

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0858-ADRAS FAMILY TRUST & ADRAS PAUL J & SUSAN A TRS:**

**HOLDOVER APPEAL AMENDED USE PERMITS** for the following: **1)** increase the area of a proposed casita; and **2)** allow an accessory structure not architecturally compatible with the principal building.

**WAIVER OF DEVELOPMENT STANDARDS** to reduce setbacks in conjunction with a single family residential development on 0.5 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the north side of Coley Avenue, 110 feet west of Rosanna Street within Spring Valley. JJ/dd/ng (For possible action)

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RELATED INFORMATION:

**APN:**

163-10-702-008

**USE PERMITS:**

1. Allow a 1,660 square foot detached casita where only 1,500 square feet is allowed per Table 30.44-1 (an 11% increase).
2. Allow a detached accessory structure (storage building) not architecturally compatible with the principal building (residence) where required per Table 30.44-1.

**WAIVER OF DEVELOPMENT STANDARDS:**

1.
  - a. Reduce accessory structure (storage building) rear setback to 3 feet where 5 feet is required per Table 30.40-1 (a 40% decrease).
  - b. Reduce rooftop balcony rear setback to 9 feet where 27 feet is required per Table 30.40-1 (a 67% reduction) (previously not notified).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 7030 Coley Avenue
- Site Acreage: 0.5
- Project Type: Casita, balcony, & shed setbacks
- Number of Stories: 1 (casita)/1 (storage building)
- Building Height (feet): 15 (casita)/11 (storage building)
- Square Feet: 1,660 (casita)/137 (storage building)

### Site Plan

The plan depicts a 1,660 square foot casita located in the rear yard of an existing single family residence. The casita is shown in the northeast corner of the property and will be set back 8 feet from the rear property line and 8 feet from the interior side property line to the east. Additionally, a balcony will be included on the roof of the casita on its northwest corner. The deck will be set back 8 feet from the interior side property line to the east and 9.5 feet from the rear property line.

The site plans also depict an existing storage building also located in the rear yard of the existing single family residence. The storage building sits in the northwest corner of the property and is set back 3 feet from the rear property line and 8 feet from the interior side property line to the west.

### Landscaping

There are no changes to the current landscaping proposed with this application.

### Elevations

The plans for this project depict the casita as being architecturally compatible with the existing single family residence, with the walls being finished with stone veneer, glazed windows, various colors of stucco, and a standing seam metal roof. Additionally, the elevations plan also depicts a side view of a rooftop deck that will be closed in with a 3 foot tall wrought iron guard rail.

Photos of the existing shed depict the structure as being 11 feet tall, constructed of painted wood panels and a vinyl-shingled roof.

### Floor Plans

The plans for the casita depict a living space consisting of 3 bedrooms, 3 bathrooms, a walk-in closet, a kitchenette, and an entryway/study area. Additionally, the plans also depict a covered outdoor patio area adjacent to the entryway/study area with a spiral staircase leading to the approximately 734 square foot rooftop deck.

### Applicant's Justification

The applicant states the casita will be used to accommodate friends and family, and that the casita will not negatively affect the surrounding area.

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	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**

#### Use Permits

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

#### Use Permit #1

The use permit to allow an extra 160 square feet for a casita is acceptable in this case as the entire neighborhood and surrounding area is comprised of lots that are a half-acre minimum. Many of these lots are developed with custom homes and large accessory structures of their own and this increase in size should not be noticeable. Therefore, staff can support this request.

#### Use Permit #2

The architectural compatibility of the shed in the rear yard would not typically be supported, however the shed in this case existed on the site well before the current owners purchased the property. For this reason, staff can support this request.

#### Waiver 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.

Setbacks and separations are required to provide open space between buildings, reduce the bulk and mass of buildings as well as help with safety. Staff does not typically support a reduction to setbacks to this distance. In this case the existing shed was installed with a 3 foot setback before the current owners purchased the property, but that may not be enough to mitigate fire risks. Additionally, the balcony setback reduction could potentially have a negative impact on the surrounding neighbors. For these reasons, staff does not support the request.

### **Staff Recommendation**

Approval of the use permits; denial of waiver of development standards.

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.

**PLANNING COMMISSION ACTION:** March 5, 2024 – APPROVED – Vote: Unanimous  
**Comprehensive Planning**

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- 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.

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

- Applicant is advised that the property appears to have an existing septic system; to contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures; location of existing public sanitary sewer is greater than 400 feet from the parcel; and upon approval of change in use of the property and if connecting to public sanitary sewer, CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection.

WAIVER OF DEVELOPMENT STANDARDS #1B WAS DENIED.

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

**APPROVALS:** 1 card

**PROTESTS:** 1 card, 1 letter

**PLANNING COMMISSION ACTION:** February 20, 2024 – HELD – To 03/05/24 – per the applicant to rewrite/re-notify.

**APPEAL:** This item has been appealed by a neighbor who does not agree with the Planning Commission action.

**COUNTY COMMISSION ACTION:** April 3, 2024 – HELD – To 05/08/24 – per the Board of County Commissioners.

**APPLICANT:** ASPIRE DESIGN STUDIO

**CONTACT:** ASPIRE DESIGN STUDIO, 6445 W. SUNSET ROAD, SUITE 112, LAS VEGAS, NV 89118