

ACCESSORY STRUCTURES  
(TITLE 30)

**UPDATE**  
ROSANNA ST/RICHMAR AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-20-0516-HORSLEY, BONNIE LEE:**

**APPEAL USE PERMITS** for the following: **1)** allow accessory structures not architecturally compatible with the principal residence; and **2)** allow alternative design standards.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setbacks; and **2)** reduced building separation on 1.0 acre in an R-E (Rural Estates Residential) Zone in the RNP-I Overlay District.

Generally located on the northeast corner of Richmar Avenue and Rosanna Street within Enterprise. JJ/sd/jd (For possible action)

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RELATED INFORMATION:

**APN:**

176-22-701-025

**USE PERMITS:**

1. Allow accessory structures not architecturally compatible with the principal residence per Table 30.44-1.
2. Waive applicable design standards to allow vertical metal exterior material where not permitted per Table 30.56-2A.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce street side setback for an accessory structure (conex box 2) to 1 foot where 10 feet is required per Table 30.40-5 (a 90% decrease).
2.
  - a. Reduce the required separation between existing accessory structures (conex box 1) and an existing accessory structure (horse shade) to zero feet where 6 feet is the standard per Table 30.40-2 (a 100% reduction).
  - b. Reduce the required separation between an existing accessory structure (coop) and an existing accessory structure (wire run) to 2 feet where 6 feet is the standard per Table 30.42-2 (a 67% reduction).
  - c. Reduce the required separation between an existing accessory structure (conex box 2) and an existing accessory structure (hay cover) to 5 feet where 6 feet is the standard per Table 30.40-2 (a 17% reduction).

**LAND USE PLAN:**

ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: 6990 W. Richmar Avenue
- Site Acreage: 1
- Project Type: Accessory structures
- Building Height (feet): 10 (conex)/8 (well)/10 (shade)/15 (hay cover)/10 (horse shade)/10 (tool shed)/8 (hay cover)
- Square Feet: 3,824 (accessory structures)

#### Site Plans

The plans depict an existing single family residence on 1 acre. The existing residence is approximately 1,950 square feet in size with a total of all accessory structures being 3,824 square feet; however, only 1,136 square feet is calculated towards accessory structure square footage. Access to the property is from both Richmar Avenue and Rosanna Street. The various accessory structures currently encroach into setbacks and some are not separated by 6 feet. The parcel is surrounded by an existing 6 foot high chain-link fence.

#### Landscaping

Landscaping is not a part of this request.

#### Elevations

There are various types of accessory structures, including agricultural accessory structures located on the property. The existing accessory structures dimensions are as follows; both conex containers are 320 square feet; horse shade structure is approximately 480 square feet and is constructed of wood siding; well house is 64 square feet with wood siding; the coop wire run is 480 square feet and is open with mesh wire and wood siding; tool shed is 200 square feet and is of wood siding; hay cover is 900 square feet and is open on all sides and is constructed of metal siding; shade structure is 456 square feet.

#### Floor Plans

The plans depict various accessory structures, including conex box containers that are used for storage and are an open floor plan similar to the other accessory structures and agricultural accessory structures. The open floor plans are used for animal feed and shade along with storage of various materials.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states that they have upgraded the property over the years. As most of the existing accessory structures meet setbacks and separation, a few encroach into setbacks and are closer together than the required 6 foot separation. The main purpose of the accessory structures is storage of materials. The applicant believes the proposed use permit for accessory structures is in harmony with the surrounding area and will not cause undue hardships or adverse effects.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-0826-08	Vacated and abandoned easements	Approved by PC	October 2008
ZC-1026-05	Reclassified approximately 3,800 parcels of land from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

**Surrounding Land Use**

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

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

There is an active Clark County Public Response Office violation for building without permits (CE20-08499).

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**Use Permits & Waivers of Development Standards

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 Comprehensive 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.

Prior to the current Public Response Office active enforcement case (CE20-08499), no other zoning violations were reported in relation to the accessory structures, past violations were related to farm animals and outside storage. The existing shade structure, conex box 1 and horse shade structure located in the northwest portion of the property are partially screened from the right-of-way by existing landscaping and trees. Conex box 2 is set back from the existing right-of-way and property line by 1 foot and partially screens an existing hay cover agricultural structure to the east, which is currently set back more than 10 feet from right-of-way and is separated from the conex box by 2 feet.

Staff does not support the requested waivers of development standards #1 and #2 in relation to conex box 2 along the western street side property line as it can be relocated to other portions of the property to maintain setbacks.

Staff does not support waiver of development standards 2a and 2b, as the relocation of the existing 2 conex boxes to other areas within the property will create requisite separation of at least 6 feet. Staff believes other options exist in bringing the encroachment and building separation requests into compliance without the need of any waivers for both conex boxes.

Staff can support waiver of development standard request for 2c, as the separation between the chicken coop and wire run structure is considered to be minimal. Staff can support the use permits as these types of accessory structures are common in rural areas and all maintain heights below the maximum allowed within the R-E zone.

In addition, several of the existing accessory structures are partially screened by existing landscaping and trees or are set back the required distance of 5 feet from adjacent property lines.

### **Staff Recommendation**

Approval of use permits and waiver of development standards #2c; denial of waivers of development standards #1, #2a, and #2b.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PLANNING COMMISSION ACTION:** January 19, 2021 – APPROVED – Vote: Unanimous **Current Planning**

- 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.

### **Southern Nevada Health District (SNHD) - Septic**

- Applicant is advised to schedule an appointment with the SNHD Environmental Health Division at (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)**

- 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:**

**APPROVALS: 3 cards, 59 letters**

**PROTESTS: 2 cards, 5 letters**

**APPEAL:** This item was appealed by a neighbor who states that no opposition emails were read into the record during the meeting.

**APPLICANT:** BONNIE HORSLEY

**CONTACT:** BONNIE HORSLEY, 6990 W. RICHMAR AVE, LAS VEGAS, NV 89178