

11/06/24 BCC AGENDA SHEET

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**WS-24-0473-J & J INVESTPROP, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setback; and **2)** allow modified driveway geometrics in conjunction with a developing single-family residential subdivision on 1.6 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the east side of Haven Street, 283 feet south of Ford Avenue within Enterprise. MN/jud/kh (For possible action)

---

**RELATED INFORMATION:**

**APN:**

177-16-403-014 through 177-16-403-016

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the front setback for 3 proposed single-family residences (Lots 1 through 3) to 20 feet where 40 feet is required per Section 30.02.04B (a 50% reduction).
2. Increase the driveway width to 38 feet where 28 feet is required per Uniform Standard Drawing 222 (a 36% increase).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 1.6 (Lots 1 through 3)
- Project Type: Front setback & driveway geometrics
- Number of Lots: 3

Site Plan

The proposed plans depict a 4 lot (custom home) single-family residential subdivision with access from Haven Street. These lot sizes range from 23,510 square feet to 23,518 square feet. The building coverage in these lots ranges from 7,267 square feet to 7,606 square feet, including accessory dwelling units and patios. In 3 of the lots within the private cul-de-sac (Lots 1 through 3), the front setback is shown at 20 feet from the property line, necessitating waivers of development standards to allow the front setback reduction. Additionally, the plans depict 38 foot wide driveway widths which requires a waiver of development standards. Lot 4 has a residential development under construction and is not part of this application.

Landscaping

Landscaping is not a part of this request.

Applicant’s Justification

The applicant states the purchase of all 4 lots in the cul-de-sac community occurred a few years ago. Plans were professionally designed and engineered to comply with Title 30 prior to the new update. The applicant has approved building permits for 1 of the lots under the old Title 30. The applicant further states allowing the 3 other lots to match the same site design will keep the setback consistent with the presently built lot (Lot 4).

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, East, South, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential

**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

Other homes in the area as well as Lot 4 within the same subdivision were built before the Code update, allowing their setbacks to be measured from the centerline of the private street, as opposed to how they are measured today from back-of-curb per updated Title 30. Although this home will be similar to others, more than half of the subdivision is not built yet and these homes are expected to comply with current Title 30 standards which dictate measurement from back-of-curb. However, since the proposed homes on the 3 lots will be consistent with the setbacks for Lot 4, staff can support this request.

**Public Works - Development Review**

Waiver of Development Standards #2

Staff has no objection to the increase of the residential driveway width. The increase is within a private 4 lot subdivision and should not have a negative impact on the residents.

### **Department of Aviation**

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

### **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; 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.

#### **Department of Aviation**

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at [landuse@lasairport.com](mailto:landuse@lasairport.com) is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

#### **Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0145-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** EMMETT D. HENRY

**CONTACT:** JAVIER IBARRA, J & J CONTRACTING, LLC, 8775 S. LINDELL ROAD,  
SUITE 100, LAS VEGAS, NV 89139