

06/15/21 PC AGENDA SHEET

CARPORT  
(TITLE 30)

GAUCHO DR/CABALLERO WY

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0207-MORAN ISRAEL SAAVEDRA & LOPEZ-MENDOZA MARIA OFELIA:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced setback; and **2)** reduced separation in conjunction with a single family home on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the east side of Gaucho Drive and the south side of Caballero Way within Winchester. TS/jvm/jo (For possible action)

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**RELATED INFORMATION:**

**APN:**

162-11-810-100

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Reduce the front setback to an accessory structure (carport) to 5 feet where 20 feet is the minimum allowed per Table 30.40-2 (a 75% reduction).
  - b. Reduce the front setback to an accessory structure (carport) to a right-of-way to 5 feet where 10 feet is required per Table 30.40-2 (a 50% reduction).
2. Reduce the separation between structures to 4 feet where 6 feet is required per Table 30.40-2 (a 33% reduction).

**LAND USE PLAN:**

WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3152 Gaucho Drive
- Site Acreage: 0.2
- Project Type: Accessory structure (carport)
- Square Feet: 480

**Site Plan**

The submitted site plan depicts a 0.2 acre single family lot with a home located centrally on the site. A detached accessory structure is located to the north of the home and the carport is located in front of the accessory structure. The carport is located 5 feet from Gaucho Drive and is separated from the accessory structure by 4 feet.

### Landscaping

Landscaping is not a part of this request.

### Elevations

The carport is approximately 12 feet tall and has three, 4 by 4 posts on 2 sides. The roof is composed of metal sheets.

### Floor Plans

The carport is open on all 4 sides and covers an area of 480 square feet.

### Applicant's Justification

The applicant indicates that having to remove the carport would be a hardship to the family due to the cost and because of their daughters sensitivity to heat and sun.

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, East, & West	Residential Suburban (up to 8 du/ac)	R-1	Single family residential

### **Clark County Public Response Office (CCPRO)**

CE20-13865 is an active violation for building without a permit.

### **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 request is to reduce the setback for the existing carport to Gaucho Drive from 20 feet to 5 feet and to reduce the minimum setback to a right-of-way from 10 feet to 5 feet. An accessory structure in the front yard is required to meet the setback for the principal structure which in this case is 20 feet. Staff does not support a reduction to the setback to the street. Staff finds that there are no unique or special circumstance with the site to warrant a reduction in the setback from the street. The applicant has not proposed any mitigation measures that lessen the impact of a relaxed standard and has not proven that the neighborhood will not be negatively impacted. Staff finds that this request is a self-imposed hardship which staff cannot support.

**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.

**PRELIMINARY STAFF CONDITIONS:****Current Planning**

If approved:

- 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.

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:** Winchester - denial.

**APPROVALS:****PROTESTS:**

**APPLICANT:** ISRAEL SAAVEDRA

**CONTACT:** ISRAEL SAAVEDRA, 3152 GAUCHO DRIVE, LAS VEGAS, NV 89169