

10/03/23 PC AGENDA SHEET

UPDATE

SINGLE FAMILY RESIDENCE
(TITLE 30)

GRAND CANYON DR/LONE MOUNTAIN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-23-0374-MILLER WILLIAM SCOTT & MISTI MICHELLE:

HOLDOVER USE PERMITS for the following: **1)** allow an accessory structure (detached carport) which is not architecturally compatible with the principal building; and **2)** waive applicable design standards.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** reduce building separation in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the northwest corner of Lone Mountain Road and Grand Canyon Drive within Lone Mountain. RM/sd/syp (For possible action)

RELATED INFORMATION:

APN:

125-31-414-008

USE PERMITS:

1. Allow metal accessory structures where required to be architecturally compatible with the principal building per Table 30.44-1.
2. Waive all applicable design standards including non-decorative metal for accessory structures where required per Table 30.56-2A.

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the rear yard setback for an accessory structure (detached garage) to 2 feet where 5 feet is required per Table 30.40-1 (a 60% reduction).
 - b. Reduce the setback to a right-of-way for an existing accessory structure (detached garage) to 2 feet where 10 feet is required per Table 30.40-1 (an 80% reduction).
 - c. Reduce the side yard setback for an existing accessory structure (carport) to 0.5 feet where 5 feet is required per Table 30.40-1 (a 90% reduction).
2. Reduce the building separation for an existing accessory structure (carport) to 1.9 feet where 6 feet is required per Table 30.40-1 (a 62% reduction).

LAND USE PLAN:

LONE MOUNTAIN - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 4891 N. Grand Canyon Drive
- Site Acreage: 0.5
- Project Type: Accessory structures
- Building Height (feet): 13 (detached carport)/12 (detached garage)
- Square Feet: 3,513 (main house)/975 (carport)/748 (detached garage)

Site Plans

The plans depict an existing 1 story single family residence, existing car port, and an existing detached garage on a .5 acre property. The existing carport is located on the west side of the home, less than 1 foot from the west property line, with the existing detached garage located in the southwest corner of the property along Lone Mountain Road. The setbacks for the detached garage are 2 feet from the rear yard property line, and less than 10 feet from the right-of-way. The carport is set back less than 1 foot from the side property line, is located behind an entry gate and is set back over 43 feet from the street. Access to the residence is from a private cul-de-sac off Grand Canyon Drive.

Landscaping

Landscaping is not a part of this application.

Elevations

The plans depict an existing detached garage approximately 12 feet in height with metal siding and is 27 feet in length and 28 feet wide with a roll-up door facing north. The existing carport is approximately 13 feet in height and is open on all sides, with a flat roofline, and is approximately 26 feet in width. The main house exterior is stucco finish and a pitched roof line. Each accessory structure is painted to match the existing house in color.

Floor Plans

The plans depict an existing carport open on all sides and is approximately 975 square feet, and the existing detached garage is enclosed on all sides and is 748 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the existing accessory structures will be in harmony with the surrounding neighborhood. The detached garage is screened from the right-of-way by the existing house and driveway gate for the carport. The carport is more visible from the street, thus meets the building setback of 40 feet from the right-of-way being a private cul-de-sac. With a combination of perimeter walls, larger lots, orientation of the lot within the cul-de-sac, and transitional space, the request will not have any adverse impacts on the immediate area.

Surrounding Land Use

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

Clark County Public Response Office (CCPRO)

CE22-14459 is an active Code violation for building without a permit associated with this application.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Use Permits

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.

Review of the plans and elevations provided does show the existing detached garage matching the main residence with a pitched roofline, in color, but has vertical metal siding. The detached garage is in the rear yard and is screened from the right-of-way of the private cul-de-sac and partially from Lone Mountain Road due to an existing wall. The detached garage is less than the maximum height of 25 feet allowed for accessory structures. Although the detached garage has incorporated architectural features in line with the main residence, including a pitched roofline, staff is not supporting the requested waivers for encroachment and as such, staff does not support the use permits.

Review of the plans and elevation provided shows the existing accessory structure (carport) as not being architectural compatible with the main residence, with a flat roofline and is made of non-decorative metal siding. The existing carport is in the front yard behind an existing swing gate, thus is still visible from the right-of-way and is not adequately screened. Staff finds this request to be a result of a self imposed hardship; therefore, staff cannot support 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 reviews waiver requests to ensure compatibility with the existing developments in the area. Setbacks help preserve the appeal and integrity of a neighborhood as well as mitigate impacts and possible safety issues. The proposed reduction in setbacks for the unpermitted structures (detached garage and carport) is a self-imposed hardship, and the applicant provided no alternatives to mitigating the negative impacts on the surrounding area. Staff finds that the applicant has not provided justification as to why the waiver of development standards should be approved; therefore, staff cannot support this request.

Waiver of Development Standards #2

Staff finds the reduction in the required building separation between the existing carport and the main residence is significant enough to potentially cause negative impacts and hazards to the existing residence and the surrounding area. Additionally, staff does not typically support a self-imposed hardship; therefore, staff does not 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 complete the permit 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; 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

TAB/CAC: Lone Mountain - denial.

APPROVALS: 6 cards

PROTESTS: 2 cards

PLANNING COMMISSION ACTION: September 5, 2023 – HELD – To 09/19/23 – per the applicant.

PLANNING COMMISSION ACTION: September 19, 2023 – HELD – To 10/03/23 – per Commissioner Miller.

APPLICANT: WILLIAM MILLER

CONTACT: DIONICIO GORDILLO, 204 BELLE ISLE CT, HENDERSON, NV 89012