

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-24-0138-MONTES-HERRERA, JOSE LIVING TRUST ETAL & MONTES-HERRERA, JOSE I. TRS:

HOLDOVER USE PERMIT for large livestock (horse).

WAIVER OF DEVELOPMENT STANDARDS to allow accessory uses prior to the establishment of a principal use (single-family dwelling) on 0.54 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located on the west side of Vista Valley Street, 210 feet south of Stewart Avenue within Sunrise Manor. TS/rr/ng (For possible action)

RELATED INFORMATION:

APN:

140-35-302-006

LAND USE PLAN:

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

WAIVER OF DEVELOPMENT STANDARDS:

Allow accessory uses, including 2 garages and 1 horse stall, and 1 fenced exercising area, prior to the establishment of a principal use (single-family dwelling) per Section 30.03.01D.

BACKGROUND:

Project Description

General Summary

- Site Address: 365 Vista Valley Street
- Site Acreage: 0.54
- Project Type: Large livestock and accessory uses
- Number of Stories: 1
- Building Height (feet): 24.5 (proposed garages)/11.2 (proposed horse stall)/8 (proposed fence for exercising area)
- Square Feet: 595 (proposed each garage)/144 (proposed horse stall)/1,225 (proposed exercising area)/630 (future residence)

Site Plan

The plan depicts the proposed locations of 2 garages, a horse stall, a fenced exercise area for a horse, and a future residence. Each garage is 17 feet in width by 35 feet in length. One garage is located near the northeastern corner of the property, while the other garage is located toward the northwest portion of the property. Each garage is proposed to be accessed by a 17 foot wide driveway with a single driveway connection to the street. The horse stall is proposed between

the 2 garages. The stall is proposed to be 12 foot by 12 foot with a 14 foot by 15 foot 2.25 inch roof structure. The fenced exercise area is 35 feet by 35 feet and is proposed to be located to the south of the garages and horse stall. A future residence is depicted on the east side of the property.

Landscaping

The plan depicts street landscaping consisting of 3 large trees within a 6 foot wide landscape strip. The plan also depicts 4 palm trees on the site which are not required trees.

Elevations

The plans depict each side of the garages with wood siding painted with a stone white color and a sloped shingle roof. Each building will have a garage door which faces the street. The height of the garages is proposed to range from 24.5 feet in the front to 22 feet in the rear. The horse stall will have wood siding painted brown with a door on the south side of the structure and a sloped roof. The height of the horse stall is proposed to range from 11.2 feet on the door side to 8.5 feet on the rear. Additionally, an exercise area for 1 horse is depicted as being surrounded by an 8 foot high corral style fence.

Floor Plans

The plans are provided for the 2 garages and horse stall. The garage plans depict the location of the garage doors and side doors. The horse stall plan indicates the location of the stall door.

Applicant’s Justification

The applicant states they are requesting to build 2 garages and a horse stall before a proposed residence is built. The applicant is seeking a waiver for these accessory structures and a use permit to allow livestock not in conjunction with a residential primary use.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0022	Waivers to increase retaining wall height and increase finished grade	Approved by BCC	March 2023

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential & undeveloped

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

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

The applicant is requesting a use permit for large livestock. Staff's primary concern with this type of use permit request is to ensure compatibility with the surrounding uses. While agricultural livestock is compatible with the neighborhood, staff is not supporting the waiver of development standards for accessory structures without a primary use. This includes the horse stall and fenced exercise area that would be necessary to support the care of large livestock on the site such as a horse. Therefore, staff cannot support this request.

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the uses of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services

Accessory structures and uses are intended to be subordinate to and permitted in conjunction with a principal use or structure. The applicant did not provide any justification for seeking waivers to allow the proposed accessory structures to be constructed prior to a proposed single-family residence. The applicant shows on the site plan a future residential house. A building permit for the residence was submitted with the Building Department in 2021, however, the application is pending. There is also no timeframe described in the justification letter for the construction of the residence nor a guarantee that it will be constructed in a timely manner. The area is surrounded by single-family development with accessory structures such as garages and sheds. However, a review of aerial photography and street views revealed no other properties in the neighborhood that are developed without a principal use. The construction of garages, a horse stall, and an exercise area without a single-family residence would be inconsistent with the development pattern of the neighborhood. 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:

- 1 year to review.
- Applicant is advised the application must commence within 1 year or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- **Drainage study and compliance.**

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0049-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTESTS: 5 cards, 3 letters

PLANNING COMMISSION ACTION: June 4, 2024 – HELD – To 07/02/24 – per Commissioner Kilarski.

APPLICANT: JOSE MONTES

CONTACT: JOSE MONTES, MR. EXPRESS, 365 VISTA VALLEY STREET, LAS VEGAS, NV 89110