

02/06/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0844-ANDRADE LUCAS:

WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks for an addition to an existing single family residence on 0.6 acres in an R-E (Single Family Residential) (RNP-I) Zone.

Generally located on the north side of Helena Avenue, 330 feet west of Durango Drive within Lone Mountain. RM/rp/syp (For possible action)

RELATED INFORMATION:

APN:

138-05-701-019

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the side street setback to 5 feet where a minimum of 15 feet is required per Table 30.40-1 (a 67% reduction).
- b. Reduce the setback to a right-of-way line to 5 feet where a minimum of 10 feet is required per Section 30.56.040(d) (a 10% reduction).

LAND USE PLAN:

LONE MOUNTAIN - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 8460 Helena Avenue
- Site Acreage: 0.6
- Project Type: Setback
- Number of Stories: 1
- Building Height (feet): 17 feet 6 inches
- Square Feet: 1,060 (proposed attached structure with 460 square foot guest quarters and 600 square foot garage)/3,380 (residence)

Site Plan

The plan shows a 3,380 square foot single family residence with a proposed addition on the south side of the house that will include a 460 square foot guest quarters and a 600 square foot garage. The proposed addition is 5 feet from the south property line (Helena Avenue) where a minimum of 15 feet is required per Chapter 30.40, and a minimum 10 feet from a right-of-way line is required per Chapter 30.56.

Landscaping

The front property yard has several palm trees and a medium tree. There is no indication that the same type of landscaping will be added to the site near the portion of yard with the proposed building additions.

Elevations

The plan shows a 17 foot, 6 inch high proposed addition that will match the exterior of the existing residence. No windows are proposed on the south side of the addition, leaving a 45 foot long unarticulated stucco building wall.

Floor Plans

The 600 square foot proposed garage is connected to the existing residence and accessed via an 8 foot by 6 foot roller door and an overhead garage door. The 460 square foot proposed guest quarters is connected to the east side of the proposed garage and accessed via a door from the garage and a side door that leads to the backyard. It consists of an open area and a restroom and west facing windows. There is no interior access between the house and the guest quarters without having to go through the proposed garage.

Signage

Signage is not a part of this request.

Public Response Office (CCPRO)

There are no active Public Response Office cases on the subject property, although a metal carport and storage building were the subject of case CE22-10366, which was resolved by the applicant when they removed the structures in June 2023.

Applicant’s Justification

The applicant is requesting a waiver of development standards to construct a garage and guest quarters. The applicant states that the proposed garage is for the owner’s RV or boat and the proposed guest quarters will be used for visitors. The owner also spoke with the adjoining neighbors that will be directly affected by the construction of the garage and guest quarters, and per the applicant, they have indicated approval for the reduction in setbacks.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0296-01	Reclassified the site from R-U and R-E to R-E (RNP-I) zoning	Approved by BCC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	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.

Staff reviews waiver requests to ensure compatibility with the existing developments in the area. Although the addition is architecturally compatible with the residence, the required setbacks help preserve the appeal and integrity of a neighborhood as well as mitigate visual impacts of structures that are too close to streets. The proposed reductions in setbacks are a self-imposed hardship, and the applicant provided no alternatives to mitigate the negative impacts on the surrounding area. Staff finds that the applicant has not provided justification as to why the waiver of development standards should be approved; 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 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; approval of this application does not constitute or imply approval of any County issued permit, license or approval; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications; including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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 appears to have an existing septic system; and to contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures.

TAB/CAC: Lone Mountain - approval.

APPROVALS:

PROTESTS:

APPLICANT: LUCAS ANDRADE

CONTACT: LUCAS ANDRADE, 8460 HELENA AVE, LAS VEGAS, NV 89129