

07/16/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0154-BUSTAMONTE-RENTERIA, GUADALUPE:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** reduce building separation between accessory structures in conjunction with a proposed single-family residence on 1.93 acres in an RS80 (Residential Single-Family 80) Zone.

Generally located on the north side of Woods Avenue and the east side of Pequot Street within Sandy Valley. JJ/my/ng (For possible action)

RELATED INFORMATION:

APN:

200-23-801-016

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the rear setback for a primary building (proposed single-family residence) to 24 feet where 50 feet is required per Title 30.02.02 (a 52% reduction).
- b. Reduce the side interior setback for an accessory shade structure to zero feet where 5 feet is required per Title 30.02.02 (a 100% reduction).
2. a. Reduce the building separation between accessory structures (water pump room, accessory agricultural building, and shade barn) to 4 feet where a minimum building separation of 6 feet is required per Section 30.02.02 (a 33.4% reduction).
- b. Reduce building separation between accessory structures (accessory agricultural building and shade structure) to zero feet where 6 feet is required per Section 30.02.02 (a 100% reduction).

LAND USE PLAN:

SOUTH COUNTY (SANDY VALLEY) - OUTLYING NEIGHBORHOOD (UP TO 0.5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 1.93
- Project Type: Single-family residence with accessory structures
- Number of Stories: 1
- Building Height (feet): 8 (single-family residence)/9.5 (shipping container)/8 (water pump room)/17 (accessory agricultural building)/11 (accessory shade structure)/10 (accessory shade structure)

- Square Feet: 1,080 (single-family residence)/320 (shipping container)/36 (water pump room)/1,292 (accessory agricultural building)/1,600 (accessory shade structure)/130 (accessory shade structure)

Site Plan

The site plan depicts a proposed expansion of a single-family residence to 1,080 square feet where currently an existing 336 square foot living unit was illegally built. The single-family residence has the following setbacks: 1) front setback of 206 feet to Woods Avenue; 2) 116 feet west to Pequot Street; 3) 24 feet to the rear property line; and 4) 147 feet to the east property line. The proposed residence sits 22 feet west of an existing 320 square foot shipping container. The shipping container is set back 11 feet from the rear and 70 feet west of an existing shade barn structure. This shade barn structure is 13 feet from the east property line and 20 feet from the rear property line and measures 1,292 square feet in area. There is a zero foot setback for an existing shade structure east of the shade barn structure. The shade structure also has no separation from the shade barn structure. An existing freestanding water pump room sits 4 feet southwest of the shade barn structure. It is 36 square feet in size and sits 6 feet north of an existing 80 square foot horse corral. The horse corral is 63 feet from an existing shade structure to the southwest. This shade structure is 1,600 square feet and sits 43 feet from the east property line and 53 feet from the front property line.

Elevations

The elevations show the main residence as being 8 feet tall at its highest point with an exterior consisting of cinderblock on all sides. The west side includes a small window while the north (rear) side includes an overhang, mechanical equipment, and a window. The pump room is 8 feet at its tallest point and is constructed of plywood on all sides. The shipping container is 9.5 feet tall and is made of steel. The barn is aluminum and open air and stands 17 feet tall. The horse corral is made of 8 foot tall metal panels placed together.

Floor Plans

The floor plan of the proposed single-family residence depicts a single story structure with an existing bathroom and bedroom. The proposed expansion will add a living room, a kitchen, and a laundry room. The single-family residence will measure 1,080 square feet in area.

Applicant’s Justification

The applicant states that they built this primary structure and the accessory structures during the pandemic because they feared they would need a place to stay if they lost their job.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & West	Outlying Neighborhood (up to 0.5 du/ac)	RS80	Outdoor storage
South	Outlying Neighborhood (up to 0.5 du/ac)	RS80	Undeveloped land
East	Outlying Neighborhood (up to 0.5 du/ac)	RS80	Single-family residential

Clark County Public Response Office (CCPRO)

CE-23-10029 is an open case involving a building without a permit at this location. CE21-11153 is an active case at this location involving an occupied recreational vehicle.

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.

The project site measures 1.93 acres (84,071 square feet) and is large enough to accommodate the construction of the accessory structures and a single-family residence without the reductions to the rear setback, and side interior setback. Additionally, building separations could be met. The applicant has not provided a justification to warrant the approval of the reduction to the setbacks and building separations for the structures. Staff finds the site does not have unique circumstances or topographical features to justify the requested reductions and that the request is a self-imposed hardship. Therefore, staff recommends denial of the 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.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: TERESA BUSTAMANTE

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