

# VARIANCE

## APPLICATION INFORMATION

### City of Sparks, Nevada

#### **GENERAL:**

A Variance may be granted by the Planning Commission to an owner of a specific piece of property under circumstances in which it is necessary to prevent or to lessen any peculiar and exceptional practical difficulties or exceptional and undue hardships that would result from a strict application and enforcement of any provision within Title 20 of Sparks Municipal Code except Chapter 20.04.010 (Signs). A peculiar and exceptional practical difficulty or exceptional and undue hardship may result from the size, shape or dimensions of a site or the location of existing structures thereon, or from geographic, topographic, or other physical conditions on the site. Cost to the applicant of strict compliance shall not be the sole reason for granting a Variance. Use Variances are not allowed.

#### **PRE-APPLICATION MEETING:**

A pre-application meeting with the Community Services Department is **advisable** for any applicant proposing to apply for a Variance in the City of Sparks. Information on scheduling a pre-application meeting is available by contacting the Community Services Department.

#### **APPLICATION & REVIEW PROCEDURE:**

1. The applicant may choose to attend a pre-application meeting with the Community Services Department.
2. The applicant submits a complete Variance application on an application deadline date. Please refer to the attached schedule for the Variance application submittal dates.
3. The Community Services Department reviews the submitted application for completeness. The Community Services Department sends a letter to the applicant stating whether the application has been deemed complete or incomplete. If the application is deemed complete, a letter with the date of the Plan Review Meeting and any supplemental information needed for staff's review of the application will be sent to the applicant. If the application is deemed incomplete, a letter identifying the required deficient information will be sent to the applicant.
4. The applicant attends the **required** Plan Review Meeting to discuss their proposed Variance application. If supplemental application information was requested by the Community Services Department, then the applicant shall bring it to the Plan Review Meeting.
5. Once the application has been deemed complete and the Plan Review meeting has been held, the Community Services Department will schedule the Variance to go before the Planning Commission. **Staff will make every effort to assure that completed applications maintain the Planning Commission Meeting schedule included in this application packet.**

For additional information please contact:

**Community Services Department**

**431 Prater Way, Sparks, Nevada 89431**

**Phone: (775) 353-2340 / Email [planningreview@cityofsparks.us](mailto:planningreview@cityofsparks.us)**

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## APPLICATION INFORMATION

### City of Sparks, Nevada

The following items shall be submitted as a part of the Variance application:

- 1. **Application & Noticing Fee:** A check or money order payable to the “City of Sparks” for the application fee and the required noticing fee. **Both the application fee and noticing fee are due at the time of the application submittal.** See **FEE SCHEDULE** for correct amount.
- 2. **Proof of Ownership:** If the person signing the owner’s affidavit is not listed as the property owner in the most recent records of the Washoe County Assessor, proof of ownership acceptable to the administrator must be submitted with the application. If the signer is an agent of the owner, written documentation of that fact acceptable to the administrator must be submitted. If in Corporate ownership, a list of all Corporate Officers must be provided.
- 3. **Review Packets:** One (1) original and one (1) digital copy (preferably on a thumb drive) of each containing the following:
  - a. Completed Development Application form
  - c. A written description of the proposed Variance request including any additional information that would be helpful to illustrate the need for the proposed variance.
  - d. A wet-stamped legal description and boundary map
  - e. A dimensioned site plan which includes the new structure, setbacks to property lines, easements, and any additional information that would be helpful to illustrate the proposed use of the site. All plans shall be drawn to standard architectural or engineering scale and shall include a north arrow.
  - f. Pictures of existing structures on the site. If a new structure is proposed, please provide four-sided architectural building elevations with colors and materials clearly labeled.
  - g. Provide written statements and evidence supporting the necessity for the variance based upon the findings required in Section 20.05.12 that:
    - There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not generally apply to other properties classified in the same zoning district;
    - Strict interpretation and enforcement of the specified provisions would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district;
    - The granting of the variance will not constitute or grant a special privilege inconsistent with limitations on other properties classified in the same zoning district;
    - The granting of the variance will not substantially impair the public health, safety or welfare or materially injure properties or improvements in the vicinity.
    - The potential impairment of natural resources and the total population available natural resources will support without unreasonable impairment has been considered.
    - Affect the availability of, and the need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities has been considered.
  - h. **If drawings larger than 8½” x 11” are included with the application, one 8½” x 11” or 11” x 17” color reproduction of each MUST be provided.**
  - i. Vicinity Map depicting the respective site and including surrounding roadways.
  - j. **The original signed applicant and owner’s affidavit shall be provided. Signatures must be original.**

*NOTE: The application materials required above shall serve as a short list of necessary material. The Community Services Department requests that additional application materials be submitted specific to the nature of the project request.*

*The complete list of required materials as outlined in the Sparks Zoning Code – Title 20 can be found at the following link. [https://library.municode.com/nv/sparks/codes/code\\_of\\_ordinances?nodeId=TIT20ZOCO\\_AP\\_APXA-1GE](https://library.municode.com/nv/sparks/codes/code_of_ordinances?nodeId=TIT20ZOCO_AP_APXA-1GE)*

**DEVELOPMENT APPLICATION**

ACTION REQUESTED:

- Administrative Review
- Administrative Review MME
- Annexation
- Conditional Use Permit
- Development Agreement
- Comprehensive Plan Amendment
- Major Deviation
- Minor Deviation
- Planned Development



- Rezoning
- Tentative Subdivision Map
- Variance

<b>CASE NUMBER:</b>	<b>FEE:</b>
_____	\$ _____
Noticing Fee	\$ _____
<b>TOTAL FEE:</b>	\$ _____
Rec'd by: _____	Date: _____
<i>(For Planning Department Use Only)</i>	

DATE: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

PROJECT DESCRIPTION: \_\_\_\_\_

*(Mark one box to indicate responsible party and mailing address)*

**PROPERTY OWNER\***

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZipCode \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_

**APPLICANT\***

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZipCode \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_

**PERSON / FIRM PREPARING PLANS**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZipCode \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_

**PROJECT ADDRESS:**

\_\_\_\_\_

**PARCEL NO. (APN):** \_\_\_\_\_

\_\_\_\_\_

PROPERTY SIZE: \_\_\_\_\_

EXISTING ZONING: \_\_\_\_\_

PROPOSED ZONING: \_\_\_\_\_

MASTER PLANNED LAND USE: \_\_\_\_\_

EXISTING USE: \_\_\_\_\_

\_\_\_\_\_

**SURROUNDING USES:**

North \_\_\_\_\_

East \_\_\_\_\_

South \_\_\_\_\_

West \_\_\_\_\_

\* *If a corporation please attach a list of corporate officers.*

\* *If a partnership please list all general partners.*

**NOTE: Affidavits must be signed by both the property owner and the developer/lessee and notarized before the application is submitted.**

**DEAR APPLICANT:**

**THE CITY OF SPARKS APPLICATION PROCESS REQUIRES THAT THE PROPERTY OWNER AUTHORIZE THE APPLICANT TO REQUEST DEVELOPMENT RELATED APPLICATIONS. DEVELOPMENT APPROVALS REMAIN WITH THE LAND; THEREFORE, THE PROPERTY OWNER IS ALWAYS RESPONSIBLE FOR ANY ACTIVITY ON THE PROPERTY.**

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**OWNER AFFIDAVIT**

STATE OF NEVADA            )  
  ) SS  
COUNTY OF WASHOE        )

I, \_\_\_\_\_ being duly sworn, depose and say that I am an owner of property / authorized agent involved in this petition and that I authorize \_\_\_\_\_ to request development related applications on my property. I also give permission for site visitation by the Planning Commission, City Council and City staff.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for said County and State

My Commission expires: \_\_\_\_\_

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**APPLICANT AFFIDAVIT**

STATE OF NEVADA            )  
  ) SS  
COUNTY OF WASHOE        )

I, \_\_\_\_\_ being duly sworn, depose and say that I am the applicant involved in this petition and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I also give permission for site visitation by the Planning Commission, City Council and City staff.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for said County and State

My Commission expires: \_\_\_\_\_

City of Sparks Community Services Department  
 2022 APPLICATION DATES  
CONDITIONAL USE PERMITS, VARIANCES & MAJOR DEVIATIONS

*APPLICATIONS WILL ONLY BE ACCEPTED ON APPLICATION DEADLINE DATES*

<b>Application Deadline*</b>		<b>Plan Review Meeting</b>		<b>Planning Commission Meeting</b>		
<b>Tue</b>	<b>Dec 21, 2021</b>	Wed	<b>Jan 05, 2022</b>	Thu	<b>Feb 17, 2022</b>	6:00 PM
Wed	<b>Jan 19, 2022</b>	Wed	<b>Feb 02, 2022</b>	Thu	<b>Mar 17, 2022</b>	6:00 PM
Wed	<b>Feb 16, 2022</b>	Wed	<b>Mar 02, 2022</b>	Thu	<b>Apr 21, 2022</b>	6:00 PM
Wed	<b>Mar 23, 2022</b>	Wed	<b>Apr 06, 2022</b>	Thu	<b>May 19, 2022</b>	6:00 PM
Wed	<b>Apr 20, 2022</b>	Wed	<b>May 04, 2022</b>	Thu	<b>Jun 16, 2022</b>	6:00 PM
Wed	<b>May 18, 2022</b>	Wed	<b>Jun 01, 2022</b>	Thu	<b>Jul 21, 2022</b>	6:00 PM
Wed	<b>Jun 22, 2022</b>	Wed	<b>Jul 06, 2022</b>	Thu	<b>Aug 18, 2022</b>	6:00 PM
Wed	<b>Jul 20, 2022</b>	Wed	<b>Aug 03, 2022</b>	Thu	<b>Sep 15, 2022</b>	6:00 PM
Wed	<b>Aug 24, 2022</b>	Wed	<b>Sep 07, 2022</b>	Thu	<b>Oct 20, 2022</b>	6:00 PM
Wed	<b>Sep 21, 2022</b>	Wed	<b>Oct 05, 2022</b>	Thu	<b>Nov 17, 2022</b>	6:00 PM
Wed	<b>Oct 19, 2022</b>	Wed	<b>Nov 02, 2022</b>	Thu	<b>Dec 15, 2022</b>	6:00 PM
<b>Mon</b>	<b>Nov 21, 2022</b>	Wed	<b>Dec 07, 2022</b>	Thu	<b>Jan 19, 2023</b>	6:00 PM
<b>Tue</b>	<b>Dec 20, 2022</b>	Wed	<b>Jan 04, 2023</b>	Thu	<b>Feb 16, 2023</b>	6:00 PM

The decision of the Planning Commission is subject to an 11-day appeal period.

*\*Meeting the application deadline does not guarantee each submittal will follow this schedule. Staff will make every effort to assure that completed submittals will maintain this schedule.*

**FEE SCHEDULE FOR PLANNING DIVISION  
(Effective July 2020)**

APPLICATION TYPE	CITY OF SPARKS	DIV. OF WATER RESOURCES	DIV. OF ENVIRON. PROT.
<b>Annexation</b>	\$3,000.00 plus \$500.00 noticing fee	N/A	N/A
<b>Administrative Review</b>	\$1,250.00 deposit credited toward actual staff time <b>**Not to exceed \$7,495**</b> Plus \$501.00 District Health fee	N/A	N/A
<b>Administrative Review Medical Marijuana Establishment</b>	\$1,250.00 deposit credited toward actual staff time <b>**Not to exceed \$7,495**</b> Plus \$501.00 District Health fee	N/A	N/A
<b>Administrative Review Telecommunications Tower</b>	\$1,250.00 deposit credited toward actual staff time <b>**Not to exceed \$7,495**</b> Plus \$501.00 District Health fee	N/A	N/A
<b>Amendment to Development Agreement</b>	\$88.00 per hour	N/A	N/A
<b>Area Plan</b>	\$5,000.00 deposit credited toward actual staff time	N/A	N/A
<b>Conditional Use Permit  Major</b>	\$2,500.00 deposit credited toward actual staff time <b>**Not to exceed \$7,495.00 **Plus \$500.00 noticing fee** **Plus \$846.00 District Health fee**</b> \$10,000.00 deposit credited toward actual staff time <b>**Plus \$500.00 noticing fee** **Plus \$846.00 District Health fee**</b>	N/A	N/A
<b>Comprehensive Plan Amendment</b>	\$2,500.00	N/A	N/A
<b>Development Agreement</b>	\$1,900.00 plus \$120.00 per hour <b>**Plus \$846.00 District Health fee**</b>	N/A	N/A
<b>Deviations Minor Major</b>	\$120.00 \$1,250.00 deposit credited toward actual staff time <b>**Not to exceed - \$7,495**</b> <b>**Plus \$500.00 noticing fee** **</b>		
<b>Planned Development</b>	\$5,000.00 deposit credited toward actual staff time Typical costs for a Planned Development: \$10,000 to \$50,000 <b>** Plus \$500.00 noticing fee**</b> <b>**Plus \$1,319 if served by sewer or \$2,906 if served by septic District Health fee**</b>	Applies only if there is a Tentative Map/Conformance Review (See Tentative Map)	
<b>Reviewed of expired Tentative Subdivision Map</b>	\$1,250.00 deposit credited toward actual staff time <b>**Not to exceed \$7,495**</b> <b>**Plus \$1,319 if served by sewer or \$2,906 if served by septic District Health fee**</b>	\$180.00 + \$1.00/lot	\$100.00 + \$1.00/lot
<b>Rezoning</b>	\$517.00 <b>**Plus \$500.00 noticing fee**</b>	N/A	N/A
<b>Temporary Use Permit</b>	\$100.00	N/A	N/A
<b>Tentative Subdivision Map</b>	\$22,800.00 <b>**Plus \$1,319 if served by sewer or \$2,906 if served by septic District Health fee**</b>	\$180.00 + \$1.00/lot	\$100.00 + \$1.00/lot
<b>Variance</b>	\$4,110.00 <b>**Plus \$500.00 noticing fee** **Plus \$501.00 District Health fee**</b>	N/A	N/A
<b>Zoning Research</b>	\$80.50 per hour	N/A	N/A

**Please Note: Washoe County District Health fees are now payable to the City of Sparks. The fees can be paid by separate check or can be added together and paid as one. All checks made payable to the City of Sparks. All fees are due and payable at the time of submittal. Thank you.**