

01/06/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0785-LAM MARSHA M FAMILY TRUST & LAM MARSHA M TRS:**

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the rear setback for a proposed balcony in conjunction with an existing single-family residence on 0.50 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located north of Kraft Avenue and east of Jace Canyon Court within Lone Mountain. AB/nai/kh (For possible action)

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RELATED INFORMATION:

**APN:**

138-06-511-003

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the rear setback for a proposed balcony to 6 feet, where 30 feet is the minimum required per Section 30.02.04 (an 80% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4768 Jace Canyon Court
- Site Acreage: 0.50
- Project Type: Single-family residence
- Number of Stories: 1 (existing residence)/2 (proposed balcony)
- Building Height (feet): 20 feet, 4 inches (existing residence)/14 feet (proposed balcony)
- Square Feet: 4,266 (existing residence)/414 (proposed balcony)

Site Plan

Access to the lot is from Jace Canyon Court to the west. The residence is located in the southern half of the site and an existing 1,513 square foot detached garage is located near the north property line. The proposed balcony will be attached to the patio cover on the east side of the residence and will be set back 6 feet from the rear (east) property line.

Elevations

The proposed balcony will be 14 feet high and consist of stucco painted to match the primary residence with metal stairs and a wrought iron railing around the balcony portion.

### Applicant's Justification

The applicant wants to build an attached balcony to enjoy the Las Vegas Valley view because their property is 8 feet to 10 feet higher than the neighbor to the east. Furthermore, the applicant obtained letters of consent from their immediate neighbors to the north, south, and east.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
TM-500161-16	Tentative map for an 8 lot single-family residential subdivision	Approved by PC	February 2017

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, East, & West	Ranch Estate Neighborhood (2 du/ac)	RS20 (NPO - RNP)	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**

#### Waiver 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.

Title 30 defines setback standards to contribute to visual order in neighborhoods and to prevent the massing of buildings, provide an adequate buffer between structures, maintain a uniform development pattern, and minimize impacts to neighboring properties. The proposed 14 foot high balcony would result in a visually intrusive platform that directly overlooks neighboring rear yards, side yards, and adjacent residences. The proposed balcony is a self-imposed hardship because no mitigation or landscape buffering was proposed by the applicant. Although the applicant obtained letters of consent from their neighbors to the north, south, east, staff still 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:

- 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:** Lone Mountain - approval for reduced setbacks for the patio cover (patio cover shall not be used as an observation deck/balcony).

### **APPROVALS:**

### **PROTESTS:**

**APPLICANT:** JUAN ALVARADO

**CONTACT:** JUAN ALVARADO, 4768 JACE CANYON COURT, LAS VEGAS, NV 89129