

STAFF REPORT FOR PLANNING COMMISSION MEETING OF FEBRUARY 28, 2024

FILE NO: VAR-2024-0012

AGENDA ITEM: 6.B

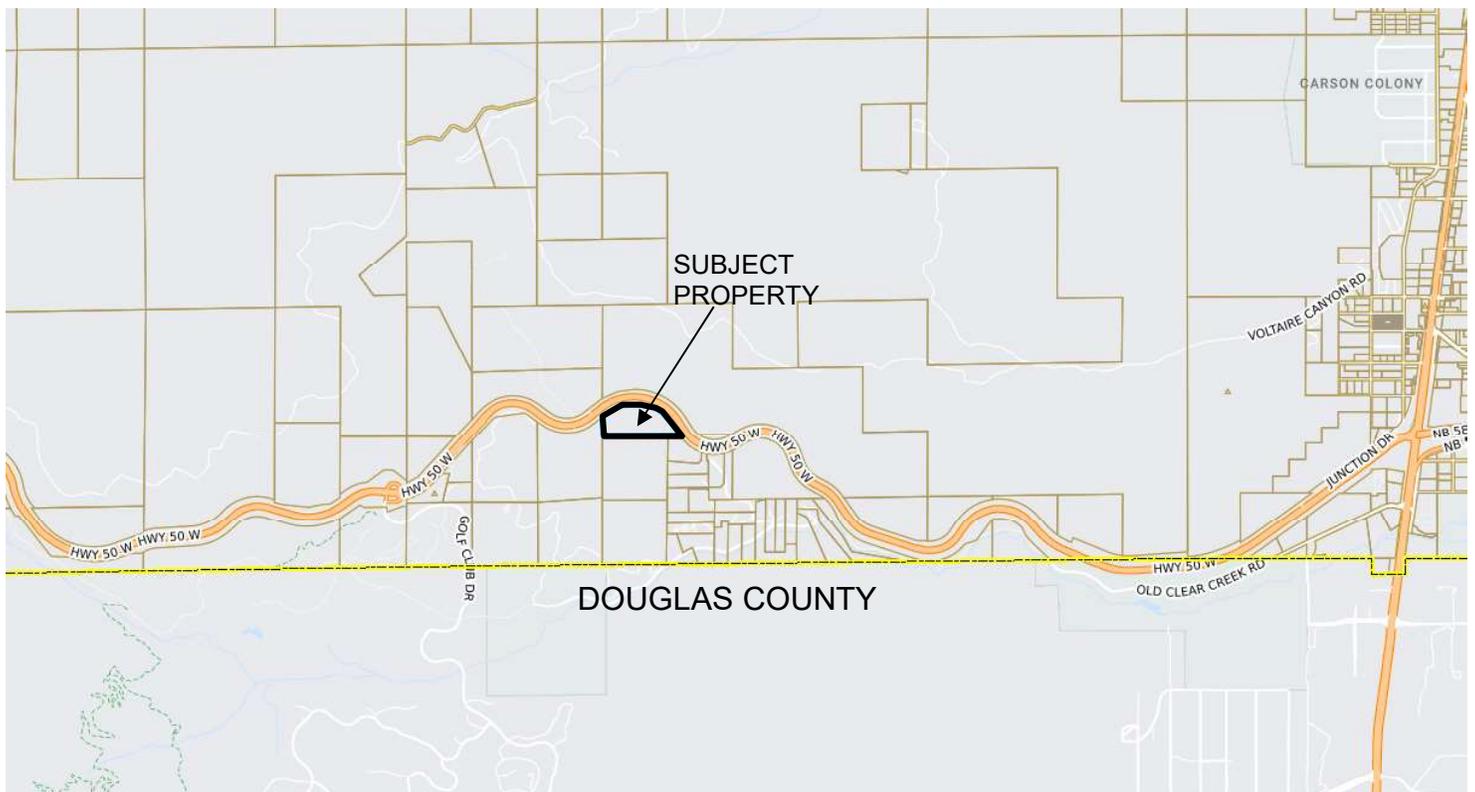
STAFF CONTACT: Heather Ferris, Planning Manager

AGENDA TITLE: For Possible Action: Discussion and possible action regarding a request for a variance (VAR-2024-0012) to reduce the required front yard setbacks for a property zoned Single-Family 5 Acre ("SF5A") located at 5645 Hwy 50W, APN 007-01-07. (Heather Ferris, hferris@carson.org).

STAFF SUMMARY: John Wood ("Applicant") is a reduction to the required setback from 100 feet to 39 feet from the front property line to allow for the development of a single-family residence on a vacant parcel that is constrained by steep slopes, flood zones, and overhead powerline easements. A variance is required to reduce the required setback. The Planning Commission is authorized to approve the variance.

PROPOSED MOTION: "I move to approve variance VAR-2024-0012, based on the ability to make all findings and subject to the conditions of approval contained in the staff report."

VICINITY MAP:



RECOMMENDED CONDITIONS OF APPROVAL:

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 consideration.
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 use for which this permit is approved shall commence within 12 months of the date of final approval. A single, one-year extension must be requested in writing to the planning and community development department 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.

LEGAL REQUIREMENTS: Carson City Municipal Code (“CCMC”) 18.02.050 (Review); 18.08.025 (Hillside Development, setback variances); and 18.04.190 (Residential districts intensity and dimensional standards).

MASTER PLAN DESIGNATION: Rural Residential (5-20 ac/du)

ZONING: SF5A

KEY ISSUES: Will the approval of the variance request be in keeping with the standards of the CCMC?

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: SF5A– Hwy 50W and vacant parcel

EAST: SF5A– Hwy 50W and vacant parcel

SOUTH: SF5A– vacant parcel

WEST: SF5A– vacant parcel

ENVIRONMENTAL INFORMATION:

FLOOD ZONE: A (1% annual chance of flood) and D (Undetermined flood risk)

SLOPE/DRAINAGE: Hillside development; draining generally from the west to the east.

SEISMIC ZONE: V, Variable severity; Fault beyond 500 feet

SITE DEVELOPMENT INFORMATION:

PARCEL AREA: 17.25 acres

EXISTING DEVELOPMENT: Vacant

DISCUSSION: The subject property is 17.25 acres in size, vacant, and located on the south side of Hwy 50 W. approximately 3.5 miles west of its junction with S. Carson Street and I-580. The applicant is proposing construction of a single-family residence that will be built into the hillside with the garage (1,456 square foot) on the bottom floor and the living space (3,440 square foot) on the second floor. The property is constrained by steep slopes, overhead powerline easements, natural drainages, and flood zones. Because of these constraints, the applicant has applied for a variance to reduce the front setback from 100 feet to 39 feet in order accommodate construction of the residence on the least constrained portion of the property. Even with this reduced setback, the house would be constructed approximately 190 feet from the centerline and approximately 155 feet from the edge of pavement of Hwy 50 W. The project will comply with all other standards for development.

PUBLIC COMMENTS: Public notices were mailed on February 14, 2024 to 38 property owners, within 3,000 feet of the subject site, pursuant to the provisions of the Nevada Revised Statutes and the CCMC. As of the writing of this report no public comments had been received. Any comments that are received after this report is completed will be submitted prior to or at the Planning Commission meeting on February 28, 2024, depending on their submittal date to the Carson City Planning Division.

CITY DEPARTMENTS OR OUTSIDE AGENCY COMMENTS: Plans were routed to commenting agencies, and the following comments were received. Comments have been incorporated into the conditions of approval, as appropriate.

DEVELOPMENT ENGINEERING:

The Carson City Public Works Department, Development Engineering Division (“Development Engineering”) has no objection to the variance request provided that the following is met with the building permit:

- The project must meet all applicable Carson City Development Standards including the following:
 - The project area has an existing slope in excess 15%. CCDS 7 Hillside Development will apply.

Development Engineering has reviewed the request within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.08.025 Setback Variances:

CCMC 18.08.025(1)(a) - The land within the subject setback is more suitable for development than land outside the setback.

Development Engineering agrees that the land within the setback is more suitable for development due to the shallower slopes in the setback.

CCMC 18.08.025(1)(b) - Development within the subject setback more substantially advances the purposes of this chapter than development outside the setback.

Developing the house within the setback will advance the purposes of CCMC 18.08. Developing in the proposed location will require less grading than in other parts of the property.

CCMC 18.08.025(2) - That granting of the variance shall not result in detriment to the adjacent properties of health, safety and welfare.

The subject project shall not result in detriment to the adjacent properties. The project is adjacent to Highway 50 West, which is a 4-lane highway at this location. The proposed project will not inhibit driving sight distances and the highway will act as a buffer between this property and other properties.

FINDINGS: Staff’s recommendation is based upon the findings as required by CCMC 18.08.025 (setback variances) enumerated below and substantiated in the public record for the project.

1. **That the commission finds a justifiable hardship based on appropriate documentation submitted by the applicant that:**
 - a. **The land within the subject setback is more suitable for development than land outside the setback; and**
 - b. **Development within the subject setback more substantially advances the purpose of this chapter than development outside the setback.**

CCMC 18.04.190 (Residential district intensity and dimensional standards) states that the minimum setbacks for in the SF5A zoning district are: Front = 100 feet, Side = 50 feet, Rear = 50 feet. New development is subject to meeting code standards in place at the time of application. The proposed location of the residence is more suitable for development than land outside the setback. The site is constrained by steep slopes, overhead powerline easements, natural drainages and flood zones. As designed, the driveway is in the only location on the property that can meet the Fire Department

requirements; and the house is located to avoid slopes over 30%, resulting in the reduced front setback of 39 feet.

Development of this property is considered hillside development (CCMC 18.08 and CCDS Division 7). The purpose of the Hillside Development Standards *“is to regulate development on hills and slopes in such a manner as to protect the public health, safety and welfare by minimizing the potential of such development to cause or contribute to landslides, erosion and sedimentation, deforestation, flooding or aesthetic degradation of the city’s natural environment.”* Development within the front setback would more substantially advance the purpose of CCMC 18.08 than development outside of the setback. As noted above, the location of the driveway is the only location on the parcel that can meet the Fire Department requirements. The location of the house avoids the steepest portions of the property requiring less grading and avoids natural drainages and flood zones. Moreover, the location of the house will screen the house from the view of the highway, thereby preserving the aesthetics of the city’s natural environment.

2. The granting of the variance shall not result in detriment to the adjacent properties of health, safety and welfare.

The granting of the variance will not result in a detriment to the adjacent properties health, safety, and welfare. The subject parcel is 17.25 acres in size. The closest existing residence is more than ¼ mile southeast from the proposed location of the residence. The property is constrained by steep slopes, overhead powerline easements, natural drainages, and flood zones. Because of these constraints, the applicant has applied for a variance to reduce the front setback from 100 feet to 39 feet in order to accommodate construction of the residence on the least constrained portion of the property. With this reduced setback, the house would be constructed approximately 190 feet from the centerline and approximately 155 feet from the edge of pavement of Hwy 50W. This proposed location on the parcel is more suitable for development than developing outside of the front setback because it avoids the steepest portions of the property, flood zones, and natural drainages. The project will comply with all other standards for development including, but not limited to, all other setbacks.

Attachments:

Application VAR-2024-0012

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 18.02.085

FILE #

MAJOR VARIANCE

APPLICANT PHONE #
 John Wood 510-917-0821

FEE*: \$2,150.00 + noticing fee
 *Due after application is deemed complete by staff

MAILING ADDRESS, CITY, STATE, ZIP
 131 29th Street, Richmond, California, 94804

EMAIL ADDRESS
 jwsurvey56@yahoo.com

- SUBMITTAL PACKET – 4 Complete Packets (1 Unbound Original and 3 Copies)
 - Application Form
 - Detailed Written Project Description
 - Site Plan
 - Building Elevation Drawings and Floor Plans
 - Variance Findings
 - Applicant's Acknowledgment Statement
 - Documentation of Taxes Paid-to-Date

PROPERTY OWNER PHONE #
 John Wood 510-917-0821

MAILING ADDRESS, CITY, STATE, ZIP
 131 29th Street, Richmond, California, 94804

EMAIL ADDRESS
 jwsurvey56@yahoo.com

- CD or USB DRIVE with complete application in PDF

Application Reviewed and Received By:

APPLICANT AGENT/REPRESENTATIVE PHONE #
 Resource Concepts Inc David Haen 775-883-1600

MAILING ADDRESS, CITY, STATE, ZIP
 340 N. Minnesota Street, Carson City, Nevada, 89703

EMAIL ADDRESS
 david@rci-nv.com

Submittal Deadline: Planning Commission application submittal [schedule](#).

Note: Submittals must be of sufficient clarity and detail such that all departments are able to determine if they can support the request. Additional Information may be required.

Project's Assessor Parcel Number(s): 007-051-71	Street Address 5645 HWY 50W
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Project's Master Plan Designation 120- Single Family Residential	Project's Current Zoning SF5A	Nearest Major Cross Street(s) HWY 50 W & Golf Club Drive
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Please provide a brief description of your proposed project below. Provide additional pages to describe your request in more detail.

Construct a NDOT Type 4 driveway approach and driveway to serve one private residence. The variance is to build the house within the 100' front setback due to the terrain of the property it is the only constructible area on the 17.25 acre parcel.

PROPERTY OWNER'S AFFIDAVIT

I, John Wood, 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.

John C. Wood
 Signature

131 29th Street, Richmond, California, 94804
 Address

12/16/23
 Date

Use additional page(s) if necessary for other names.

STATE OF NEVADA California)
 COUNTY Contra Costa

On December 26, 2023, John Calvin Wood, 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.

Stephanie E. Hall
 Notary Public



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.

ACKNOWLEDGMENT OF APPLICANT

I certify that the foregoing 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 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.

John C. Wood
Applicant's Signature

John C. Wood
Print Name

01/20/2024
Date



CARSON CITY OFFICE
340 N. Minnesota St.
Carson City, NV 89703-4152
Ph: (775) 883-1600
Fax: (775) 883-1656

Resource Concepts Inc

Engineering • Surveying • Water Rights
Resource & Environmental Services

www.rci-nv.com

Memorandum

DATE: December 21, 2023
TO: Carson City Planning Division
FROM: David Haen, P.E.
RCI PROJECT: 19-250 JW Ranch Development
SUBJECT: JW Ranch Major Variance Project Description APN: 007-051-71

This project consists of building a Type 4 driveway approach on the south side of US Hwy 50, a driveway to access a proposed single-family residence on a 17.25-acre parcel APN: 007-051-71 in Carson City Nevada. The NDOT encroachment permit for the Type 4 approach has already been approved by NDOT.

Mr. John Wood purchased this parcel with the intent that his home would be situated to give him his desired view to the southeast overlooking Clear Creek Canyon. The topography of the majority of the parcel is very steep, greater than 33% slopes with several washes and a Zone A flood zone running through the approximate middle of the property from north to south. The only access to the parcel is off US Highway 50 West. Due to the limitations of access and topography, the house is proposed at the top of the hill in the only buildable area with slopes under 30% and designed to meet the driveway requirements for Carson City Building and Carson City Fire Department. This location is however inside the SF5A zoning 100' setback (approximately 40' from the property line/right-of-way and 190' from the Highway centerline).

The hill that the house is proposed to be built into will screen the house from view of the highway and act as a natural sound barrier for the house. The elevation of the house and the proposed rotation will minimize the obstruction of the new NV Energy 90' steel electric towers, polls, utility lines, and guy wires that were installed after the parcel was purchased by Mr. Wood. As stated in the Major Project Review meeting on September 6th, 2023, there is not an alternative location to locate the proposed residence. Denial of the variance would render the property useless to the owner for its intended purpose.

Best Regards,

David Haen, P.E.
Resource Concepts Inc.



Resource Concepts Inc

Engineering • Surveying • Water Rights
Resource & Environmental Services

www.rci-nv.com

CARSON CITY OFFICE
340 N. Minnesota St.
Carson City, NV 89703-4152
Ph: (775) 883-1600
Fax: (775) 883-1656

Memorandum

DATE: January 24, 2024
TO: Carson City Planning Division
FROM: David Haen, P.E.
RCI PROJECT: 19-250 JW Ranch Development
SUBJECT: JW Ranch Major Variance Findings APN: 007-051-71

This memo is in response to the Major Variance Findings CCMC 18.02.025.

1a. The land within the subject setback is more suitable for development than land outside the setback.

Explanation:

Due to the topography of the property the driveway is located in the only area that can meet fire department requirements and place the house in the only buildable area on the property. The house needs to be located within the 100' front setback to avoid steep slopes over 30% and keep the proposed driveway under 12%. Since this is a proposed private residence building the proposed house within the 100' front setback from the NDOT ROW will not negatively impact any surrounding properties. The house is proposed to be approximately 40' from the NDOT ROW which is approximately 190' from the centerline of Highway 50 W.

1b. Development within the subject setback more substantially advances the purposes of this chapter than development outside the setback.

Explanation:

If the applicant tries to place the house outside the 100' setback it will be in an area with 30%-50%+ existing slopes and will be unbuildable. This would make the owner's property useless for building a private residence and remove the enjoyment of substantial property rights for the applicant. If the Variance is not granted the owner will not enjoy the same property rights as neighboring properties since they will not be able to build their house on the property they purchased.

2. That granting of the variance shall not result in detriment to the adjacent properties of health, safety, and welfare.

Explanation:

The 17.25 Acre parcel is zoned for SF5A. The owner is proposing to build one private single-family residence on the entire property. The closest existing residence is approximately 1,875' away from the proposed house location, the proposed house will be partially built into the side of the hill and should not be seen from the highway or neighboring properties. Building the house

MEMORANDUM

Carson City Planning Division Major Variance Findings

January 24, 2024

Page 2 of 2

inside the 100' setback will not result in actual damage to nearby properties or prejudice by neighbors in a precedent-setting situation. The property is zoned for single family residence and will not be harmful to the public health, safety, and general welfare due to it being one residence and meeting fire department requirements as proposed. The encroachment permit for the NDOT type 4 approach has been reviewed and approved for the proposed project and will have no adverse impact on traffic on Highway 50.

Best Regards,

David Haen, P.E.
Resource Concepts Inc.

Property Information

Parcel ID	007-051-71	Parcel Acreage	17.2500
Tax Year	2024	Assessed Value	87,242
Land Use Group	VAC	Tax Rate	0.0000
Land Use	120 - Vacant - Single Family Residential	Tax Cap	High Cap
Zoning	SF5A	Returned	
Tax District	025	Total Tax Fiscal Year (2024 - 2025)	\$0.00
Site Address	5645 HWY 50 WEST	Total Unpaid All Years	\$0.00
Neighborhood	Book 7, Old Clear Creek		

Pay Taxes

No Photos & Sketches

Assessments

Taxable Value	Land	Building	Per. Property	Totals
Residential	249,263	0	0	249,263
Com / Ind.	0	0	0	0
Agricultural	0	0	0	0
Exempt	0	0	0	0
Pers. Exempt				0
Total	249,263	0	0	249,263

Assessed Value	Land	Building	Per. Property	Totals
Residential	87,242	0	0	87,242
Com / Ind.	0	0	0	0
Agricultural	0	0	0	0
Exempt	0	0	0	0
Pers. Exempt				0
Total	87,242	0	0	87,242

	New Land	New Const.	New P.P.
Residential	0	0	0
Com / Ind.	0	0	0
Agricultural	0	0	0
Exempt	0	0	0
Totals	0	0	0

Assessor Descriptions

Year	Assessor Descriptions	Subdivision	Section	Township	Range	Block & Lot
Current Year 2024						
2024	PORTION E1/2 NE1/4 SEC 34 15/19		34	15N	19E	

No Personal Exemptions

No Billing Information

Payment History

	Fiscal Year	Total Due	Total Paid	Amount Unpaid
⊖	(2023 - 2024)	\$2,849.26	\$2,849.26	\$0.00

+ Installment 1						
Date Due	Tax Billed	Cost Billed	Penalty/Interest	Total Due	Total Paid	Total Unpaid
8/21/2023	\$713.74	\$0.00	\$0.00	\$713.74	\$713.74	\$0.00

+ Installment 2						
Date Due	Tax Billed	Cost Billed	Penalty/Interest	Total Due	Total Paid	Total Unpaid
10/2/2023	\$711.84	\$0.00	\$0.00	\$711.84	\$711.84	\$0.00

+ Installment 3						
Date Due	Tax Billed	Cost Billed	Penalty/Interest	Total Due	Total Paid	Total Unpaid
1/1/2024	\$711.84	\$0.00	\$0.00	\$711.84	\$711.84	\$0.00

+ Installment 4						
Date Due	Tax Billed	Cost Billed	Penalty/Interest	Total Due	Total Paid	Total Unpaid
3/4/2024	\$711.84	\$0.00	\$0.00	\$711.84	\$711.84	\$0.00

+	(2022 - 2023)	\$2,776.55	\$2,776.55	\$0.00
+	(2021 - 2022)	\$2,554.68	\$2,554.68	\$0.00
+	(2020 - 2021)	\$2,459.49	\$2,459.49	\$0.00
+	(2019 - 2020)	\$1,430.03	\$1,430.03	\$0.00

Show 5 More (17)

Related Names

CURRENT Mail To FOR 2024 (2024 - 2025)		CURRENT OWNER FOR 2024 (2024 - 2025)	
Name	WOOD, JOHN C & TRACY L	Name	WOOD, JOHN C
Mailing Address	131 29TH STREET RICHMOND, CA, 94804	Mailing Address	
Status	Current	Status	Current

CURRENT OWNER FOR 2024 (2024 - 2025)	
Name	WOOD, TRACY L
Mailing Address	
Status	Current

No Personal Property

No CAMA

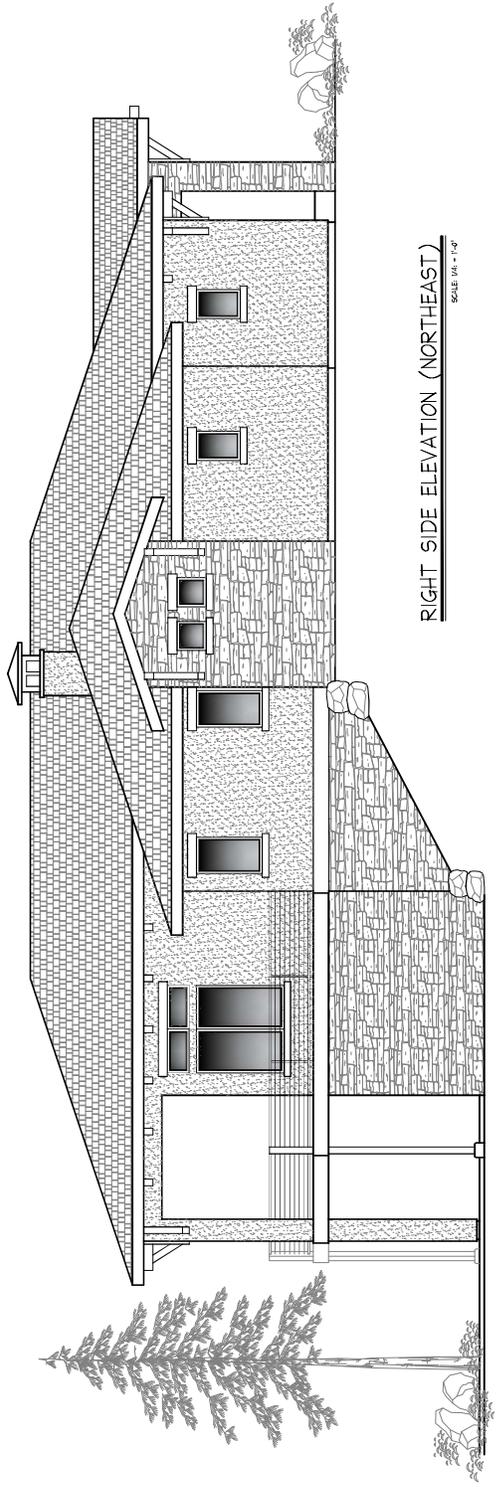
Sales History
DISCLAIMER: SOME DOCUMENTS MAY NOT BE SHOWN

Year	Document #	Document Type	Sale Date	Sold By	Sold To	Price
2023	534708	EASEMENT DEED	8/15/2022			\$0
2020	497196	GRANT BARGAIN SALE DEED	8/12/2019	SCHULZ INVESTMENTS LLC	TRACY WOOD JOHN WOOD	\$190,000

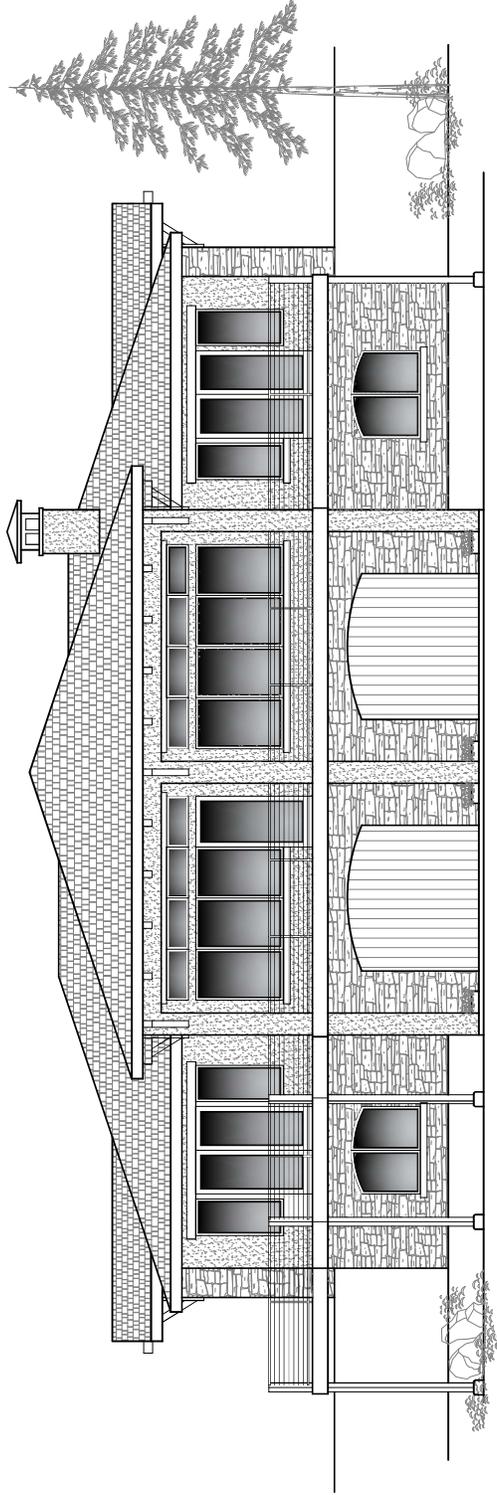
Genealogy

Relationship	Parcel Number	Action	Year	Change Effective Year	Completed
Parent Parcel	00705113	Split	2003	2003	Yes

No Taxing Bodies Information



RIGHT SIDE ELEVATION (NORTHEAST)
SCALE: 1/4" = 1'-0"



FRONT ELEVATION (SOUTHEAST)
SCALE: 1/4" = 1'-0"

NO.	DATE	REVISION	BLOCK

WOOD RESIDENCE
JOHN & TRACY WOOD

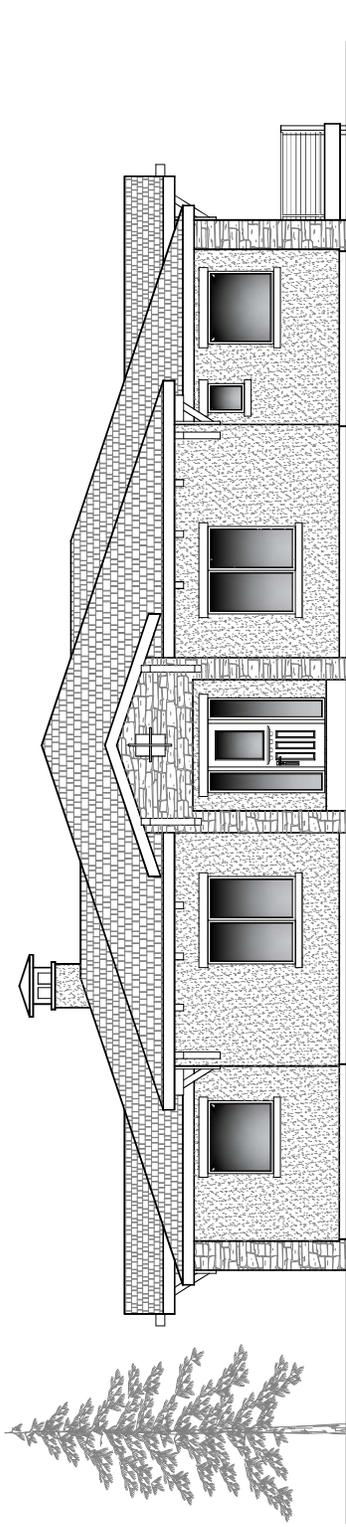
EXTERIOR ELEVATIONS
5645 HWY 50 WEST
A.P.N. 007-051-71

R/O Anderson
ARCHITECTURE
1000 S. GARDEN ST. SUITE 100
ANAHEIM, CA 92810
TEL: 714.771.1111
WWW.ANDERSONRO.COM

SCALE: 1/4" = 1'-0"
0 1/4" 1/2" 1" 2"

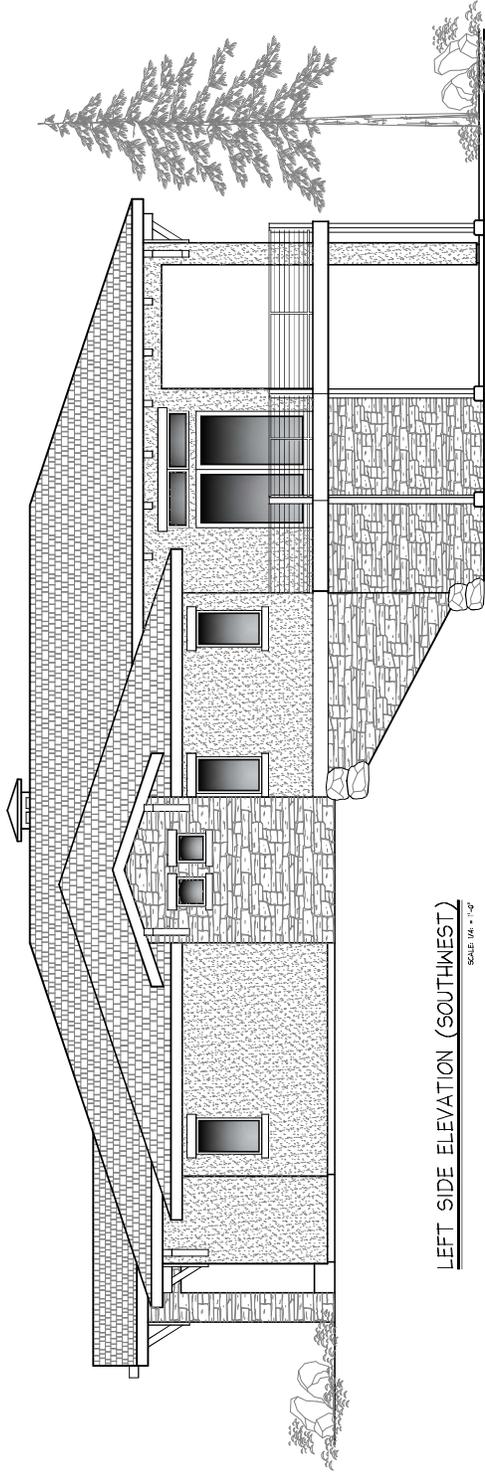
BY:	

DRAWN: KAN	JOB: 3550-001
ENGINEER: RY	DRAWING: COUPL
SCALE: 1/4" = 1'-0"	SHEET: -
DATE: 10/1/23	OF - SHEETS: -



FRONT ELEVATION (NORTHWEST)

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION (SOUTHWEST)

SCALE: 1/4" = 1'-0"

NO.	DATE	REVISION BLOCK	BY

R/O Anderson
 ARCHITECTURE
 1000 N. 10TH ST., SUITE 100
 DENVER, CO 80202
 TEL: 303.733.8800
 WWW.ANDERSONRO.COM

WOOD RESIDENCE
 JOHN & TRACY WOOD

EXTERIOR ELEVATIONS
 5645 HWY 50 WEST
 A.P.N. 007-051-71

DRAWN: KAN	JOB: 3550-001
ENGINEER: RV	DRAWING: COUPE
SCALE: 1/4" = 1'-0"	SHEET: -
DATE: 10/1/23	OF: - SHEETS



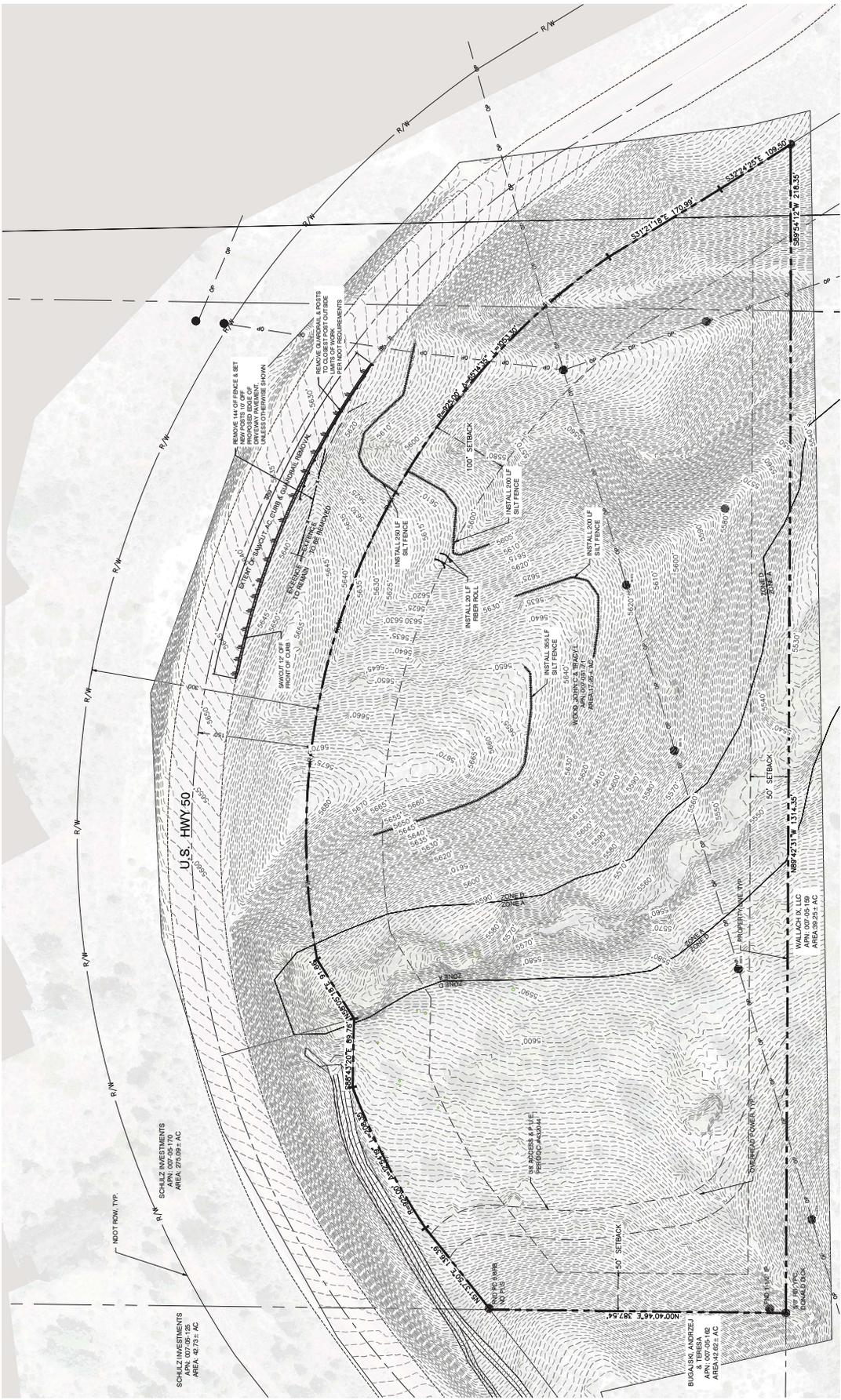
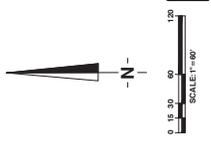
JOB NO: 19-289-8
 DATE: 12-21-2023
 DESIGNED: DMH
 DRAWN: DMH
 CHECKED: JEC
 SHEET C2

JW RANCH SITE IMPROVEMENT PLANS
5645 HWY 50, CARSON CITY, NEVADA
APN 007-051-71
EXISTING SITE, DEMOLITION, & EROSION CONTROL PLAN

RCI
Resource Concepts Inc.
 Carson City
 340 N. MERRILL ST.
 CARSON CITY, NV 89409
 775-588-1800
 2726 KINGSMAN DRIVE, SUITE 200
 LAS VEGAS, NV 89169
 775-588-7500
 www.rci-nv.com
Resources • Environmental Services
Engineering • Surveying • Water Rights

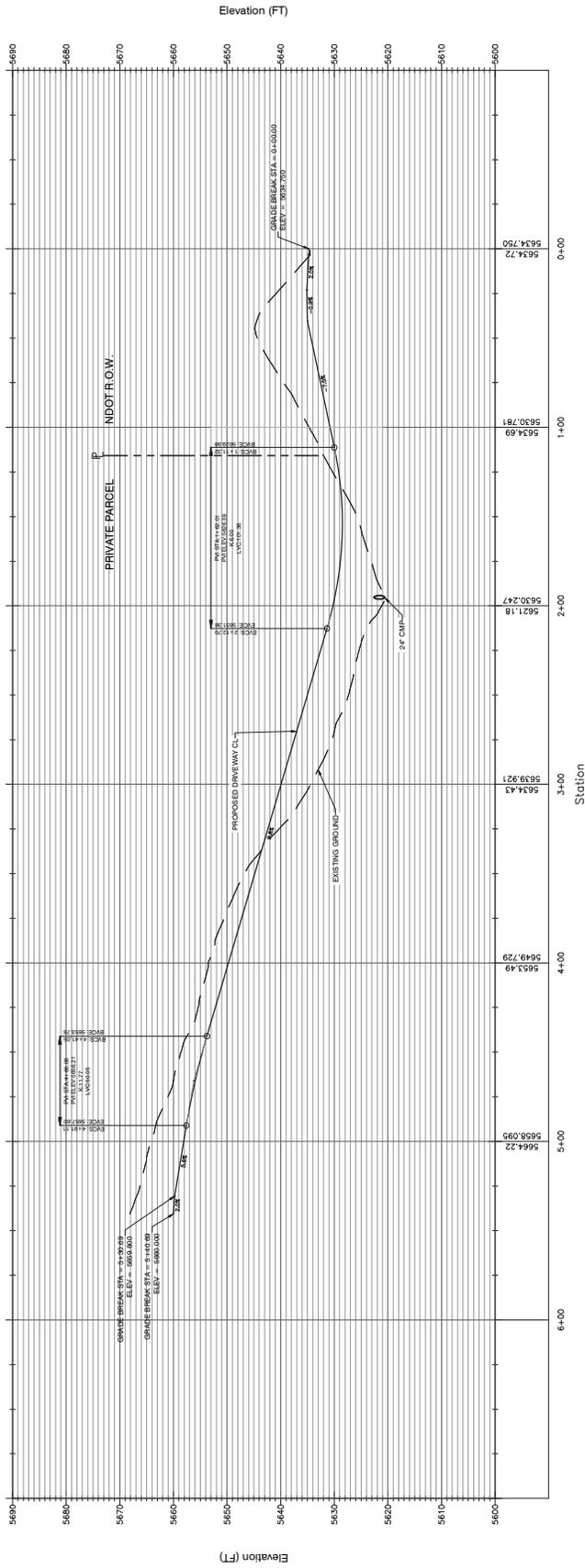
REVISION
 DATE

Know what's below.
 Call before you dig.
FOR REVIEW ONLY



REVISION	DATE

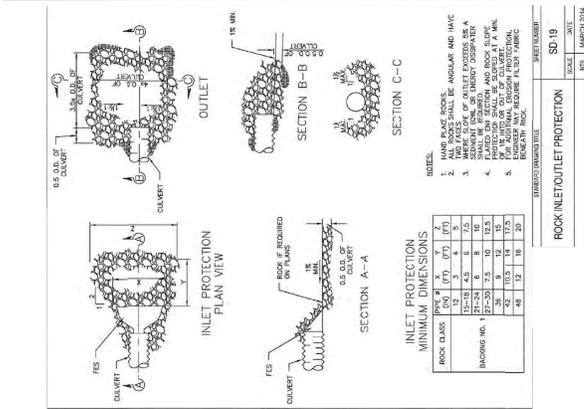
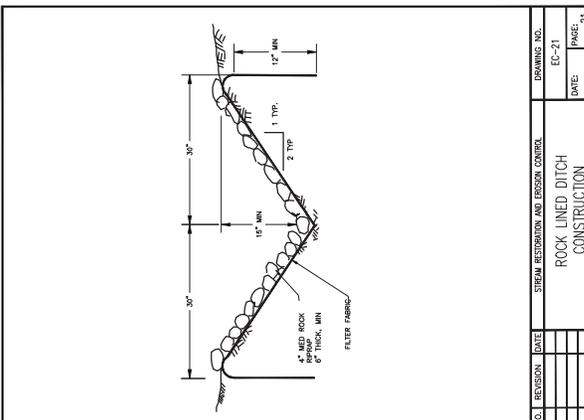
Proposed Driveway CL PROFILE



Know what's below.
 Call before you dig.
FOR REVIEW ONLY



Assembly 3 - Pro Road 4' TO DITCH 2 to 1 Daylight



INLET PROTECTION MINIMUM DIMENSIONS

ROCK CLASS	12\"/>
1	12\"/>
2	12\"/>
3	12\"/>
4	12\"/>
5	12\"/>
6	12\"/>
7	12\"/>
8	12\"/>
9	12\"/>
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13	12\"/>
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16	12\"/>
17	12\"/>
18	12\"/>
19	12\"/>
20	12\"/>

NOTES:
 1. MAKE PLACE ROCKS ANGULAR AND HAVE
 2. MAKE EXCESS OF OUTLET FACES BE A
 3. SHOWN BE GRADING.
 4. PROTECT DITCH SHALL BE GRADUATED TO A MIN.
 5. FOR ADDITIONAL DESIGN PROTECTION,
 BENTONITE ROCK.

NO.	REVISION	DATE	STREAM RESTORATION AND EROSION CONTROL	DRAWING NO.
			ROCK LINED DITCH CONSTRUCTION <td>EC-21</td>	EC-21

NO.	REVISION	DATE	SCALE	DATE
			AS SHOWN	MARCH 2014

