

05/19/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0178-BOECKMAN, LARRY M II:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate setbacks; and **2)** reduce building separation in conjunction with an existing single-family residence on 0.18 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located north of Halvern Avenue and east of Osbiston Way within Sunrise Manor.
TS/dd/cv (For possible action)

RELATED INFORMATION:

APN:

140-28-612-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Eliminate the interior side setback for a detached carport where 5 feet is required per Section 30.02.04.
- b. Eliminate the side street setback for a patio cover where 7 feet is required per Section 30.02.04.
2. Reduce building separation between the carport and the house to 1 foot where 6 feet is required per Section 30.02.04 (an 83% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 1228 Osbiston Way
- Site Acreage: 0.18
- Project Type: Setbacks and separation
- Building Height (feet): 14 (RV cover)/8 (patio cover)
- Square Feet: 752 (RV cover)/364 (patio cover)

Site Plan

The site plan depicts an existing single-family residence on the northeast corner of Osbiston Way and Halvern Avenue, with access directly from Osbiston Way to the west. There is an existing RV cover located along the north property line, set back 0.5 feet from the north property line and separated by 1 foot from the residence to the south. There is also an attached patio cover located on the southeast corner of the residence with no setback to the south property line adjacent to Halvern Avenue to the south.

Elevations

Plans provided by the applicant depict the RV cover as being a maximum of 14 feet high, and photos of the patio cover depict it as being a maximum of 8 feet high. The RV cover and the patio cover are both constructed of metal posts with painted sheet metal roofs.

Applicant’s Justification

The applicant states that they installed the RV cover on the north side of the property to protect their collection of classic cars from the elements. Additionally, the applicant states that the patio cover was installed in order to shade their rear yard, and that the current patio cover replaced an older one. Finally, the applicant states that many of the properties in the surrounding area have similar structures, and that they have a letter from their neighbor offering their approval for the structures.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential
South & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential

Clark County Public Response Office (CCPRO)

CE23-22047 is an active code enforcement case for building without a permit.

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.

Separation distances between structures as well as setbacks are essential to ensure safety and mitigate visual clutter. Staff finds that the existing unpermitted RV cover is too large for the area where it was placed, and that the waivers required for it stem from self-imposed hardships. Staff also finds that the backyard is large enough that the patio cover could have been constructed to meet the required setbacks. Additionally, staff finds that if the applicant had inquired about the setback and separation requirements before construction, the cover could have been constructed to different specifications to allow for the required setback and separation. The applicant has

provided a support letter from the adjacent neighbor to the north; however, staff finds that the elimination and reduction of setbacks and separation generally decrease the aesthetic appeal of residential areas, and lead to negative impacts for surrounding neighborhood. For these reasons, 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:

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time.
- Applicant is advised that 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)

- No comment.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTESTS:

APPLICANT: LARRY BOECKMAN II

CONTACT: DEBORAH BOECKMAN, 1228 OSBISTON WAY, LAS VEGAS, NV 89110