



AGENDA

BOARD OF ADJUSTMENT MEETING

55 West Williams Avenue Fallon, NV

July 07, 2026 at 5:30 PM

The City of Fallon Board of Adjustment will meet on July 7, 2026 at 5:30 p.m. in the City Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

Items on the agenda may be taken out of order. The Board of Adjustment may combine two or more agenda items for consideration. The Board of Adjustment may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Unless otherwise allowed by the Board of Adjustment, public comments by an individual will be limited to three minutes.

1. Pledge of Allegiance to the Flag
2. Certification of Compliance with Posting Requirements
3. Public Comments
General in nature, not relative to any agenda items. No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. **(For discussion only)**
4. Consideration and Possible Approval of Minutes for March 23, 2026. **(For possible action)**
5. Consideration and possible approval of an application by Maria Refugio Tapia Duran Urrutia, 508 West B Street (APN #001-154-03), for a variance in an R-1 zone for a home business. **(For possible action)**
6. Public Comments **(For Discussion Only)**

This agenda has been posted on or before 9:00 a.m. on July 1, 2026 at City Hall, City's website (<https://fallonnevada.gov>) and the State of Nevada public notice website (<https://notice.nv.gov/>).

The supporting material for this meeting is also available to the public on the City's website (<https://fallonnevada.gov>) and the State of Nevada public notice website (<https://notice.nv.gov/>) or by

contacting Elsie Lee, Deputy City Clerk, City Clerk's Office, City Hall, 55 West Williams Avenue, Fallon, Nevada, 775-423-5104.

/s/ Elsie M. Lee

NOTICE TO PERSONS WITH DISABILITIES: Reasonable effort will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call the City Clerk's Office at 775-423-5104 in advance so that arrangements may be conveniently made.

CITY OF FALLON
BOARD OF ADJUSTMENT MINUTES
55 West Williams Ave
Fallon, Nevada
March 23, 2026

The City Board of Adjustment met on the above date in the Council Chambers, City Hall, 55 West Williams Avenue, Fallon, Nevada.

Present:

Chairwoman Kim Barrenchea
 Board Member Charlie Arciniega
 Board Member Chris Webb
 Board Member Sheila Scholz
 Board Member Toby Thomas
 City Engineer Derek Zimney
 Deputy City Attorney Sean Rowe

The meeting was called to order by Chairwoman Kim Barrenchea at 6:00 p.m.

Chairwoman Kim Barrenchea inquired if the agenda had been posted in compliance with NRS requirements.

City Engineer Derek Zimney advised that the agenda was posted in compliance with the NRS requirements.

Public Comments

Chairwoman Kim Barrenchea inquired if there were any public comments. She noted that comments are to be general in nature, not relative to any agenda items. No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken.

No comments were made.

Consideration and possible approval of Board of Adjustment meeting minutes for July 21, 2025. (For possible action)

Board Member Charlie Arciniega motioned to approve the Board of Adjustment meeting minutes for June 26, 2025, without any corrections or additions; seconded by Board Member Chris Webb and the motion carried with a 5-0 vote by the Board.

Consideration and possible approval of an application by Jerry and Diane Shepard, 506 Keddie Street (APN #001-029-13), for a variance, in an R-1 zoning district, to (1) encroach sixteen feet into the twenty foot rear setback and fourteen feet into a fifteen foot side setback of corner lot for the construction of a carport and (2) for the construction of a six foot fence and a fifteen foot tall carport within the twenty foot clear vision zone of the alley. (For possible Action)

Board Member Kim Barrencea stated that you will be called on to explain the purpose of your request at this variance meeting. The Board will then ask you any questions they may have. Comments will be called on by the public, and after comments are heard the meeting will be closed to further input. The Board will then have a discussion on the matter. The Board has 30 days to make the decision and 10 days to appeal, if desired by the applicant. In total, once the decision has been reached, and the appeal period has expired, the applicant has 180 days on which to enact on the variance. Is there anything you don't understand?

No comments were noted.

City Engineer Derek Zimney stated that Jerry and Diane Shepard, 506 Keddie Street, have filed for a variance in an R-1 zoning district, to (1) encroach sixteen feet into the twenty foot rear setback and fourteen feet into a fifteen foot side setback of corner lot for the construction of a carport and (2) for the construction of a six foot fence and a fifteen foot tall carport within the twenty foot clear vision zone of the alley. The Shepards are proposing a carport to cover their Recreational Vehicle. The building plans have been reviewed by the City of Fallon Building Department and are attached. Jerry and Diane are here if you have any questions.

Jerry Shepard greeted the Board. I am just wanting to build an RV cover. I have a 39-foot motor home and shade is better than sitting in the sun. Also, build a 6-foot fence to keep people away since it will be fairly close to the sidewalk. The 6-foot fence would be 6 feet from the sidewalk, and I can make a corner so you can see it coming out of the alley. Give a little more of a clear view.

Board Member Charlie Arciniega I have a question for Derek. I know that there were mailings sent. Has there been any feedback on this request?

City Engineer Derek Zimney stated that their neighbors, directly to the north, across the alley, Randy and Nancy Johnson, came to my office this morning. They had some questions. I showed them our variance packet of where it would sit. Ultimately, they are not opposed and are generally supportive of them being allowed to build it. That is the only comment that I received.

Board Member Toby Thomas stated that he had a question for Mr. Shepard. Looking at Item 5, just to make sure I have an understanding. You said your fence is 3-foot off the sidewalk and there is a 5-foot offset. Is that 2 feet more from the edge of your carport? Is that correct?

Mr. Shepard stated that was correct.

Board Member Sheila Scholz made comments regarding seeing them walking in the mornings.

Board Member Chris Webb stated that she had a comment. In my tenure on this board, we have had 2 other times where people have requested that we allow them to encroach on established site lines. In both of those cases, we denied the variance because we didn't want to set a precedent for adequate site lines and safety. One was the Episcopal Church the other was recently on Manchester Circle. So, I have huge hesitations and concerns. These are very lovely people, and they are keeping their place very lovely. My concern, no matter how often that alley is used, there is an alley there, it is for use. I am hesitant to grant this just based on safety, and we are setting a precedent for future people coming to us, wanting us to encroach on site lines. So, from a safety perspective, at this point in time, I would not feel comfortable granting the variance. For that reason, and for the other people that have come to us, and we have denied, in the past.

Mr. Shepard stated that he had another drawing. It shows that if you were 8-feet off the back fence, and 8-feet back from the sidewalk, that you would be able to see almost all the way

to the corner, and definitely see the other corner.

Board Member Chris Webb inquired about the established footage for site line.

City Engineer Derek stated the site line is 20-feet clear. It goes from a 6-foot fence down to a 3-foot fence, over 20-feet, you are allowed to triangle straight down. That is the clear vision zone. This one is difficult to read and understand, with a 15-foot carport, and a 6-foot fence. This is why I broke them into two variances. I tried to color the areas, so everyone could see where this would be. I took Jerry's drawings, made copies, and colored them so everyone can try to visualize them. Hopefully, when you drove through the alley, you could see that.

Board Member Chris Webb stated that if this variance is granted, we would be infringing on the established vision zone, and we would be setting a potential future precedent.

Board Member Sheila Scholz stated that she does live in this area. You guys are great. The problem is if you let one person do something that seems reasonable, which in my opinion seems reasonable, but because of the layout, and all of that, it is kind of hard to put it all together. So, I guess my fear is not anything that you would do, but for anything that comes down the line. Keddie Street is a busy street, as you know, we had big fights about it a couple of years ago. It was a mess. Someone wanted to conduct work through their house, but the issue was the school kids that always come down Keddie, you know with their parents, and their cars. It isn't a problem anymore, but back then, that is what we had to rely on. So, I am really struggling with this. I understand you. We were RV'ers, my husband and I, and family, for a long time. So, we really understand. At the same time, if we let you do this, how do we say no to the next person who might not being as conscientious as you?

Mr. Shepard made comments from the audience that were inaudible.

Board Member Sheila Scholz inquired on the cross-street Mr. Shepard referred to.

Mr. Shepard stated he was unsure of the cross-street name.

Board Member Toby Thomas stated that he is unsure of the clear vision of the requirements. Just as a suggestion, and to get your thoughts to see if this would work, to qualify. If the fence was moved back to where the carport would be, would that give them enough visibility not to be in violation?

City Engineer Derek Zimney stated that even if the fence was moved back, it would still be in the clear vision zone. On top of that, a 15-foot carport would be within the clear vision triangle.

Board Member Charlie Arciniega stated that he understands that there have been decisions made, in the past, regarding these types of situations. I feel like we are sitting in judgement on this particular one now. So, I don't think that we can say there will be things that come up in the future, or if there is what the site lines would be, or the standards of that application. I think we need to judge this one clearly on its merit. It seems to me that the Shepards have made a reasonable request. I feel, as I understand it, and maybe you could clarify it for me, we are looking for a variance for the zoning on the setbacks, and the site lines are just part of the application. Is it a separate decision or is it one variance?

City Engineer Derek Zimney stated that it would technically be 2 variances. One for the site of their setbacks, and one for the encroachment in the clear vision zone.

Deputy City Attorney Sean Rowe wanted to make a statement for the Board's awareness. Fallon Municipal Code, Chapter 21.63.030, goes through the considerations this body should be thinking about when presented with a request for a variance. I will briefly paraphrase this. There is a special circumstance, or condition, that applies to a particular property, under consideration, which makes compliance with provisions of this title difficult, and cause a hardship to or abridgement of the property rights of that owner. That such

circumstances do not apply generally to other properties in the same land use district. That the granting of a variance is necessary to do substantial justice to the applicant, or owner of the property. That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity, or be detrimental to the public health, general welfare, and safety.

Mr. Shepard made comments from that were inaudible regarding additional drawings and the alley.

Board Member Kim Barrencea asked to see the drawing.

Board Member Chris Webb stated that she appreciates bringing up the purpose of the Board. It is for hardship, safety, and different types of circumstances. That neighborhood, I used to live in on Dani Street, 20 years ago. In that neighborhood, I have seen people park a trailer in their front yard, and some other oddities. Generally, people who live in that area, if they have a huge motorhome or a big trailer, end up having to store it somewhere, or they move to the County, where there is a big piece of property, for those types of things. Typically, the people that live in those neighborhoods have vehicles that can be accommodated by the existing setbacks, the existing driveways, the existing sidewalks, and other things existing there.

Board Member Toby Thomas inquired about Mr. Shepard's drawing. The mark you have here, Mr. Shepard, the line of site, that would be if you were sitting in the vehicle looking to the right?

Mr. Shepard stated he was correct.

Board Member Sheila Scholz stated that she doesn't know if anyone else has tried to do a similar transaction to this. As I said, Keddie can be a busy street. If we allow one, again, if we are allowing someone new to do this, in my opinion, it makes me wonder how we can really do this. It is hard to do this. It is struggling to do this. We see these people almost every day, it looks like it is fine, and here comes somebody else, perhaps. Now, this happened about 2 years ago, maybe 2-3 years ago, when we had a big fight about Keddie Street, about the noise on it, and the children coming back from when the new High School was there. That can be very congested in that area. So, this kind of concerns me.

Board Member Charlie Arciniega stated that he has been on Keddie Street and understands that it is a busy street. Where we are looking is basically regarding Dove Street, which is not as busy. It's not nearly as busy. I don't even know if Dove Street has any actual addresses on it. It is a short, little street. If someone is coming out of the alley, and looks to the right, around this RV, around the fence, they are still not on Dove Street. Which, again, is not a busy street. Of course, people going to Dani Street, and coming from that way, use it, but it is not nearly the traffic zone like on Keddie. I think that is something that the Shepards have made clear that it is really not going to affect the traffic flow while entering that street.

Board Member Toby Thomas agreed with Board Member Charlie Arciniega. The setback on the home, on the northside of them, is set way back. So, the person in the alleyway, looking to the north, has perfect visibility. There is no block at all. Being in the position, coming out of the alleyway, and having the site visibility, being that the ongoing traffic is on the far side of the road, I am not seeing a safety issue with this, personally.

Board Member Chris Webb stated that she doesn't believe it esthetically fits into the neighborhood. I think a big 15-foot-tall carport structure, on that side yard, my personal opinion, is that it is not pleasing to the eye, and that it doesn't fit in esthetically with the rest of the neighborhood.

Board Member Sheila Scholz seconded Board Member Chris Webb's comment.

No further comments were made.

Board Member Charlie Arciniega motioned to approve the application by Jerry and

Diane Shepard, 506 Keddie Street (APN #001-029-13), for a variance, in an R-1 zoning district, to (1) encroach sixteen feet into the twenty foot rear setback and fourteen feet into a fifteen foot side setback of corner lot for the construction of a carport and (2) for the construction of a six foot fence and a fifteen foot tall carport within the twenty foot clear vision zone of the alley; seconded by Board Member Toby Thomas and the motion carried with a 3-2 vote with Board Member Chris Webb and Board Member Sheila Scholz voting nay.

Public Comments

Chairwoman Kim Barrencea inquired if there were any public comments.
No further comments were made.

Adjournment

There being no further business to come before the Board of Adjustment,
Chairwoman Kim Barrencea adjourned the meeting at 6:22 p.m.

Chairwoman Kim Barrencea

Attest:_____
Derek Zimney, City Engineer



CITY OF FALLON

REQUEST FOR BOARD ACTION

DATE SUBMITTED: 6/11/26
 AGENDA DATE: 7/7/26
 TO: Board of Adjustments
 FROM: Derek Zimney, City Engineer
 AGENDA ITEM TITLE: Consideration and possible approval of an application by Maria Refugio Tapia Duran Urrutia, 508 West B Street (APN #001-154-03), for a variance in an R-1 zone for a home business **(For possible action)**

TYPE OF ACTION REQUESTED:

- | | |
|--|--|
| ☐ Resolution | ☐ Ordinance |
| ☒ Formal Action/Motion | ☐ Other – Discussion Only |

DISCUSSION: Maria Refugio Tapia Duran Urrutia, 508 West B Street has filed for a variance in an R-1 zone to have a home business. Mrs. Urrutia has provided a letter summarizing her proposed business as well as a diagram of the home showing where business will be located. The letter and diagram are attached to this application. **(For possible action)**

PREPARED BY: Derek Zimney, City Engineer

City of Fallon

VARIANCE APPLICATION FOR: ✓ Business or _____ Home Improvement

Please check one

Applicant: Maria Refugio Tapia Duran WarrugiaAddress: 480 W B St, Fallon, NV 89406Telephone Number: (775) 799-1532✓ Owner _____

In Escrow _____

Leasehold _____

Purchasers in escrow must file proof of title with Variance Board before granted variances are effective.

Legal Description of Property Involved: Lot N/A, Blk N/A Subdivision N/A
Street and Number 480 W B St

(Attach sheet for Metes & Bounds Description)

Variance Requested: Small business in R1 zoning

Ordinance Provisions: _____

Deed Restrictions _____

Zoning R1 (Residential)

Former Restrictions _____

Expiration Date: _____

Applicants must present evidence of ability and intent to proceed with actual construction within six months of the above filing date.

It is not possible for me to use the above described property in the way it is zoned because: Small, appointment only home nail studio not permitted in R1 but compatible with Residential use.My inability to use the above described property in the way I desire causes an undue hardship on me because: (Financial hardship is not considered valid). Property has large interior spaceSuitable for low-impact use without modifications; denial limits reasonable use.The above described property is different from other properties in the same area zoned the same classification because: corner lot (6,969 sq ft) with ample parking, near main road and public uses.Use of the above-described property in the manner proposed by this application will not be detrimental to surrounding properties because: appointment only, one client at a time, no walk ins, minimal traffic, no noise/odor, no impact to neighbors.

PLOT PLANS MUST ACCOMPANY THIS APPLICATION

I, Fernando Tapia-Sandoval Jr owner in fee of the above described property state that this application for a variance has been made with my full knowledge and consent and the facts stated above are true to the best of my knowledge and belief.Owner: Fernando Tapia-Sandoval Jr
Address: 800 Clark Ln, Fallon, NV 89406Phone # 775 426 4087Signature: [Signature]

{Nevada

{County of _____

Signed and sworn to before me on _____

by _____

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All the above facts as stated herein are correct to my knowledge and belief.

Applicant: Maria Refugio Tapia Duran Warrugia
Address: 480 W B St, Fallon, NV 89406Phone # (775) 799-1532Signature: Maria Tapia

{Nevada

{County of _____

Signed and sworn to before me on _____

by _____

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To Whom It May Concern,

I respectfully request approval of a variance to allow a small, home-based nail salon within my residence located in an R1 zoning district.

This proposed use is intended to be a low-impact, appointment-only operation. I am a licensed nail technician in the State of Nevada and will obtain all required salon licensing and comply with all applicable health and safety regulations upon approval.

The business will operate within a dedicated interior room of my home and will not require any structural modifications or exterior changes. A small handwashing sink may be installed within the interior workspace as required for state licensing. This will be a minor interior improvement and will not alter the exterior appearance or residential nature of the property.

Appointments will be scheduled one at a time, with no walk-in traffic, and limited to approximately 3–4 clients per day. Hours of operation will be limited to approximately 10:00 AM to 5:00 PM.

The property is a corner lot of approximately 6,969 square feet, which provides ample street parking and reduces any potential impact on neighboring properties. Additionally, the property is located near a public building, a school, and in close proximity to a main road, making it more suitable for a small, appointment-based use than a typical interior residential lot.

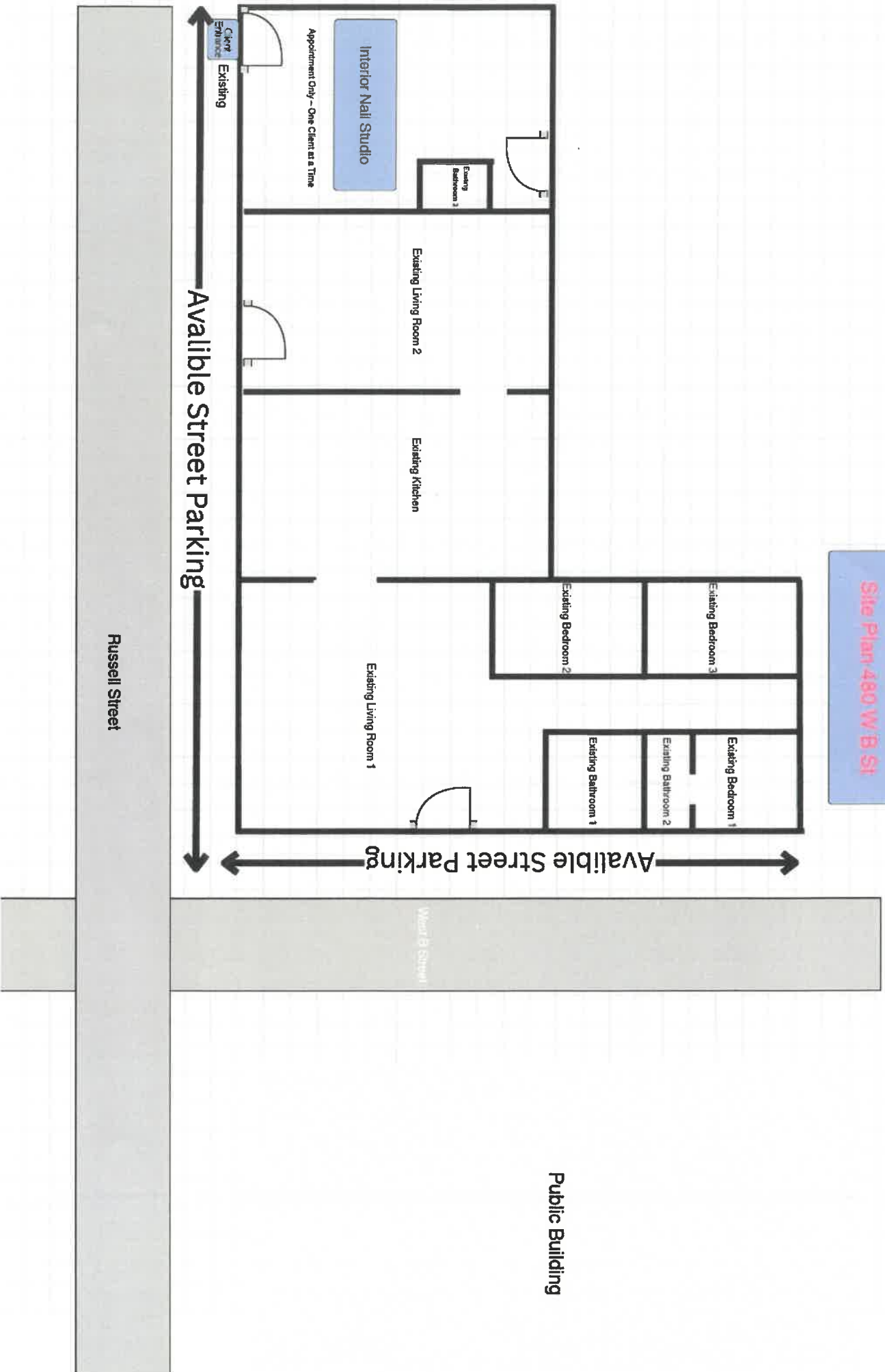
The proposed use will not generate noticeable noise or disturbances, and no strong odors will be produced, as services are quiet in nature and limited to gel products. There will be no visible commercial activity other than a small, non-illuminated sign at the entrance.

This request is intended to allow a reasonable, low-impact home occupation while preserving the residential character of the neighborhood. The use is designed to remain unobtrusive and respectful of surrounding properties.

Thank you for your time and consideration.

Sincerely,
Maria Refugio Tapia Duran Urrutia
Fernando Tapia-Sandoval Jr
480 W B St, Fallon, NV 89406

Site Plan 480 W B St





Ken Tedford
MAYOR



Kelly Frost
Councilwoman

Karla Kent
Councilwoman

Paul Harmon
Councilman

June 11, 2026

Dear Property Owner:

NOTICE IS HEREBY GIVEN that the City of Fallon Board of Adjustment will hold a public hearing on **Tuesday, July 7, 2026 at 5:30 p.m.** in the City Council Chambers, 55 West Williams Avenue, Fallon, Nevada in order to consider an application by Maria Refugio Tapia Duran Urrutia, 508 West B Street (APN #001-154-03), for a variance in an R-1 zone to have a home business.

The Board of Adjustment may vary the strict application of Title 21 of the Fallon Municipal Code in appropriate cases and under certain conditions and safeguards in harmony with its general intent and purpose, in accordance with the rules and regulations set forth therein and under the provisions of Chapter 278 of the Nevada Revised Statutes.

In accordance with Section 21.76.020 of the Fallon Municipal Code, there is a 10-day period in which to appeal the Board of Adjustment's decision, in writing, to the City Council. Said appeal shall be filed with the City Clerk's Office.

NOTICE IS HEREBY FURTHER GIVEN that you are invited to attend the public hearing and to be heard regarding the variance application. Prior to the public hearing, written comments may be filed with the City Clerk to be considered by the Board of Adjustment. Copies of the application are available for inspection at the City Clerk's Office, 55 West Williams Avenue, Fallon, Nevada. If you have any questions, please feel free to contact Derek Zimney, City Engineer, at (775) 423-5107 or dzimney@fallonnevada.gov.

Sincerely,

Derek Zimney
City Engineer

DECLARATION OF MAILING

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct:

1. That I am a citizen of the United States of America, over the age of twenty-one (21) year; and
2. That on the date below, I mailed, by U.S. Mail, with postage fully prepaid, for 480 West B Street APN #001-029-13, Proposed Board of Adjustment Letter to the following persons:

DHILLON ENTERPRISES LTD
2447 ANQUA DR SPARKS, NV 89434-2236

KENNAMETAL INC
1600 TECHNOLOGY WAY LATROBE, PA 15650-4647

CONDON, BERNARD & LILLIAN TRUSTE
PO BOX 2396 FALLON, NV 89407-2396

JANESS, MICHAEL K & VIRGINIA L
P O BOX 1403 FALLON, NV 89407-1403

MORALES, SHAWN SCOTT
8214 SERENADE LN SACRAMENTO, CA 95828-4537

MANGOSING TRUSTEE, FANTONY
560 WEST B ST FALLON, NV 89406-2715

MEADER, NICHOLAS
235 N RUSSELL ST FALLON, NV 89406-2726

HAYES, TREVOR
3655 HARRIGAN RD FALLON, NV 89406-7827

MOORE, SHEYANNE & MICHAEL
540 W B ST FALLON, NV 89406-2715

STAGGS, ROYANNE & VIERRA DARRYL

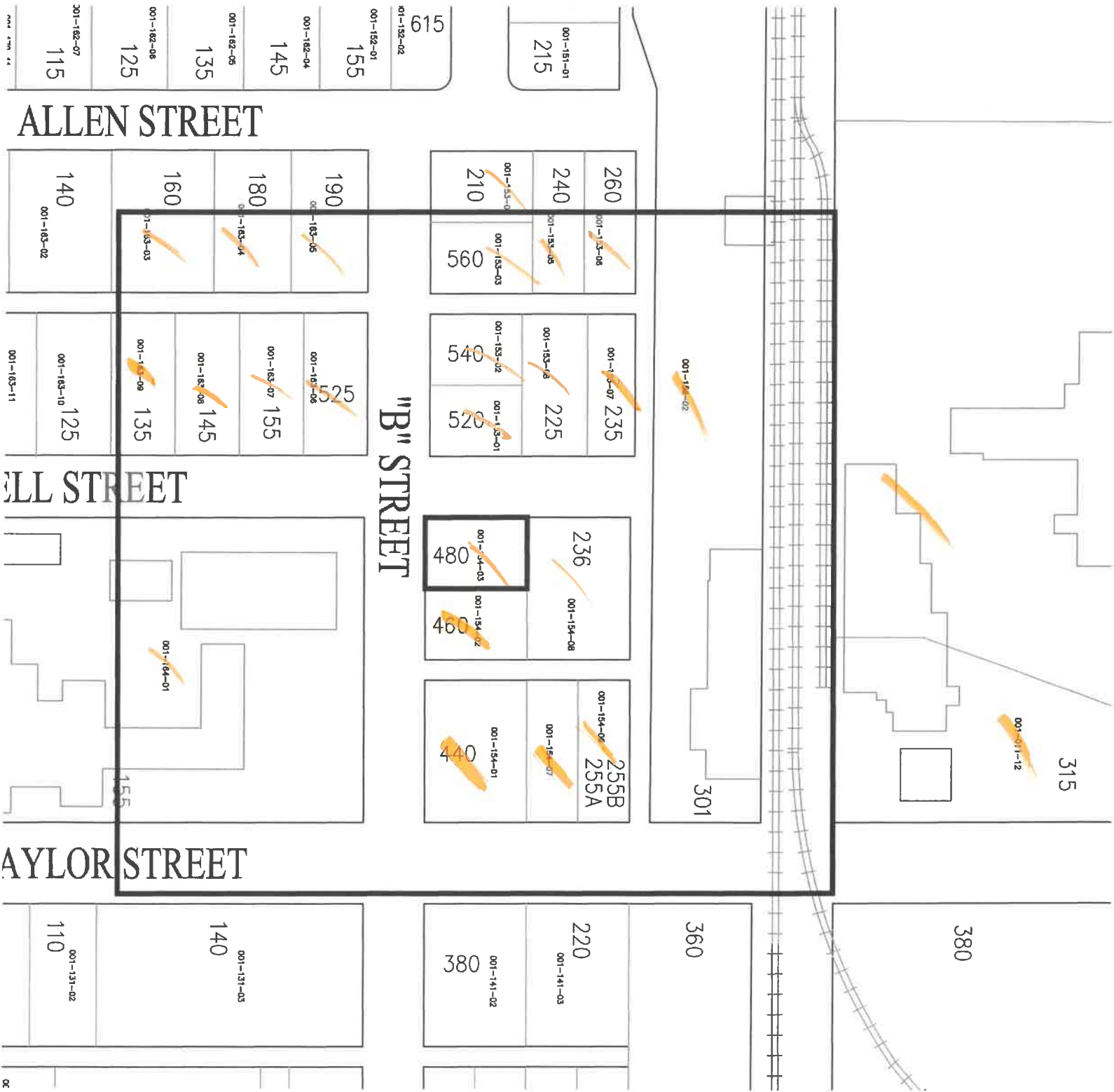
1 520 W B ST FALLON, NV 89406-2715
2 MEADER, NICHOLAS
3 236 N RUSSELL ST FALLON, NV 89406-2727
4 TAPIA-SANDOVAL, FERNANDO JR
5 480 W B ST FALLON, NV 89406-2713
6 SWANSON, JOHN
7 460 W B ST FALLON, NV 89406-2713
8 OLSON TRUSTEE, CLARA JEAN
9 440 WEST B ST FALLON, NV 89406-2713
10 KUNTZ TRUSTEES, GORDON B & BETTY R
11 506 VAIL DR DAYTON, NV 89403-8526
12 HART, VIOLA R
13 180 N ALLEN ST FALLON, NV 89406-2710
14 LARSON, ROBERT G & HAUGEN JOYCE
15 160 N ALLEN ST FALLON, NV 89406-2710
16 RODARTE, TED E JR & RAELYNN A
17 3405 TRENTON LN FALLON, NV 89406-2393
18 CJX2 LLC
19 617 PEACEFUL WAY FALLON, NV 89406-4403
20 DEFILIPPI TRUSTEE, MARGARET ANNE
21 5225 RENO HWY FALLON, NV 89406-9315
22 HUTCHINSON, ISAAC JAROD
23 525 WEST B ST FALLON, NV 89406-2714
24 CHURCHILL COUNTY
25 155 N TAYLOR ST STE 153 FALLON, NV 89406-2762
26
27
28

1 DATED this 11th day of June, 2026.

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4 Derek Zimney

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Ken Tedford
MAYOR



Kelly Frost
Councilwoman

Karla Kent
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Paul Harmon
Councilman

June 11, 2026

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Sincerely,

Derek Zimney
City Engineer