

ACCESSORY STRUCTURE  
(TITLE 30)

TROPICAL PKWY/JENSEN ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0520-FUNSTON, STEVEN L. SEPARATE PROPERTY TRUST & FUNSTON, STEVEN L. TRS:**

**USE PERMIT** to allow an accessory building to exceed one half the footprint of the principal building.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce street landscaping along a collector street; and **2)** reduce access gate setback along a collector street in conjunction with an existing single family residence on 1.0 acre in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the north side of Tropical Parkway, 130 feet west of Jensen Street within Lone Mountain. RM/rk/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

125-30-202-028; 125-30-202-012

**USE PERMIT:**

Increase the area of a proposed accessory building (detached garage) to 3,000 square feet where an accessory building with a maximum area of 1,882 square feet (50% of the footprint of the principal dwelling) is permitted per Table 30.44-1 (a 59% increase).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce street landscaping to 5 feet where a minimum of 6 feet is required along a collector street per Table 30.64-1 and Figure 30.64-8 (a 38% reduction).
2. Reduce access gate setback to 5 feet where a minimum of 18 feet from property line is required along a collector street per Section 30.64.020(6) (a 72% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 9770 W. Tropical Parkway
- Site Acreage: 1
- Project Type: Accessory structure

- Number of Stories: 1
- Building Height (feet): 23
- Square Feet: 3,000

#### Site Plan

The proposed detached garage is located near the east side of the subject parcel. The accessory structure is proposed on an undeveloped lot which is currently in the process of being combined with the owner's residential lot directly to the west. The detached garage will be set back 6 feet from the east property line, 46 feet from the north property line, and 40 feet from the south property line (Tropical Parkway). The west property line will be eliminated with the recordation of a map which is combining the single family residential lot with the subject undeveloped lot. Additionally, the CMU wall that is currently separating the 2 properties will be removed once this project is developed. The property is enclosed by an existing 6 foot high CMU wall except for the front of the property line along Tropical Parkway. This request is to modify the wall and screening requirements along Tropical Parkway. Trees will be placed behind the wall and shrubs, and groundcover will be installed in a 5 foot wide landscape element in front of the wall. The block wall will be located directly behind a 5 foot wide power easement along Tropical Parkway. The garage doors on the accessory structure will face the west, toward the main residence. Access to the garage will be from two, 16 foot wide double gates located along Tropical Parkway.

#### Landscaping

Street landscaping in front of the proposed block wall will consist of shrubs and groundcover (no trees) within the 5 foot easement. Behind the wall, 24 inch box trees will be planted 20 feet apart. No other landscaping is proposed or required with this application.

#### Elevations

The plans depict a 1 story, 23 foot high, detached garage constructed of stucco siding, and a decorative metal seamed roof. The siding and colors will match the existing residence. The overhead roll-up door for vehicle access is located on the west elevation of the accessory structure facing towards the main residence.

#### Floor Plans

The plans show a 3,000 square foot proposed accessory structure which will be used for vehicle storage.

#### Applicant's Justification

The applicant indicates the proposed detached garage is needed for storage. The proposed siding and colors of the garage will match the existing residence. Furthermore, the landscape planter will consist of shrubs and groundcover, and behind the wall, 24 inch box trees will be planted 20 feet apart.

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Mix of developed & undeveloped single family residential

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
MSM-22-600018	A minor subdivision map to combine parcels is currently in process.
VS-22-0507	A vacation of patent easements on the property 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**

##### Use Permit

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 reviews use permit requests to ensure compatibility with existing and planned developments in the area. The proposed accessory structure will be compatible and consistent with the existing principal structure. The design of the detached garage incorporates proper building placement on the site with required setbacks. Staff finds the proposed building to be in scale with the size of the property, especially since both properties are being combined into a larger property. Therefore, staff can support this portion of the 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.

Staff finds the proposed landscaping still meets the intent of the County required landscaping; however, the trees will be provided behind the wall and the planter is 1 foot short of the required width for landscaping along a collector street. Additionally, the gate setback from the property line is 5 feet; however, the actual pavement of Tropical Parkway is an additional 20 feet from the property line; therefore, the gates will be set back a total of 25 feet from the roadway and will not cause any safety concerns. Therefore, staff can support these requests.

**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**

- Map to record prior to issuance of certificate of completion for the accessory structure;
- Remove CMU block wall at shared property line prior to issuance of certificate of completion for the accessory structure.
- 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; 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**

- 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.

**Fire Prevention Bureau**

- No comment.

**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 for any sanitary sewer needs, 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.

**TAB/CAC:** Lone Mountain - approval (architectural features including door, windows, and pop-outs to be added to the south side of accessory structure).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** STEVEN FUNSTON

**CONTACT:** JASON MAHEU, 652 MIDDLEGATE ROAD, SUITE B, HENDERSON, NV 89011