

12/05/23 PC AGENDA SHEET

ACCESSORY STRUCTURE
(TITLE 30)

COTTONTAIL LN/ROCHELLE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0700-VEGA-VILLALBA VICTOR MANUEL & VEGA PAULA:

WAIVER OF DEVELOPMENT STANDARDS to increase the height of an accessory structure in conjunction with a single family residence on 0.5 acres in an R-1 (Single Family Residential) Zone.

Generally located on the east side of Cottontail Lane, 480 feet south of Rochelle Avenue within Paradise. TS/nai/syp (For possible action)

RELATED INFORMATION:

APN:

162-24-601-007

WAIVER OF DEVELOPMENT STANDARDS:

Increase accessory structure (garage) height to 17 feet where a maximum of 14 feet is permitted per Table 30.40-2 (a 22% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 4375 Cottontail Lane
- Site Acreage: 0.5
- Project Type: Increase garage height
- Number of Stories: 1
- Building Height (feet): 17
- Square Feet: 990

History

The applicant built the accessory structure (garage) without a permit. As a result, the applicant applied for a waiver to increase the height of the accessory structure (garage) to 17 feet when the maximum height is 14 feet (WS-19-0481). That application was approved on August 2019 by the Planning Commission with the condition for 1 year to complete the building permit with any extension of time to be a public hearing.

Although the building permit was issued, the applicant needed to renew their building permit (BD18-58791) due to the inspection requirement. As a result, the applicant had to submit a new waiver of development standards application because the 1 year mark has passed and the application expired.

Site Plan

The site plan depicts an existing 1,992 square foot principal structure with a circular driveway accessed from Cottontail Lane. A 45 foot long, 22 foot wide, 990 square foot accessory structure (garage) is located on the southeast corner of the lot with setbacks of 13 feet from the rear property line, 5 feet from the side property line, and 16 feet from the principal structure.

Landscaping

No landscaping is required nor proposed.

Elevations

The plans show an existing 17 foot high accessory structure (garage) with white colored stucco and black trim which is architecturally compatible with the principal structure. The north side of the garage has a walkthrough door, the east side has 2 windows, and the west side has a 16 foot wide by 13 foot tall roll-up door.

Floor Plan

The floor plan shows a 45 foot by 22 foot 990 square foot garage with 630 square feet of garage space and 360 square feet of storage space, which includes a bathroom.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant is requesting the allowance of an accessory structure (garage) to be 17 feet high when the maximum height for R-1 zoning is 14 feet. The structure was constructed and placed to meet the required setbacks and is used for housing personal vehicles.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-19-0481	Increased the height of an accessory structure (garage) - expired	Approved by PC	August 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
East & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive 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 building permit (BD18-58791) was issued on February 2020, which was 6 months prior to the 1 year review date for their original waiver application (WS-19-0481). However, the applicant had to renew the building permit to complete the inspection requirement. Staff can recommend approval for this application because of the ongoing effort to complete the building permit.

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:

Comprehensive Planning

- 1 year to complete the building permit and inspection process with any extension of time to be public hearing.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: VICTOR VEGA

CONTACT: VICTOR VEGA, 4375 COTTONTAIL LANE, LAS VEGAS, NV 89121