

01/17/23 PC AGENDA SHEET

ACCESSORY STRUCTURES
(TITLE 30)

LAMB BLVD/HACIENDA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0640-BOYLE, DOUGLAS JOHN & BOROS, MONIKA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce the side setback; and **2)** allow an addition not architecturally compatible to an existing single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located 370 feet west of Lamb Boulevard on the south side of Pequeno Avenue and on the north side of Hacienda Avenue within Paradise. JG/bb/syp (For possible action)

RELATED INFORMATION:

APN:

161-30-611-102

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the side yard setback for a building addition (carport) to zero feet where a minimum of 5 feet is required per Table 30.40-1 (a 100% reduction).
2. Allow a building addition (carport) not architecturally compatible to the existing residence where required per Table 30.56-2A.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 4135 Pequeno Avenue
- Site Acreage: 0.2
- Project Type: Carport
- Number of Stories: 1
- Building Height (feet): 12
- Square Feet: 275

Site Plan

The plan depicts an existing 2 story home with concrete tile (modified hip) roof and a 3 car concrete driveway. The existing driveway has space for at least 3 vehicles and another 2

vehicles in the garage. The proposed carport is attached to the existing garage on the east side of the residence and will add 1 additional covered space to the property. The leading edge of the roof is 1 inch from the side (east) property line and the wall of the carport is 14 inches from the side property line. A gutter will be installed to keep water from flowing onto the neighbor's property. An existing concrete block wall is located approximately on the east property line. The concrete driveway extends back along the east side of the house.

Landscaping

The property has residential landscaping in the front yard, including sod, rock, and shrubs. There are no trees in the front yard. Existing concrete will be removed from the northeast corner of the driveway at the property line to meet Public Works requirements for separation of the driveway from the property line.

Elevations

The plans depict a 12 foot high pitched roof addition attached to the existing home and attached garage as a carport. The north facing façade will be finished with stucco and painted to match the house. The roof materials will be asphalt shingles and will not match the existing concrete tile roof of the home.

Floor Plans

The plans depict a proposed 21 foot by 13 foot carport, attached to the northeast corner of the existing home and attached garage. The carport will be flush with the front of the existing garage and be open on the north and south ends.

Applicant's Justification

The applicant began construction of an unfinished attached carport in 2020 and was cited for work without a permit, and is now seeking approval of the addition with waiver requests for a side setback reduction and architectural compatibility. The owner stated they paid the fee for this application and will stucco and paint the exterior, correct the driveway concrete, and add landscaping. The owner of the property to the east has provided a written approval of the proposed carport design and location.

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|---------------------|---|------------------------|---------------------------|
| North, East, & West | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-1 | Single family residential |
| South | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-2 | Single family residential |

Clark County Public Response Office (CCPRO)

CE21-19323 is an active violation on this site 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

Waivers of Development Standards

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.

Waiver of Development Standards #1

While the applicant is providing a gutter along the roof of the carport to prevent water crossing the property line, there is no mitigation to the 12 foot solid wall along the eastern property line. The granting of the requested setback waiver to zero feet is not in harmony with the general purpose of Title 30.

Waiver of Development Standards #2

The stucco elevations of the carport are compatible with the existing residence and within the surrounding neighborhood. However, the roof material does not match the residence and neighborhood. Staff could support the request if the shingles were a compatible color to the tile roof, rather than a grey or black shingle.

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:

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing;
- Asphalt shingles shall be a similar color to the roof on the existing residence;
- Plant 1 large tree in the front yard;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTESTS:

APPLICANT: MONIKA BOROS

CONTACT: MONIKA BOROS, 4135 PEQUENO AVENUE, LAS VEGAS, NV 89120