

ADMINISTRATIVE HEARING EXAMINER MEETING
Minutes of the Wednesday, February 26, 2020 Meeting
Carson City Community Development Conference Room A
108 East Proctor Street, Room A, Carson City, Nevada

An Administrative Hearing Examiner meeting was scheduled for 2:30 p.m. on Wednesday, February 26, 2020, in the Carson City Community Development Conference Room A, 108 East Proctor Street, Carson City, Nevada.

PRESENT

APPLICANT: John Elverum, Applicant
Kelli Elverum, Applicant
Travis Phillips – Applicant Representative, *Manhard Consulting, LTD*
Karen Downs – Applicant Representative, *Manhard Consulting, LTD*

STAFF: Hope Sullivan, Planning Manager – Administrative Hearing Officer
Heather Ferris, Associate Planner
Lee Plemel, Community Development Director
Danielle Howard, Public Meetings Clerk

NOTE: A recording of these proceedings and any written comments or documentation provided to the recording secretary during the meeting are public record. These materials are on file in the Clerk-Recorder's Office, and available for review during regular business hours. The hearing materials are on file in the Planning Division, and are available for review during regular business hours.

A. CALL TO ORDER

Ms. Sullivan called the meeting to order at 2:31 p.m.

B. MODIFICATION OF THE AGENDA – None

C. PUBLIC COMMENT – None

D. PUBLIC HEARING: ACITON ITEM

D-1 ADM-19-140 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE REGARDING AN ADMINISTRATIVE PERMIT APPLICATION TO ALLOQ FOR A DETACHED ACCESSORY STRUCTURE THAT EXCEEDS 50 PERCENT OF THE SIZE OF THE PRIMARY STRUCTURE ON PROPERTY ZONED SINGLE FAMILY 2 ACRE, LOCATED AT 4000 HOBART ROAD, APN 007-151-19.

Ms. Sullivan introduced the item, continued from the meeting of September 25, 2019, and provided background on the item. She noted that she follows what the City mandates, which her decisions are based upon, as opposed to the Covenants, Conditions & Restrictions (CC&Rs), since “we have two different bodies, two different books.” Ms. Ferris noted the addition of Late Materials, which are incorporated into the record, and addressed Condition numbers nine, 10, 11, 12, and 13 of the

Staff Report, which is also incorporated into the record. Ms. Downs confirmed that the Conditions adequately address the waterline and safety concerns and that Mr. and Ms. Elverum would comply with the Conditions.

Ms. Sullivan wished to modify the last sentence of Condition number nine to say:

“This written approval, from the Nevada State Public Works, must be submitted to Carson City prior to a building permit being issued.”

She also wished to modify Condition number 12 to say:

“The construction plans must include a warning in large font on every page about the care that must be taken in working with the adjacent waterline.”

Ms. Sullivan entertained public comments. Steven Brenneman introduced himself and stated that he lived on the same side as the subject property. He was concerned about the fast pace the project was moving at despite such concerns as the waterline and 60-foot setback, and because of his position, he would be downhill from where the pipeline would burst. He also mentioned that the pipeline has been broken four times since 1990.

Bruce Kittess introduced himself as a Lakeview resident as well as his associate, Gill Yanuck. Mr. Yanuck explained how their community communicates change requests for properties to one another. He believed that the project was not adequately defined and wanted to protect the homeowners while maintaining fairness with the adjoining landowners.

Dan O'Donnell introduced himself and addressed how Virginia City has “a dog in this fight” because the waterline is where Virginia City gets much of its water. He believed that it would be imperative that Ms. Sullivan contact someone from Virginia City.

Ms. Downs addressed the setback issue and stated that, because of when the waterline was developed, Mr. and Ms. Elverum tried moving to 40 feet to mitigate the situation.

Mr. Brenneman asked about how the project could be approved when it was not indicated how deep the waterline is within the easement, and Mr. Kittess asked about how they could have a discussion before they had the project plan. Mr. Kittess believed 40 feet would be “very good” and that they would be prepared for 40 feet. Mr. Elverum pointed out that the Marlette-Hobart Water Supply System staff and the Carson City Water Department had the waterline touched and confirmed in the project area, and he mentioned that every property should have poles from Marlette-Hobart Water Supply System to indicate where the pipeline is located.

Mr. Phillips noted that everything that was required had been provided.

Phyllis (inaudible last name) introduced herself and stated that she did not have any problems with Mr. and Ms. Elverum's building and had no difficulty knowing that the building would be built to her west.

Ms. Sullivan closed public comments and addressed some of the public's comments and questions and requested the evolution of the site plan from Mr. Phillips. She believed that Staff had gone "above and beyond" to ensure that the waterline was taken care of properly and stated that the matter had been discussed with Virginia City officials.

In response to Ms. Sullivan's question, Mr. Yanuck stated that the neighbors, in general, had no oppositions to the application, although they were concerned about the waterline and what could potentially happen to their properties, to which Ms. Sullivan responded that she believed that the Conditions of Approval were "solid" in addressing such concerns. She pointed out to Mr. Phillips that locating and understanding where the waterline was related to Finding number six, and while she noted that the homeowners pursued that and the Carson City Water Department was heavily involved in that, she did not know if the Finding could be made in the affirmative absent that action.

Ms. Ferris confirmed that the project complies with the City setbacks outlined in the Carson City Municipal Code.

ACTION: Ms. Sullivan approved ADM-19-140, and Administrative Permit to allow for a detached accessory structure that exceeds 50 percent of the size of the primary structure on property zoned Single Family 2 acre, located at 4000 Hobart Road, APN 007-151-19 based on the findings and subject to Conditions of Approval contained in the Staff Report with the modification to Condition number nine to say that *"this written approval, from the Nevada State Public Works, must be submitted to Carson City prior to a building permit being issued"* and a modification to Condition number 12 that says *"the construction plans must include a warning in large font on every page about the care that must be taken in working with the adjacent waterline."*

E. PUBLIC COMMENT – None

F. ADJOURNMENT

Ms. Sullivan adjourned the meeting at 3:25 p.m.

The Minutes of the February 26, 2020 Administrative Hearing Examiner meeting are respectfully submitted on this 26th day of March, 2020.

AUBREY ROWLATTE, Clerk – Recorder

By: _____
Danielle Howard, Public Meetings Clerk