

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-25-400050 (WS-23-0518)-RIOS VICTOR M PALAFOX & PALAFOX JACQUELINE:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: **1)** reduce setback for the principal building; and **2)** eliminate setbacks for the principal and accessory buildings in conjunction with a single-family residence on 0.14 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located on the south side of Hallet Drive, approximately 280 feet west of Sacks Drive within Whitney. TS/nai/kh (For possible action)

RELATED INFORMATION:

APN:

161-21-410-012

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear yard setback for a single-family residence to 16 feet where 20 feet is required per Table 30.40-2 (a 20% reduction).
2.
 - a. Eliminate side yard setback for a single-family residence where 5 feet is required for principal structure per Table 30.40-2 (a 100% reduction).
 - b. Eliminate rear yard setback for an accessory structure where 5 feet is required per Table 30.40-2 (a 100% reduction).
 - c. Eliminate side yard setback for an accessory structure where 5 feet is required per Table 30.40-2 (a 100% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 5117 Hallet Drive
- Site Acreage: 0.1
- Project Type: Single-family residential
- Number of Stories: 1
- Building Height (feet): 9 feet 4 inches
- Square Feet: 1,280 residence/285 front addition/384 rear addition/40 accessory structure

Site Plan

The approved site plan depicts an existing 1 story single-family residence on 0.1 acres. The principal dwelling is centrally located on the parcel and the front of the house is facing north

towards Hallet Drive. The rear yard includes an existing detached accessory structure, approximately 40 square feet, that is placed on the southeast corner without setbacks from the side yard and rear yard wall.

The applicant built 2 additions to the house without building permits. The first is a 285 square foot attached addition to the front of the house. The plans depict it will be used as a guest room and it meets setback requirements. The second is a 384 square foot addition attached to the rear of the house, used as a living room. With the original application, the applicant requested the rear yard setback for the house addition to be 16 feet where 20 feet is required.

The approved site plan also depicts a trellis attached on the west side of the property approximately 38 feet in length with half of the trellis covered with thin wooden board. With the original application, the applicant requested to eliminate the side yard setback where 5 feet is required.

Landscaping

The approved plans show the front of the house has 2 existing large trees, 1 placed on each side. The east portion has an existing 696 square foot grass area, and the west side has 224 square feet of existing grass area. A 2 foot vertical landscaping path leads to the front of the house and wraps around the west portion of the house footprint, along with a 2 foot vertical landscaping path against the west and east side of the property wall. Both sides of the house have existing brick pathways leading into the backyard. The rear of the property also has existing grass, approximately 810 square feet, an existing tree, 2 short palms, and shrubs against the rear property wall.

Elevations

The approved front elevations show that the addition is attached to the west portion of the house. The applicant used the same material to match the existing house, including stucco and the same grey paint color. The applicant also placed a window in the center of the addition facing Hallet Drive. The west elevation shows the applicant added a side door that leads into the shaded trellis area.

The approved rear elevation shows the addition is attached to the east portion of the house. There is a raised concrete curb throughout the addition. The applicant also used the same material to match the existing house, including stucco and the same grey paint color. The applicant placed new plywood and rubber roof with a new fascia detail. On the east and west elevations, the applicant also added side doors. The door facing west leads to the new shaded trellis area. The door facing east leads to into the backyard. In addition, three new windows are facing the backyard.

Floor Plans

The approved floor plans depict the front addition to be a guest room approximately 285 square feet. The guest room includes a bathroom, walk-in closet, a window facing north towards Hallet Drive, and a new door facing east leading to the new shaded trellis area.

The approved floor plans depict the rear addition to be a living room approximately 384 square feet. This addition will include a walk-in closet, and 3 windows facing south into the rear yard. There is a new door facing west that leads into the trellis shaded area and a separate door on the east portion of the addition leading into the backyard.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for WS-23-0518:

Comprehensive Planning

- 1 year to complete building permit and inspection process with any extension of time to be a public hearing.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

Applicant's Justification

Per the applicant, this extension of time is needed to complete the building permit. The applicant hired two different engineers and one architect to continue addressing all of the building permit comments.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-23-0518	Reduce setback for the single family residence and eliminate setbacks for the single family residence and accessory buildings	Approved by PC	October 2023

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

Clark County Public Response Office (CCPRO)

CE21-03135 is an active zoning violation for building 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**

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Records show that the applicant has an active permit (BD21-14293) in process with the Building Department. Since the applicant has been diligently pursuing the permit, staff can support the extension of time request.

Staff Recommendation

Approval.

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**

- Until October 3, 2025 to complete building permit and inspection process with any extension of time to be a public hearing.
- 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: VICTOR PALAFOX

CONTACT: PAT STISSI, 8515 IRON MOUNTAIN ROAD, LAS VEGAS, NV 89143