

04/21/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0123-BRADAROX TRUST & KAJIOKA DARIN K. & ROXANNE C. TRS:

WAIVER OF DEVELOPMENT STANDARDS to reduce setback for a second floor balcony in conjunction with an accessory living quarters on 0.26 acres in an RS80 (Residential Single-Family 80) Zone within the Spring Mountain (SMO) Overlay.

Generally located north of Crestview Drive and west of Seven Dwarfs Road within Mt. Charleston. AB/dd/cv (For possible action)

RELATED INFORMATION:

APN:

129-25-410-071

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the front setback for a balcony to 12 feet where 15 feet is required per Section 30.02.02 (a 20% reduction).

LAND USE PLAN:

NORTHWEST COUNTY (MT. CHARLESTON) - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 280 Crestview Drive
- Site Acreage: 0.26
- Project Type: Balcony setback
- Number of Stories: 2
- Building Height (feet): Up to 22 per WS-24-0337 (detached garage & accessory living quarters)
- Square Feet: 446 (detached garage)/461 (accessory living quarters)

History & Site Plan

In August of 2024, WS-24-0337 was approved to allow increased height for a 2 story detached building, with a garage on the first floor and an accessory living quarters with a balcony on the second floor. In May 2025, AV-25-900320 was approved to reduce the front setback for the detached building from the originally approved 21 feet to 15 feet. Now, the applicant is requesting that the front setback for the balcony located on the second floor of the proposed accessory building be reduced to 12 feet.

The current site plan depicts the proposed accessory building consisting of a detached garage and accessory living quarters within the front yard of the property near the southeast corner of the site off Crestview Drive. There is a second floor balcony overhanging from the front of the building that would be set back 12 feet from the front property line. The front face of the accessory building will still be set back the required 15 feet from the front property line, 5.5 feet from its closest interior side property line to the east, and is 26 feet from the existing single-family residence to the north.

Elevations

The elevations depict the proposed accessory building as being 2 stories with a maximum height of 26 feet at the highest point from grade on the south elevation. The average height of the accessory building was approved at 22 feet via WS-24-0337, and the applicant anticipates that the average height of the structure will not exceed 22 feet. The accessory building is to be constructed of wood and will feature glazed windows and a pitched metal roof to match the existing single-family residence. The south side of the building facing Crestview Drive will feature a rolling garage door and a second story balcony, and the west side of the garage will have a door as another point of interior access. Due to the drastic change in elevation from the front (south) of the structure to the rear (north), the second story accessory living quarters will only be accessible from a small staircase on the west side of the building.

Floor Plans

The plans show the first floor as being open for vehicle parking, with the rolling garage door facing south. The second floor plan depicts a consisting of a restroom, media room, and an interior access point on the west side (second story) of the proposed building. There is a balcony located on the south of the accessory building that is only accessible from the second story accessory living quarters. This balcony overhangs the rolling garage door and intrudes into the front setback.

Applicant’s Justification

The applicant states that this waiver is necessary to preserve significant mature trees on-site. If the garage was built to the 15 foot front setback as opposed to the 12 foot setback being requested, it may impact the root system of the mature tree directly to the north of the proposed detached garage.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-24-0337	Waiver of development standards to increase accessory structure height	Approved by PC	August 2024
SC-08-0975	Street name change established an addressing grid and official street names within the boundaries of Mount Charleston	Approved by BCC	March 2009

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS80 (SMO)	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.

While staff does not normally support the reduction of front setbacks, staff finds that the only intrusion into the front setback will be a balcony overhang for a detached garage, and that the rest of the structure will meet the setback requirements. Additionally, staff notes that this waiver is being requested due to the limited size of the lot which limits the applicant to use only certain areas on the site due to the topography of the lot and in order to preserve mature native trees behind the proposed detached building. For these reasons, staff can support this request.

Staff Recommendation

Approval.

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

- 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)

- Applicant is advised that the property appears to have an existing septic system; to contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures.

TAB/CAC: Mt. Charleston - approval.

APPROVALS:

PROTESTS:

APPLICANT: ROXANNE KAJIOKA

CONTACT: ROXANNE KAJIOKA, 280 CRESTVIEW DRIVE, MT. CHARLESTON, NV
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