

SETBACKS
(TITLE 30)

FIRETHORN LN/BUCKBOARD LN

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-22-400064 (WS-18-0613)-HERRERA ALICIA:

WAIVER OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME to reduce the side setback for a partially constructed room addition in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Firethorn Lane and 90 feet north of Buckboard Lane within Paradise. MN/hw/syp (For possible action)

RELATED INFORMATION:

APN:

177-11-712-055

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the side yard setback for an attached room addition to 6 feet 6 inches where 10 feet is required per Table 30.40-1 (a 35% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE – RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 7812 Firethorn Lane
- Site Acreage: 0.5
- Project Type: Reduce side setback for a room addition
- Number of Stories: 1
- Building Height (feet): 12
- Square Feet: 430

History & Request

The initial staff report prepared for the original application in 2018 included a second waiver for reduced roof pitch for the room addition. This is no longer a Code requirement and is not needed with this request nor was it included in the previous extension of time ET-21-400043 (WS-18-0613).

Site Plans

The original plans depicted a partially constructed attached room addition on the north side of the existing single family residence. The residence was shown centrally located on the site and the front of the house facing west toward Firethorn Lane. An existing block wall was shown located along the side property line of the parcel which separates the subject property from another single family residence. The addition was shown set back 6 feet 6 inches from the north property line and approximately 50 feet from Firethorn Lane.

Landscaping

The previously approved plans show existing mature landscaping throughout the site that includes trees, shrubs, and groundcover.

Elevations

The plans that were previously approved show a 12 foot high room addition being added on the north side of the existing residence. The addition will have similar exterior materials, which includes asphalt shingles, decorative molding, and stucco finish to match the existing residence.

Floor Plans

The plans show an addition of 430 square feet. The rooms consist of a new bathroom, closet, and laundry room.

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400043 (WS-18-0613):

Current Planning

- Until May 4, 2022 to complete the building permit and inspection process.
- Applicant is advised that the County is currently rewriting Title 30 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; and that 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.

Listed below are the approved conditions for WS-18-0613:

Current Planning

- Applicant is advised that 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; and that this application must commence within 2 years of approval date or it will expire.

Applicant's Justification

The applicant has indicated that they have submitted building permits, but it has taken them some time to continue with the building permit process due to setbacks related to the COVID-19 pandemic and the number of corrections requested for the submitted building plans. The applicant has also indicated that an extension of 18 month to 24 months would provide sufficient time to arrange for new building plans, make the necessary corrections, and complete the rest of the building permit process. This should be the last extension of time requested.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400043 (WS-18-0613)	First extension of time to reduce side setback for a partially constructed room addition	Approved by PC	May 2021
WS-18-0613	Reduced side setback for a partially constructed room addition	Approved by PC	October 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	City of Henderson	RS-6	Single family residential

Clark County Public Response Office (CCPRO)

CE-20-11315 and CE-21-25443 are active violations on this property regarding building without permits.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Given that the applicant has submitted for building permits for the subject project (BD21-31464) and appear to be attempting to complete the building permit process, staff can support this extension of time. In addition, staff can also support the additional two years based on where the applicant is within the building permit process. However, based on the length of time that has passed since the original application was approved, and the time that is being given for this extension, staff will not support an additional extension of time.

Staff Recommendation

Approval.

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:**Current Planning**

- Until May 4, 2024 to complete the building permit and inspection process.
- Applicant is advised that the County is currently rewriting Title 30 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; and that 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.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

TAB/CAC:**APPROVALS:****PROTEST:****APPLICANT:** ALICIA ALVARADO**CONTACT:** ALICIA ALVARADO, OWNER BUILDER, 7812 FIRETHORN LANE, LAS VEGAS, NV 89123