THE ROAD ABANDONMENT PROCESS TIME-LINE

Week 1 APPLICATION SUBMITTED BY APPOINTMENT ONLY. For additional information on application submittals, please call the Planning Division at (775) 782-6217.

A file is created for each application. Agendas are sent out to County departments, towns, fire districts, etc., for the SAM (Staff Applicant Meeting).

Week 2 SAM meeting. Staff meets with the applicant to discuss their project. If there is a major flaw with the application, the applicant will be given the opportunity to put the project on hold and redesign it.

Week 3-7 Town meeting (if applicable).

Week 4-7 Staff report prepared and conditions of approval are developed.

Week 6-8 The Board of County Commissioners holds a public hearing to approve, conditionally approve, or deny the request. A letter is sent to the applicant, owner, or agent notifying him or her of the final decision.

OTHER BULLETINS AVAILABLE:

BOUNDARY LINE ADJUSTMENT

CODE ENFORCEMENT

DESIGN REVIEW

FLOOD ZONE ADMINISTRATION

HOME OCCUPATION

LAND DIVISION

MASTER PLAN AMENDMENT

PARCEL MAP

SIGN REVIEW

SPECIAL USE PERMIT

SUBDIVISION MAP

VARIANCE

ZONE CHANGE

Available in room 202 of the Minden Inn
Douglas County Community Development
Planning Division
1594 Esmeralda Ave, Minden, NV 89423
(775) 782-6217; fax: (775) 782-9007

Douglas County Bulletin No. P-08

Road Abandonment

WHEN DO I NEED TO FILE FOR A ROAD ABANDONMENT?

A Road Abandonment application must be filed when a property owner wishes to request the abandonment of a public easement and/or right-of-way held by Douglas County.

WHERE DO I GET AN APPLICATION FOR A ROAD ABANDONMENT?

You may obtain an application from the Douglas County Community Development Department, 1594 Esmeralda Avenue, Minden, Nevada 89423. The public counter is located on the second floor of the old Minden Inn building, Room 202. A planner is available at the public counter from 8:00 AM to 12:00 PM and 1:00 PM to 3:00 PM each weekday or you can call (775) 782-6217 for assistance.

CAN I FILE FOR A PRELIMINARY REVIEW?

The county encourages applicants to file for preliminary review of all projects. This review is called a pre-application and is offered free of charge. Applications are available at our office, online, or can be faxed to you by calling 775-782-6217.

STAFF APPLICANT MEETING

The Staff Applicant meeting (SAM) consists of representatives of Douglas County, the Towns of Minden, Gardnerville, and Genoa, the fire districts, general improvement districts, and other agencies that may have an interest in or may be impacted by the proposed development project. The SAM was established to provide face-to-face response to development proposals and to identify any major flaws in the proposal.

WHAT IS NEEDED TO FILE FOR A ROAD ABANDONMENT?

The submittal requirements for a Road Abandonment are listed in the Douglas County Development Application. Staff recommends that you consult a licensed surveyor or engineer for help in preparing the maps, legal descriptions, and other documents that are required with an application submittal.

HOW DOES THE COUNTY PROCESS MY APPLICATION?

Once the application is filed, copies are distributed to the SAM participants. Staff will review the application to determine if all required materials and complete plans have been submitted. Staff may also request that additional information be provided to assist them in the review of the Road Abandonment application.

After an application is deemed complete and, where applicable, a recommendation has been received from the Town Board or general improvement district, the Case Planner schedules a hearing before the Board of Commissioners to determine whether the request is consistent with the Master Plan.

The Board may approve, conditionally approve or deny the request. The Board's decision is final.

HOW LONG DOES IT TAKE?

Generally, Road Abandonment applications are heard by the Board of County Commissioners within sixty days of the submittal of a complete application. However, there are circumstances when projects must be reviewed by the unincorporated town or general improvement district in which the project is located. In these instances, review time may be slightly longer.

REVIEW BY TOWN BOARDS

Where projects are located within the Town of Gardnerville, Minden, or Genoa, the county requires comment by the applicable Town Board prior to making a final decision on the request. Each of these town boards make recommendations to the county on all development applications within their boundaries.

Upon submittal of the application, the County will forward copies of the application and plans to the appropriate Town Board. The Town will then place your application on their next available agenda. It is the applicant's responsibility to contact the appropriate Town Board to find out the hearing dates and to pay any applicable review fees required by the Town. If fees are not paid to the Town by the SAM meeting, your item may not be heard by the Town Board. Douglas County will not render a decision on the request until the Town's letter of recommendation has been received by the Community Development Department.

WHAT HAPPENS AFTER THE COUNTY'S DETERMINATION?

The applicant, owner, and agent representing the project will receive a letter indicating the county's decision after a decision is made.

When the Board of County Commissioners finds in favor of a proposed abandonment, they will direct that an Order of Abandonment be filed with the County Recorder. The Board has the authority to impose conditions of approval on any Order of Abandonment.

Once the conditions (if any) are met and the Order of Abandonment is recorded, title to the street or easement reverts to the abutting property owners in the approximate proportion that the property was dedicated by the abutting property owners or their predecessors.

ADDITIONAL INFORMATION

- It is the expressed responsibility of the abutting property owners to insure their claim of title to their portion of the abandoned street or easement. This matter should be reviewed with an attorney or title agent.

- Upon completion of the abandonment, Douglas County recommends that each property owner file a Record of Survey over the limits of their new holdings.

- Douglas County treats abandoned segments of roadways and easements as being formally attached to, and inseparable from the adjoining tracts of land. A property owner cannot file a Boundary Line Adjustment using the abandoned segment of roadway to create a separate transferable lot.

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