

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0501-KATSIKAKIS EVANGELOS:**

**APPEAL WAIVER OF DEVELOPMENT STANDARDS** to increase the height of a proposed accessory living quarters in conjunction with an existing single-family residence on 0.09 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on north side of Heinrick Court, 92 feet west of Zachary Street within Spring Valley. MN/rg/kh (For possible action)

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RELATED INFORMATION:

**APN:**

163-25-413-019

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase the height of proposed accessory living quarters to 23 feet where 14 feet is the maximum permitted per Section 30.02.07 (a 57% increase).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 5632 Heinrick Court
- Site Acreage: 0.09
- Project Type: Accessory living quarters
- Number of Stories: 2
- Building Height (feet): 23
- Square Feet: 565

Site Plan

The plan depicts a 0.09 acre lot with an existing 1,727 square foot single-family dwelling that was built in 2002. A 2 story, 565 square foot accessory living quarters is proposed in the rear of the property. The accessory living quarters will be setback 5 feet from the rear and side property lines. Three parking spaces are provided on-site.

Landscaping

The property has existing landscaping. No changes are required or proposed.

### Elevations

The proposed accessory living quarters overall height is 23 feet. The proposed color and exterior materials will match with the primary dwelling, which has stucco and a concrete tile roof.

### Floor Plans

The plans depict 2 floors. The first floor includes a bedroom, a bathroom and a kitchen. The second floor features a bedroom and a bathroom. The floors are accessed with an internal staircase.

### Applicant's Justification

The owner is proposing to build the accessory living quarters comprising of 2 stories for family members and visiting friends to occupy. The applicant states that the proposed project complies with applicable zoning regulations for detached living quarters. The structure will be situated within the allowable building envelope, maintaining the required setbacks from property lines and primary residence. The size of the new living quarters will adhere to the zoning requirements and is designed to ensure that it does not negatively impact the surrounding properties. The structure will be built to blend seamlessly with the existing property and surrounding homes.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-1491-00	Increased wall height in conjunction with a residential subdivision	Approved by PC	November 2000
TM-500172-00	Extension of time for 29 lot single-family residential development	Approved by PC	July 2000
ZC-0687-00	Reclassified 4.6 acres from R-E to R-2 zoning	Approved by BCC	July 2000

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	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**

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 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.

While the building placement meets the rear and side yard setbacks, the height of the structure significantly exceeds the maximum height for accessory structures in an RS3.3 Zone. The height of the structure is not compatible with the character of the neighborhood. The properties adjacent to the subject site, may be adversely affected by the presence of the structure. 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.

### **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)**

- Applicant is advised that the property is already connected to the CCWRD sewer system, and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:** Spring Valley - denial.

**APPROVALS:** 1 card

**PROTESTS:** 1 card

**PLANNING COMMISSION ACTION:** November 5, 2024 – DENIED – Vote: Unanimous

**APPEAL:** This item has been appealed by the applicant who does not agree with the Planning Commission action.

**APPLICANT:** EVANGELOS KATSIKAKIS

**CONTACT:** EVANGELOS KATSIKAKIS, 5632 HEINRICK COURT, LAS VEGAS, NV  
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