

01/21/26 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0461-NELSON, JEREMY & KATIE:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** eliminate building separation; and **3)** modified driveway geometrics in conjunction with an existing single-family residence on 0.14 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located south of Silver Falls Avenue and west of Silver View Street within Paradise. MN/tpd/cv (For possible action)

RELATED INFORMATION:

APN:

177-23-412-025

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the side interior setback for an existing attached garage to 2 feet where 5 feet is required per Section 30.02.06 (a 60% reduction).
- b. Eliminate the side interior setback for existing storage sheds along the west property line where 5 feet is required per Section 30.02.06.
2. Eliminate the building separation between existing storage sheds where 6 feet is required per Section 30.02.06.
3. a. Eliminate the driveway distance from a property line to zero feet where 6 feet is the minimum required per Uniform Standard Drawing 222.
- b. Increase the residential driveway width to 30 feet where 28 feet is the maximum allowed per Uniform Standard Drawing 222 (a 7% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1481 Silver Falls Avenue
- Site Acreage: 0.14
- Project Type: Setbacks, separation, and driveway geometrics
- Building Height (feet): 16 (existing attached garage)/9 (existing shed A)/6.5 (existing Shed B)
- Square Feet: 418 (existing attached garage)/70 (existing Shed A)/48 (existing Shed B)

Site Plan & Request

The plan depicts an existing single-family residence with access provided via Silver Falls Avenue. There is an existing attached garage on the east side of the residence and is set back 36 feet from the front property line (north), and 2 feet from the east property line therefore necessitating a waiver of development standards. The existing accessory structures (Shed A and Shed B) are located on the west side of the single-family residence. Shed A is set back 3 feet from the single-family residence, zero feet from the west property line, and there is a zero foot building separation distance from Shed B. The second shed (Shed B) is set back zero feet from the west property line. The applicant is requesting waivers to reduce the setbacks of the sheds as well as eliminate the separate distance requirement of 6 feet between the sheds. Lastly, the applicant is requesting modified driveway geometrics related to the driveway distance, as well as the driveway width.

Landscaping

There is no additional landscaping provided with this request.

Elevations

The existing attached garage on the east side of the residence has a sloping roof line that angles down towards the adjacent parcel APN 177-23-412-026. The overall height of the existing attached garage is 16 feet at its tallest point. Furthermore, this structure features corrugated metal siding that has been painted to compliment the existing single-family residence. There are roll up doors on the north and south sides of the existing attached garage that provide access to the rear yard. Shed A is 9 feet in height and Shed B is 6.5 feet in height, both sheds are constructed of plastic materials. Shed A has a pitched roof and Shed B has a flat roof.

Applicant's Justification

The applicant states that their existing attached garage was built to provide security and storage for tools, outdoor equipment, and other personal belongings. The structure was built to complement the existing architecture of the single-family residence. It is constructed of galvanized steel with paint that matches the existing residence. Additionally, the structure complies with all applicable building practices to minimize its impact on adjacent properties.

Surrounding Land Use

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

Clark County Public Response Office (CCPRO)

There is an active violation (CE25-0502) for an accessory structure (lean-to) that was built 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.

Waivers of Development Standards #1 & #2

Staff finds that setbacks are intended to promote safety and aesthetically pleasing neighborhoods. Even though the addition will be constructed to match the existing residence, staff finds the request to be a self-imposed hardship. The existing attached accessory structure may have a negative impact on the residents of the property in the event of an emergency and the adjacent property owners. Furthermore, the storage sheds in question could be moved to comply with setbacks and separation standards. Therefore, staff cannot support these requests.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the reduction in the distance from the driveway to the property line and the increase in the driveway width as the reduction will not impact pedestrian crossing the sidewalk.

Staff Recommendation

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

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 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 an existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JEREMY NELSON

CONTACT: JEREMY NELSON, 1481 SILVER FALLS AVENUE, LAS VEGAS, NV 89123