



# MT. CHARLESTON TOWN ADVISORY BOARD

## Mt. Charleston Library

75 Ski Chalet Place  
Las Vegas, NV 89124

March 30, 2023  
6:00pm

### AGENDA

**Note:**

- Items on the agenda may be taken out of order.
- The Council may combine two (2) or more agenda items for consideration.
- The Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board members for this meeting may be requested from Meggan Holzer at 702-455-0341.
  - Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
  - Supporting material is/will be available at <https://clarkcountynv.gov/MtCharlestonTAB>

Board/Council Members: Dan Chaney Ernie Freggiaro Brenda Talley

Secretary: Meggan Holzer, 702-455-0341, [meggan@clarkcountynv.gov](mailto:meggan@clarkcountynv.gov)  
Clark County Department of Administrative Services,  
500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Meggan Holzer, 702-455-0341, [meggan@clarkcountynv.gov](mailto:meggan@clarkcountynv.gov)  
Clark County Department of Administrative Services,  
500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

- I. Call to Order, Pledge of Allegiance, and Roll Call
- II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to Board items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairperson or the Board by majority vote.
- III. Approval of Minutes for December 1, 2022 (For possible action)
- IV. Approval of the Agenda for March 30, 2023 and Hold, Combine, or Delete any Items. (For possible action)

V. Informational Items

1. Select a Chair and Vice Chair for the Mt. Charleston Town Advisory Board (for possible action)
2. Receive a report from Metro regarding activity and other crime concerns (for discussion only)
3. Receive a report from Mt. Charleston Fire Protection District regarding calls for service during the past month and other fire prevention issues (for discussion only)
4. Receive a report from the Las Vegas Valley Water District regarding the status of the water system (for discussion only)
5. Receive a report from Metro Volunteers regarding member activities and events (for discussion only)
6. Receive a report from Nevada Highway Patrol regarding activity and statistics during the last month and other public safety concerns (for discussion only)
7. Receive a report from United States Forest Service regarding current issues and activities in the forest and other forest related concerns (for discussion only)
8. Receive a report from NV Energy regarding PSOM updates and other service-related concerns (for discussion only)
9. Receive a report from Clark County Administrative Services regarding License Plate Program, dark skies designation, and any other updates from Clark County (for discussion only)

VI. Planning and Zoning

1. **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) **04/18/23 PC**

VII. General Business

1. Review and approve the 2023 Mt. Charleston TAB meeting calendar (for possible action)
2. Darrell Phippen from Revel will provide information and answer questions about the upcoming Mt. Charleston Marathon (for discussion only)
3. Representatives from SNORR (Southern Nevada Off-Road Recovery) will share information about the services they have been providing on the mountain this winter and how they have used the funds received from the Mt. Charleston License Plate Program (for discussion only)

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairperson or the Board by majority vote.

IX. Next Meeting Date: June 1, 2023

X. Adjournment.

**POSTING LOCATIONS:** This meeting was legally noticed and posted at the following locations:  
Mt. Charleston Library, 75 Ski Chalet Place, Las Vegas, NV 89124



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <u>475<sup>00</sup></u> <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>  APP. NUMBER: <u>WS-23-0064</u> DATE FILED: <u>2-14-2023</u> PLANNER ASSIGNED: <u>AI</u> TAB/CAC: <u>Mt. Charleston</u> TAB/CAC DATE: <u>3-30-23</u> PC MEETING DATE: <u>4-18-23</u> BCC MEETING DATE: _____ FEE: <u>\$475<sup>00</sup></u>
	<b>PROPERTY OWNER</b>  NAME: <u>ELENE AND MITCHELL DAVIDSON</u> ADDRESS: <u>2430 AMORETTI ST.</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____      CELL: <u>646-509-4186</u> E-MAIL: <u>davidson1@gmx.com</u>
	<b>APPLICANT</b>  NAME: <u>MITCHELL DAVIDSON</u> ADDRESS: <u>2430 AMORETTI ST.</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____      CELL: <u>646-509-4186</u> E-MAIL: <u>davidson1@gmx.com</u> REF CONTACT ID #: _____
	<b>CORRESPONDENT</b>  NAME: <u>MITCHELL DAVIDSON</u> ADDRESS: <u>2430 AMORETTI ST.</u> CITY: <u>HENDERSON</u> STATE: <u>NV</u> ZIP: <u>89052</u> TELEPHONE: _____      CELL: <u>646-509-4186</u> E-MAIL: <u>davidson1@gmx.com</u> REF CONTACT ID #: _____

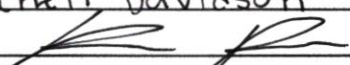
ASSESSOR'S PARCEL NUMBER(S): 129-36-510-024

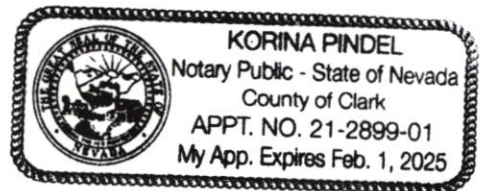
PROPERTY ADDRESS and/or CROSS STREETS: 4530 Aspen Ave., Mount Charleston, NV 89052

PROJECT DESCRIPTION: Existing home remodel + garage build

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

  
 Property Owner (Signature)\*      Mitchell Davidson  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON November 30, 2022 (DATE)  
 By Mitchell Davidson  
 NOTARY PUBLIC: 



\*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

APR. 22-101534

WS-23-0064

TO:	Clark County, NV Department of Comprehensive Planning
FROM:	Mitchell Davidson, Clark County Resident
PROPERTY ADDRESS:	4530 Aspen Ave., Mount Charleston, NV 89124
PARCEL:	129-36-510-120
DATE:	January 27, 2022
SUBJECT:	Justification Letter for Home Remodel + Garage and Casita
PROJECT INTENTION:	Full-time residence

This justification letter is submitted with my Land Use application. The parcel where I plan to remodel is located at the intersection of Aspen Ave. and Mahogany Dr. in Mount Charleston, NV.

**PURPOSE:**

With my Land Use Application, I seek to:

- 1) Remodel (*as designed*) my existing cabin in Mount Charleston, which includes adding +/- 428 sf<sup>2</sup> to achieve a total sf<sup>2</sup> of +/- 1,302. The remodel adds two bedrooms, a powder room, and an enlarged porch to enjoy mountain life with my wife and young children. The design is thoughtful, energy efficient, and embraces local colors and materials.
- 2) Construct (*as designed*) a driveway and garage with two covered parking spots.
- 3) Construct (*as designed*) a 250 sf<sup>2</sup> casita above the garage where I can work to support my family.

**OTHER INFORMATION**

- 1) The garage is drawn 5 feet from the West property line and as such will comply with setback rules because the home is currently addressed from Aspen Ave. However, I am **requesting a waiver of development standards** from 10 feet only because I am planning an address change to Mahogany Dr. This address change will cause the West property line to become the "back" of the property, thus requiring the waiver of development standards.
- 2) I am also **requesting a waiver of development standards** to increase the retaining wall height along Mahogany Dr. to 5.05ft, allow walls within the front yard where fences are permitted, and to increase fence height (garage gate) within the front yard to 5.90 ft. (all as shown in the Site Plan).
- 3) The residence was built in 1953 and is approximately 2' 7.5" from the West property line.
- 4) All second story windows for the casita will use an opaque window film to comply with Table 30.40-1
- 5) I am including an enclosed trash can storage area in the drawings (see project renderings, first page). The purpose of this area is to improve the aesthetics of the home by hiding the ugly trash cans (see the existing photos included). The materials used will be consistent with the remodel and of utmost quality (concrete wall + stone finish with metal confection, lateral walls and doors).
- 6) The build site does not require grading or adding more than 3 ft of fill in any area.

**CONCLUSION:**

As you consider my application, please note our desire to beautify and elevate the neighborhood with a thoughtful home remodel + garage and casita.

Sincerely,



Mitchell Davidson + Family  
January 27, 2022  
Henderson, NV

**ATTACHMENT A**  
**MT. CHARLESTON TOWN ADVISORY BOARD**  
**ZONING AGENDA**  
**THURSDAY, 6:00 P.M., MARCH 30, 2023**

04/18/23 PC

1. **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)

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)

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**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

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 applicant is also planning to change the address of the property to Mahogany Drive by separate application at a future date. As part of the remodel of the existing residence the plans show the residence being reorientated to front the residence onto Mahogany Drive. The walkway from the street and main driveway will be accessed from Mahogany Drive making this street the identifiable front of the property, which will change the front, rear, side, and side street (corner) setbacks for the property. Since this is a corner lot where the front is being reorientated, waivers of development standards have been included to address setback reductions for the property fronting onto Aspen Avenue and for the reorientation to front the property from Mahogany Drive due to the change in setback locations.

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 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**

	<b>Planned land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
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 30.64-060; 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](mailto: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:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: MITCHELL DAVIDSON**

**CONTACT: MITCHELL DAVIDSON, 2430 AMORETTI ST., HENDERSON, NV 89052**