

09/02/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0476-MACKOVSKI, ALEXANDER:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks in conjunction with a previously approved single-family residential subdivision on 0.50 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located north of Agate Avenue and west of Monte Cristo Way within Enterprise.
JJ/rr/kh (For possible action)

RELATED INFORMATION:

APN:

176-22-101-075

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the proposed side street setback to 14 feet where 15 feet is the minimum required per Section 30.02.04B (a 7% reduction).
- b. Reduce the proposed rear setback to 22 feet where 30 feet is the minimum required per Section 30.02.04B (a 27% reduction).

LAND USE PLAN:

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.50
- Project Type: Single-family detached residential
- Number of Lots: 1 (subject to this waiver)/4 (entire minor subdivision)
- Density (du/ac): 2
- Lot Size (square feet): 21,892

Site Plan

The plan shows an existing 4 lot minor subdivision with a cul-de-sac street located at the northwest corner of Agate Avenue and Monte Cristo Way. A lot fit plan was provided for a proposed custom home on Lot 2 which will be oriented facing Monte Cristo Way to the east. The plan indicates the proposed setbacks for all sides of the custom home. The front yard setback along Monte Cristo Way is 40.94 feet, except where it is reduced to a minimum of 32.68 feet for up to 50% of the width of the structure which is allowed by Title 30. The side street setback along Agate Avenue to the south is proposed to be 15 feet. The side street setback along the cul-

de-sac street to the north is proposed to be a minimum of 14.81 feet. The rear setback to the west is proposed to be a minimum of 22.89 feet. The side street setback along the cul-de-sac and the rear setback are the subject to these waiver requests.

Landscaping

There is no proposed landscaping with this request.

Elevations

There are no proposed building elevations with this request.

Floor Plans

There are no proposed floor plans with this request.

Applicant’s Justification

The applicant is requesting to reduce the side street and rear setbacks for a custom home that is proposed to be constructed on Lot 2 of a 4 lot single-family residential subdivision. The residence is proposed to face Monte Cristo Way rather than into the cul-de-sac to provide for a larger backyard than if it was oriented in the traditional way. The applicant states that the developer intends to optimize product utilization, enhancing the appeal and marketability of individual homes, and that the impact of the request is negligible.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|--|-----------------|---------------|
| VS-21-0706 | Vacated and abandoned patent easements | Approved by PC | February 2022 |
| ZC-1026-05 | Reclassified 3,800 parcels from R-E zoning to R-E RNP-I zoning | Approved by BCC | October 2005 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|---------------|---|----------------------------------|---------------------------------------|
| North, & West | Ranch Estate Neighborhood (up to 2 du/ac) | RS20 (NPO-RNP) | Single-family residential development |
| East | Ranch Estate Neighborhood (up to 2 du/ac) | RS20 (NPO-RNP) | Undeveloped |
| South | Low-Intensity Suburban Neighborhood (up to 5 du/ac) | RS3.3 | Single-family residential development |

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

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 requests to reduce the side street and rear setbacks of a proposed single-family detached custom home are the result of 2 factors. The first factor is the orientation of the residence toward Monte Cristo Way. The second factor is the angle of the rear property line where it meets the property line along the cul-de-sac street. Orienting the residence to face the cul-de-sac street would significantly narrow the available area between the required front and rear setbacks making it difficult to design a floor plan that could fit on the lot. Therefore, the proposed orientation of the residence is preferred. The shape of the lot with the angled rear lot line makes it difficult to fit a typical floor plan with the residence oriented toward Monte Cristo Way. The request to waive the setbacks will only affect a small portion of the northwest corner of the home where the lot is at its narrowest point. The adjacent lots are not yet developed and will not be adversely affected by this proposal. Therefore, staff can support these requests.

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 Statute

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- 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: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: TANEY ENGINEERING, INC.

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