

03/22/23 BCC AGENDA SHEET

HOUSEHOLD PETS
(TITLE 30)

KEIFER VALLEY ST/CIMARRON RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0028-LEARY DUSTIN J:

USE PERMIT to increase the number of household pets (cats and dogs).

WAIVER OF DEVELOPMENT STANDARDS to increase the number of household pets in conjunction with an existing single family dwelling on 0.2 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east side of Keifer Valley Street and the west side of Cimarron Road within Enterprise. JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-28-211-029

USE PERMIT:

Increase the number of household pets (cats and dogs).

WAIVER OF DEVELOPMENT STANDARDS:

Increase the number of household pets to 25 (16 cats and 9 dogs) where a maximum of 3 household pets are allowed per Table 30.44-1 (a 733% increase).

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 9988 Keifer Valley Street
- Site Acreage: 0.2
- Project Type: Household pets

Site Plans

The plans depict an existing single family residence located within an established subdivision and is zoned R-2. The overall size of the property is approximately 5,300 square feet of lot area. The property is standard for this subdivision and includes a back yard with a block wall that backs up to Cimarron Road. Access to the property is from Keifer Valley Street. The request is

to allow a temporary increase in pets that the applicant is caring for until they pass as some are old and have terminal conditions.

Landscaping

Landscaping is not required as part of this application.

Elevations

The photo depicts a 2 story house with light stucco exterior.

Floor Plans

The plans depict a single family residence that is 2 story with the first floor being the living room, kitchen, family room, and master bedroom with the second floor being the game room, 3 bedrooms, library, and open floor space.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states they are requesting a use permit and waiver to increase the number of allowed household pets. The applicant states that they expect to only need this sort of permit for a few years, as several of the animals are very old and some have terminal conditions. At that time they state the number of animals will fit within the guidelines of a Pet Fancier's permit. A Pet Fancier's permit would allow up to 6 dogs and 10 cats. The applicant currently has 9 dogs and 16 cats, which is why a special use permit is requested.

The house is kept clean, the animals are not mistreated, and the applicant has provided 2 letters of support. One is from a local veterinary clinic, that is stating that they examined all 25 animals and they were found to be in good health. The other is from the former president of the Four Corners Pet Alliance in New Mexico stating that the applicant was an animal foster parent. The animals are well treated and are not a nuisance to neighbors.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Open Lands	P-F	School

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive 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.

Title 30 allows up to 3 household pets without a land use application and an additional 2 household pets are allowed for every 10,000 square feet with a special use permit (the maximum allowed on a property is 20 pets). Staff finds that Title 30 allows the applicant to own up to 3 household pets due to the size of the property, which is approximately 6,534 square feet. Due to the size of the parcel and considering that the adjacent parcels abutting the property are developed with similar lot sizes, this request will potentially increase neighborhood disturbances with the allowance of up to 20 pets. Staff cannot support the request due to the size of the property. Staff has supported increases in the number of household pets, primarily for those properties located on larger lots. Staff recommends denial of the use permit.

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.

Staff cannot support the waiver request for the additional pets for this property. Generally, larger properties can accommodate larger number of household pets and staff has supported such requests; however, due to the smaller size of the applicant's property and the location being within an R-2 zoned subdivision where lot sizes within this neighborhood are averaging 6,000 square feet, staff feels this increase in household pets has potential impacts with noise and odor; therefore, 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:

Comprehensive Planning

If approved:

- 6 months to review as a public hearing.
- Applicant is advised that as the animals pass away, they are not allowed to replace them unless they are below the allowed limit for pets; 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 application for review; 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

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: DUSTIN LEARY

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