

ACCESSORY STRUCTURES
(TITLE 30)

TEE PEE LN/VERDE WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0150-PARKTON, SARA F.:

USE PERMITS for the following: **1)** allow existing accessory structures not architecturally compatible to the principal dwelling; and **2)** allow the cumulative area of all existing accessory structures to exceed the footprint of the principal dwelling.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce the building separation of existing accessory structures; **2)** reduce the interior side setback of an existing accessory structure in conjunction with an existing single family residence on 1.0 acre in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Tee Pee Lane, 150 feet north of Verde Way within Lone Mountain. RM/jor/syp (For possible action)

RELATED INFORMATION:

APN:

125-31-802-007

USE PERMITS:

1. Allow existing accessory structures not architecturally compatible to the principal dwelling where architectural compatibility is required per Table 30.44-1.
2. Allow the cumulative area of all existing accessory structures (2,383 square feet) to exceed the footprint of the principal dwelling (1,687 square feet) (a 41% increase).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the building separation of existing accessory structures (2 conex boxes) to zero feet where 6 feet is required per Table 30.40-1 (a 100% decrease).
2. Reduce the interior side setback of an existing accessory structure (rabbit house on the northeast corner of the parcel) to 2 feet where 5 feet is required (a 60% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 4940 N. Tee Pee Lane
- Site Acreage: 1

- Project Type: Accessory structures
- Number of Stories: 1
- Existing Building Height (feet): 20 (Principal Dwelling)/4 (Guinea Pig House)/6 (Chicken House)/12 (Tool Storage Structure)/7 (Rabbit House)/8 (Children's Playhouse)/4 (Goat House)/4 (Bird House)/6 (Children's Tee Pee Structure)/8 (Tack House)/8 (Horse Stable)/5 (Horse Coral)/15 (Detached Garage)/9 (Conex Box #1)/9 (Conex Box #2)
- Square Feet: 1,687 (Principal Dwelling)/70 (Guinea Pig House)/70 (Chicken House)/120 (Tool Storage Structure)/120 (Rabbit House)/54 (Children's Playhouse)/49 (Goat House)/57 (Bird House)/54 (Children's Tee Pee Structure)/64 (Tack House)/384 (Horse Stable)/2,880 (Horse Coral)/2,000 (Detached Garage)/285 (Conex Box #1)/285 (Conex Box #2)

Site Plan

The site plan depicts an existing single family residence on 1 acre. The existing residence is located on the western portion of the parcel, and the existing accessory structures are located on the north, east, and southern areas of the site.

The northern portion of the site includes a chicken house, a tool storage structure, a rabbit house, a detached garage (permitted by BD02-18595-BU6), and a children's playhouse.

The eastern portion of the site includes the following: a goat house (no goats present), a bird house (no birds present), a horse stable and corral (no horses present), and children's tee pee structure.

The southern portion of the site includes a tack house and 2 conex boxes.

All of the accessory structures along the east property line are set back a minimum of 5 feet from the east property line, which meets Title 30 requirements. The 2 conex boxes along the south property line are set back 5 feet from the south property line, which meets Code; however, the conex boxes are not meeting the 6 foot building separation requirement from one another which requires a waiver of development standards request. Although the conex boxes have been painted to match the principal dwelling, a use permit is required for architectural compatibility since the conex boxes are not compatible with the principal dwelling.

Along the north property line, there is an existing 4 foot wide drainage swale. Per Drainage Study HTE 04-19820, Section H, on Sheet 4 of 8, the plans show that the applicant's north property line is located in the middle of the drainage swale. The rabbit house located on the northeast corner of the site requires a setback reduction waiver to reduce the setback 2 feet from the property line where 5 feet is required per Title 30.

Lastly, the applicant is requesting a use permit to allow the cumulative area of the existing accessory structures to exceed the building footprint of the principal dwelling. These existing accessory structures include the following: tool storage structure, a children's playhouse, a children's tee pee structure, a tack house, a detached garage, and 2 conex boxes. The existing

residence has an overall area of 1,687 square feet and the cumulative area of the accessory structures total 2,383 square feet (a 41% increase). The remaining structures are agricultural related and are not a part of this request.

Landscaping

The submitted photos show a significant amount of existing landscaping. Along the front property line (adjacent to Tee Pee lane) there are mature trees and shrubs within the front yard which help screen the accessory structures from a portion of the right-of-way. No new landscaping is proposed with this application.

Elevations

The following structures are constructed of the following materials:

- Principal Dwelling – constructed of stucco walls, wood, and a tiled roof (20 feet in height)
- Guinea Pig House – constructed of chicken wire, wood, and metal (4 feet in height)
- Chicken House – constructed of chicken wire, wood, and metal (6 feet in height)
- Tool Storage Structure – constructed of wood, stucco, and asphalt shingles (12 feet in height)
- Rabbit House – constructed of chicken wire, wood, and metal (7 feet in height)
- Children's Playhouse – constructed of wood (8 feet in height)
- Goat House – constructed of wood (4 feet in height)
- Bird House – constructed of wood, chicken wire, and asphalt shingles (4 feet in height)
- Children's Tee Pee Structure – constructed of wood (6 feet in height)
- Tack House – constructed of wood (8 feet in height)
- Horse Stable – constructed of metal (8 feet in height)
- Horse Corral – constructed of metal (5 feet in height)
- Detached Garage – constructed of metal (15 feet in height per BD02-18595 permits)
- Conex box #1 – constructed of metal (9 feet in height)
- Conex box #2 – constructed of metal (9 feet in height)

Floor Plans

- Principal Dwelling – overall area is 1,687 square feet and includes the typical areas of a residential home (bedrooms, bathrooms, kitchen, living room, and garage)
- Guinea Pig House – overall area is 70 square feet
- Chicken House – overall area is 70 square feet
- Tool Storage Structure – overall area is 120 square feet
- Rabbit House – overall area is 120 square feet
- Children's Playhouse – overall area is 54 square feet
- Goat House – overall area is 49 square feet
- Bird House – overall area is 57 square feet
- Children's Tee Pee Structure – overall area is 54 square feet
- Tack House – overall area is 64 square feet
- Horse Stable – overall area is 384 square feet

- Horse Corral – overall area is 2,880 square feet
- Detached Garage – overall area is 2,000 square feet
- Conex box #1 – overall area 285 square feet
- Conex box #2 – overall area is 285 square feet

Applicant's Justification

Per the submitted justification letter, the owner has owned the conex boxes for approximately 9 years. Per the applicant, the Public Response complaint was filed by a neighbor who moved away from the neighborhood. In addition, the new neighbors within the area have no issue with the existing conex boxes. The existing conex boxes have been set back 5 feet from the southern wall, and the site has been graded to lower the height of the boxes. Furthermore, the conex boxes are painted to match existing structures on this property with trim. The conex boxes are used for storage of belongings of the applicant's family members who have passed away. The existing accessory structures on the site are structures utilized by the applicant's children, and although some of the structures are for agricultural uses, there are no horses, goats, or birds on-site. In addition, the detached garage on the northeast corner was permitted in 2002 via BD02-18595. The structures are located in the rear and side yards of the property and primarily screened from the right-of-way.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0941-00	Vacated patent easements - recorded	Approved by BCC	August 2000

Surrounding Land Use

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

Clark County Public Response Office (CCPRO)

CCPRO violation (CE20-09025) is an active zoning violation for existing structures on the site without proper building permits.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit #1

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. The applicant is requesting to allow existing accessory structures to not be architecturally compatible to the principal

dwelling where architectural compatibility is required per Table 30.44-1. The photographs show that the accessory and agricultural structures are not visually obtrusive and most of the structures are painted neutral colors, with the exception of the tack house that is painted red, but located over 200 feet away from Tee Pee Lane. Staff can support this request since the metal structures are not a visual nuisance to the site or the surrounding neighborhood.

Use Permit #2

The second request is to allow the cumulative area of all existing accessory structures (2,383 square feet) to exceed the footprint of the principal dwelling (1,687 square feet) (a 41% increase). The applicant provided photographs that the site is well maintained, and the existing structures are primarily screened from the right-of-way due to existing mature landscaping. Lastly, the overall area of all of the accessory structures are located within the side and rear yard do not pose a negative impact to the neighborhood. As long as the applicant applies for any necessary building permits with the Clark County Building Department, staff can support this request.

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.

Waiver of Development Standards #1

Staff cannot support a building separation reduction to zero feet, although, the conex boxes are appropriately set back 5 feet from the south property line. Staff finds that the applicant has the opportunity to separate the conex boxes 6 feet apart to meet Code. The site has an overall area of 1 acre; therefore, parcel size constraint is not an issue. Table 30.40-1 states that all accessory buildings shall have a minimum separation of 6 feet from any other building.

Waiver of Development Standards #2

The approved Drainage Study HTE 04-19820, Section H, plans show that the applicant's north property line is located in the middle of the drainage swale. The rabbit house located on the northeast corner of the site requires a setback reduction waiver to reduce the setback 2 feet from the property line where 5 feet is required per Title 30. Staff finds that the drainage swale is 4 feet wide and there is an additional CMU block wall to the north and the parcels to the north are undeveloped. Due to where the rabbit house is located, additional landscaping cannot help visually mitigate the setback reduction; therefore, staff recommends moving the structure to a different location on the parcel to meet the required setback and any building separation requirement. Staff does not support this request.

Staff Recommendation

Approval of use permits #1 and #2; denial of waivers of development standards #1 and #2.

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

If approved:

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit or approval; 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

- No comment.

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 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: SARA PARKTON

CONTACT: SARA PARKTON, 4940 N TEE PEE LN, LAS VEGAS, NV 89149