08/05/26 BCC AGENDA SHEET **UPDATE**

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-25-0834-A & J RENTALS, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** reduce lot area; and **3)** increase retaining wall height.
DESIGN REVIEW for a proposed single-family subdivision on 1.62 acres in an RS10 (Residential Single-Family) Zone.

Generally located west of Fogg Street and south of Bonanza Road within Sunrise Manor. TS/sd/cv (For possible action)

RELATED INFORMATION:

APN:
140-34-103-004

WAIVERS OF DEVELOPMENT STANDARDS:
1. Reduce the interior side setback for Lot 1 through Lot 6 to 5 feet where 10 feet is the minimum required per Section 30.02.05B (a 50% reduction).
2. Reduce the net lot size for Lots 3, 4, and 5 to a minimum of 7,674 square feet where 9,000 square feet is the minimum per 30.02.05B (a 15% reduction).
3. Increase the retaining wall height up to 11 feet where a maximum of 3 feet is allowed per Section 30.04.03C (a 267% increase).

LAND USE PLAN:
SUNRISE MANOR - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:
Project Description
General Summary
- Site Address: N/A
- Site Acreage: 1.62
- Project Type: Single-family residential
- Number of Lots: 6
- Density (du/ac): 3.7
- Minimum/Maximum Lot Size (square feet): 7,673/9,719 (net)/ 10,979/11,708 (gross)
- Number of Stories: 2
- Building Height (feet): 32
- Square Feet: 2,950 to 4,286 (proposed residences)

Site Plans

The plans depict a proposed 6 lot single-family residential subdivision with access from Fogg Street. The proposed private street is oriented east to west and terminates with a hammerhead cul-de-sac on the west side of the subdivision. All 6 lots will face toward the private street. Detached sidewalks are provided along the east property line adjacent to Fogg Street. Lastly, there is a 10 foot wide drainage easement along the west and north property lines.

This application includes waivers of development standards to reduce the interior side yard setback to 5 feet where 10 feet is required. In addition, a waiver is also requested to reduce the minimum net lot size for Lots 3, 4, and 5 to 7,674 square feet where a minimum of 9,000 square feet is required. Each of the proposed lots meet and/or exceeds the gross lot area of 10,000 square feet, however, Lots 3, 4, 5 do not meet the minimum required net lot size of 9,000 square feet.

Furthermore, the applicant is requesting a waiver to allow for an increase in the retaining wall height to 11 feet. This height is the maximum proposed along the southwest corner a portion of the west property line.

Landscaping

The plans depict street landscaping along Fogg Street with trees spaced 20 feet on center with a detached sidewalk. The landscape plan shows that 8 Desert Willow trees will be planted along Fogg Street. Lastly, sight zones are shown on the landscape plan within the 5 foot wide landscape strip behind the back of curb back of curb, which restricts where required trees can be planted.

Elevations

The plans depict 2 story homes up to 32 feet in height. The architectural features include stucco pop outs, varied roof line, covered entry and overhangs and recessed windows with overhangs and a balcony. The exterior materials include a color scheme with dark grey, black, white, cream, and light grey with a stucco finish.

Floor Plans

The plans depict 2 floor plans that will range from in size from 2,950 square feet to 4,286 square feet. Each home will be 2 stories with the first floor depicting a 2 car garage, bedroom, dining room, pantry, kitchen and living room, office and entry way. The second floor depicts bedrooms, bathrooms, and a loft.

Applicant's Justification

The applicant states the requested waiver for net lot size area reduction is necessary due to the 10 foot public drainage easement that encumbers a portion of these lots. All lots within the subdivision meet the required gross lot area. The reduction to side yard setbacks from 10 feet to 5 feet is needed for the overall design of the subdivision and that each home will achieve a better lot fit. The requested increase in the retaining wall height is needed due to the property elevation. This increase is necessary to gravity feed the sewer to Fogg Street.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-25-400135 (WS-24-0547)	Second extension of time to allow an accessory structure (Connex box) prior to a principal use, non-decorative fence, and increased fence height	Approved by PC	February 2026
ET-25-400069 (WS-24-0547)	First extension of time to allow an accessory structure (Connex box) prior to a principal use, non-decorative fence, and increased fence height	Approved by PC	August 2025
WS-24-0547	Allow an accessory structure (Connex box) prior to a principal use, non-decorative fence, and increased fence height	Approved by PC	December 2024
WS-20-0373	Allow a single-family residential development to access a collector street, modified driveway standards, and increased finished grade - expired	Approved by BCC	October 2020

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20	Single-family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

Related Applications

Application Number	Request
ZC-25-0833	A zone change from RS20 to RS10 is a companion item on this agenda.
VS-25-0835	Vacation and abandonment of right-of-way is a companion item on this agenda.
TM-25-500200	A tentative map for a 6 Lot residential subdivisions is a companion item on this agenda.

STANDARDS FOR APPROVAL:
The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis
Comprehensive Planning
Waivers of Development Standards
The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the

proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

Staff typically does not support requests to reduce setbacks unless sufficient mitigating measures are included to minimize the impact on adjacent properties. Staff finds that the applicant has not provided such mitigation, and the encroachment into the required side yard setbacks is a self-imposed hardship that can be avoided by redesigning the homes and reconfiguring the placements of the model homes on the lot to meet the required 10 foot setback; therefore, staff cannot support this request.

Waiver of Development Standards #2

The applicant is requesting a reduction to the net lot size to a minimum of 7,674 square feet net where 9,000 square feet is the minimum net lot size for the RS10 zone. Code allows a 10% reduction to this minimum lot area when the lots are along a collector or arterial street, which includes Fogg Street and applies to Lot 6 only. However, staff cannot support the requested reduction in the net lot size for Lots 3, 4, and 5 as they are a self-imposed hardship and the overall subdivision can be redesigned to accommodate the required net lot size. Staff cannot support the request.

Waiver of Development Standards #3

The purpose of reviewing increased retaining wall height is to assure that there are no negative impacts on the surrounding properties. Staff finds that the proposed retaining walls are the result of necessary modifications to the site due to the drainage needs of the proposed subdivision. However, staff finds the subdivision could be redesigned to reduce the height of the retaining walls. For these reasons, staff cannot support this request.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The plans depict a 6 lot single-family subdivision with a private street that will end with a hammerhead design. The proposed homes meet the design standards from Title 30 with each home having a parapet walls, variable roof line, recessed windows and covered entry. However, the applicant has not provided a justification for the use of a hammerhead cul-de-sac. Staff is not in support of the requested waivers of development standards for this project and thus cannot support the proposed design review.

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:

Comprehensive Planning
If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0393-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - denial.
APPROVALS: 4
PROTESTS: 24

COUNTY COMMISSION ACTION: March 18, 2026 – HELD – To 05/20/26 – per the applicant.

COUNTY COMMISSION ACTION: May 20, 2026 – HELD – To 08/05/26 – per the applicant.

APPLICANT: PHILIP WAKEFIELD
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