

04/07/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0076-LEE, NATHANIEL L & ROSITA MENDEGUARIN:

WAIVER OF DEVELOPMENT STANDARDS to reduce the rear setback for a proposed addition in conjunction with an existing single-family residence on 0.10 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located west of Sterling Creek Street and south of Rock Stream Lane within Enterprise. JJ/tpd/kh (For possible action)

RELATED INFORMATION:

APN:

176-26-812-020

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the rear setback to 10 feet where 15 feet is required per Section 30.02.07 (a 33% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 6311 Rock Stream Lane
- Site Acreage: 0.10
- Project Type: Reduced setback
- Square Feet: 351 (proposed addition)/2,632(existing residence)
- Building Height (feet): 9 (proposed addition)

Site Plan

The plan depicts an existing single-family residence with access provided via Rock Stream Lane to the north. There is an existing patio cover on the south side of the residence that will be modified. A portion of the patio cover will be removed and left open while the remaining portion of the patio cover will be enclosed. This proposed addition requires a 15 foot rear setback where 10 feet is proposed from the south property line, 5 feet from the west property line, and 15 feet from the east property line.

Landscaping

There is no landscaping being proposed or required with this request.

Elevations

The elevation plan depicts a proposed addition that will be 9 feet in height. It will consist of bronze siding with fixed windows on the south, east, and west sides. Swing doors on the east and west sides of the addition will provide access to the newly enclosed addition.

Floor Plans

The floor plan depicts a proposed addition that will be 351 square feet. The addition will have an open floor layout.

Applicant's Justification

The applicant states they would like to construct an attached four seasons patio enclosure in the rear yard. Due to the size of the lot, the minimum rear setback would result in a 7 foot projection for the proposed patio enclosure. This size would not allow for proper storage of the applicant's materials. Furthermore, there is HOA approval and zero neighbor disputes for the proposed development.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0570	Vacation and abandonment of easements - recorded	Approved by PC	September 2019
VS-18-0506	Vacation and abandonment of easements - recorded	Approved by BCC	November 2018
ZC-18-0505	Zone change, waivers of development standards and design reviews for a single-family residential development	Approved by BCC	November 2018
TM-18-500121	Tentative map consisting of 225 single-family residential lots	Approved by BCC	November 2018

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

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)	RS3.3	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

Waiver 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.

Staff finds the request to reduce the rear yard setback is a self-imposed hardship. Clark County records show that the existing single-family residence was constructed 23 feet from the south property line via BD21-02088. The existing patio cover was approved via BD22-53190. Both of which met the required setbacks per Title 30. There is enough room for the applicant to construct an addition and still follows Title 30 standards. An enclosed addition increases the overall bulk of the building, compared to the patio cover. A patio cover allows residents to enjoy their outdoor space. Furthermore, setbacks are intended to promote safety and aesthetically pleasing neighborhoods. Therefore, staff cannot support this 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 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: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: NATHANIAL LEE

CONTACT: JESSICA LANE, PROFICIENT PATIOS, 3310 S. VALLEY VIEW BOULEVARD, LAS VEGAS, NV 89102