

ACCESSORY STRUCTURES
(TITLE 30)

UPDATE
MEIKLE LN/CHRISTY LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0041-LERMA HERMELINDA R:

HOLDOVER USE PERMITS for the following: **1)** allow accessory structures not architecturally compatible with the principal structure; **2)** allow alternative design standards; and **3)** allow the area for all accessory buildings to exceed the area of the principal dwelling.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced setbacks; **2)** building separation; and **3)** allow modified private residential driveway design on 0.6 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the southeast corner of Meikle Lane and Christy Lane within Sunrise Manor. MK/sd/ja (For possible action)

RELATED INFORMATION:

APN:

140-21-711-007

USE PERMITS:

1. Allow accessory structures to not be architecturally compatible with the principal structure where required per Table 30.44-1.
2. Allow alternative design standards.
3. Allow cumulative area of accessory structures (3,336 square feet) to exceed the footprint of the principal dwelling (2,040 square feet) where not allowed per Table 30.44-1 (a 64% increase).

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the side street setback along Christy Lane for a shipping container to 5 feet, 5 inches where 10 feet is required per 30.40-1 (a 45% reduction).
 - b. Reduce the side yard setback along the eastern property line to 1 foot where 5 feet is required per 30.40-1 (an 80% reduction).
 - c. Reduce the rear yard setback along the south property line to zero feet, where 5 feet is required per 30.40-1 (a 100% reduction).
2. Reduce the required separation between existing accessory structures to zero feet where 6 feet is the standard per Table 30.40-2 (a 100% reduction).
3. Reduce the setback for a private residential driveway to 7 feet where a 12 foot setback from the back of curb return is standard per Uniform Standard Drawing 222 (a 42% decrease).

LAND USE PLAN:

SUNRISE MANOR - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:**Project Description****General Summary**

- Site Address: 5519 Meikle Lane
- Site Acreage: 0.6
- Project Type: Accessory structures
- Building Height (feet): 10 (Horse stables)/9 (shade structure)/12 (Conex box B1)/10 (Conex box B2)/12 (storage building)
- Square Feet: 2,040 (Principal residence)/ 1,546 (horse stables)/600 (shade structure)/210 (Conex box B1)/180 (Conex box B2)/800 (storage building)

Site Plans

The plans depict an existing single family residence located in Sunrise Manor at the southeast corner of Meikle Lane and Christy Lane. Currently, there are existing accessory structures and accessory agriculture structures (horse stables).

Landscaping

No landscaping is proposed or required with this request. The property is enclosed by an existing 6 foot high decorative block wall.

Elevations

The plans depict horse stables that are 10 feet high with block walls on 3 sides and a metal roof that faces inward for a total of 7 stables. The accessory building noted as B1 is made of vertical metal siding and a flat roof. A wooden shade structure identified as B4 is made of wooden siding with a metal roof at 9 feet in height. The accessory structure identified as B2 is built from vertical wood siding and a flat roof line. The Conex box is made of vertical metal siding at 9 feet in height.

Floor Plans

The plans depict various floor plans, including the main house with 4 bedrooms, kitchen, bathroom, and living room. Conex box B1 is an open floor plan accessory structure; Conex box B2 shows an open floor plan for storage and has 2 doors; and structure listed as B4 is an open floor plan with 1 door and is used for storage. The shade structure that enclosed the existing water well is an open floor plan.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant submitted this application as a result of violation issues from the Clark County Public Response Office for building without a permit. The applicant has stated that some of the accessory structures will be removed, while others will stay and are subject to a use permit

and/or waiver of development standards for setbacks and building separation. The applicant is requesting to make these remaining buildings legal.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	R-2	Single family residential
South & East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	C-1	Single family residential

Clark County Public Response Office (CCPRO)

There is an active violation for building without a permit (CE-21-17250).

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case-by-case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff finds the requested use permits to waive architectural compatibility and the design standards for the existing accessory structures will have a negative impact on the surrounding land uses and properties as the accessory structures are visible from both the street and/or adjacent properties. The applicant placed or built these accessory structures without proper land use entitlement approval and building permit approval. In addition, staff cannot support allowing the cumulative area of accessory structures to exceed the footprint of the principal structure (residence). The total area of all the accessory structures exceeds the footprint of the residence by 1,296 square feet when all accessory structures are considered. Staff finds this increase in square footage to be excessive and the increase will have an adverse impact to the surrounding area; therefore, staff cannot support the use permit requests.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

The proposed waivers for reduced setbacks are not in harmony with the purpose, goals, objectives, and standards of the Master Plan and Title 30, considering the structures were built without approval and have zero setbacks. The proposed waiver for setback reductions as shown on the plans will create a substantial or undue adverse effect on adjacent properties, particularly the properties to the east and south, where the horse stables and accessory structure for the well house were built with a zero setback from the property line; therefore, staff does not support these requests as they represent a self-imposed hardship.

Waiver of Development Standards #2

Staff does not support waiver of development standards to reduce the required separation between the conex boxes to zero feet, as there is considerable area within the property that can be utilized to meet the requisite separation of at least 6 feet. Staff finds this request is a self-imposed hardship; therefore, staff recommends denial.

Public Works - Development Review

Waiver of Development Standards #3

Staff cannot support the applicant's request to reduce the distance from the point of curve to the driveway since Christy Lane is designated as an 80 foot wide collector street on the Transportation Element. As a collector street that is designed to handle a high volume of traffic, it is important that private improvements comply with minimum standards to reduce the frequency of both pedestrian and vehicular collisions. Additionally, the subject site is required to dedicate additional right-of-way for Christy Lane in order to comply with the Transportation Element. The minimum required half street dedication for an 80 foot wide street is 40 feet; only 30 feet has been dedicated from the subject parcel. The requirement to dedicate the additional right-of-way will be a condition of approval. Once that right-of-way is dedicated, many of the existing improvements on the site will be within the right-of-way, necessitating their removal. Due to the fact that Christy Lane is a collector street and due to the myriad issues that will result from the additional right-of-way dedication, staff cannot support this request.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- 1 year to complete the building permit and inspection process for the Conex boxes and all accessory structures with any extension of time to be a public hearing;
- Paint the accessory structures to match the principal residence.
- Applicant is advised that the maximum number of Livestock, Large is limited per Table 30.44-1; approval of this application does not constitute or imply approval of any other

County issued permit or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Right-of-way dedication to include an additional 10 feet for Christy Lane and the associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Sunrise Manor - denial.

APPROVALS:

PROTESTS: 1 card, 1 letter

PLANNING COMMISSION ACTION: March 15, 2022 – HELD – To 04/19/22 – per the applicant.

PLANNING COMMISSION ACTION: April 19, 2022 – HELD – To 06/21/22 – per the applicant.

PLANNING COMMISSION ACTION: June 21, 2022 – HELD – To 07/19/22 – per the applicant.

PLANNING COMMISSION ACTION: July 19, 2022 – HELD – To 08/16/22 – per the applicant.

PLANNING COMMISSION ACTION: August 16, 2022 – HELD – To 09/06/22 – per the Planning Commission.

APPLICANT: HERMELINDA LERMA

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