

09/02/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0521-SCHEIN FAMILY TRUST & SCHEIN AARON MICHAEL TRS:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks for proposed accessory structures in conjunction with an existing single-family residence on 0.46 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located west of Riley Street and south of Corbett Street within Lone Mountain. AB/lm/kh (For possible action)

RELATED INFORMATION:

APN:

125-29-706-004

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the front setback of a proposed accessory structure (detached garage with game room) to 21 feet where 40 feet is required per Section 30.02.04 (a 48% reduction).
- b. Reduce the side interior setback of a proposed accessory structure (detached garage with game room) to zero feet where 5 feet is required per Section 30.02.04 (a 100% reduction).
- c. Reduce the front setback of an existing accessory structure (shipping container) to 18 feet where 40 feet is required per Section 30.02.04 (a 55% reduction).
- d. Reduce the side interior setback of an existing accessory structure (shipping container) to 2.16 feet where 5 feet is required per Section 30.02.04 (a 56% reduction).
- e. Reduce the separation distance of an existing accessory structure (shipping container) from an existing residence to 5 feet where 6 feet is required per Section 30.02.04 (a 16% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 8640 Rosey Court
- Site Acreage: 0.46
- Project Type: Accessory structures (proposed detached garage with game room/existing shipping container)
- Number of Stories: 1

- Building Height (feet): 14.25 (detached garage with game room)/9 (shipping container)
- Square Feet: 1,127 (detached garage with game room)/160 (shipping container)

Site Plan

The plan depicts an existing single-family residence with access to the property from Rosey Court and set back 28 feet from the private street.

A proposed accessory structure (detached garage with a game room) is located on the west side of the existing single-family dwelling and is set back 21 feet from the private street (Rosey Court) and zero feet from the west property line. The separation from the detached garage with game room to the house varies between 14 feet and 21 feet.

There is an existing temporary shipping container located in the front yard on the east side of the residence. The shipping container is set back approximately 18 feet from the private street, 2.1 feet from the east property line, and 5 feet from the residence.

Section 30.02.04 requires accessory structures to be set back 40 feet from the front property line and have a 5 foot side interior setback, with a building separation of 6 feet. These accessory structures are subject to the waiver requests since they do not meet the required setback and separation requirements.

Landscaping

Landscaping is not a part of this request.

Elevations

The elevation plan depicts the accessory structure has an overall height of 14 feet, 4 inches. The exterior of the building on the south elevation includes the garage door, brick veneer with a mansard roof element that includes roof tile, and a parapet with coping that includes painted stucco. The east elevation includes brick veneer, windows, and a painted stucco finish. The west and north elevations include a painted stucco finish. There are no windows on the west elevation. All exterior materials and colors will match the existing residence. The shipping container has an overall height of 9 feet and is painted desert tan.

Floor Plans

The floor plan depicts a 1,127 square foot detached accessory structure which includes a 2 car garage with game room and restroom. The shipping container consists of 160 square feet.

Applicant's Justification

The applicant indicates that the proposed accessory structure (garage with game room) is designed to be well below the allowed height (25 feet maximum) and square footage (50% of the residence). The proposed detached garage with game room structure is set back similar to the residence and at a setback that would have been permitted under the prior version of the Development Code, where the front setback was dimensioned from the centerline of the private street, which is also the property line. The applicant also indicates that the shipping container will be removed prior to final inspection for the proposed accessory structure.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0296-01	Rezone the site and surrounding properties for the RNP overlay	Approved by BCC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Undeveloped
South, East & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residences within the same cul-de-sac

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 subject parcel was created by Parcel Map in 1989. 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. Staff finds the reduction to the front and side interior setback for the proposed accessory structures is not compatible with the surrounding properties and is a self-imposed hardship. The existing neighborhood accessory structures within the cul-de-sac appear to meet the 40 foot front and 5 foot side setback requirements. Staff additionally finds that there is adequate room on the subject parcel to meet all setback requirements. Additionally, the accessory structure is set forward of the residence and the brick veneer located on the front few feet of the east elevation may be visually disharmonious between the buildings unless extended further along the elevation. The shipping container appears from aerial evidence to have been placed on the property on or before February 2024. The location of the shipping container could be moved to the side or rear of the property to meet the front setback standards and be less of a visual burden on the surrounding properties. Staff finds that the location of the accessory structures may negatively impact on the adjacent properties and therefore 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:

- Remove the shipping container prior to final inspection for the proposed accessory structure (garage and game room).
- 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.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Lone Mountain - denial.

APPROVALS:

PROTESTS:

APPLICANT: SCHEIN FAMILY TRUST

CONTACT: KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135