

09/20/22 PC AGENDA SHEET

ACCESSORY STRUCTURE  
(TITLE 30)

WINSTON LN/MACFARLAND AVE  
(INDIAN SPRINGS)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-22-0424-WOODARD, TOBIAS A. & DI STASIO-WOODARD, CAROLANN B.:**

**WAIVER OF DEVELOPMENT STANDARDS** for increased height for a detached accessory structure in conjunction with an existing single family residence on 0.1 acres in an R-T (Manufactured Home Residential) Zone.

Generally located on the north side of Winston Lane, 330 feet west of MacFarland Avenue within Indian Springs. RM/lm/syp (For possible action)

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RELATED INFORMATION:

**APN:**

059-08-810-004

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase height for a detached accessory structure to 19.5 feet where 14 feet is allowed per Table 30.40-2 (a 39% increase).

**LAND USE PLAN:**

NORTHWEST COUNTY (INDIAN SPRINGS) - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 262 Winston Lane
- Site Acreage: 0.1
- Project Type: Detached accessory structure
- Number of Stories: 2
- Building Height (feet): 19.5
- Square Feet: 1,850 (residence)/616 (accessory structure)

Site Plans

The plans depict an existing detached accessory structure (storage building) located in the northwest corner of the lot, 5 feet from the north and east property lines, and over 6 feet from the residence. The site consists of an existing single family residence centrally located on the lot.

Landscaping

There are no proposed or required changes to on-site landscaping.

Elevations

The detached accessory structure is 19.5 feet tall and constructed with painted exterior panels to match the residence, asphalt architectural shingles, and 4:12 roof pitch. The south elevation includes pedestrian doors on the ground level. The west elevation includes an exterior stairway that extends to the west, away from the building, with a pedestrian door located near the north end of the building and 2 windows. The north elevation includes 2 windows on the second level. There are no doors or openings on the east elevation.

Floor Plan

Each level of the accessory structure consists of 308 square feet for non-habitable storage for a total of 616 square feet. The existing residence is single story and consists of 1,850 square feet.

Applicant’s Justification

The applicant indicates that the increased height of the structure is due to the roof pitch of the building and accounts for 50% of the requested height increase. The applicant also indicates that there is a similar structure in the neighborhood.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-1737-05	Increased street length for a single family subdivision	Approved by PC	January 2006
WS-0695-05	Waived off-site improvements (curb, gutter, sidewalk, and streetlights)	Approved by PC	July 2005
TM-0492-03	43 single family residential lots	Approved by PC	December 2003

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Public Use	P-F	Place of worship
South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-T	Single family residential

**Clark County Public Response Office (CCPRO)**

CE-21-19211 is an active case on the property for the existing detached structure constructed without permits.

**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 there is no Code limitation on the size of the structure; however, the height of accessory structures is limited to 14 feet. The location of the property is adjacent to large lots within a rural area where accessory structures are a common feature. Staff finds the request incorporates architectural details (paint color and roof slope) to be consistent with the existing principal residence, and the proposed height of the structure will be negligible as the height increase is for the peak of the roof and not the bulk of the building, and is still less than the existing residence. Additionally, the property is adjacent to an undeveloped portion of a place of worship to the north, and the adjoining residential properties have greater rear setbacks. All residences on the street are single story and some include full basements for storage. Lastly, there are no windows or openings on the east elevation, so privacy has been extended to the most impacted neighbor to the east. Therefore, 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**

- 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 the project has not commenced or there has been no substantial work towards completion within the time specified.

#### **Public Works - Development Review**

- Applicant is advised that the driveway on the east side of the property must be removed or modified to comply with County standards.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CAROLANN DI STASIO-WOODARD

**CONTACT:** TOBIAS WOODARD, 262 W. WINSTON LN, INDIAN SPRINGS, NV 89018