

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0464-BAUMGARTNER, NICOLE IRENE:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** reduce building separation in conjunction with an existing single-family residence on 0.55 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the south side of Palmyra Avenue, east side of Sorrel Street within Spring Valley. JJ/jm/syp (For possible action)

RELATED INFORMATION:

APN:

163-11-403-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the side street setback of an existing detached garage to 4 feet where 10 feet is required per Section 30.02.04 (a 60% reduction).
- b. Reduce the rear setback of an existing detached garage to 4.5 feet where 5 feet is required per Section 30.02.04 (a 10% reduction).
- c. Reduce the side interior setback of an existing shed to 0.9 feet where 5 feet is required per Section 30.02.04 (an 82% reduction).
2. Reduce the separation between the detached garage and the storage building to 2.5 feet where 6 feet is required per Section 30.02.04 (a 53.3% reduction).

LAND USE PLAN:

SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3114 Sorrel Street
- Site Acreage: 0.55
- Project Type: Setbacks and separations
- Building Height (feet): 17 (detached garage)/8 (shed)/8.5 (storage building)
- Square Feet: 1,500 (detached garage)/70 (shed)/705 (storage building)

Site Plan

The plan depicts an existing single-family residence, centrally located within the parcel, 47 feet from the north property line and 45 feet Sorrel Street to the west. There is a 1,500 square foot metal detached garage on a concrete slab 4.5 feet from the east property line and 4 feet from

Palmyra Avenue to the north. Access to the garage is through a gate along the north property line to Palmyra Avenue. A 705 square foot storage building is also located 2.5 feet south of the detached garage which is 5 feet from the east property line. Finally, there is a 70 square foot shed located behind the wall and gate facing Sorrel Street and 0.9 feet from the south property line. The shed is partially visible from the right-of-way.

Landscaping

Landscaping is not a part of this request.

Elevations

The elevation depicts a gray metal sided detached garage with 2 doors, 17 feet tall. The structure has a pitched roof that is similar in slope to the main home. The gray metal on the detached garage matches the gray stucco on the main home.

The elevation depicts a gray stucco storage building, 8 feet 6 inches tall. The building has a pitched roof that is shallower than the main home. The grey stucco on the storage building matches the gray stucco on the main home.

The shed elevation depicts a gray stucco finished building, 8 feet tall. The shed has a pitched roof and is architecturally compatible with the main home.

Floor Plans

The plans for the detached garage, accessory storage building, and shed are all depicted as open.

Applicant’s Justification

The applicant states that their request for setback and separation reduction was driven by a Code Enforcement case (CE22-30561) which has been closed. The applicant states that they believe that approval of the waivers will not have a negative impact on the neighborhood.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0613-10	Reclassified from R-E to R-E (RNP-I) zoning	Approved by BCC	February 2011

Surrounding Land Use

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

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.

Waiver of Development Standards #1a, #1b, & #2

Staff typically does not support requests to reduce setbacks and separations unless sufficient mitigating measures are included to minimize the impact on adjacent properties. Staff finds that the applicant has not provided such mitigation, and that the encroachment into the required setbacks and separations is a self-imposed hardship that could have been avoided since there is enough space in the backyard for the structures to meet the required setbacks. Although the detached garage features rooflines and colors that match the existing residence, it is made of metal; therefore, is not architecturally compatible with the existing residence and is partially visible from the street. Reducing the setbacks from the right-of-way and the neighboring property makes the non-compatibility even more noticeable. Therefore, staff cannot support these requests.

Waiver of Development Standards #1c

Code allows sheds within the setbacks when not visible from the street. Although the shed is partially visible from the street, only the roof projects above the wall. Also, it is complimentary in color and material to the main house. Therefore, staff can support this request.

Staff Recommendation

Approval of waiver of development standards #1c; denial of waivers of development standards #1a, #1b, and #2.

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 for the detached garage and the storage building, or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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

- Right-of-way dedication to include spandrel at the intersection of Sorrel Street and Palmyra Avenue;
- Perform a survey to ensure that the private improvements are not in the right-of-way.
- Any private improvements within the right-of-way must be removed or vacate a portion of right-of-way on Sorrel Street and Palmyra Avenue.

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: Spring Valley - approval of waiver of development standards #1c; denial of waivers of development standards #1a, #1b, and #2.

APPROVALS:

PROTESTS:

PLANNING COMMISSION ACTION: October 15, 2024 – HELD – To 11/05/24 – per the applicant.

APPLICANT: NICOLE BAUMGARTNER

CONTACT: JOSH HARNEY, BAUGHMAN & TURNER, INC., 1210 HINSON STREET, LAS VEGAS, NV 89102