

11/15/22 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

BISHOPS CAP ST/DWARF CHIN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0531-AMH NV6 DEVELOPMENT, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks for an existing single family residential development on 1.1 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east side of Bishops Cap Street and south side of Dwarf Chin Avenue within Enterprise. JJ/gc/syp (For possible action)

RELATED INFORMATION:

APN:

176-29-816-001 through 176-29-816-010

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the rear setback to 11 feet where 15 feet is required per Table 30.40-2 (a 26.7% reduction).
- b. Reduce the side street (corner) setback to 4 feet where 10 feet is required per Table 30.40-2 (a 60% reduction).

LAND USE PLAN:

ENTERPRISE - OPEN LANDS

BACKGROUND:

Project Description

General Summary

- Site Address: 10318, 10326, 10334, 10342, 10350, 10358, 10366, 10374, 10382, and 10390 Bishops Cap Street
- Site Acreage: 1.1
- Project Type: Single family residential
- Number of Stories: 1
- Building Height (feet): Up to 20
- Square Feet: 1,759

Site Plans

The plans show 10 lots along the eastern boundary of an existing single family residential subdivision. The applicant is requesting to reduce the rear setback for those lots to 11 feet where 15 feet is required. Furthermore, the applicant is requesting to reduce the side street (corner) setback for the northernmost lot of the 10 lots to 4.9 feet where 10 feet is required.

Landscaping

No landscaping is required or shown on the plans.

Elevations

The plans depict an up to 20 foot high, single story model with 4 different elevation types. Building materials consist of stucco, stone veneer, decorative trim, and tile roofing.

Floor Plans

The plans show a 1,759 square foot single family home with 3 bedrooms and 2 baths. A covered patio is shown on the rear corner of the house, which does not extend beyond the remainder of the façade.

Applicant's Justification

The applicant states that during a neighborhood meeting while the subdivision was being approved, the developer's representative agreed to place single story homes along the east boundary of the subdivision. In order for the single story home to be comparable in size with the rest of the subdivision, a larger footprint is needed. The applicant states that the reduction in rear setback is mitigated since the reduction in rear setback is not for the entire rear elevation since the patio cover is inset within the façade. Furthermore, the reduction in side street (corner) setback is only along a stub street with 2 homes facing the subject site.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-19-1009	Reclassified the site from R-E to R-2 zoning and included waivers for increased wall height and reduced street intersection off-set, and design reviews for a single family residential development and increased finished grade	Approved by BCC	June 2020
TM-19-500269	253 single family residential lots	Approved by BCC	June 2020
VS-20-0035	Vacated and abandoned BLM right-of-way grants	Approved by BCC	June 2020

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Open Lands	R-2	Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

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

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 this request is a self-imposed hardship since the setback reduction is only necessary due to the design and size of the proposed home model. The applicant has not provided any information to show unique issues on the lots such as easements or topographic features that would justify the setback reduction. The home model as designed is too large to fit on the lots within code requirements. Furthermore, the applicant has not proposed any mitigation for the reduced setbacks. Although the applicant states the patio cover insets provide relief, the majority of the rear elevation still intrudes into the rear setback. 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:

Current Planning

If approved:

- 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; 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.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS:

APPLICANT: AMH NV6 DEVELOPMENT, LLC

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