10/06/26 PC AGENDA SHEET

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-26-0534-ARTEAGA ORLANDO GONZALEZ:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** reduce building separations for existing accessory living quarters in conjunction with an existing single-family residence on 0.18 acres in an RS5.2 (Residential Single-Family) Zone.

Generally located south of Spanish Armada Road and west of Mission Bells Way within Paradise. MN/ji/kh (For possible action)

RELATED INFORMATION:

APN:
177-11-113-009

WAIVERS OF DEVELOPMENT STANDARDS:
1. a. Reduce the rear setback for an existing accessory living quarters to 3 feet where 5 feet is required per Section 30.02.06 (a 40% reduction).
   b. Reduce the interior side setback for an existing accessory living quarters to 1 foot where 5 feet is required per Section 30.02.06 (an 80% reduction).
2. Reduce the building separation distance between an existing accessory living quarters to 4 feet where 6 feet is required per Section 30.02.06 (a 33% reduction).

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

BACKGROUND:
Project Description
General Summary
- Site Address: 1225 Spanish Armada Road
- Site Acreage: 0.18
- Project Type: Single-family residence
- Number of Stories: 1
- Building Height (feet): 9 feet, 10 inches (accessory living quarters)
- Square Feet: 334 (accessory living quarters)

Site Plan
The plan depicts an existing single-family residence centrally located on the parcel with an attached accessory living quarter on the southwest corner of the existing residence. However, the proposed plans depict that the existing accessory living quarters will be remodeled so that there will be a building separation of a minimum of 4 feet. In addition, the existing structure was

constructed with a 1 foot, 11 inch interior side setback along the west property line and a 3 foot, 6 inch rear setback along the south property line. Since the accessory living quarters does not meet the required setback or building separation distance per Title 30, waivers of development standards are required.

Landscaping
No changes are proposed to the existing landscaping.

Elevations
The plans and photos depict an accessory living quarters that feature stucco exterior walls and tile roofing, matching the materials and aesthetic of the primary home. The overall height is 9 feet 10 inches. All exterior surfaces have been painted to align with the color scheme of the main residence. The submitted photos show that the accessory living quarters is attached to the home, however, the elevations are proposing the wet bar area being modified to allow for 4 foot, 4 inch building separation.

Floor Plans
The interior plan of the accessory living quarters consists of 1 bedroom, 1 full bathroom, living area, and wet bar area.

Applicant's Justification
The applicant is stating the accessory living quarters was constructed to allow space for a family member to reside independently. The applicant is willing to work with the different Clark County departments to resolve the code enforcement case.

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	Single-family residential

Clark County Public Response Office (CCPRO)
CE26-08203 is an active violation for building without a permit.

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.

The intent of building setbacks and separations are to prevent the massing of buildings, provide an adequate buffer between structures, maintain a uniform development pattern, and minimize impacts to neighboring properties. Although the accessory living quarters was constructed to match the residence with exterior colors and materials, it was constructed prior to building permits. Staff finds this request to be a self-imposed hardship; therefore, staff recommends denial.

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:

- 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; 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 is responsible for any repairs if the utility box at the northwest corner of the site is damaged from being driven over.

Fire Prevention Bureau

- Applicant is advised that fire protection may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

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

TAB/CAC: Paradise - denial.
APPROVALS:
PROTESTS:

APPLICANT: ADAN CASTILLO
CONTACT: ADAN CASTILLO, SUNRISE BUILDERS, 5468 FUNKS GROVE LANE, LAS VEGAS, NV 89122