

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0423-EVANS KANNON & COURTNEY:**

**HOLDOVER WAIVER OF DEVELOPMENT STANDARDS** for reduced setbacks in conjunction with a proposed single-family residence on 0.52 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located on the south side of Whitney's Dream Avenue and the west side of Grand Slam Street within Moapa Valley. MK/rp/syp (For possible action)

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RELATED INFORMATION:

**APN:**

041-22-211-020

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the front setback for a proposed primary building (single-family residences) to 20 feet where 40 feet is required per Section 30.02.04B (a 50% reduction).

**LAND USE PLAN:**

NORTHEAST COUNTY MOAPA VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 1939 Whitney's Dream Avenue
- Site Acreage: 0.52
- Project Type: Single-family residence front setback reduction
- Number of Stories: 1
- Building Height (feet): 18.5
- Square Feet: 2,513

Site Plans

The plans show the subject parcel on the south side of the Whitney's Dream Avenue. The front of the house faces Whitney's Dream Avenue, while the vehicular access is from Grand Slam Street. The residence is set back 20 feet from Whitney's Dream Avenue where 40 feet is required, which necessitates a waiver of development standards.

Landscaping

Landscaping is not a part of this application.

### Elevations

The plans depict a single-family residence that is 18 feet 6 inches in height. The residence features a stucco, cultured stone finish, and wooden column with roof tiles.

### Floor Plans

The plans depict a 2,513 square foot single-family residence with a 2 car garage, front porch, mudroom, laundry, kitchen, dining room, 5 bedrooms, and 3 bathrooms.

### Applicant's Justification

The applicant states that due to the abnormal shape to build, the required setback of 40 feet from back-of-curb would limit the space to build and would make the look abnormally placed and an odd standout in the neighborhood. The applicant indicated that the request of this waiver will allow more space in the backyard for landscape. The applicant believes it would be more desirable for the community to prioritize space behind the house rather than the front.

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Undeveloped & single-family residential
East & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Undeveloped
South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### **Analysis**

#### **Comprehensive Planning**

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Typically, staff does not support requests to reduce setbacks without the provision of mitigating measures. The proposed front setback reduction is a self-imposed hardship and is likely to adversely affect the existing residences in the neighborhood. The applicant has not provided justification as of why the house cannot be redesigned with proper size to meet the required setbacks. Therefore, staff cannot support this request.

## **Staff Recommendation**

Denial.

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:**

### **Comprehensive Planning**

If approved:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

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

- No comment.

### **Fire Prevention Bureau**

- No comment.

### **Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that the CCWRD has no public sanitary sewer facilities in that area and none are planned within the next 5 years.

**TAB/CAC:** Moapa Valley - approval.

**APPROVALS:** 3 cards

**PROTESTS:** 1 card

**PLANNING COMMISSION ACTION:** September 17, 2024 – HELD – To 10/01/24 – per Commissioner Kirkpatrick.

**APPLICANT:** KANNON EVANS

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