

RESIDENTIAL ADDITION
(TITLE 30)

ASPEN AVE/MAHOGONY DR
(MT. CHARLESTON)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0064-DAVIDSON, MITCHELL & ELENA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** increase wall/fence height in conjunction with an existing single family residence on 0.1 acre in an R-U (Rural Open Land) Zone within the Spring Mountain Overlay District (Part I).

Generally located on the northwest corner of Aspen Avenue and Mahogany Drive within Northwest County. RM/al/syp (For possible action)

RELATED INFORMATION:

APN:

129-36-510-120

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Reduce the front setback to a minimum of 9 feet where a minimum of 15 feet is required per Table 30.40-1 (a 40% reduction).
 - b. Reduce the side street (corner) setback to a minimum of 9 feet where a minimum of 15 feet is required per Table 30.40-1 (a 40% reduction).
 - c. Reduce the interior side setback to a minimum of 1.5 feet where a minimum of 5 feet is required per Table 30.40-1 (a 70% reduction).
 - d. Reduce the rear setback to a minimum of 1.5 feet where a minimum of 10 feet is required per Table 30.40-1 (an 85% reduction).
2.
 - a. Permit block walls up to 6 feet in height within the front yard where walls are not permitted per Table 30.64-1.
 - b. Permit fences up to 6 feet in height within the front yard where a maximum fence height of 5 feet is allowed per Table 30.64-1 (a 16.7% increase).
 - c. Permit retaining walls up to 5 feet in height within the front yard where a maximum retaining wall height of 3 feet is permitted per Section 30.64.050 (a 30% increase).

LAND USE PLAN:

NORTHWEST COUNTY (MT. CHARLESTON) - MID-INTENSITY SUBURBAN
NEIGHBORHOOD (UP TO 8 DU/AC)

NORTHWEST COUNTY (MT. CHARLESTON) - OPEN LANDS

BACKGROUND:

Project Description

General Summary

- Site Address: 4530 Aspen Avenue
- Site Acreage: 0.1
- Project Type: Single family residence remodel and construction of an accessory building
- Number of Stories: 2
- Building Height (feet): 28 (residence)/20 (accessory building)
- Square Feet: 874 (existing residence)/428 (residential addition)/846 (accessory building)

Site Plan & Background

There is an existing single family residence on the southwestern portion of the site that was constructed in 1953. The property is a corner lot located at the northwest corner of Aspen Avenue and Mahogany Drive that is currently addressed from and fronts onto Aspen Avenue. The applicant is proposing to remodel the residence to include additions to the second floor of the residence and to build an accessory structure on the northwestern portion of the site. The accessory structure is 2 stories and is a combination garage and casita.

The proposed addition to the southern portion of the building requires a waiver of development standards to encroach into the front setback from Aspen Avenue. The applicant is designing the house to be reoriented to Mahogany Drive and intends to apply for an address change at a later date. As part of the redesign, the walkway from the street and main driveway will be accessed from Mahogany Drive making this street the identifiable front of the property. Once the address change is approved, the yards and setbacks will change based on the reorientation, and additional waivers to the “new” yards and setback requirements will be required. In order to avoid any confusion regarding the timing of the address change with the time of building permit review, this application will take into account both scenarios, with the front setback from Aspen Avenue, as well as the front setback from Mahogany Drive. This also relates to walls in the front yard.

The waivers to reduce the front setback and interior side setback are for the existing residence with the front of the property oriented to Aspen Avenue. The waivers to reduce the side street (corner) setback and rear setback are for when the property is reoriented to front onto Mahogany Drive. The setback reduction to 1.5 feet for the existing interior side/rear setback is to the leading edge (roof overhang) of the residence from the west property line. The accessory building will be set back 5 feet from the west property line and 8 feet from the north property line with an approximate 8 foot separation between it and the residence. The garage portion of the accessory structure will face Mahogany Drive with an approximately 29 foot long driveway with a 6 foot high gate (fence) along the front of the driveway. The driveway will be cut into the existing topography with retaining walls approximately 5 feet in height located on the north and south sides of the driveway. It is the gate and retaining walls that require the waivers to be within the future front yard of the site. A walled trash enclosure approximately 6 feet in height is located on the southwest corner of the site within the current front yard for the property requiring the waiver for a wall within the front yard area. When the front of the property is reoriented this trash enclosure will be in the rear yard and this waiver will no longer be required.

Landscaping

There are a few existing trees on the property that will be removed to allow for the proposed accessory building and driveway. The plans depict landscaping consisting of existing turf, rock, and pavers for groundcover with raised planters for flowers located throughout the site and 2 trees to be added to a patio area south of the new driveway.

Elevations

The existing residence is 2 stories with a height of approximately 28 feet. The existing structure has a pitched roof, which will be modified by the additions to the second floor. The exterior of the current residence consists of lap siding painted red in a horizontal pattern for the first floor and a vertical pattern for the second floor. Along the south side of the residence is a porch at the entrance of the residence with a balcony for the second floor above the porch. The second floor balcony on the south side of the residence will be enclosed to create additional habitable space for the second floor. An architectural enclosure will be added to the north side of the residence creating a pop-out for more habitable space on the second floor. A railing is being added to the south side of the existing porch to prevent direct access from the porch to the south side of the property. Access to the porch will be moved to the east side of the structure with a walkway to Mahogany Drive. The exterior of the remodeled residence will be a combination of stone veneer, decorative panels that have the appearance of wood, and horizontal lap siding. The color scheme will be earth tone colors.

The accessory building is 2 stories with an approximate height of 20 feet. The color scheme of the accessory building will match the residence with similar building materials. The second floor is only the northern approximately 17 feet of the accessory building, which has a total length of approximately 37 feet. The plans depict a terrace on the south side of the second floor and a balcony of the north side.

Floor Plan

The existing residence has an area of approximately 874 square feet consisting of a kitchen, bathroom and living room on the first floor, and a landing and bedroom on the second floor. The plans depict approximately 428 square feet of additions to the north and south sides of the second floor of the residence increasing the area of the residence to 1,302 square feet. The largest addition to the second floor is enclosing the second floor balcony on the south side of the residence into habitable space. An architectural enclosure is being added to the north side of the second floor. With the additions, the second floor will be remodeled to include 3 bedrooms, a bathroom, and a laundry area. The first floor of the residence is being remodeled to provide a more open floor plan with a modern kitchen/dining area, living room, with a new powder room and pantry.

The accessory building is 2 stories with an area of 846 square feet. The first floor is a garage with an area of 596 square feet consisting of 2 parking spaces, a work bench, laundry, and storage area. The second floor has an area of 250 square feet consisting of a bathroom, wet bar, area and retreat.

Applicant’s Justification

The applicant indicates that his plan is to remodel the existing residence and construct the accessory building to create a permanent residence for his family in order to move into this area and enjoy mountain life. The remodel is a thoughtful, energy efficient design that embraces local colors and materials. This project will beautify and elevate the neighborhood with a thoughtful home remodel.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North & South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-U	Single family residential
East & West	Open Lands & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-U	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive 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 #1a through #1d

This site is located within a single family residential subdivision made up of small nonconforming lots of record. The Mt. Charleston area also has unique topographic issues due to its mountain terrain. There are several homes in this development that were constructed in the 1940’s and 1950’s that preceded requirements for setbacks. There are also residences in this community that have been constructed since the 1990’s that have had land use approvals to reduce setbacks and building separations to allow for construction on the small lots in this subdivision. The existing residence on this site was constructed in 1953 and waiver of development standards #1a and #1c are for existing setbacks for the residence. Due to the unique situation of the site being in a mountain location within a residential development consisting of small nonconforming lots, several existing older nonconforming structures that do not comply with current setback requirements, and other properties that have been approved for setback reductions within the last 30 years; staff can support these waivers to reduce setbacks.

Waiver of Development Standards #2a through #2c

The waivers for wall and fence (gate) height are based on the existing and future orientation of the front of the property and to some extent the topography of the site. Staff finds that the

proposed walls and gate will have little impact on the abutting properties. Also, based on the renderings submitted for the project the proposed walls and gates will improve the appearance of this property, which will improve the appearance of this neighborhood. Therefore, staff has no objections to these requests.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Retain the existing trees on the northeast corner of the site or plant 2 new trees on the northeast corner of the site;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any water features must comply with Section 30.64; the approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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

- Drainage study and compliance.

Fire Prevention Bureau

- No comment.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Mount Charleston - approval.

APPROVALS:

PROTESTS:

APPLICANT: MITCHELL DAVIDSON

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