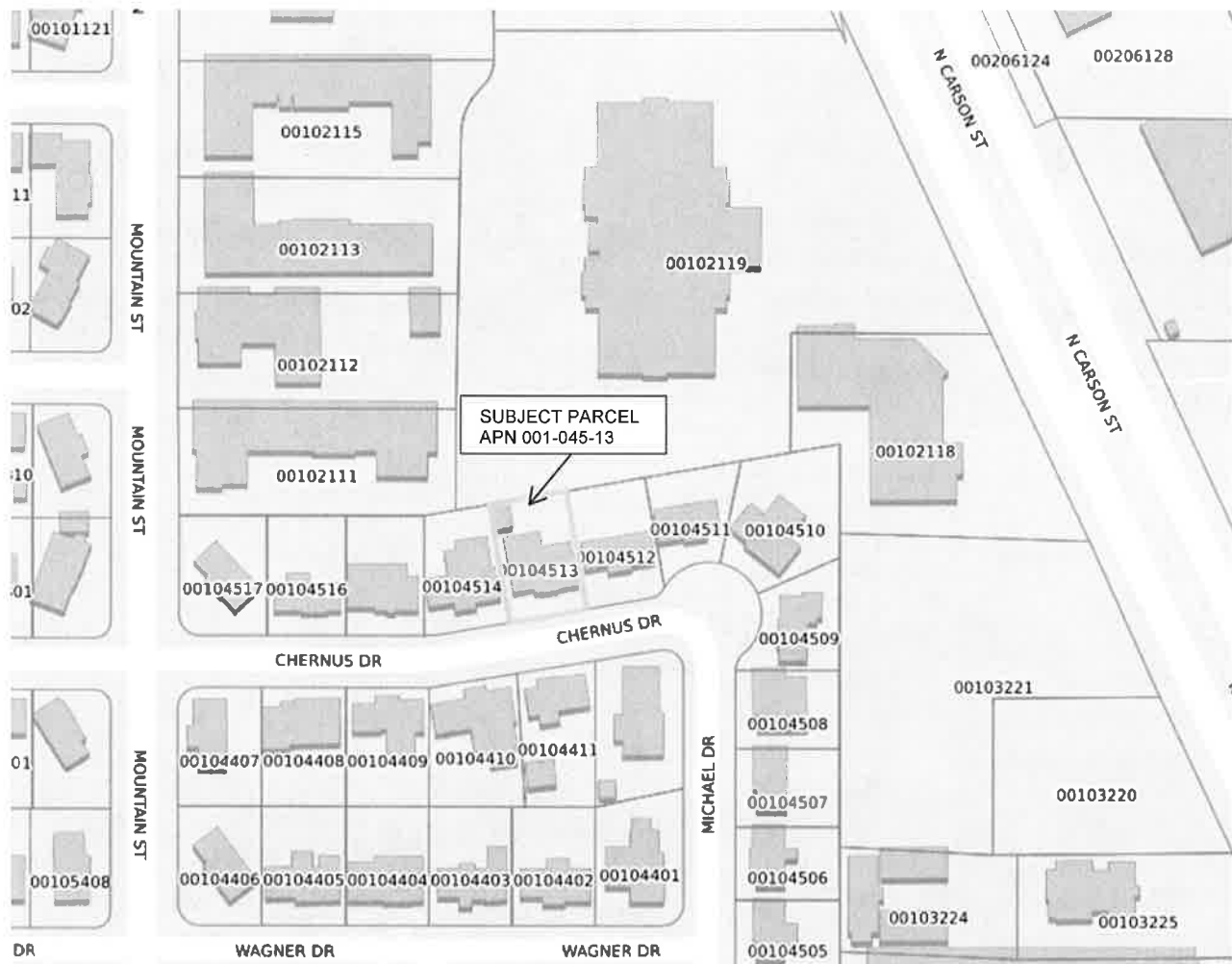
APPLICANT: Donald Gurney

OWNER: Gurney Family Trust 9/5/00, Donald and Barbara Gurney, Trustees

LOCATION: 608 Chernus Drive

APN: 001-045-13

RECOMMENDED MOTION: "I move to approve SUP-17-131, a Special Use Permit to allow an existing building to be used as a guest building, on property zoned Single Family 6,000, located at 608 Chernus Drive, APN 001-045-13 based on findings and conditions of approval contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL:

The following shall be completed prior to commencement of the use:

1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item may be rescheduled for the next Planning Commission meeting for further considerations.
2. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by these conditions of approval.
3. All on and off site improvements shall conform to City standards and requirements.
4. The applicant shall obtain a Certificate of Occupancy and final inspection approval for all required improvements prior to commencing the use.
5. The applicant shall meet all the conditions of approval and commence the use for which this permit is granted, within 12 months of the date of final approval. A single, one year extension of time may be granted if requested in writing to the Planning Division 30 days prior to the one year expiration date. Should this permit not be initiated within one year and no extension granted, the permit shall become null and void.
6. A deed restriction shall be filed and recorded, limiting the use of the guest building to family members and non-paying guests when not used as an art studio. The building is not allowed to be used as a secondary rental unit. The cost of the recording shall be paid by the applicant.

The following are required with submission of any Building Permit:

8. The applicant shall submit a signed copy of the Notice of Decision and conditions of approval with any building permit application.
9. Submit plans for the conversion of the previously approved craft room/art studio to residential use. Plans shall comply with all code requirements for conversion of the structure for residential occupancy.
10. Obtain building permit upon approval of the required plans and call for inspections as required to obtain final approval of the new use.
11. The secondary residence will be subject to the collection of Residential Construction Tax compliant with NRS 278.4983 and CCMC 15.60.050

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), 18.04.075.3 (Single Family 6,000 Conditional Uses), 18.04.190 (Residential Districts Intensity and Dimensional Standards), 18.03.010 (Accessory Building or Accessory Structure), 18.05.055 (Accessory Structures), and Development Standards Division 1.4 Guest Building Development.

MASTER PLAN DESIGNATION: Medium Density Residential (MDR)

PRESENT ZONING: Single Family 6,000 (SF6)

KEY ISSUES: Would the conversion of the existing detached accessory structure on site to be used as a guest building have an adverse impact on the adjacent neighborhood?

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Single Family 6,000 (SF6)/Residential
SOUTH: Single Family 6,000 (SF6)/Residential
EAST: Retail Commercial (RC)/Medical Office Building parking area
WEST: Single Family 6,000 (SF6)/Residential

ENVIRONMENTAL INFORMATION:

1. FLOOD ZONE: X areas of minimal flooding
2. SLOPE/DRAINAGE: The site is flat
3. EARTHQUAKE: Zone I, severe, fault zone beyond 500 feet
4. SOILS: 71 Urban land

SITE DEVELOPMENT INFORMATION:

1. LOT SIZE: 8,625 square feet
2. STRUCTURE SIZE: 576 square feet (24 x 24)
3. SETBACKS: (Existing structure): Front no change (rear of the primary structure), West Side no change (east of the garage), Rear 10 feet, East Side 34 feet
4. HEIGHT OVERALL: 16 feet 10 inches
5. VARIANCES REQUESTED: None

ADDITIONAL REVIEWS:

None

HISTORY:

A building permit (15-568) was issued to allow the construction of an art studio on the site on July 15, 2015. As a condition of approval of the building permit request, the applicant was notified that a guest building is a conditional use in the Single Family 6,000 zoning district, and that the art studio would not be allowed to be converted to a guest building without prior review and approval of a Special Use Permit by the Planning Commission. A deed restriction reflecting that the art studio would not be used as a guest building was recorded on July 14, 2017.

As a part of the building permit process, the Assessor's Office went to the site and reviewed the completed improvements for tax purposes, and determined that the new building had actually been converted to living space and is currently being used as a second residence on the site

The applicant was contacted and again notified that the use of a guest building is a conditional use in the Single Family 6,000 zoning district, and that the use of the building must be returned to an art studio or the applicant would need to submit an application for a Special Use Permit to the Planning Department and request approval for the use by the Planning Commission. The applicant was notified there is no guarantee of approval of the request.

The applicant submitted the Special Use Permit application to the Planning Division on September 13, 2017. It is noted the site plan and elevation pages submitted with the request were the plan reviewed prior to construction of the art studio on the site, and were marked "proposed", but the structure has actually been built. The applicant subsequently submitted a current layout of the interior of the building showing the conversion.

The applicant states their situation has changed, and that at over 80 years of age they now have a need to have their daughter, who is currently disabled due to an accident, live in the building previously used as an art studio. They are requesting approval of the living quarters to accommodate this family member as well as themselves. They state the use of the second residential unit would be limited to a family member, and will not be used as a secondary rental unit. While the structure will be shown by the Carson City Assessor as a secondary residential unit on the site, a portion of the structure may now or in the future be returned to use as an art studio. A recommended condition of approval is that a new deed restriction will be filed and recorded to limit the use of the guest building to family members and non-paying guests, and that it will not be used as a secondary rental unit in compliance with Development Standards Division 1.4 Guest Buildings.

As conditions of approval, if the living unit is approved, it will need to be reviewed by the Building Division to verify it meets the requirements of the building code for construction and residential construction taxes will need to be paid.

DISCUSSION:

A Special Use Permit is required for the following reasons: According to CCMC Title 18.04.075, Single Family 6,000, a guest building is a conditional use requiring review and approval by the Planning Commission prior to initiation of the use.

Pursuant to Development Standards Division 1.4 Guest Building Development, the maximum size of a Guest Building is limited to 700 square feet of living area in the Single Family 6,000 zoning district. The size of the structure proposed to be used as a guest building is 576 square feet. This building was approved as a non-habitable space to be used as an art studio. It was built adjacent a single car garage of 264 square feet located to the west of the building under review. This request is to authorize the change of use of the art studio portion of the constructed building to a guest building.

The primary structure is 2,460 square feet including an attached garage and sunroom. In addition to the art studio and adjacent garage, there are two other detached structures on site: a shed and gazebo that total 196 square feet. The total square footage in detached accessory structures is 1,036 square feet. The maximum allowed in detached accessory structures without additional review is 50% of the size of the primary structure or 1,230 square feet. The proposal would be within the allowed limits for size.

The applicant included information addressing the requirements of Development Standards Division 1.4. Guest Building Development in the application including acceptance of the requirement to record a document to restrict the use of the guest building to family members and non-paying guests, and that the guest building will not be used as a secondary rental income property. The building meets the required setbacks and height restrictions for the site, is compatible with the appearance of the primary structure, has adequate parking (there is on-site parking for three cars), and the entrance to the building is not visible from the street.

The proposed change of use would not change the exterior appearance of the structure. The building is screened on the west by the adjacent garage, is adjacent to a commercial parking lot on the rear (north), and is partially screened on the east by the shed and gazebo in the yard area, with screening from the front of the property and street by the primary residence. Pictures of the site taken by the Assessor's Office are attached, showing the exterior and interior of the structure.

This application is to modify the art studio to allow a bedroom and kitchen in the guest portion of the building, while retaining the option to utilize a portion of the building as an art studio in the future if the applicants choose to resume the art studio use.

PUBLIC COMMENTS: Public notices were mailed on October 6, 2017 to 33 adjacent property owners within 350 feet of the subject site. At the writing of this report no comments have been received in favor or opposition to the proposal. Any comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the meeting on October 25, 2017 depending on the date of submission of the comments to the Planning Division.

AGENCY COMMENTS: All comments from various city departments and agencies which were received as of October 9, 2017 are included in this report. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

Building Division:

1. Submit plans for the conversion of the previously approved craft room/art studio to residential use. Plans shall comply with all code requirements for conversion of the structure for residential occupancy.
2. Obtain building permit upon approval of the required plans and call for inspections as required to obtain final approval of the new use.

Engineering: No concerns

Fire: Project must comply with the 2012 International Fire Code and Northern Nevada Fire Code Amendments as adopted by Carson City.

Parks: The secondary residence will be subject to the collection of Residential Construction Tax compliant with NRS 278.4983 and CCMC 15.60.050.

FINDINGS: Staff's recommendation is based upon the findings as required by CCMC Section 18.02.080 (Special Use Permits) enumerated below and substantiated in the public record for the project.

1. Will be consistent with the objectives of the Master Plan elements.

Chapter 3 A Balanced Land Use Pattern

Goal 1.1- Promote the Efficient Use of Available Land and Resources

Goal 1.1a- Balanced Land Use Plan

Goal 2.2 Expand Housing Variety

Goal 2.2a-Variety of Housing Types

Goal 2.2c- Accessory Dwellings

Goal 6.2 Promote Compatible Infill and Redevelopment

Modification of an existing detached structure from an art studio to a guest building is proposed with this application. The building is already on the site. No expansion of the number of people to be housed or located on the site is proposed. This request is to allow the people who currently live here to be more comfortable. The area of expansion would be inside an existing structure, which is screened by an adjacent garage on the west, visible from a commercial parking lot on the rear, partially screened by other detached accessory structures in the back yard from the adjacent property owner to the east, and is screened from the front or street by the primary residence on the site. The people living in the house are proposing to help one another age in place and support each other while dealing with disabilities.

2. Will not be detrimental to the use, peaceful enjoyment, economic value, or development of

surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or within the public right-of-way to mitigate development related to adverse impacts such as noise, vibrations, fumes odors, dust glare or physical activity.

This development would not be detrimental to surrounding properties or the neighborhood. The applicant is requesting approval of the modification of an existing art studio to a guest building to allow a bedroom, bathroom and kitchen while allowing the possibility of continuing the art studio use in the future. The building is a single story and has already been constructed. The same number of people will remain on the site. No noise, vibrations, fumes, odors, dust, glare or additional physical activity is anticipated as a result of the development of the site with modification of the art studio to a guest building, while retaining the possibility to resume the use of an art studio within a portion of the building in the future if the needs of the residents change.

3. Will have little or no detrimental effect on vehicular or pedestrian traffic.

The modification of the art studio to a guest building as proposed is to allow the family to help one another as a result of the concerns of age as well as disability. No additional vehicular or pedestrian traffic is anticipated as the construction on the site has been completed. The number of people living on the site is not proposed to change. There is on-site parking for three vehicles, the minimum required.

4. Will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.

No additional need for public services and facilities is anticipated. The site is on City water and sewer. The art studio was already approved with a full bathroom connected to public utilities. The people who will use the buildings on the site already live here. No additional people are anticipated to join the family living at this location. No additional need for school, police, fire protection or public roads or other public improvements is anticipated.

5. Meets the definition and specific standards set forth elsewhere in this Title for such particular use and meets the purpose statement of that district.

The project is located in the Single Family 6,000 zoning district which has the following purpose: provide for the development of single family detached dwellings in a suburban setting. The project meets the purpose statement for this district.

6. Will not be detrimental to the public health, safety, convenience and welfare.

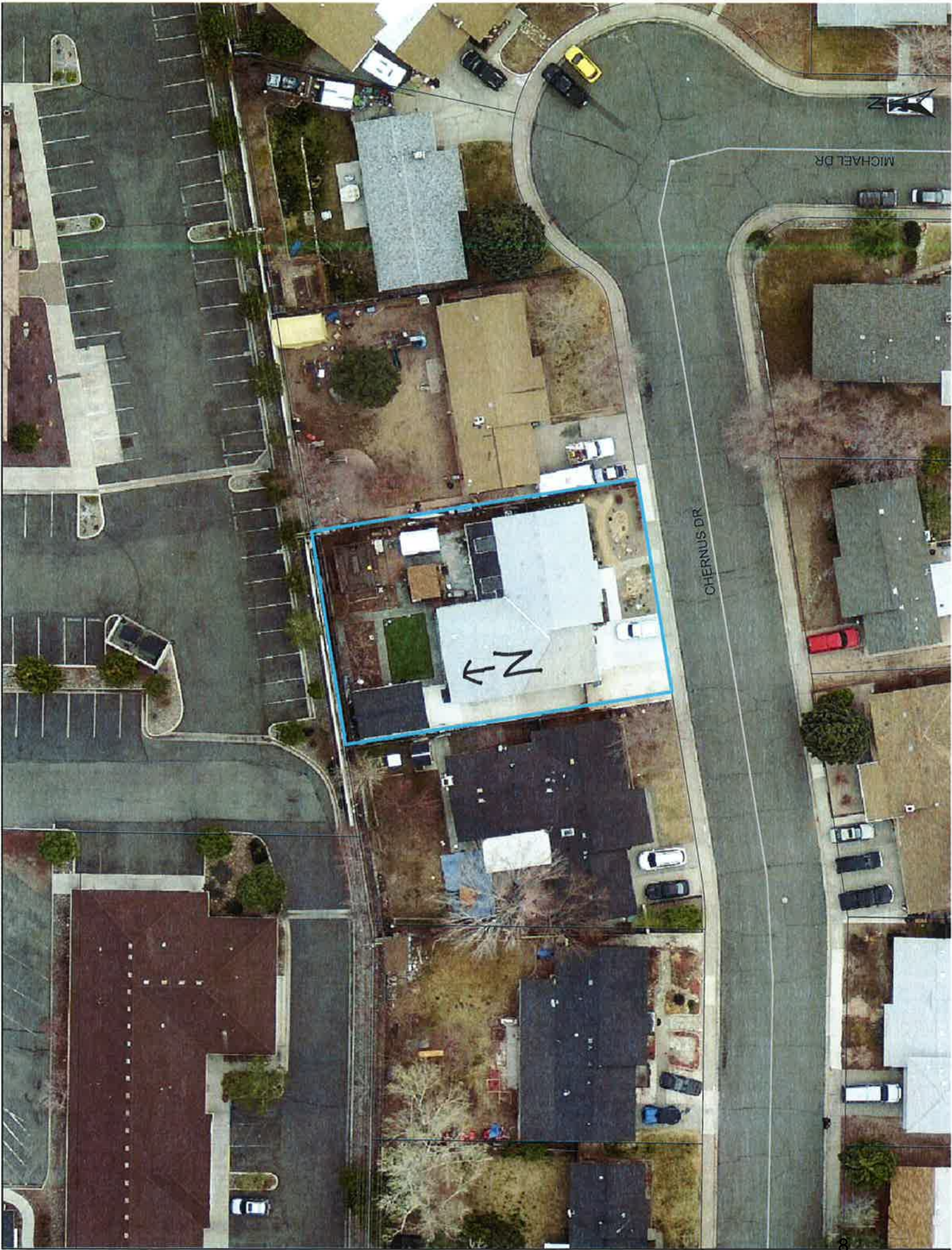
The guest building currently under review on this site was originally approved as an art studio. This proposal is to allow the conversion of the building to living space as a residential unit.

7. Will not result in material damage or prejudice to other property in the vicinity, as a result of proposed mitigation measures.

Property owners within the vicinity have been notified of the public hearing for the consideration of this project. The structure has already been constructed on the site. The proposal under review is a modification of the allowed use from an art studio to a guest building.

Attachments

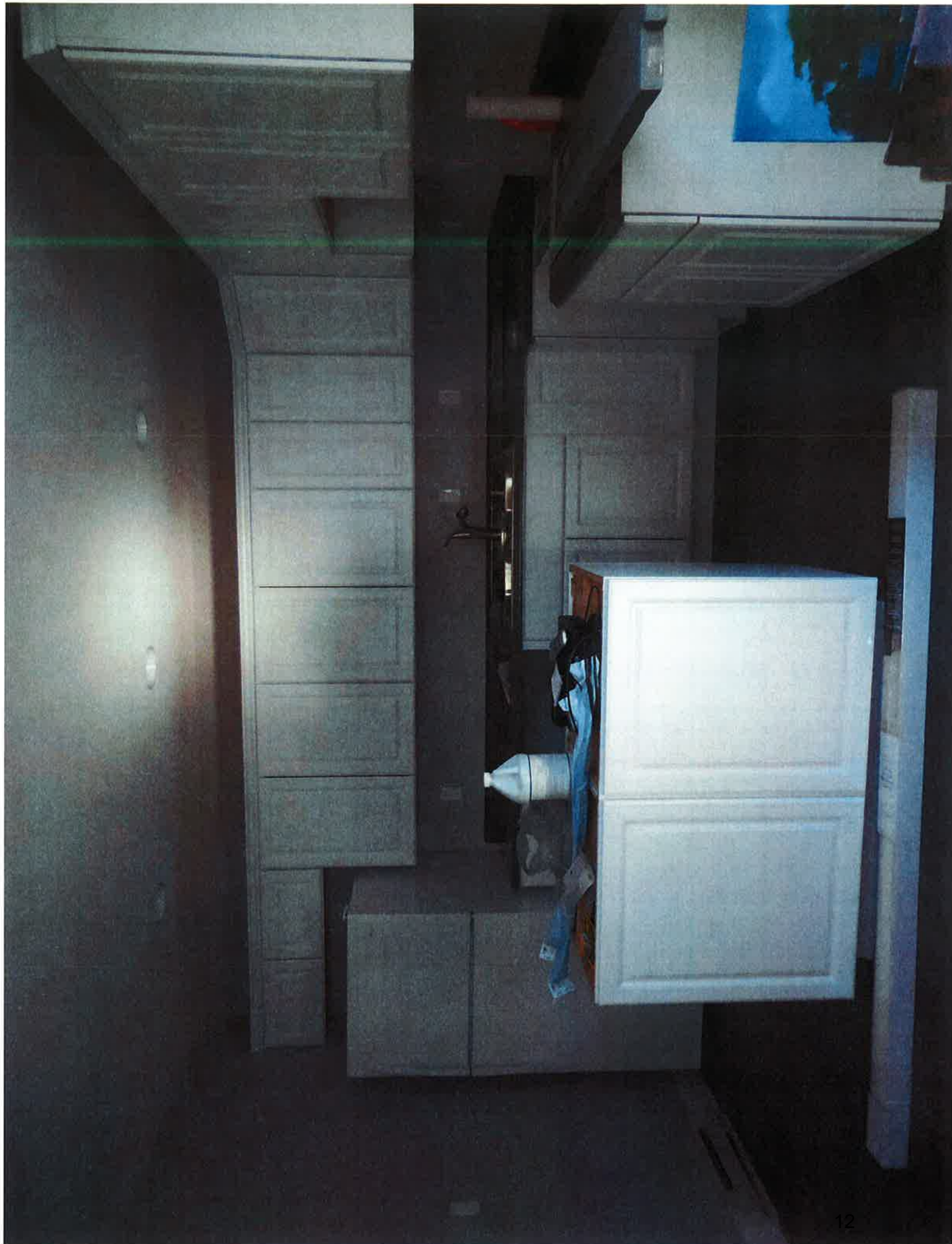
- Site Photos
- Building Division comments
- Engineering Division comments
- Fire Department comments
- Parks & Recreation comments
- Application (SUP-17-131)

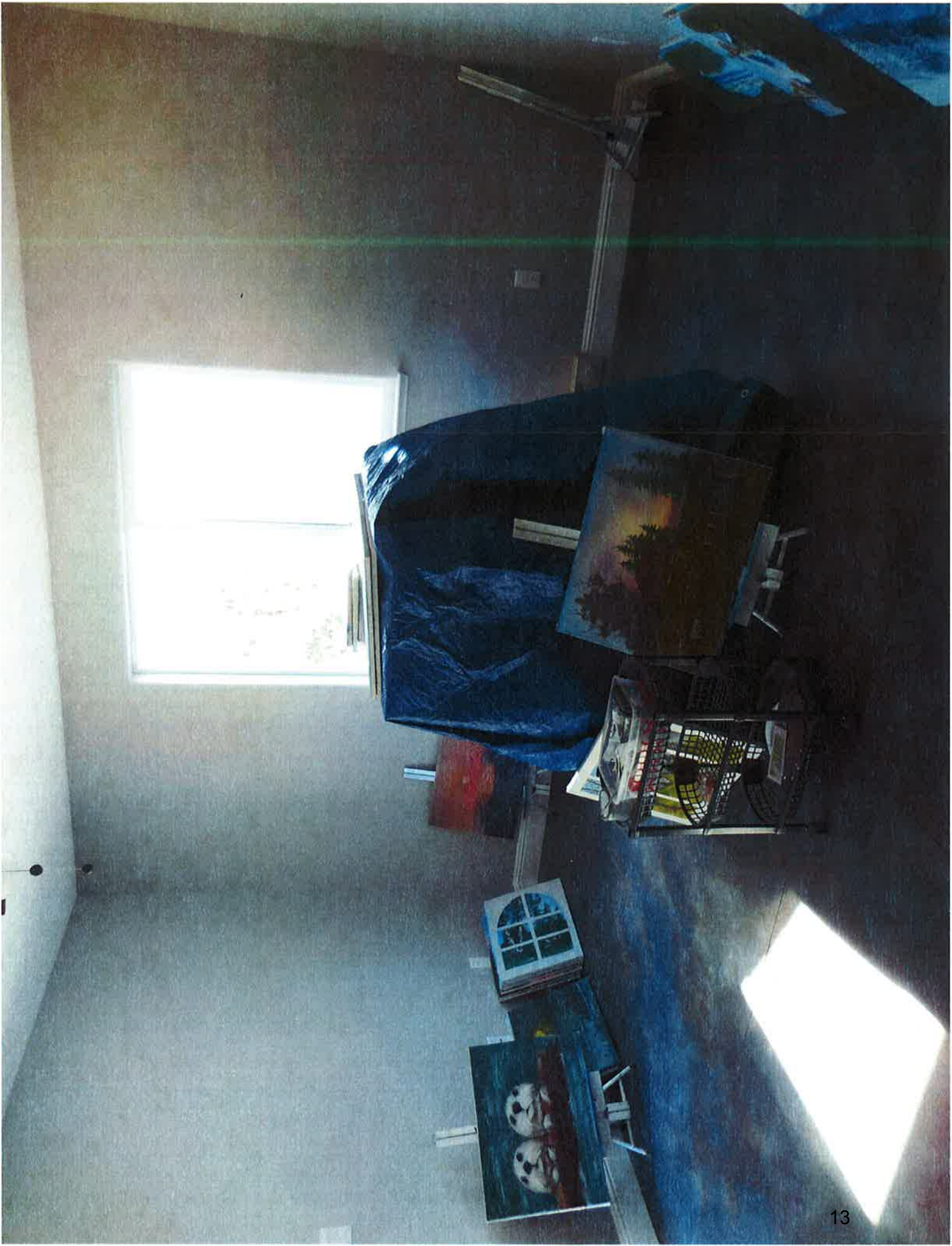


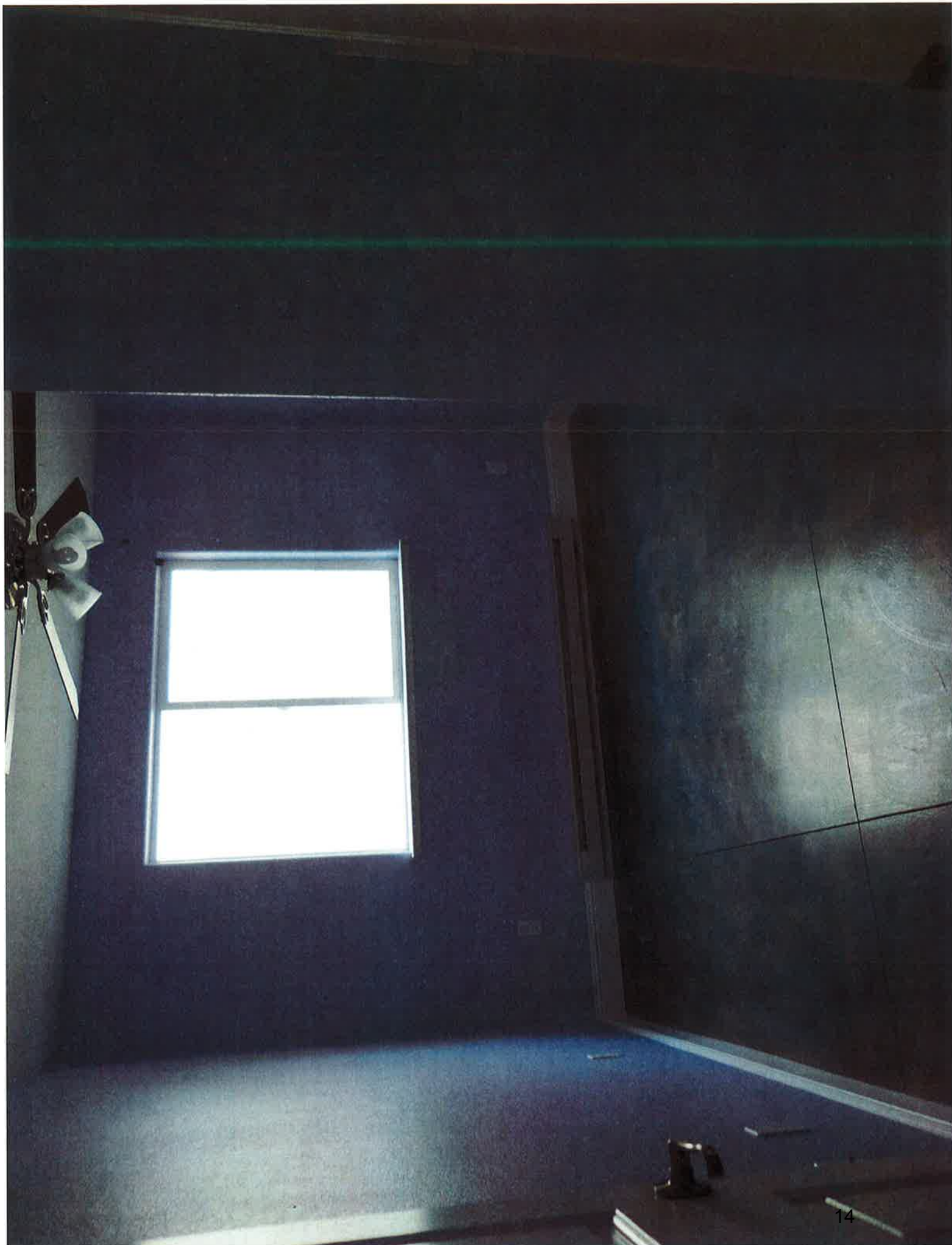














October 12, 2017

Building Division

SUP-17-131 Gurney Guest Bldg

Please indicate the following conditions for the above subject project:

1. Submit plans for the conversion of the previously approved craft room/art studio to residential use. Plans shall comply with all code requirements for conversion of the structure for residential occupancy.
- 2.
3. Obtain building permit upon approval of the required plans and call for inspections as required to obtain final approval of the new use.

Let me know if you have any questions or if you need additional information regarding the above project and/or conditions.

Ray Proffitt, for

*Charlene Gaworski, CBO, MCP
Chief Building Official*

*Carson City Nevada
Community Development
Building Division
108 E. Proctor Street
Carson City, NV 89701
Ph: 775-887-2310
Fax: 775-887-2202
Email: CGaworski@carson.org*



**Engineering Division
Planning Commission Report
File Number SUP 17-131**

TO: Hope Sullivan - Planning Department
FROM: Stephen Pottéy – Development Engineering Department
DATE: October 6, 2017 **MEETING DATE:** October 25, 2017

SUBJECT TITLE:

Action: To consider a request for a Special Use Permit from Donald Gurney convert an art studio into a guest building, located at 608 Chernus Drive, APN 001-045-13.

RECOMMENDATION:

The Engineering Division has no preference or objection to the special use request and has no conditions of approval.

DISCUSSION:

The Engineering Division has reviewed the application within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses. The Engineering Division offers the following discussion:

C.C.M.C. 18.02.080 (5a) - Master Plan

The request is not in conflict with any Engineering Master Plans.

C.C.M.C. 18.02.080 (5b) – Use, Peaceful Enjoyment, Economic Value, Compatibility

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5c) - Traffic/Pedestrians

The existing infrastructure is sufficient for this use.

C.C.M.C. 18.02.080 (5d) - Public Services

The existing infrastructure is sufficient for this use.

C.C.M.C. 18.02.080 (5e) – Title 18 Standards

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5f) – Public health, Safety, Convenience, and Welfare

The project meets engineering standards for health and safety.

C.C.M.C. 18.02.080 (5g) – Material Damage or Prejudice to Other Property

Development Engineering has no comment on this finding.

C.C.M.C. 18.02.080 (5h) – Adequate Information

The plans and reports provided were adequate for this analysis.

Fire Department Comments

Comments for SUP 17-131:

1. Project must comply with the 2012 International Fire Code and Northern Nevada Fire Code Amendments as adopted by Carson City.

Dave Ruben

Fire Marshal
Carson City Fire Department
777 S. Stewart Street
Carson City, NV 89701

Direct 775-283-7153
Main 775-887-2210
FAX 775-887-2209



SUP-17-131 Parks and Rec

Hope and Lena,



The Parks, Recreation & Open Space Department has the following comment on the above referenced SUP.

1. If the Planning Commission approves the applicant's request for the conversion (change of use) from an existing art studio to a secondary residence, the secondary residence will be subject to the collection of Residential Construction Tax compliant with NRS 278.4983 and CCMC 15.60.050.

(Reference Documents Attached - NRS, CCMCC, and Applicant's Q &A)

Thank you,
Vern & Patti

3. If a park or playground has not been developed on the land dedicated for that purpose within 3 years after the date on which 75 percent of the residential dwelling units authorized within that subdivision or development first become occupied, title to the land reverts to the owners of the lots in the subdivision at the time of the reversion on a pro rata basis.

(Added to NRS by 1973, 1448; A 1979, 660; 1983, 1548)

NRS 278.4983 Residential construction tax.

1. The city council of any city or the board of county commissioners of any county which has adopted a master plan and recreation plan, as provided in this chapter, which includes, as a part of the plan, future or present sites for neighborhood parks may, by ordinance, impose a residential construction tax pursuant to this section.

2. If imposed, the residential construction tax must be imposed on the privilege of constructing apartment houses and residential dwelling units and developing mobile home lots in the respective cities and counties. The rate of the tax must not exceed:

(a) With respect to the construction of apartment houses and residential dwelling units, 1 percent of the valuation of each building permit issued or \$1,000 per residential dwelling unit, whichever is less. For the purpose of the residential construction tax, the city council of the city or the board of county commissioners of the county shall adopt an ordinance basing the valuation of building permits on the actual costs of residential construction in the area.

(b) With respect to the development of mobile home lots, for each mobile home lot authorized by a lot development permit, 80 percent of the average residential construction tax paid per residential dwelling unit in the respective city or county during the calendar year next preceding the fiscal year in which the lot development permit is issued.

3. The purpose of the tax is to raise revenue to enable the cities and counties to provide neighborhood parks and facilities for parks which are required by the residents of those apartment houses, mobile homes and residences.

4. An ordinance enacted pursuant to subsection 1 must establish the procedures for collecting the tax, set its rate, and determine the purposes for which the tax is to be used, subject to the restrictions and standards provided in this chapter. The ordinance must, without limiting the general powers conferred in this chapter, also include:

(a) Provisions for the creation, in accordance with the applicable master plan, of park districts which would serve neighborhoods within the city or county.

(b) A provision for collecting the tax at the time of issuance of a building permit for the construction of any apartment houses or residential dwelling units, or a lot development permit for the development of mobile home lots.

5. All residential construction taxes collected pursuant to the provisions of this section and any ordinance enacted by a city council or board of county commissioners, and all interest accrued on the money, must be placed with the city treasurer or county treasurer in a special fund. Except as otherwise provided in subsection 6, the money in the fund may only be used for:

(a) The acquisition, improvement and expansion of neighborhood parks; or

(b) The installation or improvement of facilities in existing or neighborhood parks in the city or county,

→ that are attributable to the new construction or development for which the money was collected. Money in the fund must be expended within the park district from which it was collected and must not be expended for maintenance or operational expenses.

6. If a neighborhood park has not been developed or facilities have not been installed in an existing park in the park district created to serve the neighborhood in which the subdivision or development is located within 3 years after the date on which 75 percent of the residential dwelling units authorized within that subdivision or development first became occupied, all money paid by the subdivider or developer, together with interest at the rate at which the city or county has invested the money in the fund, must be refunded to the owners of the lots in the subdivision or development at the time of the reversion on a pro rata basis.

7. The limitation of time established pursuant to subsection 6 is suspended for any period, not to exceed 1 year, during which this State or the Federal Government takes any action to protect the environment or an endangered species which prohibits, stops or delays the development of a park or installation of facilities.

8. For the purposes of this section:

(a) "Facilities" means turf, trees, irrigation, playground apparatus, playing fields, areas to be used for organized amateur sports, play areas, picnic areas, horseshoe pits and other recreational equipment or appurtenances designed to serve the natural persons, families and small groups from the neighborhood from which the tax was collected.

(b) "Improvement of facilities" means the expansion, modification, redesign, redevelopment or enhancement of existing facilities or the installation of new or additional facilities.

(c) "Neighborhood park" means a site not exceeding 25 acres, designed to serve the recreational and outdoor needs of natural persons, families and small groups.

(Added to NRS by 1973, 1449; A 1983, 1551; 1987, 1611; 1991, 299; 1999, 807, 1689; 2015, 276)

NRS 278.4985 Applicability to planned unit developments.

1. The city council of any city or the board of county commissioners of any county which has adopted a master plan as provided in this chapter which includes future or present sites for parks and playgrounds may require that:

(a) The developers of a planned unit development dedicate land as provided by NRS 278.4979, 278.498 and 278.4981; or

(b) A residential construction tax be imposed on the privilege of constructing planned unit developments in the manner provided by NRS 278.4983.

→ if the ordinance defining and regulating planned unit developments in the particular city or county imposes open space requirements less than those required by the ordinance adopted pursuant to NRS 278.4981.

2. If a requirement to dedicate land or pay a residential construction tax is imposed on the construction of a planned unit development, the planned unit development is eligible to receive a credit against the amount of land to be dedicated or the amount of the residential construction tax imposed, for the amount and value of the developed open space within the planned unit development.

(Added to NRS by 1973, 1450; A 1983, 1552)

NRS 278.4987 Provisions for dedication and residential construction tax mutually exclusive; concurrent application prohibited.

1. The requirement for dedication of land under NRS 278.4979, 278.498 and 278.4981 and the imposition of the residential construction tax under NRS 278.4983, are mutually exclusive as to any particular subdivision, apartment house, mobile home lot or residential dwelling unit which may be benefited or affected by any such requirement or imposition.

2. Any city council or board of county commissioners determining to provide park or playground facilities under the provisions of NRS 278.497 to 278.4987, inclusive, shall elect, for any one period, to follow only one of the procedures provided in these sections.

(Added to NRS by 1973, 1450; A 1975, 1564)

"Apartment house" means a building arranged in several suites of connecting rooms, each suite designed for independent housekeeping, but with certain mechanical conveniences, such as air conditioning, heat, light or elevator services shared in common by all families occupying the building.

2. "Facilities" means turf, trees, irrigation, playground apparatus, playing fields, play areas, picnic areas, horseshoe pits and other recreational equipment or appurtenances designed to serve the natural persons, families and small groups from the neighborhood from which the tax was collected.
3. "Master plan" means the master plan of Carson City as adopted and amended from time to time by the board of supervisors upon recommendations of the planning commission or the park and recreation commission. The master plan is also known as the general development plan for Carson City and as the general plan.
4. "Mobilehome" means a vehicle without motive power designed or equipped for living purposes and to carry property or passengers wholly on its own structure and to be drawn by motor vehicle.
5. "Mobilehome lot" means any area or tract of land designated, designed or used for the occupancy of a mobilehome.
6. "Neighborhood park" means a site not exceeding twenty-five (25) acres, designed to serve the recreational and outdoor needs of natural persons, families and small groups.
7. "Residential dwelling unit" means a building or structure or a portion of a building or structure planned, designed or used as a residence for one (1) family only, living independently of other families or persons and having its own bathroom and housekeeping facilities included in the unit.
8. "Residential use" means the capability of permanent occupation of a building or mobilehome by one (1) or more persons for sleeping or eating purposes.

(Ord. 2002-20 § 2 (part), 2002).

15.60.045 - Carson City as one neighborhood park and park facilities district.

The entirety of Carson City, the boundaries of which are designated in Section 1.030 of the Carson City Charter, is designated as one (1) neighborhood park and park facilities district.

(Ord. 2002-20 § 2 (part), 2002).

15.60.050 - Imposition and rate of the residential construction tax.

1. Prior to the issuance of any building permit for construction of any residential dwelling unit, including an apartment house suite, development of any mobilehome lot or the remodeling of any nonresidential structure within Carson City for the purpose of residential use, the applicant shall pay to Carson City one-half (½) of a residential construction tax fee which shall be equal to one percent (1%) of the valuation of each building permit issued or one thousand dollars (\$1,000.00) per residential dwelling unit, apartment house suite or mobilehome lot, whichever is less. Building permit valuation shall be based on the actual costs of residential construction in the area as determined by the city's building official in accordance with Marshall-Swift formulas. The balance of the residential construction fee shall be paid to Carson City prior to the occupancy or final inspection of the above-described residential dwelling unit(s), whichever occurs first.
2. The minimum residential construction tax fee shall be three hundred dollars (\$300.00) for each dwelling unit or mobilehome lot.
3. On and after January 1, 1989, the total residential tax fee shall be collected prior to the issuance of any building permit for construction.

(Ord. 2002-20 § 2 (part), 2002).

15.60.060 - Procedure for collecting tax.

The residential construction tax shall be paid to Carson City which shall maintain a record of all moneys collected.

(Ord. 2002-20 § 2 (part), 2002).

15.60.070 - Residential construction tax fund.

All residential construction taxes collected pursuant to this chapter shall be submitted to the Carson City treasurer for placement in a special fund to be known as the "Carson City residential construction tax fund."

(Ord. 2002-20 § 2 (part), 2002).

15.60.080 - Use of revenue in fund.

- 1.

1.4.1 Attached is the site plan that was originally submitted and approved on July 30, 2015 under building permit #15-568. Although we signed a deed restriction to allow this building as an art studio, not to be converted or used as a secondary rental unit or guest building. The cover letter explains why we converted it to a secondary residence.

1.4.2 Recordation was accomplished at the City Records' office during the week of September 3, 2017.

1.4.3 The existing guest building has kitchen facilities and does not have to be expanded again, it is not uncommon for art studios to have kitchen facilities; therefore, a new building permit should not be required.

1.4.4a -This is a SF6 zoning district and the building is 576 square feet, which is less than the maximum for an SF6 zoning district.

1.4.4b – not applicable

1.4.5 required set backs have been met.

1.4.6 Maximum building height requirements have been met.

1.4.7 The front of the residence has a 3-car paved surface.

1.4.8a- architectural design and materials are consistent and compatible with the design and materials the main structure as per original permit.

1.4.8b- only one entrance is visible from the street frontage (see original site plan).

1.4.9a- We are not planning any modifications relating to size height and site design.

1.4.9b- there are no plans to modify setbacks and parking.

1.4.10 If approved as a guest building it only be occupied by a member of the immediate family.

RECEIVED

OCT 09 2017

CARSON CITY
PLANNING DIVISION

Lena:

SUP-17-131

Health and Human Services has no concerns with the application as submitted.

Let me know if you have any questions.

Dustin

RECEIVED

SEP 13 2017

CARSON CITY
PLANNING DIVISION

Carson City Planning Division
108 E. Proctor Street • Carson City NV 89701
Phone: (775) 887-2180 • E-mail: planning@carson.org

FOR OFFICE USE ONLY:

CCMC 18.02.080

SPECIAL USE PERMIT**FILE # SUP - 17 - 131**

APPLICANT

PHONE #

DONALD GURNEY (775) 882-6392

MAILING ADDRESS, CITY, STATE, ZIP

608 CHERNUS DR CARSON CITY 89703

EMAIL ADDRESS

XSNOOPGURNEY@OUTLOOK.COM

PROPERTY OWNER

PHONE #

SAME

SAME

MAILING ADDRESS, CITY, STATE, ZIP

SAME

EMAIL ADDRESS

KONFWZED01@OUTLOOK.COM

APPLICANT AGENT/REPRESENTATIVE

PHONE #

MAILING ADDRESS, CITY STATE, ZIP

EMAIL ADDRESS

FEE*: \$2,450.00 MAJOR
\$2,200.00 MINOR (Residential
zoning districts)
+ noticing fee

*Due after application is deemed complete by
staff

☐ SUBMITTAL PACKET – 4 Complete Packets (1 Unbound
Original and 3 Copies) including:

- ☒ Application Form
- ☒ Detailed Written Project Description
- ☒ Site Plan
- ☒ Building Elevation Drawings and Floor Plans
- ☒ Special Use Permit Findings
- ☒ Master Plan Policy Checklist
- ☐ Applicant's Acknowledgment Statement
- ☐ Documentation of Taxes Paid-to-Date
- ☐ Project Impact Reports (Engineering)

☐ CD or USB DRIVE with complete application in PDF

Application Received and Reviewed By: _____

Submittal Deadline: See attached Planning Commission
application submittal schedule.

Note: Submittals must be of sufficient clarity and detail for
all departments to adequately review the request. Additional
information may be required.

Project's Assessor Parcel Number(s):

001-045-13

Street Address

608 CHERNUS DR. CARSON CITY, 89703

Project's Master Plan Designation

MDR

Project's Current Zoning

RESIDENTIAL SFG

Nearest Major Cross Street(s)

MOUNTAIN & WINNIE

Please provide a brief description of your proposed project and/or proposed use below. Provide additional pages to describe your request in more detail.

CONVERT ART STUDIO TO FAMILY MEMBER LIVING QUARTERS

PROPERTY OWNER'S AFFIDAVIT

I, _____, being duly deposed, do hereby affirm that I am the record owner of the subject property, and that I have
knowledge of, and I agree to, the filing of this application.

Signature

Donald Gurney

Address

608 CHERNUS DR.

Date

9/13/17

Use additional page(s) if necessary for additional owners.

STATE OF NEVADA)
COUNTY)

On 9/13

2017

Donald Gurney

personally appeared before me, a notary public,
personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she
executed the foregoing document.

Lena E. Reseck
Notary Public



No. 14-12732-5

My Appt. Exp. March 28, 2018

NOTE: If your project is located within the Historic District or airport area, it may need to be scheduled before the Historic Resources Commission or the
Airport Authority in addition to being scheduled for review by the Planning Commission. Planning staff can help you make this determination.

PROJECT DESCRIPTION FOR A SPECIAL USE PERMIT – 608 CHERNUS DRIVE CARSON CITY, NEVADA 897103

Our original intention was to create an art studio/sales facility on our property. The final structure decision was an addition to the exterior garage rather than a room on the second floor to be added to the existing attached garage.

Perhaps the plan was overly optimistic; Mrs. Gurney and I are both over 80 years old and expected life to continue as it was up to that point. Shortly after the extension was finished, her medical condition deteriorated and our daughter moved in with us and occupied our spare bedroom. Then our daughter's dog and our dog ceased being compatible. Although they previously ate out of the same bowl and played together, our dog became overly aggressive and attacked our daughter's dog, which required a trip to the vet's office for care. We now have to keep the two dogs separated. The obvious solution was to change the art studio into a separate living quarters for our daughter and her dog. We are requesting a variance to allow our daughter to continue living with us, eventually reconverting the art studio back to living quarters. She is disabled as a result of a car accident and would not be able to find a rental unit for the amount of income she has available. We are currently converting the new facility back to being an art studio and expect to meet the September 14th and September 22nd deadlines.

We need to emphasize that this request is not for a guest quarters but for an independent living space for a member of our immediate family.

We are also requesting a concession from the Planning Division before the request for variance is brought before the Planning Commission:

We are requesting that the sofa and television remain where they are so that the students and the instructor can have access to the instructional videos and have comfortable break times. This was not unusual in the previous studio locations.

We have lived in this residence for thirty years and expect to spend the rest our lives here.

1.4.1 Attached is the site plan that was originally submitted and approved on July 30, 2015 under building permit #15-568. Although we signed a deed restriction to allow this building as an art studio, not to be converted or used as a secondary rental unit or guest building. The cover letter explains why we converted it to a secondary residence.

1.4.2 Recordation was accomplished at the City Records' office during the week of September 3, 2017.

1.4.3 The existing guest building has kitchen facilities and does not have to be expanded again, it is not uncommon for art studios to have kitchen facilities; therefore, a new building permit should not be required.

1.4.4a -This is a SF6 zoning district and the building is 576 square feet, which is less than the maximum for an SF6 zoning district.

1.4.4b – not applicable

1.4.5 required set backs have been met.

1.4.6 Maximum building height requirements have been met.

1.4.7 The front of the residence has a 3-car paved surface.

1.4.8a- architectural design and materials are consistent and compatible with the design and materials the main structure as per original permit.

1.4.8b- only one entrance is visible from the street frontage (see original site plan).

1.4.9a- We are not planning any modifications relating to size height and site design.

1.4.9b- there are no plans to modify setbacks and parking.

1.4.10 If approved as a guest building it only be occupied by a member of the immediate family.

SITE PLAN

Original site plan is attached. No additional construction is anticipated.

FINDINGS

- 2.a,b No changes to land use or zoning designations to adjoining property.
2. c, d, e There has been no detrimental effect to the surrounding properties nor to the general neighborhood. No changes are anticipated for the property.
- 2.f. The short-range and long-range benefits are identical: We are paying increased property taxes.
3. If anything, the vehicular traffic will be considerably less.
- 4.a. Zero effect to the school district.
- 4.b. No change to the police and fire protection.
- 4.c,d,e,f Minimal, if any, effect on the stated items.
5. 6,7 The effect on the residential property in this area is equivalent to one additional adult's impact on any other residential nearby property.

I certify that the forgoing statements are true and correct to the best of my knowledge and belief. I agree to fully comply with all conditions as established by the Planning Commission. I am aware that this permit becomes null and void if the use is not initiated within one-year of the date of the Planning Commission's approval; and I understand that this permit may be revoked for violation of any of the conditions of approval. I further understand that approval of this application does not exempt me from all city code requirements.

	<u>DONALD GURNEY</u>	<u>9/13/17</u>
Signature	Print Name	Date

Master Plan Policy Checklist

Special Use Permit, Major Project Review & Administrative Permits

PURPOSE

The purpose of a development checklist is to provide a list of questions that address whether a development proposal is in conformance with the goals and objectives of the 2006 Carson City Master Plan that are related to non-residential and multi-family residential development. This checklist is designed for developers, staff, and decision-makers and is intended to be used as a guide only.

Development Name: Donald Gurney

Reviewed By: _____

Date of Review: _____

DEVELOPMENT CHECKLIST

The following five themes are those themes that appear in the Carson City Master Plan and which reflect the community's vision at a broad policy level. Each theme looks at how a proposed development can help achieve the goals of the Carson City Master Plan. A check mark indicates that the proposed development meets the applicable Master Plan policy. The Policy Number is indicated at the end of each policy statement summary. Refer to the Comprehensive Master Plan for complete policy language.

CHAPTER 3: A BALANCED LAND USE PATTERN



The Carson City Master Plan seeks to establish a balance of land uses within the community by providing employment opportunities, a diverse choice of housing, recreational opportunities, and retail services.

Is or does the proposed development:

- ☐ Meet the provisions of the Growth Management Ordinance (1.1d, Municipal Code 18.12)?
- ☒ Use sustainable building materials and construction techniques to promote water and energy conservation (1.1e, f)?
- ☐ Located in a priority infill development area (1.2a)?
- ☐ Provide pathway connections and easements consistent with the adopted Unified Pathways Master Plan and maintain access to adjacent public lands (1.4a)?
- ☒ Protect existing site features, as appropriate, including mature trees or other character-defining features (1.4c)?



Special Use Permit & Major Project Review Development Checklist

- ☐ At adjacent county boundaries or adjacent to public lands, coordinated with the applicable agency with regards to compatibility, access and amenities (1.5a, b)?
- ☐ In identified Mixed-Use areas, promote mixed-use development patterns as appropriate for the surrounding context consistent with the land use descriptions of the applicable Mixed-Use designation, and meet the intent of the Mixed-Use Evaluation Criteria (2.1b, 2.2b, 2.3b, Land Use Districts, Appendix C)?
- ☐ Meet adopted standards (e.g. setbacks) for transitions between non-residential and residential zoning districts (2.1d)?
- ☐ Protect environmentally sensitive areas through proper setbacks, dedication, or other mechanisms (3.1b)?
- ☐ Sited outside the primary floodplain and away from geologic hazard areas or follows the required setbacks or other mitigation measures (3.3d, e)?
- ☒ Provide for levels of services (i.e. water, sewer, road improvements, sidewalks, etc.) consistent with the Land Use designation and adequate for the proposed development (Land Use table descriptions)?
- ☐ If located within an identified Specific Plan Area (SPA), meet the applicable policies of that SPA (Land Use Map, Chapter 8)?

CHAPTER 4: EQUITABLE DISTRIBUTION OF RECREATIONAL OPPORTUNITIES



The Carson City Master Plan seeks to continue providing a diverse range of park and recreational opportunities to include facilities and programming for all ages and varying interests to serve both existing and future neighborhoods.

Is or does the proposed development:

- ☐ Provide park facilities commensurate with the demand created and consistent with the City's adopted standards (4.1b)?
- ☐ Consistent with the Open Space Master Plan and Carson River Master Plan (4.3a)?

CHAPTER 5: ECONOMIC VITALITY



The Carson City Master Plan seeks to maintain its strong diversified economic base by promoting principles which focus on retaining and enhancing the strong employment base, include a broader range of retail services in targeted areas, and include the roles of technology, tourism, recreational amenities, and other economic strengths vital to a successful community.

Is or does the proposed development:

- ☐ Encourage a citywide housing mix consistent with the labor force and non-labor force populations (5.1j)
- ☐ Encourage the development of regional retail centers (5.2a)
- ☐ Encourage reuse or redevelopment of underused retail spaces (5.2b)?
- ☐ Support heritage tourism activities, particularly those associated with historic resources, cultural institutions and the State Capitol (5.4a)?
- ☐ Promote revitalization of the Downtown core (5.6a)?



- ☐ Incorporate additional housing in and around Downtown, including lofts, condominiums, duplexes, live-work units (5.6c)?

CHAPTER 6: LIVABLE NEIGHBORHOODS AND ACTIVITY CENTERS



The Carson City Master Plan seeks to promote safe, attractive and diverse neighborhoods, compact mixed-use activity centers, and a vibrant, pedestrian-friendly Downtown.

Is or does the proposed development:

- ☒ Use durable, long-lasting building materials (6.1a)?
- ☐ Promote variety and visual interest through the incorporation of varied building styles and colors, garage orientation and other features (6.1b)?
- ☐ Provide variety and visual interest through the incorporation of well-articulated building facades, clearly identified entrances and pedestrian connections, landscaping and other features consistent with the Development Standards (6.1c)?
- ☒ Provide appropriate height, density and setback transitions and connectivity to surrounding development to ensure compatibility with surrounding development for infill projects or adjacent to existing rural neighborhoods (6.2a, 9.3b 9.4a)?
- ☐ If located in an identified Mixed-Use Activity Center area, contain the appropriate mix, size and density of land uses consistent with the Mixed-Use district policies (7.1a, b)?
- ☐ If located Downtown:
 - ☐ Integrate an appropriate mix and density of uses (8.1a, e)?
 - ☐ Include buildings at the appropriate scale for the applicable Downtown Character Area (8.1b)?
 - ☐ Incorporate appropriate public spaces, plazas and other amenities (8.1d)?
- ☐ Incorporate a mix of housing models and densities appropriate for the project location and size (9.1a)?

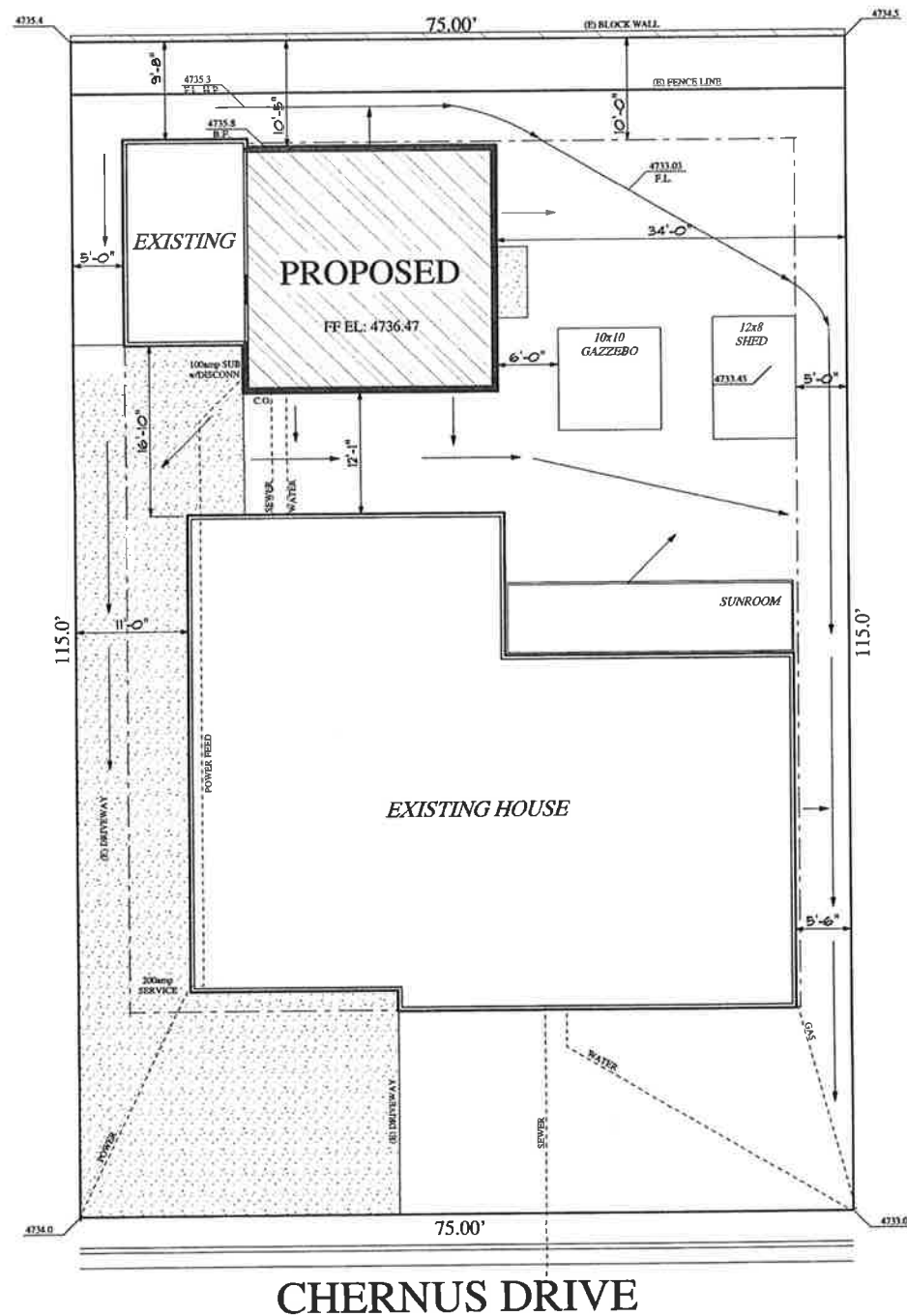
CHAPTER 7: A CONNECTED CITY



The Carson City Master Plan seeks promote a sense of community by linking its many neighborhoods, employment areas, activity centers, parks, recreational amenities and schools with an extensive system of interconnected roadways, multi-use pathways, bicycle facilities, and sidewalks.

Is or does the proposed development:

- ☐ Promote transit-supportive development patterns (e.g. mixed-use, pedestrian-oriented, higher density) along major travel corridors to facilitate future transit (11.2b)?
- ☐ Maintain and enhance roadway connections and networks consistent with the Transportation Master Plan (11.2c)?
- ☐ Provide appropriate pathways through the development and to surrounding lands, including parks and public lands, consistent with the Unified Pathways Master Plan (12.1a, c)?



SITE PLAN

- CONTRACTOR SHALL VERIFY ALL SETBACKS IN FIELD PRIOR TO THE START OF CONSTRUCTION (TYP) * ALL SHEETS.
- CONTRACTOR SHALL VERIFY ALL EXISTING GRADES & CONDITIONS.
- FIELD VERIFY ALL EXISTING LOCATIONS, AND CONNECTIONS.
- ALL PREFAB PRODUCTS SHALL BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS (TYP) * ALL SHEETS.
- ALL DIMENSIONS FROM PROPERTY LINE TO BUILDING ARE TO OUTSIDE OF STUDS OR OUTSIDE OF STEPS (TYP).
- ALL NEW DRAINAGE SHALL HAVE 5% SLOPE AWAY FROM HOUSE OR 6" IN THE FIRST 10'-0" MIN.

DESIGN CRITERIA

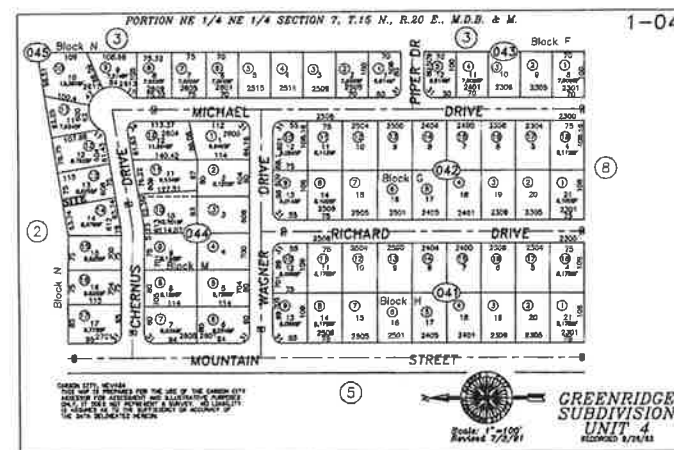
SEISMIC DESIGN CATEGORY - "D"
 WIND-130 MPH, EXPOSURE C
 3 SECOND GUSTS
 FROST DEPTH 18 24"
 SNOW LOAD 16 21 PSF
 LOT ELEVATION 18 < 5,000'
 WINTER DESIGN TEMP - 10
 AIR FREEZING INDEX - 500
 MEAN ANNUAL TEMP - 50

AREAS:

EXISTING HOUSE & GARAGE: 2264 S.F.
 EXISTING SUNROOM: 196 S.F.
 EXISTING SHED & GAZZBO: 196 S.F.
 EXISTING DETACHED GARAGE: 264 S.F.
 PROPOSED NON-HABITABLE SPACE: 576 S.F.

CODE ANALYSIS:

2012 NORTHERN NEV. AMMEND.
 2012 I.R.C. (BUILDING)
 2012 I.B.C. (STRUCTURAL)
 2008 I.E.C.C. (ENERGY)
 2012 I.F.C. (FIRE)
 2011 N.E.C. (ELECTRICAL)



X Truss Gables are
 desired Submittal

REVIEWED FOR SUBSTANTIAL CODE COMPLIANCE
 CITY BUILDING DIVISION
 BUILDING: [Signature] 7/24/15
 PLUMBING: [Signature] 7/24/15
 ELECTRICAL: [Signature] 7/24/15
 MECHANICAL: [Signature] 7/24/15
 HEALTH: [Signature] 7/24/15
 SIGNATURE: [Signature] DATE: 7/24/15
 THE ISSUANCE OF A PERMIT BASED UPON PLANS, SPECIFICATIONS AND OTHER DATA, SHALL NOT PREVENT THE BUILDING OFFICIAL FROM THEREAFTER REQUIRING THE CORRECTION OF ERRORS IN SAID PLANS, SPECIFICATIONS AND OTHER DATA.

APPROVED BUILDING PLAN AND PERMIT
 INSPECTION CARDS MUST BE ON SITE.
 STREET ADDRESS REQUIRED AND MUST BE
 CLEARLY VISIBLE. FAILURE TO PROVIDE
 THE ABOVE ITEMS COULD CAUSE DELAY
 IN INSPECTION.

SET BACK MEASUREMENTS
 ARE MADE FROM
 PROPERTY LINE

NO.	REVISION/ISSUE	DATE
1		
2		
3		
4		
5		
6		

Contractor "Project Designer"
 These Plans are provided & submitted by the contractor as an exception to NRS 623.330 for work under the contractor's license category authorized under NRS 624.
 Qualified individual's Signature
 I am responsible for the design, preparation, and information shown on these plans.

K&C Construction, LLC
 Remodel - Additions - Decks - Patio Covers - Building Maintenance
 NC LIC 0079934

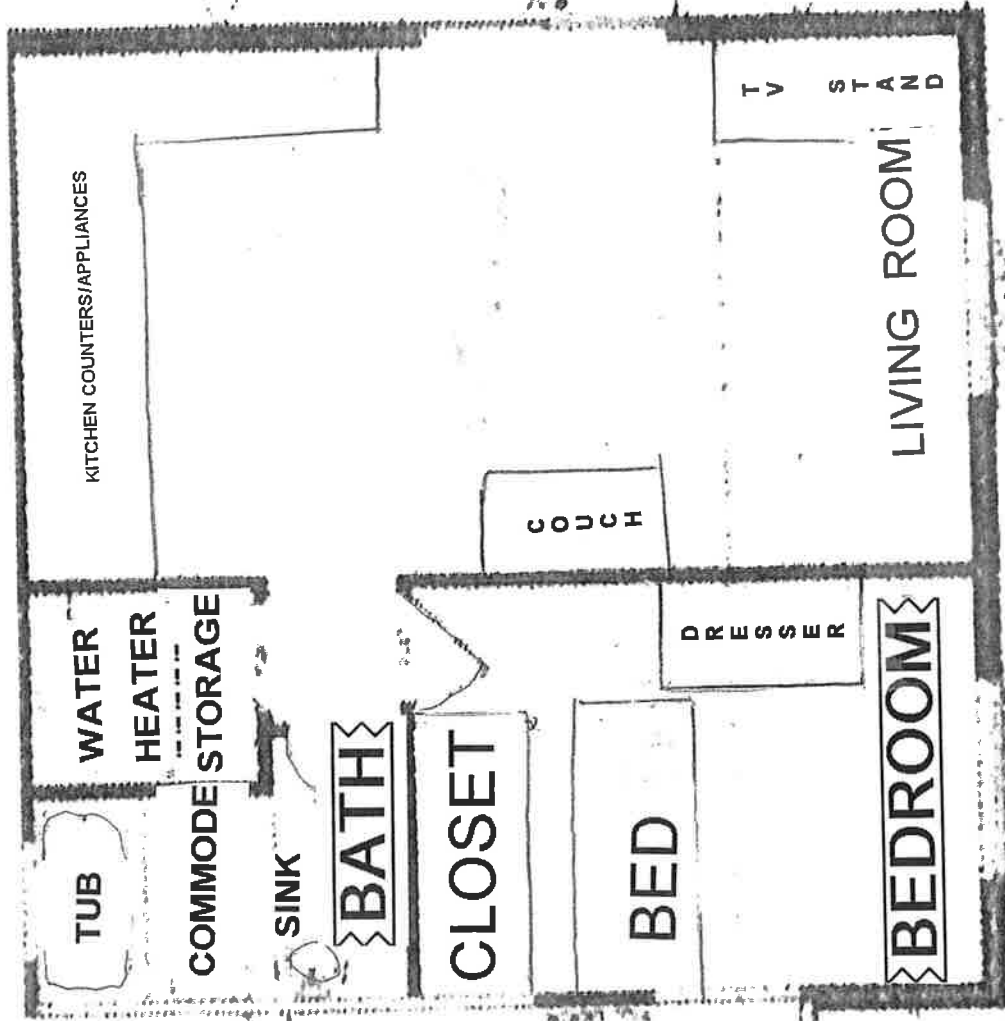
Non-Habitable Space For The:
DAN & BARBARA GURNEY ART STUDIO
 608 Chernus Drive - Carson City, Nevada
 APN: 001-045-13

SHEET TITLE:
SITE PLAN

PROJECT NAME	SHEET
DATE July 28, 2015	A1

OFFICE COPY

103-525 608 Chernus



FLOOR PLAN

1500 FT. x 1500 FT.