10/07/26 BCC AGENDA SHEET **UPDATE**

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-26-0354-MONTEAGUDO, MAIKER:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following **1)** eliminate and reduce setbacks; **2)** increase hardscape area; and **3)** allow modified driveway geometrics.
DESIGN REVIEW for an addition in conjunction with an existing single-family residence on 0.22 acres in an RS5.2 (Residential Single-Family 5.2) Zone within the Historic Designation (HDO) Overlay.

Generally located north of Sombrero Drive and east of Gaucho Drive within Winchester. TS/rp/cv (For possible action)

RELATED INFORMATION:

APN:
162-11-810-093

WAIVERS OF DEVELOPMENT STANDARDS:
1. a. Reduce the rear setback for an addition to 2 feet where 20 feet is required per Section 30.02.06 (a 90% reduction).
   b. Reduce the side setback for an addition to 1 feet where 5 feet is required per Section 30.02.06 (an 80% reduction).
   c. Eliminate the rear setback for a shed where 5 feet is required per Section 30.02.06.
   d. Eliminate the side street setback for a shed where 10 feet is required per Section 30.02.06.
2. Increase the hardscape area within the front and side yards to 80% where 60% is the maximum allowed per Section 30.04.01.D (a 33% increase).
3. Eliminate the separation between a residential driveway and the property line where 6 feet is required per Uniform Standard Drawing 222.

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

BACKGROUND:
Project Description
General Summary
- Site Address: 3234 Gaucho Drive
- Site Acreage: 0.22
- Project Type: Setback

- Building Height (feet): 11 (addition & shed)
- Square Feet: 2,260 (existing house)/380 (existing garage)/735 (addition)/112 (shed)

Site Plan
The plan depicts an existing single-family residence with driveway access from Gaucho Drive. An addition is shown at the northeast corner of the house, set back 2 feet from the east property line and 1 foot 8 inches from the north property line. The applicant is proposing an addition exceeding 10 percent of the existing building area within the Historic Designation (HDO) Overlay, which requires a design review per Section 30.06.05B. Additionally, a shed is located at the southeast corner of the property set back zero feet from the rear and side street property lines. An additional waiver is required for the separation between a residential driveway and the property line where 6 feet is required per Uniform Standard Drawing 222.

Landscaping
The entirety of the southern side yard and portions of the front yard are concrete. Part of the northern portion of the front yard does include some landscaping, however, there is more 60% hardscape across the front and side yards.

Elevations
The plan depicts an addition that is 10 feet 3 inches constructed of stucco to match the primary dwelling. The shed is 10 feet 7 inches, constructed of siding wood and composite shingle roof.

Floor Plans
The plan depicts the addition of 735 square feet which will be used as a pool house and a 112 square foot shed with an open floor plan.

Applicant's Justification
The applicant states they are requesting approval to keep the existing rear addition and shed, which encroach into required rear, side, and side street setbacks. The applicant also is requesting a waiver to keep the existing driveway location, which does not meet the 6 foot requirement.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-22-0098	A zone change to establish a Historic Designation Overlay	Approved by BCC	April 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2 (HDO)	Single-family residential

Clark County Public Response Office (CCPRO)
CE26-01128 is an active violation for building without permits.

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.

Waivers of Development Standards #1 & #2
Setbacks are intended to promote safety and aesthetically pleasing neighborhoods. The requests are a self-imposed hardship, and the applicant has not provided a clear justification for the requests. Staff finds that the existing unpermitted addition is too large for the parcel. The addition and the shed at their proposed location and setbacks may negatively impact the adjacent properties. Hardscape within the front and side yards exceeding the allowed 60% will increase the heat island effect and storm water run-off by reducing the amount of impervious surfaces. Therefore, staff cannot support these requests.

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 applicant is proposing an addition exceeding 10 percent of the existing building area within the Historic Designation (HDO) Overlay, which requires a design review per Section 30.06.05B. The request includes multiple setback waivers to retain an existing rear addition and shed that significantly encroach into the required rear, side, and side street setbacks. Since staff does not support the requested waivers, staff cannot support the associated design review.

Public Works - Development Review
Waiver of Development Standards #3
Staff cannot support the request to eliminate the driveway separation from the property line, as the reduction would decrease sight visibility and increase potential conflicts between vehicles and pedestrians.

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:

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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

- Applicant shall close the gate entrance located closest to the Gaucho Drive and Sombrero Drive intersection.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Winchester - approval.
APPROVALS: 14
PROTESTS: 11

COUNTY COMMISSION ACTION: September 16, 2026 – HELD – To 10/07/26 – per Commissioner Segerblom.

APPLICANT: MIKER MONTEAGUDO
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