

05/03/23 BCC AGENDA SHEET

ACCESSORY APARTMENT
(TITLE 30)

TROPICAL PKWY/CAMPBELL RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400022 (UC-20-0511)-ORTON RYAN & KELLY:

USE PERMIT FIRST EXTENSION OF TIME to increase the size of an accessory apartment in conjunction with a single family residence.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback for an access gate; and **2)** modified residential driveway design standards on 1.0 acre in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the south side of Tropical Parkway, 150 feet east of Campbell Road within Lone Mountain. RM/dd/ja (For possible action)

RELATED INFORMATION:

APN:

125-29-303-008

USE PERMIT:

To allow a 1,663 square foot accessory apartment where 1,500 square feet is allowed per Table 30.44-1 (an 11% increase).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the setback of an existing access gate to zero feet where 18 feet is required per Section 30.64.020 (a 100% reduction).
2.
 - a. Increase the width of a collector street residential driveway to 25 feet where a maximum of 16 feet is allowed per Uniform Standard Drawing 222 (a 56% increase).
 - b. Allow collector street access without the required on-site turnaround or circular driveway per Section 30.56.040.
 - c. Allow a second driveway to access an 80 foot collector street where a maximum 50 foot wide street is allowed per Section 30.52.050.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 5960 Campbell Road
- Site Acreage: 1

- Project Type: Accessory apartment
- Number of Stories: 1
- Building Height (feet): 17 (accessory apartment)/21 (residence)
- Square Feet: 1,163 (accessory apartment)/4,298 (residence)

Site Plan

The approved site plan depicts a proposed 4,298 square foot single family home (living area) with an additional 2,188 square feet of attached garage space. The single family home is located on the south side of the 1 acre lot, with access from the existing private cul-de-sac, and a proposed accessory apartment located on the north side of the lot. The site plan shows a driveway connection to the cul-de-sac, approximately 6 feet north of the south property line for the 2 garages (1 for an RV) attached to the single family home. The 1,163 square foot accessory apartment is shown with a 2 car garage with access from Tropical Parkway through an existing gate and a proposed 25 foot wide driveway where 16 feet is allowed. The driveway located off the private cul-de-sac will maintain a 6 foot setback from the property line.

Landscaping

The approved application proposed landscaping adjacent to the cul-de-sac and single family residence on the south side of the property. Per Chapter 30.64, Table 30.64-1, the applicant is not required to install landscaping (trees and shrubs) along the north property line which is adjacent to a collector street (Tropical Parkway) because the subject property is greater than 40,000 square feet in area. Staff recommended 5 trees be planted along Tropical Parkway to enhance the area between the home and north wall as part of the special use permit approval.

Elevations

The approved plans show the single family residence as a single story home with stucco siding and decorative concrete tile roofing. The accessory apartment will match the primary residence with stucco siding and concrete tile roofing.

Floor Plans

The approved plans depict a 4,298 square foot single family residence that includes a kitchen, 5 bedrooms, pantry, laundry room, great room, covered entry, and attached covered patio with an attached 2,188 square foot 2 car garage and RV parking garage. The proposed accessory apartment includes 1,663 square feet of living area and 633 square feet of attached garage space. The proposed accessory apartment (guest house) has 2 bedrooms, kitchen, living room, 2 attached covered patio areas, laundry room, and a 633 square foot attached 2 car garage.

Previous Conditions of Approval

Listed below are the approved conditions for UC-20-0511:

Current Planning

- Plant 5 medium size (15 gallon) trees south of the wall along Tropical Parkway;
- The larger principal residential single family home shall obtain a final certificate of occupancy/inspection prior to the accessory apartment;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

- Applicant is advised that 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

- Applicant is advised that any structures, walls, gates, and landscaping shall not encroach into public right-of-way or easements; that the on-site turnaround area shown on the plans or an alternative on-site turnaround area must be provided; and that the driveway from the cul-de-sac must be a minimum of 6 feet from the property lines.

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, applicant is advised 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.

Applicant’s Justification

The applicant states that economic conditions within the last few years has created a financial hardship for himself and his family, and that materials and cost of labor have become too costly for the feasibility of the project. The applicant’s financial situation has improved and he is ready to begin the project.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-20-0511	Allow a 1,663 square foot accessory apartment with waivers for reduced setbacks, collector street access, and increased driveway size	Approved by BCC	January 2021
ZC-0296-01	Reclassified various parcels from R-U, R-A, and R-E to R-E (RNP-I), R-A (RNP-I), and R-A (RNP-II) zoning	Approved by BCC	September 2001

Surrounding Land Use

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

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the

subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

The applicant indicates that the economic slowdowns and the increased price of available building materials in the last few years hindered his ability to commence the project. The applicant has displayed a desire to commence the project now that economic conditions are more favorable. Additionally, the building permits related to this request have been reviewed by the Building Department. For these reasons, staff can support this request.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

Staff Recommendation

Approval.

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

- Until March 28, 2025 to commence.
- 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

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Tropical Parkway improvement project;
- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Lone Mountain - approval.

APPROVALS:

PROTEST:

APPLICANT: RYAN ORTON

CONTACT: RYAN ORTON, 9312 GRASSY BUTTE CT., LAS VEGAS, NV 89149