APPEAL USE PERMITS for the following: 1) an accessory structure (skate ramp) that is not architecturally compatible with the principal building; 2) increase the area of an accessory structure; and 3) waive applicable design standards of Table 30.56-2A for an accessory structure in conjunction with an existing single family residence on 0.3 acres in an R-1 (Single Family Residential) Zone.

Generally located on the southeast corner of Sandalwood Drive and Tenaya Way within Spring Valley. SB/al/ml (For possible action)

RELATED INFORMATION:

APN:
163-15-810-170

USE PERMITS:
1. Permit an accessory structure (skate ramp) within the rear yard area that is not architecturally compatible with the residence where required per Table 30.44-1.
2. Increase the area of the skate ramp to 1,250 square feet where a maximum of 829 square feet is permitted per Table 30.44-1 (a 50.8% increase).
3. a. Waive requirements for architectural enhancements for a skate ramp where required per Table 30.56-2A.
   b. Waive requirements for anchoring systems to be architecturally masked where required per Table 30.56-2A.

LAND USE PLAN:
SPRING VALLEY - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:
Project Description
General Summary
- Site Address: 3915 Belhaven Street
- Site Acreage: 0.3
- Project Type: Accessory structure (skate ramp)
- Structure Height: 14 feet
- Square Feet: 1,250 (skate ramp)/2,318 (single family residence)
Site Plan
The request is to allow a skate ramp in the rear yard of an existing single family residence. The parcel is located on the knuckle intersection of Belhaven Street and Arrowood Drive and is developed as a single family residence with access from Belhaven Street. The northern boundary of the parcel is adjacent to Sandalwood Drive and the western boundary is adjacent to Tenaya Way. No access is provided to Tenaya Way or Sandalwood Drive. The single family residence is located on the southern portion of the parcel with the residence facing southeast toward the knuckle intersection of Belhaven Street and Arrowood Drive. The plans depict a skate ramp located in the rear yard area to the north of the residence. The plan indicates all required setbacks and building separations will be met.

Landscaping
No changes to existing landscape areas are proposed or required with this request.

Elevations
The accessory structure is a skate ramp, commonly referred to as a half pipe. The structure consists of 2 platforms on each end of the structure which are each 14 feet in height. These platforms are connected by curved inclines. The tops of the platforms and curved inclines are constructed of wood panels connected to a metal frame. The skate ramp has an area of 1,250 square feet. The existing residence is a 2 story structure with an area of 2,318 square feet and a building footprint of 1,658 square feet. Title 30 sets the maximum area of an accessory structure at 50% of the footprint of the residence, which in this case would be 829 square feet.

Applicant’s Justification
The applicant is a professional and champion inline skater who is currently employed with the Cirque du Soleil’s production of “Love” at the Mirage Resort Hotel. The skate ramp is only for personal use and is for training and entertainment. The skate ramp is not for use as a recreational facility for the general public, it is portable, can be removed at any time, and the structure can be taken down and reconstructed every 4 months for maintenance purposes. The applicant states that the skate ramp is crucial to maintain skill levels and there is no equivalent equipment available in the area.

Prior Land Use Requests for Applicant

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>UC-0417-15</td>
<td>Similar request for the skate ramp for the applicant’s prior residence located at 4842 Castle Rock Court</td>
<td>Approved by PC</td>
<td>August 2015</td>
</tr>
</tbody>
</table>

Surrounding Land Use

<table>
<thead>
<tr>
<th></th>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Residential Suburban (up to 8 du/ac)</td>
<td>R-1</td>
<td>Single family residences</td>
</tr>
<tr>
<td>South</td>
<td>Residential Suburban (up to 8 du/ac)</td>
<td>R-1</td>
<td>Single family residences</td>
</tr>
<tr>
<td>East</td>
<td>Residential Suburban (up to 8 du/ac)</td>
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</tr>
<tr>
<td>West</td>
<td>Residential Suburban (up to 8 du/ac)</td>
<td>R-2</td>
<td>Single family residences</td>
</tr>
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</table>
Clark County Public Response Office (CCPRO)
This Site
ZV-5051-17 is a case filed with CCPRO for the skate ramp in the rear yard of the residence, which is pending this application.

Similar Cases
ZV-306-14 (January 2014) and ZV-13160-14 (October 2014) were cases filed with CCPRO for the skate ramp in the rear yard of the applicant’s prior residence located at 4842 Castle Rock Court. In both cases, the skate ramp was removed and the cases were closed. The applicant submitted UC-0417-15 to allow the skate ramp on the property in August 2015 and there were no further CCPRO cases for the Castle Rock Court property.

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 demonstrates the use shall not result in a substantial or undue adverse effect on adjacent properties.

Accessory structures under Title 30 are mainly structures such as storage buildings, shade structures, accessory apartments, and other similar structures. This accessory structure is somewhat unique and Title 30 does not establish separate requirements for this type of accessory structure, whether for private or recreational use, within a residential zoning district. Additionally, the land use policies in the Comprehensive Master Plan do not address structures for private recreational use in conjunction with a single family residence. There is 1 complaint filed with CCPRO for this structure that indicates a large skate ramp was constructed within the rear yard of the residence. The complaint mentions that the skate ramp is a public distraction for motorists. The applicant had a similar use permit approved for his prior residence at 4842 Castle Rock Court. After the use permit was approved for the applicant at his prior residence, there is no record of the applicant or the skate ramp being a nuisance for the neighbors of the prior residence. Since this is a unique accessory structure and the applicant has a past history of not creating a nuisance for neighbors in conjunction with the use of the structure, staff can support this request with a time limit for review to ensure there are no adverse effects.

Staff Recommendation
Approval.

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.
TAB/CAC: Spring Valley – approval.
APPROVALS:
PROTESTS: 3 cards, 1 letter

PLANNING COMMISSION ACTION: August 15, 2017 – APPROVED – Vote: Unanimous
Absent: Kirk

Current Planning
• 1 year to review as a public hearing;
• 10 foot Cyprus Trees to be planted around the perimeter of the parcel where the half pipe
is located;
• Trees must be planted within 90 days of the approval date.
• Applicant is advised that a substantial change in circumstances or regulations may
warrant denial or added conditions to an extension of time and application for review;
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.

APPEAL: This item has been appealed by a neighbor who states that public safety and
neighborhood opposition were ignored.

APPLICANT: Marco Desanti
CONTACT: Marco Desanti, 3915 Belhaven Street, Las Vegas, NV 89147