

10/05/21 PC AGENDA SHEET

ACCESSORY STRUCTURES  
(TITLE 30)

PEBBLE RD/DEAN MARTIN DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0430-DONNER KEVIN:**

**USE PERMITS** for the following: **1)** allow accessory structures without a principal use; and **2)** allow nondecorative metal siding within the urban area in conjunction with accessory structures (cargo containers) on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located 140 feet north of Pebble Road and 142 feet west of Dean Martin Drive within Enterprise. JJ/nr/jo (For possible action)

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RELATED INFORMATION:

**APN:**

177-17-407-008

**USE PERMITS:**

1. Allow accessory structures (4 cargo containers) on-site without a principal use where required per Table 30.44-1.
2. Allow nondecorative metal siding where decorative metal is required within the urban area per Table 30.44-1.

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3284 W. Pebble Road
- Site Acreage: 0.5
- Project Type: Accessory structures prior to the principal use
- Number of Stories: 1
- Building Height (feet): 9
- Square Feet: 800 (all cargo containers)

Site Plan

The plan shows an undeveloped parcel, with access from the property to the south, designed as a flag lot. The driveway access is gated. Three, 8 foot by 20 foot cargo containers and one, 8 foot by 40 foot cargo container are located on the site. One, 8 foot by 20 foot, cargo container is

located 5 feet 4 inches from the north property line and the other 2 containers are 10 feet 4 inches from the east property line. The fourth cargo container, measuring 8 feet by 40 feet, is located 20 feet 4 inches from the south property line. A 6 foot high block wall encompasses the parcel with the exception of a gate to the southern developed parcel.

Landscaping

The plans indicate that there is a row of mature trees along the southern property line.

Elevations

The photos show 4 cargo containers of varying colors with an overall height of 9 feet.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant owns the property to the south and indicates that the site in question is used for exercise and leisure, and the containers are for storage of personal property. The applicant states that the cargo containers are compatible with the surrounding area and is willing to paint the cargo containers to make the containers more aesthetically pleasing.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-1026-05	Reclassified approximately 3,800 parcels 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, & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

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

There is an active CCPRO violation, CE20-11264, for stacked cargo containers visible from a public right-of-way. Although the cargo containers are no longer stacked on each other, they are still visible from the right-of-way.

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

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.

Staff reviews use permit requests to ensure compatibility with existing and planned development in the area. Since the site in question and the property to the south have the same owner, staff does not have a concern with the accessory use prior to the principal use. However, staff is concerned with the design of the cargo containers. The accessory structures (cargo containers) were placed on the site without permits and were initially stacked on top of each other. The cargo containers are now located at ground level; however, the cargo containers are visible from a right-of-way and are not decorative metal. The plans show that there are existing mature trees on the south side of the site, but no additional landscape screening is proposed. Staff could be supportive of the application if the applicant proposed additional landscaping to mitigate negative visual impacts on neighboring properties and the right-of-way. Staff finds that the existing use is incompatible with the surrounding area; and therefore, cannot support the 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:

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing;
- Applicant to paint the cargo containers earth tone colors;
- Applicant to plant 6 large trees on the east side of the site to provide screening from Dean Martin Drive;
- Certificate of Compliance shall not be issued without final zoning approval.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County or Agency issued permit, or approval of water service to this site; 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**

- No comment.

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

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto:septics@snhd.org) or (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)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** KEVIN DONNER

**CONTACT:** TAYLOR CONSULTING GROUP, INC., 8414 W. FARM ROAD #180, LAS VEGAS, NV 89131