

10/15/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0458-LOPEZ, JOHN M. TRUST & LOPEZ, JOHN M. TRS:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks in conjunction with a proposed single-family residence on 0.57 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located on the east side of Bronze Eagle Circle, approximately 160 feet south of Gubler Avenue within Moapa Valley. MK/my/kh (For possible action)

RELATED INFORMATION:

APN:

041-34-101-047

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the front setback to 20 feet where 40 feet is required per Section 30.02.04 (a 50% reduction).

LAND USE PLAN:

NORTHEAST COUNTY (MOAPA VALLEY) - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 0.57
- Project Type: Single-family residence
- Number of Stories: 2
- Building Height (feet): 22
- Square Feet: 2,974

Site Plan

The plan depicts a proposed single-family residence on 0.57 acres. Access to the site will be from Bronze Eagle Circle. The front setback is shown at a minimum of 20 feet from the edge of the right-of-way to the west, and because of the variations in the front face of the structure, some sections of the proposed single-family residence is setback up to 30 feet. The rear (east) setback for the proposed residence is shown as 51 feet, while the setback from the south and north property lines are shown at 30 feet and 40 feet respectively.

Landscaping

Landscaping is not a part of this request.

Elevations

Elevations depict a proposed 2 story single-family residence with varying rooflines and a maximum height of 22 feet. The exterior of the house will feature decorative elements such as tile roofing and stone veneer.

Floor Plans

The plans depict multiple bedrooms, bathrooms, a kitchen, a home office, and 2 double car garages.

Applicant's Justification

The applicant states that other homes in the area were developed with reduced setbacks and they want to have a uniform neighborhood. Additionally, the applicant states that they want a larger backyard and that wouldn't be possible without approval of the proposed waiver.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-04-0824	Reclassified from RS80 to RS20 zoning	Approved by BCC	June 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & South	Mid-Intensity Suburban Neighborhood (Up to 8 du/ac)	RS20	Single-family residential
East	Mid-Intensity Suburban Neighborhood (Up to 8 du/ac)	RS5.2 & RS80	Single-family residential & undeveloped
West	Mid-Intensity Suburban Neighborhood (Up to 8 du/ac)	RS20	Undeveloped

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

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.

Other homes in the area were built before the Code update, allowing their setbacks to be measured from the centerline of the street, as opposed to how they are measured today from

back-of-curb per updated Title 30. Although, this home must comply with current Title 30 standards which dictate measurement from the back-of-curb. Additionally, Code allows the front setback for 50% of the primary structure width to be reduced by 12 feet if enhanced decorative features are provided. The applicant could redesign their house to reduce the front setback by 12 feet for 50% of the primary structure width, as it appears enhanced decorative features are provided. However, the proposed design doesn't qualify for the setback reduction as it is for more than 50% of the structure width. Providing the aforementioned architectural enhancement and redesigning the house would remove the need for a waiver. For these reasons, 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:

- 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: Moapa Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: STEVE STAHELI

CONTACT: STEVE STAHELI, P.O. BOX 1317, LOGANDALE, NV 89021