

SETBACKS  
(TITLE 30)

ADA DR/ARVADA WY

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-22-0188-MENDOZA JOSEPH AURELIO:**

**WAIVER OF DEVELOPMENT STANDARDS** to reduce the setback of an existing accessory structure in conjunction with an existing single family residence on 0.1 acres in an R-1 (Single Family Residential) Zone.

Generally located on the east side of Ada Drive, 55 feet north of Arvada Way (alignment) within Whitney. JG/jor/syp (For possible action)

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RELATED INFORMATION:

**APN:**  
161-28-511-026

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the setback of an existing accessory structure (motorcycle garage) to 3 feet where 5 feet is required per Table 30.40-2 (a 40% decrease).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 5014 Ada Drive
- Site Acreage: 0.1
- Project Type: Setback reduction for an existing detached accessory structure (motorcycle garage)
- Number of Stories: 1
- Building Height (feet): 14 (accessory structure/motorcycle garage)
- Square Feet: 1,200 (residence)/ 372 (accessory structure/motorcycle garage)

**Site Plan**

The submitted site plan depicts an existing residence constructed on the southern portion of the site. The front of the home faces west toward Ada Drive. The applicant partially constructed an existing accessory structure (detached motorcycle garage) within the rear yard (eastern portion of the site). The structure is set back 3 feet from the east property line where 5 is required, and 4 feet from the south property line where 5 feet is required. The structure is also set back 13 feet from

the existing residence to the west where 6 feet is required, and 24 feet from the north property line where 5 feet is required. The accessory structure was constructed without approved building permits from the Clark County Building Department.

#### Landscaping

Landscaping is neither proposed nor required as a part of this request.

#### Elevations

The applicant submitted photos showing that the accessory structure currently has CMU block walls, but wood siding will be installed at a later date to match the existing wood siding of the principal residence. Per the applicant's plans, the overall height of the accessory structure is 14 feet, as allowed per Title 30.

#### Floor Plans

The existing residence has an overall area of 1,200 square feet. The applicant's existing accessory structure has an overall area of 372 square feet.

#### Applicant's Justification

Per the applicant, the accessory structure was constructed, and the applicant copied the same setback dimensions as the neighbor's casita to the north.

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
East	Corridor Mixed Use	H-2 & C-2	Sportsman Manor Hotel & gasoline station

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

CE21-19161 is an active zoning violation for constructing an accessory structure without building permits.

#### **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. Staff does not typically recommend approval of accessory structures which do not meet required setbacks per Title 30. However, since the existing structure is primarily screened from view (from Ada Drive),

and the applicant plans to add exterior wood siding to match the existing residence, and if the applicant properly acquires building permits with the Clark County Building Department, staff can support this request.

### **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:**

#### **Current Planning**

- 6 months to complete the building permit and inspection process with any extension of time to be a public hearing;
- Add exterior wood siding to match existing residence;
- Certificate of occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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; 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.

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

- No comment.

**TAB/CAC:** Whitney - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** JOSEPH MENDOZA

**CONTACT:** JOSEPH MENDOZA, 5014 ADA DRIVE, LAS VEGAS, NV 89122