

07/20/21 PC AGENDA SHEET

ACCESSORY BUILDING
(TITLE 30)

KAMDEN WY/VIKING RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0276-GUZMAN GABINA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback; and **2)** reduce building separation for an accessory building in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the east side of Kamden Way and the south side of Viking Road within Paradise. TS/ja/jo (For possible action)

RELATED INFORMATION:

APN:

162-14-810-026

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the side street (corner) setback for an accessory building to 4 feet where 10 feet is required per Table 30.40-2 and Section 30.56.040 (a 60% reduction).
2. Reduce the building separation between a single family residence to an accessory building to 2 feet 5 inches where 6 feet is required per Table 30.40-2 (a 60% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3910 Kamden Way
- Site Acreage: 0.2
- Project Type: Accessory building
- Number of Stories: 1
- Building Height (feet): 11 feet, 6 inches
- Square Feet: 189

Site Plans

The plans depict a single family residence centrally located on the property with access from Kamden Way on the west side of the lot and a swimming pool located in the southeast portion of

the lot. The accessory building is located 2 feet 5 inches to the north of the residence and 4 feet from the side (north) property line.

Landscaping

Mature landscaping exists on the property. Additional landscaping is not proposed nor required for this application.

Elevations

The plans depict an 11 foot 6 inch high storage building with a pitched roof. The exterior façade consists of stucco with colors to match the existing residence.

Floor Plans

The storage building with an open floor plan is 189 square feet.

Applicant's Justification

The applicant indicates the storage building was inadvertently built without building permits.

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

Clark County Public Response Office (CCPRO)

CE20-11187 is an active violation for building an accessory building without permits.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.

Waiver of Development Standards #1

In order to promote an open streetscape, staff typically does not support reductions to the street setback. Staff finds the planting of several columnar trees between the structure and the wall would help soften the impact of the structure from the street. However, the applicant has not proposed to provide any mitigating measures to buffer the structure from the street; therefore, staff recommends denial.

Waiver of Development Standards #2

The building separation reduces the bulk and mass of a residence alongside an accessory structure. Like the request above, the front yard can accommodate landscaping to mitigate the perceived mass of the residence and accessory building in close proximity; however, since staff does not support the reduced side street setback, staff does not 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Plant 1 medium tree in the northwest corner (front yard) of the lot;
- Plant 3 columnar trees between the perimeter wall and the accessory building;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: GABINA GUZMAN

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