

ACCESSORY STRUCTURES
(TITLE 30)

MINER WAY/COMB CIR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0339-TEJADA MARIA ELENA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce building separation; and 2) reduce setbacks for existing accessory structures and attached additions in conjunction with an existing single family residence on 0.1 acres in an R-1 (Single Family Residential) Zone.

Generally located on the north side of Comb Circle, approximately 100 feet west of Miner Way within Sunrise Manor. TS/rp/syp (For possible action)

RELATED INFORMATION:

APN:

161-06-614-019

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce separation between accessory structures (restroom building and attached accessory playroom) to 4 feet 5 inches where 6 feet is required per Table 30.40-1 (a 25% reduction).
- b. Reduce separation between accessory structures (storage building and restroom building) to 3 feet 5 inches where 6 feet is required per Table 30.40-1 (a 42% reduction).
2. a. Reduce the rear setback for an accessory structure (storage building) to 1 foot 5 inches where 5 feet is required per Table 30.40-2 (a 70% reduction).
- b. Reduce the side setback for an accessory structure (storage building) to 1 foot 11 inches where 5 feet is required per Table 30.40-2 (a 78% reduction).
- c. Reduce the side setback for an accessory structure (restroom building) to 4 feet 8 inches where 5 feet is required per Table 30.40-2 (a 4% reduction).
- d. Reduce the side setback for an attached accessory water heater room to 4 feet 3 inches where 5 feet is required per Table 30.40-2 (a 4% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 4154 Comb Circle
- Site Acreage: .1
- Project Type: Accessory structures
- Building Height (feet): 9 (storage building)/10 (restroom building)/8 (attached water heater room)
- Square Feet: 1,684 (single family residence)/81 (storage building)/72 (restroom building)/24 (attached water heater room)/419 (playroom)

Site Plan

The site plan depicts a .1 acre property with a driveway that accesses a cul-de-sac off Comb Circle. The site plan further depicts an existing 1,684 square foot, 1 story single family residence with 2 accessory structures (storage building and restroom building) and 2 attached accessory room additions to the existing residence (water heater room and playroom) located in the rear yard. The first accessory structure (storage building) is located along the northern property line with 1 foot and 5 inch setback. The second accessory structure (restroom building) is located to the south of the storage building with a separation of 3 feet 5 inches. An attached water heater room, which does not have interior access to the residence, is located on the west side of the residence and has a setback of 4 feet 3 inches. An attached accessory playroom, without interior access to the home, is located on the north side of the residence, and is 4 foot 5 inches from the restroom building.

Landscaping

The applicant is not proposing to add any new trees or shrubs.

Elevations

The applicant provided elevations of the storage building showing wooden paneling painted light gray to match the existing house. The restroom building and the attached water heater room are stucco and painted light gray to match the existing house. The height of these structures vary between 8 feet and 10 feet.

Floor Plan

The accessory structures are distributed throughout the site, the storage building is 81 square feet and the restroom building is 72 square feet. The attached water heater room is 24 square feet and the attached playroom is 419 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the submittal of the justification, the applicant is requesting to reduce the 5 foot setback requirement from the rear and side property lines. The applicant is also requesting to reduce the 6 foot requirement for building separation. The storage building is needed for storage of the applicant's personal items.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single Family Residential

Clark County Public Response Office (CCPRO)

CE-23-13577 and CE-21-03652 are active zoning violations on the subject parcel for trash/debris and for building without a permit.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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.

The location of the storage building, restroom building, and attached water heater room is concerning because these structures could pose a safety risk and a nuisance to surrounding property owners. The applicant has not demonstrated that the waivers of development standards are necessary and has not provided any alternatives for consideration; 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 with any extension of time to be a public hearing;
- Remove all outside storage within 90 days;
- 3 months to review the removal of all outside storage.
- 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

- No comment.

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.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTESTS:

APPLICANT: MARIA ELENA TEJADA

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