

03/18/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0080-WATERBENDER FAMILY TRUST ETAL & LUU JAROM TRS:

WAIVER OF DEVELOPMENT STANDARDS to reduce front setback for a proposed accessory living quarters in conjunction with an existing single-family residence on 0.51 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the west side of Tenaya Way and the north side of Wigwam Avenue within Enterprise. JJ/tpd/kh (For possible action)

RELATED INFORMATION:

APN:

176-15-217-008

WAIVER OF DEVELOPMENT STANDARDS:

Reduce front setback for a proposed accessory living quarters to 12 feet where 40 feet is required per Section 30.02.04 (a 70% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 8485 S. Tenaya Way
- Site Acreage: 0.51
- Project Type: Accessory living quarters
- Number of Stories: 1
- Building Height (feet): 19
- Square Feet: 2,615 (total)/1,955 (accessory living quarters)/660 (RV garage)

Site Plans

The plans depict an existing single-family residence located on the east side of the lot. Access is via a private street from Tenaya Way. The proposed accessory living quarters is located on the west side of the existing primary dwelling. The proposed structure will be 7 feet west of the primary dwelling, 7 feet east of the west property line, 43 feet from the rear property line, and 12 feet from the back of curb.

Landscaping

There is no additional landscaping proposed with this request.

Elevations

The plans depict a proposed accessory living quarters that will be up to 19 feet in height. The structure will be constructed to match the existing single-family residence in color and materials, including stucco texture. There are two roll-up doors on the north elevation of the structure. One roll-up door will provide access for a recreational vehicle (RV) while the other will provide access for a smaller size vehicle. There are various windows and doors along the east, west, and south sides of the proposed building. The accessory living quarters will have a pitched tile roof to match the existing dwelling.

Floor Plans

The plans depict an accessory living quarters with an attached two car garage. The garage has one large spot for RV parking and one smaller spot for a regular vehicle. There will be 3 bedrooms, 3 bathrooms, a dining area, a kitchen, a living room, and a laundry room. The proposed accessory living quarters will be 1,955 square feet while the existing primary residence is 3,490 square feet.

Applicant's Justification

The applicant states that more space is needed in the rear of the property for future development. It is not possible for the proposed accessory living quarters to be moved back because of this future development. The accessory living quarters will provide additional dwelling space and room for RV parking.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-24-0153	Increased wall height for an existing single-family residence	Approved by PC	June 2024
WS-20-0222	Waiver of development standards for rear yard setbacks for a single-family residential subdivision	Approved by BCC	July 2020
WS-18-1004	Waived full off-sites along Tenaya Way and Wigwam Avenue for a single-family residential development	Approved by BCC	February 2019
TM-18-500233	8 lot single-family residential subdivision	Approved by BCC	February 2019
VS-0277-07	Vacated and abandoned patent easements	Approved by PC	April 2007
ZC-1026-05	Zone change to establish the RNP-NPO Overlay	Approved by BCC	October 2005

Surrounding Land Use

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

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS5.2	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

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.

Staff believes that this request will not have a negative impact to the surrounding area. The developments immediately to the north, south, and west are established RS20 zoned single-family residential developments. When the subdivision was established, the front setbacks used to be measured from the center of the street/property line (40 feet minimum) per previous Code, despite today that the front setbacks are measured from the right-of-way line. In fact, the subject property has the largest existing front setback within the subdivision. Therefore, staff believes that the requested front setback consistent with the adjacent properties to the north, south, and west. The proposed structure will be internal to a residential subdivision and will match the existing primary dwelling. This request aligns with Policy 1.1.3 of the Clark County Master Plan. This policy seeks to support the integration of detached accessory dwelling units within established neighborhoods to support aging in place and expand the supply of smaller dwelling units. Also, the project meets the residential adjacency standards which requires developments to comply with the side or rear zoning district setbacks of the adjacent NPO-RNP lot along shared lot lines. Therefore, staff can support this 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:

Comprehensive Planning

- 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)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: VICTORIA NGUYEN

CONTACT: VICTORIA NGUYEN, 8485 S. TENAYA WAY, LAS VEGAS, NV 89113