

CARPORT  
(TITLE 30)

WALNUT RD/GOWAN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0605-FIERRO-MANRIQUEZ MARTIN R:**

**AMENDED USE PERMIT** to allow an accessory structure not architecturally compatible with the principal residence.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setbacks; **2)** reduce access gate setback (previously not notified); and **3)** reduce building separation on 0.2 acres in an R-1 (Single Family Residential) (AE-70) Zone.

Generally located on the east side of Walnut Road, approximately 130 feet north of Gowan Road within Sunrise Manor. WM/jad/syp (For possible action)

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RELATED INFORMATION:

**APN:**

140-07-614-004

**USE PERMIT:**

Allow an accessory structure not architecturally compatible with the principal residence where architectural compatibility is required per Table 30.44-1.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the front setback for an accessory structure (carport) to 2 feet where 20 feet is required per Table 30.40-2 (a 90% reduction).
- b. Reduce the setback between a street and a structure to 2 feet where 10 feet is required per Section 30.56.040 (an 80% reduction) (previously not notified).
2. Reduce access gate setback along a collector street to zero feet where 18 feet is required per Section 30.64.020 (a 100% reduction) (previously not notified).
3. Reduce the building separation between a residence to a carport to 2 feet where 6 feet is required per Table 30.40-2 (a 67% reduction).

**LAND USE PLAN:**

SUNRISE MANOR - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3630 N. Walnut Road
- Site Acreage: 0.2

- Project Type: Carport
- Building Height (feet): 12
- Square Feet: 500

#### Site Plan

The plan shows a single family residence centrally located on the site with access from Walnut Road on the west side of the site. The carport is located in the northwest portion of the site, set back 6 feet from the side (north) property line and 2 feet from the front (west) property line. The carport is located 2 feet to the west of the residence, where a 6 foot separation is required. The carport is 20 feet wide and extends 25 feet over the driveway. A decorative fence with a vehicular access gate for the driveway and a pedestrian gate is located along the front property line.

#### Landscaping

Trees and shrubs are located on the perimeter of the front yard. The driveway is constructed of decorative concrete, painted a darker color than the other concrete in the front yard.

#### Elevations

The carport is constructed of metal posts with an aluminum roof which will be painted to match the residence. The carport is 12 feet to the highest point of the pitched roof.

#### Applicant's Justification

The applicant indicates the carport will provide shade for his car and he has provided letters of consent from the neighbors to the north and south of his property.

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, & East	Business Employment	R-1	Single family residential
West	Business Employment	R-2	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**

##### Use Permit

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.

### 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.

### Use Permit and Waivers of Development Standards

The carport is within the front yard, which requires compatibility with the building materials and color of the residence. While the carport will be painted to match the residence, the metal posts and roof are not compatible with the stucco exterior of the residence. The reduced setback does not allow for any type of mitigation to soften the metal structure which is near the street.

Setbacks are required to provide open space within the property to promote safety, and to provide an aesthetically pleasing streetscape. There are no other structures within the front setback of neighboring properties on the east side of Walnut Road. Staff typically does not support reductions to the setback from a street and does not support this request.

Building separation helps to reduce the impact of a large mass along the streetscape. In this case the separation from the residence does not create a visual impact from the street. The structure is required to meet all Building and Fire Code requirements. However, since staff does not support the use permit of the waiver to the setback, staff does not support the reduced building separation.

### **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:

- Paint the carport to match the residence.
- Applicant is advised that approval of this request does not constitute or imply approval of any other required permits and/or licenses; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; 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; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MARTIN FIERRO MANRIQUEZ

**CONTACT:** MARTIN FIERRO MANRIQUEZ, 3630 N. WALNUT RD, LAS VEGAS, NV  
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