

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-26-0249-MAHALO REVOCABLE LIVING TRUST ETAL & GATES JEFFREY
BLAINE TRS:**

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase height; and **2)** reduce setbacks for proposed and existing accessory buildings in conjunction with an existing single-family residence on 0.44 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Airport Environs (AE-60) Overlay.

Generally located west of Montessori Street and north of Oquendo Road within Spring Valley.
MN/tpd/cv (For possible action)

RELATED INFORMATION:

APN:

163-34-511-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increased the height to 18 feet for a proposed accessory building (detached garage) where 14 feet is the maximum allowed per Section 30.02.06 (a 29% increase).
2.
 - a. Allow a reduced street side setback of 6 feet for an existing accessory building (gazebo) where 10 feet is required per Section 30.02.06 (a 40% reduction).
 - b. Allow a reduced street setback of 5 feet for a proposed accessory building (detached garage) where 10 feet are required per Section 30.02.06 (a 50% reduction).

LAND USE PLAN:

SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 5880 Flight Wing Street
- Site Acreage: 0.44
- Project Type: Accessory buildings
- Building Height (feet): 18 (detached garage) / 9 (gazebo)
- Square Feet: 1,295 (detached garage) /180 (gazebo)

Site Plan

The plan depicts an existing single-family residence with access provided via Flight Wing Street. The proposed detached garage will be set back 5 feet from the east property line along Montessori Street and 13 feet from the north property line. There is an existing gazebo that is

set back 6 feet from the east property line, with a building separation of 13 feet from the proposed garage.

Landscaping

There is no landscaping proposed with this request.

Elevations

The plan depicts a proposed garage that will be 18 feet in height. It will be constructed of similar materials and colors as the primary residence. The gazebo is 9 feet in height and is made of 6 wooden posts with a pitched wooden roof.

Floor Plans

The plan depicts a proposed garage that will be 1,295 square feet. It will have an open layout to provide more space for storage.

Applicant’s Justification

The applicant states that a 10 foot setback from the east property line is not possible because there is an existing herb box on the parcel. If a setback of 10 feet were followed, there would be no space for a walking path between the herb box and the detached garage. Additionally, the proposed garage must have a height of 18 feet to ensure there is adequate space for storage.

Prior Land Use Requests

Application Number	Request	Action	Date
WT-1138-97	Waiver to extend the time for off-site improvements to an approved single-family residential subdivision	Approved by BCC	August 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2 (AE-60)	Single-family residential
South	Public Use	RS20 (AE-60)	Undeveloped
East	Public Use	RS20 (AE-60)	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

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 intent of establishing minimum setbacks is to maintain consistent development standards along street frontages to prevent massing of buildings, provide adequate buffers between structures, and minimize impacts on neighboring properties. Staff finds that the close proximity of the accessory buildings to the right-of-way creates a negative visual impact to pedestrians travelling on the street. The request to increase height for the proposed garage will have an adverse effect on the surrounding area. The building at the height proposed is incompatible with the surrounding area and the reduced setback makes the inconsistency more noticeable. It is for these findings that staff cannot support the request.

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:

- 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 and application for review; 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 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 of waiver of development standards #2; denial of waiver of development standards #1.

APPROVALS:

PROTESTS:

APPLICANT: JEFFREY BLAINEGATES

CONTACT: JEFFREY GATES, 5880 FLIGHT WING STREET, LAS VEGAS, NV 89113