

02/17/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0817-PATRICK IRA FAMILY TRUST & PATRICK IRA C TRS:

WAIVER OF DEVELOPMENT STANDARDS to reduce the rear setback in conjunction with an existing single-family residence on 0.15 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located south of Cherokee Avenue and west of Rosewood Drive within Paradise. TS/ji/cv (For possible action)

RELATED INFORMATION:

APN:

161-18-612-041

WAIVER OF DEVELOPMENT STANDARDS:

Reduce rear setback for an addition to an existing single-family residence to 17 feet where 20 feet is required per Section 30.02.06 (a 15% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 3981 E. Cherokee Avenue
- Site Acreage: 0.15
- Project Type: Setbacks
- Number of Stories: 1 (house)/1 (addition)
- Building Height (feet): 10 feet 2 inches
- Square Feet: 2,930(house)/442 (addition)

History & Site Plan

The plan depicts a 1,900 square foot single-family detached home centrally located on the lot, with a 1,030 square foot garage space attached to the west of the home, and a detached storage building located at the southwest corner of the lot. WS-20-0127 was previously approved for reduction of the side setback for the attached garage, increase of wall height, and reduction of side and rear setbacks for the detached accessory storage building.

The proposed site plan shows an existing 442 square foot room addition which is attached to the rear of the home with setbacks of 17 feet and 10 inches and 12 feet to the south (rear) and the east (side) property lines, respectively.

Landscaping

No changes are proposed to the existing landscaping.

Elevations

The photo depicts a 10 foot 2 inches high addition with white painted stucco to match the existing home.

Floor Plans

The plan depicts a 442 square foot addition, consisting of 2 separate spaces for an additional family room and a dining room. Interior access is provided throughout the house and the new spaces.

Applicant’s Justification

The applicant states the addition to the rear of the home was originally constructed and permitted in 1984; however, inspections were not completed which resulted in the permit expiring. The applicant was not aware of the incomplete permitting process until informed while obtaining permits for roof mounted solar panels. Applicant states that a waiver was not needed in 1984 and is requesting approval for the reduced setbacks to complete the permitting process.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|----------------|-------------|
| WS-20-0127 | Waiver of development standards to reduce side setback for attached garage, increase wall height, reduce side and rear setback for detached accessory structure | Approved by PC | May 2020 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|----------------------------|---|----------------------------------|---------------------------|
| North, South, East, & West | Mid-Intensity Suburban Neighborhood (up to 8 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 finds that the permitting and inspection process was not promptly finalized for the addition, resulting in the permit expiring. Currently, the required rear setback for the addition is 20 feet, and even though the reduction percentage is minimal and the addition was constructed to match the existing residence, the expectation is that requests comply with today's code. Setbacks are intended to promote safety and aesthetically pleasing neighborhoods. 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 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 if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Paradise - approval

APPROVALS:

PROTESTS:

APPLICANT: IRA PATRICK

CONTACT: IRA PATRICK, 3981 CHEROKEE AVENUE, LAS VEGAS, NV 89121