

SETBACKS
(TITLE 30)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-21-0429-THEODORE JAMASON & MILTON K:

APPEAL WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks in conjunction with a proposed single family residence on 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the east side of Riley Street, 187 feet south of La Madre Way within Lone Mountain. RM/nr/jo (For possible action)

RELATED INFORMATION:

APN:
125-32-803-032

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the rear yard setback to 20 feet where 30 feet is the minimum setback allowed per Table 30.40-1 (a 33.3% reduction).

LAND USE PLAN:
LONE MOUNTAIN - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.6
- Project Type: Setbacks
- Number of Stories: 1
- Building Height (feet): 22.5
- Square Feet: 8,359

Site Plan

The plan shows a proposed 8,359 square foot single family residence facing north onto a private street with a cul-du-sac. A 6 foot high wall is shown on the western side and eastern side of the property, with an existing 6 foot high wall along the southern property line. Access to the property is from the private cul-dul-sac.

Landscaping

The plan depicts 2 trees in the front yard.

Elevation

The plan indicates that the proposed 22 foot, 5 inch tall single story home has a stucco exterior and a tile roof. A 4 car garage is located on the east side of the home.

Floor Plans

The plans show an 8,359 square foot 5 bedroom, 7 bathroom, single family residence with ancillary rooms, game room, storage, and laundry room. A covered entryway is located in the front of the residence and a covered patio area is located in the rear of the residence.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant states that the encroachment into the setbacks is due to the custom design of the home and states that the home will be compatible with the area.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0296-01	Reclassified a portion of the Lone Mountain area with the RNP-I Overlay District	Approved by BCC	June 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP I)	Single family residential
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP I)	Undeveloped

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.

Staff reviews waiver requests to ensure compatibility with existing development in the area. Setbacks and separations help to preserve the appeal and integrity of a neighborhood as well as mitigate impacts and possible safety issues. The applicant indicates that the proposed reduction is due to the custom design of the house. The proposed reduction in setbacks is not common in the surrounding area. The common size of single family residences in this area are about 3,000 to 4,000 square feet. The proposed residence is 8,359 square feet and covers 44% of the lot where 50% is the maximum lot coverage allowed in the R-E zoning district. The existing house to the south is oriented so that the southern property line for the project site is the side yard for the existing single family residence. The proposed reduction in setback is a self-imposed hardship, and the applicant has not provided any alternatives to mitigate negative impacts on the existing property to the south. Since the proposed encroachment is not in keeping with the area and the applicant has not provided justification as to why the setback should be reduced; therefore, staff cannot support the 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised that the lot coverage for the site is currently at 44% of the allowed 50% lot coverage, and any additional structures may require a future land use application; 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: Lone Mountain - denial.

APPROVALS: 1 card

PROTESTS: 6 cards, 2 letters

PLANNING COMMISSION ACTION: October 5, 2021 – DENIED – Vote: Aye: Stone, Kirk, Nguyen, Waltho Nay: Kilarski, Castello Absent: Frasier

APPEAL: This item has been appealed by an interested party who is requesting the opportunity to work with the neighbor on a solution.

APPLICANT: JAMASON THEODORE

CONTACT: TAYLOR CONSULTING GROUP, INC., 8414 W. FARM ROAD #180, LAS VEGAS, NV 89131