10/07/26 BCC AGENDA SHEET

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-26-0530-BILINSKI, THOMAS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** setbacks; and **2)** allow a proposed accessory structure (garage) prior to the principal use (residence) on 0.84 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located east of Revere Street and north of Exchange Avenue within Goodsprings. JJ/bb/kh (For possible action)

RELATED INFORMATION:

APN:
202-26-610-023

WAIVERS OF DEVELOPMENT STANDARDS:
1. a. Reduce the side street setback of an existing detached accessory storage building to 10 feet where 15 feet is required per Section 30.02.04 (a 33.3% reduction).
   b. Reduce the front setback of a single-family residential home to 35 feet where 40 feet is required per Section 30.02.04 (a 12.5% reduction).
2. Allow a proposed accessory structure (garage) prior to the principal use (residence) where not allowed per Section 30.03.01D.

LAND USE PLAN:
SOUTH COUNTY (GOODSPRINGS) - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:
Project Description
General Summary
- Site Address: 220 Revere Street
- Site Acreage: 0.84
- Project Type: Accessory structure (garage)
- Number of Stories: 1
- Building Height (feet): Container home 22/garage 24
- Square Feet: 2,688

Site Plan
The proposed plans depict an accessory structure (garage) being constructed prior to the principal use (residence). The garage is centrally located on the site surrounded with a single-family pad site located at the southwest corner of the property. The site has access to Revere Street to the west.

Landscaping
A 6 foot street landscaping strip is required on RS5.2 zoned lots and not required on RS20 zoned lots within the non-urban area which includes Goodsprings. The applicant is requesting a companion zone change from RS5.2 to RS20.

Elevations
The plans show a 24 foot high metal garage building with a pitched roof. A 12 foot high door is located on the south side of the building. A modified container structure is being reviewed as part of building permit BD23-14433 for construction as a single-family home with a maximum height of 22 feet.

Floor Plans
The plans depict a 2,688 square foot building consisting of three, 8 foot by 40 foot, storage containers connected in a "U" shape pattern and covered by a common roof.

Applicant's Justification
The applicant indicates that he has been making progress towards the construction of the garage with the approval of a building permit (BD20-48491) on December 1, 2021, and the placing of footings for the garage, and that progress toward the construction of a house is evidenced by the digging of a well on the property and BD23-14433 that is in plan check.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400066 (UC-18-0124)	Second extension of time for a use permit for an accessory structure prior to the principal use - expired	Approved by PC	June 2022
ET-20-400050 (UC-18-0124)	First extension of time for a use permit for an accessory structure prior to the principal use	Approved by PC	July 2020
UC-18-0124	Accessory structure prior to residential single-family home with height waiver	Approved by PC	April 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS5.2	Single-family residential & undeveloped

Related Applications

Application Number	Request
ZC-26-0529	A zone change from RS5.2 to RS20 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.

Waivers of Development Standard #1

The front and side setbacks of the identified pad site for home construction met the R-T setbacks in 2023. The current zone is RS5.2 where the setbacks would meet current standards. The proposed RS20 zone standards require both setback waivers for the new home construction. The front setback of 35 feet and street side setback of 10 feet were compatible with future development of the surrounding area if the property continued to be zoned RS5.2, however, the setbacks for RS20 could be met within the space available on this property with an adjustment of the home footprint. Staff cannot support the waiver requests.

Waiver of Development Standard #2

The applicant obtained a permit for the garage (BD20-48491), including extensions and made progress on completing the structure. The applicant plans to make improvements to the property for a principal dwelling and submitted building permit BD23-14433 that is currently being reviewed. Staff is concerned with the length of time this project has taken without much progress. The applicant needs to obtain an active building permit for the principal residential home prior to the final approval of the accessory structure and meet the RS20 setback standards. Having active building permits for both buildings will allow the applicant to finish the home in the designated amount of time while completing the accessory building. Staff cannot support the waiver request.

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:

- Obtain a building permit for the single-family residential home prior to certificate of occupancy for the accessory garage.
- Applicant is advised within 2 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 and application for review; 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

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available within the proposed development and none are planned within the next 5 years.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: THOMAS BILINSKI
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