

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0264-CHARIOT SOUTH, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to increase wall/fence height in conjunction with an existing multi-family residential development on 8.77 acres in an RM18 (Residential Multi-Family 18) Zone.

Generally located on the west side of Bermuda Road and the north side of Neal Avenue within Enterprise. MN/hw/cv (For possible action)

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RELATED INFORMATION:

**APN:**

191-04-501-018

**WAIVER OF DEVELOPMENT STANDARDS:**

1.
  - a. Increase the height of perimeter CMU block walls to 9 feet where 6 feet is the maximum height permitted by Section 30.04.03B (a 50% increase).
  - b. Increase the height of perimeter wrought iron fencing to 9 feet where 6 feet is the maximum height permitted by Section 30.04.03B (a 50% increase).
  - c. Increase the height of perimeter wrought iron gates to 9 feet where 8 feet is the maximum height permitted by Section 30.04.03E (a 12.5% increase).

**LAND USE PLAN:**

ENTERPRISE - COMPACT NEIGHBORHOOD

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 11425 Bermuda Road
- Site Acreage: 8.77
- Project Type: Wrought Iron Extension to Existing Walls, Fences, & Gates
- Fence Height (feet): 9

**Site Plan & Request**

The site depicts an existing multi-family residential complex located on the west side of Bermuda Road and the north side of Neal Avenue. The complex consists of 25 residential and community buildings. The site is enclosed by an existing 6 foot tall decorative CMU block wall along the north and west property lines and a 6 foot tall wrought iron fence along the east and south property lines with occasional 6 foot tall decorative CMU block wall elements provided on the property and entrance corners. The applicant is requesting to increase the height of the

perimeter fences and walls to a maximum height of 9 feet in height with 2 foot tall wrought iron fencing extensions that will also be applied to exterior entrances/exit gates.

#### Landscaping

No new landscape nor changes to existing landscaping is being proposed with this request.

#### Elevations

The elevations show the existing walls and fences are generally 6 feet in height and will have a 2 to 3 foot tall wrought iron fence extender attached to the existing fences and walls to raise to the height of the structures up to a maximum of 9 feet in height. The provided wrought iron fence extensions will be painted to match the existing structures. On the gates to the site and on the corner walls where signs are present, 2 to 3 foot tall decorative wrought iron fencing extenders with brand specific designs will also be placed on top of gates and walls and will raise these structures to a maximum of 9 feet in height.

#### Applicant's Justification

The increased height of the fence is needed to discourage and prevent fence jumping because of residents of the nearby communities jumping the fence to short cut their way to Bermuda Road. The jumping of the current fence and walls is causing reduced safety in the community. The increased fence height will promote safety and the decorative nature of the extended portion of the fence will add a decorative feature to the existing fence and wall.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0379-11	Reclassified the site from R-E to R-3 for a multi-family residential development	Approved by BCC	October 2011
WS-0949-06	Reduce parking in conjunction with an approved condominium development	Approved by PC	August 2006
TM-0504-04	89 unit condominium tentative map - expired	Approved by BCC	October 2004
VS-1531-04	Vacated an abandoned government patent easements - recorded	Approved by BCC	October 2004
DR-1530-04	89 unit multi-family apartment complex - expired	Approved by BCC	October 2004
TM-0347-04	88 unit condominium tentative map	Approved by BCC	July 2004
VS-1098-04	Vacated an abandoned government patent easements - recorded	Approved by BCC	July 2004
DR-1096-04	8 unit multi-family condominium complex	Approved by BCC	July 2004
NZC-0382-04	Reclassified the site from R-E to R-3 for a multi-family residential development - expired	Approved by BCC	July 2004
NZC-1882-03	Reclassified the site from R-E to R-3 for a multi-family residential development	Approved by BCC	April 2004

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Neighborhood Commercial	RM32	Multi-Family Residential
South	Corridor Mixed-Use	RM32	Undeveloped (Approved for Multi-Family Residential)
East	City of Henderson	RM-16	Single-Family Residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Public Use	RS3.3 & PF	Single-Family Residential & Schorr Elementary School

\* The subject site is within the Public Facilities Needs Assessment (PFNA) area.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

**Analysis****Comprehensive Planning**

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Staff finds the purpose of reviewing increases in wall, fence, and gate height is to assure the increased height will not negatively impact the surrounding area in terms of safety or design and is compatible with the surrounding area. In this case, the surrounding area is mostly a mix of single-family and multi-family residential developments with standard 6 foot CMU block walls, wrought irons fencing, or a combination of the two. Staff finds the addition of the wrought iron extensions will provide added safety and the decorative nature of the walls will blend in with the fencing and walls of the surrounding area. Additionally, the extensions will be added to existing walls and fences, so should not cause any safety issues to the surrounding area. For these reasons, 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:**

### **Comprehensive Planning**

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

### **Public Works - Development Review**

- No comment.

### **Fire Prevention Bureau**

- No comment.

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

- No comment.

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

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ARTISTIC IRON WORKS, INC.

**CONTACT:** ARTISTIC IRON WORKS, INC., 105 W. CHARLESTON BOULEVARD, LAS VEGAS, NV 89102