

ACCESSORY AGRICULTURAL STRUCTURES
(TITLE 30)

UPDATE
GATEWAY RD/TONOPAH AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-23-400036 (UC-22-0124)-ALVAREZ LAURENCIO:

HOLDOVER APPEAL USE PERMITS FIRST APPLICATION FOR REVIEW for the following: **1)** allow agricultural – livestock, large not in Community District 5; **2)** allow a non-decorative roof; and **3)** increase the square footage of accessory buildings in conjunction with a principal structure.

DESIGN REVIEW for an accessory agricultural building on 0.7 acres in an R-T (Manufactured Home Residential) Zone.

Generally located on the east side of Gateway Road, approximately 130 feet south of Tonopah Avenue within Sunrise Manor. TS/jgh/syp (For possible action)

RELATED INFORMATION:

APN:

140-19-802-003

USE PERMITS:

1. Allow agricultural – livestock, large not in Community District 5.
2. Allow a non-decorative roof.
3. Allow 3,397 square feet of accessory agricultural structures where 2,400 square feet is the maximum allowed per Table 30.44-1 (a 70% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 1760 Gateway Road
- Site Acreage: 0.7
- Project Type: Accessory agricultural structures
- Building Height (feet): Up to 16
- Square Feet: 3,397

History & Request

Previous reviews of aerial photographs of the site indicate that a portion of the existing accessory structure was constructed prior to 1990. Additions to the building were added between the

spring of 2017 and summer of 2018 without building permits. Manufactured homes have been located on different portions of the site over the years. The current owner purchased the property in September 2018. The purpose of the original request was to allow the applicant to have 4 horses stabled on the property for personal use. The 4 horses are allowed on the 30,052 square foot property zoned R-T not within Community District 5 upon approval of a special use permit. The applicant also requested approval of the existing structure. The applicant indicated the horses kept on the property belong to him.

Site Plans

The approved plans depict an existing, approximate 3,397 square foot, accessory building centrally located on the southern portion of the site with 4 horse stalls located on the east side of the building. Portions of the horse stalls are covered and meet the minimum area required by Code. The site has access to Gateway Road and there is an existing 6 foot high wall along the east and south property lines. The wall along the south property line and the accessory agricultural building are set back 5 feet from the south property line. An existing wire fence is located along the north property line and an existing 3 foot wall with 3 foot high wooden slats is located along the western property line adjacent to Gateway Road.

Landscaping

The original plans did not depict existing trees in the southwest corner of the site, along Gateway Road, and along most of the north property line. Since the approval of the application, the applicant states they have planted 9 trees along the east property line in compliance with the conditions of approval.

Elevations

The approved plans show the existing accessory structure is between 9 feet and 16 feet in height with a flat roof of corrugated metal, CMU block wall, and corrugated metal panels.

Floor Plans

The approved plans depict an existing, approximate 3,397 square foot accessory building with a feed storage room, tack room, hay storage, storage rooms, and other accessory uses.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-22-0124:

Current Planning

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing;
- Until February 1, 2023 to review as a public hearing;
- Applicant to follow stringent cleanliness guidelines per standards as listed in Title 30;
- Plant additional trees closest to the stables along the east property line adjacent to APN 140-19-811-007.

- 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 there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Right-of-way dedication to include an additional 5 feet for Gateway Road.

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 indicates the cleanliness guidelines have been followed and fly traps have been installed around the horse stalls. There have been no reported complaints. The applicant is requesting the next review to be in 2 years. Also, since the primary residential use took longer than expected to receive final inspection and the certificate of occupancy, more time is needed to submit the building permit applications for the accessory structures. There have been no reported complaints.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0124	Residential boarding stable	Approved by PC	May 2022
ZC-19-0675	Reclassified from R-T to R-E zoning with a use permit for a residential boarding stable	Withdrawn by BCC	October 2019
UC-0587-10	Place of worship	Withdrawn by BCC	October 2011
ZC-1083-00	Reclassified from T-C to R-T zoning per Title 30	Approved by BCC	September 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-T	Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RUD	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

Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred since the original approval.

According to the applicant, they have installed fly traps around the corrals, 9 new trees have been planted along the east property line, and other cleanliness guidelines have been followed per the conditions of approval of UC-22-0124. In addition, there have been no reported complaints and the applicant has made progress on the site. BD21-38652 is an approved permit for the primary residence as shown on the records. However, the applicant needs a building permit for the accessory structures and needs to pass the final inspection per condition of approval of UC-22-0124. Therefore, staff can support this request with a condition to complete the building permit and inspection process within a year.

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.

PLANNING COMMISSION ACTION: July 18, 2023 – APPROVED – Vote: Unanimous

Comprehensive Planning

- Until July 17, 2024 to complete the building permit and inspection process with any extension of time to be a public hearing;
- Until July 17, 2024 to review as a public hearing;
- Increase the number of fly traps to 12 with a majority to be placed along the east wall.
- 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.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Sunrise Manor - denial.

APPROVALS: 3 cards

PROTEST: 3 cards

PLANNING COMMISSION ACTION: June 6, 2023 – HELD – To 07/18/23 – per the applicant.

COUNTY COMMISSION ACTION: August 16, 2023 – HELD – To 09/06/23 – per the applicant.

APPEAL: This item has been appealed by a neighbor who states that the condition is unsanitary and that there is not enough land to accommodate horses.

APPLICANT: LAURENCIO ALVAREZ

CONTACT: GMRA, 6325 S. JONES BOULEVARD, SUITE 100, LAS VEGAS, NV 89118