



Planning Commission Agenda Item

Date: January 13, 2021
Item No: 7.

TO: Planning Commission

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

SUBJECT: SUP-42-2020 CRAWFORD PATIO COVER (Public Hearing). Applicant: Claudia J. Segura De Leon. Request: A special use permit in an R-3 (Multi-Family Residential District) to allow an approximate 1,495 square foot accessory structure. Location: 2220 Crawford Street. (APN 139-24-110-215).

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DESCRIPTION:

The applicant is requesting a special use permit to allow an approximate 1,495 square foot accessory structure where a 600 square foot accessory structure is permitted. The site is zoned R-3, Multi-Family Residential District and a Comprehensive Plan Land Use designation of Downtown Business District

BACKGROUND INFORMATION:

Previous Action
N/A

RELATED APPLICATIONS:

Application #	Application Request
N/A	

GENERAL INFORMATION:

	Land Use	Zoning	Existing Use
Subject Property	Downtown Business District	R-3, Multi-Family Residential District	Existing Residential
North	Downtown Business District	R-3, Multi-Family Residential District	Existing Residential
South	Downtown Business District	R-3, Multi-Family Residential District	Existing Residential
East	Downtown Business District	R-3, Multi-Family Residential District	Existing Residential
West	Downtown Business District	R-3, Multi-Family Residential District	Existing 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 Planning Commission consideration of a special use permit to allow a 767.25 square foot patio cover attached to an existing 728 square foot accessory structure (garage). The site is zoned R-3, Multi-Family Residential District with a Comprehensive Plan Land Use designation of Downtown Business District. The applicant's letter of intent states that the patio cover was constructed to provide the family with a shaded area to enjoy outdoor activities. The patio cover and garage combined meets the setback requirements for an accessory structure.

The applicant was cited by Building Safety Division for constructing a structure without the proper building permit. The accessory garage was originally permitted, however the patio cover addition was not permitted. The applicant was also informed that the addition did not comply with the requirements for an accessory building within Title 17.

The code allows accessory structures to occupy a maximum of twenty-five (25) percent

of the rear yard up to six hundred (600) square feet of floor area. The rear yard of the residence is approximately 3,200 square feet. Therefore, Code would allow for a 600 square foot accessory structure in the rear yard. The applicant is requesting an approximate 1,495 square foot accessory structure which exceeds the maximum area allowed by code.

The applicant has an approximate 728 square foot garage in the rear yard that the patio cover is attached to. The garage was originally permitted and constructed in 1969, and complied with all requirements at time of construction. It appears that the garage was constructed of the same materials as the principal structure except the color of the main structure is a gray color and the garage appears to be a yellow color. The applicant will need to paint the garage to match the principal structure.

The main house on the property is 1,170 square feet in size, following an expansion in 1962. The patio cover is an open structure with three stone columns; painted to match the principal structure and has a shingled roof. Since the patio cover was attached to the existing garage, this created an accessory structure that is approximately 1,495 square feet in size and is approximately fifty (50) percent of the rear yard. The accessory structure is now larger than the principal structure in size. However, the patio cover is an open structure and will remain an open structure, therefore the structure is still subordinate to the principal structure. If the applicant enclosed the patio cover at any time, this would make a second principal structure on the property, which is not allowed per code.

Staff has no objections to the proposed garage expansion. The proposed use is should not create a negative impact on the surrounding neighborhood or land uses. Staff recommends approval of the request subject to conditions listed.

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. The patio cover shall remain an open structure and may not be enclosed.

ATTACHMENTS:

Letter of Intent
Site Plan
Floor Plan
Elevation photo
Clark County Assessor's Map
Location and Zoning Map