

07/01/25 PC AGENDA SHEET

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**WS-25-0379-ARITA, SANDRA:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setbacks; and **2)** reduce separation for an existing accessory living quarters and an existing accessory structure in conjunction with an existing single-family residence on 0.14 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located north of Olive Street and west of Broadalbin Drive within Sunrise Manor.  
TS/nai/kh (For possible action)

---

**RELATED INFORMATION:**

**APN:**

161-06-512-034

**WAIVERS OF DEVELOPMENT STANDARDS**

1.
  - a. Reduce the rear setback for an existing accessory living quarters to 3 feet where 5 feet is required per Section 30.02.06 (a 40% reduction).
  - b. Reduce the side interior setback for an existing accessory living quarters to 3 feet where 5 feet is required per Section 30.02.06 (a 40% reduction).
  - c. Reduce the side interior setback for an existing accessory structure (shed) to be 1 foot where 5 feet is required per Section 30.02.06 (an 80% reduction).
  - d. Reduce the rear setback for an existing accessory structure (shed) to be 1 foot where 5 feet is required per Section 30.02.06 (an 80% reduction).
2. Reduce the separation distance between an existing accessory living quarters and the existing main residence to 4 inches where 6 feet is required per Section 30.02.06 (a 95% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 4164 Olive Street
- Site Acreage: 0.14
- Project Type: Existing accessory living quarters and existing accessory structure (shed)
- Number of Stories: 1 (existing main residence)/1 (existing accessory living quarters)
- Building Height (feet): 16 feet, 2 inches (existing main residence)/ 11 feet, 8 inches (existing accessory living quarters)/11 (existing shed)

- Square Feet: 1,664 (main residence)/537 (existing accessory living quarters)/120 (existing shed)

### Site Plan

The plan depicts an existing single-family residence centrally located on 0.14 acres. Access to the residence is along the south property line adjacent to Olive Street. In the rear yard there is an existing accessory living quarters on the northwest corner of the site, and an existing shed on the northeast corner of the site. Both structures require waivers of development standards for reduced setbacks and separation distance requirements per Title 30. The existing accessory living quarters is set back 3 feet from the north property line (rear) and the west property line (interior side) where 5 feet is required per Title 30. The existing shed is set back 1 foot from the north property line (rear) and the east property line (interior side), where 5 feet is required. Lastly, the existing accessory living quarters and the existing main residence has 4 inch separation distance from one another where 6 feet is required per Title 30.

### Elevations

The plans depict exterior materials constructed of stucco and waterproof tile for the roof. The materials and colors will match the existing house. The height of existing accessory living quarters is 11 feet and 8 inches. The plans also show that the shed has an overall height of 11 feet, and the main residence has an overall height of 16 feet.

### Floor Plans

The plans depict an existing 537 square foot accessory living quarters. There are 2 laundry rooms, bedrooms, and bathrooms. There is interior access within the accessory living quarters granted through a single door. The existing shed has an overall area of 120 square feet.

### Applicant's Justification

The applicant has an active code enforcement because the applicant constructed the accessory living quarters was constructed without a building permit. The square footage of the accessory living quarters does not exceed the gross floor of the main residence. It was constructed for family members. Furthermore, the accessory living quarters is architecturally compatible to the main residence.

### **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)	RS5.2	Single-family residence

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

CE22-21077 is an active violation on this site and is related to building an accessory structure without a building permit.

### **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.

Setbacks are intended to promote safety and an aesthetically pleasing streetscape and neighborhood. Staff finds that historical aerial photographs show the accessory living quarters, and the shed, were placed within the rear yard during the Summer of 2022. The shed can be relocated to meet the required setbacks. Furthermore, the accessory living quarters can be redesigned to meet the minimum setbacks.

Separation distances between structures are essential to ensure safety and mitigate visual clutter. The separation distance between the accessory living quarters and the main residence is 4 inches. The applicant did not provide justification as to why the required setbacks and separation distance cannot be met; 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.

### **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 that 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:** Sunrise Manor - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SANDRA ARITA

**CONTACT:** RAYDA BROOKS, HH CONSULTING, LLC, 2510 W. HORIZON RIDGE PARKWAY, SUITE 200, HENDERSON, NV 89052