

SETBACK  
(TITLE 30)

**UPDATE**  
WARBONNET WY/COUGAR AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-22-0323-HORTON, TONIA & MARK L.:**

**HOLDOVER WAIVER OF DEVELOPMENT STANDARDS** to reduce the setback of a proposed patio cover in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the northeast corner of Warbonnet Way and Cougar Avenue within Enterprise. JJ/jor/syp (For possible action)

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RELATED INFORMATION:

**APN:**  
176-16-710-018

**WAIVER OF DEVELOPMENT STANDARDS:**  
Reduce the setback of a patio cover to 5 feet where 7 feet is required per Table 30.40-1 (a 29% reduction).

**LAND USE PLAN:**  
ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**  
**Project Description**  
General Summary

- Site Address: 7883 Wildwood Ridge Court
- Site Acreage: 0.5
- Project Type: Patio cover
- Building Height (feet): 10 feet, 6 inches (patio cover)
- Square Feet: 700 (patio cover)

Site Plan

The site plan depicts an existing single family residence located on the northeast corner of Warbonnet Way and Cougar Avenue. Access to the residence is via 1 driveway west of Miller Lane which leads to a private street (Wildwood Ridge Court). The residence is located at the southwestern corner of the parcel, at the end of the hammerhead street. The applicant is proposing to install an attached solid patio cover on the east facing elevation of the home. The proposed interior side set back will be 5 feet from the east property line, where 7 feet is required per Table 30.40-1.

### Landscaping

There is existing landscaping within the front and rear yards. Landscaping is neither required nor a part of this request.

### Elevation and Floor Plans

The plans show a proposed solid patio cover to be constructed on the east facing elevation of the residence. The patio cover has an overall area of 700 square feet, with an overall height of 10 feet, 6 inches. Furthermore, the patio cover will be open on the south facing elevation, the east facing elevation, and portion of the north facing elevation.

### Applicant's Justification

The applicant currently has an active Building Permit (BD22-01475) for a proposed patio cover. The plans show a proposed 700 square foot patio cover (25 feet x 35 feet), to be constructed on the east facing elevation. The waiver request is to allow the patio cover to reduce the setback by 2 feet.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-0087-15	Single family residential development on 15.4 acres	Approved by PC	April 2015
WS-0801-13	Single family residential development with 26 lots with waivers for off-site improvements, modified street improvements, reduced setbacks, and a design review	Approved by BCC	April 2014
VS-0802-13	Vacated portions of right-of-way being Wigwam Avenue and an unnamed right-of-way alignment - recorded	Approved by BCC	April 2014
TM-0224-13	27 single family residential lots on 15 acres	Approved by BCC	April 2014
ZC-1026-05	Clark County initiated zone boundary amendment to establish the R-E (RNP-I) zoning for this parcel, the surrounding area, and approximately 3,800 parcels within the Enterprise planning area	Approved by BCC	October 2005

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
South & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

### **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 oppose the applicant's request to reduce the required patio cover interior side setback to 5 feet where 7 feet is required per Title 30. The proposed patio cover should not impose a negative impact to the applicant's site, or to the neighboring residences. As long as the applicant completes the building permit process (Permit Number - BD22-01475), that is currently in queue 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**

- 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.

### **Fire Prevention Bureau**

- No comment.

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

- No comment.

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

**APPROVALS:** 3 cards

**PROTESTS:**

**PLANNING COMMISSION ACTION:** July 19, 2022 – HELD – To 08/02/22 – per the applicant.

**APPLICANT:** MATTHEW LANE

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