

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-26-0064-LINDQUIST, PAUL & KAREN REVOCABLE TRUST & LINDQUIST, PAUL A. & KAREN TRS:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate setbacks; and **2)** reduced building separation for accessory structures in conjunction with an existing single-family residence on 0.52 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located west of Schirlls Street and north of Badura Avenue within Enterprise. MN/rp/cv (For possible action)

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RELATED INFORMATION:

**APN:**

177-06-701-015

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Eliminate the rear setback for an existing accessory structure (chicken coop with chicken run) where a minimum of 5 feet is required per Section 30.02.04B.
  - b. Eliminate the side setback for an existing accessory structure (chicken coop with chicken run) where a minimum of 5 feet is required per Section 30.02.04B.
  - c. Eliminate the rear setback for an existing accessory structure (shed) where a minimum of 5 feet is required per Section 30.02.04.
2. Reduce the building separation between a shed and a chicken coop with chicken run to 4 feet where 6 feet is required per Section 30.02.04 (a 33% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 6965 Schirlls Street
- Site Acreage: 0.52
- Project Type: Accessory structures
- Building Height (feet): 7 (chicken coop and chicken run)/8 (shed)
- Square Feet: 344 (chicken coop and chicken run)/168 (shed)

Site Plan

The plan depicts an existing single-family residence with driveway access from Schirlls Street. Along the rear (north) property line are 2 accessory structures.

A chicken coop with chicken run is located in the northwest corner of the property, with no setback from the north (rear) and west property lines (side interior).

Lastly, a shed is located 4 feet east of the chicken coop with no setback from the north property line (rear).

Landscaping

Landscaping is not a part of this request.

Floor Plan

The plan depicts 2 accessory structures; a 32 square feet chicken coop with an attached 312 square feet chicken run, and a 168 square foot shed.

Elevations

The photos show a chicken coop with an attached chicken run, both standing 6 feet high. They are constructed of wood, painted white, and reinforced with wire mesh for security.

The shed is 8 feet in height, built of brown wooden panels and topped with a shingle roof.

Applicant’s Justification

The applicant is requesting waivers of development standards to allow 2 existing accessory structures, a chicken coop with an attached chicken run and a shed, to remain in their current locations with eliminated rear and side setbacks and reduced building separation. The applicant states that all conditions for raising small livestock are being met, including a limit of 10 chickens (with 1 rooster). The applicant indicates the accessory structures are not visible from the street, as they are screened by 8 foot high block walls and fruit trees. Neighbor support has been documented through letters from several nearby property owners indicating no objections. The applicant states that granting the waivers will have no adverse impact on the neighborhood and will allow continued compliance with livestock regulations while maintaining property aesthetics.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
AV-900358-04	Minor deviation to increase wall height	Approved by ZA	March 2004

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residence

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

CE25-21315 is an active violation for not meeting setbacks.

## **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**

##### Waivers 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 use(s) 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.

Staff finds that although similar structures exist in the immediate area, the lot has adequate space to accommodate required setbacks and separation. Setbacks and building separations are intended to promote safety and aesthetically pleasing neighborhoods, and the applicant has not provided a justification as to why the structures could not be moved to meet the required setbacks and separation. Therefore, staff cannot support these requests.

#### **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 building permit and inspection process, if required, or the application will expire unless extended with approval of an extension of time.
- 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; 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**

- No comment.

#### **Fire Prevention Bureau**

- No comment.

**Southern Nevada Health District (SNHD) - Engineering**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto:septics@snhd.org) or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

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

- No comment.

**TAB/CAC:** Enterprise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** PAUL A. LINDQUIST

**CONTACT:** PAUL LINDQUIST, 6965 SCHIRLLS STREET, LAS VEGAS, NV 89118