

SETBACKS
(TITLE 30)

WALTHAM LN/GRAHAM AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0157-SYLVESTRE RAYMOND P & LOURDES:

WAIVER OF DEVELOPMENT STANDARDS for setbacks in conjunction with a single family residence on a 0.2 acre parcel in an R-1 (Single Family Residential) Zone.

Generally located on the south side of Waltham Lane and the west side of Graham Avenue within Whitney. JG/nr/syp (For possible action)

RELATED INFORMATION:

APN:

161-28-610-063

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the rear setback for a patio cover to 1 foot where 3 feet is required per Table 30.40-2 (a 67% reduction).
- b. Reduce the rear setback for an accessory structure (shed) to zero feet where 3 feet is required per Table 30.40-2 (a 100% reduction).
- c. Reduce the side setback for an accessory structure (shed) to zero feet where 3 feet is required per Table 30.40-2 (a 100% reduction).

LAND USE PLAN:

WHITNEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 5563 Waltham Lane
- Site Acreage: 0.2
- Project Type: Setbacks

Site Plans

The plans show an existing single family residence with an attached patio cover enclosure on the rear of the structure with a setback of 1 foot from the rear (south) property line. The plans also show an accessory structure, a 10 foot by 10 foot shed, less than 1 foot from the rear and the side property lines. The site is accessed from Waltham Lane.

Landscaping

Landscaping is not a part of this request.

Elevations

The photos show the attached patio cover enclosure is the same elevation as the existing residence. The plans show the shed to be almost 9 feet in height.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that they bought the house with the patio cover and the shed in place and were told after the fact the shed and patio cover were built without permits. The applicant requests that the waivers be approved to keep the existing structures.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential

Clark County Public Response Office (CCPRO)

There is an active CCPRO violation, CE22-01067, for building without a permit.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.

Staff reviews waiver of development standards requests to ensure compatibility with existing and planned development in the surrounding area. Setbacks and separations help to preserve the appeal and integrity of a neighborhood as well as mitigate impacts and possible safety issues. The patio cover and the accessory structure are common structures within residential districts, and the size of the lot creates constraints on the site. Staff finds that the proposed encroachment will not have a negative impact on surrounding properties and can, therefore, support the request.

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 Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- 2 years to complete the building permit and inspection process.
- 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; 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.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Whitney - approval.

APPROVALS:

PROTESTS:

APPLICANT: RAYMOND SYLVESTRE

CONTACT: RAYMOND SYLVESTRE, 5563 WALTHAM LANE, LAS VEGAS, NV 89122