

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0841-HUGHES FAMILY LIVING TRUST & HUGHES CODY C & AMY N TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce the interior side setback; and **2)** waive full off-site improvements in conjunction with a proposed minor subdivision on 4.47 acres in an RS80 (Residential Single-Family 80) Zone.

Generally located north of Willow Avenue and east of Metcalf Drive within Moapa Valley.
MK/nai/kh (For possible action)

RELATED INFORMATION:

APN:

070-02-310-011

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce side interior setback for an existing accessory metal building to 4 feet where 5 feet is required per Section 30.02.02 (a 20% reduction).
2.
 - a. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Metcalf Drive where required per Section 30.04.08C.
 - b. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Willow Avenue where required per Section 30.04.08C.

LAND USE PLAN:

NORTHEAST COUNTY (MOAPA VALLEY) - OUTLYING NEIGHBORHOOD (UP TO 0.5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1580 Metcalf Drive
- Site Acreage: 4.47
- Project Type: Proposed minor subdivision
- Building Height (feet): 25 (primary residence)/22 (detached garage)/13 feet (shade structure)
- Square Footage: 7,018 (primary residence)/2,652 (detached garage)/849 (accessory metal building)
- Density (du/ac): 0.45

Site Plans

The plans depict a proposed 2 lot subdivision. Access to both lots is from Metcalf Drive along the west property line. Lot 1 is located to the north and will be 114,289 square feet. Lot 2 is

located to the south and will be 80,030 square feet. Currently, there are existing structures on the northern portion of the lot, which will ultimately be Lot 1. The structures include a single-family residence that will be centrally located on Lot 1. There is also a 2,652 square foot detached garage to the northeast of the house. Lastly, there is an 849 square foot accessory metal building located on the northeast corner of Lot 1. The applicant is requesting a waiver of development standards to reduce the side interior setback to 4 feet where 5 feet is required.

Elevations

The photos depict the house and the garage are architecturally compatible; both are made of stucco and painted a beige color. The accessory metal building has the same tan color, yet it is made of metal panels. The primary residence has an overall height of 24 feet 1 inch, while the detached garage and the accessory metal building are 21 feet 6 inches tall and 13 feet tall, respectively.

Applicant's Justification

The applicant wants to subdivide the property into 2 lots. Full off-sites along Metcalf Drive and Willow Avenue are required per MSM-25-600022. The applicant is requesting to waive full off-site improvements along both streets. The applicant also wants to keep the accessory metal building on the property; therefore, is requesting to reduce the side interior setback.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0274-10	Vacation and abandonment of right-of-way	Approved by PC	August 2010

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & West	Outlying Neighborhood (0.5 du/ac)	RS80	Single-family residential
East	Public Use	PF	Vacant

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

Waivers of Development Standards

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.

Waiver of Development Standards #1

The accessory metal building was constructed without a permit. Staff finds that there is plenty of space for the accessory metal building to be relocated in order to meet the required 5 foot interior setback. Additionally, the proposed structure is not architecturally compatible with the house and the garage, nor is it in harmony with the character of the adjacent rural residential properties. Lastly, the applicant has not provided justification as to why this request could not be prevented, nor has provided mitigation. Staff finds the request to be a self-imposed hardship; therefore, staff recommends denial.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support the request not to install full off-site improvements on Metcalf Drive and Willow Avenue. Full width paving, curb, and gutter allows for better traffic flow and drainage control, sidewalks on public streets provide safer pathways for pedestrians, and streetlights for better visibility.

Staff Recommendation

Denial.

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:

- 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; 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

- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau

- No comment.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised that there is an active septic permit on APN 070-02-310-011; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available within the proposed development and none are planned within the next five years.

TAB/CAC: Moapa Valley - approval (3 sided shade structures to remain agricultural).

APPROVALS:

PROTESTS:

APPLICANT: AMY HUGHES

CONTACT: AMY HUGHES, UNKNOWN, P.O. BOX 638, LOGANDALE, NV 89021