

OFF-SITES & ACCESS  
(TITLE 30)

FORD AVE/GILESPIE ST

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0687-KEYES, CHARLES:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate sidewalk and street landscaping; and **2)** waive full off-site improvements in conjunction with a proposed minor subdivision on an existing single family residence on 2.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the southwest corner of Ford Avenue and Gilespie Street within Enterprise. MN/jor/syp (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-16-404-005

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Eliminate detached sidewalks along Ford Avenue and Gilespie Street where detached sidewalks are required per Figure 30.64-17.
- b. Eliminate street landscaping along Ford Avenue and Gilespie Street where street landscaping is required per Figure 30.64-17.
2. Waive full off-site improvements (curb, gutter, streetlights, sidewalks, and partial paving) along Gilespie Street where required per Section 30.52.040.

**LAND USE PLAN:**

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 185 E. Ford Avenue
- Site Acreage: 2
- Project Type: 2 lot minor subdivision with single family residential access to collector street, waive off-site improvements, and waive Figure 30.64-17

Site Plan

The plan depicts an existing single family residential parcel located on the southwest corner of Ford Avenue and Gilespie Street. The main residence is situated on the northeast corner of the parcel, with accessory structures to the west and south of the residence. The northwest corner of

the parcel includes an accessory apartment. The site also includes vehicular access to Ford Avenue to the north and Giles pie Street to the east.

The applicant is currently processing a 2 lot minor subdivision map (MSM-23-600032) with the Clark County Mapping Team. The applicant’s intent is to subdivide the parcel into 2 lots and construct a second residence on the proposed western lot (Lot 2). The existing accessory structures will be removed prior to the recording of the map.

The applicant’s request includes the following: waiving detached sidewalks and street landscaping along Ford Avenue and Giles pie Street where Figure 30.64-17 is required. Lastly, the applicant is also requesting to waive full off-site improvements along both Ford Avenue and Giles pie Street.

Landscaping

The applicant is not proposing any new street landscaping as a part of Figure 30.64-17. However, there is existing mature landscaping along the north, east, and south property lines, and within the front yard.

Applicant’s Justification

Per the submitted justification letter, the waivers are being requested as the existing home (future Lot 1) has been in existence with rural street standards for 20 years. The owner of the property would like to subdivide the parcel to build a home on the proposed Lot 2 (to the west) for a family member. The developer is requesting these waivers to keep up with the rural feel of the area.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005
WS-1186-00	Increased the overall height of the residence to 43 feet	Approved by PC	September 2000

**Surrounding Land Use**

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-23-0688	A vacation and abandonment for patent easements is a companion item on this agenda.

## **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

Historical aerial photos show that there are no detached sidewalks within a 700 foot radius. The consistent streetscape of this neighborhood does not include street improvements similar to Figure 30.64-17. Staff finds the applicant's request does not negatively affect the neighborhood; therefore, staff can support this request.

##### Waiver of Development Standards #1b

The site currently includes mature landscaping within the majority of the site. Street landscaping per Figure 30.64-17 is not a common site improvement seen within this neighborhood. However, aerial photos from 2022 show that there were mature trees adjacent to Ford Avenue. Aerial photos from 2023 show that landscaping on the northwest corner of the site has diminished. Staff can support this request as long as new trees are planted along the north property line of the future Lot 2.

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

##### Waiver of Development Standards #2

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

#### **Staff Recommendation**

Approval of waiver of development standards #1; denial of waiver of development standards #2.

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**

If approved:

- Plant 3 trees along the north property line of Lot 2 adjacent to Ford Avenue;
- Certificate of Occupancy of the second house shall not be issued without final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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**

- Applicant to submit for an off-site permit for the existing additional pavement on Gillespie Street from the north driveway south to the end of the site.

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

- No comment.

**TAB/CAC:** Enterprise - approval (provide a 3 foot wide asphalt path along Ford Avenue and Gillespie Street).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CHARLES KEYES

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