

MINUTES OF THE CHURCHILL COUNTY PLANNING COMMISSION

155 N. Taylor St., Fallon, NV 89406

January 8, 2025

1. Call to Order:

The regular meeting of the Planning Commission was called to order at 6:00 p.m. on January 8, 2025 by Chair Bunyard.

Present: Zack Bunyard, Chair; Jeff Goings, Vice Chair; Tami Edgmon, Member; Joe Frey, Member; and Mark Hyde, Member.

Absent: Victor Ansotegui, Member, and Scott Nelson, Member.

Planning Staff Present:

Randy Hines, Public Works Director
Dean Patterson, Senior Planner
Loreli LeBaron, Code Compliance Official
Diane Moyle, Administrative Assistant

Civil D.A. Staff Present:

Joseph Sanford, Deputy District Attorney

2. Pledge of Allegiance:

The Pledge of Allegiance was recited by the commission and public.

3. Public Comment:

There were none.

4. Verification of the Posting of the Agenda:

It was verified by Diane Moyle, Administrative Assistant, that the agenda for this meeting was posted on January 2, 2025, between 8:30 a.m. and 5:00 p.m., at all of the locations listed on the agenda, in accordance with NRS 241 and the Churchill County Code.

5. Consideration and possible action re: Approval of Agenda as submitted or revised:

Chair Bunyard asked for any changes to the agenda. The Administrative Assistant stated that there were none.

Member Hyde moved to approve the agenda as submitted. Vice Chair Goings seconded the motion which carried by unanimous vote (5-0).

6. Verification of notification of all landowners in accordance with NRS and the Churchill County Consolidated Development Code:

Chair Bunyard verified with the Administrative Assistant that notification was sent to all landowners in accordance with NRS and the Churchill County Code.

7. Consideration and possible action re: Approval of Minutes of the meeting held on:

A. December 11, 2024 Hearing

Vice Chair Goings moved to approve the December 11, 2024 minutes as posted.

Member Edgmon seconded the motion and the decision carried by unanimous vote (5-0).

8. Old Business

There were none.

9. New Business:

- A. Consideration and possible action re: An application for a variance from the soils report for a tentative parcel map filed by Mic & Claudia Casey. The property related to the parcel map is located at 14001 Cadet Road, Assessor's Parcel Number 007- 071-16, consisting of 221.0 acres in the A-10 zoning district.

Mic Casey, 399 Regan Place, and Steve Bell, 100 Fillmore Way, Reno, Nevada, were available to speak regarding this application.

Dean Patterson, Senior Planner, explained that this is an application for a variance from the tentative parceling plan submittal requirements. The tentative parceling plan and implementing parcel maps will be heard at a later date. This is just a variance from the soil report. The tentative parceling plan process is a means of doing the equivalent of a subdivision (being more than four parcels), without doing an actual subdivision. It uses serial parcel maps to implement the lot layout (split three small lots and a remainder; then on the remainder, split three small lots and another remainder; and so on until all of the lots are done). These proposals must document that the property is able to handle the multiple septic systems through a septic soil report. This process is normally used for creating many small lots in the 1-5 acre size range. This plan is proposing very large lot sizes—currently 9 parcels in the 20-40 acre range. There have been multiple different layouts proposed for the project over time proposing smaller lots. The one submitted with this variance increases the lot sizes to the very large acreages. The applicant proposes the variance because the large lot sizes provide extensive area to deal with any isolated soil issues that inhibit the use of a septic system. The septic soils check would then happen at the building permit stage.

Mr. Patterson stated no issues were identified with the criteria to meet in approving the variance. The larger lot sizes makes the normal soil septic report of little value. Staff recommends approval with the three listed conditions in the staff report.

Chair Bunyard asked if the applicant had anything to add. Mic Casey said that he is just making large parcels, bigger than 20 acres, and he's not sure what he is going to with them yet, but he is just creating the lots right now. If he could get some water, he would probably put some back on the property. If he can't get any, he will do something with it later.

Chair Bunyard inquired if any of the commissioners had any questions or discussion.

Member Hyde said that it makes a lot of sense with these large lot sizes to wait until a building permit to do a soils test. He questioned whether there would be any possibility that a person wouldn't be able to get a permit for a septic system on any of these properties due to the soil. Mic Casey stated that he raised a crop on this property last year, and he never had any water run off of the fields. He said that there are plenty of drains for the water to go into the river, but all of the water sunk into the soil. He dug a couple of pits and there was no clay in them. Director Hines pointed out that if there was an encounter of unsuitable material, someone would still be able to get an engineered septic system done. That would require them to go to the State of Nevada, but there are options if a standard septic system isn't feasible. Mr. Casey further replied that the water table there is probably 12' to 15', so it isn't a very high water table for septic tanks.

Chair Bunyard called for public comment. There was none.

Chair Bunyard called for a motion.

Member Frey, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for conformance with the criteria found in CCC 16.08.090(F) and therefore approve the application for a Variance from the septic soil report on APN 007-071-16. This approval is subject to conditions, as listed in the Staff Report. Vice Chair Goings seconded the motion and the decision carried by unanimous vote (5-0).

Recommended Conditions:

- 1. The requirement to provide a septic soils report is waived for the proposed land division project. Altering the project to substantially increase density may void this approval.*
- 2. This variance is only for the land division project described with the application. Future development may require soils reports.*
- 3. The approval of this variance expires one year from the date of the final decision. The land division application that implements this variance must be submitted before expiration.*

Chair Bunyard thanked the applicant, and it was advised that there is a ten-day appeal period.

10. Action Item

There were none.

11. Consent Agenda: All matters listed under the Consent Agenda are considered routine and may be acted upon by the Planning Commission with one action and without an extensive hearing. Any member of the board or any citizen may request that an item be taken from the Consent Agenda, discussed and acted upon separately during this meeting.

- A. Consideration and possible action re: Termination of a special use permit previously approved on December 11, 2024 for a motorized racetrack for John Leedom, owner of Club Rowdy, LLC. The property is located off of the Lovelock Highway (US 95), Assessor's Parcel Number 004-431-44, consisting of 218.57 acres in the RR-20 zoning district. The applicant requested to terminate the permit.

Member Edgmon moved to approve the consent agenda. Member Frey seconded the motion, and the decision carried unanimously (5-0).

12. Public Comment:

There were none.

13. Adjournment:

There being no further business to come before the Planning Commission, Chair Bunyard adjourned the meeting at 6:10 p.m.

14. Appendix:

Supporting Documentation

Approved: _____

Approved: _____

Zack Bunyard, Chair

Approved: _____

Jeff Goings, Vice Chair

Approved: _____

Victor Ansotegui, Commissioner

Approved: _____

Tami Edgmon, Commissioner

Approved: _____

Joe Frey, Commissioner

Approved: _____

R. Mark Hyde, Commissioner

Approved: _____

Scott Nelson, Commissioner

ATTEST:

Diane Moyle, Administrative Assistant



CHURCHILL COUNTY
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STAFF REPORTS FOR
PLANNING COMMISSION MEETING – January 8, 2025

LIST OF STAFF REPORTS

- | | | |
|--|--------|---------------|
| ● Casey Variance from Soils Report for Tentative Map | Page 2 | No Site visit |
| ● Consent Agenda | Page X | |

OLD BUSINESS ITEM MOTIONS

No Old Business Items

Application:	Variance from the soils report for Tentative Parceling Plan and Parcel Maps		
Use Listing:	Residential		
Applicant:	Mic & Claudia Casey	Owner:	Michael & Claudia Casey
Representative:	Bell Land Surveying – Steve Bell		
Site:	14001 Cadet Rd. (APN: 007-071-16) – 221.87 acres		
Designations:	Master Plan – Agricultural // Zoning – A-10		

Project Summary: The applicants are proposing a Variance from the Tentative Parceling Plan submittal requirements. The Tentative Parceling Plan and implementing parcel maps will be heard at a later date.

The Tentative Parceling Plan process is a means of doing the equivalent of a subdivision (being more than 4 parcels), without doing an actual subdivision. It uses serial parcel maps to implement the lot layout (split 3 small lots and a remainder; then on the remainder, split 3 small lots and another remainder; etc.). These proposals must document that the property is able to handle the multiple septic systems through a **septic soil report**. Normal proposals for Tentative Parceling Plan involve creating many small lots in the 1-5 acre size. This proposal is proposing much larger lot sizes – currently 9 parcels in the 20-40 acre range (which also avoids the paving requirement). The applicant proposes the variance because the large lot sizes provide extensive area to deal with any isolated soil issues that inhibit the use of a septic system. If this variance is approved, the applicant would save the cost of the report. The septic soils check would then happen at the building permit stage.

Variance Criteria Review:

CCC 16.08.090(F) Findings: In order to approve a variance, the commission shall make the following findings:

- 1. The property is characterized by an extraordinary or exceptional situation or condition, such as exceptional narrowness, shallowness or shape, or it has exceptional topographic conditions at the time of enactment of the regulations.***

The application indicates that percolation and soils tests on very large lots would be irrelevant, and would be more useful when the home and septic system locations are known. Staff comment – Staff agrees. The extraordinary situation is that this proposal is for a parceling plan resulting in very large lots, rather than smaller lots. While the report would be important information for small lots, it is less important for larger lots, and of little value for the proposed very large lots.

- 2. The strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property.***

The application indicates that doing a report across 221 acres may not be useful. It would be better to do it when building areas are known. Staff comments – Staff agrees. The undue hardship is expending money for a report that has little value.

- 3. Granting of this variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity.***

The application indicates that the variance would have no impact. Staff comments – Staff agrees. While river bottom soils can be very prone to problems for septic system operation, a suitable septic location can almost certain be found on these very large lots, and the low septic density will have no impact on the public or neighbors.

- 4. The proposed variance is consistent with the intent and purpose of this title.***

The intent of the septic soil report is to ensure that septic systems will reliably and safely operate, especially on small lots. The report becomes less useful with larger lots and has little value for very large lots.

The application indicates there is no impairment of the intent from the variance. Staff comment. Staff agrees. Also see Criterion 3. When it comes to very large lots, providing the report or NOT providing the report both have the same usefulness for septic operation.

STAFF RECOMMENDATION: **APPROVAL**

MOTIONS FOR FINDINGS: The motion should be modified by the Planning Commission as needed.

- Based on the information provided in the application, in the staff report, and heard tonight, I move that the findings **HAVE BEEN** met for conformance with the criteria found in in CCC 16.08.090(F) and therefore **APPROVE** the application for a Variance from the septic soil report on APN 007-071-16. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

1. The requirement to provide a septic soils report is waived for the proposed land division project. Altering the project to substantially increase density may void this approval.
2. This variance is only for the land division project described with the application. Future development may require soils reports.
3. The approval of this variance expires one year from the date of the final decision. The land division application that implements this variance must be submitted before expiration.

Consent Agenda:

NOTE: All matters listed under the Consent Agenda are considered routine and may be acted upon by the Planning Commission with one action and without an extensive hearing. Any member of the commission or any citizen may request that an item be taken from the Consent Agenda, discussed and acted upon separately during this meeting.

Please review the Consent Agenda to determine if you have any concerns.

RECOMMENDED MOTION

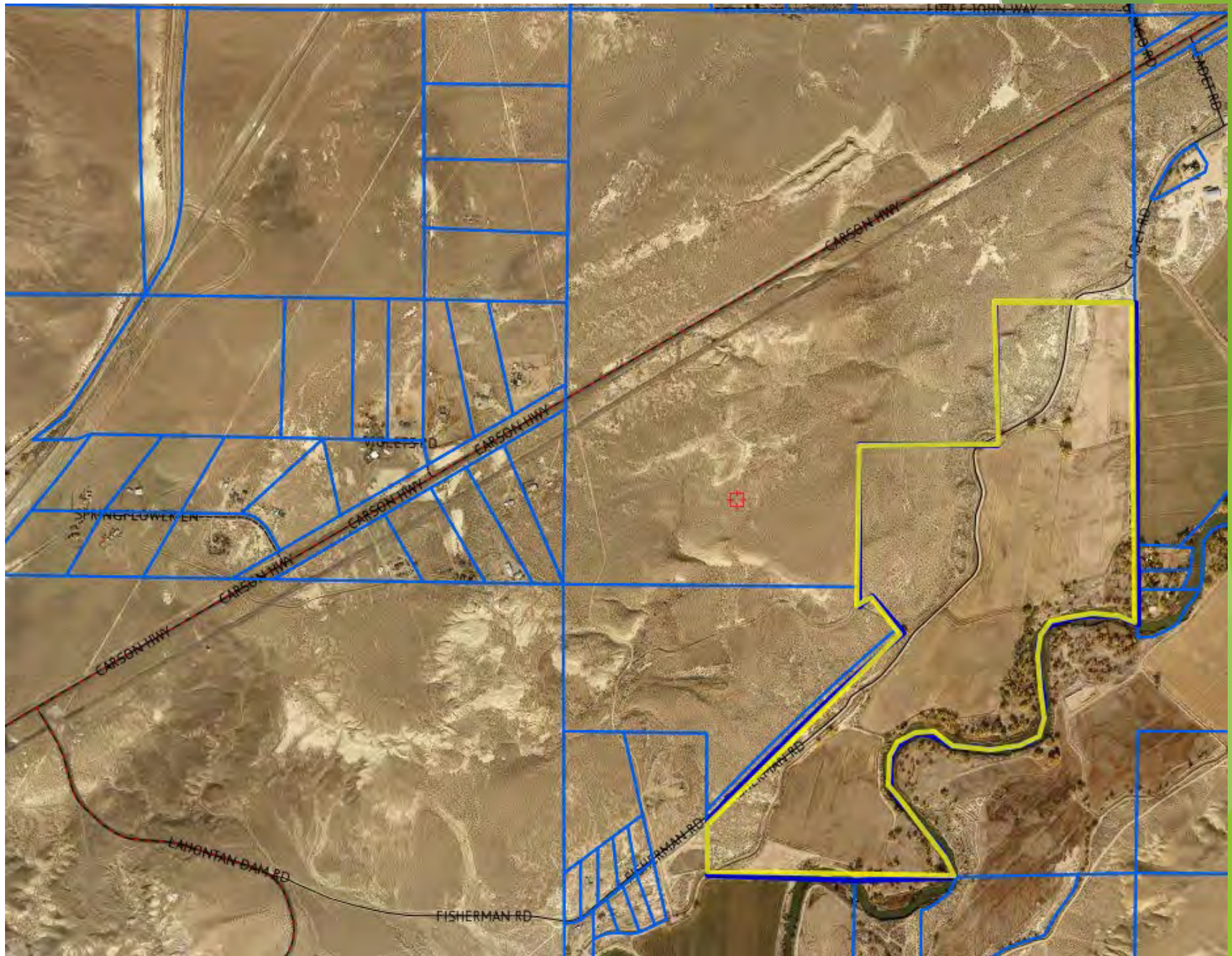
- I move to **Approve** the Consent Agenda as submitted.
- ***[IF YOU WISH TO REMOVE ANY ITEM FOR FURTHER DISCUSSION]***
I move to ***remove Item*** ____ for further discussion, and to approve the remainder of the Consent Agenda as submitted.



**CHURCHILL COUNTY
PLANNING COMMISSION
HEARING**

January 8, 2025

Casey Variance, 14001 Cadet Rd, APN 007-071-16





Consent Agenda