

07/20/21 PC AGENDA SHEET

SETBACK REDUCTION  
(TITLE 30)

NICOLE ST/SANDHILL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0265-ANDERSON RYAN & NICOLE:**

**WAIVER OF DEVELOPMENT STANDARDS** for reduced front setback for an existing single family residence on 0.2 acres in an R-D (Suburban Estates Residential) Zone.

Generally located on the north side of Nicole Street, 356 feet west of Sandhill Road within Paradise. JG/jor/jo (For possible action)

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RELATED INFORMATION:

**APN:**

161-30-416-003

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the front setback of a single family residence addition to 25 feet, 7.5 inches where 30 feet is the minimum per Table 30.40-1 (a 14% decrease).

**LAND USE PLAN:**

WINCHESTER/PARADISE - RESIDENTIAL LOW (UP TO 3.5 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3738 Nicole Street
- Site Acreage: 0.2
- Project Type: Front setback reduction
- Number of Stories: 1
- Building Height (feet): 14 (existing residence)/11 feet, 8 inches (addition to the front of the residence)
- Square Feet: 2,074 (existing residence)/310 (addition to the front of the residence)

**Site Plan**

The site plan depicts an existing single family residence located on the north side of Nicole Street, approximately 356 feet west of Sandhill Road. This subdivision was reclassified to R-D zoning in 1976 via ZC-0140-76 and the front of the home faces south towards Nicole Street. The residence was constructed in 1977, and the front setback of the home is currently 25 feet, 7.5 inches from the south property line (front yard). Staff considers this site as a legal non-conforming structure since it was constructed prior to the current development code (Title 30).

The applicant is proposing to construct an addition to the south facing elevation (front) of the home. The proposed addition will match the existing front setback of 25 feet, 7.5 inches.

#### Landscaping

Landscaping is neither required nor a part of this request.

#### Elevations

The elevation plan depicts an existing single family residence with an overall height of 14 feet. The proposed addition will have an overall height of 11 feet, 8 inches and will match the existing residence. The addition will have exterior materials, stucco walls, and matching roof with shingles.

#### Floor Plans

The proposed addition will consist of a bedroom, a bathroom, and a closet.

#### Applicant's Justification

The applicant has active residential building permits with the Building Department (BD-20-51152). The applicant needs to construct the building addition in order to have an additional family member (mother-in-law) reside with them.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0140-76	Reclassified 45 acres from R-E zoning to R-D zoning for single family residential subdivision consisting of 54, 10,000 square foot minimum lots in addition to 43, R-E zoned 20,000 square foot minimum lots	Approved by BCC	October 1976

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & East	Residential Suburban (up to 8 du/ac)	R-1	Single family residential
South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential
West	Residential Low (up to 3.5 du/ac)	R-D	Single family residential

#### **STANDARDS FOR APPROVAL:**

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

#### **Analysis**

##### **Current Planning**

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to

modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The proposed setback reduction does not create a negative visual impact to the site or any hindrances to the neighbors located to the east and west. Photographs show that there is still ample mature landscaping located in the front yard which helps visually mitigate the reduced setback. The existing garage on the west side of the home currently has a 25 foot, 7.5 inch setback and the home was constructed in 1977. The plans show that the residential building addition creates a symmetric design of the home and will not negatively impact the site.

### **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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- 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; 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; and that this application must commence within 2 years of approval date or it will expire.

#### **Public Works - Development Review**

- No comment.

#### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** WAYNE SCOTT SHUMSKER

**CONTACT:** WAYNE SHUMSKER, 10346 JADE GARDENS DRIVE, LAS VEGAS, NV 89135