

A G E N D A
LANDER COUNTY PLANNING COMMISSION

Wednesday, April 19, 2023 at 6:00 P.M.

LANDER COUNTY COURTHOUSE
COMMUNITY MEETING ROOM
50 STATE ROUTE 305
BATTLE MOUNTAIN, NEVADA

Call to Order

The Agenda for this meeting of the Lander County Planning Commission has been properly posted for this date and time in accordance with NRS requirements.

Pledge of Allegiance

Roll Call

Public Comment - For non-agenized items only. Persons are invited to submit comments in writing and/or attend and make comments on any non-agenda item at the Board meeting. All public comment may be limited to three (3) minutes per person, at the discretion of the Board. Reasonable restrictions may be placed on public comment based upon time, place and manner, but public comment based upon viewpoint may not be restricted.

Agenda Notices:

*April 19, 2023 -- Agenda Notice -- FOR POSSIBLE ACTION

New Business:

- 1.) * Review, consideration, and possible action on Home Occupation No. 23-01, filed by Abigail Alstatt doing business as Ranch House Breads, to allow an in house bakery as a Home Occupation within an A-1 – One-Acre Agricultural Zoning District. **FOR POSSIBLE ACTION**

The subject property is located generally on the north side of Pleasant Hill Drive, approximately 1,867 feet west of the intersection of Pleasant Hill Drive and State Route 305; 195 Pleasant Hill Drive, Battle Mountain NV, 89820 APN 011-071-05.

- 2.) *Review, consideration, and possible action on Parcel Map No. 23-01, filed by The Clark Family Trust, to divide APN: 011-060-21, a three (3) acre parcel into three (3), one (1) acre parcels within a C-2 – Commercial Zoning District. **FOR POSSIBLE ACTION**

The subject property is located generally on the north side of the western terminus of Quail Run Lane, 1115 Quail Run Lane, Battle Mountain, NV 89820.

- 3.) *Review, consideration, and possible action on Parcel Map No. 23-02, filed by The Clark Family Trust to divide APN: 011-060-20, a four (4) acre parcel into four (4), one (1) acre parcels within a M – Industrial Zoning District. **FOR POSSIBLE ACTION**

The subject property is located generally on the south side of the western terminus of Quail Run Lane, 1100 Quail Run Lane, Battle Mountain, NV 89820

Public Comment - For non-agenized items only. Persons are invited to submit comments in writing and/or attend and make comments on any non-agenda item at the Board meeting. All public comment may be limited to three (3) minutes per person, at the discretion of the Board. Reasonable restriction may be placed on public comments based upon time, place and manner, but public comment based upon

“Lander County is an Equal Opportunity Provider”

viewpoint may not be restricted.

ADJOURNMENT

*Discussion and action items will have information provided at the meeting. Action may be taken according to the Nevada open Meeting Law manual via a teleconference call in which a quorum of the Board members are simultaneously linked to one another telephonically.

NOTE: TIMES ARE APPROXIMATE

"This is the tentative schedule for the meeting. The Board reserves the right to take items out of order to accomplish business in the most efficient manner. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time."

NOTICE TO PERSONS WITH DISABILITIES: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Planning Coordinator in writing at the Courthouse, 50 State Route 305, Battle Mountain, Nevada 89820, or call (775) 635-2860 at least one day in advance of the meeting.

Notice: Any member of the public that would like to request any supporting material from the meeting, please contact Shelby Knopp, Planning Coordinator, 50 State Route 305, Battle Mountain, NV 89820. (775) 635-2860.

AFFIDAVIT OF POSTING

State of Nevada)
SS.
County of Lander)

Shelby Knopp, Lander County Planning Coordinator of said Lander County, Nevada, being duly sworn, says, that by the 13th day of April, 2023 at 9:00 a.m., she posted a notice, of which the attached is a copy, on the Lander County Website: <http://www.landercountynv.org/> , the State of Nevada's Public Notice Website at <https://notice.nv.gov>, and at the following places:

- 1) Battle Mountain Civic Center, 625 S Broad St., Battle Mountain, NV 89820
- 2) Battle Mountain Post Office, 810 Sunset Dr., Battle Mountain, NV 89820
- 3) Lander County Courthouse, 50 State Route 305, Battle Mountain, NV 89820
- 4) Swackhamer's Plaza Bulletin Board, 404 E Front St., Battle Mountain, NV 89820

in said Lander County, where proceedings are pending.



Shelby Knopp, Planning Coordinator

Subscribed and sworn to me before this ____ day of April 2023.



WITNESS

"Lander County is an Equal Opportunity Provider"

LANDER COUNTY PLANNING COMMISSION

April 19, 2022

AGENDA ITEM NUMBER 1

- 1.) Review, consideration, and possible action on Home Occupation No. 23-01, filed by Abigail Alstatt doing business as Ranch House Breads, to allow an in house bakery as a Home Occupation within an A-1 – One-Acre Agricultural Zoning District. **FOR POSSIBLE ACTION**

The subject property is located generally on the north side of Pleasant Hill Drive, approximately 1,867 feet west of the intersection of Pleasant Hill Drive and State Route 305; 195 Pleasant Hill Drive, Battle Mountain NV, 89820 APN 011-071-05.

Staff report attached separately.

Recommended Motion: Conditionally Approve Home Occupation No. 23-01 for Abigail Alstatt doing business as Ranch House Breads for an in house bakery as a Home Occupation with the following conditions:

- 1) The permit will be reviewed annually.
- 2) That the permit be governed by the information stated on the application.
- 3) That the permit is non-transferrable with the property.
- 4) That this permit is subject to applicable County, State, and Federal business licensing and inspection requirements.
- 5) The permit will be automatically reviewed in the event any complaints are received and could possibly be revoked.
- 6) No parking or operations to occur in front of or on neighboring property frontages.
- 7) Storage of any vehicles or trailers must occur on private property and not on property frontage or County Right of Ways.
- 8) Facility must be able to keep all inventory contained at all times Applicant must comply with NRS 446 and maintain compliance with the Nevada Division of Public and Behavioral Health

LANDER COUNTY STAFF REPORT **HOME OCCUPATION APPLICATION**

Applicant: ABIGAIL ALSTATT DBA RANCH HOUSE BREADS_775-388-7416
Report Date: 03/17/2023 **Report Due from Staff:** 04/10/2023
Agenda Item Number: 1 **Application Number:** PD-HOP-2023-01
Planning Commission Date: 04/19/2023
Project Description: Home Based Bakery Business

PROJECT INFORMATION

ADDRESS: 195 Pleasant Hill Drive, Battle Mountain, NV 89820
PARCEL NUMBER: 011-071-05
PARCEL SIZE: 2.1 acres +/-

EXISTING ZONING: A1 – One-Acre Agricultural District

MASTER PLAN DESIGNATION: Agricultural

EXISTING LAND USE: Code 200 – Single Family Residence

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

North: R1-MO – Single Family Residential W/ Manufactured Home Overlay, C1 – Commercial, and C2 – General Commercial Districts Parcel: 011-060-01.

South: A1– One-Acre Agricultural District Parcel: 011-072-04.

West: A1– One-Acre Agricultural District Parcel: 011-071-06.

East: A1– One-Acre Agricultural District Parcel: 011-071-18.

PROPERTY CHARACTERISTICS:

The property is generally flat. The property is accessed from Pleasant Hill Drive.

BACKGROUND:

- The Applicant is requesting a home occupation permit for an in home bakery business.
- Applicant is proposing to use 200 square feet of the kitchen area for the business.
- She expects no deliveries or visitors to the home associated with the business.
- Applicant has indicated that there will be no effect to the adjoining property owners.
- All State permits have been acquired, including a Cottage Food License through the Nevada State Health Department.

HOME OCCUPATIONS:

- Use Limitations:
 - The applicant has agreed to all use limitations associated with a Home Occupation Permit listed in Lander County Code Section 17.15.030.

ZONING DISTRICTS:

- A1- One-Acre Agricultural District
 - Uses permitted in zone A-1;
 - Home occupations subject to the issuance of a home occupation special use permit

MASTER PLAN

Land use:

- Lander County Master Plan – Land Use Component
 - The Master Plan Land Use Atlas shows the area as Agricultural.

FINDINGS:

- The proposed application is in conformance with: Lander County Code – Title 17, Section 17.15 Home Occupations.
- The proposed application is in conformance with Lander County Code – Title 17, Section 17.34 One-Acre Agricultural District.
- The proposed application is in conformance with the Lander County Master Plan Land Use Component.

STAFF RECOMMENDATION:

Applicant has requested a small business, Home Occupation Permit, for an in home bakery.

Staff recommends this item be **CONDITIONALLY APPROVED**, based the facts, findings and conditions listed in this staff report.

CONDITIONS:

(Standard conditions for all Home Occupation Permits)

- 1) The permit will be reviewed annually.
- 2) That the permit be governed by the information stated on the application.
- 3) That the permit is non-transferrable with the property.
- 4) That this permit is subject to applicable County, State, and Federal business licensing and inspection requirements.
- 5) The permit will be automatically reviewed in the event any complaints are received and could possibly be revoked.
- 6) No parking or operations to occur in front of or on neighboring property frontages.
- 7) Storage of any vehicles or trailers must occur on private property and not on property frontage or County Right of Ways.
- 8) Facility must be able to keep all inventory contained at all times
- 9) Applicant must comply with NRS 446 and maintain compliance with the Nevada Division of Public and Behavioral Health

Planning department

From: Bert Ramos <bramos@landercountynv.org> on behalf of Bert Ramos
Sent: Wednesday, March 22, 2023 1:47 PM
To: Bill Schaeffer
Cc: Planning department; April Pacheco; Aaron Martinez; Building Department; Don Prince; Lura Duvall; Jeanne Falzone
Subject: Re: PD HOP 23-01 Ranch House Breads - Alstatt

I agree with everything said here and love the communication I am seeing. Thank you all!

Bert

On Wed, Mar 22, 2023 at 1:38 PM Bill Schaeffer <districtattorney@landercountynv.org> wrote:
I understand; I just find it interesting that with that wiggle room, we get applications claiming both no deliveries and no retail sales. Mostly, I just wanted to make sure everyone is aware of the potential. That said, the location isn't a bad one for a bit more than normal residential traffic and is unlikely to cause significant problems; but that's the department's call and ultimately the commission's call.

On Wed, Mar 22, 2023 at 11:30 AM Planning department <Planning@landercountynv.org> wrote:

Bill,

Home occupations are subject to review in one year. If this is the case, then we can update the conditions at that time. The Code does allow for attendance of up to 5 customers, and deliveries as long as they are not outside the norm of a residential occupancy.

Shelby Knopp

Lander County Planning Coordinator

PH (775)635-2860

50 State Route 305

Battle Mountain, NV 89820

Planning@landercountynv.org

From: Bill Schaeffer [<mailto:districtattorney@landercountynv.org>]
Sent: Wednesday, March 22, 2023 10:59 AM
To: April Pacheco <apacheco@landercountynv.org>
Cc: Planning department <Planning@landercountynv.org>; Aaron Martinez <amartinez@landercountynv.org>; Bert Ramos <bramos@landercountynv.org>; Building Department <building@landercountynv.org>; Don Prince

<dprince@landercountynv.org>; Lura Duvall <assessor@landercountynv.org>

Subject: Re: PD HOP 23-01 Ranch House Breads - Alstatt

It looks fine as far as it goes. I worry that it might not operate as the application states; that is, I wonder if there will be some deliveries and some retail sales - but it looks adequate on paper.

On Wed, Mar 22, 2023 at 9:34 AM April Pacheco <apacheco@landercountynv.org> wrote:

Good Morning Shelby,

This look great to me. I don't have any comment.

April Pacheco

Lander County Building Official Assistant

From: Planning department <Planning@landercountynv.org>

Sent: Wednesday, March 22, 2023 8:40 AM

To: Aaron Martinez <amartinez@landercountynv.org>; April Pacheco <apacheco@landercountynv.org>; Bert Ramos <bramos@landercountynv.org>; Bill Schaeffer <districtattorney@landercountynv.org>; Building Department <building@landercountynv.org>; Don Prince <dprince@landercountynv.org>; Lura Duvall <assessor@landercountynv.org>

Subject: PD HOP 23-01 Ranch House Breads - Alstatt

Good Morning All,

The Planning Department has received a Home Occupation Application for a Bakery Business. I have attached the application and area maps, as well as a Staff Report that I have prepared. Please review and let me know if you have any additional conditions, or any other information to add.

This application is tentatively set to be on the April 19th Planning Commission agenda, so I will need all reviews completed by April 10th.

Please let me know if you have any questions, or need any additional information to complete your review.

Have a great day!

Shelby Knopp

Lander County Planning Coordinator

PH (775)635-2860

50 State Route 305

Battle Mountain, NV 89820

Planning@landercountynv.org

Lander County Engineer
50 State Route 305
Battle Mountain, NV 89820
(775) 738-3113
amartinez@landercountynv.org



From: Planning department <Planning@landercountynv.org>
Sent: Wednesday, March 22, 2023 8:40 AM
To: Aaron Martinez <amartinez@landercountynv.org>; April Pacheco <apacheco@landercountynv.org>; Bert Ramos <bramos@landercountynv.org>; Bill Schaeffer <districtattorney@landercountynv.org>; Building Department <building@landercountynv.org>; Don Prince <dprince@landercountynv.org>; Lura Duvall <assessor@landercountynv.org>
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Have a great day!

Shelby Knopp

Lander County Planning Coordinator
PH (775)635-2860
50 State Route 305
Battle Mountain, NV 89820
Planning@landercountynv.org

Planning department

From: Lander County Assessor <assessor@landercountynv.org> on behalf of Lander County Assessor
Sent: Wednesday, March 22, 2023 10:25 AM
To: 'Planning department'
Subject: RE: PD HOP 23-01 Ranch House Breads - Alstatt

Looks good to me.



Lura Duvall

Lander County Assessor
50 State Route 305
Battle Mountain, NV 89820
775-635-2610
assessor@landercountynv.org

From: Planning department [mailto:Planning@landercountynv.org]
Sent: Wednesday, March 22, 2023 8:40 AM
To: Aaron Martinez <amartinez@landercountynv.org>; April Pacheco <apacheco@landercountynv.org>; Bert Ramos <bramos@landercountynv.org>; Bill Schaeffer <districtattorney@landercountynv.org>; Building Department <building@landercountynv.org>; Don Prince <dprince@landercountynv.org>; Lura Duvall <assessor@landercountynv.org>
Subject: PD HOP 23-01 Ranch House Breads - Alstatt

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Have a great day!

Shelby Knopp

Lander County Planning Coordinator
PH (775)635-2860
50 State Route 305
Battle Mountain, NV 89820
Planning@landercountynv.org

Planning department

From: Building Department <building@landercountynv.org> on behalf of Building Department
Sent: Wednesday, March 22, 2023 9:33 AM
To: Planning department; Aaron Martinez; April Pacheco; Bert Ramos; Bill Schaeffer; Don Prince; Lura Duvall
Subject: RE: PD HOP 23-01 Ranch House Breads - Alstatt

Hello Shelby,

This looks good to me. I see she has the cottage license required for in house bakery. All looks good with the conditions listed.

From: Planning department [mailto:Planning@landercountynv.org]
Sent: Wednesday, March 22, 2023 8:40 AM
To: Aaron Martinez <amartinez@landercountynv.org>; April Pacheco <apacheco@landercountynv.org>; Bert Ramos <bramos@landercountynv.org>; Bill Schaeffer <districtattorney@landercountynv.org>; Building Department <building@landercountynv.org>; Don Prince <dprince@landercountynv.org>; Lura Duvall <assessor@landercountynv.org>
Subject: PD HOP 23-01 Ranch House Breads - Alstatt

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Have a great day!

Shelby Knopp

Lander County Planning Coordinator

PH (775)635-2860

50 State Route 305

Battle Mountain, NV 89820

Planning@landercountynv.org

Planning department

From: April Pacheco <apacheco@landercountynv.org> on behalf of April Pacheco
Sent: Wednesday, March 22, 2023 9:35 AM
To: Planning department; Aaron Martinez; Bert Ramos; Bill Schaeffer; Building Department; Don Prince; Lura Duvall
Subject: RE: PD HOP 23-01 Ranch House Breads - Alstatt

Good Morning Shelby,
This look great to me. I don't have any comment.

April Pacheco
Lander County Building Official Assistant

From: Planning department <Planning@landercountynv.org>
Sent: Wednesday, March 22, 2023 8:40 AM
To: Aaron Martinez <amartinez@landercountynv.org>; April Pacheco <apacheco@landercountynv.org>; Bert Ramos <bramos@landercountynv.org>; Bill Schaeffer <districtattorney@landercountynv.org>; Building Department <building@landercountynv.org>; Don Prince <dprince@landercountynv.org>; Lura Duvall <assessor@landercountynv.org>
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Please let me know if you have any questions, or need any additional information to complete your review.

Have a great day!

Shelby Knopp
Lander County Planning Coordinator
PH (775)635-2860
50 State Route 305
Battle Mountain, NV 89820
Planning@landercountynv.org

Lander County Planning Commission



April 11, 2023

Abigail Alstatt
195 Pleasant Hill Drive
Battle Mountain, NV 89820
aalstatt7287@gmail.com

Re: Home Occupation No. 23-01

Dear Ms. Alstatt,

I would like to inform you that the above referenced application will be considered by the Lander County Planning Commission at their meeting on April 19, 2023. It is strongly recommended that all applicants or their representative physically attend (or be available by phone) the Planning Commission hearing as their application may be deferred or denied for lack of evidence.

Included with this letter is the agenda for the meeting mentioned above, as well as any pertinent information the Planning Commission will be using to make their decision.

For any questions please contact the Lander County Planning Department, by email at planning@landercountynv.org or by phone at (775)635-2860.

Sincerely,

A handwritten signature in cursive script that reads "Shelby Knopp".

Shelby Knopp
Planning Coordinator

Lander County Planning Commission



April 7, 2023

Dear Property Owner:

Lander County Code requires that property owners within a certain distance be notified when there is an application to change or add to the use on a property. If you have comments regarding this proposed use, please feel free to attend Public Hearing to state your support or concerns. If you are unable to attend the hearing, please feel free to send in written correspondence prior to the meeting date via mail or email, so that it can be read into the record.

Sincerely,

A handwritten signature in black ink that reads "Shelby Knopp".

Shelby Knopp
Planning Coordinator

NOTICE IS HERBY GIVEN that a Public Hearing will be conducted by the Lander County Planning Commission regarding the following Home Occupation Permit:

Applicant: Abigail Alstatt "Ranch House Breads"
Location: 195 Pleasant Hill Drive, Battle Mountain, NV 89820
APN: 011-071-05
Type: To operate an in-home bakery business.

DATE & TIME: April 19, 2023 @ 6:00 p.m.

PLACE: Community Meeting Room
Lander County Courthouse
50 State Route 305
Battle Mountain, NV 89820

Please call/email the Lander County Planning Department for further information, 635-2860
Planning@landercountynv.org.

PD HOP 23-01 Ranch House Breads/ Alstatt

APN:	Owner:	c/o:	tsc_mailin	City, St, Zip
1107209	AMEZCUA, THOMAS & MARLEN		180 PLEASANT HILL DRIVE	BATTLE MOUNTAIN, NV 89820
1107106	JARVIS FAMILY TRUST, C & B	JARVIS, CRAIG & BEATRIX TRSTEE	205 PLEASANT HILL DRIVE	BATTLE MOUNTAIN, NV 89820
1107105	LAKE, DANIEL M		195 PLEASANT HILL DR	BATTLE MOUNTAIN, NV 89820
1107117	LOGAN, GERARD & PATRICIA		175 PLEASANT HILL DRIVE	BATTLE MOUNTAIN, NV 89820-0000
1107204	MORRISON, LILLIAN J		190 PLEASANT HILL DRIVE	BATTLE MOUNTAIN, NV 89820-0000
1107107	REAKSECKER, ROBERT L & RUBY C		215 PLEASANT HILL DRIVE	BATTLE MOUNTAIN, NV 89820-0000
1106001	WINTLE, JAY ALBERT		810 SHEEP CREEK RD	BATTLE MOUNTAIN, NV 89820
1107118	YARBRO, MICKEY & LINDA		185 PLEASANT HILL DRIVE	BATTLE MOUNTAIN, NV 89820-0000



Lander County
Community Development

Lander County Planning
Date Received 3/17/23
Application No. PD HOP 01-23

HOME OCCUPATION PERMIT APPLICATION

APPLICANT/OWNER INFORMATION

Applicant(s): Abigail Alstatt
Address: 195 Pleasant Hill Dr.
Battle Mtn, NV 89820
Mailing Address: 195 Pleasant Hill Dr.
Battle Mtn, NV 89820
Phone/Email: (775) 388-7416 aalstatt7287@gmail.com
Legal Owner(s) of property: Abigail Alstatt

PROJECT INFORMATION

Property Location: 195 Pleasant Hill Dr
Battle Mtn, NV 89820
Assessor's Parcel Numbers(s): 01107105
Current Master Plan: _____ Current Zoning: A1
Name of Business: Ranch House Breads
Type of Business: Bakery
Are there any deed restrictions affecting the use of the property? no

Number of persons, including applicant, working on site in home occupation business: 1

Identify all areas and square footage of the house that will be used for the home occupation. (Example:
Second floor rear bedroom, 10' x 10' = 100 square feet): Kitchen
10' x 20' = 200 sqft

Describe anticipated deliveries (Number per week, type of delivery vehicle, etc.) None

Will there be any vehicle(s) used in connection with the home occupation? NO

If yes, describe the size and type of vehicle(s), including the payload capacity in pounds. n/a

Estimate the number of visitors per day associated with the Home Occupation Use: None

How will the proposed project affect adjoining property owners, (noise, dust, traffic, etc.?) no affect

SIGNATURE(S)

I hereby certify that the information stated above and materials submitted along with this application form are true and correct to the best of my knowledge. It is my responsibility to inform Lander County of any changes to information represented in this submittal.



Applicant's Signature

3-17-23

Date

**HOME OCCUPATION PERMIT
APPLICATION CHECKLIST
Lander County, NV**

The following must accompany this application:

- 1. \$75.00 application fee (non-refundable). Check or money orders payable to Lander County
- 2. Site Plan showing use, location, or other information regarding this request.
- 3. Signed Statement of Compliance
- 5. One hardcopy and one electronic copy (CD or USB) of all application materials.

NOTE

It is strongly recommended that all applicants or their representative physically attend (or be available by phone) the Planning Commission hearing as their application may be deferred or denied for lack of evidence.

USE LIMITATIONS FOR HOME OCCUPATION

Lander County Municipal Code Section 17.15.030 - Use limitations.

A. Employee Limitations.

1. The entrepreneur of every home occupation shall be domiciled in the dwelling unit where such occupation is conducted.
2. No person who is not domiciled in the dwelling unit where a home occupation is conducted shall be employed in connection with, or otherwise participate in the operation of, such occupation. This limitation shall not apply to employees who do not work at the dwelling unit devoted to such occupation.

B. Structural Limitation.

1. No alteration of any kind shall be made to the dwelling unit where a home occupation is conducted that would change its residential character as a dwelling unit, including the enlargement of public utility services beyond that customarily required for residential use.

C. Operational Limitations.

1. No activity shall be conducted on a residential lot unless it is conducted wholly within a principal dwelling unit or permitted accessory structure.
2. No more than a total of four hundred eighty square feet of floor area (exclusive of garage floor area devoted to permissible parking of a vehicle used in connection with the home occupation) of any dwelling unit or any permitted accessory structure shall be devoted to the conduct of a home occupation.
3. No stock in trade shall be displayed or sold outside of the dwelling unit used in any home occupation.
4. No routine attendance of patients, clients, subcontractors or employees associated with any home occupation shall be allowed. The attendance of up to five customers at any one time may be allowed for the purpose of receiving private instruction in any subject or skill. "Routine attendance" means that the conduct of the home occupation requires non-domiciled persons to visit the premises of the home occupation as part of the regular conduct of the occupation, without regard to the number, frequency or duration of such visits.
5. No mechanical, electrical or other equipment that produces noise, electrical or magnetic interference, vibration, heat, glare, emissions, odor or radiation outside the dwelling unit or any permitted accessory structure that is greater or more frequent than that typical of equipment used in connection with residential occupancy shall be used in connection with any home occupation.
6. No outdoor storage shall be allowed in connection with any home occupation.
7. No refuse in excess of the amount allowable for regular residential pick-up shall be generated by any home occupation.
8. No home occupations of any use entailing food processing or packing, harboring of animals, automobile repair or similar activity shall be allowed to receive a permit.

OWNER'S AFFIDAVIT

STATE OF NEVADA)
) SS.
COUNTY OF LANDER)

I, Abigail Alstatt BEING DULY SWORN, DEPOSE AND SAY THAT I AM AN OWNER OF PROPERTY INVOLVED IN THIS PETITION AND THAT THE FOREGOING STATEMENTS AND ANSWERS HEREIN CONTAINED AND THE INFORMATION HERewith SUBMITTED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

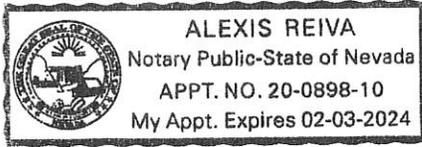
PROPERTY ADDRESS OR PARCEL NUMBER: 195 Pleasant Hill Dr

SIGNED 

MAILING ADDRESS 195 Pleasant Hill Dr
Battle Mtn, NV 89820

PHONE (775) 388-7416

SUBSCRIBED AND SWORN TO BEFORE ME THIS 17th DAY OF March, 2023.



Alexis Reiva Lander County, NV
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

MY COMMISSION EXPIRES: 2-3-24

STATEMENT OF COMPLIANCE

HOME OCCUPATION PERMIT-LANDER COUNTY

I HAVE READ THE ATTACHED CHAPTER 17.15 OF THE LANDER COUNTY CODE RELATING TO HOME OCCUPATIONS. I UNDERSTAND THE RESTRICTIONS PLACED UPON HOME OCCUPATIONS AND I AGREE TO COMPLY WITH THE RESTRICTIONS.

I UNDERSTAND THAT VIOLATION OF THESE PROVSINOS MAY BE GROUNDS FOR A REVIEW AND POSSIBLE REVOCATION OF MY PERMIT TO DO BUSINESS.

Business Name Ranch House Breads

Applicant's Name Abigail Alstatt

Applicant's Signature  _____

Mailing Address 195 Pleasant Hill Dr. Battle Mtn, NV 89820

Date 3-17-23

Cottage Food Program Registration Certificate

Nevada Division of Public and Behavioral Health

Environmental Health Section
727 Fairview Drive, Suite D
Carson City, Nevada 89706
(775) 687-7533



Date: _____

Registration No. _____

Applicant Name _____

Applicant Address _____

City, State, Zip _____

Thank you for successfully registering your business as a cottage food producer. This registration is valid in all counties in Nevada except for Washoe County, Clark County, Carson City and Douglas County. Registration of cottage foods in those jurisdictions may differ from this registration and therefore requires contacting them individually for their registration requirements.

_____ has been approved to provide the following products as a cottage food:

Approved Products

Please print this registry document out and have it available as proof of your registration.

If you intend to change or add food products please contact the Cottage Food Program. Any changes to this list must be received in writing. A new application is not necessary. See our website for more information at the Nevada Division of Public and Behavioral Health website.

Link: http://dph.nv.gov/Reg/Environmental_Health/

Cottage Food Program

GENERAL REMITTANCE

LANDER COUNTY TREASURER / JUSTI JOHNSON
50 State Route 305
BATTLE MOUNTAIN, NV 89820

DATE: _____ 3/17/2023

FROM: PLANNING DEPARTMENT

BL or PD Number: Abigail Alstatt - Ranch House Breads **PD HOP 01-23**

TOTAL CHECK AMOUNT: _____

ONLINE PAYMENT AMOUNT: _____

TOTAL CASH AMOUNT: _____

TOTAL M.O. AMOUNT: 28377211814 **\$75.00**

TOTAL AMOUNT REMITTED: \$75.00

BATTLE MOUNTAIN	025-000-32010	_____
AUSTIN	020-000-32010	_____
KINGSTON	035-000-32010	_____
PLANNING DEPARTMENT	001-000-32103	<u>\$75.00</u>

TOTAL DISBURSEMENT: \$75.00



Shelby Knopp
Planning Department



[Close Window](#)
[Personal Property](#)
[Sales Data](#)
[Secured Tax Inquiry](#)
[Recorder Website](#)

Parcel Detail for Parcel # 011-071-05

Prior Parcel # [008-251-05](#)

Location

Property Location [195 PLEASANT HILL DRIVE](#)
 Town
 District [8.0 - Battle Mountain Road Special](#)
 Subdivision [PORTION LOT 4 BLK A MVE](#) Lot Block
 Property Name

[Add'l Addresses](#)
[Assessor Maps](#)
[Legal Description](#)
[Ag Land](#)

Ownership

Assessed Owner Name [ALSTATT, ABIGAIL B](#)
 Mailing Address
[195 PLEASANT HILL DR](#)
[BATTLE MOUNTAIN, NV 89820](#)
 Legal Owner Name [ALSTATT, ABIGAIL B](#)
 Vesting Doc #, Date [299673](#) [06/23/2021](#) Year / Book / Page [21 / 0 / 0](#)
 Map Document #s

[Ownership History](#)
[Document History](#)

Description

Total Acres [2.100](#) Square Feet [91,476](#)
 Ag Acres [.000](#) W/R Acres [.000](#)

Improvements

Single-family Detached 1	Non-dwelling Units 3	Bedrooms / Baths 3 / 2.00
Single-family Attached 0	Mobile Home Hookups 1	Stories 1.0
Multiple-family Units 0	Wells 1	Garage Square Ft... 0
Mobile Homes 0	Septic Tanks 1	Attached / Detached
Total Dwelling Units 1	Buildings Sq Ft 0	
Improvement List	Residence Sq Ft 1,427	
Improvement Sketches	Basement Sq Ft 0	Basement
Improvement Photos	Finished Basement SF 0	Bedrooms / Baths 0 / .00

Appraisal Classifications

Current Land Use Code [200](#) [Code Table](#)

Zoning Code(s) [A1](#)

Re-appraisal Group [4](#) Re-appraisal Year [2018](#)
 Original Construction Year [1935](#) Weighted Year

Assessed Valuation

Assessed Values	<u>2023-24</u>	<u>2022-23</u>	<u>2021-22</u>
Land	4,200	4,200	4,200
Improvements	20,472	19,862	19,665
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	24,672	24,062	23,865
Increased (New) Values			
Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	<u>2023-24</u>	<u>2022-23</u>	<u>2021-22</u>
Land	12,000	12,000	12,000
Improvements	58,491	56,749	56,186
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	70,491	68,749	68,186
Increased (New) Values			
Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

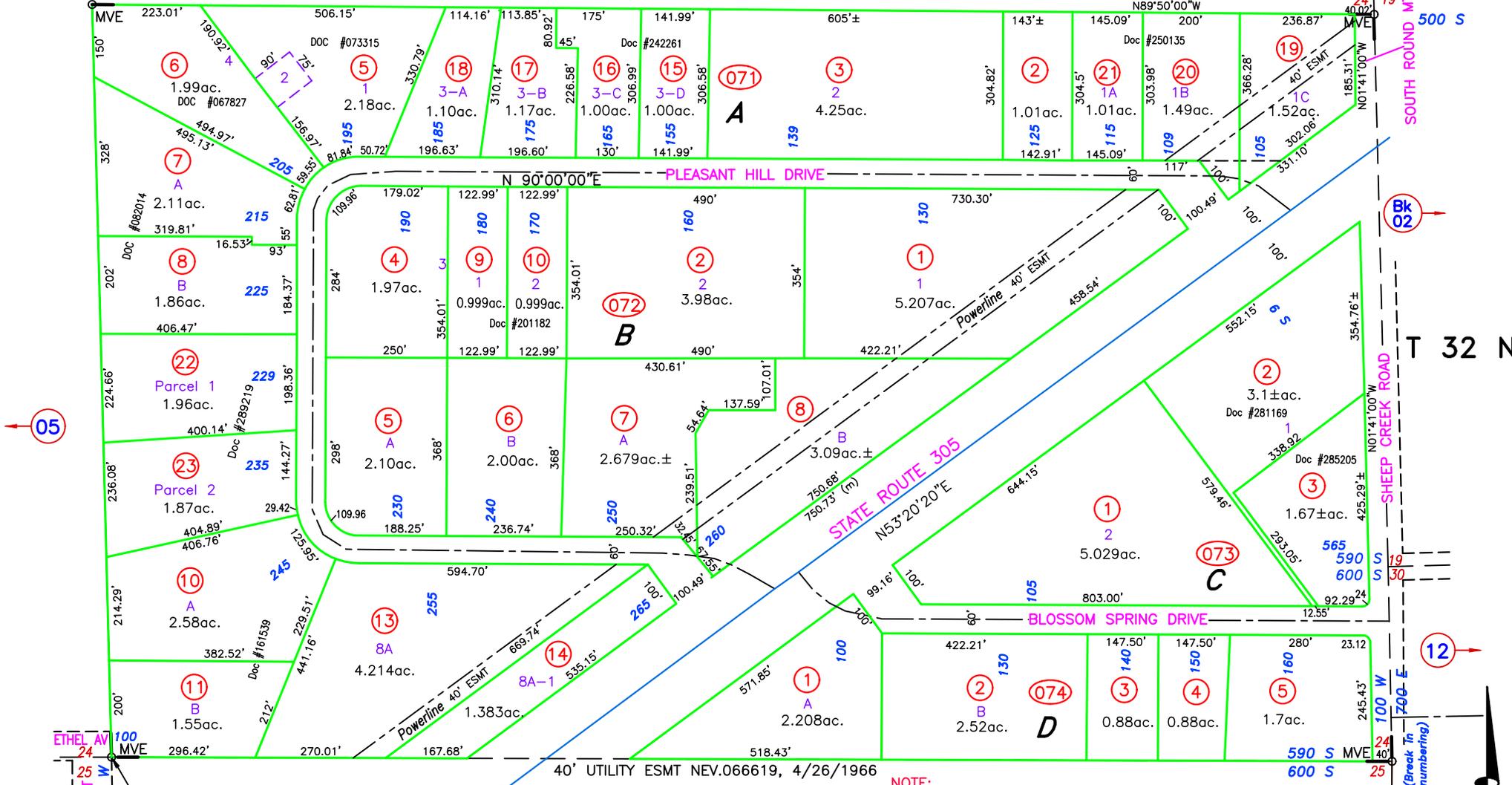
[Back to Search List](#)

S 1/2 SE 1/4 Section 24

MVE - MOUNTAIN VIEW ESTATES. DOC #54746

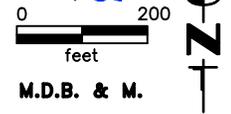
R 44 E

R 45 E



GROSS ACREAGE IS SHOWN.
NET ACREAGE LABELED (NET) OR (N)

NOTE:
THIS PLAT IS FOR ASSESSMENT USE ONLY, AND
DOES NOT REPRESENT A SURVEY. NO LIABILITY IS
ASSUMED AS TO THE ACCURACY OF THE DATA
DELINEATED HEREON. USE OF THIS PLAT FOR
OTHER THAN ASSESSMENT PURPOSES IS FORBIDDEN
UNLESS APPROVED BY THE DEPT. OF TAXATION.
DIVISION OF ASSESSMENT STANDARDS.



REVIEWED, 04/20/22 NJW
ADJUSTED TO REVISED LANDBASE, UPDATED LOT DIMENSIONS 11-071-07, 08, 12/9/19 NJW
SPLIT 11-070-09 TO 11-070-22, 23, DOC #389219, 2/27/19 NJW

LANDER COUNTY

PD HOP 01-23 Pict



LANDER COUNTY PLANNING COMMISSION

April 19, 2022

AGENDA ITEM NUMBER 2

- 2.) Review, consideration, and possible action on Parcel Map No. 23-01, filed by The Clark Family Trust, to divide APN: 011-060-21, a three (3) acre parcel into three (3), one (1) acre parcels within a C-2 – Commercial Zoning District. **FOR POSSIBLE ACTION**

The subject property is located generally on the north side of the western terminus of Quail Run Lane, 1115 Quail Run Lane, Battle Mountain, NV 89820.

Staff report attached separately.

Recommended Motion: Forward a recommendation to the Lander County Board of Commissioners to Conditionally Approve Parcel Map No. 23-01 for The Clark Family Trust to divide APN: 011-060-21, a three (3) acre parcel into three (3), one (1) acre parcels with the following conditions:

- 1) Parcel Map to be recorded with the Lander County Recorder's Office within two (2) years of approval by the Lander County Board of Commissioners.
- 2) Pavement of the remaining portion of Quail Run Lane to be completed prior to recordation of the Parcel Map.

Lander County Planning Commission



April 11, 2023

Clark Family Trust
Attn: Randy & Cindy Jo Clark
2175 Clark Blvd
Battle Mountain, NV 89820
clark9600@hotmail.com

Re: Parcel Map No. 23-01 & 23-02

Dear Mr. & Mrs. Clark,

I would like to inform you that the above referenced application will be considered by the Lander County Planning Commission at their meeting on April 19, 2023. It is strongly recommended that all applicants or their representative physically attend (or be available by phone) the Planning Commission hearing as their application may be deferred or denied for lack of evidence.

Included with this letter is the agenda for the meeting mentioned above, as well as any pertinent information the Planning Commission will be using to make their decision.

For any questions please contact the Lander County Planning Department, by email at planning@landercountynv.org or by phone at (775)635-2860.

Sincerely,

Shelby Knopp
Shelby Knopp
Planning Coordinator



Lander County
50 State Route 305
Battle Mountain, NV 89820
(775) 635-2860

LANDER COUNTY STAFF REPORT **PARCEL MAP APPLICATION**

Applicant: Randy & Cindy Jo Clark Family Trust_775-635-9600
Report Date: 03/21/2023 **Report Due from Staff: 04/10/2023**
Agenda Item Number: 2 **Application Number: PD PM 23_01**
Planning Commission Date: 04/19/2023
Project Description: Parcel Map Application to divide an existing three (3) acre parcel into three (3) separate one (1) acre parcels.

PROJECT INFORMATION

PARCEL NUMBER: 011-060-21
PARCEL SIZE: 3 acres +/-

EXISTING ZONING: C-2 – General Commercial District

MASTER PLAN DESIGNATION: Commercial

EXISTING LAND USE: Code 140 – Vacant – Commercial

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:
North: R1-MO – Single-Family Residential District with a Manufactured Housing Overlay Parcel: 011-060-26
South: M – Industrial District Parcel: 011-060-20
West: C-1 – Commercial District Parcel: 011-060-01
East: C-2 – General Commercial District Parcel: 011-060-22

PROPERTY CHARACTERISTICS:

The property is generally flat. The property is accessed from Quail Run Lane.

EXISTING FLOOD ZONE: Zone X
Moderate-to-Low-Risk Flood Zones Designations B, C and X fall inside the moderate-to-low-risk flood zones and account for more than 20 percent of the flood insurance claims filed with FEMA's National Flood Insurance Program each year
This parcel is not designated in a Special Flood Hazard Area (SFHA).

MASTER PLAN AND COUNTY CODES:

- Lander County Master Plan – Land Use Component
- Lander County Master Plan – Public Facilities Component
- Lander County Master Plan – Transportation Component

- Lander County Zoning Ordinance – Title 17 - Establishment of Zoning Districts
- Lander County Zoning – Title 17, Section 17.62 – General Commercial District – C-2
- Lander County Code – Title 16, Section 16.12 – Parcel Maps
- Lander County Code – Title 16, Section 16.12.030 - Requirements imposed by the planning commission—Review.
- Lander County Code – Title 16, Section 16.12.035 – Possible Criteria for Parcel Maps relating to land divided by parcel map within preceding five years
- Lander County Code – Title 16, Section 16.16.010 Lot Size Requirements
- Lander County Code – Title 16, Section 16.16.035 Requirement of Improvements
- NRS 278.461 – Parcel Maps
- NRS 278.462 – Requirements which may be imposed by the Governing Body

BACKGROUND:

- The current parcel is located within a portion of Section 24, Township 32N and Range 44E. This parcel is designated as C-2 – General Commercial District Zoning. The surrounding zoning includes R1-MO, C-2, C-1, and M zoning.
- The existing parcel is 3 acres and is proposed to be split into three, one-acre parcels.
- The proposed properties front Quail Run Lane.
- The current parcel was previously a part of an 11.18-acre parcel, which was divided in 2020 into three parcels of various areas. Therefore, this Parcel Map Application falls under the subsequent parcel map requirements.
- The Applicant is proposing to serve all three parcels with Lander County Water Service and install a private lift station for sewage disposal.
- Standard easements are proposed along the existing and proposed property lines.
- The Public Works Department has indicated that there was a prior verbal agreement with the applicant that the County would pave the remaining portion of Quail Run Lane if the applicant brought the road up to Orange Book Standards.
- The existing pavement on Quail Run Lane was completed between May 2016 and November 2017 by Lander County.

MASTER PLAN

Land use:

- Lander County Master Plan – Land Use Component
 - The Master Plan Land Use Atlas shows the area as Commercial.
 - Lander County Assessor Data shows the area as Land Use Code 140 – Vacant – Commercial
 - The proposed Parcel Map application is in conformance with the Land Use Component of the Master Plan

Public Facilities:

- Lander County Master Plan – Public Facilities Component
 - The proposed parcel map is compatible with the Public Facilities Component of the Master Plan
 - Water Service is available in this location.
 - The applicant is proposing serving sewer with a private lift station.

Transportation:

- Lander County Master Plan – Transportation Component

- The area will be accessed from Quail Run Lane
- There are no road dedications. Quail Run Lane is an existing dedicated roadway.
- The proposed parcel map is compatible with the Transportation Component of the Master Plan and is consistent with the existing infrastructure.

ZONING DISTRICTS:

- C-2 – General Commercial Zoning District (Ordinance. 94-4 § 12.05.06 (part), 1994)
 - The required area and width in the C-2 district are as follows:
 - Ten Thousand Square Feet Minimum Area
 - Eighty Feet Minimum Width
 - Permitted Uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the State Health Department.

LANDER COUNTY CODE – TITLE 16, SECTION 16.12 - PARCEL MAPS

- Title 16, Section 16.16.101 Lot Size Requirements
 - Ten thousand square feet Requirement per C-2 Zoning Designation.
 - Meets Requirement

- Title 16, Section 16.16.035 Requirement of Improvements
 - The requirement of the following listed improvements for subdivision and **subsequent parcel maps** shall depend upon the underlying zone. The requirements shall be as follows for the C-2 Zoning Designation:
 - Curb, gutter, sidewalk, paved road, underground utilities, street lights every 500'.
 - Quail Run Lane does not have curb, gutter, and sidewalk on the existing developed portion, so the application will not be required to put in curb, gutter, and sidewalk.
 - Applicant may be required to pave the remaining portion of Quail Run Lane if the Planning Commission feels it is necessary.
 - Utilities are existing.
 - There are no street lights on Quail Run Lane, therefore installation of street lights will not be required.

- Title 16, Section 16.12.030 - Requirements imposed by the planning commission—Review.
 - The county planning commission shall require road grading, drainage provisions, adequate lot design and road width requirements as reasonably necessary. If the county planning commission or board of commissioners anticipate that the proposed parcels will be used for residential, commercial, or industrial purposes, then off-site access, street alignment, surfacing and width, water quality, water supply and sewerage provisions as are reasonably necessary and consistent with the existing use of any land zoned for similar use which is within six hundred sixty feet of the proposed parcel may be required. If the proposed parcels are less than one acre, then the planning commission or board of commissioners may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed. A sixty-foot wide road easement or right-of-way shall be provided up to and through the subject parcel from the

nearest approved county road, easement or right-of-way. All street access to lots shall be required to be not less than sixty feet and shall, at a minimum, be improved as set forth in the Lander County Rural Road Standards. To facilitate review by the commission, it is incumbent upon the developer to supply the commission with adequate evidence that site analysis has been reasonably performed and that the above requirements have been met. (Ord. 2007-13 § 2 (part), 2007)

- Title 16, Section 16.12.035 - Possible criteria for parcel maps relating to land divided by parcel map within preceding five years.
 - If the parcel map proposed relates to a second or subsequent parcel map for land that has been divided by a parcel map which was recorded within the five years immediately preceding that acceptance of a second or subsequent parcel map as a complete application, the planning commission may consider the following criteria in determining whether to approve, conditionally approve or disapprove such parcel map:
 - Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
 - The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs;
 - The availability and accessibility of utilities;
 - The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;
 - Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;
 - General conformity with the governing body's master plan of streets and highways;
 - The effect of the parcel map on existing public streets and the need for new streets or highways;
 - Physical characteristics of the land such as flood plain, slope and soil; and
 - The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.
(Ord. 2001-3 § 1)

NEVADA REVISED STATUES

- NRS 278.461 General Requirements; exemptions:
 - The general requirements for a Parcel Map Submittal were met.
- NRS 278.462 Requirements which may be imposed by governing body. The governing body or, if authorized by the governing body, the planning commission or other authorized person:
 - May require street grading, drainage provisions and lot designs as are reasonably necessary

- If it anticipates, based upon duly adopted ordinances and plans, that the parcels will be used for residential, commercial or industrial purposes, may require off-site access, street alignment, surfacing and width, water quality, water supply and sewerage provisions only as necessary and consistent with the existing use of any land zoned for similar use which is within 660 feet of the proposed parcel. If the proposed parcels are less than 1 acre, the governing body or, if authorized by the governing body, the planning commission or other authorized person may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.
- For a second or subsequent parcel map with respect to:
 - A single parcel; or
 - A contiguous tract of land under the same ownership, may require any reasonable improvement, but not more than would be required if the parcel were a subdivision.

FINDINGS / ADDITIONAL CONDITIONS:

The proposed parcel map is in conformance with:

- Lander County Master Plan – Land Use Component
- Lander County Master Plan – Public Facilities Component
- Lander County Master Plan – Transportation Component
- Lander County Code – Title 16, Section 16.16.101 Lot Size Requirements
- Lander County Code – Title 16, Section 16.16.035 Requirement of Improvements
- Lander County Zoning Ordinance - Establishment of Zoning Districts
- Lander County Zoning – Title 17, Section 17.62 – General Commercial District – C-2
- Lander County Code – Title 16, Section 16.12 – Parcel Maps
- Lander County Code – Title 16, Section 16.12.030 - Requirements imposed by the planning commission—Review.
- Lander County Code – Title 16, Section 16.12.035 – Possible Criteria for Parcel Maps relating to land divided by parcel map within preceding five years
- Lander County Code – Title 16, Section 16.16.010 Lot Size Requirements
- Lander County Code – Title 16, Section 16.16.035 Requirement of Improvements
- NRS 278.461 – Parcel Maps
- NRS 278.462 – Requirements which may imposed by the Governing Body

This parcel map has taken into consideration all of the below (describe):

- a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
 - a. There is water service available to this parcel through the County. The applicant is proposing to install a private lift station for sewage disposal.**
- b) The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;
 - a. No Will Serve letter was issued or required**
- c) The availability and accessibility of utilities;

- a. **No Will Serve letter was issued or required**
- d) The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;
 - a. **Lander County public services are in place to the best of Lander County's ability and has no bearing on this application**
- e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;
 - a. **Addressed herein**
- f) General conformity with the governing body's master plan of streets and highways;
 - a. **Addressed herein**
- g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
 - a. **Existing roadway networks leading to location are suitable for the proposed the Parcel Map and density.**
- h) Physical characteristics of the land such as floodplain, slope and soil;
 - a. **The property is generally flat and not located in a floodplain.**
- i) The recommendations and comments of those entities and persons reviewing the parcel map pursuant to NRS.;
 - a. **Review and approved by Lander County Surveyor**
- j) The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands;
 - a. **Lander County does have fire protection nearby.**
- k) The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.
 - a. **Not Applicable.**

STAFF RECOMMENDATION:

Staff recommends this parcel map be **Conditionally Approved** based on the facts, findings, and conditions included in this staff report.

Conditions:

- 1) Parcel Map to be recorded with the Lander County Recorder's Office within two (2) years of approval by the Lander County Board of Commissioners.
- 2) Pavement of the remaining portion of Quail Run Lane prior to recordation of the Parcel Map.

Planning department

From: Don Prince <dprince@landercountynv.org> on behalf of Don Prince
Sent: Thursday, April 6, 2023 10:49 AM
To: Planning department
Cc: Building Department; Aaron Martinez; April Pacheco; Bert Ramos; Bill Schaeffer; Jeanne Falzone; Lura Duvall
Subject: Re: Clark Parcel Maps Review - PD PM 23-01 & PD PM 23-02

Shelby,

The county has already agreed to pave this road since it was brought up to county standards. It was turned down in the budget meeting, but will be approached next year.

Thank you
Don

On Wed, Apr 5, 2023 at 8:15 AM Planning department <Planning@landercountynv.org> wrote:

Thanks Colt! I will add that as a condition.

Shelby Knopp

Lander County Planning Coordinator

PH (775)635-2860

50 State Route 305

Battle Mountain, NV 89820

Planning@landercountynv.org

From: Building Department [mailto:building@landercountynv.org]
Sent: Wednesday, April 5, 2023 8:11 AM
To: Planning department <Planning@landercountynv.org>; Aaron Martinez <amartinez@landercountynv.org>; April Pacheco <apacheco@landercountynv.org>; Bert Ramos <bramos@landercountynv.org>; Bill Schaeffer <districtattorney@landercountynv.org>; Don Prince <dprince@landercountynv.org>; Jeanne Falzone <jfalzone@landercountynv.org>; Lura Duvall <assessor@landercountynv.org>
Subject: RE: Clark Parcel Maps Review - PD PM 23-01 & PD PM 23-02

These look good Shelby. My only comment and opinion is the paving should be required down the roadway.

Thanks, ☺

Colt

From: Planning department [mailto:Planning@landercountynv.org]

Sent: Tuesday, April 4, 2023 9:46 AM

To: Aaron Martinez <amartinez@landercountynv.org>; April Pacheco <apacheco@landercountynv.org>; Bert Ramos <bramos@landercountynv.org>; Bill Schaeffer <districtattorney@landercountynv.org>; Building Department <building@landercountynv.org>; Don Prince <dprince@landercountynv.org>; Jeanne Falzone <jfalzone@landercountynv.org>; Lura Duvall <assessor@landercountynv.org>

Subject: Clark Parcel Maps Review - PD PM 23-01 & PD PM 23-02

Good Morning All,

I have attached the Applications, Maps, and Staff Reports for two Parcel Map applications submitted by the Clark Family Trust.

Please review and let me know if you have any additional conditions, comments, or any additional information to add.

These applications are tentatively set to be on the April 19th Planning Commission Agenda, so I will need all reviews completed by Monday, April 10th.

Let me know if you have any questions, or need any additional information.

Thank you and have a great day! ☺

Shelby Knopp

Lander County Planning Coordinator

PH (775)635-2860

50 State Route 305

Battle Mountain, NV 89820



Lander County Community Development

Letter of Transmittal

To: Aaron Martinez
AM Engineering
742 D Street
Elko, NV 89801

Date: March 27, 2023
Re: Clark Parcel Maps – PM 23-01 & PM 23-02

We are transmitting the following items:

- For Your Use
- For Your Approval
- As Requested
- Submit for Distribution

Copies	Date	App #	Description
1	3/27/23	PD PM 23-01	App., Mylar, & Copy of Map for Clark Family Trust
1	3/27/23	PD PM 23-02	Appl., Mylar, & Copy of Map for Clark Family Trust

These items are transmitted:

Remarks: Please Review Parcel Map Applications and distribute to Robert Morley, County Surveyor for his review as well.

Regards,

Shelby Knopp, Planning Coordinator – 775-635-2860

RECEIVED
By: Mindy Santistevan
Date: 2023-3-28
Time: 1:25 pm



Lander County Community Development

PARCEL MAP APPLICATION

APPLICANT/OWNER INFORMATION

Applicant(s): Randy & Cindy Jo Clark ^{Family Trust} Phone/Email: 775-635-9600 / clark9600@hotmail.com

Address: 2175 Clark Blvd Battle Mtn Nv. 89820

Legal Owner(s): Same Phone/Email: Same

Address: Same

Applicant's Representative: Randy Clark Phone/Email: _____

PROJECT INFORMATION

Property Location: 1115 Gail run

Assessor's Parcel Numbers(s): 1106021

Current Master Plan: TOURIST commercial Current Zoning: C2

Are there any deed restrictions affecting the use of the property? No

Subdivision total area: 3 acres Streets, roads, right-of-ways: 60' R-W acres

Total Number of Parcels: 3 Acreage: 1 acre

Utilities will be furnished as follows:

Electricity: No Energy Water: Bm w+S Sewage: self

SIGNATURE(S)

I hereby certify that the information stated above and materials submitted along with this application form are true and correct to the best of my knowledge. It is my responsibility to inform Lander County of any changes to information represented in this submittal.

Randy Clark [Signature] 2-6-23
Owner's Signature Date

Applicant's Signature (if the person applying is not the owner) Date

**PARCEL MAP APPLICATION
APPLICATION CHECKLIST
Lander County, NV**

The following must accompany this application:

- 1. \$400 application fee for certification review PLUS \$105.00 fee, should a waiver from the County Survey be requested (non-refundable). Check or money orders payable to Lander County
- 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 Lander County Assessor, proof of ownership acceptable to the administrator must be submitted with the application
- 3. **Review Materials including:**
 - A. Complete application form
 - B. Written description of request, including:
 - Details on the proposed development, improvements (including street and fire protection improvements) and how it meets all applicable development standards
 - Proposed use on each parcel (if applicable)
 - Existing and proposed street dedications
 - Description of utilities, including water supply and wastewater disposal
 - Any potential effects to adjoining property owners with regard to noise, dust, traffic
 - Response to all required findings (see page 3)
 - C. Title report dated within 90 days
 - D. Water right per parcels (if applicable)
 - E. Any bonding of roads or improvements (if applicable)
 - F. Any necessary engineering or other technical reports, as determined by staff
- 4. **Site Plan** prepared in accordance with Chapter 16.12 of Lander County Municipal Code, including existing buildings, setbacks, legal access, and other pertinent information
- 5. **One hardcopy of proposed Parcel Map and one electronic copy (CD or USB) of all application materials. Plan sets**
- 6. **Required one week prior to scheduled Planning Commission Meeting – Mylar of the proposed map with all appropriate signatures & changes required by review**

NOTE

It is strongly recommended that all applicants or their representative physically attend (or be available by phone) the Planning Commission hearing as their application may be deferred or denied for lack of evidence.

REQUIRED FINDINGS

Please provide a written response to the below required findings with the other materials in Checklist Item 3 (see above).

This tentative map has taken into consideration all of the below (describe):

- (a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
- (b) The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;
- (c) The availability and accessibility of utilities;
- (d) The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;
- (e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;
- (f) General conformity with the governing body's master plan of streets and highways;
- (g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
- (h) Physical characteristics of the land such as floodplain, slope and soil;
- (i) The recommendations and comments of those entities and persons reviewing the tentative map pursuant to NRS 278.330 to 278.3485, inclusive;
- (j) The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands; and
- (k) The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.

OWNER'S AFFIDAVIT

STATE OF NEVADA)
) SS.
COUNTY OF LANDER)

I, Randy Clark BEING DULY SWORN, DEPOSE AND SAY THAT I AM AN OWNER OF PROPERTY INVOLVED IN THIS PETITION AND THAT THE FOREGOING STATEMENTS AND ANSWERS HEREIN CONTAINED AND THE INFORMATION HEREWITH SUBMITTED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

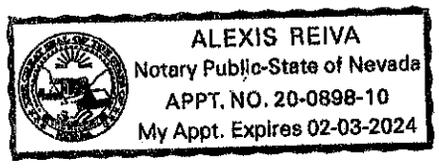
PROPERTY ADDRESS OR PARCEL NUMBER: 1106021

SIGNED *Randy Clark*

MAILING ADDRESS 2175 Clark Blvd
Battle Mtn NV, 89820

PHONE 775-635-9600

SUBSCRIBED AND SWORN TO BEFORE ME THIS 6th DAY OF February, 2023.



Alexis Reiva Landor County, NV
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

MY COMMISSION EXPIRES: 2-3-24

GENERAL REMITTANCE

LANDER COUNTY TREASURER / JUSTI JOHNSON
50 State Route 305
BATTLE MOUNTAIN, NV 89820

DATE: 2/8/23

FROM: PLANNING DEPARTMENT

BL or PD Number: PD23_ 71 & PD_72

TOTAL CHECK AMOUNT: 1234 \$800.00

ONLINE PAYMENT AMOUNT: _____
Confirmation Number : _____

TOTAL CASH AMOUNT: _____

TOTAL M.O. AMOUNT: _____

TOTAL AMOUNT REMITTED: \$800.00

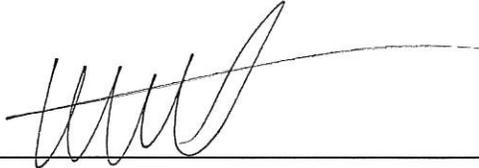
BATTLE MOUNTAIN 025-000-32010 _____

AUSTIN 020-000-32010 _____

KINGSTON 035-000-32010 _____

PLANNING DEPARTMENT 001-000-32103 \$800.00

TOTAL DISBURSEMENT: \$800.00

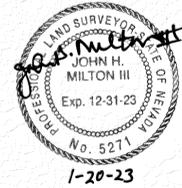
Linsey West
Planning Department

PAID
PAID FEB 08 2023 **PAID**

**PORTION OF THE N1/2SE1/4 OF SECTION 24, T.32N.,R.44E., M.D.B.&M.
LANDER COUNTY, NEVADA**

SURVEYORS CERTIFICATE

I, JOHN H. MILTON III, a PROFESSIONAL LAND SURVEYOR, licensed in the State of Nevada, do hereby certify that:
 1. This plat represents the results of a survey conducted under my direct supervision at the instance of RANDY CLARK AND CINDY JO CLARK FAMILY TRUST.
 2. The lands surveyed lie within the N1/2SE1/4 of Section 24, T. 32N., R. 44E., M.D.B.&M. in Lander County, Nevada, and the survey was completed during October, 2022.
 3. This plat complies with the applicable statutes of this state and any local ordinances in effect on the date that the survey was completed, and the survey was conducted in accordance with Chapter 625 of the Nevada Administrative Code.
 4. The monuments depicted on this plat are of the character shown, occupy the positions indicated, and are of sufficient number and durability.



JOHN H. MILTON III
Professional Land Surveyor
Nevada 5271

OWNER'S CERTIFICATE

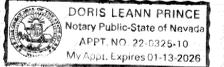
This is to certify that the undersigned, RANDY CLARK AND CINDY JO CLARK FAMILY TRUST, is the record owner of the tract of land represented on this plat and that the same is executed in compliance with and subject to N.R.S. CHAPTER 278 and the LANDER COUNTY PARCEL MAP ORDINANCE, and does hereby offer without reservation all rights of way and easements as are designated and shown on this plat for the purpose of construction and maintenance of public utilities, drainage and access easements.

RANDY CLARK AND CINDY JO CLARK FAMILY TRUST

BY: RANDY P. CLARK, as Trustee *Randy P. Clark*
 BY: CINDY JO CLARK, as Trustee *Cindy Jo Clark*

NOTARY PUBLIC CERTIFICATE

STATE OF Nevada }
 COUNTY OF Lander }
 This instrument was acknowledged before me on this 2 day of February 2023 by Randy P. Clark and Cindy Jo Clark, as Trustees for the RANDY CLARK AND CINDY JO CLARK FAMILY TRUST.
Doris Leann Prince
 NOTARY PUBLIC
 My commission expires: 1-13-2026



COUNTY TREASURER'S CERTIFICATE

I, JUSTIVIA JOHNSON, Lander County Treasurer, certify that all property taxes on the land for the fiscal year have been paid pursuant to N.R.S. 361A.265. (Assessor's Parcel Number 011-060-21).

JUSTIVIA JOHNSON
LANDER COUNTY TREASURER

UTILITY COMPANY CERTIFICATE

The undersigned utility companies have reviewed this map and find that the utility easements designated and shown are adequate.

Sterra 1/23/23
 STERRA PACIFIC POWER COMPANY dba NV ENERGY DATED
Brian 1/18/23
 NEVADA BELL TELEPHONE COMPANY dba AT&T OF NEVADA DATED

PLANNING COMMISSION CERTIFICATE

This PARCEL MAP has been reviewed and accepted by the PLANNING COMMISSION OF LANDER COUNTY, NEVADA, for the purpose of land division.

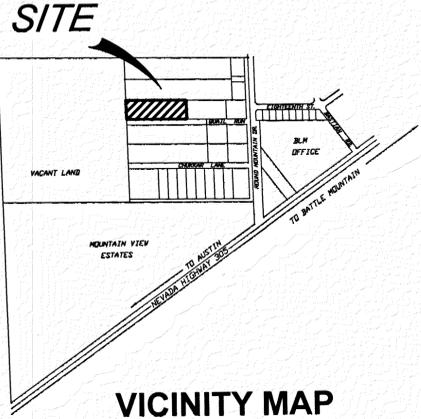
CHAIRMAN _____ DATED _____

LANDER COUNTY COMMISSIONERS CERTIFICATE

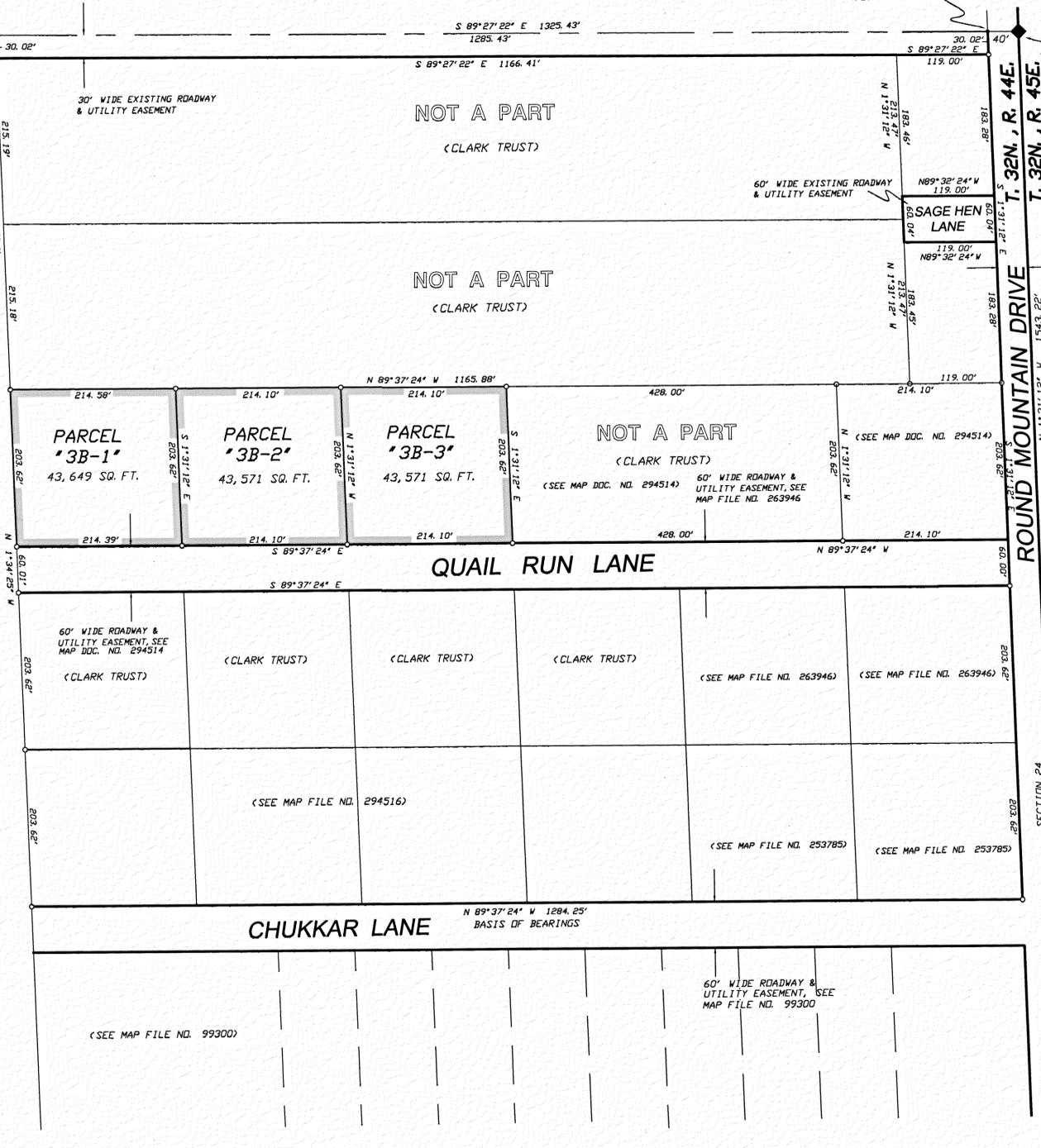
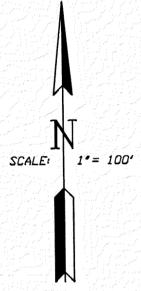
At a regular meeting of the LANDER COUNTY COMMISSIONERS OF LANDER COUNTY, NEVADA, held on the 2023 day of the 2023, this map was approved as a PARCEL MAP pursuant to N.R.S. 278 and the LANDER COUNTY MAP ORDINANCE.

CHAIRMAN LANDER COUNTY COMMISSIONERS _____

Attest: LANDER COUNTY CLERK _____



VICINITY MAP
SCALE 1" = 1000'



NOTES

- Total Area Surveyed: 3.00 Acres±, including roadways and easements.
- A public utility easement is hereby granted specifically to NV Energy within each parcel for the exclusive purpose of installing and maintaining utility service facilities to that parcel, with the right to exit that parcel with said utility facilities for the purpose of serving other parcels, at locations mutually agreed upon by the owner of record at the time of installation and the utility company.
- A public utility easement is hereby granted specifically to A.T. & T. NEVADA within each parcel for the exclusive purpose of installing and maintaining utility service facilities to that parcel, with the right to exit that parcel with said utility facilities for the purpose of serving other parcels, at locations mutually agreed upon by the owner of record at the time of installation and the utility company.
- Public utility easements are hereby granted 10 feet in width coincident with all dedicated street rights-of-ways, 5 feet in width coincident with all other exterior boundaries, and 10 feet in width centered on all interior lot lines.

COUNTY ASSESSOR'S CERTIFICATE

I, LURA DUVALL, Lander County Assessor, certify that the Assessor's Parcel Number shown on the plat is correct. (Assessor's Parcel Number 011-060-21).
 _____ DATED _____
 LURA DUVALL
 LANDER COUNTY ASSESSOR

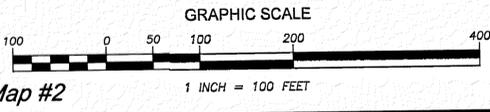
LANDER COUNTY SURVEYOR'S CERTIFICATE

I, ROBERT E. MORLEY, LANDER COUNTY SURVEYOR, have reviewed this map and have found it to be technically correct.
Robert E. Morley 3/29/2023
 ROBERT E. MORLEY DATED
 LANDER COUNTY SURVEYOR

LEGEND
 ◆ Indicates a found section corner, as noted.
 ◇ Indicates a found 1/4 section corner, as noted.
 ○ Indicates a 5/8" iron pin with a plastic cap marked P.L.S. 5271, found or set this survey, unless otherwise noted.

BASIS OF BEARINGS
 The Basis of Bearings for this plat was taken from 'Parcel Map For C. A. Burd', Map File Number 99300, which was recorded on July 7th, 1980 in the Official Records of Lander County, Nevada.

RECORD INFORMATION
 R1. Refer to 'Parcel 3B' as shown on Map Document Number 294514, which was recorded on September 15th, 2020 in the Official Records of Lander County, for the previous survey of this property, and the existing roadway and utility easements shown on this plat.



PARCEL MAP
 Prepared For Randy Clark And
 Cindy Jo Clark Family Trust

PORTION OF THE N1/2SE1/4 OF SECTION 24,
 T.32N.,R.44E., M. D. B & M.

LANDER COUNTY NEVADA

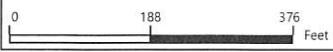






Clark Parcel Maps
Web Print: 03/09/2023

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



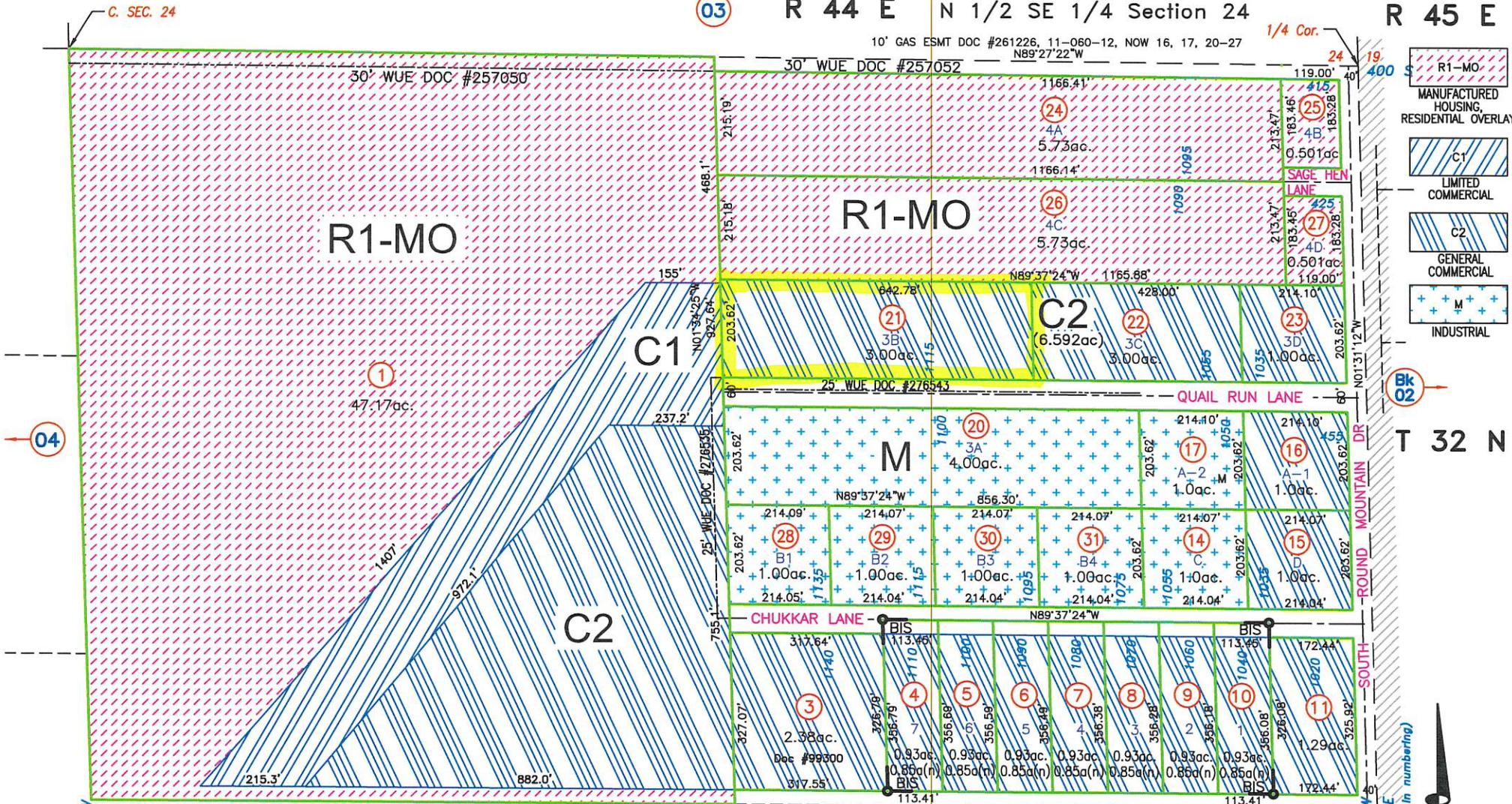
©2023 Sidwell. All rights reserved.

11-06 ZONING MAP R 45 E

R 44 E N 1/2 SE 1/4 Section 24

10' GAS ESMT DOC #261226, 11-060-12, NOW 16, 17, 20-27
N89°27'22"W

1/4 Cor.



- R1-MO
MANUFACTURED HOUSING, RESIDENTIAL OVERLAY
- C1
LIMITED COMMERCIAL
- C2
GENERAL COMMERCIAL
- M
INDUSTRIAL

SELECT ZONING DATA:

APN	ZONE	GROSS AC
11-060-01	C1	5.6
11-060-01	C2	9.63
11-060-01	R1-MO	31.89

GROSS ACREAGE IS SHOWN.
NET ACREAGE LABELED (NET) OR (N)
(M) INDICATES CAD MEASURED
(WUE) WATER AND UTILITY EASEMENT

BIS - BARD INDUSTRIAL SUBDIVISION, DOC #102732

NOTE:
THIS PLAT IS FOR ASSESSMENT USE ONLY, AND DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON. USE OF THIS PLAT FOR OTHER THAN ASSESSMENT PURPOSES IS FORBIDDEN UNLESS APPROVED BY THE DEPT. OF TAXATION, DIVISION OF ASSESSMENT STANDARDS.

ZONING, MULTIPLE PARCELS, DOC #289318, 03/21/19 NJW

REVIEWED 01/11/2023

SPLIT 11-060-18 TO 11-060-20, 21, 22 & 23 DOC #294514, 11/10/20 NJW
SPLIT 11-060-19 TO 11-060-24, 25, 26 & 27 DOC #294515, 11/10/20 NJW
SPLIT 11-060-13 TO 11-060-28, 29, 30 & 31 DOC #294516, 11/10/20 NJW

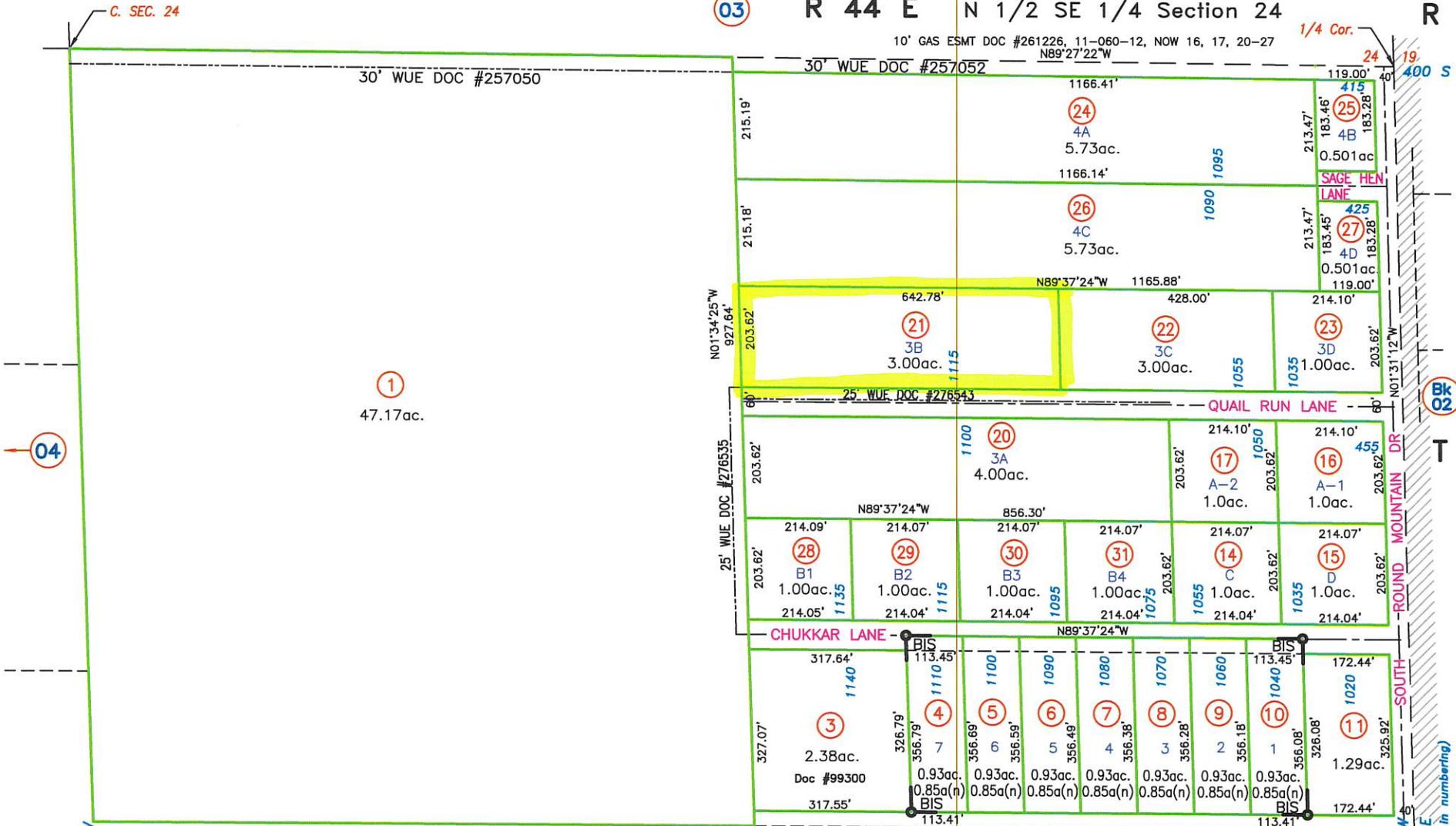


M.D.B. & M.

LANDER COUNTY

R 44 E N 1/2 SE 1/4 Section 24

R 45 E



GROSS ACREAGE IS SHOWN.
 NET ACREAGE LABELED (NET) OR (N)
 (M) INDICATES CAD MEASURED
 (WUE) WATER AND UTILITY EASEMENT

BIS - BARD INDUSTRIAL SUBDIVISION, DOC #102732

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REVIEWED 01/11/2023
 SPLIT 11-060-18 TO 11-060-20, 21, 22 & 23 DOC #294514, 11/10/20 NJW
 SPLIT 11-060-19 TO 11-060-24, 25, 26 & 27 DOC #294515, 11/10/20 NJW
 SPLIT 11-060-13 TO 11-060-28, 29, 30 & 31 DOC #294516, 11/10/20 NJW

0 200
 feet
 M.D.B. & M.
LANDER COUNTY

LANDER COUNTY PLANNING COMMISSION

April 19, 2022

AGENDA ITEM NUMBER 3

- 3.) Review, consideration, and possible action on Parcel Map No. 23-02, filed by The Clark Family Trust to divide APN: 011-060-20, a four (4) acre parcel into four (4), one (1) acre parcels within a M – Industrial Zoning District. **FOR POSSIBLE ACTION**

The subject property is located generally on the south side of the western terminus of Quail Run Lane, 1100 Quail Run Lane, Battle Mountain, NV 89820

Staff report attached separately.

Recommended Motion: Forward a recommendation to the Lander County Board of Commissioners to Conditionally Approve Parcel Map No. 23-02 for The Clark Family Trust to divide APN: 011-060-20, a four (4) acre parcel into four (4), one (1) acre parcels with the following condition:

- 1) Parcel Map to be recorded with the Lander County Recorder's Office within two (2) years of approval by the Lander County Board of Commissioners.

Lander County Planning Commission



April 11, 2023

Clark Family Trust
Attn: Randy & Cindy Jo Clark
2175 Clark Blvd
Battle Mountain, NV 89820
clark9600@hotmail.com

Re: Parcel Map No. 23-01 & 23-02

Dear Mr. & Mrs. Clark,

I would like to inform you that the above referenced application will be considered by the Lander County Planning Commission at their meeting on April 19, 2023. It is strongly recommended that all applicants or their representative physically attend (or be available by phone) the Planning Commission hearing as their application may be deferred or denied for lack of evidence.

Included with this letter is the agenda for the meeting mentioned above, as well as any pertinent information the Planning Commission will be using to make their decision.

For any questions please contact the Lander County Planning Department, by email at planning@landercountynv.org or by phone at (775)635-2860.

Sincerely,

Shelby Knopp
Shelby Knopp
Planning Coordinator

LANDER COUNTY STAFF REPORT **PARCEL MAP APPLICATION**

Applicant: Randy & Cindy Jo Clark Family Trust_775-635-9600
Report Date: 03/23/2023 **Report Due from Staff: 04/10/2023**
Agenda Item Number: 3 **Application Number: PD PM 23_02**
Planning Commission Date: 04/19/2023
Project Description: Parcel Map Application to divide an existing four (4) acre parcel into four (4) separate one (1) acre parcels.

PROJECT INFORMATION

PARCEL NUMBER: 011-060-20
PARCEL SIZE: 4.00 acres +/-

EXISTING ZONING: M – Industrial District

MASTER PLAN DESIGNATION: Industrial

EXISTING LAND USE: Code 150 – Vacant - Industrial

NEIGHBORHOOD CHARACTERISTICS:
The property is surrounded by:
North: C2 – General Commercial District Parcel: 011-060-21
South: M – Industrial District Parcels: 011-060-28, 011-060-29, 011-060-30 & 011-060-31
West: M – Industrial District Parcel: 011-060-17
East: C2 & C1 – General Commercial & Commercial District Parcel: 011-060-01

PROPERTY CHARACTERISTICS:
The property is generally flat. The property is accessed from Quail Run Lane.

EXISTING FLOOD ZONE: Zone X
Moderate-to-Low-Risk Flood Zones Designations B, C and X fall inside the moderate-to-low-risk flood zones and account for more than 20 percent of the flood insurance claims filed with FEMA’s National Flood Insurance Program each year
This parcel is not designated in a Special Flood Hazard Area (SFHA).

- MASTER PLAN AND COUNTY CODES:**
- Lander County Master Plan – Land Use Component
 - Lander County Master Plan – Public Facilities Component
 - Lander County Master Plan – Transportation Component

- Lander County Zoning Ordinance – Title 17 - Establishment of Zoning Districts
- Lander County Zoning – Title 17, Section 17.64 – Industrial District – M
- Lander County Code – Title 16, Section 16.12 – Parcel Maps
- Lander County Code – Title 16, Section 16.12.030 - Requirements imposed by the planning commission—Review.
- Lander County Code – Title 16, Section 16.12.035 – Possible Criteria for Parcel Maps relating to land divided by parcel map within preceding five years
- Lander County Code – Title 16, Section 16.16.010 Lot Size Requirements
- Lander County Code – Title 16, Section 16.16.035 Requirement of Improvements
- NRS 278.461 – Parcel Maps
- NRS 278.462 – Requirements which may imposed by the Governing Body

BACKGROUND:

- The parcel is located within a portion of Section 24, Township 32N and Range 44E. This parcel is designated as M – Industrial District Zoning. The surrounding zoning includes C2, M, and C1 zoning.
- The existing parcel is four acres and is proposed to be split into four, one-acre parcels.
- The proposed properties front Quail Run Lane.
- The current parcel was previously a part of an 11.18-acre parcel, which was divided in 2020 into three parcels of various areas. Therefore, this Parcel Map Application falls under the subsequent parcel map requirements.
- The Applicant is proposing to serve all four parcels with Lander County Water Service and install a private lift station for sewage disposal.
- Standard easements are proposed along the existing and proposed property lines.

MASTER PLAN

Land use:

- Lander County Master Plan – Land Use Component
 - The Master Plan Land Use Atlas shows the area as Industrial.
 - Lander County Assessor Data shows the area as Land Use Code 150 – Vacant – Industrial
 - The proposed Parcel Map application is in conformance with the Land Use Component of the Master Plan.

Public Facilities:

- Lander County Master Plan – Public Facilities Component
 - The proposed parcel map is compatible with the Public Facilities Component of the Master Plan
 - Water Service is available in this location.
 - The applicant is proposing serving sewer with a private lift station.

Transportation:

- Lander County Master Plan – Transportation Component
 - The area will be accessed from Quail Run Lane
 - There are no road dedications. Quail Run Lane is an existing dedicated roadway.
 - The proposed parcel map is compatible with the Transportation Component of the Master Plan and is consistent with the existing infrastructure.

ZONING DISTRICTS:

- M – Industrial Zoning District
 - The required area and width in the M - Industrial district are as follows:
 - Ten thousand square feet minimum area
 - Eighty feet minimum width
 - For permitted uses utilizing an individual sewage disposal system, the required area for any such area shall be approved by the State Health Department.

LANDER COUNTY CODE – TITLE 16, SECTION 16.12 – PARCEL MAPS

- Title 16, Section 16.16.101 Lot Size Requirements
 - Ten thousand square feet Requirement per M - Industrial Zoning Designation
 - Meets Requirement
- Title 16, Section 16.16.035 Requirement of Improvements
 - The requirement of the following listed improvements for subdivision and **subsequent parcel maps** shall depend upon the underlying zone. The requirements shall be as follows:
 - There are no improvement requirements for the M - Industrial Zoning District.
- Title 16, Section 16.12.030 - Requirements imposed by the planning commission—Review.
 - The county planning commission shall require road grading, drainage provisions, adequate lot design and road width requirements as reasonably necessary. If the county planning commission or board of commissioners anticipate that the proposed parcels will be used for residential, commercial, or industrial purposes, then off-site access, street alignment, surfacing and width, water quality, water supply and sewerage provisions as are reasonably necessary and consistent with the existing use of any land zoned for similar use which is within six hundred sixty feet of the proposed parcel may be required. If the proposed parcels are less than one acre, then the planning commission or board of commissioners may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed. A sixty-foot wide road easement or right-of-way shall be provided up to and through the subject parcel from the nearest approved county road, easement or right-of-way. All street access to lots shall be required to be not less than sixty feet and shall, at a minimum, be improved as set forth in the Lander County Rural Road Standards. To facilitate review by the commission, it is incumbent upon the developer to supply the commission with adequate evidence that site analysis has been reasonably performed and that the above requirements have been met. (Ord. 2007-13 § 2 (part), 2007)
- Title 16, Section 16.12.035 - Possible criteria for parcel maps relating to land divided by parcel map within preceding five years.
 - If the parcel map proposed relates to a second or subsequent parcel map for land that has been divided by a parcel map which was recorded within the five years

immediately preceding that acceptance of a second or subsequent parcel map as a complete application, the planning commission may consider the following criteria in determining whether to approve, conditionally approve or disapprove such parcel map:

- Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
- The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs;
- The availability and accessibility of utilities;
- The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;
- Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;
- General conformity with the governing body's master plan of streets and highways;
- The effect of the parcel map on existing public streets and the need for new streets or highways;
- Physical characteristics of the land such as flood plain, slope and soil; and
- The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands.
(Ord. 2001-3 § 1)

NEVADA REVISED STATUTES

- NRS 278.461 General Requirements; exemptions:
 - The general requirements for a Parcel Map submittal were met.
- NRS 278.462 Requirements which may be imposed by governing body. The governing body or, if authorized by the governing body, the planning commission or other authorized person:
 - May require street grading, drainage provisions and lot designs as are reasonably necessary
 - If it anticipates, based upon duly adopted ordinances and plans, that the parcels will be used for residential, commercial or industrial purposes, may require off-site access, street alignment, surfacing and width, water quality, water supply and sewerage provisions only as necessary and consistent with the existing use of any land zoned for similar use which is within 660 feet of the proposed parcel. If the proposed parcels are less than 1 acre, the governing body or, if authorized by the governing body, the planning commission or other authorized person may require additional improvements which are reasonably necessary and consistent with the use of the land if it is developed as proposed.
 - For a second or subsequent parcel map with respect to:
 - A single parcel; or

- A contiguous tract of land under the same ownership, may require any reasonable improvement, but not more than would be required if the parcel were a subdivision.

FINDINGS / ADDITIONAL CONDITIONS:

The proposed parcel map is in conformance with:

- Lander County Master Plan – Land Use Component
- Lander County Master Plan – Public Facilities Component
- Lander County Master Plan – Transportation Component
- Lander County Code – Title 16, Section 16.16.101 Lot Size Requirements
- Lander County Code – Title 16, Section 16.16.035 Requirement of Improvements
- Lander County Zoning Ordinance - Establishment of Zoning Districts
- Lander County Zoning – Title 17, Section 17.64 – Industrial District – M
- Lander County Code – Title 16, Section 16.12 – Parcel Maps
- Lander County Code – Title 16, Section 16.12.030 - Requirements imposed by the planning commission—Review.
- Lander County Code – Title 16, Section 16.12.035 – Possible Criteria for Parcel Maps relating to land divided by parcel map within preceding five years
- Lander County Code – Title 16, Section 16.16.010 Lot Size Requirements
- Lander County Code – Title 16, Section 16.16.035 Requirement of Improvements
- NRS 278.461 – Parcel Maps
- NRS 278.462 – Requirements which may imposed by the Governing Body

This parcel map has taken into consideration all of the below (describe):

- a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
 - a. **There is water service available to this parcel through the County. The applicant is proposing to install a private lift station for sewage disposal.**
- b) The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;
 - a. **No Will Serve letter was issued or required**
- c) The availability and accessibility of utilities;
 - a. **No Will Serve letter was issued or required**
- d) The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;
 - a. **Lander County public services are in place to the best of Lander County’s ability and has no bearing on this application**
- e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;
 - a. **Addressed herein**

- f) General conformity with the governing body's master plan of streets and highways;
 - a. **Addressed herein**
 - g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
 - a. **Existing roadway networks leading to location are suitable for the proposed the Parcel Map and density.**
 - h) Physical characteristics of the land such as floodplain, slope and soil;
 - a. **The property is generally flat and not located in a floodplain.**
 - i) The recommendations and comments of those entities and persons reviewing the parcel map pursuant to NRS.;;
 - a. **Review and approved by Lander County Surveyor**
 - j) The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands;
 - a. **Lander County does have fire protection nearby.**
 - k) The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.
 - a. **Not Applicable.**
-

STAFF RECOMMENDATION:

Staff recommends this parcel map be **Conditionally Approved** based on the facts, findings and conditions included in this staff report.

Conditions:

- 1) Parcel Map to be recorded with the Lander County Recorder's Office within two (2) years of approval by the Lander County Board of Commissioners.

Planning department

From: Don Prince <dprince@landercountynv.org> on behalf of Don Prince
Sent: Thursday, April 6, 2023 10:49 AM
To: Planning department
Cc: Building Department; Aaron Martinez; April Pacheco; Bert Ramos; Bill Schaeffer; Jeanne Falzone; Lura Duvall
Subject: Re: Clark Parcel Maps Review - PD PM 23-01 & PD PM 23-02

Shelby,

The county has already agreed to pave this road since it was brought up to county standards. It was turned down in the budget meeting, but will be approached next year.

Thank you
Don

On Wed, Apr 5, 2023 at 8:15 AM Planning department <Planning@landercountynv.org> wrote:

Thanks Colt! I will add that as a condition.

Shelby Knopp

Lander County Planning Coordinator

PH (775)635-2860

50 State Route 305

Battle Mountain, NV 89820

Planning@landercountynv.org

From: Building Department [mailto:building@landercountynv.org]
Sent: Wednesday, April 5, 2023 8:11 AM
To: Planning department <Planning@landercountynv.org>; Aaron Martinez <amartinez@landercountynv.org>; April Pacheco <apacheco@landercountynv.org>; Bert Ramos <bramos@landercountynv.org>; Bill Schaeffer <districtattorney@landercountynv.org>; Don Prince <dprince@landercountynv.org>; Jeanne Falzone <jfalzone@landercountynv.org>; Lura Duvall <assessor@landercountynv.org>
Subject: RE: Clark Parcel Maps Review - PD PM 23-01 & PD PM 23-02

These look good Shelby. My only comment and opinion is the paving should be required down the roadway.

Thanks, ☺

Colt

From: Planning department [mailto:Planning@landercountynv.org]

Sent: Tuesday, April 4, 2023 9:46 AM

To: Aaron Martinez <amartinez@landercountynv.org>; April Pacheco <apacheco@landercountynv.org>; Bert Ramos <bramos@landercountynv.org>; Bill Schaeffer <districtattorney@landercountynv.org>; Building Department <building@landercountynv.org>; Don Prince <dprince@landercountynv.org>; Jeanne Falzone <jfalzone@landercountynv.org>; Lura Duvall <assessor@landercountynv.org>

Subject: Clark Parcel Maps Review - PD PM 23-01 & PD PM 23-02

Good Morning All,

I have attached the Applications, Maps, and Staff Reports for two Parcel Map applications submitted by the Clark Family Trust.

Please review and let me know if you have any additional conditions, comments, or any additional information to add.

These applications are tentatively set to be on the April 19th Planning Commission Agenda, so I will need all reviews completed by Monday, April 10th.

Let me know if you have any questions, or need any additional information.

Thank you and have a great day! ☺

Shelby Knopp

Lander County Planning Coordinator

PH (775)635-2860

50 State Route 305

Battle Mountain, NV 89820



Lander County Community Development

PARCEL MAP APPLICATION

APPLICANT/OWNER INFORMATION

Applicant(s): Randy & Cindy Clark Family Trust Phone/Email: 775-635-9600 / Clark9600@hotmail.com
Address: 2175 Clark Blvd Battle Mtn. Nev. 89820

Legal Owner(s): Same Phone/Email: Same
Address: Same

Applicant's Representative: Randy Clark Phone/Email: _____

PROJECT INFORMATION

Property Location: 1100 Quail Run

Assessor's Parcel Numbers(s): 1106020

Current Master Plan: Industrial Current Zoning: Industrial

Are there any deed restrictions affecting the use of the property? No

Subdivision total area: 4 acres Streets, roads, right-of-ways: 60' R-W acres

Total Number of Parcels: 4 Acreage: 1 acre

Utilities will be furnished as follows:

Electricity: Nu. Energy Water: BM w/s Sewage: Self

SIGNATURE(S)

I hereby certify that the information stated above and materials submitted along with this application form are true and correct to the best of my knowledge. It is my responsibility to inform Lander County of any changes to information represented in this submittal.

Randy Clark
Owner's Signature

2-26-23
Date

Applicant's Signature (if the person applying is not the owner) _____ Date _____

PARCEL MAP APPLICATION
APPLICATION CHECKLIST
Lander County, NV

The following must accompany this application:

- 1. \$400 application fee for certification review PLUS \$105.00 fee, should a waiver from the County Survey be requested (non-refundable). Check or money orders payable to Lander County
- 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 Lander County Assessor, proof of ownership acceptable to the administrator must be submitted with the application
- 3. **Review Materials including:**
 - o A. Complete application form
 - o B. Written description of request, including:
 - Details on the proposed development, improvements (including street and fire protection improvements) and how it meets all applicable development standards
 - Proposed use on each parcel (if applicable)
 - Existing and proposed street dedications
 - Description of utilities, including water supply and wastewater disposal
 - Any potential effects to adjoining property owners with regard to noise, dust, traffic
 - Response to all required findings (see page 3)
 - o C. Title report dated within 90 days
 - o D. Water right per parcels (if applicable)
 - o E. Any bonding of roads or improvements (if applicable)
 - o F. Any necessary engineering or other technical reports, as determined by staff
- 4. **Site Plan** prepared in accordance with Chapter 16.12 of Lander County Municipal Code, including existing buildings, setbacks, legal access, and other pertinent information
- 5. **One hardcopy of proposed Parcel Map and one electronic copy (CD or USB) of all application materials. Plan sets**
- 6. **Required one week prior to scheduled Planning Commission Meeting – Mylar of the proposed map with all appropriate signatures & changes required by review**

NOTE

It is strongly recommended that all applicants or their representative physically attend (or be available by phone) the Planning Commission hearing as their application may be deferred or denied for lack of evidence.

REQUIRED FINDINGS

Please provide a written response to the below required findings with the other materials in Checklist Item 3 (see above).

This tentative map has taken into consideration all of the below (describe):

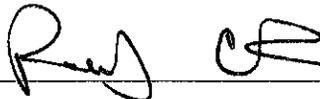
- (a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
- (b) The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;
- (c) The availability and accessibility of utilities;
- (d) The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;
- (e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;
- (f) General conformity with the governing body's master plan of streets and highways;
- (g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
- (h) Physical characteristics of the land such as floodplain, slope and soil;
- (i) The recommendations and comments of those entities and persons reviewing the tentative map pursuant to NRS 278.330 to 278.3485, inclusive;
- (j) The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands; and
- (k) The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.

OWNER'S AFFIDAVIT

STATE OF NEVADA)
) SS.
COUNTY OF LANDER)

I, ~~1106020~~ ^d Randy Clark BEING DULY SWORN, DEPOSE AND SAY THAT I AM AN OWNER OF PROPERTY INVOLVED IN THIS PETITION AND THAT THE FOREGOING STATEMENTS AND ANSWERS HEREIN CONTAINED AND THE INFORMATION HEREWITH SUBMITTED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

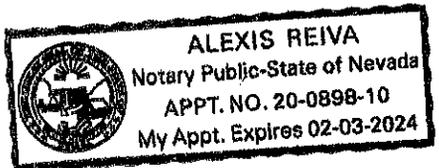
PROPERTY ADDRESS OR PARCEL NUMBER: 110 26020

SIGNED 

MAILING ADDRESS 2175 Clark Blvd
Battle Mtn No. 89820

PHONE 775.635.9600

SUBSCRIBED AND SWORN TO BEFORE ME THIS 6th DAY OF February, 2023



 Landor County, NV
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

MY COMMISSION EXPIRES: 2-3-24

GENERAL REMITTANCE

LANDER COUNTY TREASURER / JUSTI JOHNSON
50 State Route 305
BATTLE MOUNTAIN, NV 89820

DATE: 2/8/23

FROM: PLANNING DEPARTMENT

BL or PD Number: PD23_ 71 & PD_72

TOTAL CHECK AMOUNT: 1234 \$800.00

ONLINE PAYMENT AMOUNT: _____
Confirmation Number : _____

TOTAL CASH AMOUNT: _____

TOTAL M.O. AMOUNT: _____

TOTAL AMOUNT REMITTED: \$800.00

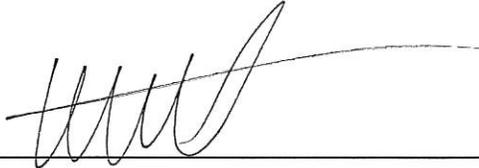
BATTLE MOUNTAIN 025-000-32010 _____

AUSTIN 020-000-32010 _____

KINGSTON 035-000-32010 _____

PLANNING DEPARTMENT 001-000-32103 \$800.00

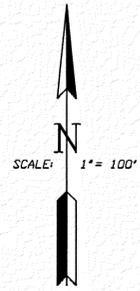
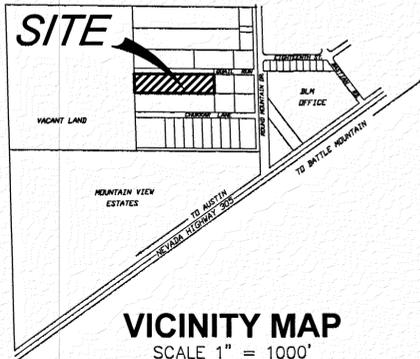
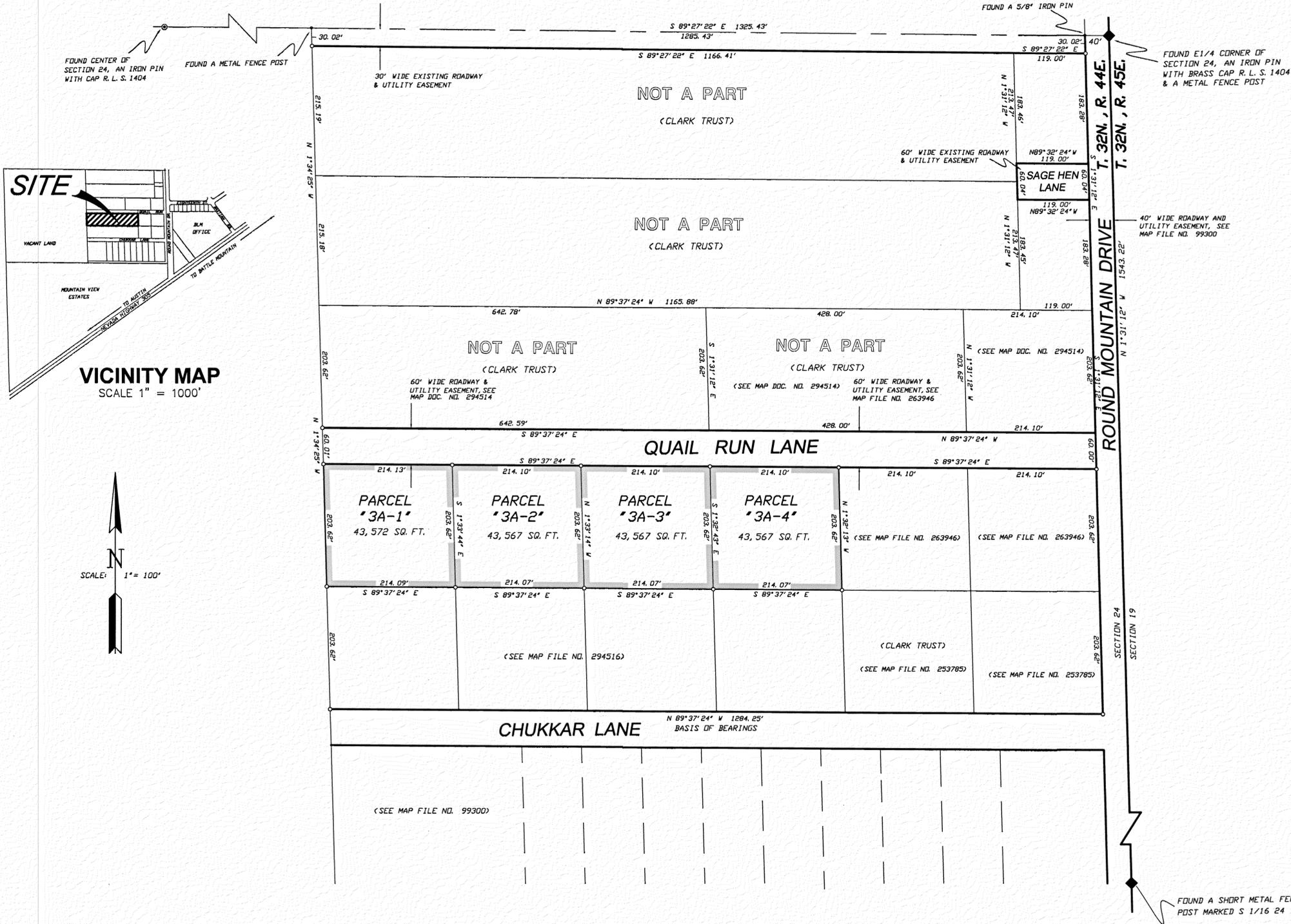
TOTAL DISBURSEMENT: \$800.00

Linsey West
Planning Department

PAID
PAID FEB 08 2023 **PAID**

**PORTION OF THE N1/2SE1/4 OF SECTION 24, T.32N.,R.44E., M.D.B.&M.
LANDER COUNTY, NEVADA**



SURVEYORS CERTIFICATE
I, JOHN H. MILTON III, a PROFESSIONAL LAND SURVEYOR, licensed in the State of Nevada, do hereby certify that:
1. This plat represents the results of a survey conducted under my direct supervision at the instance of RANDY CLARK AND CINDY JO CLARK FAMILY TRUST.
2. The lands surveyed lie within the N1/2SE1/4 of Section 24, T.32N., R.44E., M.D.B.&M. in Lander County, Nevada, and the survey was completed during October, 2022.
3. This plat complies with the applicable statutes of this state and any local ordinances in effect on the date that the survey was completed, and the survey was conducted in accordance with Chapter 625 of the Nevada Administrative Code.
4. The monuments depicted on this plat are of the character shown, occupy the positions indicated, and are of sufficient number and durability.



JOHN H. MILTON III
Professional Land Surveyor
Nevada 5271

OWNER'S CERTIFICATE
This is to certify that the undersigned, RANDY CLARK AND CINDY JO CLARK FAMILY TRUST, is the record owner of the tract of land represented on this plat and that the same is executed in compliance with and subject to N.R.S. CHAPTER 278 and the LANDER COUNTY PARCEL MAP ORDINANCE, and does hereby offer without reservation all rights of way and easements as are designated and shown on this plat for the purpose of construction and maintenance of public utilities, drainage and access easements.

RANDY CLARK AND CINDY JO CLARK FAMILY TRUST
BY: RANDY P. CLARK, as Trustee
BY: CINDY JO CLARK, as Trustee

NOTARY PUBLIC CERTIFICATE
STATE OF Nevada } S.S.
COUNTY OF Lander }
This instrument was acknowledged before me on this 2 day of February, 2023 by Randy P. Clark and Cindy Jo Clark, as Trustees for the RANDY CLARK AND CINDY JO CLARK FAMILY TRUST.

NOTARY PUBLIC
My commission expires: 1/2 2026
DORIS LEANN PRINCE
Notary Public State of Nevada
APPT. NO. 22-0325-10
My Appt. Expires 01-13-2026

COUNTY TREASURER'S CERTIFICATE
I, JUSDIVIA JOHNSON, Lander County Treasurer, certify that all property taxes on the land for the fiscal year have been paid pursuant to N.R.S. 361A.265. (Assessor's Parcel Number 011-060-20).

JUSDIVIA JOHNSON
LANDER COUNTY TREASURER

UTILITY COMPANY CERTIFICATE
The undersigned utility companies have reviewed this map and find that the utility easements designated and shown are adequate.

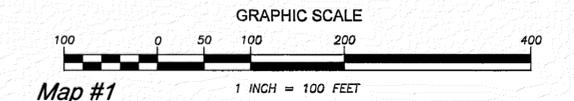
SIERRA PACIFIC POWER COMPANY dba NV ENERGY DATED 1/23/23
NEVADA BELL TELEPHONE COMPANY dba AT&T OF NEVADA DATED 1/18/23

PLANNING COMMISSION CERTIFICATE
THIS PARCEL MAP has been reviewed and accepted by the PLANNING COMMISSION OF LANDER COUNTY, NEVADA, for the purpose of land division.

CHAIRMAN DATED

LANDER COUNTY COMMISSIONERS CERTIFICATE
At a regular meeting of the LANDER COUNTY COMMISSIONER OF LANDER COUNTY, NEVADA, held on the day of 2023, this map was approved as a PARCEL MAP pursuant to N.R.S. 278 and the LANDER COUNTY MAP ORDINANCE.

CHAIRMAN LANDER COUNTY COMMISSIONERS
Attest: LANDER COUNTY CLERK



LEGEND
◊ Indicates a found section corner, as noted.
◆ Indicates a found 1/4 section corner, as noted.
○ Indicates a 5/8\"/>

BASIS OF BEARINGS
The Basis of Bearings for this plat was taken from 'Parcel Map For C. A. Burd', Map File Number 99300, which was recorded on July 7th, 1980 in the Official Records of Lander County, Nevada.

RECORD INFORMATION
R1. Refer to 'Parcel 3A' as shown on Map Document Number 294514, which was recorded on September 15th, 2020 in the Official Records of Lander County. For the previous survey of this property, and the existing roadway and utility easements shown on this plat.

NOTES

- Total Area Surveyed: 4.00 Acre(s), including roadways and easements.
- A public utility easement is hereby granted specifically to NV Energy within each parcel for the exclusive purpose of installing and maintaining utility service facilities to that parcel, with the right to exit that parcel with said utility facilities for the purpose of serving other parcels, at locations mutually agreed upon by the owner of record at the time of installation and the utility company.
- A public utility easement is hereby granted specifically to A.T. & T. NEVADA within each parcel for the exclusive purpose of installing and maintaining utility service facilities to that parcel, with the right to exit that parcel with said utility facilities for the purpose of serving other parcels, at locations mutually agreed upon by the owner of record at the time of installation and the utility company.
- Public utility easements are hereby granted 10 feet in width coincident with all dedicated street rights-of-ways, 5 feet in width coincident with all other exterior boundaries, and 10 feet in width centered on all interior lot lines.

COUNTY ASSESSOR'S CERTIFICATE
I, LURA DUVALL, Lander County Assessor, certify that the Assessor's Parcel Number shown on the plot is correct. (Assessor's Parcel Number 011-060-20).

LURA DUVALL
LANDER COUNTY ASSESSOR

LANDER COUNTY SURVEYOR'S CERTIFICATE
I, ROBERT E. MORLEY, LANDER COUNTY SURVEYOR, have reviewed this map and have found it to be technically correct.

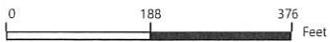
Robert E. Morley 5/29/2013
ROBERT E. MORLEY
LANDER COUNTY SURVEYOR





Clark Parcel Maps
 Web Print: 03/09/2023

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



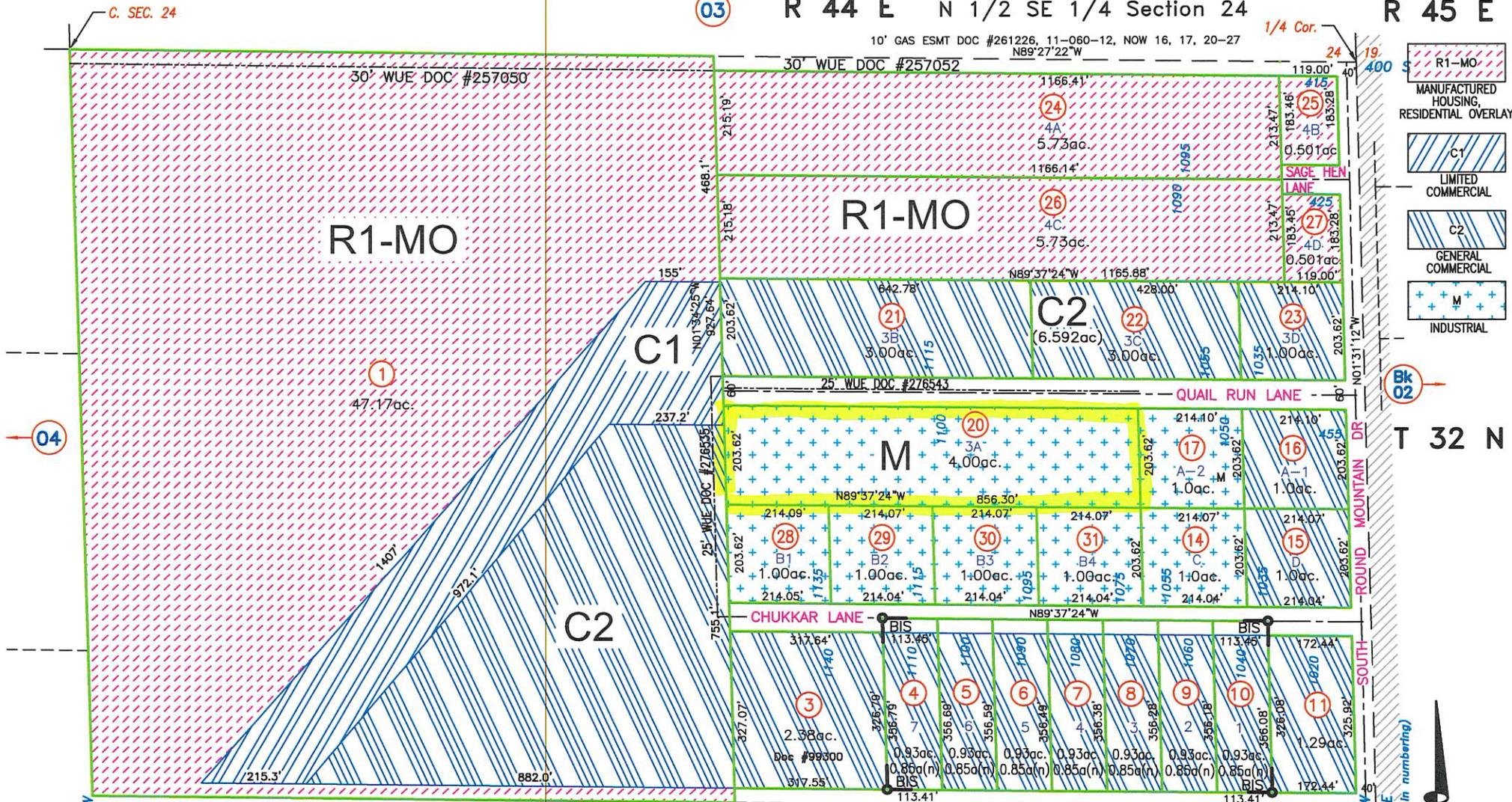
©2023 Sidwell. All rights reserved.

11-06 ZONING MAP R 45 E

R 44 E N 1/2 SE 1/4 Section 24

10' GAS ESMT DOC #261226, 11-060-12, NOW 16, 17, 20-27
N89°27'22"W

1/4 Cor.



SELECT ZONING DATA:

APN	ZONE	GROSS AC
11-060-01	C1	5.6
11-060-01	C2	9.63
11-060-01	R1-MO	31.89

ZONING, MULTIPLE PARCELS, DOC #289318, 03/21/19 NJW

REVIEWED 01/11/2023

SPLIT 11-060-18 TO 11-060-20, 21, 22 & 23 DOC #294514, 11/10/20 NJW

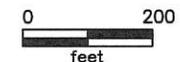
SPLIT 11-060-19 TO 11-060-24, 25, 26 & 27 DOC #294515, 11/10/20 NJW

SPLIT 11-060-13 TO 11-060-28, 29, 30 & 31 DOC #294516, 11/10/20 NJW

GROSS ACREAGE IS SHOWN.
NET ACREAGE LABELED (NET) OR (N)
(M) INDICATES CAD MEASURED
(WUE) WATER AND UTILITY EASEMENT

BIS - BARD INDUSTRIAL SUBDIVISION, DOC #102732

NOTE:
THIS PLAT IS FOR ASSESSMENT USE ONLY, AND DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON. USE OF THIS PLAT FOR OTHER THAN ASSESSMENT PURPOSES IS FORBIDDEN UNLESS APPROVED BY THE DEPT. OF TAXATION. DIVISION OF ASSESSMENT STANDARDS.



M.D.B. & M.

LANDER COUNTY

