

The Lander County Planning Commission met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada, on August 8, 2012 at 6:00 p.m.

**PRESENT:** LOUIS LANI, VICE CHAIR  
JOY BRANDT, BOARD MEMBER – via Teleconference  
KIMBERLIE DAVIS, BOARD MEMBER  
ANGIE ELQUIST, DISTRICT ATTORNEY  
DAVID MASON, COMMISSIONER  
GINA LITTLE, COMMUNITY SERVICES OFFICER (Non-Voting Liaison)  
DONALD NEGRO, ROAD AND BRIDGE FOREMAN NORTH

The meeting was called to order by Vice Chair Louis Lani.

Mr. Lani led the Pledge of Allegiance.

Let the record reflect the presence of a quorum of three Commission members.

#### **APPROVAL OF AGENDA NOTICE**

Ms. Davis moved to approve the Agenda Notice, as posted. Seconded by Ms. Brandt, the motion was voted and carried unanimously.

#### **APPROVAL & ACCEPTANCE OF MINUTES**

##### **Regular Meeting of July 11, 2012**

The minutes of the Regular Meeting of July 11, 2012 were deferred to the next planning commission meeting.

#### **BOARD MEMBER REPORTS**

There were no board member reports presented.

#### **STAFF REPORTS**

There were no staff reports presented.

#### **PUBLIC COMMENT**

There was no one present for public comment.

#### 1) **Discussion for possible action regarding the following Special Use Permit request:**

Applicant: Young Brothers  
Location: Section 18, T17N, R45E, Austin  
APN: 006-220-03

Type: To install a 100kW wind turbine in agricultural zoning.

The Board reviewed and discussed the special use permit application for the Young Brothers, as submitted. Ms. Davis moved to approve the special use permit for the Young Brothers, Section 18, T17N, R45E, Austin, APN 006-220-03, to install a 100kW wind turbine in agricultural zoning. Seconded by Ms. Brandt, the motion was voted and carried unanimously.

2) **Discussion for possible action regarding the following Home Occupation request:**

Applicant: Corrie Lynn Bispo  
Location: 259 Main Street, Austin  
APN: 001-284-02  
Type: Property Management Service (cleaning & maintenance).

Let the record reflect the presence of Ms. Corrie Lynn Bispo via telephone conference. The Board reviewed and discussed the home occupation permit request for Ms. Bispo, as submitted. Ms. Bispo presented testimony regarding her plans to operate a cleaning and maintenance service from her home at 259 Main Street in Austin; and answered questions from the Board concerning the request. Ms. Davis moved to approve the home occupation permit for Corrie Lynn Bispo, 259 Main Street, Austin, APN 001-284-02, for a cleaning and maintenance service. Seconded by Ms. Brandt, the motion was voted and carried unanimously.

3) **Discussion for possible action regarding the following Parcel Map request:**

Applicant: Richard W. & Christina M. Ripley  
Location: 475 & 485 26<sup>th</sup> Street, Battle Mountain  
APN: 011-040-02 & 011-040-03  
Type: To split one (1) parcel into two (2) parcels.

Let the record reflect the presence of Mr. Richard Ripley for this item. The Board reviewed and discussed the parcel map request of Mr. Ripley, as submitted. Ms. Davis referred the Board to Lander County Ordinance No. 2011-03, an ordinance created to address water rights dedications. Ms. Davis explained that Ordinance No. 2011-03 states in part that *any newly created parcel less than five (5) acres shall relinquish two (2) acre feet of water rights*; and recommended that Mr. Ripley speak with the State Engineer to verify that his parcel is in a “*designated basin*”.

Commissioner Mason suggested that Mr. Ripley contact his neighbors to see if they could assist financially to bring water out to that area. The Board discussed the possibility of modifying the ordinance to less than two (2) acres to allow development in areas not

currently served by County water. There was general consensus in favor of deferring this matter to a future planning commission meeting to allow staff and the applicant time to research this issue further.

4) **Discussion for possible action regarding the following Variance request:**

Applicant: Carolyn Thomas  
Location: 151 East 2<sup>nd</sup> Street, Battle Mountain  
APN: 002-104-11  
Type: To allow for a mobile home to be used in Commercial District (C-1) zoning.

Let the record reflect the presence of Ms. Carolyn Thomas and Mr. Kelley Rodabough for this item. The Board reviewed and discussed a recommendation from Lander County Building Official Joe Lindsey, as submitted. Mr. Rodabough updated the Board regarding his proposed plans for the property located at 151 East 2<sup>nd</sup> Street in Battle Mountain; presented testimony regarding the need for a variance to allow for a mobile home to be used in C-1 zoning; and answered questions from the Board regarding his request. Ms. Davis noted the following for the record:

*“Unfortunately there are areas like this in town; they’re all twenty-five foot lots. Depending on how they were aggregated with other parcels, there are these odd pieces sitting out there. The County actually has a land-use code for them; they’re un-buildable. The use is not in line with the zoning, period. The County calls it an un-buildable parcel. What I see as options for this parcel are approaching either land owner on either side for acquisition and having it become incorporated with one of the adjoining properties. There might be some uses there that would actually make it a usable property. Right now I’m not inclined for a residential use in something zoned commercial.”*

Ms. Davis moved to deny the variance request for Carolyn Thomas, 151 East 2<sup>nd</sup> Street, Battle Mountain, APN 002-104-11 without prejudice. Seconded by Ms. Brandt, the motion was voted and carried unanimously.

5) **Correspondence/Board and/or Staff issues for potential upcoming agenda items:**

The Board discussed several issues as potential upcoming agenda items.

**PUBLIC COMMENT**

There was no one present for public comment.

**ADJOURNMENT**

There being no further business before the Board at this time, Ms. Davis moved to adjourn the meeting of August 8, 2012. Seconded by Ms. Brandt, the motion was voted and carried unanimously.

  
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**CHAIR OF THE LANDER COUNTY  
PLANNING COMMISSION**

**ATTEST:**   
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**EXECUTIVE SECRETARY**