

Washoe County Board of Adjustment

Appeal WBLD17-101171

Richard Stone, 4765 Giles Way, Washoe Valley NV 89704

Agenda Item 9A

5 October 2017

My Wife and I Are Both Federally Licensed Amateur Radio Operators

ULS License

Amateur License - KD6BQ - STONE, RICHARD E

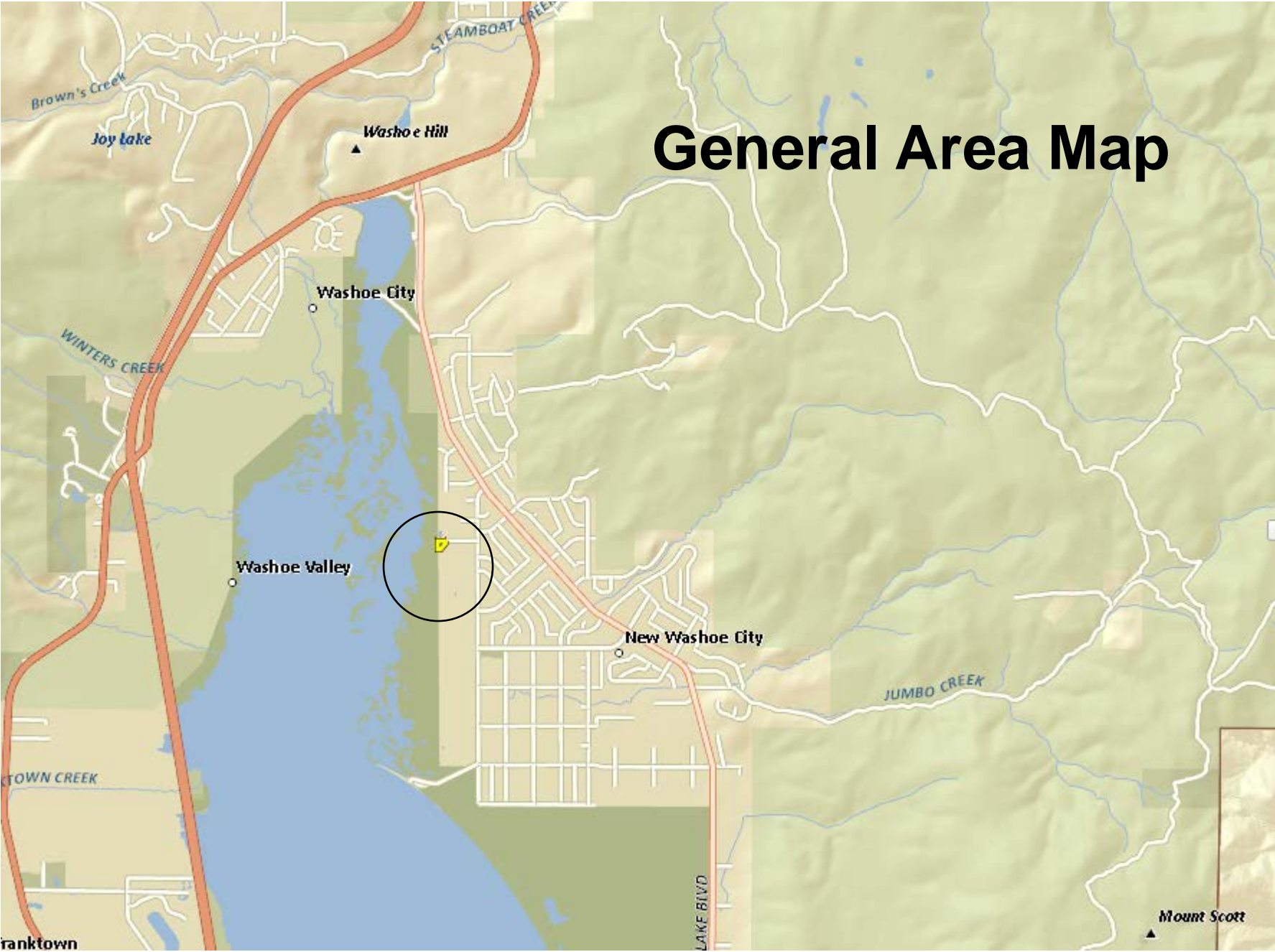
Call Sign	KD6BQ	Radio Service	HA - Amateur
Status	Active	Auth Type	Regular
Dates			
Grant	08/26/2014	Expiration	09/09/2024
Effective	08/26/2014	Cancellation	
Licensee Information			
FRN	0006392070	Type	Individual
Licensee Name			
STONE, RICHARD E 4765 Giles Way Washoe Valley, NV 89704 ATTN ARS KD6BQ Richard E Stone			
Amateur Data			
Operator Class	Advanced	Prev. Op. Class	
Group	B	Prev. Call Sign	
Eligibility Code			
Trustee/Custodian (for Non-Individuals Only)			
Name		Call Sign	

ULS License

Amateur License - N6CTJ - Stone, Brenda G

Call Sign	N6CTJ	Radio Service	HA - Amateur
Status	Active	Auth Type	Regular
Dates			
Grant	08/28/2014	Expiration	09/26/2024
Effective	08/28/2014	Cancellation	
Licensee Information			
FRN	0011423522	Type	Individual
Licensee Name			
Stone, Brenda G 4765 Giles Way Washoe Valley, NV 89704			
Amateur Data			
Operator Class	General	Prev. Op. Class	Technician
Group	C	Prev. Call Sign	
Eligibility Code			
Trustee/Custodian (for Non-Individuals Only)			
Name		Call Sign	

General Area Map



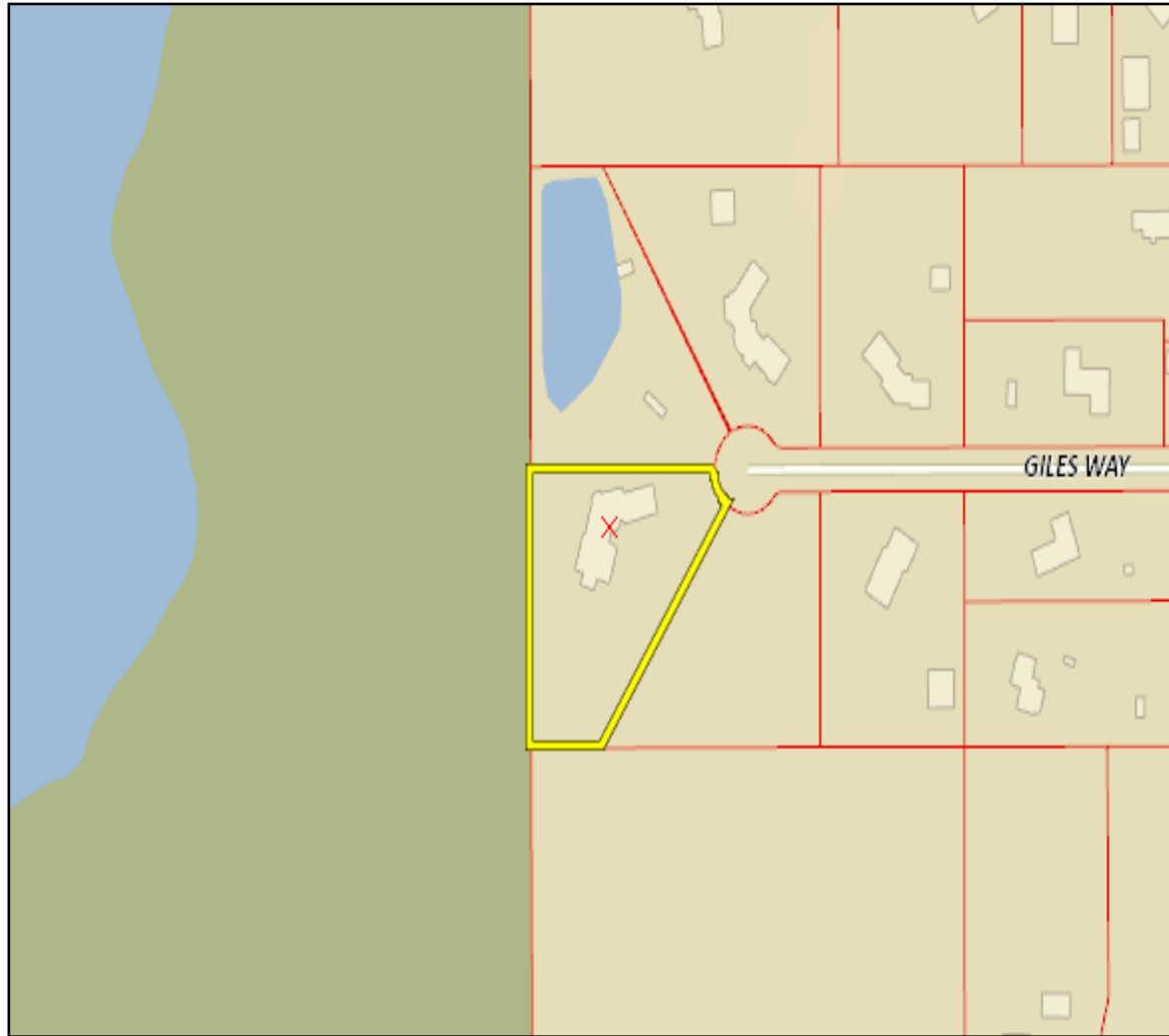
ranktown

10/5/2017

Board of Adjustment Appeal WBLD17-101171

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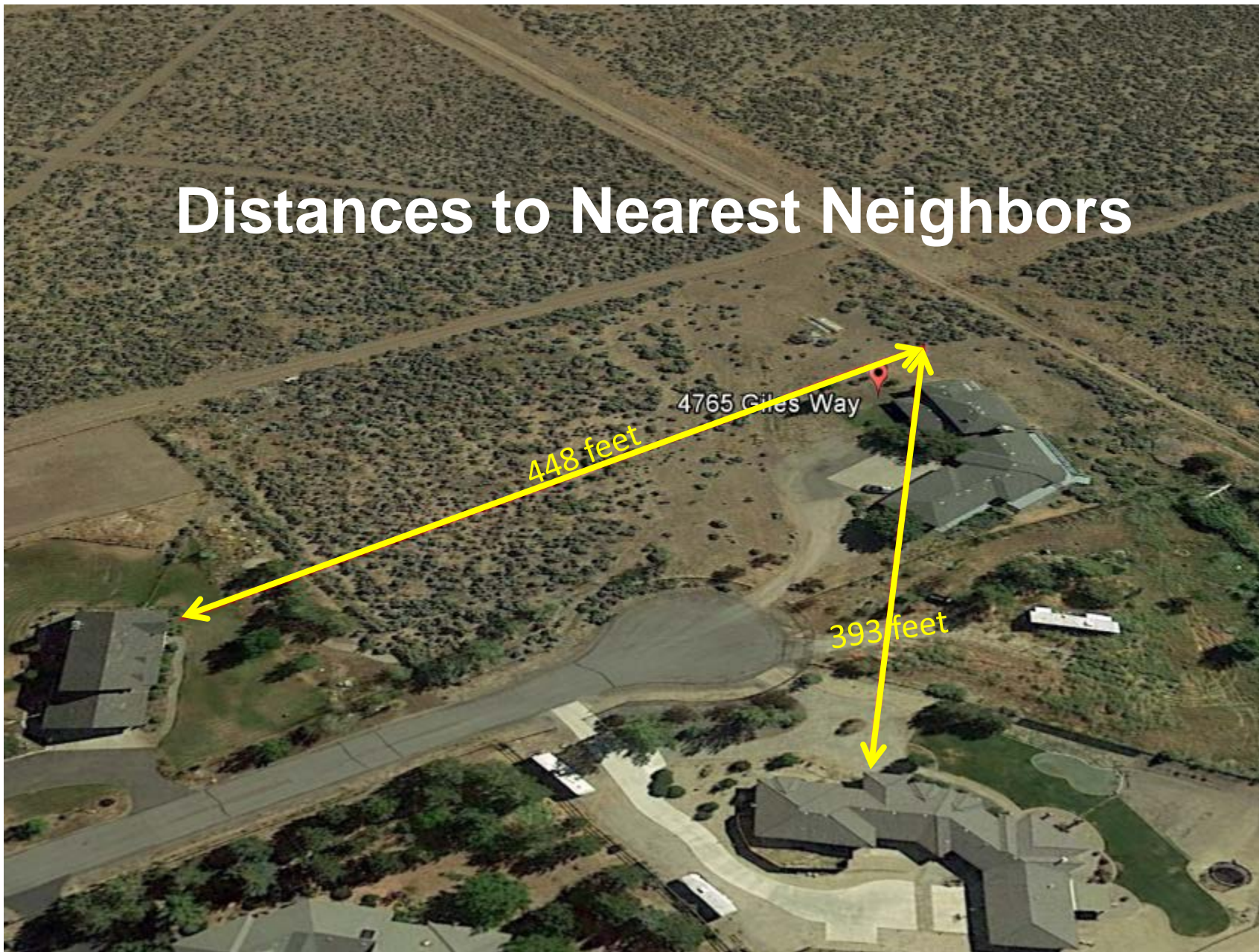
Location of Amateur Radio Station



Aerial view of neighborhood



Distances to Nearest Neighbors



Why Does Federal and State Law Specifically Support Rights of Amateur Radio?

Amateur Radio Supports Washoe County



***The Washoe County Proclamation Ceremony
February 21, 2017***

Nevada ARES Team Honored

03/17/2017 Washoe County, Nevada, ARES was among the disaster response groups honored by the Washoe County Board of Commissioners on February 21. A Board proclamation recognizes the efforts of these groups in two recent disasters — October’s Little Valley Fire and January’s floods and blizzard. The commissioners said that the region relied on a multi-tiered emergency response system to protect lives and property during the two emergencies. Other agencies honored included the American Red Cross, Washoe County Citizen Corps, Volunteer Organizations Active in Disasters, and The Salvation Army. A [video](#) showed how County staff responded to the extensive flooding in January that caused millions of dollars in damage. — www.arrl.org

Ham radio operators are saving Puerto Rico one transmission at a time



By **Paul P. Murphy** and Michelle Krupa, CNN

🕒 Updated 4:18 PM ET, Wed September 27, 2017



Leyla Santiago

CNN Correspondent



Nevada Recognizes Emergency Support of Amateur Radio



Department of Motor Vehicles

Official Website of the State of Nevada

ADA Americans with Disabilities Act

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Organization Plates

On this Page

Organization Plates:

- Amateur Radio
- Eagle Scout **NEW!**
- Girl Scout Gold **NEW!**
- Civil Air Patrol
- Hall of Fame
- Honorary Consular
- Masonic Lodge
- National Guard
- Peace

Exact requirements are listed on each plate's application.

[Payment Authorization Form \(VP 205\)](#) Deduct \$.50 from the initial fee for motorcycle plates.

Plate Image (Click for a larger image)	Name and Group	Standard Initial/Annual Fee	Personalized Initial/Annual Fee	Availability
	Amateur Radio Plates show the FCC-issued call sign of a licensed radio amateur operator.	\$37/\$10 Annual fee is waived if operator agrees to assist during emergencies.	Personalized Not Available	Custom-Ordered Application SP 7 Waiver Application SP 50

Pertinent Portion Of Washoe County Development Code

Section 110.324.20 Private Communication Antennas:

General. Private communication antennas, including antenna support structures, are allowed as accessory uses in all regulatory zones pursuant to the provisions of this article.

(a) Height. The *retractable* height of a private communication antenna is limited to the height limitation of a main structure allowed in the regulatory zone in which the antenna is erected with a bonus of up to ten (10) feet.

Planning's Interpretation Defies Standard Statutory Interpretation

- The Staff interpretation (“45 feet is maximum regardless of whether the antenna is retractable or not”) makes the word “retractable” superfluous.
- Staff cannot ignore a word. Ordinances "must be construed as a whole and not be read in a way that would render words or phrases superfluous or make a provision nugatory." *Butler v. Nevada*
- Nevada "avoids statutory interpretation that renders language meaningless or superfluous." *Karcher Firestopping v. Meadow Valley Contr.*

Previous Permits

- Permits that I know of allowing towers exceeding 45 feet that retract to less than 45 feet, without an administrative permit required.
 - Craig M. Sande MD, Permit# 04-1828
 - Richard P. Hallman, Permit# 04-3872
 - Ira P. Stoler, Permit# 15-0512
- All granted after the effective date of 110.324.20 (07/23/2004)
- Each says the permit was approved without an Administrative Permit -- though the total height exceeded 45 feet -- because it was retractable to less than 45 feet.

Why Are The Previous Permits Important Here?

These permits demonstrate two things:

1. The new interpretation is different than the historical one, yet the code has not changed
2. Since it was not needed before for the same type of Amateur Radio installation, an Administrative Permit can NOT now represent “*the minimum practicable regulation*”.

Administrative Permit Process is Preempted -- Void

- Nevada and Federal law require “*minimum practicable regulation*”
- The 3 previous permits prove that something less than an Administrative Permit (Section 808) is *practicable*

Request to Board

- Grant a building permit - for the project as originally applied for.
- Permission to raise the tower to its maximum height when needed.

Thank You