

ACCESSORY STRUCTURE  
(TITLE 30)

PARK ST/LA MANCHA AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0521-THOMPSON SHAWN MICHAEL & WENDY S:**

**USE PERMITS** for the following: **1)** allow an accessory building to exceed one-half the footprint of the principal dwelling; and **2)** allow the combination of all accessory structures to exceed the footprint of the principal dwelling.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setbacks; **2)** reduce the setback for a proposed driveway to a property line; **3)** reduce the setback for an existing driveway to a property line; and **4)** reduce the setback from a driveway to an above ground electrical transformer on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located 145 feet east of Park Street and 151 feet south of La Mancha Avenue within Lone Mountain. RM/jvm/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**

125-30-806-004

**USE PERMITS:**

1. Increase the area of a proposed accessory building (detached garage) to 1,608 square feet where an accessory building with a maximum area of 1,114 square feet (one half the footprint of the principal dwelling) is permitted per Table 30.44-1(a 44.3% increase).
2. Increase the area of all accessory structures to 2,598 square feet where 2,228 square feet (footprint of principal dwelling) is allowed per Table 30.44-1 (a 16.6% increase).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the side yard setback for an accessory building to 3 feet where 5 feet is required per Table 30.40-1 (a 40% reduction).
2. Reduce the setback from a driveway to the west property line to 3 feet where 6 feet is required per Uniform Standard Drawing 222 (a 50% reduction).
3. Reduce the setback for an existing driveway to the north property line to zero feet where 6 feet is required per Uniform Standard Drawing 222 (a 100% reduction).
4. Reduce the setback from a driveway to an above ground electrical transformer to 1 foot where 6 feet is required per Uniform Standard Drawing 222 (an 83.3% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 5670 Park Street
- Site Acreage: 0.52
- Project Type: Accessory structure
- Number of Stories: 1
- Building Height (feet): 25
- Square Feet: 1,608

Site Plan

The existing 2,228 square foot principal structure is centrally located and faces in a northwesterly direction toward a private cul-de-sac bulb. An existing 990 square foot accessory structure is located behind the principal dwelling. The proposed detached garage is located in the southwest corner of the property which takes access from a private cul-de-sac for Park Street.

Landscaping

Landscaping is not required with this application.

Elevations

The plans depict a 25 foot tall, 1 story with mezzanine, accessory building composed of materials that will correspond to the principal dwelling. Two overhead doors are depicted on the north elevation.

Floor Plans

The plan shows an open area for storage of recreational vehicles.

Applicant’s Justification

The applicant states that many other properties in this area have multiple accessory structures and since this structure will match the principal dwelling in terms of materials it will be compatible with the character of the area.

**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

**STANDARDS FOR APPROVAL:**

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

## **Analysis**

### **Current Planning**

#### Use Permits

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 finds that the requested increase for square footage of accessory structures to be minimal and that many of these type of requests have been approved in the vicinity of this property and throughout the County as a whole; therefore, staff can support these requests.

#### 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

Staff reviews waiver of development standards to ensure compatibility with existing and planned development in the surrounding area. Setbacks and separations help to preserve the appeal and integrity of an area and to moderate visual impacts and possible safety issues. Staff finds that the proposed reduction on the side will not have any negative impacts on the adjacent residences; therefore, staff can support the request.

### **Public Works - Development Review**

#### Waiver of Development Standards #2

Staff finds the reduction in the distance from the residential driveway to the property line may cause safety issues. Although the residence is located at the end of a private cul-de-sac this reduction will have an effect on public facilities; therefore, staff cannot support this request.

#### Waiver of Development Standards #3

Staff has no objection to the reduced setback for the residential driveway to the north property line since it is located at the end of a private cul-de-sac.

#### Waiver of development standards #4

The reduction in the distance from the residential driveway to an above ground electrical transformer may create a dangerous situation. If vehicles trying to access or exit the property using the driveway were to contact the electrical transformer it could lead to loss of electricity for the surrounding area, property damage, or even the loss of life; therefore, staff cannot support this request.

**Staff Recommendation**

Approval of the use permits and waivers of development standards #1 and #3; denial of waivers of development standards #2 and #4.

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:

- 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**

- Applicant shall provide written approval from Nevada Power Company (NV Energy).

**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:** Lone Mountain - approval (install bollards around the electrical transformer).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SHAWN THOMPSON

**CONTACT:** JAM RESIDENTIAL DESIGN & DRAFTING, 652 MIDDLEGATE ROAD, SUITE B, HENDERSON, NV 89011