

03/18/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0067-SMITH, STEPHEN JAMES & MARY JEANETTE:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced setbacks for an existing accessory structure; and **2)** increased wall height in conjunction with an existing single-family residence on 0.16 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located on the east side of Tumbling Pebble Way and 150 feet north of Pebble Canyon Drive within Enterprise. MN/dd/kh (For possible action)

RELATED INFORMATION:

APN:

177-21-111-019

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the interior side setback for an accessory structure (storage shed) to 2 feet where 5 feet is required per Section 30.02.06 (a 60% reduction).
- b. Reduce the rear setback for an accessory structure (storage shed) to 2 feet where 5 feet is required per Section 30.02.06 (a 60% reduction).
2. Allow an 8 foot high wall along rear and interior side property lines where a maximum 6 foot high wall is allowed per Section 30.04.03B (a 33% increase)

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 8970 Tumbling Pebble Way
- Site Acreage: 0.16
- Project Type: Accessory structure & wall height
- Number of Stories: 1 (house & shed)
- Building Height (feet): 12.5 (shed)
- Square Feet: 192 (shed)

Site Plan

The site plan depicts an existing single-family residence with access off Tumbling Pebble Way. There is an existing accessory structure (storage shed) located on the northeast corner of the property. The storage shed is set back 2 feet from the north (interior side) property line and 2 feet from the east (rear) property line, with 11.5 feet of separation from the residence. The plans

indicate that the block walls along the north, east, and south property lines were increased to 8 feet in height.

Landscaping

There are no changes to the existing landscaping being proposed with this request.

Elevations

Photographs of the shed depict it as being constructed of wood panels colored to match the existing residence and is shown as being 12.5 high feet at its tallest point. The shed also features a shingled roof with a overhead roll-up door facing west towards Tumbling Pebble Way. The CMU blocks that were added are darker in color when compared to the original block walls.

Floor Plans

The storage building is depicting as being 192 square feet.

Applicant’s Justification

The applicant states that their neighbors to the north, east, and south all have walls over 6 feet in height and that they are building their wall to make their property more private and secure. The applicant also states that the increased wall height will keep their dog from being able to jump out of their rear yard.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential

Clark County Public Response Office (CCPRO)

CE22-25750 is an active Code Enforcement case for adding to the block walls without a permit.

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 applicant did not provide justification for the shed located within the side and rear setbacks. The shed could be relocated within the rear yard to meet the required setbacks. Since this is a self-imposed hardship, staff cannot support this request.

Waiver of Development Standards #2

While staff acknowledges the desire to make a property private and more secure, and to protect pets, staff finds that the applicant could have instead installed landscaping around the interior of the property to the same effect. Additionally, staff cannot identify any other properties in the immediate area with increased wall heights. Development standards for residences, including maximum wall heights, are established by Title 30 to maintain the character and aesthetics of neighborhoods, neither of which are accomplished with this request. For these reasons, staff cannot support this request.

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:

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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; approval of this application does not constitute or imply approval of any other County issued permit or approval; 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: STEPHEN JAMES SMITH

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