WS-0201-13 – BECERRA, VICTOR:

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative roof pitch; and 2) reduced setback to an existing room addition in conjunction with an existing single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the south side of Seneca Lane, 500 feet east of Algonquin Drive within Paradise. CG/dg/ml (For possible action)

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**RELATED INFORMATION:**

**APN:**
162-14-212-026

**WAIVERS OF DEVELOPMENT STANDARDS:**
1. Allow a flat roof on a room addition where a 3:12 roof pitch is the standard.
2. Reduce the rear setback for an existing room addition to 11.5 feet where a minimum of 20 feet is required (a 42% reduction).

**LAND USE PLAN:**
WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**
General Summary
- Site Acreage: 0.2
- Project Type: Reduced rear setback and flat roof on room addition
- Number of Stories: 1
- Building Height: 8 feet
- Square Feet: 525

**Site Plan**
The plans depict a 525 square foot addition to an existing single family residence located in the rear yard. The addition was a previous patio cover that was subsequently enclosed. The addition is set back as follows: 1) 11.5 feet from south property line; 2) 12.5 feet from west property line; and 3) 41 feet from the east property line.
Elevations
The elevations show an 8 foot high, 35 foot by 15 foot stucco siding addition that will match the existing home. The roof pitch is flat. No new mechanical equipment is proposed at this time. The plans depict the existing home with an approximate 2:12 roof pitch.

Floor Plans
The plans depict an open room addition that functions as a home office/hobby room with windows and interior access to the existing home.

Applicant’s Justification
The applicant has lived in this residence since 2002. Neither the applicant nor the person assisting with the room addition was aware of the zoning requirements. The applicant now wants to legalize the addition.

Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North, East, South, &amp; West</td>
<td>Residential Suburban (up to 8 du/ac)</td>
<td>R-1 Single family residential within the same development</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.

The addition is entirely within the rear yard and replaced an existing patio cover that was located within the same area. Therefore, the addition will not be visible from the street and the roof pitch will not visually differ from the roof pitch of the patio cover. The residence and neighboring area were developed in the early 1960’s with a minimal roof pitch on all the homes. Based on the picture documentation provided by the applicant, the addition will be out of character and incompatible with the immediate area if required to have a 3:12 roof pitch. Finally, the addition will architecturally match the existing residence, and therefore, be consistent and compatible with the neighborhood. This request is compliant with Policy 1.23 of the Winchester/Paradise Land Use Plan which encourages, in part, that developments be architecturally compatible with adjoining land uses.

The room addition is also buffered by mature trees and a CMU wall on all sides of the rear yard. The home on the adjacent parcel is more than 20 feet away and also buffered with mature trees. Staff finds that the room addition is visually obscured and the reduced setback will not adversely
affect the immediate area. Therefore, staff finds the aforementioned factors mitigate the impact of the relaxed standard and can support this request with conditions.

**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**
- 1 year to complete with any extension of time to be a public hearing.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license, or approval; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

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

**Fire Department**
- No comment.

**Clark County Water Reclamation District (CCWRD)**
- Applicant is advised that that the property is already connected to the CCWRD sewer system.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** Victor Becerra  
**CONTACT:** Victor Becerra, 1593 Seneca Lane, Las Vegas, NV 89169