

ACCESSORY STRUCTURE
(TITLE 30)

MESA VERDE LN/LA CIENEGA ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0647-VAN ZANT HOLDINGS TRUST & FASTOW BRIAN M TRS:

USE PERMITS for the following: **1)** allow an accessory structure (storage building) that is not architecturally compatible with the existing principal dwelling; **2)** allow an accessory structure larger than one half the footprint of the principal dwelling; **3)** increase the cumulative area of all accessory structures to exceed the footprint of the principal dwelling; and **4)** waive design standards.

WAIVER OF DEVELOPMENT STANDARDS to reduce the separation between buildings in conjunction with an existing single family residence on 1.0 acre in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located 300 feet north of Mesa Verde Lane on the east side of La Cienega Street within Enterprise. MN/mh/syp (For possible action)

RELATED INFORMATION:

APN:

177-09-702-019

USE PERMITS:

1. Allow an accessory structure (metal storage building) that is not architecturally compatible with the existing principal dwelling where required per Table 30.44-1.
2. Increase the area of a proposed accessory structure (metal storage building) to 4,000 square feet where an accessory structure with a maximum area of 1,242 square feet (50% of the footprint of the principal dwelling) is permitted per Table 30.44-1 (a 222% increase).
3. Increase the cumulative area of all accessory structures to 4,520 square feet where 2,484 square feet (footprint of principal dwelling) is allowed per Table 30.44-1 (an 82% increase).
4. Allow non-decorative metal siding for an accessory structure where not permitted per Table 30.56-2A.

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the separation between buildings to 2 feet where 6 feet is required per Table 30.40-1 (a 67% decrease).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 7840 La Cienega Street
- Site Acreage: 1
- Project Type: Accessory structure (metal storage building) in conjunction with a single family residence
- Number of Stories: 1 (single family residence)/1 (proposed metal storage building)/1 (attached carport)/1 (casita)/1 (existing storage building)
- Building Height (feet): 22
- Square Feet: 2,484 (principal dwelling)/4,000 (proposed metal storage building)/480 (attached carport)/1,025 (casita)/520 (existing storage building)

History & Request

The applicant previously requested an administrative minor deviation (AV-23-900267), which included signatures of approval from the owners of the adjacent properties. However, the application had to be withdrawn due to an existing storage building being 2 feet away from the principal dwelling where a minimum of 6 feet is required by Code. As a result, the applicant is now requesting use permits to allow a new accessory structure, along with a waiver of development standards to reduce the required separation between existing buildings.

Site Plans

The plans show a proposed 4,000 square foot accessory structure (metal storage building) located on the southeast corner of the subject site, set back 5 feet from the side and rear property lines. There is an existing 2,484 square foot single family residence with an attached 288 square foot patio cover and an attached 480 square foot carport, a 1,025 square foot casita, and a 520 square foot storage building. The proposed storage building is approximately 70 feet east of the existing casita and approximately 135 feet east of the existing residence. The existing storage building is 2 feet from the principal residence, and 5 feet from the side property line.

Landscaping

There are no proposed changes or new landscaping required with this application.

Elevations

The plans show a 22 foot high storage building, which will be constructed of metal. The building will have a pitched roof and colors that will match the principal dwelling. There are 2 entry points along the same side of the building, one of which is a pedestrian entry while the other is a garage door that is approximately 14 feet high.

Floor Plans

The plans depict a 1 story, 4,000 square foot detached storage building with an open layout to maximize storage space.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed accessory structure is consistent with development in the surrounding neighborhood, in terms of both size and materials. The structure will allow for the safe storage of personal belongings and improve the appearance and security of the property. The building will have colors and roofing that are similar to the existing principal dwelling.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Reclassified approximately 3,800 parcels of land from R-E to R-E (RNP-I) Zone	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood	R-E (RNP-I)	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permits

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.

The property is 1 acre in size, providing adequate space to accommodate the increased size of the proposed structure. Several adjacent properties have structures that are comparable in size and architecturally similar to the proposed storage building. The applicant also received signatures of approval from the owners of the adjacent properties when applying for the administrative minor deviation. Staff does not anticipate any adverse effects on adjacent properties, or the surrounding neighborhood being caused by the proposed storage building. Therefore, staff can support this request.

Waiver 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.

Typically, staff does not support reductions in building separations. However, the existing accessory structure has been in the same location on the property for several decades without any adverse effects on the property itself or the adjacent properties. The structure is architecturally compatible with the existing residence and meets the required setbacks. Therefore, staff can support this request.

Staff Recommendation

Approval.

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:

Comprehensive Planning

- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval (building color to match primary residence).

APPROVALS:

PROTESTS:

APPLICANT: BRIAN MITCHELL FASTOW

CONTACT: BRIAN FASTOW, 7840 LA CIENEGA STREET, LAS VEGAS, NV 89123