

12/05/23 PC AGENDA SHEET

REDUCE SETBACK
(TITLE 30)

FORD AVE/MILLER LN

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-23-400124 (WS-22-0342)-JM LEASING, LLC:

WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for setbacks in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the south side of Ford Avenue, 288 feet west of Miller Lane within Enterprise. JJ/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

176-16-812-005

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the interior side setback for a principal structure (attached garage) to 5 feet where 10 feet is required per Table 30.40-1 (a 70% reduction).

LAND USE PLAN:

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 7935 W. Ford Avenue
- Site Acreage: 0.6
- Project Type: Reduce side setback
- Number of Stories: 1 (residence)/1 (attached garage)
- Building Height (feet): 17 (residence)/13 (attached garage)
- Square Feet: 3,057(residence)/396 (casita)/362 (attached garage)

Site Plans

The approved plans depict an existing 3,057 square foot single family residence with casita constructed in 2017. The residence is set back over 150 feet from Ford Avenue, 10 feet from the west property line, over 60 feet from the south property line, and the attached garage addition is set back 5 feet from the east property line.

Landscaping

There are no proposed changes to the existing landscaping.

Elevations

The approved plans depict a 13 foot high attached garage addition located on the east elevation of the existing residence. Roll-up entry doors are located on the north and south elevations with the exterior of the addition constructed to match the exterior materials and colors of the existing residence.

Floor Plans

The approved plans depict a 329 square foot open space for a garage addition with interior access to the residence.

Previous Conditions of Approval

Listed below are the approved conditions for WS-22-0342:

Current Planning

- 1 year to complete the building permit and inspection process;
- Limited to a 5 foot setback reduction;
- Attached garage may not be converted to habitable space, due to the existing casita at the front of 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 the grading plans approved under PW14-36196 show a 5-foot-wide private drainage easement with a valley gutter along the southern and eastern property lines; and that the applicant must provide plans to Public Works - Development Review that show positive drainage through the site and calculations that demonstrate finished floor meet freeboard criteria.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant was not able to complete the building permit process within 1 year as conditioned in the previously approved Notice of Final Action (WS-22-0342). The applicant was not able to focus on the permit process due to personal issues. Also, the price of construction materials reached a level that was not financially feasible during that time. They also say that the plans will change because of the approved setbacks in the original application. An extension has been requested for the permit with the Building Department and now the applicant is also requesting a 6 month extension for their previously approved application (WS-22-0342).

Prior Land Use Requests

Application Number	Request	Action	Date
WS-22-0342	Waiver for reduced setbacks in conjunction with a single family residence	Approved by PC	August 2022
TM-0065-14	6 lot single family residential subdivision	Approved by PC	May 2014
ZC-1026-05	County initiated zone change to establish R-E (RNP-I) zoning for 3,800 parcels within the Enterprise Planning Area including this parcel	Approved by BCC	October 2005

Surrounding Land Use

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

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

Clark County Public Response Office (CCPRO)

CE-21-12643 is an active enforcement case for construction without building permits. Plans were submitted to the Building Department in October 2021 (BD21-51250) and are in review and pending the outcome of this request.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive 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.

Staff believes that the applicant has taken steps to complete the building permit process as conditioned in the approved Notice of Final Action (WS-22-0342). A building permit (BD22-50380) has been issued to the applicant for the structure subject to this request. However, this building permit has not been finalized with an inspection and the approved application requires an extension of time to complete the building permit process.

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**

- 6 months to complete the building permit and inspection process;
- Attached garage may not be converted to habitable space, due to the existing casita at the front of the residence.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:**APPROVALS:****PROTEST:****APPLICANT:** MATTHEW PANKOW**CONTACT:** LASZLO HERCZEG, 10705 SILVER PYRAMID CT., LAS VEGAS, NV 89144