



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: FEBRUARY 11, 2025

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: ROSIE LANDA

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0657-VAR1	Staff recommends DENIAL, if approved subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 189

PROTESTS 0

APPROVALS 0

Conditions Page One
February 11, 2025 - Planning Commission Meeting

**** CONDITIONS ****

24-0657-VAR1 CONDITIONS

Planning

1. A Variance is hereby approved, to allow a 47-foot front yard setback where 50 feet is required for a proposed single family detached dwelling.
2. A Variance is hereby approved, to allow a nine-foot side yard setback where 10 feet is required for a proposed single family detached dwelling.
3. A Variance is hereby approved, to allow a 27-foot rear yard setback where 35 feet is required for a proposed single family detached dwelling.
4. A Variance is hereby approved, to allow a 22-foot front yard setback where 30 feet is required for a proposed attached, open porte cochere.
5. A Variance is hereby approved, to allow a zero-foot separation from the main dwelling where six feet is required for a proposed Residential Accessory Structure [Bathroom].
6. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
7. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
February 11, 2025 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Variance request for a proposed single family detached dwelling with a porte cochere and a proposed Residential Accessory Structure [Bathroom] that does not conform to Title 19 development standards at 1110 Strong Drive.

SURROUNDING AREA CHARACTERISTICS

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Undeveloped	TOC-1 (Transit Oriented Corridor - High)	P-R (Professional Office and Parking)
South	Residential, Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Office, Other Than Listed	TOC-1 (Transit Oriented Corridor - High)	C-D (Designed Commercial)

ISSUES

- A Code Enforcement case (#CE24-06373) is open for an unpermitted Residential Accessory Structure located at the subject property. The applicant has not included this structure in this Variance request. During a field check of the property, the structure appears to encroach into the required side and rear yard setback areas. The property owner must relocate or remove the structure, or apply for a Variance in order to conform to Title 19 development standards.

Staff Report Page Two
February 11, 2025 - Planning Commission Meeting

Structure	Requirement	Proposed	Governing Document	Staff Recommends	Justification Provided
Proposed attached, open porte cochere	30-foot front yard setback	To allow a 22-foot front yard setback	Title 19.06.060	Denial	N/A
Proposed single family detached dwelling	50-foot front yard setback	To allow a 47-foot front yard setback	Title 19.06.060	Denial	N/A
Proposed single family detached dwelling	10-foot side yard setback	To allow a nine-foot side yard setback	Title 19.06.060	Denial	N/A
Proposed single family detached dwelling	35-foot rear yard setback	To allow a 27-foot rear yard setback	Title 19.06.060	Denial	N/A
Proposed Residential Accessory Structure [Bathroom]	Six-foot separation from the main building	To allow a zero-foot separation	Title 19.06.060	Denial	N/A

ANALYSIS

The subject site is zoned R-E (Residence Estates) and is subject to Title 19 development standards. The applicant is requesting to construct a two-story single-family detached dwelling with a porte cochere that will not meet front, side and rear setback requirements. Additionally, the submitted floor plan depicts a proposed Residential Accessory Structure [Bathroom] that will not have interior access to the proposed main dwelling. No justification for the requested deviations from Title 19 development standards has been provided.

Staff Report Page Three
February 11, 2025 - Planning Commission Meeting

A Code Enforcement case (#CE24-06373) has been ongoing since August 15, 2024 for a vacant pool and an unpermitted Residential Accessory Structure on the property. These violations remain unresolved and are not included in this Variance request. The applicant is required to continue working with Code Enforcement officers to bring the property into compliance.

No evidence of a unique or extraordinary circumstance related to the physical characteristics of the property has been presented to warrant the requested Variance. As such, the hardship is self-imposed and therefore, staff recommends denial of this Variance request. If approved, it will be subject to conditions.

FINDINGS (24-0657-VAR1)

In accordance with the provisions of Title 19.16.140(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to construct a single-family dwelling that will not meet setback requirements and a Residential Accessory Structure [Bathroom] that will not have interior access to the main dwelling. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

Staff Report Page Four
February 11, 2025 - Planning Commission Meeting

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
05/18/16	The City Council accepted the request to withdraw without prejudice the Variance request (VAR-63080) to allow a 22-foot front yard setback for a porte cochere where 30 feet is required, a 27-foot front yard setback for the principal dwelling where 50 feet is required, and a 23-foot rear yard setback where 35 feet is required for a proposed single-family detached dwelling at 1110 Strong Drive. The Planning Commission recommended denial.
11/17/20	A Code Enforcement case (#CE20-05992) was processed for a vacant lot with no fence, trash, and an empty swimming pool at 1110 Strong Drive. The case was resolved on 02/03/21.
02/09/21	The Planning Commission approved the Variance (20-0169-VAR1) request to allow a 25-foot front yard setback to a porte cochere where 30 feet is required for a proposed single-family detached dwelling at 1110 Strong Drive.
05/11/23	A Code Enforcement case (#CE23-02757) was processed for vagrancy, front fence repair, and security of a pool on property at 1110 Strong Drive. The case was resolved on 06/21/23.
09/14/23	A Code Enforcement case (#CE23-06362) was processed for graffiti, dilapidated fence, and storage of trailers at 1110 Strong Drive. The case was resolved on 11/01/23.
04/24/24	A Code Enforcement case (#CE24-02886) was processed for a pool with standing water, dilapidated fence and high weeds at 1110 Strong Drive. The case was resolved on 08/05/24.
08/15/24	A Code Enforcement case (#CE24-06373) was processed for an empty pool and an unpermitted accessory structure located on a vacant lot at 1110 Strong Drive. The case remains unresolved.

<i>Most Recent Change of Ownership</i>	
06/17/20	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
10/19/15	A permit (#R-302252) was issued for demolition at 1110 Strong Drive.
12/12/22	A building permit (#R22-20030) application was processed for a single-family residence at 1110 Strong Drive. A permit has not been issued.

Staff Report Page Five
February 11, 2025 - Planning Commission Meeting

Pre-Application Meeting	
12/09/24	A pre-application meeting was held with the applicant.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
01/08/25	Staff conducted a routine field check and observed an undeveloped lot with a shade structure located in the northwest corner of the property. A Code Enforcement case (#CE24-06373) was opened 08/15/24 and remains unresolved.

Details of Application Request	
Site Area	
Gross Acres	0.46

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Charleston	Y
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District (175 Feet)	Y
RP-O (Rural Preservation Overlay) District	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

Staff Report Page Six
February 11, 2025 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.060, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	18,000 SF	20,037 SF	Y
Min. Lot Width	100 Feet	142 Feet	Y
Min. Setbacks <ul style="list-style-type: none"> • Front • Side (North) • Side (South) • Front (Porte Cochere) • Rear 	50 Feet 10 Feet 10 Feet 30 Feet 35 Feet	47 Feet 9 Feet 10 Feet 22 Feet 27 Feet	N* N* Y N* N*
Min. Residential Accessory Structure Setback [Bathroom]	5 Feet	10 Feet	Y
Min. Distance Separation [Bathroom]	6 Feet	0 Feet	N*
Max. Building Height	2 Stories/ 35 Feet	2 Stories/ 35 Feet	Y

*The applicant is requesting a Variance for these development standards.

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Strong Drive	Local Street	Title 13	45	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Residential, Single Family, Detached	1 dwelling unit	2 spaces per dwelling unit	2				
TOTAL SPACES REQUIRED			2		3	Y	
Regular and Handicap Spaces Required			2	N/A	3	N/A	Y