

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0301-MOLINA, BRENDA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** reduce separation; **3)** increase hardscape area; **4)** reduce driveway distance; **5)** reduce light pole distance; and **6)** increase driveway width 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 Calle De Reynaldo and west of Avenida Del Sol within Paradise. JG/nai/kh (For possible action)

RELATED INFORMATION:

APN:

162-26-610-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the side interior setback for accessory structure (storage) to 8 inches where 5 feet is required per Section 30.02.06 (an 86.7% reduction).
2.
 - a. Reduce the separation from an accessory structure (storage) to the existing house to 3 feet where 6 feet is required per Section 30.02.06 (a 50% reduction).
 - b. Eliminate the separation from an accessory structure (shed) to the existing house where 6 feet is required per Section 30.02.06.
3. Increase hardscape within the front and side yards to 95% where 60% is the maximum allowed per Section 30.04.01.D (a 58% increase).
4.
 - a. Reduce the distance from the property line along the northwest to the residential driveway to 8 inches where 6 feet is required per Uniform Standard Drawing 222 (an 88.9% reduction).
 - b. Reduce the distance from the property line along the northeast to the residential driveway to 5 feet where 6 feet is required per Uniform Standard Drawing 222 (a 16.7% reduction).
5. Reduce distance from the driveway to the light pole to 9 inches where 6 feet is required per Uniform Standard Drawing 222 (an 87.5% reduction).
6. Allow residential driveway widths up to 40 feet 4 inches where 16 feet is the maximum width allowed per Uniform Standard Drawing 222.1 (a 252.1% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1857 Calle De Reynaldo
- Site Acreage: 0.21
- Project Type: Single family residence
- Number of Stories: 1 (house)/1 (storage)/1 (shed)
- Building Height: 7 feet and 5 inches (storage)/7 feet and 5 inches (shed)
- Square Feet: 2,174 (house)/150 (storage)/80 (shed)

Site Plans

The plans depict an existing single-family residence on a 0.21 acre lot. The primary residence is 2,174 square feet and is facing northeast. The plans depict a new (existing) 150 square foot storage building along the northwest side of the house. It has an 8 inch side interior setback and a 3 foot and 4 inch separation from the house. The plans depict an 80 square foot shed along the east side of the house which has a 4 inch separation from the house when the requirement is 6 feet.

Landscape

The front and side yards of the single-family residence have a total hardscape area of 95% when the maximum allowed is 60%.

Elevations

The plans depict the new (existing) storage building which is 7 feet and 5 inches in height. It is made out of the same stucco material and color of the primary residence. The photos depict that the shed is also 7 feet and 5 inches tall.

Applicant's Justification

The applicant built a new storage building because the existing shed was destroyed. The new storage building was built without a building permit and does not meet the setbacks. Due to the shortage of parking spaces, the applicant paved more hardscape along the front of the property. As a result, the applicant is requesting to waive Public Works Uniform Standard Drawing 222.

Surrounding Land Use

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

Clark County Public Response Office (CCPRO)

CE24-13915 is an active code enforcement violation for building the accessory structure without a permit.

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.

Waivers of Development Standard #1 & #2

Setbacks are intended to promote safety and an aesthetically pleasing neighborhood. The applicant did not provide a justification as to why the side interior setback cannot be met for the storage building. There is plenty of space in the rear yard for the new storage building to placed to meet the setbacks.

Separation distances between structures are essential to ensure safety and mitigate visual clutter. The applicant did not provide justification as to why the storage building and the shed cannot meet the required separation distance of 6 feet from the main residence. Staff does not support these requests.

Waiver of Development Standard #3

The request to increase hardscape cannot be supported because this parcel is in a high heat vulnerability area. This contradicts Policy 3.6.1 of the Master Plan which seeks to mitigate the urban heat island effect by reducing the footprint of hardscaped areas. It is for this reason that staff cannot support the request.

Public Works - Development Review

Waivers of Development Standards #4, #5, & #6

Staff cannot support the increased driveway width, reduced distance from the driveway to the property line, and reduced distance to a light pole for the residential driveway. The enlarged driveway will increase the potential for a collision with the light pole adjacent to the property while vehicles enter and exit the driveway. The decreased distances to the property line increase the potential conflict with other residential driveways adjacent to this site.

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: Paradise - denial.

APPROVALS:

PROTESTS:

APPLICANT: BRENDA MOLINA

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