

01/17/23 PC AGENDA SHEET

CARPORT  
(TITLE 30)

NOTTINGHAM DR/WESTFIELD ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-22-0585-SANDOVAL, MARTIN:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate setbacks; and **2)** architectural compatibility in conjunction with an existing single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the southeast side of Nottingham Drive, 150 feet south of Westfield Street within Winchester. TS/hw/syp (For possible action)

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RELATED INFORMATION:

**APN:**

161-07-412-013

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate the interior side setback for an existing building addition (carport) where a minimum setback of 3 feet is required per Table 30.40-2 (a 100% reduction).
2. Allow a metal and wood building addition (carport) where required to be architecturally compatible with the principal building per Table 30.56-2A.

**LAND USE PLAN:**

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3148 Nottingham Drive
- Site Acreage: 0.2
- Project Type: Carport addition
- Number of Stories: 1
- Building Height (feet): 9
- Square Feet: 320

Site Plan

The plan depicts a 1,898 square foot home inclusive of the principal structure and several building additions (including a patio and a carport). The home is centrally located on the lot but

is situated more toward the front of the lot. The subject building addition is a carport. The carport is attached to the northern wall of the existing house and is shown as a 320 square foot structure. The subject carport is shown set back 3 inches from a 6 foot CMU block wall that is located along the property line. The lot shown is irregular in shape with a curved front property line and gradually becomes smaller towards the rear of the lot. The site is accessed from Nottingham Drive through a dual access 11 foot wide circular driveway that also connects Nottingham Drive to the subject carport.

Landscaping

Landscaping is not a part of this request, but the plans show that the existing landscaping on the property is mainly xeriscaping with clay colored rock material with shrubs dispersed in the front and rear yards. The property is enclosed with a 6 foot high CMU block wall on the side and rear yards and a decorative fence in the front yard.

Elevations

The plans depict an 8.75 foot tall carport attached to the northern wall of an existing single family residence. The carport appears to be comprised mainly of a wood frame with a corrugated metal roof. The wood frame of the carport is painted a beige color, while the roof appears white. The principal structure appears to be a painted stucco house with a shingle roof. The home is painted a sandy beige color with white accents, while the roof shingles are beige in color as well.

Floor Plans

The plans depict a 320 square feet carport attached to an existing single family residence. The area under the carport is entirely open. The carport is flat against the wall of the existing residence, while it angles with the existing wall and property line. This allows for a larger opening on the westside of the carport than the eastside of it. Overall, 3 of the 4 sides of the structure are open. The plan shows a setback of 3 inches from the wall/property line to the leading edge of the carport.

Applicant's Justification

The applicant states that the carport was constructed in order to help make the environment around the cars parked on-site more bearable for a disabled resident. They indicate that the location of the carport was the most optimum location, but the setback was not able to be met due to the irregular shape of the lot. They do not expect that the structure will cause any issues to neighbors.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VC-088-85	Reduced the setback for a 75 square foot utility room addition	Denied by BCC	May 1985

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Mid-Intensity suburban neighborhood (up to 8 du/ac)	R-1	Single family residential

### Clark County Public Response Office (CCPRO)

CE22-13626 is an active violation for building additions (carport and patio) without a building permit.

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

### Analysis

#### Current Planning

##### Waivers of Development Standards

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.

##### Waiver of Development Standards #1

The use of setbacks for accessory structures is to help maintain a safe environment in a neighborhood. The facts that the subject carport was not constructed with the benefit of permits, and the location being right on the property line, are cause for concerns from both a fire and physical safety standpoint. Eliminating the required setback to the property line may cause a visual disturbance to the neighbors. While staff appreciates that the lot is irregular, there are means to construct the carport without the need for a waiver, and so the need for this waiver is a self-imposed burden. For these reasons, staff cannot support this waiver.

##### Waiver of Development Standards #2

While staff can appreciate the need to shade vehicles and outdoor spaces and building additions for normal residential use, the subject structure was constructed without permits and the chosen materials do not match the existing structure. There are no similar structures in the surrounding area and the structure is visible to neighbors which could be a disturbance. For these reasons, staff cannot support this waiver.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing.
- 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; and that 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.

**Public Works - Development Review**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MARTIN SANDOVAL

**CONTACT:** MARTIN SANDOVAL, 3148 NOTTINGHAM DRIVE, LAS VEGAS, NV 89121