

09/21/21 PC AGENDA SHEET

ACCESSORY STRUCTURE  
(TITLE 30)

BRYCE CANYON AVE/MT HOOD ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0345-TONG, YUEH L. & CHANG, HSIN LIANG:**

**USE PERMIT** to allow an accessory structure (carport) to not be architecturally compatible with the principal building.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increased height; and 2) reduced setback of an existing accessory structure (carport) in conjunction with an existing residence on 0.1 acres in an R-T (Manufactured Home Residential) Zone.

Generally located on the south side of Bryce Canyon Avenue, 470 feet west of Mt. Hood Street within Sunrise Manor. MK/jor/jo (For possible action)

---

RELATED INFORMATION:

**APN:**

140-22-114-074

**USE PERMIT:**

Allow an existing accessory structure (carport) to not be architecturally compatible with the principal building where required per Table 30.44-1.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase the height of an accessory structure (carport) to 14 feet, 5 inches where 14 feet is the maximum allowed per Table 30.40-2 (a 4% increase).
2. Reduce the interior side setback of an accessory structure (carport) to 2 feet where 5 feet is required per Table 30.40-2 (a 60% decrease).

**LAND USE PLAN:**

SUNRISE MANOR - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 6205 Bryce Canyon Avenue
- Site Acreage: 0.1
- Project Type: Carport
- Number of Stories: 1
- Building Height (feet): 14 feet, 5 inches (carport)/16 (existing residence)
- Square Feet: 576 (carport)/1,500 (existing residence)

Site Plan

The site plan depicts an existing manufactured home located on the southwestern portion of the parcel. Access to the site is located via 1 driveway on the northwest corner of the parcel adjacent to the north property line (Bryce Canyon Avenue). The site plan shows that there is an existing carport on the east facing elevation of the manufactured home. The carport is set back 6 feet from the residence to the west, 2 feet from the screen wall to the east, 33 feet from the north property line, and 31 feet from the south property line. The carport has an overall area of 576 square feet. The applicant is requesting to increase the overall height of the structure to 14 feet, 5 inches where 14 feet is the maximum allowed per Title 30, and reduce the interior side setback to 2 feet where 5 feet is required.

Landscaping

There is an existing landscape strip adjacent to the north property line. The applicant is not proposing any additional landscaping to the site.

Elevations

The submitted elevation plans depict a metal carport with an overall height of 14 feet, 5 inches.

Applicant’s Justification

Per the submitted justification letter, the applicant states that the carport is appropriate for the neighborhood and has been on-site for many years. The carport design is much lower risk in terms of safety compared to the existing carports within the neighborhood.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, West, South, & East	Residential Suburban (up to 8 du/ac)	R-T	Manufactured homes

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

CE20-16395 is an active zoning violation for building a carport without a permit.

**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 Comprehensive 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. Photos show that the carport is constructed of metal, and the existing residence’s exterior materials are comprised of engineered siding. Staff finds that architectural incompatibility does not negatively impact the surrounding residences or the applicant’s residence. The carport is constructed of a

metal roof, and with metal support beams and poles, no walls are a part of the carport design. Any contrast in materials is visually minimal; therefore, staff supports this request.

#### 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

Staff does not typically support requests to increase the height of an accessory structure; however, since the request is minimal being only 5 inches, staff finds that the request does not significantly impact the surrounding area and is not visually obtrusive to the site. Staff supports this request.

#### Waiver of Development Standards #2

Staff does not typically support setback reductions. The site plan on file is related to an active Building Permit (BD20-54397). Staff does not object to the applicant's request to reduce the interior side setback to 2 feet, where 5 feet is required per code. Current photos show that the carport is installed on the existing block wall to the east (with a zero foot setback), but current plans linked to the BD20-54397 show that the carport will be set back 2 feet. Reducing the setback will not impose a negative impact to the site as long as proper permits are approved. Furthermore, since staff supports the use permit and waiver of development standards #1, staff can also 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Current Planning**

- 1 year to complete the building and inspection process with any extension of time to be a public hearing.
- 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; approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; 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**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** HSIN CHANG

**CONTACT:** HSIN CHANG, 6205 BRYCE CANYON AVE, LAS VEGAS, NV 89156