

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0732-PLACEK, PAUL C.:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce building separation; **2)** reduce setbacks; **3)** modify Neighborhood Protection (RNP) Overlay standards; and **4)** modify residential adjacency standards for an accessory structure and an addition in conjunction with an existing single-family residence on 0.52 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the northwest side of Habersham Court, 200 feet north of Great Gable Drive within Enterprise. MN/my/kh (For possible action)

RELATED INFORMATION:

APN:

177-33-510-019

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the separation between a proposed accessory structure and a principal dwelling to 4 feet where a minimum of 6 feet is required per Section 30.02.04 (a 33% reduction).
2.
 - a. Reduce the rear setback for an addition to a principal dwelling to 6 feet where a minimum of 30 feet is required per Section 30.02.04 (an 80% reduction).
 - b. Reduce the side setback for an addition to a principal dwelling to 5 feet where a minimum of 10 feet is required per Section 30.02.04 (a 50% reduction).
3. Allow the rear and side setbacks for an addition to a principal dwelling not in accordance with the RS20 district where required per Section 30.02.26F.
4. Allow the rear and side setbacks for an addition to a principal dwelling to not comply with the RS20 district of the adjacent NPO-RNP per Section 30.04.06G.

LAND USE PLAN:

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 10615 Habersham Court
- Site Acreage: 0.52
- Project Type: Addition & accessory structure (detached garage)
- Number of Stories: 1 (house and addition)/2 (detached garage)
- Building Height (feet): 18 feet, 2 inches (house)/15 feet (addition)/23 feet, 6 inches (detached garage)
- Square Footage (feet): 4,629 (house)/1,684 (addition)/1,631 (detached garage)

Site Plan

The plan shows an existing single-family residence with access to the private Habersham Court on the east-southeast side of the lot. A proposed addition to the southwest corner of the house is set back 5 feet from the side property line and 6 feet from the rear property line. The addition is L-shaped and will flank the south and southwest sides of the existing pool. A proposed detached garage is shown on the north side of the house, 4 feet from the house at its closest point for a very small portion of the structure. The remainder of the detached garage complies with the minimum 6 foot separation.

Landscape Plan

No landscaping is proposed or required with this application.

Elevations

The elevations show the addition is lower than the existing house, approximately 15 feet in height. Windows are shown on all sides of the addition, except the northwest side (rear). French doors are shown on the southeast side facing Habersham Court and on the north-northeast side facing the pool

The detached garage is 23 feet, 6 inches at its highest point. The southeast (front) elevation shows an overhead garage door with a pitched roof and a second story that is recessed several feet. The second story has 4 windows. The northwest (rear) elevation, which faces the backyard, has windows and French doors. No penetrations are shown on either side of the detached garage.

The addition and detached garage will have colors and materials that are compatible with the existing residence.

Floor Plans

The 1,684 square foot addition shows 2 bedrooms, game room, bathroom, hallway, and reading nook. Access to the addition is from the southwest corner of the house. The bedrooms, bathroom, and game room have access from the interior of the addition and from the back yard through a series of French doors.

The 1,631 square foot detached garage has 2 floors with an open floor plan. Access to the second story is from a staircase in the back portion of the garage.

Applicant's Justification

The applicant did not provide justification for the requested waivers.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

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

Waivers of Development Standards

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.

Waiver of Development Standards #1

The requested waiver to reduce the separation between the house and the proposed detached garage is minimal since the area of the reduction is only a few feet with the remainder of the 49 foot long structure meeting the minimum required separation. Due to the minor nature of the request, staff can support this request.

Waivers of Development Standards #2, #3, & #4

Staff finds that the requested reduction in the side and rear setbacks for the proposed addition are excessive. The purpose of larger setbacks in the RS20 district is to enhance the community by providing large lots with ample space between structures and property lines. Staff is unaware of any reason why the required setbacks cannot be met. Since this is a self-imposed hardship and there is no justification for the reduction, staff cannot support these requests.

Staff Recommendation

Approval of waiver of development standards #1; denial of waivers of development #2, #3, and #4.

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 property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Enterprise - denial.

APPROVALS: 2 cards

PROTESTS: 2 cards, 1 letter

PLANNING COMMISSION ACTION: February 4, 2025 – HELD – To 03/04/25 – per the applicant.

APPLICANT: PAUL PLACEK

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