

MINUTES OF THE CHURCHILL COUNTY PLANNING COMMISSION

155 N. Taylor St., Fallon, NV 89406
April 8, 2026

1. Call to Order:

The regular meeting of the Planning Commission was called to order at 6:00 PM on April 8, 2026.

PRESENT: Tami Edgmon, Chair; Victor Ansotegui, Member; Joe Frey, Member; Mark Hyde, Member; and Dennis Mills, Member

ABSENT: Jeff Goings, Vice Chair, and Scott Nelson, Member

STAFF: Randy Hines, Public Works Director; Dan Cahalane, Senior Planner; Dean Patterson, Senior Planner; Wade Carner, Deputy District Attorney-Civil; Loreli LeBaron, Code Compliance Official; and Diane Moyle, Administrative Assistant

2. Pledge of Allegiance:

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

3. Public Comment:

Randy Hines introduced everyone to the new Senior Planner, Dan Cahalane.

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 the 2nd day of April 2026, between the hours of 8:30 a.m. and 5:00 p.m. at all of the locations listed on the Agenda, in accordance with NRS 241.

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

Commissioner Ansotegui made a motion to approve the agenda as submitted. Commissioner Hyde seconded the motion, which passed unanimously (5-0).

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

Diane Moyle, Administrative Assistant, verified that all notifications to landowners had been made in accordance with Nevada Revised Statutes and Churchill County Code.

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

A. March 11, 2026 Public Hearing

Commissioner Mills made a motion to approve the minutes of the March 11, 2026 Public Hearing as submitted. Commissioner Frey seconded the motion, which passed unanimously (5-0).

8. Old Business:

There were no items.

9. New Business:

A. Consideration and possible action re: A sending site application, TDR26-1, filed by Richard A. Doty and Tina M. Doty, Co-Trustees under The Robert and Tina Doty Family Trust Agreement dated February 28, 2026. The properties are located at 9225 Pasture Road and on Norcutt Lane, Assessor's Parcel Numbers 006-111-01 & 006-111-02, consisting of 160.0 acres in the A-10 zoning district. The applicants propose to place a conservation easement on the parcels.

Robert & Tina Doty, 3015 Bass Road, introduced themselves to the commission.

Randy Hines, Public Works Director, explained that this application is for a Sending Site, and it meets the requirements in Churchill County Code 16.14 to be eligible. Based on the transfer of development rights calculations, the total TDRs for the property are 229. In discussions with the Sending Site Review Committee, the property owner requested that the appraisal be done with and without one future home reservation on Assessor's Parcel Number 006-111-01. The Sending Site Review Committee recommended this application for approval with 229 TDRs.

There were no questions or discussions by the commission.

Commissioner Frey made a motion to recommend the following to the Board of County Commissioners:

- a) approval of the Sending Site application for Robert & Tina Doty Family Trust based on providing the community benefits of preserving 160.0 acres of farmland with surface water-rights; protecting nearby military operations; and protection of water recharge areas; and**
- b) approval of 229 TDRs of the same property.**

Commissioner Hyde seconded the motion, which passed unanimously (5-0).

- B. Consideration and possible action re: Variance application, VAR26-1, filed by GP Global, LLC. The property is located off York Lane in the railroad right of way south of Assessor's Parcel Number 008-411-09. The applicant proposes to construct 5 signs along the railroad right of way and requests a variance from the limit on square feet of signage per parcel.

George Pomeroy, 4882 Harrigan Road, introduced himself to the commission.

Dan Cahalane, Senior Planner, stated that the applicant is requesting to place five 140-square foot pole signs. The area in question limits pole signs to 140 square feet for the entire parcel. As this is a variance, there are four findings that the commission is required to make. These include:

- 1. Extraordinary or exceptional situation or condition.
- 2. Peculiar and exceptional practical difficulties, or exceptional and undue hardship.
- 3. Will not be materially detrimental to public health, safety, or welfare, or injurious to the property or improvements in the vicinity.
- 4. Is consistent with the intent and purpose of this title.

He said that staff is unable to make all of these findings, and therefore recommends denial.

George Pomeroy, GP Global Outdoor Advertising, thanked the staff for the work put into the staff report. He said that he understands the concerns that were brought up. He thinks this fits within the variance criteria:

- 1. This is not a typical parcel. It is a long and narrow railroad corridor that runs for nearly one mile. Because of that shape the per parcel limitation on sign square footage doesn't function the same way that it would on a standard, or typical, property. If this same frontage were divided into typical parcels, similar sign placement and significantly closer spacing could be achieved under the code without a variance. The limitation here is really a function of parcel configuration and not actual impact.
- 2. The hardship created isn't that he can't place a sign; it is that applying a single per parcel limit to a parcel of this length creates an unintended result. On a mile long corridor, one sign ends up feeling isolated and unbalanced, almost as if it were an afterthought. What he is proposing instead are small uniform signs that individually comply with the current size limitation, spaced about 950 feet apart, which creates a consistent and orderly pattern over the distance.
- 3. In terms of public health, safety, and welfare, the staff noted that there is no material detriment as long as the signs comply with county code. These are static signs, no movement, no changing messages, and they

are spaced far apart. This isn't increasing the intensity or clustering; it is actually a very low impact and organized layout over a long stretch.

4. Regarding the intent of the code, he agrees that the goal is to protect the visual quality along the corridor. His position is that on a parcel like this, consistency over distance maintains visual quality better than a single isolated sign placed somewhere along that entire frontage.

This proposal is meant to be intentional and orderly and not random and scattered. He understands the idea of a code amendment also, but this is a site-specific situation with a uniquely shaped parcel, and he believes that this is exactly what the variance process is for. For those reasons, he respectfully asked for approval.

Commissioner Mills inquired what is preventing the applicant from pursuing maybe a more normal path to meet this objective, such as trying to split this parcel into five parcels, or using smaller signs if he wants something that is visually pleasing down the length of this path, or pursuing a change in the zoning code of the county, rather than ask for a variance at this time. Mr. Pomeroy responded that he understands that perspective. A code amendment would address this broadly, but this request is specific to this uniquely shaped parcel where the standard doesn't apply cleanly. That is exactly what the variance process is intended for, and this allows the request to be reviewed on a case by case basis in order to comply with the sign code. Commissioner Mills asked again about subdividing the parcel. George Pomeroy stated that he doesn't believe that is an option based upon this being a railroad parcel with a long corridor, and it is uniquely narrow. He hasn't looked into that option, but he doesn't believe that the railroad corridor would meet the size restrictions for parceling.

Commissioner Frey said that he believes that this parcel does meet some of those requirements for a variance, but it definitely does not meet all of them. He questioned counsel if they needed to meet all of the requirements, or just some of them, or is that at their discretion. Wade Carner, Deputy District Attorney-Civil, said that the commission must make all of the findings in order to be able to approve. George Pomeroy asked which findings the variance does not meet specifically. Dan Cahalane replied that based upon staff's analysis the property is not characterized by an extraordinary or exceptional situation or condition, such as narrowness or shallowness or shape of the lot as it is physically possible to place all of these signs. There is nothing preventing him from placing these signs on the parcel. The second finding is whether or not it would be peculiar or exceptional practical difficulty, or an exceptional or undue hardship on the owner of the property, and the applicant would still be able to place five signs on the parcel that meet the current code totaling 140 square feet, or he could place one sign that meets that requirement. He is able to place a sign on the parcel. Finding three is split into two—public health, safety or welfare (there are no issues with this part), or detrimental to the rights of property holders in the vicinity by creating a different standard for similarly located and zoned properties. Staff does find that this is injurious to the properties and improvements in the vicinity. Finally, the proposed variance is consistent with the intent of this title, and the sign code is very specific in terms of limiting the square footage in particular areas along the highway. This is between Sheckler Cut-Off and the Carson River bridge, and there is a maximum of 140 square feet per parcel allowed. There was further discussion about the ability to place the signs in that area, but they would be limited in the size of each sign by the code requirement. Mr. Pomeroy expressed his belief that this property is actually characterized by exceptional narrowness or shape. The code doesn't function on this property. It is a hardship to maintain the intent of the code because it is to help implement the master plan goals and policies to protect the visual quality of the county along the entryways and gateways of the community. He said that one sign looks isolated and unintentional, whereas, if there are five orderly signs, they can look more intentional and planned out with a consistent visual pattern and more closely maintaining the intent of the code. He posed that a parcel that is one hundred feet wide and a mile long meets the finding for the variance of extraordinary or exceptional situation or condition, due to the exceptional narrowness, shallowness, or shape.

Chair Edgmon restated that the problem isn't that the applicant cannot put the five signs on the property, and the issue is that the applicant wants to change the size of these signs. George Pomeroy remarked that he would like to place the same size sign that is permitted in this area to maintain the same visual characteristics of other signs, and he would like to be able to place five of these in this location. He thinks that the intent of the code is lost when applied to this parcel due to the length of the area. Chair Edgmon verified that none of the signs would intrude, or

be too large, into the railway, and Mr. Pomeroy confirmed that they would not. He pointed out that he had to create some very extensive application packets for the railroad before he could even get their signature on this variance application. The railroad is on board with this request.

Commissioner Hyde asked what the recommendation was from staff, and Dan Cahalane restated that staff is recommending denial of this application. Commissioner Hyde, regarding the applicant's remarks about the need to have orderly signs that would be more attractive and appealing for the gateway, asked what type of advertisement he would imagine for these signs. Mr. Pomeroy said that as it gets closer to town these would be available for local, small businesses. He noted that all of the advertisers for all of his signs are all local, small businesses, and he doesn't have any national accounts. Commissioner Hyde said that the signs are intended to be symmetrical; however, the subject matter on every sign is going to be different. George Pomeroy agreed to that potential, and there is a chance that a business could rent sequential signs, and there could be a pattern to the messages. Commissioner Hyde inquired if this were denied, what would the options be in terms of signage on that property. Mr. Pomeroy answered that right now he could put one sign on that parcel somewhere. He could put two smaller ones, but they wouldn't be as visible. Commissioner Hyde questioned if this is the only purpose that this strip of land could possibly serve. The applicant thinks that there are very limited uses for that land next to the railroad, and this is a good use for small businesses to advertise.

Commissioner Frey said that Mr. Pomeroy made a good point about the fact that if signs were placed on the opposite side of the highway, the same number of signs, or even more, could be haphazardly placed on each separate parcel. He noted that the same size signs could be placed on the south side of the highway, and even spaced out as in this application, due to the separate parcels. He just wanted to make a comment about this exceptionally, odd, shaped parcel, regarding length and width. Randy Hines, Public Works Director, clarified that this is considered as one parcel, and the applicant could have one sign that is 140-square feet, or he could have five signs that are 20-square feet each. The total square footage of the signs is what is stated in the code. The parcel across the street could have the same. The proposal is to have five signs that are each 140-square-foot; that is five times more than what the code allows.

Chair Edgmon asked for Public Comment.

John Gezlin, 1071 Haskell Street, Reno, Nevada, Attorney for Michael and Claudia Casey, and Mic Casey, 399 Regan Place, Fallon, Nevada, were there to make public comment. Mr. Gezlin noted that he submitted a written response to the notification letter, and this was to be provided to the commissioners. He wanted to focus on one point, which seems to be glossed over here by the applicant, is the hardship. The Supreme Court of Nevada has specifically addressed variances and the hardships that are required in order to grant a variance. He gave an example from a court case where the Supreme Court said that, "...it is incumbent upon the property owner to prove what hardship or difficulty there is, and that the owner would be deprived of all beneficial uses of the land. If the property was used solely for the purpose allowed in that zone, a reasonable return on the property would not be realized." Here there is a reasonable return on the property. The applicant can put up several smaller signs or one large one. He doesn't believe that the application has provided any evidence regarding the finding for exceptional hardship as required in Nevada state law. He further remarked regarding the comment from the applicant that having one sign would be isolated and unbalanced that it certainly doesn't meet the hardship requirement.

Mic Casey noted that he owns the property to the north across the railroad tracks. In the event that he would want to place a sign in the future, it would probably be where one of these signs is being proposed. He stated that at some point in the future they may consider putting an access across the railroad tracks for his property. He's not sure where that access would be, but if there are a bunch of signs there and one was where this access needed to be to align with other roadways, this could be detrimental to his development. He cannot see where five big signs is less distractive than one, or better than one. Mr. Casey inquired if the variance is granted would the applicant be limited to five signs, or would he be allowed to put twenty-five signs there. He recommended that the commission

not approve the application.

Randy Hines, Director, said that this application is specific to five signs, and Mr. Pomeroy wouldn't be able to come back in the future to request more signs that are smaller in size. The application is very specific to five signs, each being 140-square feet. Dan Cahalane said that if the commission were to approve the variance, there is a recommended condition that maximum subject sign area for the property would be limited to 700 square feet for all signs.

Commissioner Hyde remarked that this narrow piece of land really can only be used is for advertising as stated by the applicant. It isn't very profitable for the applicant to only have one sign as opposed to five. He thinks that the applicant is looking at this as a business opportunity, and this is causing an economic hardship on the applicant rather than the property posing an undue hardship. George Pomeroy agreed that there is a profit margin or financial gain to it, but it isn't the primary driver of this application. He is focused on placing signage in a way that maintains consistency and order along a very long corridor, and maintaining the intent of the sign code. The spacing and scale are designed to keep the impact low. If it was about profitability, he could put signs every 300 feet on normal sized parcels. He is trying to make the county look good in the gateway with orderly, well-planned out signs. Mr. Pomeroy believes that the strict application of the per parcel standard on this mile long linear parcel produces an unintended result that doesn't align with the code. It is a mismatch between the parcel configuration and how the code functions. The property cannot be reasonably utilized the same way as typical parcels can due to its configuration. Commission Hyde said that the greatest challenge to overcome is the finding of hardship, and he restated that the applicant feels that the hardship is related to the configuration and size of this parcel. Mr. Pomeroy agreed, and Commissioner Hyde further stated that Mr. Gezlin doesn't think that it has been proven enough in the application that there is a hardship that would justify a variance.

Chair Edgmon questioned how many signs the applicant had on this property currently, and George Pomeroy responded that he has none. Chair Edgmon said that she understands the need to meet county code and keeping things in compliance with the master plan, but variances are offered and allowed for certain circumstances and conditions. She called for a motion.

Commissioner Mills made a motion to find that the criteria found in CCC 16.08.090(F) have not been met and therefore deny the variance application, VAR26-1, to construct five signs along the railroad right of way and a variance from the limit on square feet of signage per parcel at right-of-way area south of the railroad and Assessor's Parcel Numbers 008-411-04 and 008-411-09. Commissioner Ansotegui seconded the motion, which passed by a vote of three in favor of denial (Members Ansotegui, Hyde and Mills) and two in opposition of denial (Members Edgmon and Frey).

Wade Carner, DDA-Civil, reiterated that the vote was for denial of the variance. Chair Edgmon also noted that there is a 10-day appeal period to appeal to the Board of County Commissioners.

- C. Consideration and possible action re: Variance application, VAR26-2, filed by GP Global, LLC. The property is located off Reno Highway near Coleman Road in the railroad right of way south of Assessor's Parcel Number 010-603-01. The applicant proposes to construct 2 signs along the railroad right of way and requests a variance from the limit on square feet of signage per parcel.

Dan Cahalane, Senior Planner, stated that this variance application is similar to the previous application; however, this requests two signs on a smaller sized parcel in the railroad right of way. He said that staff is unable to make the required findings as this is not an exceptional shape, and it is possible to put the signs on the parcel. It is not an exceptional hardship as there is still the potential to put signs on the property. It is not injurious to public health, safety or welfare if it complies with county code; however, it does detrimentally impact neighboring properties. It is not in keeping with the intent of the title as it is varying from the strict standard that is outlined in

code. Therefore, staff recommends denial.

George Pomeroy said that his points are the same as the previous application, and it just applies to a different parcel. He is proposing the same type of spacing and same orderly concept. He wants to make it look good along the gateway to the town. He believes that this would meet the intent of the code better.

Commissioner Mills in order to clarify why he made the previous motion said that he believes that this application is very similar to the previous one, and the case for hardship doesn't seem to have been met in this case, the same way that the previous application did not. He mentioned several comments that were made in the previous discussion, and he doesn't see that there is sufficient evidence to make the findings required. He thinks that the applicant could still place a sign in this location effectively. He said that his thoughts are the same with this application as they were with the previous one.

There being no further comment from the commissioners, Chair Edgmon asked if there was any public comment.

Lincoln Kane, 2707 Ladera Drive, stated his opposition to the variance and agreed with staff's recommendation to deny. He said that even if the variance is denied, the residents in this area still face a scenario later where a standard billboard would go up. He requests that a building permit not be approved in this location for a regular billboard sign. He believes that the code is clear, and he thinks that Mr. Cahalane stated it well that it is a standard parcel, linear in shape, and there is nothing extraordinary about it. There is standard topography, so there is not really any undue hardship that would require a variance. This is the same exact scenario as the other variance; it is just a flat piece of desert road next to a railroad. He thinks that especially with this variance there are about 20 homes that sit in direct line of sight, about 250 feet from this billboard where they watch the sun rise and set. The residents in this area would have to look at a large billboard sign instead of the sky. Mr. Kane said that he doesn't see that the requirements in the code have been met for this variance. He believes it is for an economic gain. He mentioned that even if the variance is denied, the entire neighborhood would be forced to look at a 20-foot tall, 140-square foot billboard, blocking their view of the sky. He pointed out that there are dark skies clauses within the code, and he wanted to bring up that there are multiple hurdles because the state regulates 660 feet from the highway through the right of way of the railroad. Even if the railroad has the right of way, the state would have to approve any billboard. There is a reason for the highway beautification act, which Nevada has codified, that they would probably deny any such application. He encouraged Churchill County to deny the permit.

Randy Hines, Public Works Director, noted that the Nevada Department of Transportation (NDOT) response was included as part of the packet the commissioners received. There was another letter in opposition provided as well.

Commissioner Ansotegui made a motion to find that the criteria found in CCC 16.08.090(F) have not been met and therefore deny the variance application, VAR26-2, to construct two signs along the railroad right of way and a variance from the limit on square feet of signage per parcel at the right-of-way area south of the railroad and Assessor's Parcel Number 010-603-01. Commissioner Hyde seconded the motion, which passed unanimously (5-0).

Chair Edgmon said that the application was denied, and she informed that there is a 10-day appeal period to the Board of County Commissioners. George Pomeroy thanked everyone for their time and consideration.

10. Planning Commission Item:

- A. Consideration and possible action re: May 13, 2026 Planning Commission meeting that was rescheduled to April 29, 2026 and possibly rescheduling it back to the original date.

Randy Hines, Public Works Director, said that Dean Patterson's retirement has been delayed, and there will be a zone change coming forward for the next meeting. In order to meet the requirement for legal notice, it is requested

that the next meeting, April 29, 2026, be moved back to May 13, 2026, the original date of the meeting, since Dean will be available.

Commissioner Mills made a motion to move the next Planning Commission meeting from April 29, 2026 back to the original date of May 13, 2026. Commissioner Frey seconded the motion, which passed unanimously (5-0).

11. Consent Agenda:

There were no items.

12. Public Comment:

Chair Edgmon asked if there was any public comment, but there was none.

13. Adjournment:

The meeting was adjourned at 6:47 p.m.

14. Appendix:

Supporting Documentation

Approved: 
Tami Edgmon, Chair

Approved: 
Jeff Goings, Vice Chair

Approved: 
Victor Ansotegui, Commissioner

Approved: not available
Joe Frey, Commissioner

Approved: 
R. Mark Hyde, Commissioner

Approved: not available
Dennis Mills, Commissioner

Approved: not available
Scott Nelson, Commissioner

ATTEST:


Diane Moyle, Administrative Assistant



CHURCHILL COUNTY
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STAFF REPORTS FOR
PLANNING COMMISSION MEETING – April 8, 2026

LIST OF STAFF REPORTS

- Doty, Sending Site Application Page 2
- GP Global, LLC Variance from Sign Requirement, off York Ln Page 3
- GP Global, LLC Variance from Sign Requirement, near Onda Verde Page 6

OLD BUSINESS ITEM MOTIONS

Motion for Annual Review of SUP - should be modified by the Planning Commission as needed.

NOTE: Annual review is **NOT a new decision or renewal**. It is a review for compliance with the previously approved decision. Failure to comply with the permit can be grounds for a permit **REVOCATION** process.

- ☐ I move to review this application in one year. ***[[OR USE OTHER TIMEFRAME]]***

[[ADD OTHER REQUIREMENTS OR INSTRUCTIONS IF NEEDED]]

- ☐ I move to no longer require annual review for this application.

Motion for Renewal of Temporary Use Permit - should be modified by the Planning Commission as needed.

NOTE: These permits expire in one year unless a renewal is approved, with the possibility of setting shorter renewal periods. Thus, a renewal is a **new decision or approval**.

- ☐ I move to **APPROVE** the renewal of this Temporary Use Permit for ***[NAME OF APPLICANT]*** for one year. ***[[OR USE OTHER TIMEFRAME]]***

[[ADD OTHER REQUIREMENTS OR INSTRUCTIONS IF NEEDED]]

- ☐ I move to **DENY** the renewal of this Temporary Use Permit for ***[NAME OF APPLICANT]***

CONSENT AGENDA MOTION - Please review the Consent Agenda to determine if you have any concerns.

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.

- ☐ I move to **APPROVE** the Consent Agenda as submitted.
- ☐ I move to **remove Item** ____ for further discussion, and to approve the remainder of the Consent Agenda as submitted.

Application:	Transfer of Development Rights—Sending Site	Application #:	TDR26-1
Applicant:	Robert & Tina Doty Family Trust		
Owner:	Robert & Tina Doty Family Trust		
Site:	9225 Pasture Rd (APN 006-111-01) – 80.0 ac. and Norcutt Ln (APN 006-111-02) – 80.0 ac.		
Designations:	Master Plan – Agriculture // Zoning – A-10 // NAS Fallon Overlay Zone		

Summary: This application is for approval of a Sending Site and Transfer of Development Rights calculation. The property is 148.5 acres water righted, with the remainder being canals, drains, and farm roads.

There are currently no residences on either parcel. The applicant is requesting a potential future home site on APN 006-111-01 in an area that does not have water rights and requests an appraisal with and without that reservation.

Sending Sites have minimum requirements:

- 20-acre minimum parcel size or identified as a special site (CCC 16.14.050).
- Areas removed from irrigation or stripped of vegetation do not pose a dust liability (CCC 16.14.030.D).

Sending Sites must provide a community benefit listed below, by means identified in CCC 16.14.030.B:

- Agricultural preservation and retention of water rights.
- Protection of military operations.
- Protection of water recharge areas.
- Protection of open space.
- Protection of wildlife habitat.
- Providing public access.
- Other special benefits.

This property qualifies for the minimum standards by meeting the acreage requirement and dust control requirement. This property provides community benefit by:

- a) Agricultural preservation with water rights retention on a small part of the parcels.
- b) Protection of military operations.
- c) Protection of water recharge areas.

The Sending Site Committee reviewed the application on February 25, 2026 and determined that these parcels meet the criteria of a sending site and recommends approval of the sending site. The Committee recommended a total of 229 TDRs.

STAFF RECOMMENDATION: **APPROVAL**

MOTION: The motion should be modified by the Planning Commission as needed.

- ☐ Based on the information provided in application (TDR25-2), staff report, sending site meeting, and heard tonight, I move to recommend the following to the Board of County Commissioners:
- a) approval of the Sending Site application for Robert & Tina Doty Family Trust based on providing the community benefits of preserving 160.0 acres of farmland with surface water-rights; protecting nearby military operations and protection of water recharge areas; and
 - b) approval of 229 TDRs of the same property.

Application:	Variance	Application #:	VAR26-1
Request:	A variance from the limit on square feet of signage per parcel to allow 5 signs along the railroad right of way.		
Applicant:	GP Global, LLC (George Pomeroy)		
Owner:	Union Pacific Railroad		
Site:	Right-of-Way area south of the railroad and APNs: 008-411-04 & 008-411-09 – 11 ac		
Designations:	Master Plan – Urbanizing // Zoning – C1		

Summary: The applicant is requesting a **Variance** from the sign area development standards to construct five (5) 140 square foot pole signs. The Variance is from CCC 16.16.020.6(B)2(g)4(A)c which **limits sign area to 140 square feet for the entire property**. The applicant proposes five (5) 7' X 20' (140 square feet), which is a 5x increase above the allowed sign area per parcel.

The application does not specify if the sign will be lit, but there will be a catwalk and rails along both faces. This sign appears to be a static billboard with no moving lights or changing message.

To summarize the review of criteria below: CCC 16.08.090(A) states “The applicant has the burden of demonstrating that unnecessary hardship or practical difficulties will result from the literal application of the zoning ordinance...”

The requested variance makes the case that the shape and narrowness of the subject property will result disorderly, un-intentional, and visually unbalanced location of signs along Reno Highway without a Variance from the limit on square feet of signage per parcel.

Neighboring property owners have provided comment against granting the variance request. NDOT also provided comment addressing potential access issues and compliance with the High Beautification Act. These comments are attached in the application packet.

The request can't be approved without finding that the criteria are met, and the Planning Department recommends denial based on the analysis below.

It may be that the Planning Commission agrees with the arguments of the variance application, and that the law should be changed to allow more than 140 square feet sign area east of Sheckler cutoff and Roberson to Carson River Bridge. But that is an argument to submit with a zoning text amendment while proposing a better standard, which is then forwarded for approval to the County Commissioners.

In reviewing the request, the Planning Commission should refer to:

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 Applicant – The subject properties are within an unusually long and narrow railroad corridor nearly a mile long. The request provides for minimum of 850 ft separation between the proposed signs which is greater than the required 100 ft spacing required between signs on separate parcels.

Staff – The application package demonstrates that it is possible to place five (5) 140 ft signs on the narrow parcel as outlined in the application packet. The location within the 100 ft wide Union Pacific right of way area does not constitute any extraordinary or exceptional situation needing a Variance.

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 Applicant – The subject parcels are very narrow and there are limited alternative uses for the property therefore a strict application of the code would prevent the reasonable use of frontage while maintaining the orderly spacing of signs along Reno Highway.

Staff – Under CCC 16.16.020.6g(4) all property commercial property owners east of Sheckler cutoff and Roberson to Carson River Bridge are limited to 140 square feet of sign area per parcel.

The applicant is able to physically place the proposed signs on the subject property as they have outlined in their application package. The applicant can legally place the desired number of signs (5) within the size restriction or place a single 140 square feet sign the property under the code. The strict application of the regulation would not result in peculiar and exceptional practical difficulties and undue hardships upon the owner of the property.

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 Applicant -- The application makes the case that properties in the vicinity would not be affected, since they are either commercial, vacant, or farmland.

Staff - There is no material detriment to the public health, safety, or welfare by expanding the maximum sign area on the subject properties provided each sign complies with Churchill County Code requirements.

However, granting this variance would be injurious to the rights of property holders in the vicinity by creating a different standard to similarly located and zoned properties.

Neighboring property owners have provided comment against granting the variance request. These comments are attached in the application packet.

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

The Applicant – The application argues that the proposed variance will provide orderly, intentional, and visually balanced signs along Reno Highway.

Staff -- The proposed variance is contrary to the intent of the standard, which is meant to help implement the Master Plan Goals and Policies to protect the visual quality of the County along the entryway/gateways and main streets and highways of the community. The Code standards are specific in limiting the maximum area for freestanding signs to 140 square feet for each parcel in conformance with the Master Plan.

If the objective is to allow more than 140 square feet of free-standing sign area per parcel within the area between east of Sheckler cutoff and Roberson to Carson River Bridge, the better course of action would be a Zoning Code Amendment that would be reviewed by the Planning Commission and approved by the Board of County Commissioners.

STAFF RECOMMENDATION: DENIAL - as provided below.

MOTIONS FOR FINDINGS: These motions 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 to find that the criteria found in CCCC 16.08.090(F) have NOT BEEN met and therefore DENY the Variance VAR26-1 to construct 5 signs along the railroad right of way and a variance from the limit on square feet of signage per parcel at Right-of-Way area south of the railroad and APNs: 008-411-04 & 008-411-09.

□ **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. Compliance with Churchill County code.
2. Maintenance of a Churchill County business license.
3. Obtaining all necessary building permits and approvals.
4. Obtaining all necessary state and federal approvals, including NDOT signage approval.
5. Maximum sign area of the subject property shall be 700sf.
6. Sign dimensions shall not exceed 7ft x 20ft.
7. Separation of signs on the parcel shall be at least 850ft apart from each other.
8. Building permit site plan shall include all easements for utilities on the parcel.
9. The sign must be maintained in proper working condition; and must be maintained with either a client advertiser, advertising of the owner, or a public service announcement.
10. If the sign is not in use for more than one year, it must be removed from the property.
11. If lighting is proposed, it must comply with the Churchill County Dark skies requirements.
12. This variance is valid for one year from the date of the final decision. If construction has not begun by this date, the Variance will expire.

Application:	Variance	Application #:	VAR26-2
Request:	A variance from the limit on square feet of signage per parcel to allow 2 signs along the railroad right of way.		
Applicant:	GP Global, LLC (George Pomeroy)		
Owner:	Union Pacific Railroad		
Site:	Right-of-Way area south of the railroad and APN: 010-603-01 – 6 ac		
Designations:	Master Plan – Urbanizing // Zoning – C1		

Summary: The applicant is requesting a **Variance** from the sign area development standards to construct two (2) 140 square foot pole signs. The Variance is from CCC 16.16.020.6(B)2(g)5(A)c which **limits sign area to 120 square feet for the entire property**. The applicant proposes two (2) 6' X 20' (120 square feet), which is a 2x increase above the allowed sign area per parcel

The application does not specify if the sign will be lit, but there will be a catwalk and rails along both faces. This sign appears to be a static billboard with no moving lights or changing message.

To summarize the review of criteria below: CCC 16.08.090(A) states “The applicant has the burden of demonstrating that unnecessary hardship or practical difficulties will result from the literal application of the zoning ordinance...”

The requested variance makes the case that the shape and narrowness of the subject property will result disorderly, un-intentional, and visually unbalanced location of signs along Reno Highway without a Variance from the limit on square feet of signage per parcel.

Neighboring property owners have provided comment against granting the variance request negative impacts on traffic and community character, setting a harmful precedent, and discrimination against businesses that have followed the law. NDOT also provided comment addressing potential access issues and compliance with the High Beautification Act. These comments are attached in the application packet.

The request can't be approved without finding that the criteria are met, and the Planning Department recommends denial based on the analysis below.

It may be that the Planning Commission agrees with the arguments of the variance application, and that the law should be changed to allow more than 120 square feet sign area east of Sheckler cutoff and Roberson to Carson River Bridge. But that is an argument to submit with a zoning text amendment while proposing a better standard, which is then forwarded for approval to the County Commissioners.

In reviewing the request, the Planning Commission should refer to:

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 Applicant – The subject properties are within an unusually long and narrow railroad corridor nearly a 2/3 mile long. The request provides for minimum of 940 ft separation between the proposed signs which is greater than the required 75ft spacing required between signs on separate parcels.

Staff – The application package demonstrates that it is possible to place two (2) 120 ft signs on the narrow parcel as outlined in the application packet. The location within the 100 ft wide Union Pacific right of way area does not constitute any extraordinary or exceptional situation needing a Variance.

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 Applicant –The subject parcels are very narrow and there are limited alternative uses for the property therefore a strict application of the code would prevent the reasonable use of frontage while maintaining the orderly spacing of signs along Reno Highway.

Staff – Under CCC 16.16.020.6g(5) all property commercial property owners east of Sheckler cutoff and Roberson to Carson River Bridge are limited to 120 square feet of sign area per parcel.

The applicant is able to physically place the proposed signs on the subject property as they have outlined in their application package. The applicant can legally place the desired number of signs (2) within the size restriction or place a single 120 square feet sign the property under the code. The strict application of the regulation would not result in peculiar and exceptional practical difficulties and undue hardships upon the owner of the property.

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 Applicant -- The application makes the case that properties in the vicinity would not be affected, since the are either commercial, vacant, or farmland.

Staff - There is no material detriment to the public health, safety, or welfare by expanding the maximum sign area on the subject properties provided each sign complies with Churchill County code requirements.

However, granting this variance would be injurious to the rights of property holders in the vicinity by creating different standard to similarly located and zoned properties.

Neighboring property owners have provided comment against granting the variance request negative impacts on traffic and community character, setting a harmful precedent, and discrimination against businesses that have followed the law. These comments are attached in the application packet.

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

The Applicant – The application argues that the proposed variance will provide orderly, intentional, and visually balanced signs along Reno Highway.

Staff -- The proposed variance is contrary to the intent of the standard, which is meant to help implement the Master Plan Goals and Policies to protect the visual quality of the County along the entryway/gateways and main streets and highways of the community. The Code standards are specific in limiting the maximum area for freestanding signs to 120 square feet for each parcel in conformance with the Master Plan.

If the objective is to allow more than 120 square feet of free-standing sign area per parcel within the area between east of Sheckler cutoff and Roberson to Carson River Bridge, the better course of action would be a Zoning Code Amendment that would be reviewed by the Planning Commission and approved by the Board of County Commissioners.

STAFF RECOMMENDATION: DENIAL - as provided below.

MOTIONS FOR FINDINGS: These motions 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 to find that the criteria found in CCCC 16.08.090(F) have NOT BEEN met and therefore DENY the Variance VAR26-1 to construct 2 signs along the railroad right of way and a variance from the limit on square feet of signage per parcel at the Right-of-Way area south of the railroad and APN: 010-603-01

□ **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. Compliance with Churchill County code.
2. Maintenance of a Churchill County business license.
3. Obtaining all necessary building permits and approvals.
4. Obtaining all necessary state and federal approvals, including NDOT signage approval.
5. Maximum sign area of the subject property shall be 240sf.
6. Sign dimensions shall not exceed 6ft x 20ft.
7. Separation of signs on the parcel shall be at least 940ft apart from each other.
8. Building permit site plan shall include all easements for utilities on the parcel.
9. The sign must be maintained in proper working condition; and must be maintained with either a client advertiser, advertising of the owner, or a public service announcement.
10. If the sign is not in use for more than one year, it must be removed from the property.
11. If lighting is proposed, it must comply with the Churchill County Dark skies requirements.
12. This variance is valid for one year from the date of the final decision. If construction has not begun by this date, the Variance will expire.



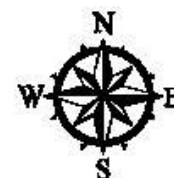
CHURCHILL COUNTY
PLANNING COMMISSION
HEARING
April 8, 2026

**Doty, Sending Site, 9225 Pasture Rd & Norcutt Ln
APNs 006-111-01 & 006-111-02**





APN 006-111-01 and 006-111-02 Doty Property

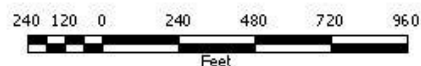


Legend

	60 dB
	65 dB
	70 dB
	75 dB
	80 dB
	85 dB

Accident Potential Zones

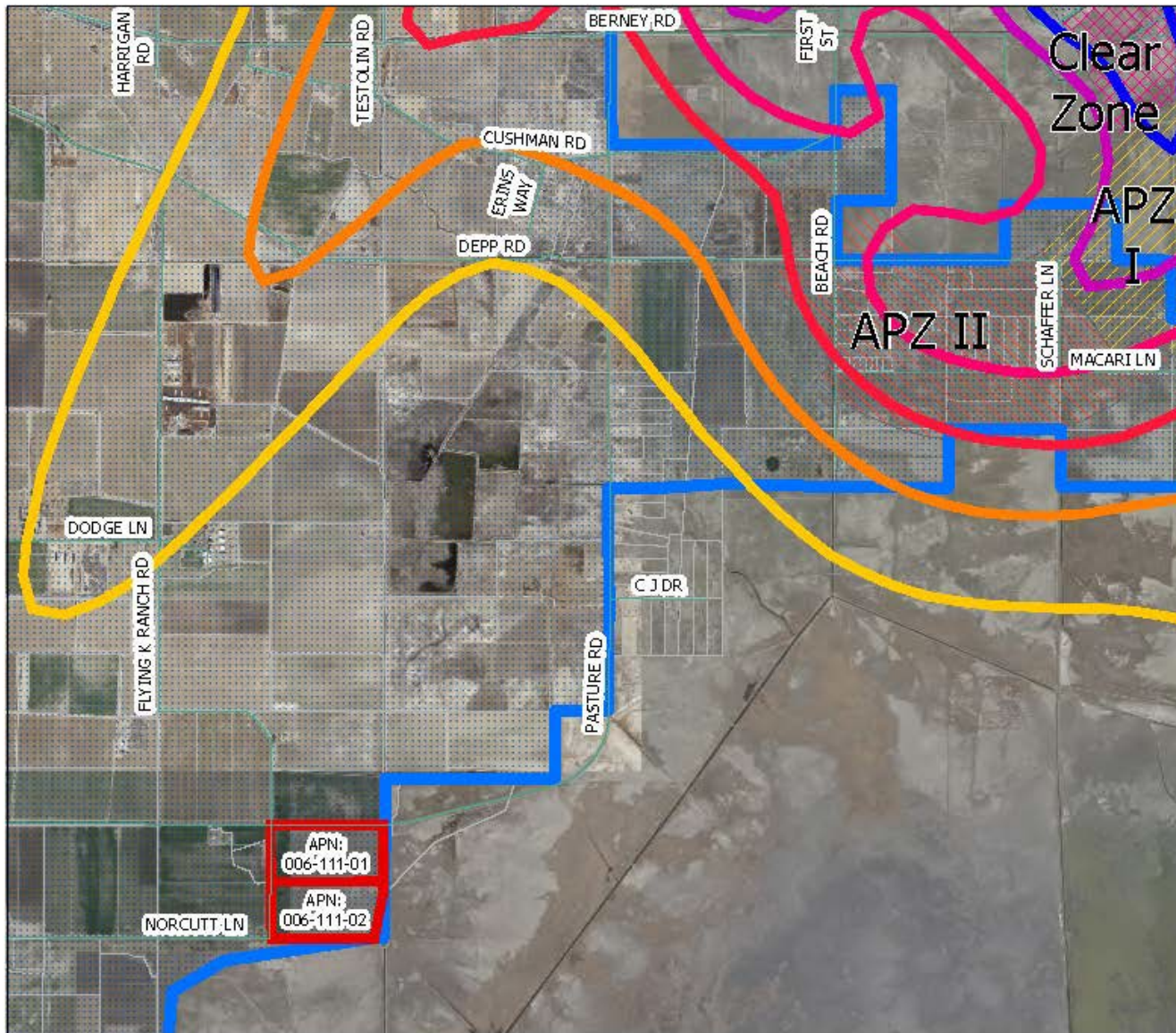
ZONE	
	APZ I
	APZ II
	Clear Zone
	Primary Surface



Map Prepared by: adm
2/23/2026
Churchill County Planning Department



This map is intended to depict a approximate boundaries and does not represent a survey. For accurate boundaries and a survey by a licensed surveyor is needed. No liability is assumed by Churchill County concerning the accuracy of the data delineated hereon. Use of this map for other than illustrative purposes is not recommended, and Churchill County expressly disclaims any liability for use other than for illustrative purposes.



**APN 006-111-01
and 006-111-02
Doty Property**



Legend

Roads

	Roads
	60 dB
	65 dB
	70 dB
	75 dB
	80 dB
	85 dB

Accident Potential Zones

ZONE

	APZ I
	APZ II
	Clear Zone
	Primary Surface

1,500 750 0 1,500 3,000 4,500 6,000
Feet

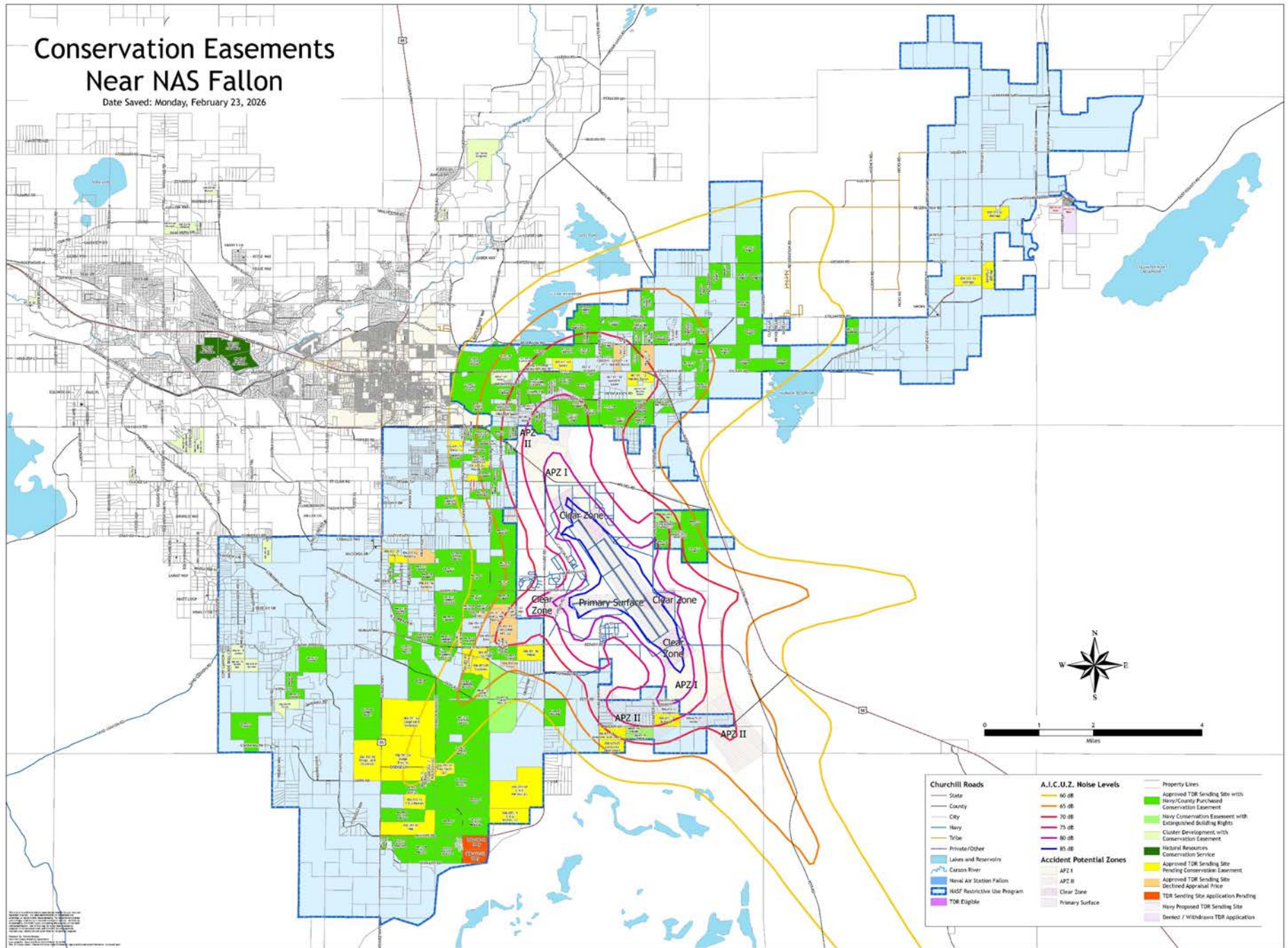
Map Prepared by: adm
2/23/2026
Churchill County Planning Department



This map is intended to depict approximate boundaries and does not represent a survey. For accurate boundaries and a survey by a licensed surveyor is needed. No liability is assumed by Churchill County concerning the accuracy of the data delineated herein. Use of this map for other than illustrative purposes is not recommended, and Churchill County expressly disclaims any liability for use other than for illustrative purposes.

Conservation Easements Near NAS Fallon

Date Saved: Monday, February 23, 2026



Churchill Roads

- State
- County
- City
- Navy
- Tribe
- Private/Other
- Lakes and Reservoirs
- Carson River
- Naval Air Station Fallon
- H&SF Restrictive Use Program
- TDR Eligible

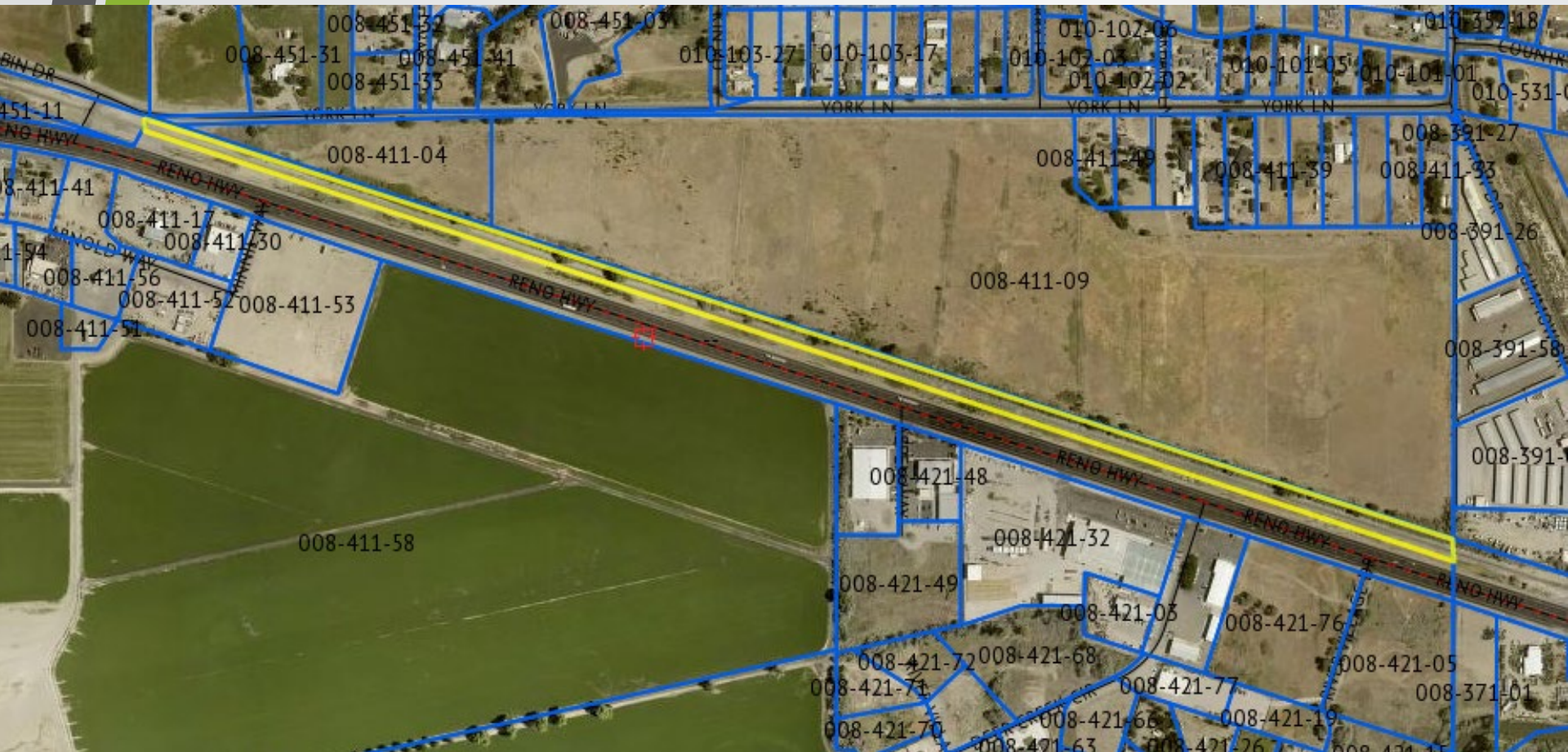
A.I.C.U.Z. Noise Levels

- 60 dB
- 65 dB
- 70 dB
- 75 dB
- 80 dB
- 85 dB

Accident Potential Zones

- APZ I
- APZ II
- Clear Zone
- Primary Surface

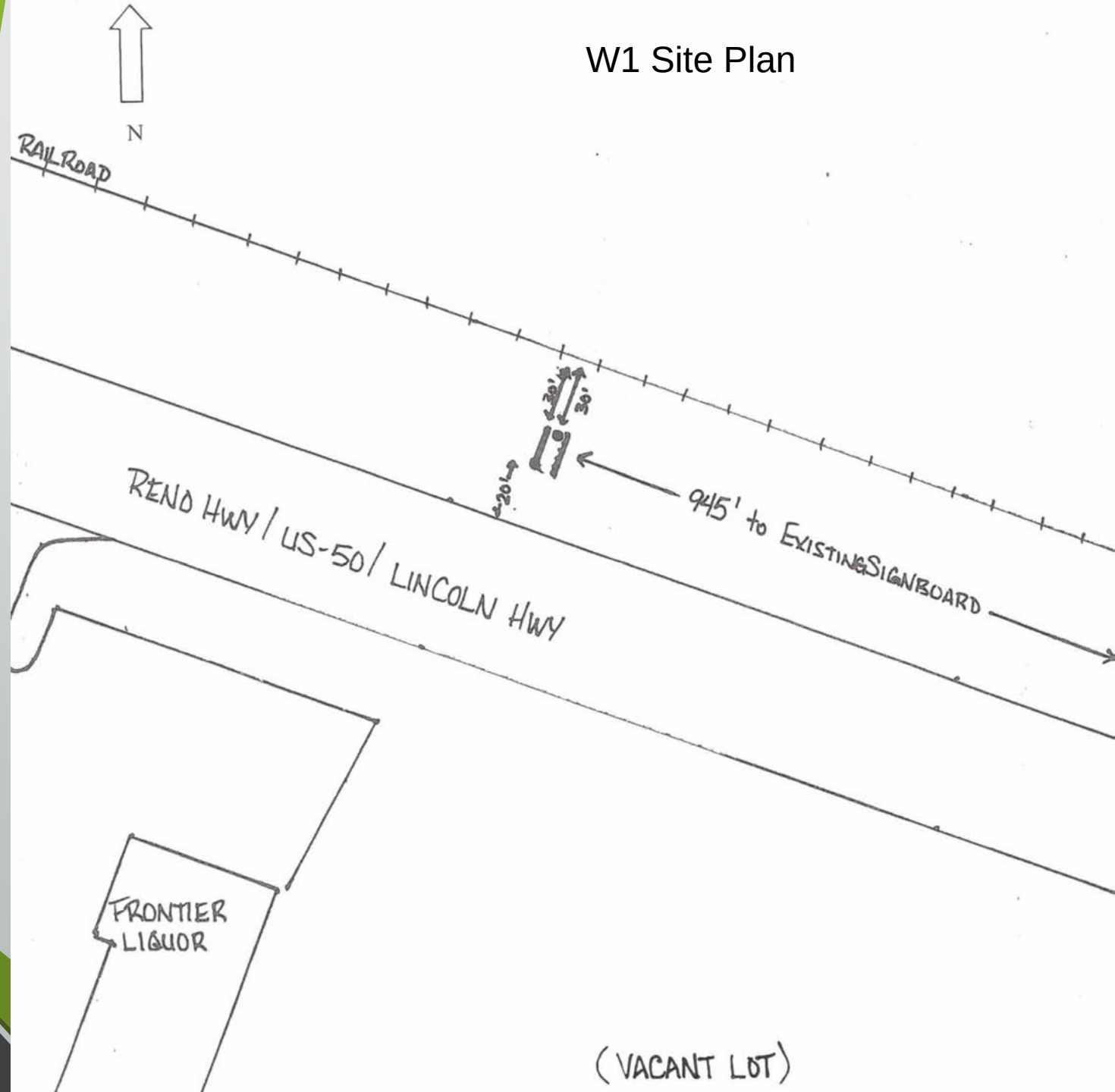
- Property Lines
- Approved TDR Sending Site with Navy/County Purchased Conservation Easement
- Navy Conservation Easement with Extinguished Building Rights
- Cluster Development with Conservation Easement
- Natural Resources
- Conservation Service
- Approved TDR Sending Site
- Pending Conservation Easement
- Approved TDR Sending Site
- Declined Approval Price
- TDR Sending Site Application Pending
- Navy Proposed TDR Sending Site
- Denied / Withdrawn TDR Application

[illegible]

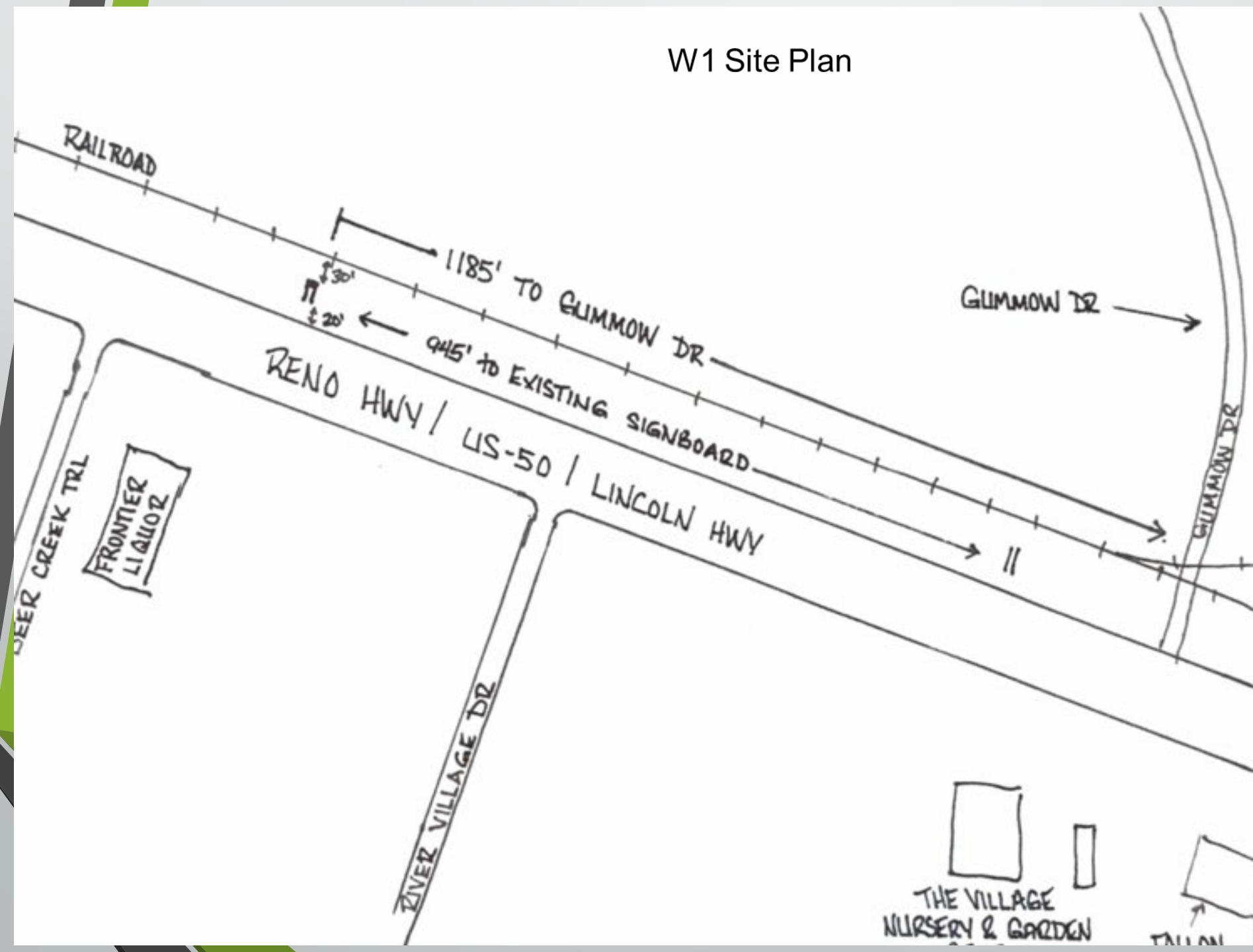
SITE PLAN AERIAL VIEW W1-W5



W1 Site Plan



W1 Site Plan



W2 Site Plan



RAIL ROAD



RENO HWY / US-50 / LINCOLN HWY

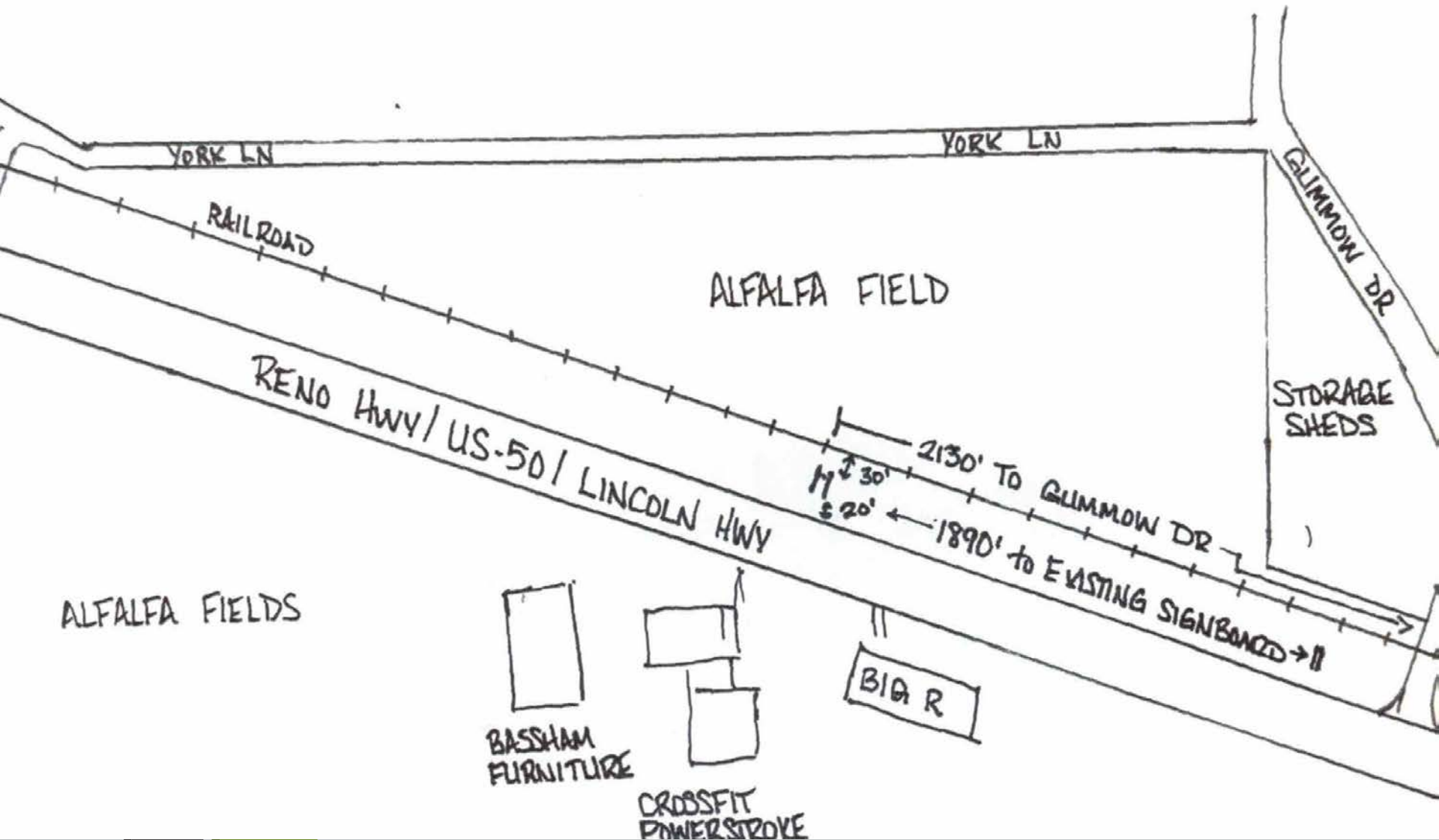
1890' to EXISTING SIGNBOARD

CROSSFIT
POWERSTROKE

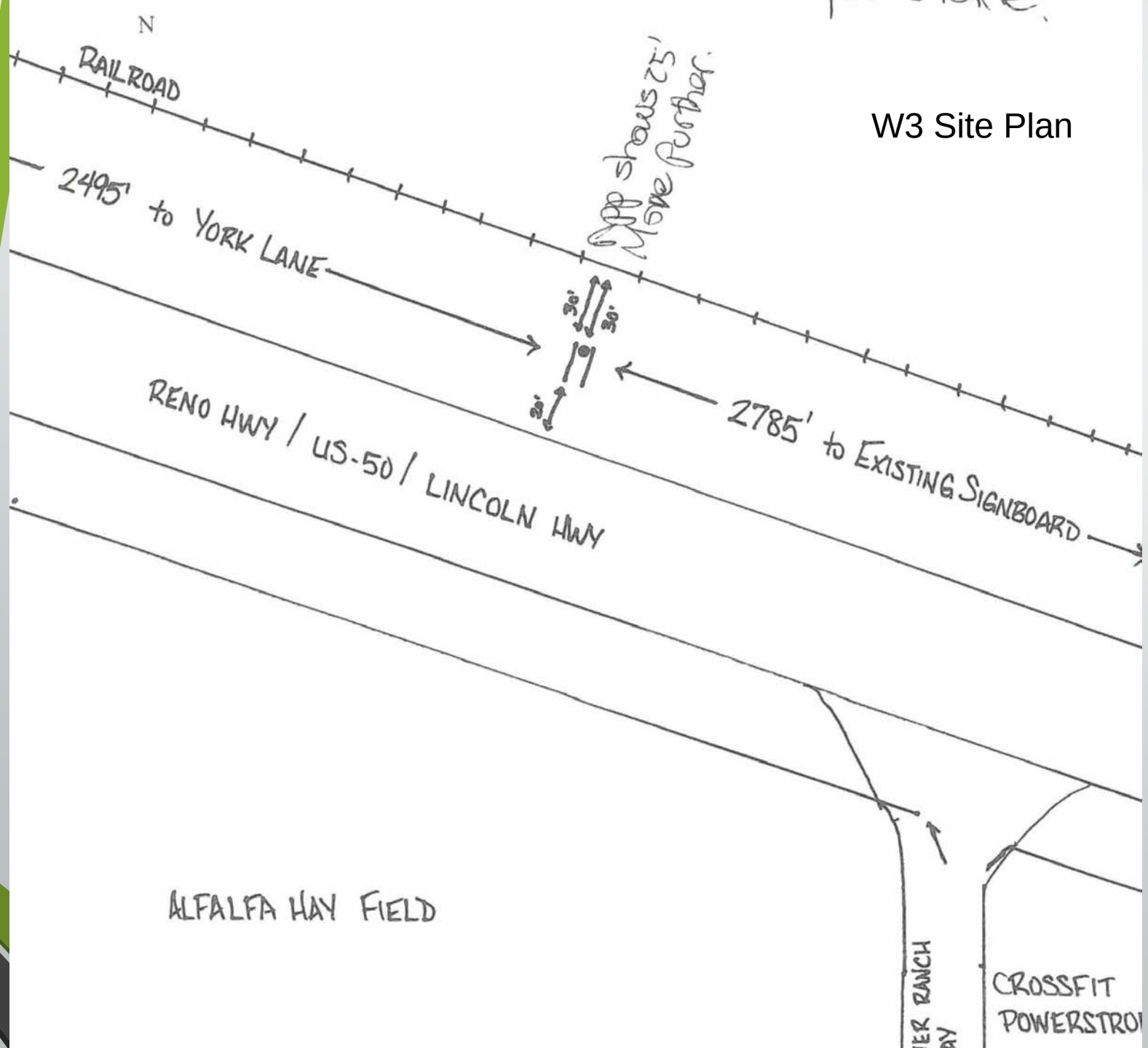
BIG R
OUTDOOR INVENTORY LOT

BIG R
PARKING LOT

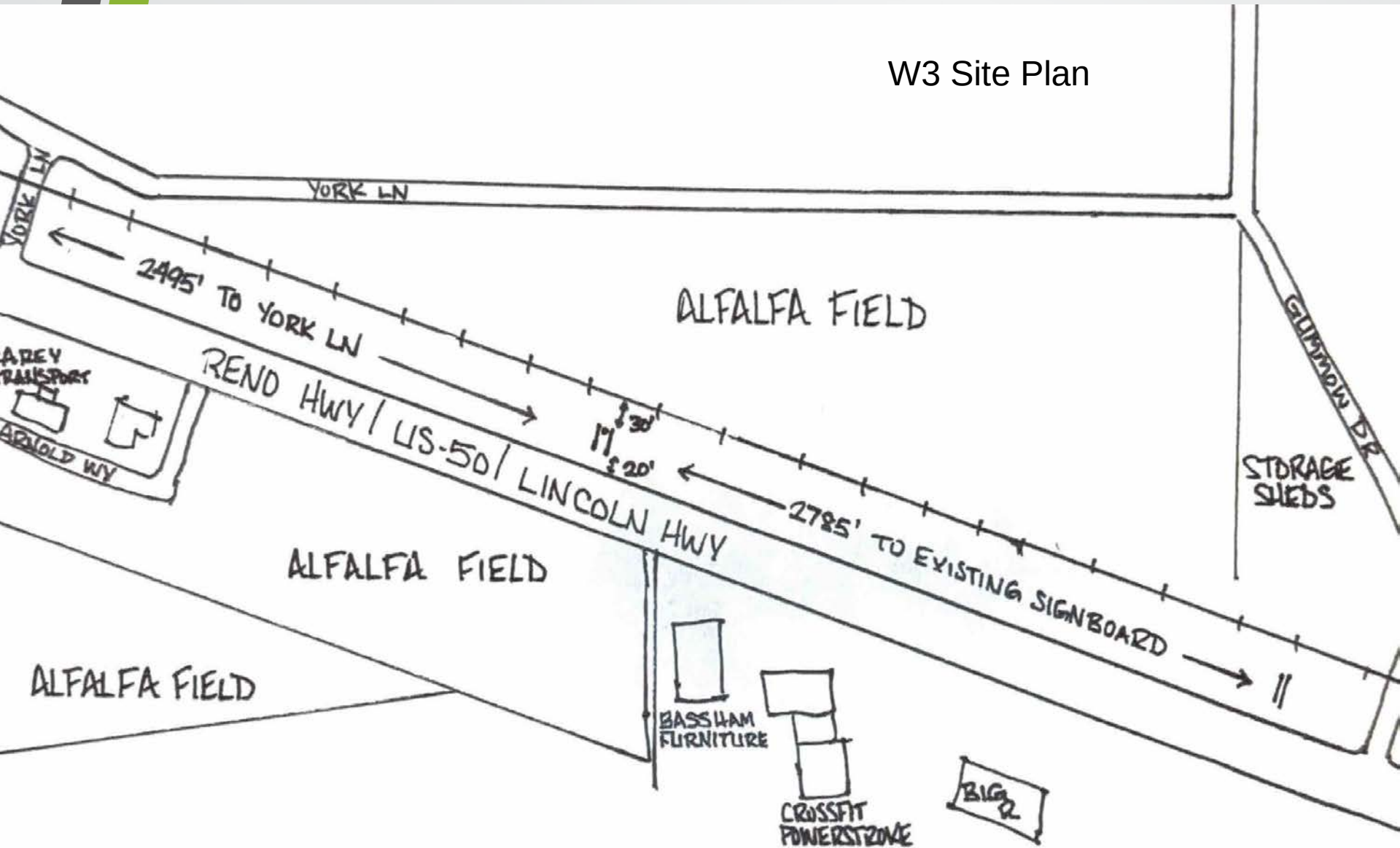
W2 Site Plan



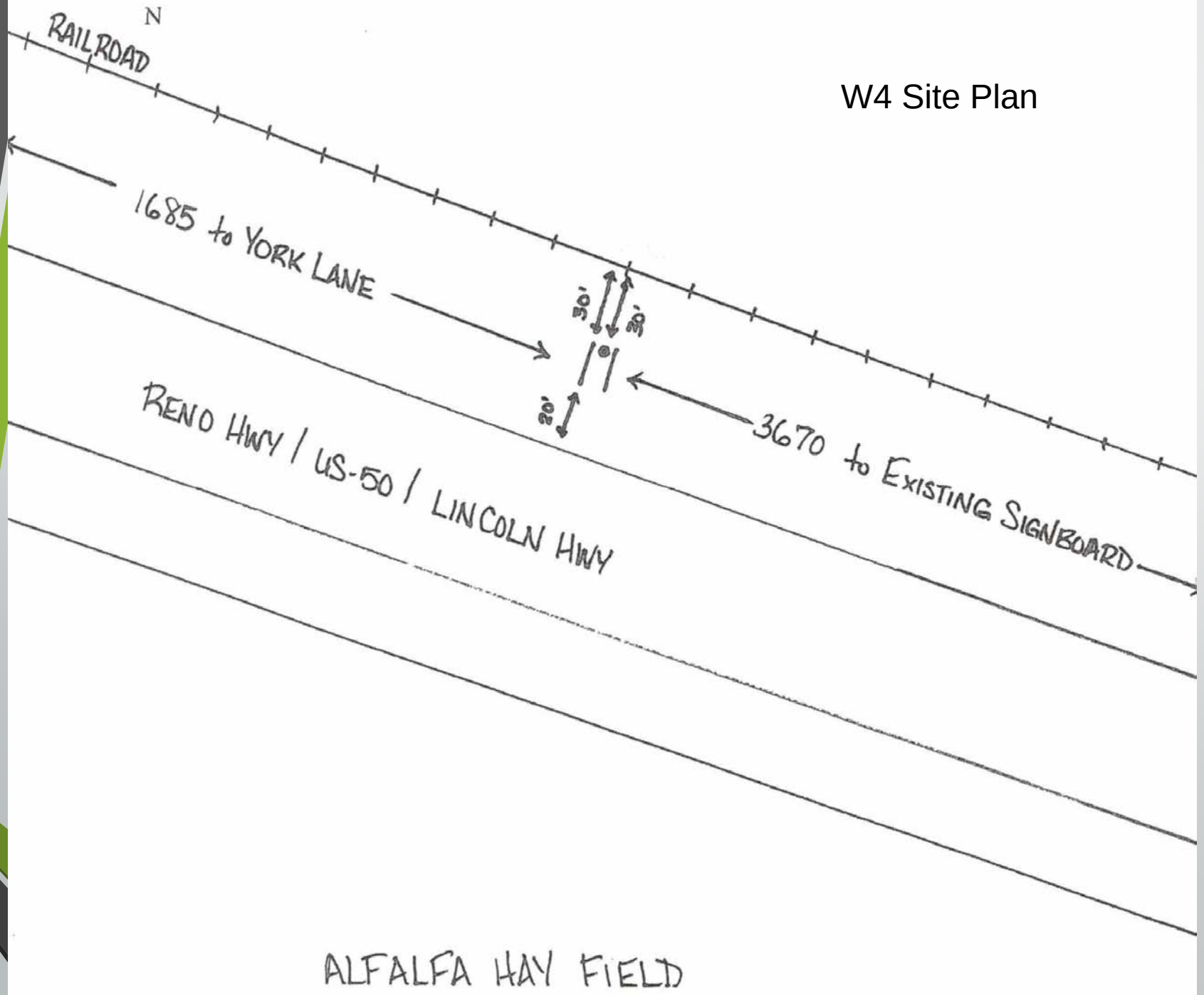
W3 Site Plan



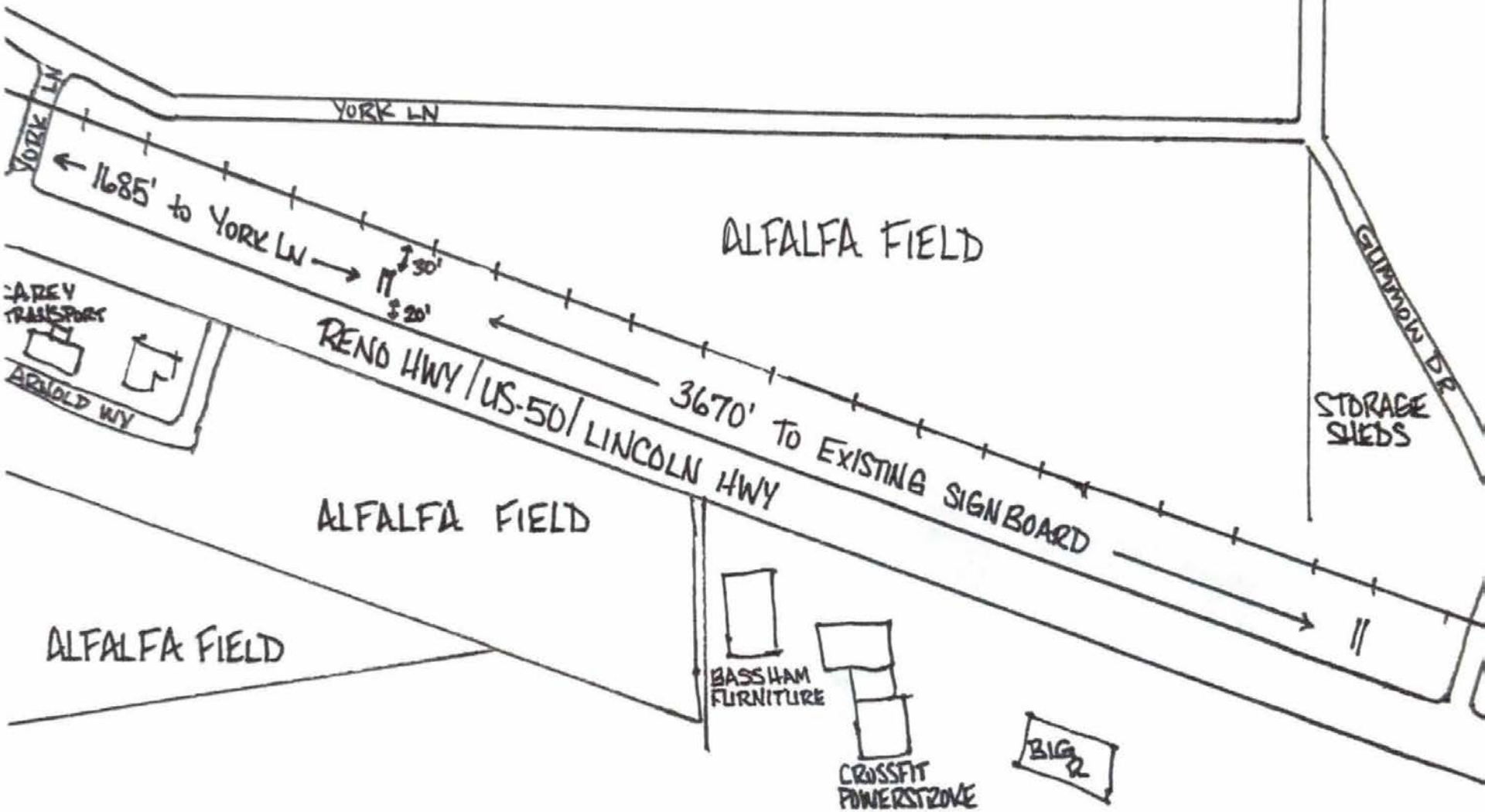
W3 Site Plan



W4 Site Plan



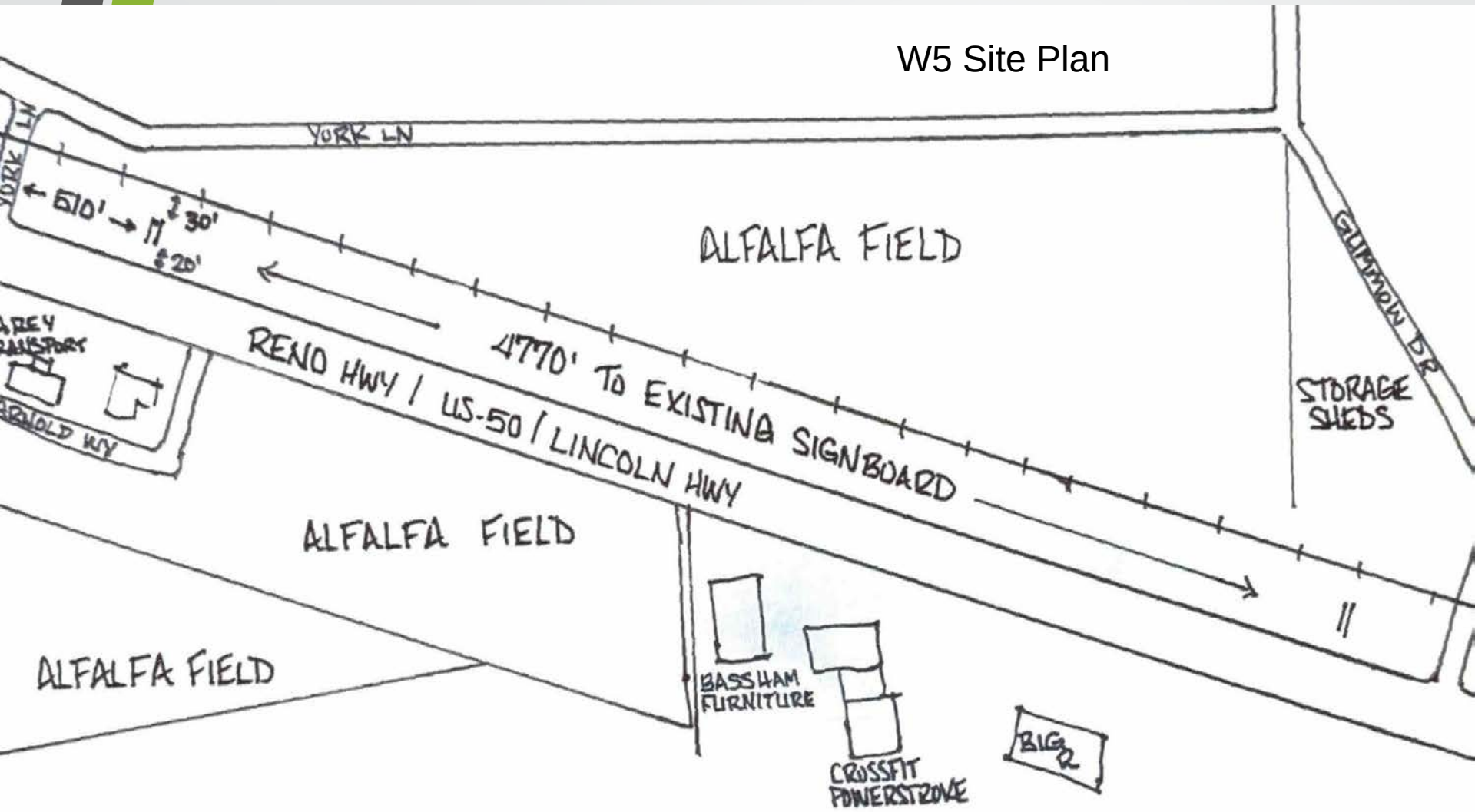
W4 Site Plan



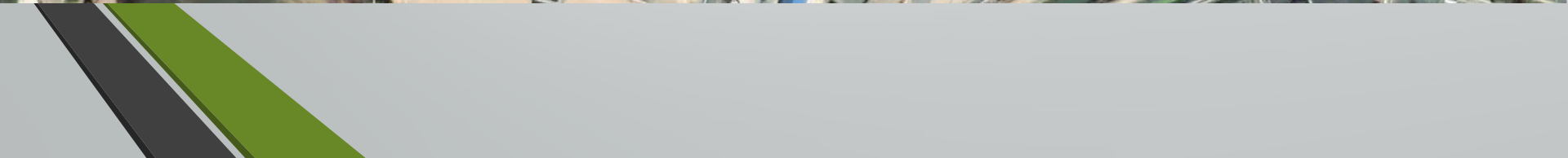
W5 Site Plan



W5 Site Plan



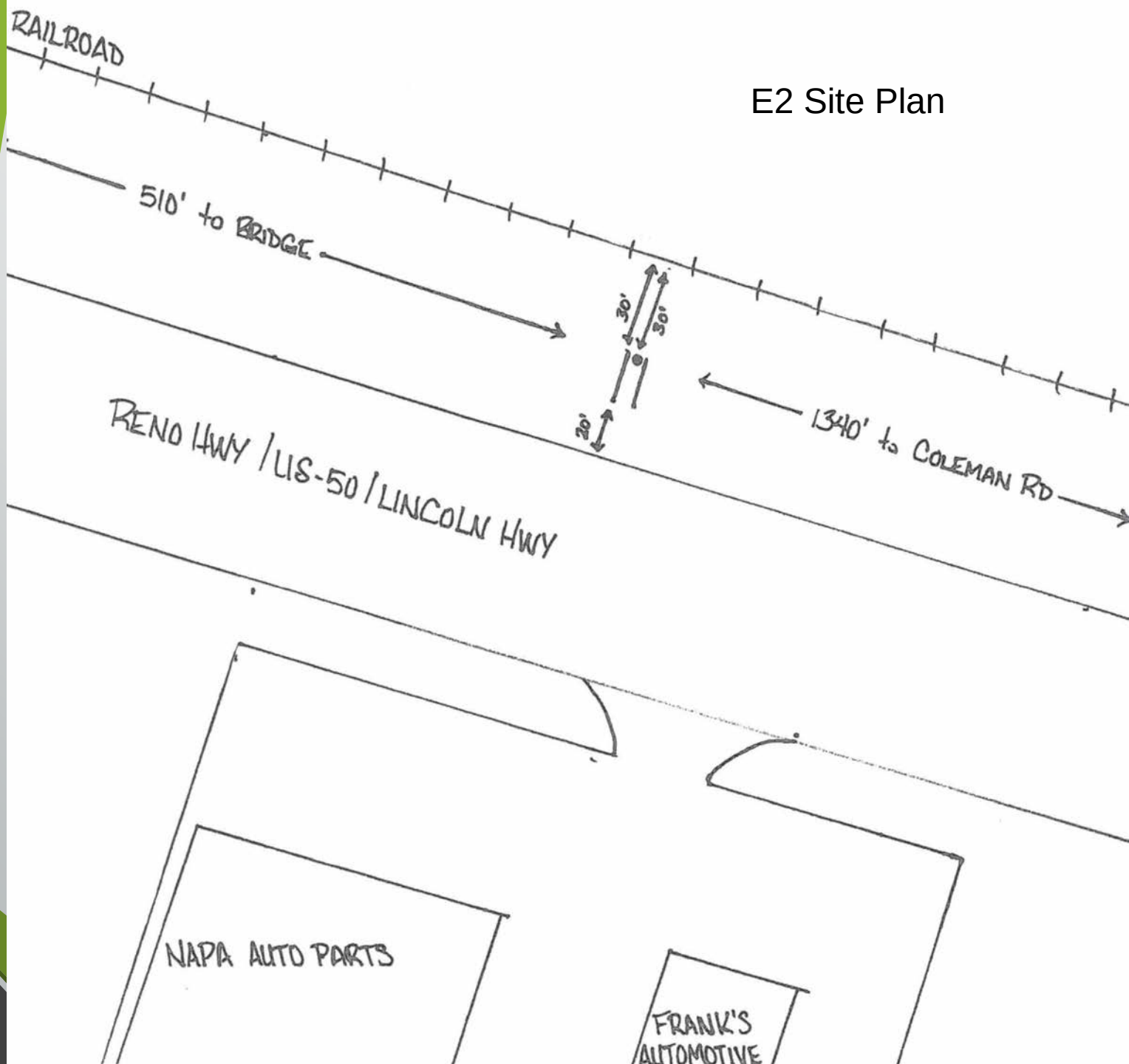
GP Global, Variance, near Onda Verde, South of APN 010-603-01



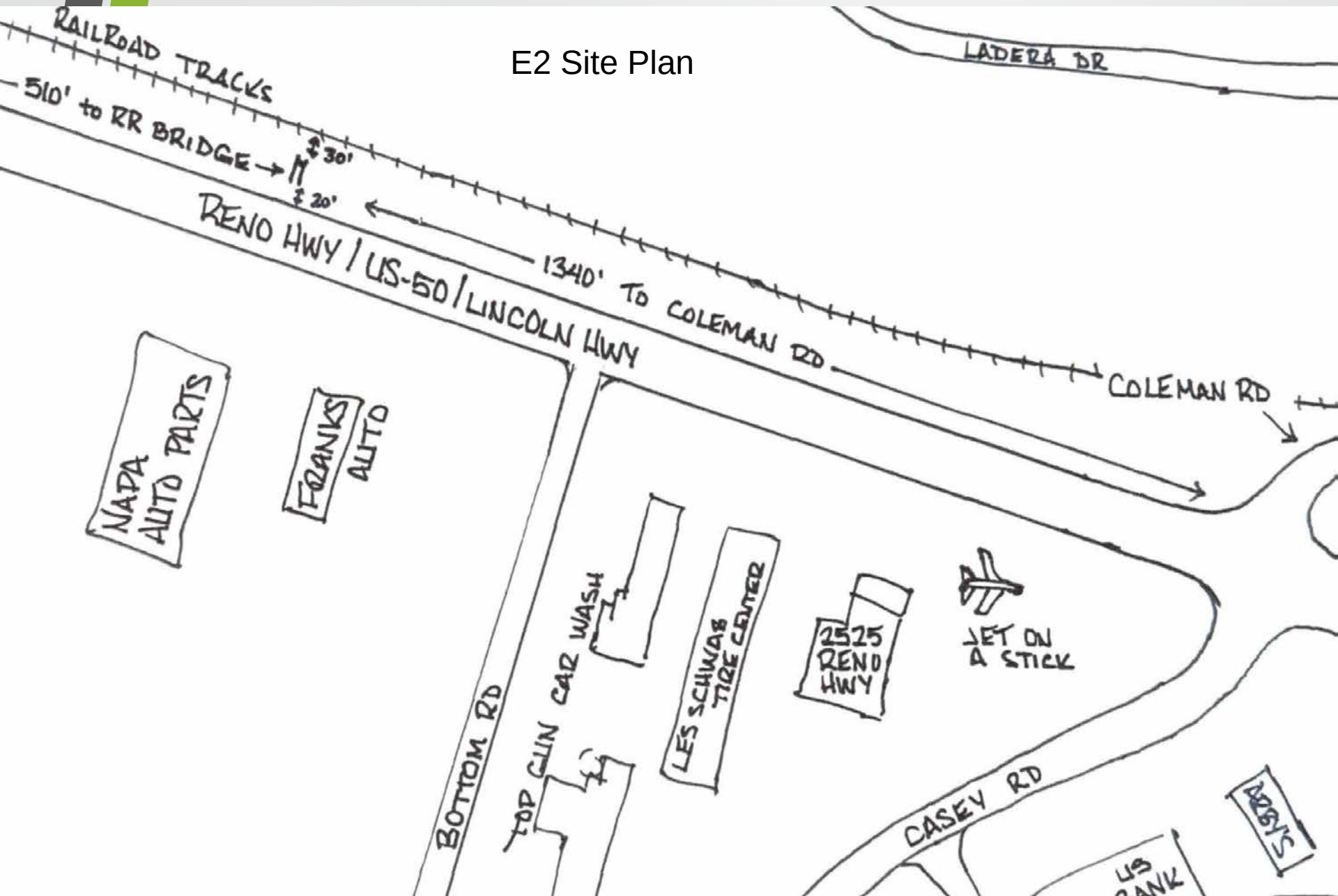
E1 Site Plan



E2 Site Plan



E2 Site Plan



Consent Agenda



Stillwater Conservation District

111 Sheckler Road – Fallon, NV 89406

Phone (775) 423-5124 ext 101

March 25, 2026

Public Works Director

Randy Hines

Churchill County Public Works,
Planning & Building Department
270 S. Maine Street Suite A
Fallon, NV 89406

Dear Randy Hines,

The Stillwater Conservation District would like to express their support for the conservation easement application filed by Robert A. Doty & Tina M. Doty as Co-Trustees under The Robert and Tina Doty Family Trust Agreement dated February 28, 2006, for property located at 9225 Pasture Road and Norcutt Lane. Assessor's Parcel Number 006-111-01 & 006-111-02. This project consists of +160.00 acres with +148.50 acres of irrigated water righted property. Having this conservation easement will protect agriculture and natural resources from subdivisions and development pressures in perpetuity. By protecting agriculture and our natural resources we are providing food and cover for wildlife, providing groundwater recharge, and maintaining air quality for our communities well being and economic future. If you have any questions, please call 775-423-5124 x 101.

Sincerely,

Christy Sullivan, District Clerk
Stillwater Conservation District



Lahontan Conservation District

111 Sheckler Road – Fallon, NV 89406

Phone (775) 423-5124 ext 101

March 26, 2026

Public Works Director
Randy Hines
Churchill County Public Works,
Planning & Building Department
270 S. Maine Street Suite A
Fallon, NV 89406

Dear Randy Hines,

The Lahontan Conservation District would like to express their support for the conservation easement application filed by Robert A. Doty & Tina M. Doty as Co-Trustees under The Robert and Tina Doty Family Trust Agreement dated February 28, 2006, for property located at 9225 Pasture Road and Norcutt Lane. Assessor's Parcel Number 006-111-01 & 006-111-02. This project consists of +160.00 acres with +148.50 acres of irrigated water righted property. Having this conservation easement will protect agriculture and natural resources from subdivisions and development pressures in perpetuity. By protecting agriculture and our natural resources we are providing food and cover for wildlife, providing groundwater recharge, and maintaining air quality for our communities well being and economic future. If you have any questions, please call 775-423-5124 x 101.

Sincerely,

Christy Sullivan, District Clerk
Lahontan Conservation District

RE: Churchill County Planning Commission variance application - GP Global LLC, VAR26-1, West Parcel York Ln

From Roberts, Jeremy <JRoberts2@dot.nv.gov>

Date Tue 3/10/2026 1:24 PM

To Paul Marcinko <PRMARCIN@up.com>; Diane Moyle <diane.moyle@churchillcountynv.gov>; D2 Traffic DL <D2Traffic@dot.nv.gov>; Graham, Jason <JGraham@dot.nv.gov>; Jera Reidenbach <Jera.Reidenbach@churchillcountynv.gov>; David LaPlante <dclaplante@up.com>

Cc Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>; Joe Thomas <JLTHOMA1@UP.COM>; Gaworski, Kelly <KGaworski@dot.nv.gov>; Overbay, Dawson <DOverbay@dot.nv.gov>; Long, Sonja <slong@dot.nv.gov>; Grennan, William <WGrennan@dot.nv.gov>

 1 attachment (10 MB)

2026-03-06-GP Global Variance Application Complete - West Parcel_Redacted.pdf;

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Good Afternoon Diane,

I have complied a list of regulations that would be imposed on the Outdoor Advertising Permit from the Department of Transportation based on the attached request.

NAC 410.310 Maintenance or construction of a sign on private property from within right of way of state prohibited; violation

- Permittee needs to identify how they will access this sign structure not from NDOT right of way.
- This property does not have legalized access off US 50

NAC 410.725 Unacceptable commercial or industrial zones: Determination of zones 2.c

- The zone consists of a long narrow strip or strips along significant portions of highway frontage within which the existing developments do not support the commercial or industrial classification.

NAC 410.735 Unacceptable commercial or industrial zones: Proof of contemplated commercial or industrial use; special conditions; changes to be reviewed

NAC 410.740 Unacceptable commercial or industrial use: Conditional conformance; temporary conformance.

NAC 410.750 Unacceptable commercial or industrial zones: Failure to complete development; development in different area; resolution of intent to rezone.

This is a quick review and there may be NAC's that were missed at this time.

In the past we have had a lot of issues with permittees not complying with the Highway Beautification Act. We try and vet these as much as possible prior to the structures being built to help eliminate future enforcement. Thank you for allowing us to review these in advance.

Thank you

All District 2 Permitting documentation can now be found on our website located [HERE](#) or scan the QR Code below!



Jeremy Roberts

Permit Supervisor

District 2 Permits

Nevada Department of Transportation

o 775.834.8335

e jroberts2@dot.nv.gov

w d2permits@dot.nv.gov

w d2permitinspection@dot.nv.gov

w d2utilities@dot.nv.gov



From: Paul Marcinko <PRMARCIN@up.com>

Sent: Tuesday, March 10, 2026 11:47 AM

To: Diane Moyle <diane.moyle@churchillcountynv.gov>; D2 Traffic DL <D2Traffic@dot.nv.gov>; Graham, Jason <JGraham@dot.nv.gov>; Roberts, Jeremy <JRoberts2@dot.nv.gov>; Jera Reidenbach <Jera.Reidenbach@churchillcountynv.gov>; David LaPlante <dclaplane@up.com>

Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>; Joe Thomas <JLTHOMA1@UP.COM>

Subject: Churchill County Planning Commission variance application - GP Global LLC, VAR26-1, West Parcel York Ln

Hello David,

Per Churchill County Planning Commission's request below, can you provide comment? The application involves signboard placement.

Paul Marcinko
Network Economic & Industrial Development - CA, NV
Union Pacific Railroad | Marketing & Sales
C: 213-359-3923
E: prmarcin@up.com | UPRR.com



This information may be confidential and cannot be reproduced electronically and remains the ownership of Union Pacific Railroad

From: Diane Moyle <diane.moyle@churchillcountynv.gov>

Sent: Tuesday, March 10, 2026 9:57 AM

To: Paul Marcinko <PRMARCIN@up.com>; D2Traffic@dot.nv.gov; jgraham@dot.nv.gov; Roberts, Jeremy <jroberts2@dot.nv.gov>; Jera Reidenbach <Jera.Reidenbach@churchillcountynv.gov>

Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>

Subject: Churchill County Planning Commission variance application - GP Global LLC, VAR26-1, West Parcel York Ln

You don't often get email from diane.moyle@churchillcountynv.gov. [Learn why this is important](#)

*** PROCEED WITH CAUTION - This email was sent from outside the company. ***

Attached is an application for a variance filed by GP Global LLC. Please review and provide any comments or questions to me and Dean Patterson, Senior Planner, by March 27, 2026 for inclusion in the staff report and recommendation.

Diane Moyle

Administrative Assistant

planning-admin@churchillcountynv.gov

Public Works, Planning & Building Department

270 S Maine Street, Suite A

Fallon, NV 89406

775-423-7627 Main Phone

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Public Comment regarding proposed signage along Parcel 008-411-09

RECEIVED

MAR 23 2026

Churchill County Public Works,
Planning & Building

William and Kj Tackett
3690 York Lane

Here are our comments as we oppose the building and construction of "signage" along the railroad right of way by highway 50, south of us.

We noticed how **no information** was given as to the variance asked for for sq footage. Was that conveniently left out so we can be surprised by billboards going up that will be lit day and night on both sides?

Why 5? If you notice Fernley's huge signs, they are out of town enough to not interfere with the slowing of traffic or the lanes heading north off the highway.

Right now there is no turn lane going off to York Lane and traffic does not need more distractions.

Is Fallon really in need of these? Blite! We are rural, right

How much money will the county gain from these signs?

We presently have Big R lighting our sky every night and with these proposed signs will make us feel like we live in the city. OUR quality of life will be diminished. We give the county over 2000\$ a year and live by a dirt road. (Ronald)

If you feel so compelled to do this why not try 2 or a sign and then see what the community says. Don't sneak this in. NO one we talked to had even heard about this. Slow down!

We don't need the blite..April 8th is meeting, I shall start a Fallon 411 chat so the community can be informed of this proposal.

KJ & William Tackett

Kj Tackett

*Please put
info on where to
return this!*

March 26, 2026

Churchill County Planning Commission
155 North Taylor Street
Fallon, NV 89406

**Re: Opposition To Variance Application VAR26-1
Additional Billboards Along US Hwy 50A**

Honorable Commissioners:

I represent Michael A. Casey and Claudia C. Casey in connection with the above-referenced application for a Variance to allow five (5) additional billboards on the Railroad Right-Of-Way west of Fallon. The Caseys own the adjacent 70 acre parcel to the north of the Railroad Right-Of-Way, that abuts the highway for approximately one (1) mile. This letter constitutes a formal Opposition to the requested Variance.

As a preliminary matter, it should be pointed out that a variance is an extraordinary remedy, intended only to alleviate a unique hardship arising from exceptional physical characteristics of a specific parcel. It is not a mechanism to increase the intensity of the use or to circumvent policy determinations imbedded in Churchill County's comprehensive zoning plan. Nevada law strictly enforces the limits of these ordinances.

The Applicant has not identified any extraordinary or exceptional conditions unique to the subject property.

Nevada courts require a showing of "peculiar and exceptional practical difficulties" or "undo hardship" tied to the property itself, not general conditions shared by similar parcels. *See Enterprise Citizens Action Committee v. Clark County Board of Commissioners*, 112 Nev. 649 (1996). Highway visibility, traffic volume and advertising potential are common characteristics shared by numerous parcels along this corridor and do not constitute the type of unusual physical condition necessary to justify a variance.

No undue hardship exists.

The Nevada Supreme Court has made it clear that a variance must be supported by substantial evidence of hardship. *See Nova Horizon, Inc. v. City Council of Reno*, 105 Nev. 92, 95 (1989). Absent such evidence, approval by this Planning Commission constitutes an abuse of

discretion. The inability to maximize advertising revenue or install additional billboards beyond the Regulation's limit is not a legally cognizable hardship. The property remains useable in conformity with the Code which forecloses variance relief.

Churchill County Code Section 16.08.090(F) sets forth the requirements of a variance.

A variance may be granted only when 1) the property is characterized by an extraordinary or exceptional situation or condition, such as an exceptional narrowness, shallowness or shape, or it has exceptional topographic conditions at the time of the enactment of the regulations; 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; 3) granting the variance will not be materially detrimental to the public health, welfare or injurious to the property; and 4) the proposed variance is consistent with the intent of the this title (the Development Code).

The application fails to meet each of the four requirements for the granting of a variance.

Nevada law recognizes that zoning decisions must count for impact such as traffic, safety and neighborhood character. Local authorities may impose or deny approvals to protect surrounding properties and preserve the integrity of the zoning scheme. Billboards facing in density limits directly amass those objectives. Increasing billboard concentration would undermine corridor safety, create visual clutter and erode regulatory framework adopted by the County. Simply put, a variance cannot be used to change County policy. *See Enterprise Citizens Action Committee v. Clark County Board of Commissioners*, 112 Nev. 649 (1996) (a variance cannot be a substitute for Legislative action) *see Enterprise Citizens* at 658.

The application fails to demonstrate the "exceptional situation or condition" of the property which allows a variance or the "exceptional and undue hardship upon the owner of the property". There is nothing exceptional in the application or any hardship to the applicant. It simply want to overburden the property for its own economic gain without regard to its neighbors or the community.

The request is materially detrimental to the Caseys' parcel in particular.

Billboard spacing and the limit on the number of signs exists for obvious public purposes. For the corridor management, traffic safety, visual order and protection of the surrounding parcels of property from sign over concentration are of paramount concern. A variance allowing more billboards than the Regulation permits undermines these purposes directly. The harm is cumulative. Visual clutter, distraction, degradation of the corridor character will occur if the

variance is granted. All these factors contribute to the devaluation of the Casey parcel which abuts the Railroad Right-Of-Way where the signs are being proposed to be installed.

This request is inconsistent with the intent and purpose of the Development Code.

Here the Churchill County Regulations limit the number of billboards along the Highway for a reason. Granting the variance to add more billboards than the Code allows does not merely allow an exception to the County Code, it defeats the very policy adopted by this County which is embodied in the signed Regulation. When the requested relief goes to the heart of a Regulation, the proper vehicle is a Code Amendment or re-zoning through the Legislative process, not an adjudicated variance. *See Enterprise Citizens supra.*

For the above reasons, the Variance should be denied. The Applicant has not shown a property-specific extraordinary condition. Nor has the Applicant shown any undue hardship required for a Variance. The Applicant cannot establish the absence of public detriment, nor can it show consistency with the purpose of the Regulation. The Variance request is an attempt to circumvent the Churchill County Code in its entirety. To grant this Variance Application would be to convert the variance process into an *ad hoc* exception mechanism. The Churchill County Code and standards do not permit that result. The variance request must be denied.

Very truly yours,



John J. Gezelin

JJG/dlh

RE: Churchill County Planning Commission variance application - GP Global LLC, VAR26-2, East Parcel Onda Verde

From Roberts, Jeremy <JRoberts2@dot.nv.gov>

Date Tue 3/10/2026 1:35 PM

To Diane Moyle <diane.moyle@churchillcountynv.gov>; prmarcin@up.com <prmarcin@up.com>; D2 Traffic DL <D2Traffic@dot.nv.gov>; Graham, Jason <JGraham@dot.nv.gov>; Jera Reidenbach <Jera.Reidenbach@churchillcountynv.gov>

Cc Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>; Overbay, Dawson <DOverbay@dot.nv.gov>; Gaworski, Kelly <KGaworski@dot.nv.gov>; Long, Sonja <slong@dot.nv.gov>; Grennan, William <WGrennan@dot.nv.gov>

 1 attachment (8 MB)

2026-03-06-GP Global Variance Application Complete - East Parcel_Redacted.pdf;

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Good Afternoon Diane,

I have complied a list of regulations that would be imposed on the Outdoor Advertising Permit from the Department of Transportation based on the attached request.

NAC 410.310 Maintenance or construction of a sign on private property from within right of way of state prohibited; violation

- Permittee needs to identify how they will access this sign structure not from NDOT right of way.
- This property does not have legalized access off US 50

NAC 410.725 Unacceptable commercial or industrial zones: Determination of zones 2.c

- The zone consists of a long narrow strip or strips along significant portions of highway frontage within which the existing developments do not support the commercial or industrial classification.

NAC 410.735 Unacceptable commercial or industrial zones: Proof of contemplated commercial or industrial use; special conditions; changes to be reviewed

NAC 410.740 Unacceptable commercial or industrial use: Conditional conformance; temporary conformance.

NAC 410.750 Unacceptable commercial or industrial zones: Failure to complete development; development in different area; resolution of intent to rezone.

This is a quick review and there may be NAC's that were missed at this time.

In the past we have had a lot of issues with permittees not complying with the Highway Beautification Act. We try and vet these as much as possible prior to the structures being built to help eliminate future enforcement. Thank you for allowing us to review these in advance.

Thank you

All District 2 Permitting documentation can now be found on our website located [HERE](#) or scan the QR Code below!



Jeremy Roberts

Permit Supervisor

District 2 Permits

Nevada Department of Transportation

o 775.834.8335

e jroberts2@dot.nv.gov

w d2permits@dot.nv.gov

w d2permitinspection@dot.nv.gov

w d2utilities@dot.nv.gov



From: Diane Moyle <diane.moyle@churchillcountynv.gov>

Sent: Tuesday, March 10, 2026 9:59 AM

To: prmarcin@up.com; D2 Traffic DL <D2Traffic@dot.nv.gov>; Graham, Jason <JGraham@dot.nv.gov>; Roberts, Jeremy <JRoberts2@dot.nv.gov>; Jera Reidenbach <Jera.Reidenbach@churchillcountynv.gov>

Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>

Subject: Churchill County Planning Commission variance application - GP Global LLC, VAR26-2, East Parcel Onda Verde

Attached is an application for a variance filed by GP Global LLC. Please review and provide any comments or questions to me and Dean Patterson, Senior Planner, by March 27, 2026 for inclusion in the staff report and recommendation.

Diane Moyle

Administrative Assistant

planning-admin@churchillcountynv.gov

Public Works, Planning & Building Department

270 S Maine Street, Suite A

Fallon, NV 89406

775-423-7627 Main Phone

Churchill County is an equal opportunity employer and provider.

RE: Churchill County Planning Commission variance application - GP Global LLC, VAR26-2, East Parcel Onda Verde

From Jera Reidenbach <Jera.Reidenbach@churchillcountynv.gov>
Date Wed 3/11/2026 11:58 AM
To Diane Moyle <diane.moyle@churchillcountynv.gov>
Cc Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>

Diane,

The Building Department has no comments.

Jera Reidenbach

Building Official

Jera.Reidenbach@ChurchillCountyNV.gov

Public Works, Planning, & Building

270 S. Maine St

Suite A

Fallon, NV 89406-2754

O: (775) 428-0264

Fax: (775) 423-8185



From: Diane Moyle <diane.moyle@churchillcountynv.gov>
Sent: Tuesday, March 10, 2026 9:59 AM
To: prmarcin@up.com; D2Traffic@dot.nv.gov; jgraham@dot.nv.gov; Roberts, Jeremy <jroberts2@dot.nv.gov>; Jera Reidenbach <Jera.Reidenbach@churchillcountynv.gov>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>
Subject: Churchill County Planning Commission variance application - GP Global LLC, VAR26-2, East Parcel Onda Verde

Attached is an application for a variance filed by GP Global LLC. Please review and provide any comments or questions to me and Dean Patterson, Senior Planner, by March 27, 2026 for inclusion in the staff report and recommendation.

Diane Moyle

Administrative Assistant

planning-admin@churchillcountynv.gov

Public Works, Planning & Building Department

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Fallon, NV 89406

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Churchill County is an equal opportunity employer and provider.

RECEIVED

MAR 23 2026

Churchill County Public Works,
Planning & Building

Sent USPS Tracking

To: Churchill Zoning and Planning Commission
155 North Taylor St, Fallon, NV 89406

Date: 3/20/2026

From: Fallon Business Park & Great Basin Land Holdings
2258 Reno Hwy, Ste A
Fallon, NV 89406

Re: Variance Application VAR26-2 (GP Global LLC) | Parcel #010-603-04

Churchill Zoning and Planning Commission,

Fallon Business Park strongly recommends the Planning Commission to DENY this standard variance in its entirety. It fails every applicable approval criterion under Churchill County Code (CCC) Title 16, creates clear adverse impacts on public safety and neighborhood character, and sets a dangerous precedent. The Commission has consistently denied similar requests in the past when applicants cannot demonstrate unique physical hardship and when the request serves only private profit at the expense of county standards.

1. Failure to Meet Mandatory Variance Approval Criteria (CCC 16.08.090 & NRS 278.319): This is a **standard variance** (not administrative), requiring Planning Commission review and the most stringent findings. County variance instructions explicitly state:

“As a general rule, Variances from regulations for convenience or to save money and Variances for a certain design choice when alternatives exist will not be approved.” The applicant (GP Global LLC, a for-profit billboard company) has chosen the railroad right-of-way solely for high-visibility highway frontage and to bypass the 160 sf total signage cap. That is classic self-created hardship and “convenience.” No unique topographic, legal, or physical constraint on the site prevents compliant placement elsewhere (e.g., properly zoned commercial parcels along Reno Highway that already allow up to 120–160 sf freestanding/pole signs under the segmented standards in the Reno Highway corridor).

The Commission must find that:

- Strict application of the standard would cause undue hardship due to **unique circumstances** (none here);
- The variance is not contrary to the public interest or the spirit of the ordinance; and
- The purpose of the signage standard (limiting visual clutter, protecting rural character, and controlling off-premise advertising) is still substantially met.

None of these findings can be made. Past Commission practice confirms this: variances for lot density/setbacks were denied when no unique hardship existed (2023 Vertex Fund case); only minor technical adjustments caused by county staff error have been granted.

2. Direct Violation of Advertising Signs Standards (CCC 16.16.020.6): The property lies in or adjacent to an E-1 (or equivalent rural/residential) zone. In these zones:

- Any sign requires a Special Use Permit (SUP).
- Total signage is strictly capped at 160 square feet per parcel/site.
- Off-premise advertising (billboards) is heavily restricted or prohibited except under narrow exceptions in 16.16.020.6.B.2.f.

Two large billboards (E1 & E2) will almost certainly exceed this cap by several times. The variance request is not a minor numerical adjustment (<10%); it is a wholesale waiver of the core intensity standard. Variances cannot be used to allow what is effectively a prohibited or severely restricted use in this zoning district.

3. Railroad Right-of-Way Jurisdictional and Regulatory Conflicts: The notice describes the location as “in the railroad right of way.” Railroad ROW is not a standard assessor “parcel” for applying per-parcel signage limits. County zoning authority is limited here; the applicant must separately obtain railroad (likely Union Pacific) permission, which does not bind the county. More critically:

- This site is immediately adjacent to US 50 (a National Highway System route).
- NDOT Outdoor Advertising regulations (NAC 410.200–410.440 and the Federal Highway Beautification Act) prohibit billboards unless the site is in a **qualifying commercial or industrial zone** or meets strict unzoned-area criteria (business within 660 ft, conforming area defined by NAC 410.320).
- Railroad ROW does **not** qualify as commercial. An NDOT permit will almost certainly be denied regardless of county action.

Approving the variance would create a false impression of legality while exposing the county to appeals, enforcement issues, and potential liability.

4. Clear Adverse Impacts on Public Health, Safety, Welfare, and Neighborhood Character

- **Traffic safety:** Oversized, illuminated (or potentially illuminated) billboards along a high-speed US 50 corridor create driver distraction. The Commission has repeatedly cited highway safety in denying projects near major roads.
- **Visual blight and incompatibility:** The aerial shows immediate proximity to single-family residential development south of the tracks and the Hancock Valley Church. This directly conflicts with the county's friction-zone buffering standards (CCC 16.16.020.2) intended to protect residential and institutional uses from commercial intrusion. Large off-premise signs are the antithesis of rural character preservation.
- **Light pollution / Dark Skies:** If the signs are illuminated (standard for modern billboards), they violate the spirit of CCC 16.16.020.5 dark-skies requirements.
- **Precedent:** Approval invites additional GP Global or other operators to "claim" railroad ROW segments for oversized signage, undermining the entire sign code framework the county has spent decades enforcing.

5. Unequal Treatment and Discrimination Against Compliant Competitors

Lamar Advertising — the dominant outdoor advertising operator in Churchill County and along the Reno Highway corridor — has multiple existing signs in the Fallon area that fully adhere to every county standard: the 160 sq ft per-parcel cap, proper commercial zoning, Special Use Permits where required, and full NDOT billboard permitting. Public Access Records show that Lamar has never requested or received oversized variances in non-conforming locations such as railroad right-of-way. The same applies to YESCO Advertising and Saunders Advertising, both having signs in the same area of Churchill County.

Granting this variance to GP Global, LLC while Lamar (and any other operator) has been required to comply strictly with the same rules would constitute discrimination and unequal treatment under the zoning code. Nevada planning law and long-standing Commission practice demand uniform application of standards to similarly situated applicants. Approving a special exception for one billboard company that simply chooses not to follow the rules while forcing competitors like Lamar to play by them creates an appearance of favoritism, erodes public trust, and opens the county to potential equal-protection challenges. The Commission has repeatedly rejected variances precisely to avoid this exact scenario of "picking winners" among commercial applicants.

6. No Public Benefit – Pure Private Gain

The applicant offers no community benefit, mitigation, or alternative design (e.g., smaller monument signs, relocation to conforming commercial land). In 30 years I have never seen a commission approve a variance this large for a purely commercial advertising use in a rural/residential interface without overwhelming justification—which is absent here.

7. Recommendation & Suggested Motion

DENY VAR26-2 with the following findings:

1. The applicant has not demonstrated unique circumstances or hardship not of their own creation.
2. The variance would be contrary to the public interest and the purpose of CCC 16.16.020.6.
3. Approval would create an adverse precedent for incompatible oversized signage in non-commercial areas.
4. The request fails to meet the mandatory criteria of CCC 16.08.090 and NRS 278.319.

Advise the applicant to pursue a compliant location on commercially zoned property with a proper SUP and NDOT billboard permit, or redesign to meet the 160 sf total limit.

This denial upholds the integrity of Churchill County's development code, protects residents and highway safety, and aligns with the Commission's long-standing practice of denying variances that serve only private convenience.

Respectfully,



**Casey Pomeroy | Owner & President
Fallon Business Park & Great Basin Land Holdings**

CC: Lamar Advertising, YESCO, Saunders Advertising, Union Pacific Railroad, and BNSF Railway

RECEIVED

MAR 23 2026

Churchill County Public Works,
Planning & Building

Sent USPS Tracking
3/20/2026

To: Churchill Zoning and Planning Commission
155 North Taylor St, Fallon, NV 89406

From: Western Nevada Title Company
Po Box 5011
Fallon, Nevada 89406

Re: Variance Application VAR26-2 (GP Global LLC) | Parcel #010-603-04

Churchill Zoning and Planning Commission ,

I have carefully examined the March 12, 2026 Notice of Application, the attached aerial plot plan, the surrounding land-use context along the Reno Highway/US 50 corridor near Coleman Road (south of APN 010-603-01, next to residential neighborhoods and Hancock Valley Church), and every applicable section of Churchill County Code.

I urge the Planning Commission to DENY this variance request outright. The proposal does not satisfy a single required approval standard under Churchill County Code Title 16, will create serious negative effects on traffic safety and community character, establishes a harmful precedent, **and would unfairly discriminate against businesses that have followed the rules.** The Commission has turned down comparable applications time and again when no genuine, site-specific hardship exists and when the only real goal is increased private profit.

1. Does Not Satisfy the Required Findings for a Standard Variance (CCC 16.08.090 & NRS 278.319)

This is a full standard variance that demands the highest level of scrutiny by the Planning Commission. County guidance is crystal clear:

"Variances requested merely for convenience, financial savings, or preferred design when other options are available will not be granted."

GP Global has selected the railroad right-of-way purely because it offers prime highway exposure and lets them ignore the 160-square-foot signage limit. This is a textbook case of self-imposed hardship.

Nothing unique about the site's topography, legal constraints, or physical features stops the company from placing compliant signs on properly zoned commercial property along Reno Highway, where the code already permits 120–160 sf freestanding signs under the corridor-specific rules.

2. Clear Breach of the County's Advertising Sign Regulations (CCC 16.16.020.6)

The location sits in or immediately borders an E-1 or comparable rural/residential zoning district. In these districts:

- All signs need a Special Use Permit.
- Total sign area is strictly limited to 160 square feet per parcel or site.
- Off-premise advertising (billboards) faces tight restrictions or outright bans except in very narrow cases.

The two proposed billboards (E1 and E2) will far surpass this limit. This is not a small tweak—it is an attempt to eliminate the central intensity rule of the sign ordinance.

3. Serious Jurisdictional and Permitting Problems in the Railroad Right-of-Way

Placing signs inside the railroad right-of-way means the site is not a standard county “parcel” for applying signage caps. The county's zoning power is secondary here; the applicant still needs separate approval from the railroad (most likely Union Pacific), which does not override county rules.

Even more important, the site borders US 50, part of the National Highway System. NDOT's outdoor advertising rules (and the federal Highway Beautification Act) only allow billboards in qualifying commercial or industrial zones. Railroad ROW does not qualify, so an NDOT permit will almost certainly be refused no matter what the county does.

4. Obvious Negative Effects on Safety, Neighborhood Character, and Public Welfare

- **Driver distraction and highway safety:** Large, potentially lighted billboards next to a fast-moving US 50 corridor pose a clear traffic hazard.
- **Incompatibility with surrounding uses:** The aerial view shows the signs would sit directly across from homes and the Hancock Valley Church, violating the county's buffer

standards designed to shield residential and institutional areas from commercial intrusions.

- **Light and visual pollution:** Illuminated signs would undermine the county's dark-skies policies.
- **Long-term precedent:** If approved, other companies will quickly seek the same loophole along railroad corridors, unraveling decades of consistent sign-code enforcement.

5. Unfair Discrimination Against Companies That Have Played by the Rules

Lamar Advertising operates several signs in the Fallon area and along the Reno Highway corridor that **completely comply** with every county requirement—including the 160 sq ft cap, correct commercial zoning, required Special Use Permits, and valid NDOT permits. Lamar has never asked for or received oversized variances in non-conforming locations like railroad right-of-way. **The same applies to YESCO Advertising and Saunders Advertising, both having signs in the same area of Churchill County.**

Approving this request for GP Global while holding Lamar, YESCO, Saunders (and every other operator) to the exact same standards would amount to **unequal treatment and discrimination**. Nevada planning law and the Commission's own consistent practice require that all applicants in similar situations be treated the same. Giving one company a special break simply because it refuses to follow the rules while forcing compliant competitors to obey them damages public confidence and could expose the county to legal challenges. The Commission has rejected variances in the past specifically to prevent this kind of selective favoritism.

6. No Benefit to the Public—Only Private Profit

The applicant provides zero community benefits, no mitigation measures, and no alternative designs (such as smaller monument signs or relocation to a legally compliant commercial site). In over three decades of public filings, there appears to have never been a commission approval of such a variance of this magnitude for a purely commercial advertising project in a residential interface without compelling justification—**which simply does not exist here.**

Recommended Action & Suggested Motion

DENY VAR26-2 based on these findings:

1. No unique hardship or special circumstances exist that are not of the applicant's own making.
2. The variance conflicts with the public interest and the intent of CCC 16.16.020.6.
3. Approval would set a damaging precedent for oversized signs in non-commercial areas.

4. Granting the request would unfairly discriminate against compliant operators such as Lamar Advertising, YESCO Advertising, and Saunders Advertising.
5. The application fails every mandatory test under CCC 16.08.090 and NRS 278.319.

Direct the applicant to find a properly zoned commercial location, obtain the necessary SUP and NDOT permit, or scale the signs down to meet the 160 sf limit.

Denying this application preserves the fairness and integrity of Churchill County's zoning code, safeguards residents and highway users, guarantees equal treatment for all businesses, and follows the Commission's proven track record of rejecting variances that exist only for private gain.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Craig Chacon', with a long horizontal flourish extending to the right.

Craig Chacon | Director
Western Nevada Title Company

CC: NDOT, Lamar Advertising, YESCO, Saunders Advertising, Union Pacific Railroad, and BNSF Railway

Lincoln Q. Kane, Esq.
2707 Ladera Drive, Fallon, NV 89406
lquinnkane@gmail.com
(404) 849-3758

08 APR 2026

Churchill County Planning Commission
270 S. Maine Street, Suite A
Fallon, Nevada 89406

MEMORANDUM IN OPPOSITION TO VARIANCE APPLICATION VAR26-2

I.

INTRODUCTION

This memorandum is submitted to formally oppose Variance Application VAR26-2, filed by GP Global, LLC. The applicant seeks a variance from the maximum square footage of signage allowed per parcel to construct two oversized signs within the railroad right-of-way near Reno Highway and Coleman Road south of Assessor's Parcel Number 010-603-01.

As an owner of property in the immediate vicinity, I request that the Planning Commission deny this application. The applicant has failed to demonstrate a physical hardship, and the proposed signage represents a "special privilege" that would be detrimental to the public welfare and injurious to residential property values. Additionally, the legal status of the parcel is in question.

II.

LEGAL STANDARDS

A. The Burden of Proof for a Variance

Under Churchill County Code CCC 16.08.090(E), a variance is an extraordinary remedy. The applicant bears the burden of proving by a preponderance of evidence that:

1. There are extraordinary and exceptional conditions (such as size, shape, or topography) peculiar to the specific piece of property, and
2. The strict application of the code would result in peculiar and exceptional undue hardship, and
3. The variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity.

B. Signage Limitations

Under Churchill County Code, the County regulates the "placement, number, and size" of signs to maintain the visual character of Churchill County, as well as to minimize the possible adverse effects of signs on nearby public and private property. CCC 16.16.020.6. The applicant is requesting to bypass these standards, which were specifically enacted to prevent the "visual clutter" and "scale incompatibility" that two oversized signs would create at this location.

C. Friction Zone & Compatibility

Churchill County Code section 16.16.020.2 (Buffering and Screening) addresses "Friction Zones" where intensive uses (such as high-impact commercial signage) meet residential or less intensive uses. The code requires development to be compatible with adjoining land. An oversized billboard increases light trespass and visual mass, violating the buffering intent of this section.

III.

APPLICANT HAS FAILED TO DEMONSTRATE A PHYSICAL HARDSHIP

The applicant faces no physical impediment to building a sign that complies with CCC 16.16.020.6. The railroad right-of-way is a standard linear parcel. There is no "extraordinary topography" or "unique shape" that forces the applicant to exceed the square footage limit. Per County Planning Policy, "variances for a certain design choice when alternatives exist will not be approved." This is a design choice for profit, not a hardship of the land.

IV.

APPLICANT FAILS THE LEGAL JUSTIFICATION TO ALLOW SPECIAL PRIVILEGE

A variance cannot be granted if it provides the applicant a "special privilege" not enjoyed by other properties in the same district. CCC 16.08.090(E)(2). Allowing GP Global, LLC to exceed signage limits simply to increase advertising revenue would constitute a special privilege based purely on economic gain, which is not a legal basis for a variance.

V.

THE APPLICANT HAS NOT DEMONSTRATED AN AVOIDANCE OF THE DETRIMENT TO PUBLIC WELFARE AND PROPERTY VALUE

The proposed oversized signs will create a nuisance for residents on Ladera Drive. The increased square footage will cause excessive glare and light trespass into residential bedrooms, violating the "Dark Skies" spirit of CCC 16.16.020. Additionally, the transformation of the rural/residential corridor into a high-density "billboard alley," which is visible by every home on Ladera Drive, directly injures the value of nearby residential improvements due to "nuisance factors"—light pollution, flickering digital displays, and visual blight.

Nearly every residence on the southern side of Ladera Drive is within 500 feet of the proposed billboards, with backyards and bedroom windows directly facing the billboard locations. Using the established "500 foot rule," this will likely reduce the property value of each home by \$30,000. Snyder, Jonathan S. *Beyond Aesthetics: How Billboards Affect Economic Prosperity*. Scenic America, 2011.

Under CCC 16.08.090, the Planning Commission must find the signage isn't "injurious" to approve applicant's variance request. However, any signage, especially the proposed variance, will decrease the economy for the Onda Verde neighborhood, and therefore, must be considered injurious.

VI.

THE LEGAL STATUS OF THE PARCEL IS IN QUESTION

The applicant proposes to build signs within a 'right-of-way.' Per CCC 16.16.020.6(B), signs are prohibited within the public right-of-way. Furthermore, the Churchill County Development Code calculates signage allowances based on 'per parcel' metrics. If the subject area is a right-of-way/easement and not a legally recognized parcel under Title 16, the applicant has no underlying square footage to 'vary.' Granting a variance for signage on a non-parceled right-of-way would be a misapplication of the code.

In order to justify the variance request, the applicant must reasonably be able to answer the following questions:

1. Does the Planning Department consider the railroad right-of-way a "parcel" as defined in Title 16?
2. Does the proposed footprint of these signs or their 'overhang' encroach upon the public right-of-way of Reno Highway, which is prohibited under 16.16.020.6(B)?
3. How can a variance for square footage be granted for a location that does not meet the basic 'parcel' requirements for signage in the first place?

IV.

CONCLUSION

The applicant has failed to satisfy the mandatory findings required under CCC 16.08.090. There is no physical hardship, the request is based on financial convenience, and the project will be injurious to the neighborhood. Additionally, the legal status on the parcel at question must be addressed before any signage can be constructed.

For the reasons stated above, I respectfully request that the Planning Commission deny VAR26-2. Please feel free to contact me if I can provide any further information.

Very Respectfully,



Lincoln Quinn Kane, Esq.

