

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0179-ESPEJEL ARMANDO GALINDO ETAL & ROMERO-ALARCON MA ELEAZAAR:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced setbacks; and 2) reduced separation for accessory structures in conjunction with an existing single-family residence on 0.34 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located on the south side of Raymert Drive, 145 feet east of Sandhill Road within Paradise. TS/tpd/ng (For possible action)

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RELATED INFORMATION:

**APN:**

161-18-512-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the interior side setback to 3 feet for an accessory structure where 5 feet is required per Section 30.02.06 (a 40% decrease).
2. Reduce the separation for an accessory structure from another accessory structure to 3 feet, 9 inches where 6 feet is required per Section 30.02.06 (a 38% decrease).

**LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3835 Raymert Drive
- Site Acreage: 0.34
- Project Type: Accessory structures
- Number of Stories: 1
- Building Height (feet): 11 (Storage 1)/12 (Storage 2)
- Square Feet: 1,840 (residence)/512 (Storage 1)/512 (Storage 2)

Site Plans

The plans depict an existing 1,840 square foot residence with 2 accessory structures in the rear yard. The first structure (Storage 1) is located along the south property line, directly east of the second accessory structure (Storage 2). Access to the property is provided via a driveway off Raymert Drive. There is an existing pool on the property with a wall along the west and south sides of the pool. Storage 1 and Storage 2 are 20 feet from this perimeter wall. Storage 2 is setback 5 feet from the west property line while Storage 1 is 3 feet from the east property line.

Both accessory structures are set back 5 feet from the south property line and are separated 3 feet, 9 inches from each other.

#### Landscaping

No new landscaping is proposed or required with this request.

#### Elevations

The plans depict 2 existing accessory structures that will be constructed of wood panel siding and black shingle roofing. Storage 2 is 12 feet in height and Storage 1 is 11 feet in height. Both accessory structures are 32 feet long by 16 feet wide. The entrance to each structure is from the north side. The house has white stucco siding and a flat roof.

#### Applicant's Justification

The applicant has many belongings that do not fit in their home; therefore, they constructed 2 accessory structures to store the extra items. The first accessory structure was constructed 5 feet from their neighbor's property line to the west. The second was constructed 3 feet from the east property line, the applicant owns the home to the east as well. The 2 structures are set 3 feet 9 inches apart from each other. The reason for this location is because the applicant was not aware of specific setback and separation requirements. Also, the accessory structures are constructed of materials that are not similar to the primary structure. Storage 1 and Storage 2 are made of wood siding with a pitched shingle roof.

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Corridor Mixed-Use & Neighborhood Commercial	CG & CP	Commercial complex
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential & undeveloped
East	Neighborhood Commercial	RS5.2	Single-family residential
West	Neighborhood Commercial	CP	Office

#### **Clark County Public Response Office (CCPRO)**

There is an active violation (CE24-07114) for this site regarding setbacks and separation for accessory structures.

#### **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.

Staff finds that the accessory structures are quite large and could impact the surrounding parcels. Furthermore, the structures extend above the perimeter wall by more than 2 feet and are visible from the neighboring parcels. Additionally, portions of the structures were built within a utility easement. The applicant has been directed to contact each utility to determine if the structures can remain. They are not architecturally compatible with the primary dwelling and pose a visual impact to the surrounding neighbors. It is for these findings that staff cannot support these requests.

### **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)**

- No comment.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MIRIAM HERNANDEZ

**CONTACT:** MIRIAM HERNANDEZ, 3835 RAYMERT DRIVE, LAS VEGAS, NV 89121