



Planning Commission Agenda Item

Date: March 10, 2021

Item No: 8.

TO: Planning Commission

FROM: Marc Jordan, Director Land Development & Community Services
Prepared By: Amy Michaels

SUBJECT: SUP-05-2021 WONG DETACHED DWELLING UNIT (Public Hearing).
Applicant: Coltyn Simmons. Request: A special use permit in an R-1 (Single-Family Low Density District) to allow a 797 square foot accessory dwelling unit. Location: 6006 Magic Mesa Street.

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DESCRIPTION: (APN 124-27-210-047).

The applicant is requesting a special use permit to allow an approximate 797 square foot accessory dwelling unit in the rear yard at 6006 Magic Mesa Street. The site is zoned R-1, Single-Family Low Residential District and a Comprehensive Plan Land Use designation of Single-Family Low.

BACKGROUND INFORMATION:

Previous Action
N/A

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Single-Family Low	R-1, Single-Family Low Residential District	Single-Family Residential
North	Single-Family Low	R-1, Single-Family Low Residential District	Single-Family Residential
South	Single-Family Low	R-1, Single-Family Low Residential District	Single-Family Residential
East	Single-Family Low	R-1, Single-Family Low Residential District	Single-Family Residential
West	Single-Family Low	R-1, Single-Family Low Residential District	Single-Family Residential

DEPARTMENT COMMENTS:

Department	Comments
Public Works:	No Comment.
Police:	No Comment.
Fire:	No Comment.
Clark County School District	No Comment.
Clark County Department of Aviation:	No Comment.

ANALYSIS

The applicant is requesting a special use permit to allow an accessory dwelling unit that is approximately 797 square feet in size. According to the letter of intent the accessory building will be an accessory dwelling for the homeowner's parents to live in to be closer to their grandchildren. The floor plans submitted by the applicant indicates one (1) bedroom; one (1) bathroom; laundry area; kitchen area; and a living room.

Title 17 Section 17.20.030.F.2.c allows for detached accessory dwelling units within the R-1, Single-Family Low Residential District with a special use permit. Single-family homes with a minimum lot area of six thousand (6,000) square feet may be allowed one guest house/casita-not to exceed fifty (50) percent of the living area of the principal dwelling or eight hundred (800) square feet, whichever is less.

The existing single-family dwelling is located in an R-1, Single-Family Low Residential District and was constructed in 2000. The lot is approximately 11,633 square feet with a

1,797 square foot existing home built on it. The applicant is requesting to build a 797 square foot accessory dwelling unit for the grandparents to reside in.

The proposed site plan shows the accessory structure to be 797 square feet in size which meets the code requirements of less than eight hundred (800) square feet. Setback requirements for an accessory dwelling unit are three (3) feet from the rear property line and three (3) feet from the interior side property line. The proposed site plan shows the setbacks as five (5) feet from the rear and five (5) feet from the interior side which is in compliance with code requirements. Code allows the maximum height of an accessory dwelling unit to be no more than twelve (12) feet in height. The proposed site plan shows the dwelling unit as eleven (11) feet, eleven and eleven (11) and a half inches in height which is in compliance with code.

The applicant has provided elevations for the proposed accessory dwelling unit. The elevations show a stucco exterior with a clay tile roof. The letter of intent states that the materials match the existing dwelling unit and will be painted to match. The colors were not provided on the elevations, however that is minor and can be reviewed at the time of the building permit.

The proposed site plan shows a new driveway located to the side of the existing dwelling unit for the proposed accessory dwelling unit. Public Works has reviewed this new driveway and the applicant will be required to provide curb per the Clark County Standards and a new vehicle rated utility box. Code requires an off street parking space for the proposed accessory unit. The applicant will be permitted to use the existing residential driveway as a tandem parking space for the off street parking space requirement.

The accessory dwelling unit is permitted with approval of a special use permit if all the conditions that apply in Section 17.20.030.F.2.c have been met. The applicant's lot meets the required minimum 6,000 square feet and the accessory dwelling includes a kitchen and a restroom. The accessory dwelling unit should not pose any negative or adverse effect on the surrounding neighborhoods. Staff is recommending approval of the special use permit request subject to conditions.

Requirements for Approval of a Special Use Permit

In accordance with the Zoning Ordinance, the Planning Commission may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist:

1. The proposed use is consistent with the Comprehensive Master Plan and all applicable provisions of this Code and applicable State and Federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and any applicable use-specific standards and criteria in

Chapter 17.20 of this Code;

3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.

CONDITIONS:

Planning and Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. Accessory dwelling unit shall be painted to match the existing principal dwelling unit.
3. Applicant may use the existing driveway as a tandem parking space for the off street parking requirement.

ATTACHMENTS:

Letter of Intent

Site Plan

Floor Plan

Elevation photo

Clark County Assessor's Map

Location and Zoning Map