

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0623-LOPEZ TAMARA JALIUN & LAURENCIO NICOLAS:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to reduce the side street setback of an existing accessory living quarters in conjunction with an existing single-family residence on 0.17 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located on the north side of Rockledge Drive and east side of Rockledge Way within Paradise. JG/nai/kh (For possible action)

RELATED INFORMATION:

APN:

162-23-810-113

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the side street setback of an existing detached accessory living quarters to 5 feet, 3 inches where 10 feet is the minimum required per Section 30.02.06 (a 48% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 1862 Rockledge Drive
- Site Acreage: 0.17
- Project Type: Side street setback reduction for an existing detached accessory living quarters
- Building Height (feet): 13 feet, 2 inches (existing detached accessory living quarters)
- Square Feet: 2,120 (existing residence)/363 (existing detached accessory living quarters)

Site Plan

The plan depicts an existing single-family residence on a 0.17 acre corner lot. The front of the house faces south towards Rockledge Drive which is a private residential street. The existing residence is centrally located on the parcel, and in the rear yard there is an existing pool and an existing detached accessory living quarters on the northwest corner of the subject parcel. The structure is set back 5 feet, 2 inches from the north property line, 7 feet from the primary residence to the south, and 5 feet, 3 inches from the west property line where a 10 foot side street setback is required by Title 30. The applicant constructed the structure without building permits, but subsequently submitted plans for a permit.

Elevations

The plans depict an existing structure that has an overall height of 13 feet, 2 inches. The walls include a stucco finish and will be painted to match the primary residence. The roof of the structure will include cement roof tiles to also match the primary residence. The entry door is located on the south facing elevation and 2 windows are located along the west facing elevation of the structure.

Floor Plans

The plans show an existing 363 square foot accessory living structure with 1 bedroom, 1 bathroom, and a living area. It does not include a kitchen. The existing residence has an overall area of 2,120 square feet.

Applicant's Justification

The applicant constructed a detached accessory living quarters within the rear yard which includes a side street setback of 5 feet from the west property line, where 10 feet is required. The applicant is in the process of completing the building permit for the structure via BD24-29077.

Surrounding Land Use

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

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.

Setbacks and separations help preserve the appeal and integrity of the neighborhood as well as mitigate impacts and possible safety issues. Although the existing accessory living quarters is similar in terms of color, material, and is architecturally compatible with the existing residence, staff typically does not support requests to reduce setbacks unless sufficient mitigating measures are included to minimize the impact on adjacent properties. Staff finds that the encroachment into the required setback is a self-imposed hardship that could have been avoided by constructing the accessory living quarters within the RS5.2 regulations.

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; 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)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS: 5 cards

PROTESTS: 3 cards

PLANNING COMMISSION ACTION: January 7, 2025 – HELD – To 01/21/25 – per the Planning Commission.

APPLICANT: NICOLAS LAURENCIO

CONTACT: NICOLAS LAURENCIO, 1862 ROCKLEDGE DRIVE, LAS VEGAS, NV 89119