

06/17/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0318-RIVERA RUBEN & SHAWN-MELANI LIVING TRUST:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** reduced separation for an existing accessory structure (shed) in conjunction with an existing single-family residence on 0.09 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on the south side of Halvern Avenue, 550 feet west of Linn Lane within Sunrise Manor. TS/tpd/cv (For possible action)

RELATED INFORMATION:

APN:

140-28-622-012

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the interior side setback for an accessory structure (shed) to 3 feet where 5 feet is required per Section 30.02.07 (a 40% reduction).
 - b. Reduce the rear setback for an accessory structure (shed) to 3 feet where 5 feet is required per Section 30.02.07 (a 40% reduction).
2. Eliminate the building separation between an existing accessory structure (shed) and the existing house where 6 feet is required per Section 30.02.07.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 5611 Halvern Avenue
- Site Acreage: 0.09
- Project Type: Accessory structure (shed)
- Building Height (feet): 11 feet (shed)
- Square Feet: 96 (shed)

Site Plan

The plan depicts an existing single-family residence with access provided via Halvern Avenue. A shed is located on the south side of the property (rear), adjacent to Washington Avenue. The shed is set back 3 feet from the south (rear) property line and 3 feet from the east (interior side) property line (interior side). The existing shed is directly south of the existing patio cover which is attached to the rear of the house, and there is no building separation between the 2 structures.

Landscaping

There is no landscaping proposed with this request.

Elevations & Floor Plans

The plan depicts an existing shed that is 11 feet in height, 12 feet long, and 8 feet wide, with a total area of 96 square feet. The shed has a pitched roof that is brown in color with light brown exterior siding on all four sides. The plans provided indicate there is a door and a window on the west elevation of the shed. The shed has an open floor plan and is used for storage purposes.

Applicant's Justification

The applicant states the request for reduced setbacks and separation is justified because of the size of the subject property, existing precedents, minimal impacts to neighbors, value enhancements, and alignment with county goals. The subject parcel has very little space for the placement of a storage shed, leaving the applicant with few options regarding the shed's placement. There are several properties within the surrounding area that have constructed sheds within the required setbacks. There are no easements or infrastructure within this subject area that would be impacted by the request. An increase in storage space would allow the property to be utilized more efficiently and increase the value of the home. Lastly, the request aligns with Clark County's Master Plan by meeting a goal of community development, accommodating residents' unique needs, and maintaining harmony.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0331-98	Vacated and abandoned right-of-way being a portion of Jarbridge Road	Approved by BCC	April 1998
TM-500034-98	Tentative map for a 59 lot single-family residential subdivision	Approved by PC	April 1998

Surrounding Land Use

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

Clark County Public Response Office (CCPRO)

There is an active violation (CE24-33974) at the subject parcel for a shed that was constructed without permits.

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.

Staff finds the shed is visible from Washington Avenue, which may visually impact pedestrians traveling along the street. Additionally, the requested separation and setback reductions for the shed are self-imposed hardships that would have been prevented if the applicant sought information regarding the structures prior to constructing them. Separation distances between structures are essential to ensure safety and mitigate visual clutter. Staff does not typically support request to reduce setbacks or building separation. 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:

- 1 year to complete the building permit and inspection process if required, or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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: Sunrise Manor - approval.

APPROVALS:

PROTESTS:

APPLICANT: RIVERA RUBEN & SHAWN-MELANI LIVING TRUST

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