

05/05/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0147-CORDON, CRISTIAN RENE RIVAS & MENDOZA, KEYLA:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks in conjunction with an existing single-family residence on 0.21 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located south of Grossmont Avenue and west of Osbiston Way within Sunrise Manor.
TS/ji/kh (For possible action)

RELATED INFORMATION:

APN:

140-28-612-049

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the rear setback of an existing accessory living quarters to 3 feet 1 inch where 5 feet is the minimum required per Section 30.02.06B (a 38% reduction).
- b. Reduce the rear setback of an existing attached patio cover 1 foot where a minimum of 3 feet is required per Section 30.02.25D (a 67% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 5573 Grossmont Avenue
- Site Acreage: 0.21
- Project Type: Single-family residence
- Number of Stories: 1
- Height: 12 feet 8 inches (existing accessory living quarters)/8 (existing patio cover)
- Square Feet: 696 (existing accessory living quarters)/1,586 (existing residence)

Site Plan

The plan depicts an existing single-family detached home centrally located on the lot with an attached patio cover at the rear of the house. An existing detached accessory living quarters is located on the southwest corner of the lot. The existing attached patio cover is set back 1 foot from the leading edge to rear property line, where 3 feet is required and the detached accessory living quarters is 3 feet 1 inch from the rear property line, where 5 feet is required. Since neither the attached patio cover nor the accessory living quarter meet the required setback per Title 30, a waiver of development standards is required.

Landscaping

No changes are proposed to the existing landscaping.

Elevations

The plans depict a detached accessory living quarters that features stucco exterior walls and asphalt shingle roofing, matching the materials and aesthetic of the primary home. The overall height is 12 feet 8 inches. All exterior surfaces will be painted to align with the color scheme of the main dwelling. The submitted photo of the attached patio cover depicts a maximum height of 8 feet and matches the primary home with color and design.

Floor Plans

The interior plan of the accessory living quarters consists of 2 bedrooms, 1 full bathroom, a living area, and a kitchenette.

Applicant’s Justification

The applicant states the detached accessory living quarters was constructed without prior knowledge of setback and permitting requirements. There is an active Building Department permit via BD25-25587. The applicant intends to bring the property into compliance.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential

Clark County Public Response Office (CCPRO)

CE25-12445 is an active violation for building without a permit, and parking vehicles within an unimproved 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

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.

The intent of building setbacks is to prevent the massing of buildings, provide an adequate buffer between structures, maintain a uniform development pattern, and minimize impacts to neighboring properties. Although the accessory living quarters and the patio cover was constructed to match the residence with exterior colors and materials, both were constructed prior to building permits. Staff finds this request to be a self-imposed hardship; therefore, staff recommends denial.

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: CRISTIAN RIVAS

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