WS-0229-13 – FRANCO-ROMOS, PIERRE E.:  

**WAIVER OF DEVELOPMENT STANDARDS** for a reduced setback to a proposed single family residence on 0.8 acres in R-E (Rural Estates Residential) Zone.

Generally located on the west side of Madge Lane, 350 feet south of Stewart Avenue within Sunrise Manor. CG/dg/ml (For possible action)

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**RELATED INFORMATION:**

**APN:**  
140-34-310-003

**WAIVER OF DEVELOPMENT STANDARDS:**
Reduce the side setback for a proposed single family residence to 8.5 feet where a minimum of 10 feet is required (a 15% reduction).

**LAND USE PLAN:**
SUNRISE MANOR - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**
**Project Description**  
General Summary  
- Site Acreage: 0.8  
- Project Type: Reduce side setback  
- Number of Stories: 1  
- Building Height: 18 feet  
- Square Feet: 4,870

Project Scope and Site Plan  
The site currently has a 1,376 square foot residence and 2,076 square foot detached garage in the rear yard. The intent of this request is to convert the existing detached garage and make it the main residence and convert the existing home into an accessory structure (casita). The proposed main residence will also have added living space for a total livable area of 4,870 square feet with a 4 car tandem garage. Since the main residence conversion has existed as an accessory structure, the side setback requirement is less than the required setback for the main residence.

Since the main residence will be converted into a casita, the casita will now be in the front yard. However, it will architecturally match and be consistent with the main residence. The plans
depict the following setbacks to the proposed casita: 1) 10 feet from the north property line; 2) 145 feet from the east property line (front yard); and 3) 11 foot separation from the proposed main residence. The proposed residence has the following setbacks: 1) 8.5 feet from the north property line; 2) 182 feet from the east property line; 3) 17 feet from the south property line; and 4) 52 feet from the west property line. All other site design elements will remain unchanged.

Elevations
The plans depict consistent design elements and materials between both buildings. The proposed main residence conversion is 1 story and 18 feet in height. The proposed casita conversion will remain unchanged at 1 story, and 13.5 feet in height.

Floor Plans
The floor plans for the proposed residence conversion consist of multiple bedrooms, office, game room, dining, and 4 car tandem garage. The area necessitating the setback reduction consists of the master bedroom. The casita conversion will have 2 bedrooms, 2 bathrooms, wet bar, and patio cover.

Applicant’s Justification
The applicant indicates that the site currently has a 1,376 square foot residence and 2,076 square foot detached garage. The intent with this request is to convert the existing detached garage and make it the main residence and convert the existing home into an accessory structure. The proposed main residence will also have added living space. Since the existing detached garage is set back 8.5 feet from the side property line, the setback will no longer work when the existing garage is converted to the main residence. Therefore, the request is to maintain the existing 8.5 foot setback from the property line. This request is intended to upgrade the property and the reduced setback will not negatively impact the neighbors.

Surrounding Land Use

<table>
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<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
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<tr>
<td>North, East, &amp; South</td>
<td>Rural Neighborhood Preservation (up to 2 du/ac)</td>
<td>R-E</td>
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<tr>
<td>West</td>
<td>Residential Suburban (up to 8 du/ac)</td>
<td>R-1</td>
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STANDARDS FOR APPROVAL:
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning
The applicant shall have the burden of proof to establish that the waivers of development standards are appropriate for this location. 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. One of several criteria that must be addressed is the use and value of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner. Staff finds the reduction is negligible and only for a portion of the building. Additionally, staff finds the
adjacent property will not be adversely affected and can support this request for the following reasons: 1) the setback reduction has existed, albeit for a detached garage, for many years without any adverse impacts to the adjacent property; 2) there is an existing screen fence on the property line that partially obscures the portion of the building necessitating the reduction; and 3) the adjacent property that is impacted most by the reduction has the single family residence placed on the property in such a manner that it will be separated from the setback reduction by 150 feet. Additionally, similar reductions for portions of single family residences have been approved throughout Clark County with no adverse effects. Therefore, staff finds the aforementioned factors mitigate the impact of the relaxed standard.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of approval date or it will expire.

**Public Works – Development Review**
- No comment.

**Fire Department**
- No comment.

**Southern Nevada Health District (SNHD) – Septic**
- Applicant is advised that there is an active residential septic system located on the property; a tenant improvement must be completed for the proposed addition to the structure; and that if there are any questions, please call the SNHD Septic System Program at 759-0660.

**Clark County Water Reclamation District (CCWRD)**
- Applicant is advised that the property is not connected to the CCWRD sewer system and there is no available gravity public sewer line within 400 feet of the parcel.

**TAB/CAC:**
**APPROVALS:**
**PROTESTS:**

**APPLICANT:** Pierre E. Franco-Ramos
**CONTACT:** Pierre E. Franco-Ramos, 343 Madge Lane, Las Vegas, NV 89110