

05/03/22 PC AGENDA SHEET

ACCESSORY STRUCTURE (RV GARAGE)  
(TITLE 30)

RACEL ST/UNNAMED ST  
(LOWER KYLE CANYON)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-22-0130-MOHRHARDT FAMILY TRUST & MOHRHARDT THEODORE JR & SIGRID TRS:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce front setback; and 2) increase height for a detached accessory structure (RV garage with storage) in conjunction with an existing single family residence on 1.9 acres in an R-U (Rural Open Land) Zone.

Generally located on the south side of Racel Street, approximately 640 feet west of Hurtado Street within Lower Kyle Canyon. RM/lm/jo (For possible action)

---

RELATED INFORMATION:

**APN:**

126-08-401-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the front setback for a detached accessory structure to 10 feet where 40 feet is required per Table 30.40-1 (a 75% reduction).
2. Increase the height of a detached accessory structure to 25 feet 2 inches where 25 feet is allowed per Table 30.40-1 (a 1% increase).

**LAND USE PLAN:**

NORTHWEST COUNTY (LOWER KYLE CANYON) - OUTLYING NEIGHBORHOOD (UP TO 0.5 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 13975 Racel Street
- Site Acreage: 1.9
- Project Type: Detached accessory structure (RV garage)
- Number of Stories: 2
- Building Height (feet): 25 feet 2 inches
- Square Feet: 3,040

### Site Plans

The plans depict a proposed detached accessory structure (RV garage) that includes parking for several vehicles on the first level and storage on a portion of the second level. The site consists of an existing residence set back 190 feet from the north (front) property line and a casita located on the southerly portion of the property with driveway access from the northeast corner of the site along Racel Street (front of property). The proposed structure is set back 10 feet from the north property line with a proposed driveway access centrally located along the north property line and a leach field located to the east of the proposed driveway. A new 14 foot to 49 foot wide driveway will be constructed along the west, south, and east portions of the proposed structure. Several natural washes traverse the property from the south, southwest, and west to the northeast of the property dividing the property into 2 buildable areas.

### Landscaping

The plans depict an existing residential property that is enclosed by existing block walls and includes some landscaping along the entry driveway, along a portion of the west property line, and within the rear yard. The applicant indicates that the existing wall and landscaping will be removed from within a portion of the Racel Street right-of-way.

### Elevations

The plans depict a 2 story accessory structure with an overall height of 25 feet 2 inches with painted textured siding and roofing to match the existing residence. There are 14 foot high garage door openings on the east face of the building, pedestrian doors and window openings located on the north and south elevations, and 3 standard garage door openings on the lower level, and a double glazed door on the second level with a balcony on the west elevation.

### Floor Plans

The plans depict an open floor plan for the lower level of the structure with a 2,240 square foot RV and vehicle storage area. The upper level consists of 800 square feet with enclosed spaces for storage with no interior access to the lower level garage areas.

### Applicant's Justification

The applicant indicates that due to the existing grades of the property there is limited area to construct the proposed detached accessory garage. If the structure was constructed to meet the front setback requirement of 40 feet, the required location would necessitate up to 18 feet of fill within a portion of the existing wash. Through the development process it was discovered that the northerly wall and landscaping are located in a portion of Racel Street and will be relocated to the private property. The applicant also indicates that the increased building height is due to the thickness of roofing materials and the height of the ridgeline vent.

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & South	Open Lands & Outlying Neighborhood (up to 0.5 du/ac)	R-U	Single family residential & undeveloped
East & West	Open Lands	R-U	Undeveloped

This property and the surrounding area are located in Community District 5.

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-22-0131	A request to vacate and abandon easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current 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 property is located in Community District 5 where the size of the structure is not a consideration for approval. The location of the property is in a rural area where accessory structures (detached garage) are a common feature with such large properties. The proposed accessory structure will incorporate architectural details to be consistent with the existing principal residence and the proposed height of the structure will be negligible compared to the Code requirement. The proposed reduction in the building setback should not pose an overall negative impact to the surrounding neighbors and the existing wall and landscaping will be relocated onto the private property which will not impact the proposed location of the structure. The property is principally surrounded by undeveloped and federally owned properties. Staff finds the request complies with Policy NW-1.9 of the Master Plan which encourages protecting the rural character and quiet setting of the community; therefore, and staff can support this request.

**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:****Current Planning**

- Applicant is advised that the detached accessory structure (RV garage) may not have habitable residential use or living space within the detached garage due to the existing casita on the property located south of the residence; 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; 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**

- Drainage study and compliance;
- Non-standard improvements in the right-of-way, including, but not limited to, landscaping and fencing shall be removed from the right-of-way prior to the final inspection for the structures included with this application;
- Coordinate with Public Works - Development Review Division to apply for Bureau of Land Management (BLM) right-of-way grants;
- Demonstrate legal access.

**Fire Prevention Bureau**

- No comment.

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

- 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:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TED MOHRHARDT

**CONTACT:** TED MOHRHARDT, HCR 38 BOX 135, LAS VEGAS, NV 89124