

04/18/23 PC AGENDA SHEET

SETBACKS  
(TITLE 30)

PALMA VISTA CIR/PALMA VISTA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0091-CONSTANZA, VILMA & JOAQUIN:**

**WAIVER OF DEVELOPMENT STANDARDS** for reduced setbacks in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the southeast side of Palma Vista Circle, 150 feet south of Palma Vista Avenue within Winchester. TS/jud/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-11-710-069

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the rear setback to 11 feet where 20 feet is required per Table 30.40-2 (a 55% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2972 Palma Vista Circle
- Site Acreage: 0.2
- Project Type: Setback
- Number of Stories:1
- Building Height (feet): 12
- Square Feet: 1,568

Site Plans

The plans show an existing 1,568 square foot single family residence with an unpermitted 407 square foot attached bedroom addition in the rear of the residence. The unpermitted addition was built within the rear setback, 11 feet from the rear property line where 20 feet is the minimum. On the south side of this unpermitted addition is a patio cover, which meets the required 3 foot rear setback for a patio cover.

### Landscaping

No changes are proposed to the existing landscaping.

### Elevations

The plans show a 12 foot high single family residence with horizontal vinyl siding, wood and stucco as well as a pitched asphalt shingle roof. The building is painted in 2 tones, light blue and white trim. The unpermitted addition matches the house in colors, materials, and style and is 12 feet in height. Additionally, the patio is 6.5 feet high and consists of a shingled roof and wooden frame for support.

### Floor Plan

The unpermitted bedroom addition consists of a single bedroom accessible from the main house. It is habitable space with a closet and egress windows.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant is attempting to correct the situation of building without building permits by obtaining a waiver of development standards to reduce the rear setback. The applicant states there is no impact to the neighbors at the rear since the neighbor's home sits at a lower level, with the low visibility of structure, from their side. Additionally, there are trees for sight coverage as well.

### **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

### **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Comprehensive 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.

The bedroom addition as well as the patio cover are architecturally compatible with the principal building. The materials, colors and design style fully match the existing house. Although the grade differential is minimal and with the large vegetation on the neighbor's rear yard, the building addition and patio cover should not negatively impact the neighborhood. Furthermore, if

this addition/patio cover were constructed as accessory structures, they would have met the rear setback requirements and would not require a land use approval to obtain building permits. Therefore, staff can recommend approval.

**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:**

**Comprehensive Planning**

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing.
- 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:** Winchester - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** VILMA CONSTANZA

**CONTACT:** VICTOR BECERRA, 2972 PALMA VISTA CIRCLE, LAS VEGAS, NV 89169