

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0491-SOCARRAS, DALMARA ARIAS:

USE PERMIT for accessory living quarters.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback; and **2)** increase wall height in conjunction with an existing single-family residence on 0.52 acres in an RS20 (Single-Family Residential 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located south of Eldora Avenue and west of Red Rock Street within Spring Valley.
JJ/nai/kh (For possible action)

RELATED INFORMATION:

APN:

163-12-201-018

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the side interior setback of a proposed accessory living quarters to 3 feet, 3 inches where a minimum of 5 feet is required per Section 30.02.04 (an 82% reduction).
2.
 - a. Increase the height of the front wall to 7 feet, 6 inches within the first 15 feet of the front yard where 3 feet is the maximum per Section 30.04.03.B (a 150% increase).
 - b. Increase the boundary wall height along the north, east, and west property lines to 7 feet, 6 inches where 6 feet is the maximum per Section 30.04.03.B (a 20% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 5964 Turhan Circle
- Site Acreage: 0.52
- Project Type: Accessory living quarters
- Number of Stories: 1 (existing primary residence)/1 (accessory living quarters)
- Building Height (feet): 15 feet, 2 inches (accessory living quarters)
- Square Feet: 3,628 (existing primary residence)/599 (accessory living quarters)

Site Plans

The plans depict an existing single-family residence on a 0.52 acre lot located on the southwest corner of Red Rock Street and Eldora Avenue. The residence is centrally located on the lot with the entrance facing south towards Turhan Circle. The plans depict a proposed accessory living

quarters structure with 2 accessory living units to be placed on the west side of the property with a 3 foot, 3 inch interior side setback, where a minimum of 5 feet is required thus necessitating a waiver of development standards. The use permit is required to allow more than one accessory living quarters on the site.

There is an existing 7 foot, 6 inch high screen wall along the north, east, and west property lines where 6 feet is the maximum allowed and is also subject to a waiver of development standards. Photos and the plans also show that there is an existing wall with an overall height of 7 feet, 6 inches along the south property line within the first 15 feet of the front property line. This wall is approximately 40 feet, 6 inches wide and has a 14 foot wide access gate. This is located on the west side of and behind the garage; therefore, it is not located within the front yard, and a request for a waiver may be accepted. Furthermore, this wall is set back 12 feet from the south property line within the front yard. All existing walls on this property have a decorative finish which includes a beige and dark brown stucco finish.

Elevations

The plans depict a detached accessory living quarters with an overall height of 15 feet and 2 inches from finished grade. The structure will have a wooden frame with stucco finish and the exterior color will match the existing residence. The roof will be a light concrete roof tile to also match the existing residence.

The north elevation depicts the entrance into the accessory living quarters. A double door is in the middle of the façade with a single door also installed on each side. There are total of 4 windows.

The east and west elevations depict the sides of the structure with a stucco finish and a small vent cut out. The south elevation has the same stucco finish with 2 small windows.

Floor Plans

The plans depict 1 structure that will have 2 separate living quarters without interior access from one another. The total square footage of structure is 598.6. Each space will be 206.12 square feet. Each accessory living quarters area will include a sleeping area, bathroom, and small kitchenette. Additionally, there is a small enclosed laundry room located between the 2 units.

Applicant's Justification

The accessory living quarters will be used when relatives are visiting the applicant's home. The setback reduction request is to allow the applicant to build the accessory living quarters close to the entrance gate along the south property line. In addition, reducing the setback to the west property line will allow the applicant to park their boat and RV east of the proposed accessory living quarters. Although there are permits for the existing boundary wall that were approved to be 6 feet high (via BD93-1447), the existing wall height of 7 feet, 6 inches are existing.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0613-10	Reclassified between Cimarron Road and Decatur Boulevard and between Spring Mountain Road and Sahara Avenue within Spring Valley	Approved by BCC	February 2011
SC-0273-97	Street name change for a portion of Eldora Avenue to Eldora Avenue	Approved by BCC	February 1997
SC-1506-94	Change the name of the public right-of-way and street alignment presently known as Redrock Street and Red Rock Street to Red Rock Street	Approved by PC	September 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	RS3.3	Condominiums
South & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residence
East	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Place of Worship

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

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Staff finds that the accessory living quarters building is architecturally compatible with the single-family residence on the property. Staff also finds that the total square footage is less than 20% of the area of the primary dwelling. The proposed use should not negatively impact the surrounding neighborhood; therefore, staff can support this request.

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 Standards #1

Staff finds that the accessory living quarters has a side interior setback of 3 feet, 3 inches where the requirement is a minimum of 5 feet. Since this structure is proposed, the applicant can redesign the accessory living quarters and the area where it will be placed to accommodate the required interior side setback. Staff does not support this request.

Waiver of Development Standards #2

Walls over 3 feet in height, are not allowed within the first 15 feet of the front property line/right-of-way. The intent of establishing a maximum wall height within the front yard is to maintain a consistent standard along the street frontage. However, staff finds the height of the existing wall is inconsistent with the surrounding single-family residences within the cul-de-sac. Per the applicant, the boundary has approved permits via BD93-1447 to allow a 6 foot wall. The boundary wall was increased in height and no longer meets Code. Staff cannot support these requests.

Staff Recommendation

Approval of the use permit; and denial of the waivers of development standards.

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:

- 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.

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: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: DAIMARA ARIAS SOCARRAS

CONTACT: DAIMARA ARIAS SOCARRAS, OWNER BUILDER, 5964 TURHAN CIRCLE,
LAS VEGAS, NV 89146