

ACCESSORY APARTMENTS
(TITLE 30)

RAVEN AVE/DECATUR BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0520-FULL THROTTLE REAL ESTATE, LLC:

USE PERMITS for the following: **1)** allow 2 accessory apartments; **2)** increase the overall area of an accessory apartment; **3)** increase the footprint of an accessory structure; and **4)** allow an accessory structure to not be architecturally compatible in conjunction with an existing single family residence on 2.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the north side of Raven Avenue, 253 feet west of Decatur Boulevard within Enterprise. JJ/jor/jo (For possible action)

RELATED INFORMATION:

APN:

176-24-501-030

USE PERMITS:

1. Allow 2 accessory apartments where 1 accessory apartment per lot is the maximum permitted per Table 30.44-1 (a 100% increase).
2. Increase the overall area of proposed accessory apartments to 1,549 square feet each where 1,500 square feet each is the maximum permitted per Table 30.44-1 (a 3% increase).
3. Allow an existing detached garage to exceed one-half the footprint of the principal dwelling to 2,178 square feet where 1,897 square feet is the maximum allowed per Table 30.44-1 (a 15% increase).
4. Allow an accessory structure (metal storage container) to not be architecturally compatible to the principal residence where architectural compatibility is required per Table 30.44-1.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 5080 Raven Avenue
- Site Acreage: 2
- Project Type: Accessory apartments

- Number of Stories: 1 (existing single family residence)/1 (existing detached garage)/2 (proposed structure for 2 accessory apartments)
- Building Height (feet): 15 (existing detached garage)/8 (existing metal storage container)/25 (proposed structure for 2 accessory apartments)
- Square Feet: 3,795 (existing single family residence)/2,178 (existing detached garage)/200 (existing storage container)/3,098 (proposed structure for 2 accessory apartments)
- Parking Required: 2 (1 for each accessory apartment)

Site Plan & Request

The applicant is requesting 2 accessory apartments on the subject parcel, where 1 is permitted per Title 30. Secondly, this application includes the request to increase the overall area of an accessory apartment structure to 1,549 square feet each where 1,500 square feet each is the maximum allowed per Table 30.44-1. Lastly, the applicant is requesting to allow an accessory structure (storage container) to not be architecturally compatible to the existing principal residence per Table 30.44-1, and allow the overall area of the existing detached garage to exceed one half the footprint of the principal residence.

The site plan depicts an existing single family residence on 2 acres and the residence faces southwest toward Raven Avenue. The single story residence is located on the southwest corner of the site, and an existing detached garage is located east of the residence. An existing metal storage container will be relocated from the west side of the residence and placed within the rear yard, approximately 45 feet north of the detached garage. There is an existing driveway adjacent to the south property line which leads west towards the front of the home, and then north towards a rolling access gate. The Hauck Street alignment is also located along the west property line. Lastly, there are existing 33 foot wide patent easements along the north, west, south, and east property lines to be vacated at a later date. Any landscaping and screening located within the patent easements will be relocated.

The applicant is proposing to construct a detached structure which will have 2 accessory apartments to be built on the southeast corner of the subject parcel. The structure will be set back 40 feet from the south property line (Raven Avenue), 35 feet from the east property line, 205 feet from the west property line (Hauck Street alignment), and 225 feet from the north property line. There are 2 proposed parking spaces to be placed northeast of the proposed accessory apartment structure.

Landscaping

The on-site landscaping includes large mature trees adjacent to the existing block wall along the south property line, and trees within the front and rear yard. No new landscaping is proposed with this application.

Elevations

The elevation plans for the accessory apartment structure has an overall height of 25 feet, with an asphalt tile roof which will match the principal residence. The exterior walls will match the residence and include a 3 coat plaster system with pop-outs to give the structure some enhanced fenestration on all 4 elevations. This 2 story structure includes 2 balconies both on the east and

west facing elevations, and there are doors and windows on the north and south facing elevations.

Floor Plans

The plans depict 1 structure which will have 2 accessory apartments with an overall area of 3,098 square feet (1,549 square feet for each accessory apartment). The floor plans mirror each other and include the following on the first floor: a porch area, living room, kitchenette, a washer/dryer closet, storage, and an office. The second floor includes the following: bedrooms, a balcony, and bathrooms.

Applicant’s Justification

Per the applicant’s justification letter, the applicant is proposing 2 accessory apartments for their parents and in-laws. Due to the COVID-19 pandemic, the applicant would like to keep their parents in close proximity, and since the subject parcel is 2 acres, the proposed accessory apartments designed within 1 structure can be accommodated. The required setbacks, overall design of the structure, architectural compatibility, screening, and required parking have been met with the proposed design per the plans.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Reclassified 3,800 parcels from R-E zoning to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential
East	Rural Neighborhood Preservation (up to 2 du/ac) & Office Professional	R-E & C-P	Single family residential & undeveloped

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.

Use Permit #1

The applicant is requesting 2 accessory apartments where 1 accessory apartment per lot is permitted per Title 30. The plan shows that the 2 accessory apartments will be combined into 1 structure with an overall area of 3,098 square feet. The floor plan shows that the proposed accessory apartments will have 3 bedrooms, an office, living room, patio area, balcony, bathrooms, and a kitchen for each accessory apartment. Although the proposed structure meets the required setbacks, parking requirement, architectural compatibility, and is screened from the right-of-way, the proposed structure does not match the overall scale of what is currently on-site and within the immediate area. The proposed 2 story structure resembles a duplex like residential building which is almost as large as the existing 1 story single family residence. Staff finds that the proposed structure is excessive and unwarranted; therefore, staff cannot support this request.

Use Permit #2

The applicant is proposing to increase the overall area of 2 proposed accessory apartments to 1,549 square feet each (3,098 square feet total) where 1,500 square feet is the maximum permitted per Table 30.44-1. Since staff does not support use permit #1, staff cannot support this request even though the overall area of the subject parcel can accommodate all of the existing structures and the proposed accessory apartment structure. Staff understands that even though each accessory apartment square footage is only increasing by 3 percent, 2 accessory apartments combined is out of character for the neighborhood.

Use Permit #3

The detached garage east of the existing residence has an overall area of 2,178 square feet. The detached garage is architecturally compatible to the principal residence and is also screened from the right-of-way (Raven Avenue) by 5 mature trees and a CMU block wall. Staff finds that exceeding one half the footprint of the principal residence does not pose a negative impact to the subject parcel or the surrounding neighbors; therefore, staff is in support of this request.

Use Permit #4

This request is to allow an accessory structure (metal storage container) to not be architecturally compatible to the principal residence. The submitted site plan shows that the existing metal storage container will be relocated from the west side of the residence (within view of Raven Avenue), to the rear yard. The metal storage container will be placed behind the principal residence and the detached garage which is approximately 155 feet north of the south property line. There is an existing CMU block wall that can also screen it from the right-of-way. Although there is a residence to the east, the metal storage container is 170 feet from the nearest residential use, and 252 feet west of the residence to the east. Staff finds the impact to be minimal and can support the applicant's request.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the McCarran International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval of use permits #3 and #4; denial of use permits #1 and #2.

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:

- Metal storage container to be painted to match the principal residence.
- 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

- Drainage study and compliance;
- Provide photographic evidence that landscaping and walls/fences have been removed from the easements, prior to issuance of building permit.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health Division at 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)

- Applicant is advised that the property appears to have an existing septic system; and to please contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures.

TAB/CAC: Enterprise - approval of use permits #3 and #4; denial of use permits #1 and #2.

APPROVALS:

PROTESTS:

APPLICANT: CARLOS RIVADENEIRA

CONTACT: CARLOS RIVADENEIRA, LAS VEGAS, 7125 SPRUCEWOOD ST., LAS VEGAS, NV 89147