

## 05/21/24 PC AGENDA SHEET

### PUBLIC HEARING

#### APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**AR-24-400031 (WS-23-0339)-TEJADA, MARIA ELENA:**

#### **WAIVERS OF DEVELOPMENT STANDARDS FIRST APPLICATION FOR REVIEW**

for the following: 1) reduce building separation; and 2) reduce setbacks for existing accessory structures and attached additions in conjunction with an existing single family residence on 0.1 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located on the north side of Comb Circle and the west side of Miner Way within Sunrise Manor. TS/my/ng (For possible action)

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#### RELATED INFORMATION:

##### **APN:**

161-06-614-019

#### **WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce separation between accessory structures (restroom building and attached accessory playroom) to 4 feet 5 inches where 6 feet is required per Table 30.40-1 (a 25% reduction).
- b. Reduce separation between accessory structures (storage building and restroom building) to 3 feet 5 inches where 6 feet is required per Table 30.40-1 (a 42% reduction).
2. a. Reduce the rear setback for an accessory structure (storage building) to 1 foot 5 inches where 5 feet is required per Table 30.40-2 (a 70% reduction).
- b. Reduce the side setback for an accessory structure (storage building) to 1 foot 11 inches where 5 feet is required per Table 30.40-2 (a 78% reduction).
- c. Reduce the side setback for an accessory structure (restroom building) to 4 feet 8 inches where 5 feet is required per Table 30.40-2 (a 4% reduction).
- d. Reduce the side setback for an attached accessory water heater room to 4 feet 3 inches where 5 feet is required per Table 30.40-2 (a 4% reduction).

#### **LAND USE PLAN:**

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

#### **BACKGROUND:**

##### **Project Description**

##### General Summary

- Site Address: 4154 Comb Circle
- Site Acreage: 0.1
- Project Type: Accessory structures

- Number of Stories: 1
- Building Height (feet): 9 (storage building)/10 (restroom building)/8 (attached water heater room)
- Square Feet: 1,684 (single family residence)/81 (storage building)/72 (restroom building)/24 (attached water heater room)/419 (playroom)

### History & Request

A waiver of development standards (WS-23-0339) was applied for on this parcel in 2023. This application reduced multiple accessory structure setbacks and separations. A condition of approval required the outside storage to be removed and an application for review to be filed within 6 months. This application is to satisfy that condition of approval.

### Site Plan

The approved plan depicts a 0.1 acre property with a driveway that accesses a cul-de-sac off Comb Circle. The plan further depicts an existing 1,684 square foot, 1 story single family residence with 2 accessory structures (storage building and restroom building) and 2 attached accessory room additions to the existing residence (water heater room and playroom) located in the rear yard. The first accessory structure (storage building) is located along the northern property line with 1 foot and 5 inch setback. The second accessory structure (restroom building) is located to the south of the storage building with a separation of 3 feet 5 inches. An attached water heater room, which does not have interior access to the residence, is located on the west side of the residence and has a setback of 4 feet 3 inches. An attached accessory playroom, without interior access to the home, is located on the north side of the residence, and is 4 foot 5 inches from the restroom building.

### Landscaping

The applicant did not propose adding any new trees or shrubs with the original request.

### Elevations

The approved elevations of the storage building depicted wooden paneling painted light gray to match the existing house. The restroom building and the attached water heater room are stucco and painted light gray to match the existing house. The height of these structures vary between 8 feet and 10 feet.

### Floor Plans

The accessory structures are distributed throughout the site. The northern storage building is 81 square feet and the nearby restroom building is 72 square feet. The attached water heater room is 24 square feet and the attached playroom is 419 square feet.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0339:

#### Comprehensive Planning

- 6 months to remove all outside storage;
- 6 months to review the removal of all outside storage;

- 1 year to complete the building permit and inspection process and review as a public hearing;
- Storage shed shall not be used for living purposes.
- Applicant is advised that 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.

#### 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.

#### Applicant's Justification

The applicant was required to apply for a review 6 months after the approval of WS-23-0339. The applicant stated they removed the outside storage in the backyard per photos provided.

#### **Prior Land Use**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-23-0339	Reduced setbacks and separations for accessory structures	Approved by PC	September 2023

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single family residential

#### **Clark County Public Response Office (CCPRO)**

CE21-03652 is an active zoning violation on the parcel for a building without a permit.

#### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

#### **Analysis**

##### **Comprehensive Planning**

A review was required 6 months after September 19, 2023. The applicant has demonstrated that they removed excess outdoor storage noted in their Code Enforcement case and prior land use. Staff finds that photo evidence, as well as aerial photos, show that progress has been made in removing prior outdoor storage. This is an improvement to the conditions shown compared to previous photos. However, there still appears to be some outdoor storage on-site according to the photos provided. Due to the improvement to the previous condition, staff can support this request

for an additional 2 months. This should give the applicant enough time to remove the remainder of the outside storage before obtaining the building permits.

**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**

- Until July 21, 2024 to remove the remainder of the outdoor storage or the application will expire;
- Building permits cannot be issued until all outside storage has been removed from the property.
- Applicant is advised 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Sunrise Manor - approval.

**APPROVALS:**

**PROTEST:**

**APPLICANT:** MARIA ELENA TEJADA

**CONTACT:** MARIA TEJADA, 4154 COMB CIRCLE, LAS VEGAS, NV 89104