ADMINISTRATIVE PERMIT REVIEW Minutes of the May 8, 2007 Hearing Page 1

An Administrative Permit Review hearing was scheduled for 10:00 a.m. on Tuesday, May 8, 2007 in the Planning Division Conference Room, 2621 Northgate Lane, Suite 62, Carson City, Nevada.

PRESENT: Jennifer Pruitt, Hearing Examiner

Brian Eatherly, Applicant

Renee Mayo, representing Dennis Alm Kathleen King, Recording Secretary

NOTE: A recording of these proceedings, the agenda materials, and any written comments or documentation provided to the recording secretary during the hearing 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** (1-002) Ms. Pruitt called the hearing to order at 10:03 a.m.
- **B. MODIFICATION TO THE AGENDA** (1-004) None.
- C. PUBLIC COMMENT (1-006) None.
- D. PUBLIC HEARING ACTION ITEMS:

D-1. ADM-07-064 ACTION TO CONSIDER AN ADMINISTRATIVE PERMIT REVIEW APPLICATION FROM BRIAN EATHERLY, OF WEST RIDGE HOMES, INC. (PROPERTY OWNER: COOLEY, CHAD AND JEANNE M. TRUST), TO CONSTRUCT A DETACHED GARAGE, ON PROPERTY ZONED SINGLE-FAMILY ONE ACRE (SF1A), LOCATED AT 2625 DAMON ROAD, APN 010-161-39 (1-012) - Ms. Pruitt expressed the understanding that a building permit application had been submitted and approved by all departments, except the Planning Division, which approval is pending the outcome of this hearing. She advised that staff conducted a site visit on April 25, 2007. She further advised that the purpose for the hearing is due to the proposed accessory structure exceeding 50 percent of the square footage of the primary dwelling unit. The proposed use, i.e., garage and guest quarters, is allowed outright in the single-family one acre zoning district. Ms. Pruitt noted that the subject parcel is comprised of 1.25 acres, improved with a primary dwelling unit and concrete driveway. The primary dwelling unit is 3400 square feet. The proposed accessory structure is 2,116 square feet.

As of the writing of the staff report, Ms. Pruitt advised of having received e-mail correspondence, from Joseph R. and Marguerite F. Dolan, indicating no objection to construction of the detached garage at 2625 Damon Road. Ms. Pruitt further advised of having received a letter from Dennis Alm, on May 7, 2007, which she read into the record.

Mr. Eatherly requested to postpone the hearing for a two-week period in order to provide the opportunity for Mr. Cooley and Mr. Alm to discuss the matter further. Ms. Pruitt explained the purpose of the hearing. With regard to Mr. Alm's letter, Ms. Pruitt noted the applicability of City codes and requirements. She explained that Mr. Alm had entered into a private agreement with his neighbor which does not supercede City codes and requirements. She advised that, pursuant to the code, the maximum building height for the subject zoning district is 32 feet. She expressed understanding for Mr. Alm's right to legal recourse. In response to a comment, she explained the importance of placing certain information on the record. In response to a question, she reiterated that the deed is a private matter between the residents.

ADMINISTRATIVE PERMIT REVIEW Minutes of the May 8, 2007 Hearing Page 2

(1-090) Mr. Eatherly advised that Mr. Cooley had agreed to grant Mr. Alm two additional weeks, one to cover Mr. Alm's vacation period and one to come to an agreement prior to the administrative hearing.

(1-095) Ms. Mayo expressed an interest in the two parties having sufficient time to work out the issues. She explained her representation of the Alms at this hearing.

Ms. Pruitt advised of the obligation to meet certain time frames with regard to the administrative hearing, and suggested postponing it to May 31st. Mr. Eatherly advised that Mr. Cooley would have no problem with postponing the hearing to May 31st. With regard to West Ridge Homes, Mr. Eatherly advised of "a lot of time and effort already involved in this and prolonging it is detrimental to us." He expressed understanding for the situation, and requested to reschedule the hearing as soon as possible. Ms. Pruitt explained the reason for selecting the May 31st date to ensure the parties have sufficient time to attempt to work out the issues. If this is not possible, she will be required to render a decision at the next hearing.

Ms. Pruitt continued ADM-07-064, an administrative permit application from Brian Eatherly, to allow a detached accessory structure, garage / guest building, of 2,116 square feet which would equal 62 percent of the primary dwelling unit on site, on property zoned single-family one acre, located at 2625 Damon Road, APN 010-161-39, to May 31st at 10:00 a.m.

E. ADJOURNMENT (1-125) - Ms. Pruitt adjourned the hearing.

The Minutes of the May 8, 2007 Administrative Permit Review hearing are so approved this 10th day of May, 2007.

JENNIFER PRUITT, Hearing Examiner