

ACCESSORY AGRICULTURAL STRUCTURES
(TITLE 30)

UPDATE
GATEWAY RD/TONOPAH AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0124-ALVAREZ LAURENCIO:

HOLDOVER USE PERMITS for the following: **1)** allow agricultural – livestock, large not in Community District 5; **2)** allow a non-decorative roof; and **3)** increase the square footage of accessory buildings in conjunction with a principal structure.

DESIGN REVIEW for an accessory agricultural building on 0.7 acres in an R-T (Manufactured Home) Zone.

Generally located on the east side of Gateway Road, approximately 130 feet south of Tonopah Avenue within Sunrise Manor. TS/jvm/jo (For possible action)

RELATED INFORMATION:

APN:

140-19-802-003

USE PERMITS:

1. Allow agricultural – livestock, large not in Community District 5.
2. Allow a non-decorative roof.
3. Allow 4,074 square feet of accessory agricultural structures where 2,400 square feet is the maximum allowed per Table 30.44-1 (a 70% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 1760 Gateway Road
- Site Acreage: 0.7
- Project Type: Accessory agricultural structures
- Building Height (feet): up to 16
- Square Feet: 4,074

History & Request

Staffs review of aerial photographs of the site indicate a portion of the existing accessory structure was constructed prior to 1990. Additions to the building were added between the

spring of 2017 and summer of 2018 without building permits. Manufactured homes have been located on different portions of the site over the years. The current owner purchased the property in September 2018. The purpose of this request is to allow the applicant to have 4 horses stabled on the property for personal use. The 4 horses are allowed on the 30,052 square foot property zoned R-T not within Community District 5 upon approval of a special use permit. The applicant is also requesting approval of the existing structure. The applicant indicates the horses kept on the property will belong to him.

Site Plan

The plans depict an existing, approximate 3,397 square foot accessory building centrally located on the southern portion of the site with 4 horse stalls located on the east side of the building. Portions of the horse stalls are covered and meet the minimum area required by Code. The site has access to Gateway Road. There is an existing 6 foot high wall along the east property line and along the south property line. The wall along the south property line and the accessory agricultural building are set back 5 feet from the south property line. An existing wire fence is located along the north property line and an existing 3 foot wall with 3 foot high wooden slats is located along the western property line adjacent to Gateway Road.

Landscaping

There are existing trees in the southwest corner of the site, along Gateway Road, and along the majority of the north property line.

Elevations

The existing accessory structure is between 9 feet and 16 feet in height with a flat roof of corrugated metal, CMU block wall, and corrugated metal panels.

Floor Plans

The plans depict an existing, approximate 3397 square foot accessory building with a feed storage room, tack room, hay storage, storage rooms, and other accessory uses.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the property is zoned R-T and previously had 4 horses on the property. In addition, there are 4 horse corrals existing on the property.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-19-0675	Reclassified from R-T to R-E zoning with a use permit for a residential boarding stable	Withdrawn by BCC	October 2019
UC-0587-10	Place of worship	Withdrawn by BCC	October 2011
ZC-1083-00	Reclassified per Title 30 from T-C to R-T zoning	Approved by BCC	September 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Mid-Intensity Residential Suburban (up to 8 du/ac)	R-T	Single family residential
East	Mid-Intensity Residential Suburban (up to 8 du/ac)	R-2	Single family residential
West	Mid-Intensity Residential Suburban (up to 8 du/ac)	RUD	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permits

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.

Staff is concerned about the compatibility with the adjacent single family residential developments to the east in an R-2 zone and the existing manufactured home park to the west in an RUD zone. The R-2 and RUD zones are established to provide for the development of compact single family residential uses and to prohibit the development of incompatible uses detrimental to the residential environment. The current zone of R-T is compatible with the surrounding developments and would allow for residential use of the property in a manner that is appropriate within said zone and the surrounding approved and existing uses in the area. Therefore, staff cannot support these requests. The proposed requests with the various conditions being waived are not compatible with the proposed land uses in this area and conflict with the requirement that site designs be compatible with adjacent land uses and off-site circulation patterns.

Design Review

The additions to the existing accessory structure were constructed without permits and are not compatible with the existing and proposed uses in the area. Furthermore, approval of this request is contingent upon approval of the use permits which staff cannot support. Therefore, staff cannot support this request.

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 Statute

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 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 there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Right-of-way dedication to include an additional 5 feet for Gateway Road.

Fire Prevention Bureau

- 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 - denial.

APPROVALS: 2 cards

PROTESTS: 3 cards

PLANNING COMMISSION ACTION: April 19, 2022 – HELD – To 05/17/22 – per the applicant.

APPLICANT: ALVAREZ LAURENCIO

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