

05/20/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0268-BARAJAS JUAN T. & IRMA YOLANDA:

WAIVER OF DEVELOPMENT STANDARDS to reduce the rear setback for an addition in conjunction with an existing single-family residence on 0.14 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located on the east side of Denning Street, 70 feet north of Northridge Lane within Whitney. JG/tpd/kh (For possible action)

RELATED INFORMATION:

APN:

161-28-513-010

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the rear setback for an existing addition to 15 feet where 20 feet is required per Section 30.02.06 (a 25% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 5022 Denning Street
- Site Acreage: 0.14
- Project Type: Reduced rear setback
- Building Height (feet): 12 (existing dwelling & addition)
- Square Feet: 1,200 (existing dwelling)/360 (existing addition)

Site Plans

The plans depict an existing addition on the east side of a single-family residence. The addition is set back 15 feet from the east property line (rear), 8 feet from the south property line (side interior), and 29 feet from the north property line (side interior). Access to the site is provided via a driveway along Denning Street. An existing carport is located on the north side of the single-family residence, which is set back 17 feet from the north property line and 20 feet from the west property line (front).

Landscaping

The applicant is not proposing additional landscaping with this request. A hardscape analysis was provided to indicate the existing hardscape within the front and side yards is less than 60%.

Elevations

The plans depict an existing single-family residence with a pitched asphalt shingle roof and 3 coat stucco siding. The single-family residence and existing addition are both 12 feet in height. The addition has been constructed to match the single-family residence in color and materials.

Floor Plans

The plans depict an addition with 1 bedroom, 1 bathroom, and a wet bar. The addition is 360 feet where the single-family residence is 1,200 feet.

Applicant's Justification

The applicant states an addition has been constructed in the rear of the property, 15 feet from the east property line. A carport has been constructed along the north side of the primary residence that meets all applicable setbacks. However, these structures were built without permits and will need to become compliant with the Building Code. Neighbors in the surrounding area have no issues with this request. There are several similar structures within the surrounding area; therefore, the request is compatible with the area.

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 residence

Clark County Public Response Office (CCPRO)

There is an active violation (CE20-09000) for structures that were built without permits. The addition and carport are still in existence, but the shed and attached patio cover have been removed.

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(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.

Typically, staff does not support request to reduce setbacks for compatibility purposes to the surrounding area. Staff finds there is no unique shape nor topographic condition of the subject property that prohibits adherence to the required rear yard set back. The addition matches the

residence in colors and materials; however, staff cannot support request to reduce the rear setback.

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.
- 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 if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Whitney - no recommendation.

APPROVALS:

PROTESTS:

APPLICANT: JUAN BARAJAS

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