

**City of Carson City  
Agenda Report**

**Date Submitted:** June 25, 2013

**Agenda Date Requested:** July 3, 2013

**Time Requested:** 30 minutes

**To:** Mayor and Board of Supervisors

**From:** Public Works - Planning Division

**Subject Title:** For Possible Action: To consider an appeal of the Planning Commission's approval of a Special Use Permit to allow a two-family duplex on a corner lot in a Single Family 6,000 zoning district located at 1512 N. Nevada Street, APN 001-157-02. (SUP-13-031)

**Staff Summary:** The Special Use Permit (SUP-31-031) for a two-family duplex on a corner lot in a Single Family 6,000 zoning district was reviewed and conditionally approved by the Planning Commission on May 29, 2013, based on the required findings for approval. At the Planning Commission meeting public testimony was solicited, and there were several comments related to the proposed project identifying concerns and opposition from property owners in the immediate area. Decisions of the Planning Commission may be appealed to the Board of Supervisors. An appeal of the Planning Commission's approval of SUP-13-031 was properly filed pursuant to the submittal requirements of the Carson City Municipal Code 18.02.060 (Appeals). The Board of Supervisors may uphold, modify or reverse the Planning Commission's decision.

**Type of Action Requested:**

Resolution

Formal Action/Motion

Ordinance-Second Reading

Other (Specify)

**Does This Action Require A Business Impact Statement:** ( ) Yes ( X ) No

**Planning Commission Action:** Approved the Special Use Permit on May 29, 2013, by a vote of 6 ayes, 1 nay and 0 absent.

**Recommended Board Action:** I move to uphold the Planning Commission's decision to allow a two-family duplex on a corner lot in a Single Family 6,000 zoning district located at 1512 N. Nevada Street, APN 001-157-02, based upon the findings for approval and with the recommended conditions contained within the staff report to the Planning Commission.

**Explanation for Recommended Board Action:** Please see the attached staff memo and Planning Commission staff report for explanation of the proposed action.

**Applicable Statute, Code, Policy, Rule or Regulation:** CCMC 18.02.060 (Appeals), 18.02.080 (Special Use Permits)

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A

**Funding Source:** N/A


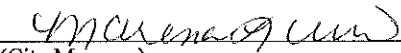
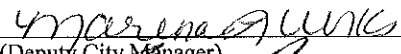
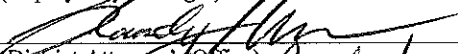
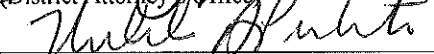
**Alternatives:**

- 1) If the Board of Supervisors finds that the Planning Commission erred in approving SUP-13-031, reverse the Planning Commission’s decision and deny the Special Use Permit based upon findings for denial, or modify the approval.
- 2) If additional information is submitted to the Board of Supervisors that the Board believes warrants further review and consideration of the application by the Planning Commission, refer the matter back to the Planning Commission.

**Supporting Material:**

- 1) Staff Memo to the Board of Supervisors
- 2) Appellant’s Letter of Appeal and Justification
- 3) Applicant’s Letter in Response to Appeal
- 4) Planning Commission Draft Minutes
- 5) Planning Commission Case Record
- 6) Planning Commission Packet

**Prepared By:** Susan Dorr Pansky, Principal Planner

Reviewed By: <u></u>	Date: <u>6-25-13</u>
(Planning Division Director)	
<u></u>	Date: <u>6-25-13</u>
(City Manager)	
<u></u>	Date: <u>6/25/13</u>
(Deputy City Manager)	
<u></u>	Date: <u>6/25/13</u>
(District Attorney's Office)	
<u></u>	Date: <u>6/25/13</u>
(Finance Director)	

**Board Action Taken:**

Motion: \_\_\_\_\_

1) _____	Aye/Nay
2) _____	_____
	_____
	_____
	_____

\_\_\_\_\_  
(Vote Recorded By)



108 E. Proctor Street  
Carson City, Nevada 89701  
(775) 887-2180  
[www.carson.org](http://www.carson.org)  
[www.carson.org/planning](http://www.carson.org/planning)

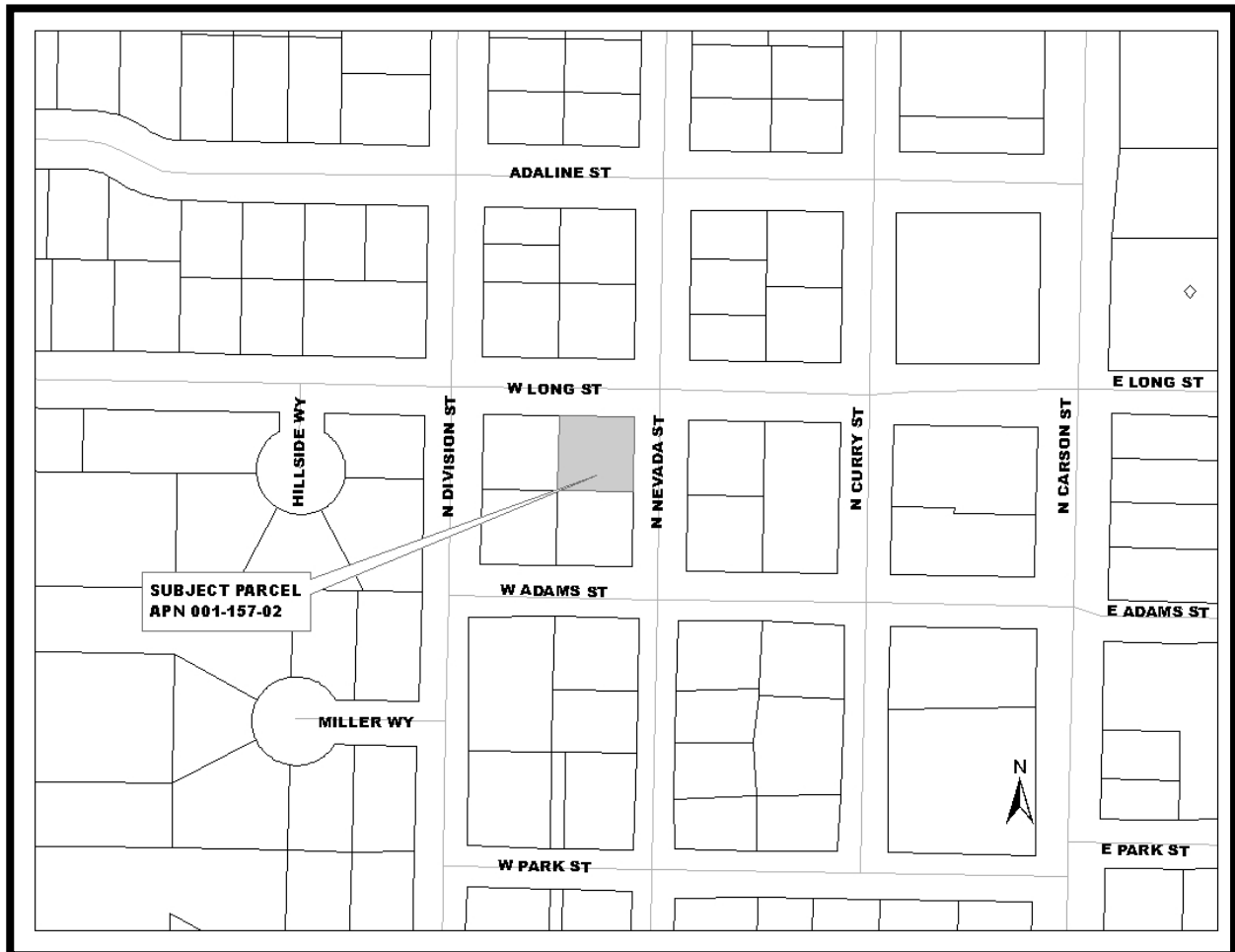
## MEMORANDUM

**TO:** Mayor and Board of Supervisors

**FROM:** Planning Division

**DATE:** July 3, 2013

**SUBJECT:** MISC-13-040 (SUP-13-031) – Appeal of the Planning Commission’s approval of a Special Use Permit to allow a two-family duplex on a corner lot in a Single Family 6,000 zoning district located at 1512 N. Nevada Street, APN 001-157-02, based on the specific staff findings in the staff report.



**BACKGROUND:**

- On May 29, 2013, the Planning Commission conditionally approved the proposed project by a vote of 6-1.

The subject property is a 7,238 square foot corner lot with an existing single family residence and two-car detached garage. The applicant and property owner, Steve Yochum, proposes to demolish the existing two-car detached garage on the northwest corner of the subject property and replace it with a new single family residence including one-car attached garage. The applicant also proposes to add a one-car detached garage at the southeast corner of the property to provide garage space for the existing residence.

**DISCUSSION:**

The application noted above was reviewed and conditionally approved by the Planning Commission based on the required findings for approval. At the May 29, 2013 meeting, public testimony was also solicited by the Planning Commission and there were several comments related to the project identifying concerns and opposition from property owners in the immediate area.

Please refer to the attached staff report which was presented to the Planning Commission on May 29, 2013 and the original application packet for additional information on the proposed project and the findings for approval made by the Planning Commission.

The basis for appeal is pursuant to the submittal requirements of CCMC 18.08.160 (Appeals). The appellant's letter of appeal is attached. The applicant has provided a reply letter to the appeal, which is also attached. The following are staff responses to the appellant's basis for appeal.

1. *The majority of the two-family dwellings in the adjacent neighborhood are located within the previously zoned Multi-Family Apartment (MFA) zoning district, and were approved under that zoning. The two exceptions in the Single Family 6,000 (SF6) zoning district are the properties at 1511 N. Division Street and 210 W. Long Street. The property at 1511 N. Division Street has no record of having two units approved as far back as 1965 and the property at 201 W. Long Street was built in 1957 prior to the SF6 zoning, therefore both properties are "grandfathered" into the SF6 zoning district. None were approved by Special Use Permit as presumed by the Planning Commission.*

**Staff Response:**

The appellant is correct that five of the seven duplexes in the surrounding area were built when those properties were in the MFA zoning district. The properties at 1511 N. Division St. and 210 W. Long St. were constructed prior to the creation of the SF6 zoning district and are grandfathered uses in the subject zoning district.

Staff notes that under the current code a two-family duplex, which may be defined as two dwelling units either attached or detached, is listed as a conditional use with the approval of a Special Use Permit on a corner lot in the SF6 zoning district, and the process by which other duplex uses in the area were allowed is not relevant to the current approval when determining whether the proposed use will be detrimental to surrounding properties or not.

2. *The approval of the project will be detrimental to the peaceful enjoyment and economic value of the surrounding properties as well as compromise the current character and integrity of adjacent developments and neighborhoods. This is a pervasive fear and frustration that more homes in the neighborhood will be purchased with the plan of changing their makeup to create more multi-family homes for a profit and thus changing the tone of the single family neighborhood to a more transient renter friendly neighborhood.*

Staff Response:

The subject property and surrounding area are designated Medium Density Residential (MDR) in the Carson City Master Plan. The MDR land use characteristics indicate that medium density residential neighborhoods should contain a mix of housing types in a neighborhood setting. The proposed project meets the Master Plan goal to provide a mix of housing types and is appropriately placed in a neighborhood with a mix of surrounding land uses such as single family residential, two-family duplexes, residential/office and retail commercial uses. The Planning Commission and staff do not consider this project to be detrimental to the surrounding properties.

3. *The project would further cause a detrimental effect on vehicular traffic on an already busy street (Long Street).*

Staff Response:

Staff does not consider the addition of one residence to a neighborhood with an existing street network to have significant impact on vehicular traffic.

4. *The Planning Commission denied a request for a Special Use Permit (SUP-06-082) of similar circumstances located on Long Street. The concerns stated in June 2006 are the same concerns stated at the meeting in May 2013. Please explain why the first permit was denied and this one was granted. We would like to understand the purpose of zoning if all one must do is meet a structural building code to do what they wish with the property even if those in the surrounding neighborhood are against the development.*

Staff Response:

The appellant is correct that a similar Special Use Permit (SUP-06-082) for 1601 N. Division St. was denied by the Planning Commission in June 2006. As with each Special Use Permit application, the Planning Commission considers the individual facts of the case, presentation by the applicant and testimony from the public, then bases its decision on whether the project meets the required Special Use Permit findings. In the case of the 2006 Special Use Permit, the Planning Commission was not able to make the required findings. In the case of this Special Use Permit application, the Planning Commission was able to make the required findings.

The purpose of zoning and Special Use Permits is to provide restrictions on allowed uses within specific zoning districts that the City considers to be in the best interest of the public, while also providing provisions for exceptions under circumstances that the City feels may be appropriate if the required findings can be made by the Planning Commission. In the case of this application, the Planning Commission determined that the zoning and design standard requirements have been met and was able to make the required Special Use Permit findings in support of the project.

**STAFF RECOMMENDATION:**

Per the Carson City Municipal Code Section 18.02.060(2), the Board of Supervisors may affirm, modify or reverse the decision of the Planning Commission. Staff recommends that the Board of Supervisors uphold the Planning Commission decision to approve Special Use Permit, SUP-13-031, based on the required findings and subject to the conditions of approval in the staff report.

**ALTERNATIVE**

The Board of Supervisors may consider the following alternative actions in deciding the appeal of the Planning Commission's decision to approve the two-family duplex on a corner lot in a Single Family 6,000 zoning district located at 1512 N. Nevada Street, APN 001-157-02, based on the specific findings of the staff report.

1. The Board of Supervisors refers SUP 13-031 back to the Planning Commission for re evaluation of the installation of a two-family duplex pursuant to Carson City Municipal Code Title 18.02.080, Special Use Permits and Carson City Municipal Code Title 18.04.065, Zoning.
2. If the Board of Supervisors finds that the Planning Commission erred in approving SUP-13-031, the Board may reverse the Planning Commission's decision and DENY the Special Use Permit, citing the finding(s) for denial.

RECEIVED

JUN 07 2013

CARSON CITY  
PLANNING DIVISION

June 6, 2013

To the Planning Commission,

MISC - 13 - 040

SUBJECT: Special Use Permit  
FILE NO: SUP-13-031

We, family and neighbors, are appealing the Special Use Permit that was granted by the Planning Commission for Mr. Steve Yochum to construct a two-family duplex unit (two single-family detached units) on a corner lot, on property zoned Single Family 6000 (SF6), located at 1512 North Nevada Street, APN 001-157-02.

The summary of this request explained that a two-family duplex unit is allowed as a conditional use in the Single Family 6000 zone with the approval of a Special Use Permit. We believe that this permit was approved under false assumptions and disregarded certain conditions necessary for approval. During discussion among the Commissioners at the meeting held May 29<sup>th</sup>, one of the Commissioners gave examples as to why he would vote 'No' on this request including the belief that this newly constructed unit "would be detrimental to the peaceful enjoyment of the surrounding neighborhood." Commissioner Wendell continued the discussion by explaining that he didn't believe there was any valid reason to deny this request. He offered two reasons for approving the permit: 1. Mr. Yochum's building meets required codes and so should not be denied approval and 2. he said he "presumed" that the surrounding properties displayed on the power point slide presented were also granted this Special Use Permit so "we really can't deny this one". The first Commissioner who had stated that he would vote 'No' on the approval of this request changed his vote after Commissioner Wendell spoke. An additional reason provided for the approval was that there are other such two-family dwellings in the area, so this new two-family dwelling would fit the landscape.

We would like to offer clarification on these "presumed" points. The majority of the two-family dwellings in the adjacent neighborhood are located within the previously zoned Multi-Family Apartment (MFA) zone, now Residential Office (RO). In a request for a zoning map from the Planning Commission (attached) we discovered that as far back as 1984 the majority of properties "presumed" to be granted a Special Use Permit were built in a MFA zone, not Single Family (SF6000). There are two lots within the SF6000 that are exceptions that should be addressed. The property at 1511 North Division Street is currently two single-family units, however, there is no record of this ever being approved, even looking back as far as 1965 when a permit was granted for a fence on this property, therefore, this parcel was "grandfathered" in this Single Family Zone and not permitted as a special or conditional use. The other is the two-family duplex unit located at 210 West Long Street that records show was built in 1957 before this zoning, therefore, this parcel was also "grandfathered" in our Single Family Zone.

There are several families that have lived in this neighborhood for as long as 60 years who are greatly opposed to this modification as they believe it will be (as outlined in the

bylaws of the Special Use Permit 18.02.080 sections a, b, and c.) detrimental to the peaceful enjoyment and economic value of surrounding properties as well as compromise the current character and integrity of adjacent developments and neighborhoods. We also believe that this would further cause a detrimental effect on vehicular traffic on an already busy street (Long Street). There is a pervasive fear and frustration that more and more homes in our neighborhood will be purchased with the plan of changing their makeup to create more multi-family homes for a profit and thus changing the tone of our single family neighborhood to a more transient renter friendly neighborhood. We have chosen to live in a single family residential area and do not wish to see things continue to change around us in this way. As a result, we feel that this Special Use Permit is not consistent with the Master Plan elements and that there would be detrimental effects on our neighborhood.

Lastly, Commissioner Wendell stated a reason for approving the Special Use Permit for Mr. Steve Yochum was because others in the area had also been approved. The attached minutes (pgs 7-10) from a meeting held June 28, 2006 show that the property owner of 1601 North Division was denied a request for Special Use Permit SUP-06-082 of similar circumstances. Mr. Yochum's property is on the same busy cross street (Long Street). The concerns stated in June 2006 are the same concerns stated at the meeting in May 2013. Please explain why the first permit was denied and this one was granted. Moreover, we would like to understand the purpose of zoning if all one must do is meet a structural building code to do what they wish with the property even if those in the surrounding neighborhood are against this development?

We believe that it was an uninformed board that made the decision to approve SUP-13-031. We ask that the decision be reversed and the Special Use Permit be denied based on the above stated points. Those points, in summary, include that no other Special Use Permit had been approved for the construction of the current duplexes in the immediate surrounding neighborhood because those structures present were constructed in a MFA zone; if this approval goes through, this new construction at 1512 N. Nevada Street does not meet the requirements of maintaining the character and integrity or the peaceful enjoyment of the current neighborhood; a similar request on a similar corner lot one street over was denied a Special Use Permit for these very same reasons; and lastly the two properties in this neighborhood that are within in the SF6000 zoning were not permitted to be there, they were 'grandfathered' in this zone as the construction took place in 1958 and before.

Thank you for your time,



Jessica Schulz  
(775) 220-0960  
1501 N. Division Street  
Carson City, NV 89703




June 7, 2013

I agree with this appeal of file number SUP-13-031. I spoke at the Planning Commission meeting May 29, 2013 and I wish to see the reversal of this Special Use Permit that was granted for the construction of two single-family detached units located at 1512 North Nevada Street by the Planning Commission Board.

Thank you for your time.

*Thomas W. Streeman*  
THOMAS W. STREEMAN  
1502 N. NEVADA ST.  
CARSON CITY, NV 89703

  
Dennis Caughran  
1601 W Division St  
Carson City, NV 89703

*Isobel Streeman*  
ISOBEL STREEMAN  
1502 N. NEVADA ST.  
CARSON CITY, NV 89703

*Carol A. Tierney*  
CAROL A. TIERNEY  
1602 N. NEVADA ST.  
CARSON CITY, NV 89703

*Donna Inversin*  
Donna Inversin  
1605 N. Nevada St.  
Carson City, NV 89703

*August E Ehresman*  
AUGUST E EHRESMAN  
1612 N NEVADA ST  
Carson City, NV 89703

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REVISED 9/26/88

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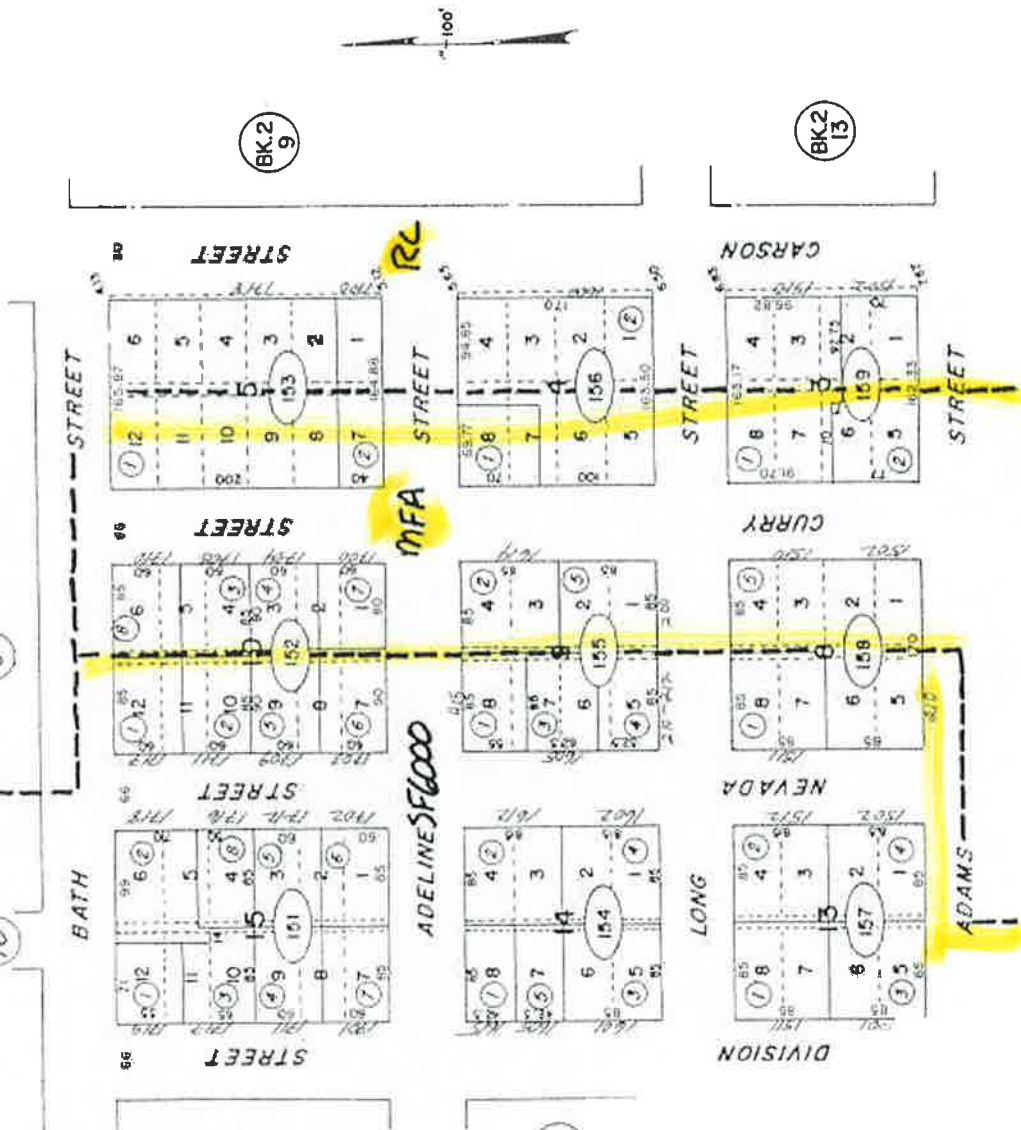
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CHEDIC ADDITION

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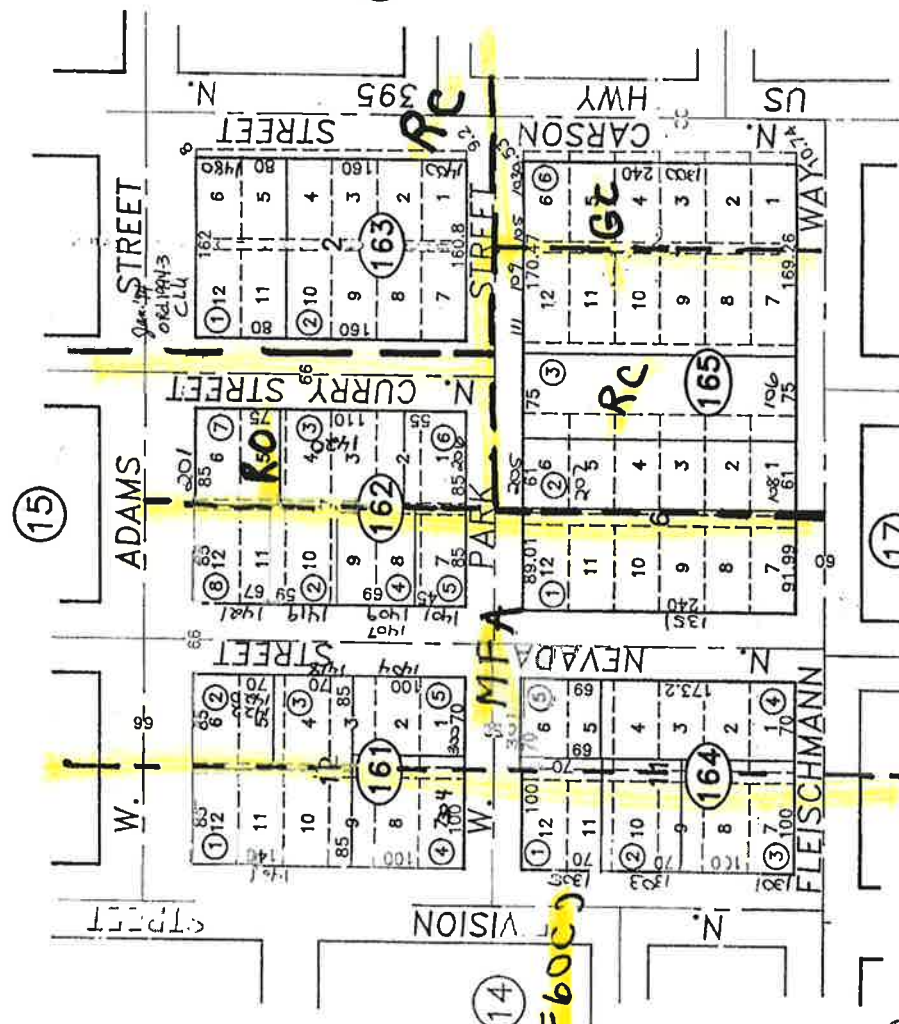
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PORTION NW1/4 NW1/4 SECTION 17, T.15 N., R.20 E., M.D.B. & M.

CHEDIC ADDITION



SF6000

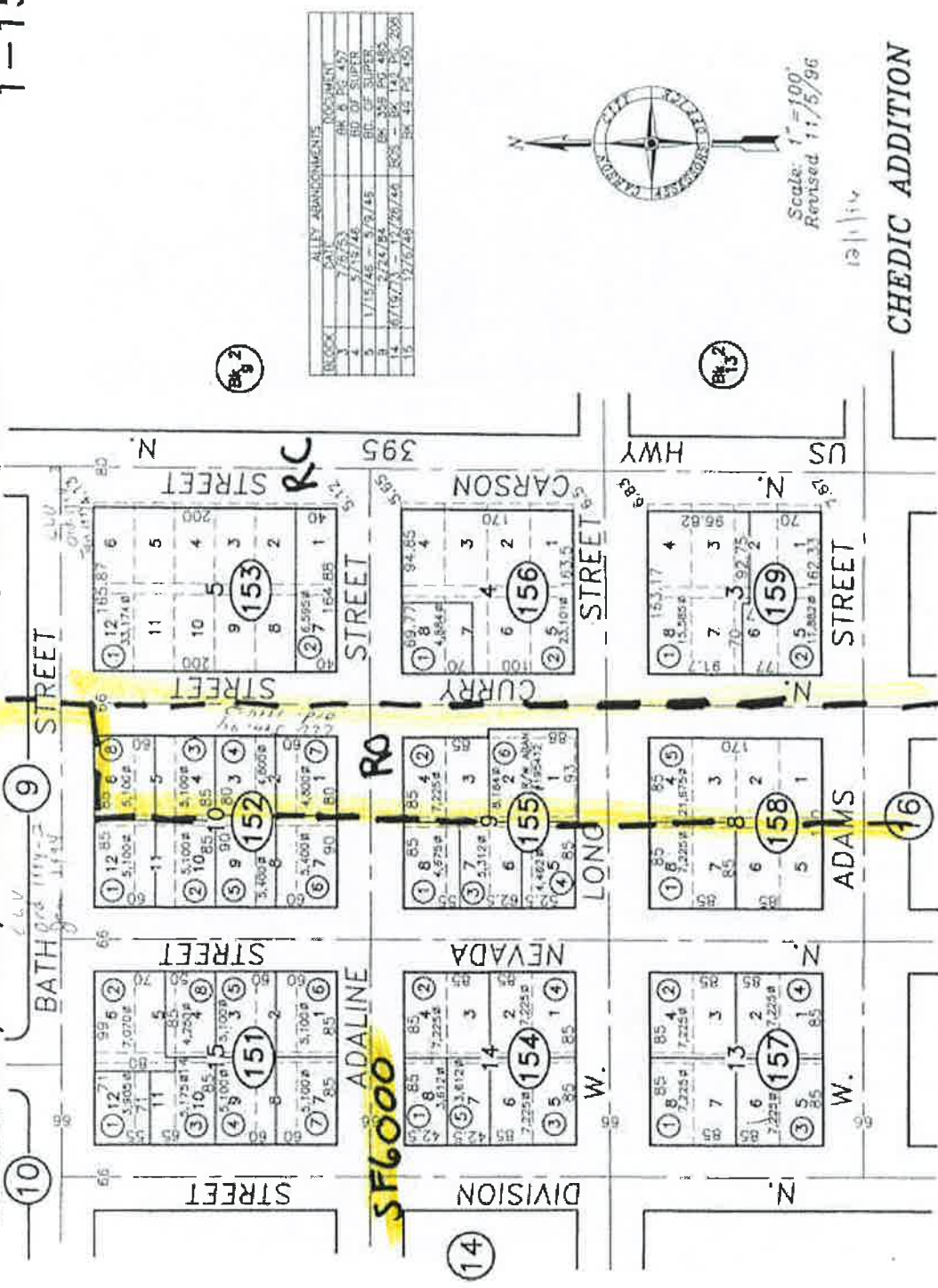
CARSON CITY, NEVADA  
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ONLY. IT DOES NOT REPRESENT A SURVEY. NO LIABILITY  
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THE DATA DELINEATED HEREIN.

NOTE  
SOME PARCELS DELINEATED HEREIN MAY NOT  
BE PRESENTED IN TRUE SIZE, SHAPE, OR LOCATION  
DUE TO DISCREPANCIES BETWEEN LOT LINES.



Scale: 1"=100'  
Revised 12/22/87

PORTION NW1/4 NW1/4 SECTION 17 T.15 N., R.20 E., M.D.B. & M.



NOTE  
 SOME PARCELS DELINEATED HEREIN MAY NOT  
 BE PRESENTED IN TRUE SIZE, SHAPE, OR LOCATION  
 DUE TO DISCREPANCIES BETWEEN LOT LINES.  
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**CARSON CITY PLANNING COMMISSION**  
**Minutes of the June 28, 2006 Meeting**  
**Page 1**

A regular meeting of the Carson City Planning Commission was scheduled for 3:30 p.m. on Wednesday, June 28, 2006 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson John Peery  
Vice Chairperson Mark Kimbrough  
Craig Mullet  
Steve Reynolds  
Roy Semmens  
William Vance

**STAFF:** Walter Sullivan, Planning and Community Development Director  
Lee Plemel, Principal Planner  
Jennifer Pruitt, Senior Planner  
Sean Foley, Associate Planner  
Joe McCarthy, Economic Development / Redevelopment Manager  
Tom Grundy, Engineering Division Civil Design Supervisor  
Michael Suglia, Senior Deputy District Attorney  
Kathleen King, Recording Secretary

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

**A. CALL TO ORDER, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE (1-0007)** - Chairperson Peery called the meeting to order at 3:30 p.m. Roll was called; a quorum was present. Commissioner Mullet led the pledge of allegiance. Commissioner Bisbee was absent.

**B. COMMISSION ACTION ON APPROVAL OF MINUTES - March 27, 2006 (1-0023)** - Commissioner Semmens moved to approve the minutes. Commissioner Vance seconded the motion. Motion carried 5-0-1, Commissioner Mullet abstaining.

**C. PUBLIC COMMENT (1-0032)** - None.

**D. MODIFICATIONS TO THE AGENDA (1-0038)** - None.

**E. DISCLOSURES (1-0040)** - None.

**F. CONSENT AGENDA (1-0042)** - None.

**CARSON CITY PLANNING COMMISSION**  
**Minutes of the June 28, 2006 Meeting**  
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**G-4. SUP-06-084 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM MARGARET SPEARS TO ALLOW AN INCREASE IN FENCE HEIGHT FROM THE CODE MAXIMUM OF SIX FEET TO EIGHT FEET TALL, ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6), LOCATED AT 603 WEST ROBINSON STREET, APN 003-243-02 (1-2586) -** Chairperson Peery introduced this item. Ms. Pruitt reviewed the staff report, and narrated pertinent slides. She referred to two letters of support included in the agenda materials. She advised of staff's recommendation of approval, based on the findings and conditions included in the staff report. Mr. Sullivan reviewed the various heights of the fence using a displayed photograph. In response to a question, Ms. Pruitt provided background information on the special use permit requirement.

(1-2741) Mike Spears, of 603 West Robinson Street, apologized for constructing the fence prior to submitting the special use permit application. He advised of not having been aware that replacing the fence would require review by this commission or the Historic Resources Commission. He acknowledged his agreement with the staff report. He responded to questions regarding the "gingerbread" added to the fence. Chairperson Peery commended Mr. Spears "on a nice looking project," and called for public comment.

When no public comment was forthcoming, Chairperson Peery called for a motion. Vice Chairperson Kimbrough moved to approve SUP-06-084, a special use permit request from applicant Margaret Spears to allow a fence which exceeds six feet in height, on property zoned single family 6,000, located at 603 West Robinson Street, APN 003-243-02, based on seven findings and subject to the conditions of approval contained in the staff report. Commissioner Semmens seconded the motion. Motion carried 6-0.

**G-5. SUP-06-082 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM R.O. ANDERSON ENGINEERING (PROPERTY OWNER: KATSUYUKI INAGAKI) TO ALLOW A TWO-FAMILY DUPLEX, ON PROPERTY ZONED SINGLE FAMILY 6,000 (SF6), LOCATED AT 1601 NORTH DIVISION STREET, APN 001-154-03 (1-2815) -** Chairperson Peery introduced this item. Ms. Pruitt reviewed the staff report, and narrated pertinent slides. She noted the 13 letters in opposition to the special use permit included in the agenda materials, and the letters and petition in opposition provided to the commissioners and staff prior to the start of the meeting. She further noted the written responses provided by the applicant. She reviewed additional slides. She advised of staff's recommendation of approval, based on the findings and conditions outlined in the staff report.

(1-2970) R.O. Anderson Engineering Principal Planner Keith Ruben acknowledged having reviewed the staff report and his agreement with the same. He expressed the belief that the conditions of approval "mitigate and address the comments ... reviewed from the petitions and ... letters from the neighbors." In response to a question, Chairperson Peery provided direction with regard to the format of Mr. Ruben's presentation, public comment, and rebuttal. Mr. Ruben noted that professional staff had reviewed the application and recommended approval. He advised that the application is consistent with all Title 18 findings regarding a special use permit and all conditions required to apply for and receive approval for a duplex within the SF6 zoning district. He noted staff's analysis that impacts would be insignificant or mitigable, as conditioned. He expressed the belief that substantive issues were addressed by staff's conditions of approval. He advised that the proposed remodel would be consistent and compatible with surrounding development. Mature landscape and trees will not be altered by the small project, i.e., addition of 244 square feet. The proposed addition will not encroach into any existing setbacks. The only alteration, visible from the street, would be removal of the old garage door and addition of an entry to the new 740-square-foot unit. Mr. Ruben suggested that the majority of public comment appeared to be "centered on introducing an additional rental unit into a single family neighborhood" with the effect of destroying the

**CARSON CITY PLANNING COMMISSION**  
**Minutes of the June 28, 2006 Meeting**  
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neighborhood. He advised that the applicant disagrees with that assertion. He referred to census information, provided in his June 28<sup>th</sup> letter, and advised that approximately one-third of all units in Carson City are renter-occupied. He expressed the opinion that addition of the proposed unit would not overburden this particular neighborhood with multi-family uses. He advised that smart growth planning principles seek to introduce multi-family uses in a small intensity to corner areas and inside neighborhoods so as to avoid the effect of "creating the other side of the tracks." He noted this concept was incorporated into Title 18, by design. He referred to the previously approved condominium conversion project, and suggested that affordable, multi-family housing stock will continue to be needed in Carson City.

Chairperson Peery provided additional direction with regard to public testimony and opened this item. (1-3128) Richard and Wanda Biggs, of 1702 North Division Street, introduced themselves for the record. Mr. Biggs read prepared comments into the record. He expressed concern over changing a single-family home to a multi-family dwelling. He expressed a desire to "maintain the stability and integrity" of his neighborhood. He requested the commissioners to deny the special use permit, and expressed concern that approval would impact the value of his property. Mrs. Biggs requested the citizens present in opposition to the application to stand. Chairperson Peery provided additional direction with regard to public testimony.

(1-3207) John Schultz, provided background information on his residence in Carson City, and expressed concern over CC&Rs, zoning, and the business and transient nature of a duplex. Chairperson Peery advised that the commission's purview does not extend to CC&Rs. In response to a question, he explained that the duplex is allowed within the existing zoning designation. Mr. Sullivan provided further clarification of the purpose for the special use permit, and discussed the intent to add housing within Carson City. Mr. Schultz pointed out that every lot in the area is a corner lot because of the square block configuration of the neighborhood. Mr. Sullivan reiterated the purpose for requiring a special use permit. Mr. Schultz expressed concern that, in theory, every lot could be turned into a duplex. Chairperson Peery acknowledged that any corner lot property owner could apply for the same type of special use permit. Mr. Schultz expressed support for private property rights, but advised that "everybody bought in there as a single-family residence and have lived there for years." Chairperson Peery reiterated that the use is permitted within the existing zoning designation. In response to a comment, he explained the commission's responsibility in such a matter.

(1-3414) Kathleen Flaherty, of 405 Adaline Street, advised of having moved to Carson City two years ago from southern California. She advised that Division Street has very heavy traffic. She further advised of having lived in rental units in the past, and expressed the opinion that the proposal will not benefit the integrity of the neighborhood. She discussed the importance of Carson City maintaining areas which are attractive in terms of safety, a sense of neighborhood, and an absence of transiency. In response to a question, she advised that Mr. Inagaki being a resident of the property would not make the proposal more palatable. She noted that the additional square footage takes "away green yard area and adds congestion to an area with high density." She expressed the opinion that the addition would be more appealing if the purpose was for housing extended family. She expressed concern over the transient and business nature of a duplex in a residential area. She acknowledged that private property owners have the right to use property for commercial use, but requested the commission to deny the special use permit. In response to a comment, she expressed the belief that adjacent property owners feel an "encroachment on their living space and openness." She advised that the concrete slab was poured "a month ago and the curb way was changed." She further advised that parking is not side-by-side in the driveway, and that the lot is not "easily accessible ... with a lot of space to maneuver." She expressed concern over friction, and suggested there are other areas in Carson City which may be more suitable for a duplex than the subject lot.

**CARSON CITY PLANNING COMMISSION**  
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(1-3593) Lois Stewart advised of having lived at her residence since 1955, directly across the street from the subject property. She advised that the house is very small, and expressed concern over two families being accommodated even with an additional 200 feet. She advised of a previous owner having applied for a special use permit to extend their living room by 2-3 feet. The permit was denied because of setback requirements. Another family's proposal to add bedrooms on a second floor was also denied. Mrs. Stewart expressed concern over the previous proposals, by families who were residents of the property and "stable citizens," being denied and the subject proposal being approved for "someone ... that doesn't even live in town" who wants to "change everything around much more differently than they wanted to."

(2-0043) Betty Johnson, 1421 North Division Street, expressed concern over property values in the area. She expressed the opinion the subject property is not well kept, and reiterated concern over diminishing surrounding property values.

(2-0066) Cliff Smith, 1511 North Division Street, provided an overview of the previously expressed concerns. He expressed concern with regard to the driveway and access to Long Street in relation to a two-family residence, with "more cars, more kids, more family, more people." He advised that Long and Division Streets are very busy with a lot of traffic. He further advised he is a landowner who rents, and expressed support for the property owner's rights. He reiterated concern over adding a family unit on the corner.

(2-0104) Sarah Billings, a homeowner at 7 Pine View Way, described the location of her property in relation to the subject property. She is a third-generation northern Nevadan, and advised that her property is located approximately a block from a "cluster of duplexes on Park and Nevada." She expressed concern over repeated tagging in the area. She has a nine-month-old child and advised there are streets that "are not comfortable" to walk on at night because of safety concerns. She expressed the belief that multi-family housing "does change the dynamics of a neighborhood" and property values. She advised that she and her husband teach in the area, and discussed recent improvements to her property. She expressed respect for the property owner's rights. She stated that the "quality of the neighborhood is enticing to ... Carson City to have an interest in continuing and protecting." She expressed concern over the number of children who walk to Fritsch School and who cross at Long Street. She discussed safety issues associated with backing from her driveway. She expressed concern over renters who may not have the same interest or investment in protecting the integrity of the neighborhood.

Chairperson Peery closed public comment, and called for additional questions or comments, in addition to individual input from the commissioners. Mr. Suglia recommended making specific adverse findings in the event the commission would vote against this item.

Commissioner Vance inquired as to whether the recently-approved comprehensive master plan provided for infill by making corner lots available for single residences to become duplexes. Mr. Sullivan advised that this provision was included as part of a 2002/2003 code amendment to provide additional housing opportunities in Carson City. The 1997 Housing Plan mentions it as well. In response to a question, Mr. Sullivan advised he would have to research the master plan to determine whether this provision was included. In reference to an earlier point, Commissioner Vance noted 18 corner lots within a one-block radius of the subject property. Based on concern over the possibility of other property owners submitting similar applications, thereby changing the character and dynamic of the neighborhood, he advised he would not support the application.



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Commissioner Mullet suggested that a duplex in a neighborhood of some other character may not have as much effect. He advised he could not support the project, and expressed the belief it will change the character of the neighborhood. He acknowledged the special character of the neighborhood. He expressed the opinion that, at least, the subject property will diminish in value by converting it to rental property. He agreed with concerns over additional vehicles, traffic, and safety issues associated with cars backing from the driveway onto Long Street "that close to an intersection." He expressed the opinion that the subject lot is not the appropriate corner for the project.

Commissioner Semmens agreed with Commissioners Vance and Mullet and the homeowners living in the area. He expressed concern over establishing a precedent by approving the subject application. Commissioner Reynolds acknowledged that approving the application may not be fair to the neighborhood, but pointed out that a change to the neighborhood could occur because of a homeowner deciding to rent their property. He further pointed out that the property owner has the right to be heard. He expressed disagreement with the general sentiment that "because somebody rents a home, they're automatically a bad neighbor."

Vice Chairperson Kimbrough advised of having been "educated about some of the elements of this through some good speaking ability." He expressed appreciation for the public comment. He referred to the findings outlined in the staff report, particularly Policy 1.4, and read the same into the record. He expressed a strong belief in property rights, but noted the importance of a compatible mixture of land uses. He read Policy 2.4 into the record, and expressed the belief that the proposal would diminish the values of adjacent properties. With due respect to the property owner, he advised he would not support the application.

Chairperson Peery advised of being torn on this issue, but noted significant elements which would sway his vote negative. He listed issues of traffic safety, especially when ingress and egress to the street may already be somewhat difficult. He agreed with the point that there are many corner lots in the neighborhood, and expressed concern over establishing a precedent with the propensity to "pack an area in a very uncivil manner." He pointed out that the City has to adhere to the requirements of the Carson City Municipal Code. "The Planning Department is quite excellent ... and doesn't make determinations about whether there is 18 corner lots." Chairperson Peery stated that staff's recommendation is a "good one in the face of this." He expressed respect for Mr. Inagaki's ability to present the proposal, to be an absentee owner, and to make a profit. He expressed the belief that the impact to the neighborhood, in this particular instance, is too onerous to bear. He entertained a motion. At Mr. Sullivan's request, he recessed the meeting at 6:51 p.m. and reconvened at 6:57 p.m.

In response to an earlier comment, Mr. Sullivan advised that a special use permit would not be required to add a second story to the subject structure as long as the roof height did not exceed 26 feet. Chairperson Peery recalled denying a previous, unrelated special use permit application due to line of sight issues. He entertained a motion. **Vice Chairperson Kimbrough moved to deny SUP-06-082, a special use permit application from Keith Ruben, R.O. Anderson Engineering, Inc., property owner Katsuyuki Inagaki, to allow a duplex, on property zoned single-family 6,000, located at 1601 North Division Street, APN 001-154-03, based on the findings, as follows: (1) the use will not be consistent with the objectives of the master plan; (2) specifically policy 2.4 will not protect and enhance the character of residential neighborhoods and property values; (3) goal 3 will not enhance the quality of life for Carson City residents; (4) the proposed use will be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood and will cause additional physical activity; (5) the project may be detrimental to the public health, safety, convenience, and welfare; and (6) the project may result in material damage or prejudice to other properties in the**

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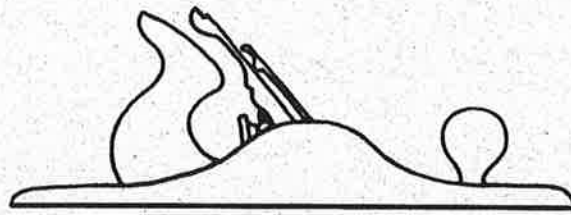
vicinity. Commissioner Semmens seconded the motion. Motion carried 5-1. Mr. Sullivan advised of the appeal process. Chairperson Peery thanked the citizens for their attendance and participation.

**G-6. SUP-06-083 ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM MARK AND TERIDI LEGAME, TO ALLOW A 720-SQUARE-FOOT ATTACHED GUEST DWELLING, ON PROPERTY ZONED SINGLE FAMILY 12,000 (SF12), LOCATED AT 4041 APOLLO DRIVE, APN 008-722-08 (2-0444)** - Chairperson Peery introduced this item, and Mr. Sullivan reviewed the staff report. He noted staff's recommendation of approval, subject to the findings and conditions outlined in the staff report. He referred to letters of opposition provided to the commissioners and staff prior to the start of the meeting. Vice Chairperson Kimbrough inquired as to the amenities allowed in a guest dwelling. Mr. Sullivan reviewed displayed drawings, including the existing residence and garage, and the proposed locations of the new garage and guest dwelling. In response to a question, he advised that the guest dwelling is connected to the house but is considered a separate unit. In response to a further question, he read the definition of "guest building" into the record. He acknowledged that a garage could have been added without a special use permit. He further acknowledged that two families would not be allowed to live in the residence, and that the guest building could not be rented. Mr. Sullivan explained Steve Mays' concern over enforcement of City codes if, at some point in the future, two separate families would live on the property.

(2-0599) Teri DiLegame acknowledged having reviewed the staff report and her agreement with the same. She assured her neighbors that the structure is being built for her mother, who will live with the family to help care for her. She advised of no intention to rent the property. She advised of having spoken to some of the neighbors prior to the hearing and that she was unaware of any objection. She would have gladly spoken to any of the neighbors at any time.

Chairperson Peery called for public comment. (2-0630) Terry Rankin advised of having lived at 4221 Terrace since August of 1980. She advised of having provided a copy of the covenants, and of having been appointed "as the committee" together with another neighbor. She further advised that the project had never "come to us for approval." She referred to her written objection which had been provided to the commissioners and staff prior to the start of the meeting. She advised that the "only neighbor in favor of the project has their home for sale. They live across the street." She provided historic information on the development, and described the characteristics of the neighborhood. She noted that "the special use is for the guest building and would expand the project to almost 1,300 square feet which is, the whole thing that's new is as big as what you just denied." She expressed concern that the proposed addition will change the setbacks. She pointed out that the property is not a corner lot and that the neighborhood is next to the airport clear zone "so you don't want high density there." She advised of problems with renters "running businesses in the homes." "Without a special use permit being recorded on the deed, the realtors in the area are already promoting how you can build on these half-acre lots." She expressed concern that, in the future, the proposal will appear to be a duplex in a single-family neighborhood with ancillary garages and no separate homes. She expressed understanding for the need for mother-in-law quarters. She expressed the opinion that the proposed project is inconsistent with the neighborhood, with the open space, with the nearby airport, and with the ancillary uses either built or approved in the neighborhood. She requested the commissioners' consideration that the one supportive neighbor is in the process of selling their property.

(2-0734) Steve Mays expressed agreement with Ms. Rankin's comments. He expressed concern that two different families could purchase the property, at some point in the future, and live there. In response to a question, Mr. Suglia expressed the opinion that Mr. Mays "has a point." He related a scenario in which two different parties could jointly purchase the property, one party live in one building and the other live



**STEVE YOCHUM**

*General Building Contractor*

June 16, 2013

Carson City Supervisors  
City Hall  
201 N. Carson Street #2  
Carson City, Nevada 89701

**RECEIVED**

JUN 17 2013

CARSON CITY  
PLANNING DIVISION

RE: SUP-13-031 APPEAL

Dear Carson City Supervisors,

This letter shall serve as a rebuttal to the appeal made on June 6, 2013 by Ms Jessica Schulz to the Carson City Planning Commissioner's vote on SUP-13-031, and questions the legitimacy of the said appeal.

I have studied the appeal presented by Jessica Schulz. Her appeal is nicely done and presents arguments for her contention. I question her contention as follows:

1) The matter up for consideration is whether or not the proposed project at 1512 N. Nevada Street supports "compatibility with other uses." Ms Schulz presents an argument that, "The majority of the two-family dwellings in the adjacent neighborhood are located within the previous zoned Multi-Family Apartment (MRA)" or were "grandfathered" and therefore were not required to obtain a Special Use Permit. The crux of the issue here is NOT whether these 7 other two-family units within the immediate neighborhood had to achieve the approval of a Special Use Permit. The issue is whether or not 1512 N. Nevada Street is compatible with this use. The Planning Commissioners agreed that the use is clearly compatible by a vote of 6 to 1 in favor. It is irrelevant if the other properties were required to have a SUP, or were grandfathered. I question the legitimacy of this appeal because Ms Schulz has mistaken these details for the issue at hand.

**"A Special Use Permit allows the City to review a proposed use to determine it's compatibility with other uses in an area, and apply conditions of approval (as deemed appropriate) to minimize potential land use conflicts and protect the public health, safety and welfare."**

According to Susan Dorr Pansky, "The Planning Commission's job is to render their decision based on whether they determine the project meets the findings outlined in the Carson City Municipal Code."



**STEVE YOCHUM**

*General Building Contractor*

2) Ms Schulz makes reference to a 2006 request for a Special Use Permit, SUP-06-082, which was denied by the Planning Commission. After further study of this case I find that the property owner spent his time and resources to meet all of the conditions as outlined by the Planning Division, and presented findings linear with Master Plan Policy. I am sympathetic with the property owner in this case and feel that the Commissioners made a wrong decision. The Board Of Commissioners ruling of 6 to 1 in favor of the SUP at 1512 N. Nevada Street exhibited rational wisdom and great courage. It is a tragedy that the SUP at 1601 N. Division was turned down and I feel that this tragedy will be reinvented at 1512 N. Nevada unless the Board of Supervisors adopts this same wisdom and courage. It seems that the opposition to these improvements is purely an emotionally based argument. Please let us be clear on the facts. A long-time resident does not have more rights than a new-comer. A home-owner is not better than a home-renter. Lastly, not liking something is not grounds for legal denial.

When the rights of one are neglected, the rights of all are effected. I am speaking of my rights in this case, but please do not feel that I am unconcerned about the rights of the surrounding property owners. If I allow the neighboring opposition to prevail in abusing my rights, I have allowed them to unwittingly abuse their own rights. It is also for this reason that the Planning Division has consulted with the Building Division, Engineering Division, Fire Department, Health Department, and the Environmental Control Division of Public Works as a part of their Master Plan Policy. I might add, they have all given their blessings on this project.

Thank you in advance to the Board of Supervisors for considering this rebuttal and for hearing this case. Special thanks to Susan Dorr Pansky for her professionalism in this matter. Special thanks to Commissioner George Wendell for his rational wisdom and courage in the face of outnumbering opposition.

Sincerely,

Steve Yochum

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the method by which utilization of the water from Douglas County will be determined. In response to a further question, he explained that uranium is the reason for blending the water from Douglas County with that which is at the City's Quill Water Treatment Plant.

Mr. Plemel reviewed the agenda materials in conjunction with displayed slides. In response to a question, he reviewed the allocation formula, as provided in the Carson City Municipal Code. He responded to corresponding questions of clarification. Commissioner Kimbrough expressed appreciation for the detail provided by other City departments / divisions relative to budgetary issues associated with growth management. In response to a question, Mr. Schulz advised that the Public Works Department pursues "every federal grant that has to do with wastewater or water ... but ... those, in the past two to three years, have been cut drastically ... Furthermore, they seem to have a little bit more compassion on smaller communities where there's ... not a [sufficient] tax base ..." Mr. Schulz assured the commissioners that the Public Works Department pursues every possible grant funding opportunity. He advised that, in the past five years, approximately \$2.5 million in grant funding has been secured for the wastewater treatment plant. He further advised that the Public Works Department also pursues State revolving funds, which program he described.

Chairperson Vance entertained public comment and, when none was forthcoming, a motion. **Vice Chairperson Wendell moved to recommend to the Board of Supervisors approval of a maximum total of 655 residential building permit entitlements for 2014, with an allocation of 282 entitlements for the general property owner category, and 373 entitlements for the development category, and to retain the existing commercial and industrial development water usage threshold of 7,500 gallons per day annual average for Growth Management Commission review, and allocations for future years as further provided in the draft Board of Supervisors resolution. Commissioner Sattler seconded the motion. Motion carried 7-0.**

**ACTION TO ADJOURN GROWTH MANAGEMENT COMMISSION (5:46:02)** - Chairperson Vance entertained a motion to adjourn the Growth Management Commission. **Vice Chairperson Wendell so moved. The motion was seconded and carried 7-0.**

**RECONVENE PLANNING COMMISSION (5:46:26)** - Chairperson Vance reconvened the Planning Commission meeting at 5:46 p.m.

**G-3. SUP-13-031 POSSIBLE ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM STEVE YOCHUM (PROPERTY OWNER: STEVE YOCHUM) FOR A TWO-FAMILY DUPLEX UNIT (TWO SINGLE-FAMILY DETACHED UNITS) ON A CORNER LOT, ON PROPERTY ZONED SINGLE FAMILY 6000 ("SF6"), LOCATED AT 1512 NORTH NEVADA STREET, APN 001-157-02 (5:46:31)** - Chairperson Vance introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides. She noted staff's recommendation of approval subject to the conditions outlined in the staff report. She further noted written comments from Thomas Streenan, which were provided to the commissioners and staff prior to the start of the meeting. She advised of having received a telephone call earlier in the day from Cliff Smith, and of having answered his questions. In response to a question, she advised that other duplexes in the area were not researched relative to special use permits. In response to a further question, she advised that the total square footage and setbacks for the proposed project are within the required limits prescribed by Code.

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Chairperson Vance entertained additional questions or comments of the commissioners and, when none were forthcoming, invited the applicant to the podium. (5:52:41) Steve Yochum introduced himself for the record and, relative to the proposed project, discussed his future plans for retirement. He addressed the concerns listed in Mr. Streenan's written correspondence in conjunction with displayed slides. He acknowledged his agreement with the conditions of approval as outlined in the staff report. He responded to questions of clarification regarding disposition of existing trees. In response to a further question regarding condition of approval 11, Mr. Yochum expressed confusion. Ms. Dorr Pansky explained that the garage is considered one parking space, but the driveway leading to the garage is not considered additional parking. "... the reason being is because, essentially, that space would be blocking the space inside the garage. And that's why we require a second off-street parking space that is not directly behind the garage ...". Mr. Plemel offered a possible solution in the form of a space next to the driveway. Commissioner Esswein expressed the opinion that the requirement for "at least one of the additional parking spaces seems like it's overdoing it because this is a one-bedroom unit, intended for a single person or, perhaps, a couple. And it just seems like overkill to be requiring that second parking space." Commissioner Esswein clarified his understanding that the parking requirements are governed by the Carson City Municipal Code. He suggested considering the possibility of a future amendment "especially as ... households change in size and in needs. It doesn't seem that a ... house designed for a very limited number of people should require the same as a house ... that is designed for a family." Discussion followed.

Chairperson Vance entertained additional commissioner questions or comments and, when none were forthcoming, public comment. (6:04:37) Donna Inversin, an adjacent resident, discussed concern over the proposed two-story design in consideration of her view, expressed the opinion that the project will decrease her property value, and suggested a permeable driveway surface.

(6:05:59) Tom Streenan, an adjacent resident, advised of having lived at his residence for twenty years and expressed agreement with requiring parking for two vehicles. He discussed concern over the proposed project decreasing the value of his single-family home, and provided background information on the historic nature of his residence. In response to a question, Commissioner Sattler clarified his acquaintance of Mr. Yochum as a close friend of his sister. In response to a question, Mr. Ward explained that "as long as there's no pecuniary interest or no financial advantage ... to you one way or the other, and you can be fair and impartial, unbiased, then you have no conflict that would preclude you from exercising your duties as a member of this body." Commissioner Sattler advised of no financial interest in the project, reiterated that he "just happen[s] to know the applicant," and advised that he would participate in action on this item.

(6:07:48) In conjunction with displayed slides, Jessica Schulz discussed her family's history in the area and problems experienced from surrounding neighbors. She expressed support for Mr. Yochum's design, and concern over a disparity between "what's going to happen and what he has planned." She discussed concerns over declining property values, traffic safety issues, and parking issues.

(6:10:08) John Schulz advised of having been raised in his grandparents' home, adjacent to the subject property, and discussed the development history of the neighborhood. He further advised of having been acquainted with Mr. Yochum since high school, and of having worked with him on many construction projects. He commended Mr. Yochum's construction skill. Mr. Schulz discussed concerns relative to the proposed two-story design, traffic safety, and parking. He inquired as to whether the project had been sold "to the neighbors," and advised that "nobody really likes it ..."

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(6:15:03) August Ehresman, an adjacent neighbor, suggested that the neighborhood was developed as a “single-family area,” and expressed concern over declining property values with “duplexes ... everywhere.” He expressed opposition to the proposed project.

(6:15:35) Dennis Caughran, an adjacent neighbor, discussed concerns over apparent illegal activity at the subject address in the past, declining property values, and the proposed two-story design. He expressed opposition to the project.

(6:16:55) Carol Tierney, an adjacent neighbor, advised that she has lived in her residence for 38 years; that she knew the original owner of the subject property and has “seen it go down hill with renters over the years.” Ms. Tierney commended Mr. Yochum on cleaning up the property and the “nice renter in there now.” She advised of having previously witnessed “some really bad things going on there.” She discussed concerns relative to traffic safety and declining property values. She expressed a preference to “keep it single-family,” and opposition to the proposed project.

(6:18:33) Isabel Streenan expressed agreement with the previous comments, noting that the duplexes did not exist when she and her husband purchased their property. “As [the duplexes] have come, the neighborhood has really got bad.” Ms. Streenan discussed concerns over apparent illegal activity in the past, noting there are no guarantees relative to renters. Ms. Streenan expressed opposition to the proposed project.

Chairperson Vance entertained additional public comment and, when none was forthcoming, thanked the citizens for their attendance and participation. In response to a question, Ms. Dorr Pansky noted that there appeared to be no other two-story structures in the area surrounding the subject property. In response to a question, Mr. Plemel advised that the Code provides for a maximum of 700 square feet for a guest building. He explained that guest buildings are permitted anywhere but limited to use by the residents of the property and non-paying guests.

Chairperson Vance entertained additional questions or comments of the commissioners. Commissioner Kimbrough expressed concern over the proposed two-story design in light of the citizen comments, and suggested that the project may be “detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties ...” Commissioner Dhami concurred. Commissioner Sattler advised of no concern over the proposed duplex design, but expressed concern over the proposed two-story design.

Vice Chairperson Wendell advised of having reviewed the agenda materials, and suggested that the proposed project meets the statutory and regulatory requirements. Ms. Dorr Pansky acknowledged the accuracy of the statement. Vice Chairperson Wendell expressed appreciation for the citizen comments, and concern over the commission appearing to be arbitrary and capricious. “When ... a proposal is submitted for consideration and it meets all of the City ordinances or statutory requirements, it sort of puts us in a position where, to prevent being arbitrary and capricious, ... we have no alternative but ... to vote in favor of this proposal.” Vice Chairperson Wendell reiterated appreciation for the citizen comments relative to “the more densely populated environment ... Having worked in law enforcement, ... there are solutions to what these people have brought out today and there are City ordinances that prohibit the type of activity that has made their environment very uncomfortable.” Vice Chairperson Wendell expressed the belief “there’s another means by which to address the problems they’ve [discussed] ... rather than put a damper on this gentleman’s project, especially when it meets all the requirements.”

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Chairperson Vance explained the commission's requirement to establish sufficient findings in its decision, and entertained a motion. **Vice Chairperson Wendell moved to approve SUP-13-031, a special use permit to allow a two-family duplex on a corner lot in a single family 6,000 zoning district, located at 1512 North Nevada Street, based on the findings and subject to the conditions of approval outlined in the staff report. Commissioner Esswein seconded the motion.** Commissioner Kimbrough expressed the opinion that he could make a finding that "shows [the project] doesn't meet" the findings. He suggested that "when we're given a special use permit, we're given more freedom in discussion to help this community make a good decision." Extensive discussion followed and, in response to a question, Mr. Yochum noted the condition of approval relative to building height. He expressed understanding for the concerns expressed relative to the two-story design, but reiterated "that height requirement has been addressed." Commissioner Esswein expressed understanding for the neighborhood concerns and those expressed by the commissioners. "However, there's nothing in the Code that would preclude an existing property owner from making an addition to his property up to ... the height limits of the Code ... Any other property owner in that neighborhood could build a two-story structure." Commissioner Esswein expressed the opinion that "to restrict this applicant from that two-story and then have another property owner, by right, be allowed to do that would be arbitrary and capricious." Chairperson Vance requested a roll call vote, the results as follows: Commissioners Steele, Sattler, Kimbrough, Esswein, Vice Chair Wendell, and Chair Vance - yes; Commissioner Dhami - no. **Motion carried 6-1.** Mr. Plemel reviewed the appeal process for the record. Chairperson Vance thanked the citizens for their attendance and participation.

**G-4. SUP-13-031 POSSIBLE ACTION TO CONSIDER A SPECIAL USE PERMIT APPLICATION FROM RED AND TOM METCALF (PROPERTY OWNER: NORMAN AND BETTY METCALF FAMILY TRUST) FOR THE MODIFICATION OF AN EXISTING GARAGE AND GUEST BUILDING TO ALLOW THE GUEST BUILDING TO EXCEED 1,000 SQUARE FEET, ON PROPERTY ZONED SINGLE FAMILY 2 ACRE ("SF2A"), LOCATED AT 2032 ASH CANYON ROAD, APN 007-572-13 (6:38:05) -** Chairperson Vance introduced this item, and Ms. Dorr Pansky reviewed the agenda materials in conjunction with displayed slides.

Chairperson Vance entertained questions or comments of the commissioners and, when none were forthcoming, invited the applicant to the podium. (6:41:32) Tom Metcalf acknowledged agreement with the conditions of approval, as outlined in the staff report. He clarified that "Red is Norman's nick name." Mr. Metcalf provided background information on his family's residence in Northern Nevada and on the proposed project; and responded to questions of clarification.

Chairperson Vance entertained public comment and, when none was forthcoming, entertained additional questions or comments of the commissioners. When no additional questions or comments were forthcoming, he entertained a motion. **Commissioner Sattler moved to approve SUP-13-032, a special use permit request to allow modification of an existing accessory structure to allow a total of 1,864 square feet to be used as a guest building, on property zoned single family two acre, located at 2032 Ash Canyon Road, APN 007-572-13, based on the findings and conditions of approval contained in the staff report. Vice Chairperson Wendell seconded the motion. Motion carried 7-0.**

**G-5. ZCA-13-034 POSSIBLE ACTION TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING A ZONING CODE AMENDMENT APPLICATION TO AMEND THE CARSON CITY MUNICIPAL CODE, TITLE 18, ZONING, CHAPTER 18.03, DEFINITIONS, SECTION 18.03.010, WORDS AND TERMS DEFINED, AMENDING THE**



# CARSON CITY PLANNING COMMISSION

## CASE RECORD

MEETING DATE: May 29, 2013

AGENDA ITEM NO.: G-3

APPLICANT(s) NAME: Steve Yochum  
PROPERTY OWNER(s): Steve Yochum

FILE NO. SUP-13-031

ASSESSOR PARCEL NO(s): 001-157-02  
ADDRESS: 1512 N. Nevada St.

APPLICANT'S REQUEST: For Possible Action: To consider a Special Use Permit request for a two-family duplex unit (two single-family detached units) on a corner lot, on property zoned Single Family 6000 (SF6).

COMMISSIONERS PRESENT:     KIMBROUGH     ESSWEIN     SATTLER  
                                  DHAMI                     STEELE                     VANCE                     WENDELL

STAFF REPORT PRESENTED BY: Susan Dorr Pansky                     REPORT ATTACHED  
STAFF RECOMMENDATION:                     CONDITIONAL APPROVAL  
APPLICANT REPRESENTED BY: Steve Yochum

\_\_\_ APPLICANT/AGENT WAS  
PRESENT AND SPOKE

APPLICANT/AGENT INDICATED THAT HE HAS READ THE STAFF REPORT, AGREES AND UNDERSTANDS THE FINDINGS, RECOMMENDATIONS, AND CONDITIONS, AND AGREES TO CONFORM TO THE REQUIREMENTS THEREOF.

\_\_\_ 0 PERSONS SPOKE IN FAVOR OF THE PROPOSAL                    \_\_\_ 8 PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

### DISCUSSION, NOTES, COMMENTS FOR THE RECORD:

Donna Inverson-Two story may affect her view of the mountains. Bad for property value. Doesn't agree with a rental family being in a single family area. Driveway with wild buckwheat as an option.

Tom Streenan-Next door neighbor. Wants to see space for two cars on each side. Duplex will lower value. Will Sattler be voting due to relationship?

Jessica Schultz-West Adams Street property resident. Renters "will not help" property values. Hearing cussing in evenings. They've almost been hit by someone coming out of duplex across from Streenan. Accident with bus in the area. A lot of people in small house behind even though it's a 1 bedroom.

John Schultz-Adams Street property owner. Father of Jessica. Grew up in a house on N. Division St. Father protested duplex adjacent 40 years ago. Has known Steve Yochum for a long time. There are no two stories around in the area. All others are inside the roof line.

August Ayersman-1612 N. Nevada. Property values will go down if there are duplexes all over the area. "Set up" as a single family area

Dennis Coran-N. Nevada Street resident. Keep neighborhood single family. Opposed because rental properties bring down surrounding property values.

Carol Tierney-1602 N. Nevada Street. Keep neighborhood single family. Has seen area go downhill. Dangerous to back into traffic. Renters have killed the neighborhood.

Isabel Streenan-Was single family when people originally moved into the neighborhood. Has gotten bad due to renters moving in. There is cussing, drug deals, etc.

Wendell-Are the surrounding structures two story?

Esswein-How does a guest building compare in this zoning district.

Wendell-Feels that we need to approve if it meets the code requirements.

*APPEAL PROCESS MENTIONED AS PART OF THE RECORD*

**MOTION WAS MADE TO APPROVE WITH THE FINDINGS AND CONDITIONS AS ENUMERATED ON THE STAFF REPORT**

**MOVED: Wendell    SECOND: Esswein    PASSED:    6/AYE    1/NO    0/ABSTAIN    0/ABSENT**

**STAFF REPORT FOR PLANNING COMMISSION MEETING OF MAY 29, 2013**

**FILE NO: SUP-13-031**

**AGENDA ITEM: G-3**

**STAFF AUTHOR:** Susan Dorr Pansky, Principal Planner

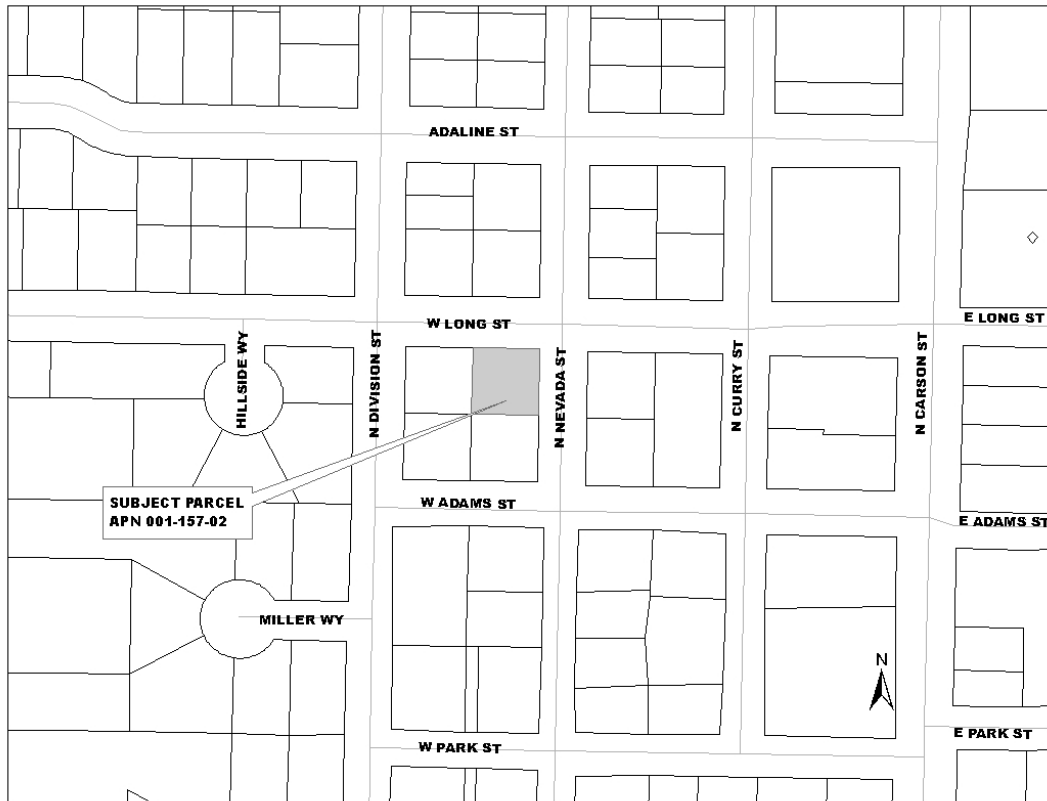
**REQUEST:** Approval of a Special Use Permit to allow a two-family duplex on a corner lot in a Single Family 6,000 (SF6) zoning district located at 1512 N. Nevada Street.

**APPLICANT/OWNER:** Steve Yochum, Property Owner

**LOCATION:** 1512 N. Nevada Street

**APN:** 001-157-02

**RECOMMENDED MOTION:** "I move to approve SUP-13-031, a Special Use Permit to allow a two-family duplex on a corner lot in a Single Family 6,000 zoning district located at 1512 N. Nevada Street based on the findings and subject to the conditions of approval outlined 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 within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, the item may be rescheduled for the next Planning Commission meeting for further consideration.
2. The applicant shall meet all the conditions of approval and commence the use (obtain and maintain a valid building permit) for which this permit is granted within twelve 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.
3. The applicant shall obtain a building permit from the Carson City Building Division for the proposed construction. Contact the Building Division for approximate fees, design criteria, number of plans to submit and general assistance in the City's Building Permit process.
4. The applicant shall pay all required water and sewer connection fees for the project.
5. The applicant must obtain a Certificate of Occupancy and/or final inspection and approval for all required improvements.

**The following shall be incorporated into the proposed development plan:**

6. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by the conditions of approval herein.
7. All on and off-site improvements shall conform to City standards and requirements.
8. A driveway approach for the proposed detached one-car garage shall be required.
9. All driveways and parking areas shall be paved to comply with City standards and requirements.
10. A five foot wide sidewalk shall be constructed along the Long Street and Nevada Street frontages of the property.
11. Two off-street parking spaces shall be provided for each dwelling.
12. Replacement of curb, gutter and road areas which are damaged or destroyed during construction for improvements to the site shall be required.
13. Dust and stormwater control measures must be employed during construction.

**The following shall be submitted with or included as part of a building permit application:**

14. The applicant shall submit a copy of the Notice of Decision, signed by the applicant and owner as a part of the building permit submittal.
15. The plans submitted for review shall comply with the prescriptive requirements found in the Carson City Building Division handout titled *RESIDENTIAL PLAN SUBMITTAL REQUIREMENTS: One & Two Family Dwellings and Accessory Structures*. This handout may also be found online at [www.carson.org/building](http://www.carson.org/building).

**LEGAL REQUIREMENTS:** CCMC 18.02.050 (Review) and 18.02.080 (Special Use Permits)

**MASTER PLAN DESIGNATION:** Medium Density Residential (MDR)

**ZONING DISTRICT:** Single Family 6,000 (SF6)

**KEY ISSUES:** Will the proposed two-family duplex be in keeping with the standards of the Carson City Municipal Code? Is the proposed location appropriate for a two-family duplex? Will the use be compatible with surrounding land uses or properties?

**SURROUNDING ZONING AND LAND USE INFORMATION:**

NORTH: Single Family 6,000 (SF6)/residential – single family use  
SOUTH: Single Family 6,000 (SF6)/residential – single family use  
EAST: Single Family 6,000 (SF6)/residential – single family use  
WEST: Single Family 6,000 (SF6)/residential – two-family duplex use

**ENVIRONMENTAL INFORMATION:**

- FLOOD ZONE: X-Shaded (areas of 1% annual chance of flood less than 1 ft. depth)
- SLOPE/DRAINAGE: The site has been developed as a single family residence for more than 70 years and has no significant slope or drainage issues

**SITE DEVELOPMENT INFORMATION:**

- PARCEL AREA: 7,238 square feet
- EXISTING LAND USE: Single family residence
- PROPOSED STRUCTURES: Second single family residence with attached one-car garage and separate, detached one-car garage to accommodate existing residence
  - RESIDENCE BUILDING FOOTPRINT: 651 square feet
  - RESIDENCE LIVING AREA: 763 square feet (651 square feet of conditioned living space and 112 square feet of non-conditioned storage/utility space)
  - RESIDENCE ATTACHED GARAGE AREA: 448 square feet
  - RESIDENCE HEIGHT: Approximately 22 feet
  - DETACHED GARAGE FOOTPRINT: 338 square feet
  - DETACHED GARAGE AREA: 338 square feet
  - DETACHED GARAGE HEIGHT: Approximately 13 feet 9 inches (to base of cupola)
- REQUIRED SETBACKS:
  - Front: 20 feet      Rear: 10 feet      Side: 5 feet      Street Side: 10 feet
- PROPOSED SETBACKS:
  - Front: 20 feet      Rear: 10 feet      Side: 5 feet      Street Side: 10 feet
- PARKING REQUIRED: Two spaces per dwelling unit
- PARKING PROPOSED: One space per dwelling unit - a condition of approval has been recommended to meet the two spaces per dwelling unit requirement
- VARIANCES REQUIRED: None

**SITE HISTORY:**

- The existing residence and detached garage on the subject property were constructed in 1941.
- An accessory structure (wood shed) was constructed on the property in 2009.

**DISCUSSION:**

Per CCMC Section 18.04.075 (Single Family 6,000), a Two-Family Duplex Unit on a Corner Lot may be allowed within the Single Family 6,000 zoning district as a conditional use with the approval of a Special Use Permit.

The subject property is a 7,238 square foot corner lot with an existing single family residence and two-car detached garage. The applicant proposes to demolish the two-car detached garage and replace it with a new single family residence including one-car attached garage on the northwest corner of the parcel. In addition, the applicant proposes to add a one-car detached garage at the southeast corner of the parcel to provide garage space for the existing residence. As shown on the site plan provided by the applicant, all required setbacks will be met with the proposed structures.

Although the definition of a two-family dwelling or two-family duplex commonly refers to two residential dwelling units contained within one building, it is staff's interpretation that a two-family dwelling or two-family duplex may also include two separate residential dwelling units on the same parcel, as the use would be the same in either scenario.

The applicant indicates that there is currently no usable off-street parking for the subject property, as the existing two-car detached garage is in poor structural condition and does not meet setback requirements. Vehicles parking in the existing driveway encroach into the street. The addition of a one-car garage for each residence will provide off-street parking that was not previously available to the property.

Per Carson City Development Standards, Division 2.2, two off-street parking spaces are required per dwelling unit. A single car garage may be counted as one off-street parking space, but the driveway access to that garage may not be counted as an off-street parking space. Staff recommends that, in addition to the one-car garages proposed by the applicant, one additional off-street parking space per dwelling unit be provided.

The applicant proposes to help maintain the historic character of the area by constructing structures that have a "turn of the century" design including roof pitches and architectural details common for that era. In addition, the applicant proposes to construct a five foot wide sidewalk around the subject property to provide pedestrian amenity to the property and surrounding neighborhood. The applicant also recognizes that there are mature trees on the site and proposes to take all precautions to preserve them.

The surrounding land use is single family residential on all sides, however, there are several properties within the immediate vicinity (300 feet or less) that are two-family duplexes, including a duplex on the adjacent parcel to the west of the subject property. The applicant has provided a map showing duplex properties in the area (Addendum A in the attached application).

In reviewing the information provided by the applicant and the required findings as identified below, the findings to grant approval of this Special Use Permit can be made. Therefore, it is recommended that the Planning Commission approve this Special Use Permit application with the conditions outlined by staff.

**PUBLIC COMMENTS:**

Public notices were mailed to on May 10, 2013 to 35 adjacent property owners within 300 feet of the subject site pursuant to the provisions of NRS and CCMC. No comments in favor or in opposition have been received by the Planning Division. Any comments that are received after this report is complete will be submitted prior to or at the Planning Commission meeting, depending on their submittal date to the Planning Division.

**OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:**

The following comments were received from various city departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

**Building Division Comments:**

1. The project requires application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
2. The plans submitted for review shall comply with the prescriptive requirements found in the Carson City Building Division handout *titled RESIDENTIAL PLAN SUBMITTAL REQUIREMENTS: One & Two Family Dwellings and Accessory Structures*. This handout may also be found online at [www.carson.org/building](http://www.carson.org/building).
3. The current adopted codes will be in effect until September 1, 2013.

**Engineering Division Comments:**

The Engineering Division has no preference or objection to the special use request.

1. CCMC 18.02.080 (2a) – Adequate Plans. The plans submitted are adequate for the Special Use Permit review.
2. CCMC 18.02.080 (5a) – Master Plan. The request is not in conflict with any Engineering Master Plans for streets or storm drainage.
3. CCMC 18.02.080 (5c) – Traffic/Pedestrians. The request is not in conflict with pedestrian or traffic movements.
4. CCMC 18.02.080 (5d) – Public Services. City water and sewer improvements are adequate for this project. Water and sewer connection fees will be charged.

**Fire Department Comments:**

The project must conform to applicable CCMC and adopted International Fire Code.

**Health Department Comments:**

Health and Human Services has no comments based on the items submitted.

**Public Works, Environmental Control Comments:**

Environmental Control has no comments or requirements for the proposed project.

**FINDINGS:** Staff recommends approval of the Special Use Permit based on the findings outlined below, pursuant to CCMC 18.02.080 (Special Use Permits), subject to the recommended conditions of approval, and further substantiated by the applicant's written justification.

**1. The use will be consistent with the objectives of the Master Plan elements.**

The proposed project is consistent with the following applicable goals of the Master Plan in accordance with the seven findings (in bold) required for approval of a Special Use Permit:

Goal 1.1 – Promote the Efficient Use of Available Land and Resources.

Goal 2.1 – Encourage Diversity in Citywide Land Use Mix.

Goal 2.2 – Expand Housing Variety.

Goal 6.2 – Promote Compatible Infill and Redevelopment.

Goal 9.2 – Promote the Expansion of Affordable and Workforce Housing Options within the Community.

*The proposed two-family duplex will provide additional reasonably priced housing within an established neighborhood in Carson City, while remaining compatible with the existing land uses in the surrounding area.*

**2. The proposed use will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no noise, vibrations, fumes, odors, dust, glare or physical activity.**

*There will be moderate noise disturbance, dust and potential stormwater runoff during demolition of the existing detached garage and construction of the new structures and improvements. To help mitigate these disturbances, staff has recommended a condition of approval that dust and stormwater be controlled during construction of the proposed project. Once completed, the proposed project will not create any objectionable noise, vibrations, odors, dust, glare or physical activity that would be inconsistent with the uses already conducted in the surrounding neighborhood.*

**3. The project will have little or no detrimental effect on vehicular or pedestrian traffic.**

*The proposed two-family duplex will generate minimal additional traffic and is served by an adequate existing street network. Pedestrian movement will be improved with the five foot wide sidewalk proposed to be constructed with the project.*



4. **The project 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.**

*School, police and fire protection levels of service will not be affected by the proposed project. The Engineering Division has indicated that City water and sewer already serve the site and has also indicated that the proposed project is not in conflict with engineering master plans for streets or storm drainage. Road improvements will not be required as a result of this project, however, the applicant proposes to add five foot sidewalks adjacent to the existing roadways as a part of the project. Replacement of curb, gutter and road areas which are destroyed during construction for improvements to the site will be required. A driveway approach will be required to be constructed for the new detached garage proposed on the site.*

5. **The project meets the definition and specific standards set forth elsewhere in this Title 18 for such particular use and meets the purpose statement of that district.**

*A two-family duplex is a conditional use in the Single Family 6,000 zoning district. Upon approval of the Special Use Permit with the recommended conditions of approval, the proposed project will be in conformance with the requirements of the Carson City Municipal Code.*

6. **The project will not be detrimental to the public health, safety, convenience and welfare.**

*The proposed project will not be detrimental to the health, safety, convenience and welfare of the general public or surrounding neighborhood. The proposed use is compatible with the adjoining residential area, and all City standards and requirements must be met in association with site and building improvements.*

7. **The project will not result in material damage or prejudice to other property in the vicinity.**

*The impacts of the proposed two-family duplex would be minimal and will fit within the context of the adjacent residential neighborhood, especially given the fact that several duplex uses exist within the immediate area. The project will not result in material damage or prejudice to other residential property in the vicinity, nor will the project result in prejudice or infringe upon the property rights of any adjacent residential properties.*

Attachments:

City Comments  
Application (SUP-13-031)  
Site Photos

File # (Ex: MPR #07-111)	SUP-13-031
Brief Description	New Dwelling & Detached Garage
Project Address or APN	001-157-02
Bldg Div Plans Examiner	Kevin Gattis
Review Date	May 29, 2013
Total Spent on Review	

**RECEIVED**

APR 22 2013

CARSON CITY  
PLANNING DIVISION

**BUILDING DIVISION COMMENTS:**

**NOTE: These comments do not constitute a complete plan review, but are merely observations based on the information provided.**

**General**

1. Project requires application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
2. The plans submitted for review shall comply with the prescriptive requirements found in the Carson City Building Division handout titled: *RESIDENTIAL PLAN SUBMITTAL REQUIREMENTS: One & Two Family Dwellings and Accessory Structures* This handout may also be found online at: [www.carson.org/building](http://www.carson.org/building).
3. The current adopted codes will be in effect until September 1, 2013.

**RECEIVED**

**APR 24 2013**

**CARSON CITY  
PLANNING DIVISION**

April 24, 2013

We have reviewed SUP 13-031 and have the following comments:

---

1. Project must conform to applicable CCMC and adopted International Fire Code

Thank you

***Dave Ruben***

Captain – Fire Prevention  
Carson City Fire Department  
777 S. Stewart Street  
Carson City, NV 89701

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

**RECEIVED**

**MAY 13 2013**

**CARSON CITY  
PLANNING DIVISION**

May 13, 2013

Planning Commission May 29, 2013

Re: # SUP – 13-031

Dear Kathe,

After initial plan review the Carson City Environmental Control Authority (ECA), a Division of Carson City Public Works Department (CCPW), has the following requirements per the Carson City Municipal Code (CCMC) and the Uniform Plumbing Code (UPC) for the SUP –13 – 031@ 1512 N. Nevada St. project:

1. ECA has no comments or requirements for the 1512 N. Nevada St. project.

Please notify Mark Irwin if you have any questions regarding these comments, I can be reached at 775-283-7380.

Sincerely;

Mark Irwin  
Environmental Control Officer 3

c: Kelly Hale, Environmental Control Supervisor.

**RECEIVED**

MAY 13 2013

CARSON CITY  
PLANNING DIVISION

May 13, 2013

Planning Commission May 29, 2013

Dustin Boothe  
Health and Human Services

**SUP-13-030**

Carson City Health and Human Services has no comments, based on items submitted.

**GM-13-029**

Carson City Health and Human Services submitted a memo to the Planning Director, please see this memo for comments on this item.

**SUP-13-031**

Carson City Health and Human Services has no comments, based on items submitted.

**SUP-13-032**

Carson City Health and Human Services has no comments, based on items submitted.

Dustin Boothe, MPH, REHS  
Carson City Health and Human Services  
900 E. Long St.  
Carson City, NV 89706  
(775) 887-2190 ext. 7220

[dboothe@carson.org](mailto:dboothe@carson.org)

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**RECEIVED**

MAY 10 2013

CARSON CITY  
PLANNING DIVISION

**Engineering Division  
Planning Commission Report  
File Number SUP 13-031**

**TO:** Planning Commission

**FROM** Rory Hogen, E.I.

**DATE:** May 10, 2013      **MEETING DATE:** May 29, 2013

**SUBJECT TITLE:**

Action to consider the addition of a duplex next to the primary structure at 1512 N. Nevada St., apn 01-157-02.

**RECOMMENDATION:**

The Engineering Division has no preference or objection to the special use request.

**DISCUSSION:**

The Engineering Division has reviewed the conditions of approval within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses.

**CCMC 18.02.080 (2a) - Adequate Plans**

The plans are adequate for this review.

**CCMC 18.02.080 (5a) - Master Plan**

The request is not in conflict with any Engineering Master Plans for streets or storm drainage.

**CCMC 18.02.080 (5c) - Traffic/Pedestrians**

The request is not in conflict with pedestrian or traffic movements.

**CCMC 18.02.080 (5d) - Public Services**

City water and sewer improvements are adequate for this project. Water and sewer connection fees will be charged.

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

**RECEIVED**

APR 17 2013

CARSON CITY  
 PLANNING DIVISION

FILE # SUP - 13 - SUP - 13 - 031

**SPECIAL USE PERMIT**

FEE: \$2,450.00 MAJOR  
 \$2,200.00 MINOR (Residential zoning districts)

+ noticing fee and CD containing application digital data (all to be submitted once the application is deemed complete by staff)

**SUBMITTAL PACKET**

- 8 Completed Application Packets (1 Original + 7 Copies) including:
  - Application Form
  - Written Project Description
  - Site Plan
  - Building Elevation Drawings and Floor Plans
  - Proposal Questionnaire With Both Questions and Answers Given
  - Applicant's Acknowledgment Statement
  - Documentation of Taxes Paid-to-Date (1 copy)
  - Project Impact Reports (Engineering) (4 copies)

Application Reviewed and Received By:

Submittal Deadline: See attached PC 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.

STEVE YOCHUM  
 PROPERTY OWNER  
PO BOX 396, GENOA, NV 89411  
 MAILING ADDRESS, CITY, STATE, ZIP  
775 782 3969  
 PHONE # FAX #  
 Name of Person to Whom All Correspondence Should Be Sent  
STEVE YOCHUM  
 APPLICANT/AGENT  
PO BOX 396, GENOA, NV 89411  
 MAILING ADDRESS, CITY, STATE ZIP  
775 782 3969 Cell: 901-1032  
 PHONE # FAX #  
STEVE.YOCHUM@CHARTER.NET  
 E-MAIL ADDRESS

Project's Assessor Parcel Number(s): <u>001-157-02</u>	Street Address <u>1512 N. NEVADA STREET</u>	ZIP Code <u>89703</u>
Project's Master Plan Designation <u>MDR</u>	Project's Current Zoning <u>SFG</u>	Nearest Major Cross Street(s) <u>LONG STREET</u>

Briefly describe your proposed project: (Use additional sheets or attachments if necessary). In addition to the brief description of your project and proposed use, provide additional page(s) to show a more detailed summary of your project and proposal. In accordance with Carson City Municipal Code (CCMC) Section: \_\_\_\_\_, or Development Standards, Division \_\_\_\_\_, Section \_\_\_\_\_, a request to allow as a conditional use is as follows:

ATTACHED

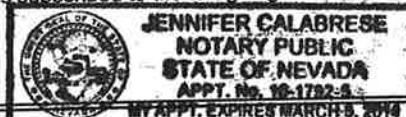
**PROPERTY OWNER'S AFFIDAVIT**

I, STEVE YOCHUM, 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.

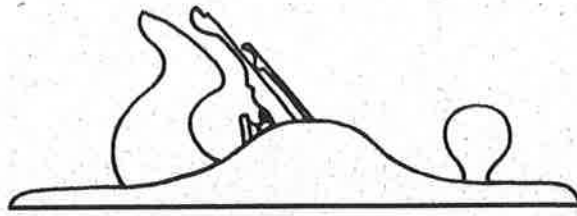
Signature: [Signature] Address: PO BOX 396 GENOA, NV 89411 Date: APRIL 17, 2013

STATE OF NEVADA  
 COUNTY Carson  
 On April 17, 2013, Steve Yochum, 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.

Jennifer Calabrese  
 Notary Public



NOTE: If your project is located within the historic district, airport area, or downtown area, it may need to be scheduled before the Historic Resources Commission, the Airport Authority, and/or the Redevelopment Authority Citizens Committee prior to being scheduled for review by the Planning Commission. Planning personnel can help you make the above determination.



**STEVE YOCHUM**

*General Building Contractor*

April 17, 2013

Carson City Planning Division  
108 East Proctor Street  
Carson City, Nevada 89701

RE: Special Use Permit FINDINGS for Two Single Family Units on a Corner Lot at 1512 N. Nevada Street, Carson City, Nevada.

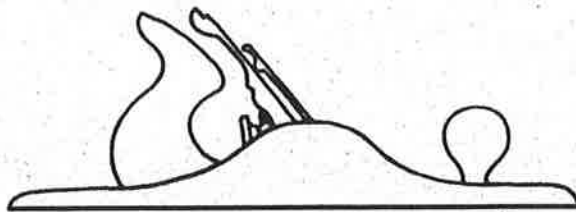
**Question 1. How will the proposed development further and be in keeping with, and not contrary to, the goals of the Master Plan Elements?**

The proposed "Two Family Units on a Corner Lot" project at 1512 N. Nevada Street will use sustainable building materials and construction techniques to promote water and energy conservation. There are mature trees on-site that all precautions will be taken to preserve. The levels of water, sewer, power, traffic, etc. will not be used beyond the land use designation for zoning SF6. All efforts will be made to preserve and support the goals and policies of the Carson City Master Plan in regards to growth, housing, economic development, environment, aesthetics, and community character.

**Question 2. Will the effect of the proposed development be detrimental to the immediate vicinity? To the general neighborhood?**

- A. The proposed Two Single Family Units on a Corner Lot at 1512 N. Nevada Street are within keeping of the norm in this neighborhood. I have included a map (please see as Addendum A) of the Two Family Duplexes on a Corner Lot in this immediate neighborhood. The property directly to the west, APN 01-157-01, is a Two Single Family Units on a Corner Lot.
- B. The proposed project at 1512 N. Nevada Street will increase the immediate property values. The proposed buildings have a "turn of the century" feeling in their design. This property is situated at the edge of the Carson City Historical District. The proposed roof pitches and architectural details are the standard for this era architecture. The high quality building materials, clean architectural design, and cute color choices will enhance the neighborhood.





## STEVE YOCHUM

*General Building Contractor*

- C. The proposed project at 1512 N. Nevada Street will increase the peaceful enjoyment of the surrounding properties. An integral part of this project is provide sidewalks on both the Long Street side and the N. Nevada Street side. Based on my experience of the property that I own at 504 W. Spear Street in Carson City, the residence of a neighborhood will use sidewalks if they are made convenient and available.
- D. The proposed project at 1512 N. Nevada Street will provide off street parking that is currently not available. The existing two car garage at this location is in poor structural condition and is in non compliance with the current setback rules. Vehicles parked in the current driveway protrude into the street. Each proposed unit will enjoy a new single car garage and a driveway parking place that will clear the pedestrian sidewalk.
- E. Approval of the proposed project at 1512 N. Nevada Street will add new life and freshen the neighborhood in the short term. In the long term it will provide housing for single people, small families, and/or housing for a special needs occupant that needs supportive help living close by.

### **Question 3. Has sufficient consideration been exercised by the applicant in adapting the project to existing improvements in the vicinity?**

- A. The proposed project at 1512 N. Nevada Street will not effect the school district, the student population, nor the Sheriff's office.
- B. The proposed project at 1512 N. Nevada Street will not substantially effect drainage. Though there is not much change in the building footprint, there will be an increase in land coverage, but these increases will not create a drainage problem for surrounding property owners nor for the City of Carson City.
- C. The proposed project at 1512 N. Nevada Street will not degrade the quality nor supply of water to others in this area. The proposed new residence will require a new water supply line, but with the additional land coverage the need for landscape irrigation water will decrease.
- D. The proposed project at 1512 N. Nevada Street will require an additional 4" lateral sewer line to the main trunk line in N. Nevada Street. The additional new residence will add one bath and one kitchen to the existing trunk line. It is actually my hopes that this addition will force the Carson City sewer district to correct an on-going problem with this currently undersized trunk line. Please contact Mr. Curt Horton or Mr. Todd Mitchell per these already current issues. I feel confident that attention to this current problem will please many of the other users.



## STEVE YOCHUM

*General Building Contractor*

- E. The proposed project at 1512 N. Nevada Street will not require road improvement beyond typical patching for utility access.
- F. The sources of information that I am providing and individuals and/or firms that I have conferred with to date concerning the proposed project at 1512 N. Nevada Street are as follows:
  - A. Lee Plemel, AICP, Planning Director Carson City Planning Division.
  - B. Jeff Sharp, P.E. City Engineer, Carson City Public Works Department.
  - C. Lezley Jerome Barclay, California Architect : Nevada RD.
  - D. Mike Drews, Chair of the Carson City Historic District.
  - E. Dave Winchell, Western Surveying.
  - F. Curt Horton and/or Todd Mitchell, Carson City Sewer District.
- G. The proposed project at 1512 N. Nevada Street will use typical outdoor lighting as required for residential use. No addition exterior lighting such as floods, etc. are planned.
- H. The proposed project at 1512 N. Nevada Street will enjoy typical residential landscaping. Nothing unsightly nor unusual is planned.
- I. The proposed project at 1512 N. Nevada Street will enjoy a new single car garage and a driveway parking place that will clear the pedestrian sidewalk for each unit. Please see the plot for more information regarding the on-site parking plan.

Steve Yochum

Google

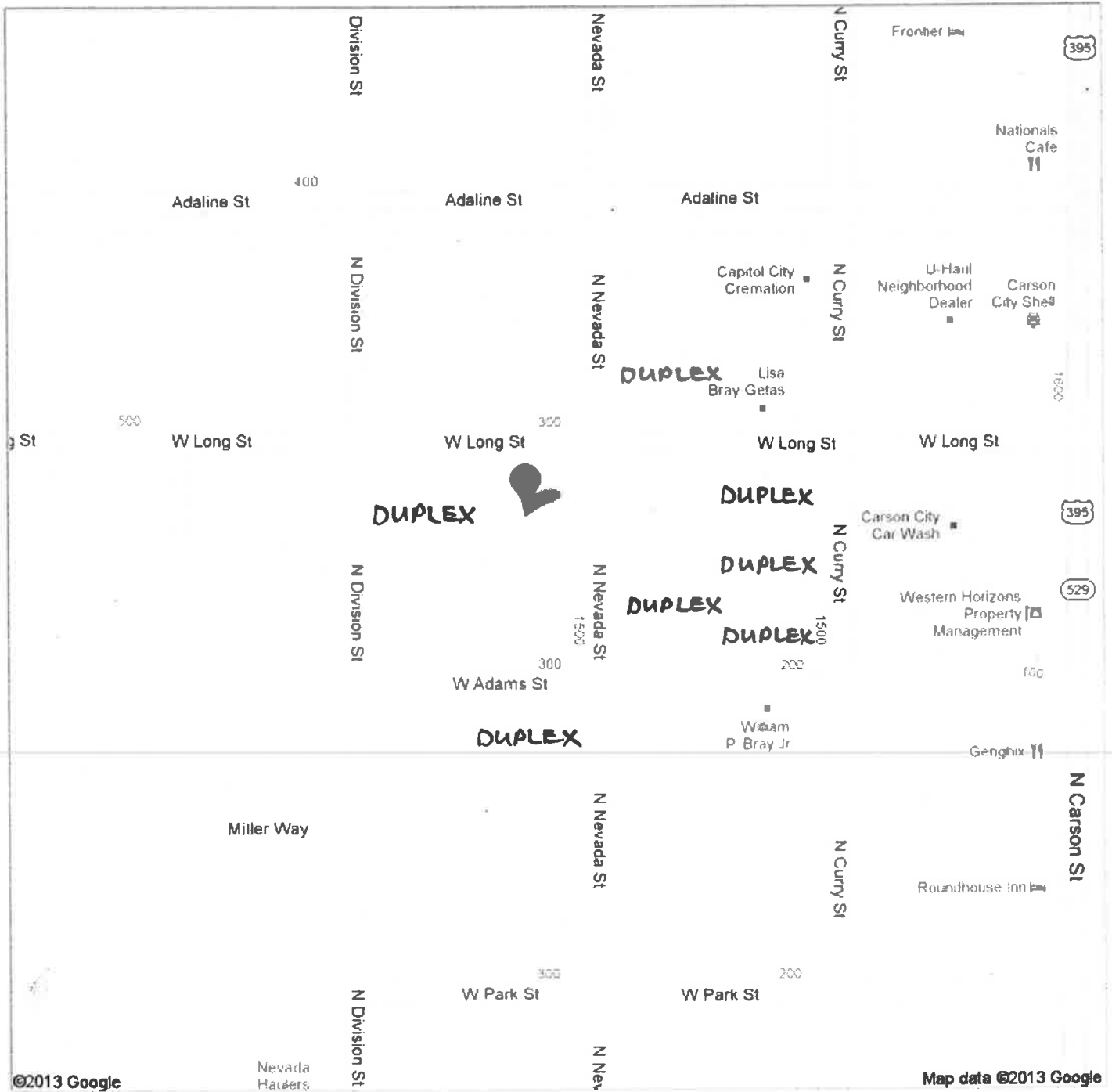
Address 1512 N Nevada St  
Carson City, NV 89703

Get Google Maps on your phone

Text the word "GMAPS" to 466453



# ADDENDUM "A"



**ACKNOWLEDGMENT OF APPLICANT**

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.



**STEVE YOCHUM**  
P.O. Box 398  
Genoa, Nevada 89411

APR 17, 2013

Applicant

Date

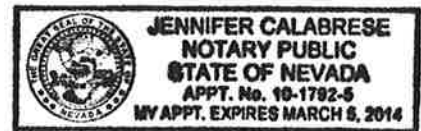
State of Nevada  
County of Carson

This instrument was acknowledged before me on 4/17/13

by Steve Yochum



(Signature of notarial officer)



# Master Plan Policy Checklist

## Special Use Permits & Major Project Reviews & 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: 1512 N. NEVADA ST. TWO SF UNITS

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)?

- 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)?

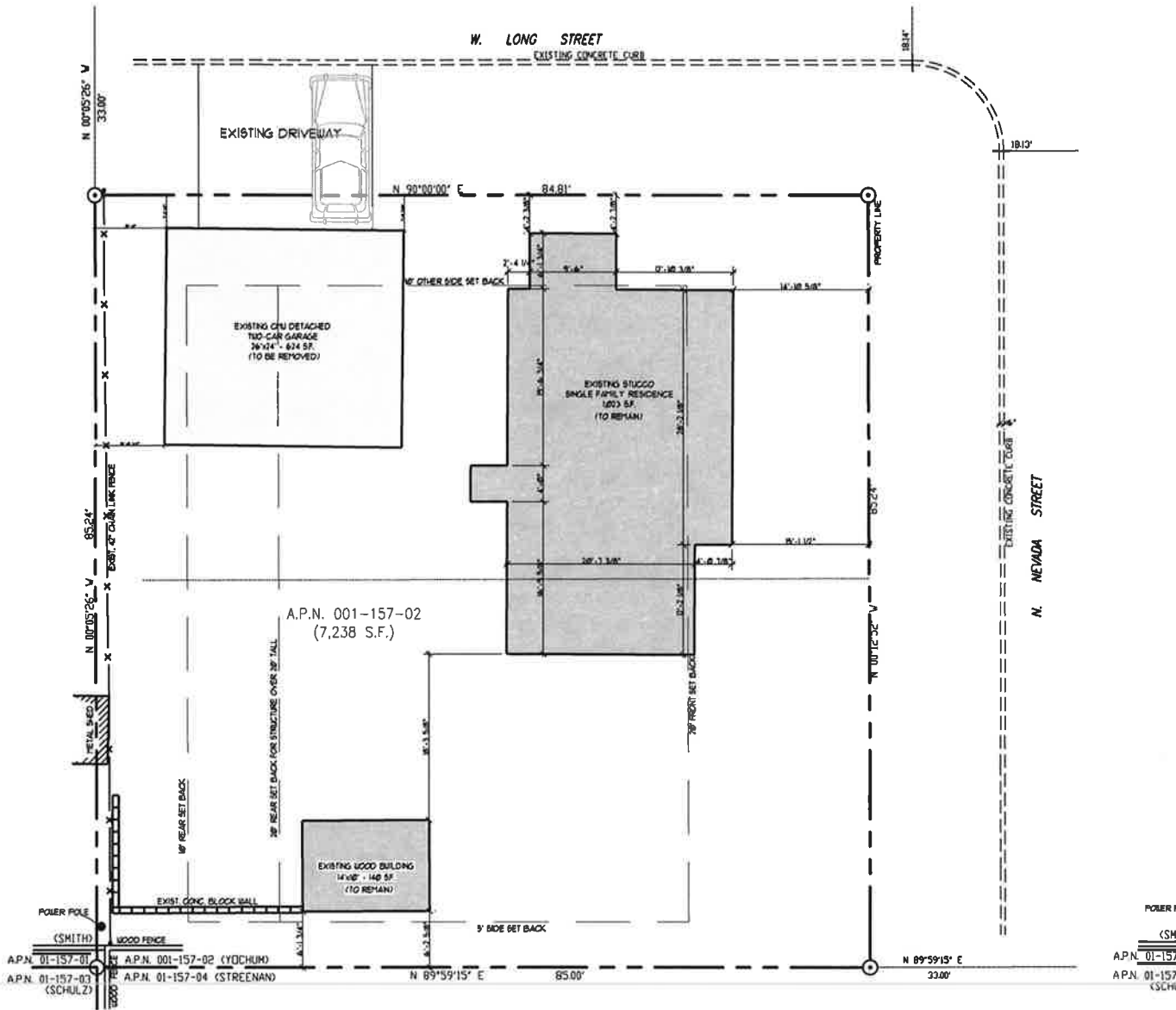
## CHAPTER 7: A CONNECTED CITY



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:

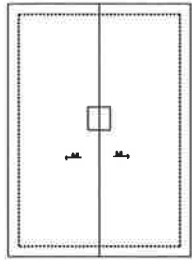
- Promote transit-supportive development patterns (e.g. mixed-use, pedestrian-oriented, higher density) along major travel corridors to facilitate future transit (11.2b)?
- Maintain and enhance roadway connections and networks consistent with the Transportation Master Plan (11.2c)?
- Provide appropriate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



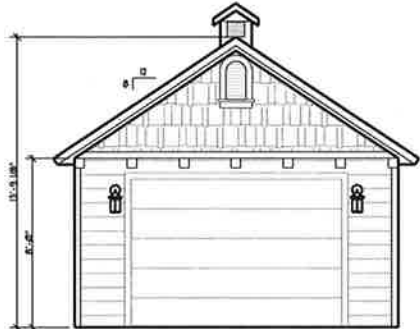
**SITE PLAN - EXISTING**  
1/8" SCALE

**COVERAGE CALCULATION**

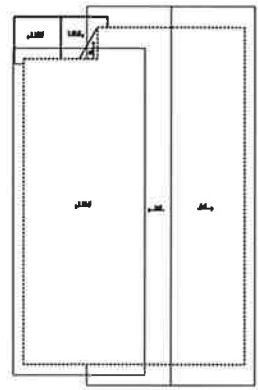
SF. EXISTING BUILDING	SF. PROPOSED BUILDING
1803 RESIDENCE	1803 RESIDENCE
144 ACCESSORY STRUCTURES	1078 ACCESSORY STRUCTURES
624 SF. - TWO CAR GARAGE	691 SF. - GUEST ROOM
140 - SHED	338 SF. - ONE-CAR GARAGE
	140 SF. - SHED



**GARAGE ROOF PLAN**  
1/8" SCALE



**NEVADA STREET ELEVATION**  
1/4" SCALE



**ROOF PLAN**  
1/8" SCALE



**LONG STREET ELEVATION**  
1/4" SCALE





**Subject Property at 1512 N. Nevada Street**



**Detached Garage to be Demolished and Replaced by Single Family Residence with One-Car Attached Garage**



**Proposed Location of Detached One-Car Garage**

