

SEPARATION  
(TITLE 30)

PEARL ST/CASEY DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-22-0340-MOSHTAGHI SHAHROKH:**

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the required separation between the principal dwelling and an accessory structure on 0.3 acres in an R-1 (Single Family Residential) Zone.

Generally located on the east side of Pearl Street, approximately 75 feet north of Casey Drive within Paradise. JG/jvm/syp (For possible action)

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RELATED INFORMATION:

**APN:**  
161-30-202-006

**WAIVER OF DEVELOPMENT STANDARDS:**  
Reduce the separation between the principal structure and an accessory structure to 5 feet where 6 feet is the minimum allowed per Table 30.40-2 (a 17% reduction).

**LAND USE PLAN:**  
WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**  
**Project Description**

General Summary

- Site Address: 5170 Pearl Street
- Site Acreage: 0.3
- Project Type: Separation for accessory structures
- Number of Stories: 1
- Building Height (feet): 10 (accessory structure)
- Square Feet: 638

Site Plan

The plan depicts a 0.3 acre parcel with a single family home centrally located on the western portion of the lot. An accessory apartment is located to the south of the principal dwelling and a storage building is located to the east of the house. Access to the parcel is provided by a driveway from Pearl Street.

Landscaping

There is mature landscaping in both the front and rear yards.

Elevations

The accessory apartment is constructed with painted stucco and is a maximum of 10 feet high. The roof has a slight slope of 2 feet from front to rear.

Floor Plans

The accessory apartment is a total of 638 square feet and includes 1 bedroom and 1 bathroom.

Applicant’s Justification

The applicant states that he would like to keep both structures and is willing to go through the permitting process.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0133-84	Reclassified from an R-E to an R-1 zoning	Approved by BCC	August 1984

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential

**Clark County Public Response Office (CCPRO)**

CE-21-19957 is an active violation for building without a permit.

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Staff finds that the reduction in the separation from the main house to the accessory apartment is minimal and will not negatively affect the property or the surrounding residential properties. The reduction will not be discernible from neighboring lots or rights-of-way as the reduction is internal to the site; therefore, staff can support this request.

**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**

- 1 year to complete the building permit and inspection process;
- Paint the accessory structure to match the residence.
- 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**

- Applicant is advised that there is a 10 foot wide private drainage easement on the rear property line; and that they need to consult a drainage engineer to determine if anything can be done that would allow a structure in that easement.

**Fire Prevention Bureau**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Paradise - approval (2 years to complete).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SHANROKH MOSHTAGHI

**CONTACT:** SHANROKH MOSHTAGHI, 5170 S PEARL ST, LAS VEGAS, NV 89120