

01/18/22 PC AGENDA SHEET

HOME OCCUPATION  
(TITLE 30)

BURNHAM AVE/ROBINDALE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0675-MCKAY, KELLENE & FLETCHER JACK WILLIAM:**

**USE PERMIT** to allow an on-site employee who is not a family member in conjunction with an existing home occupation within an existing single family residence on 0.4 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Burnham Avenue and the north side of Robindale Road within Paradise. MN/jor/jo (For possible action)

---

RELATED INFORMATION:

**APN:**

177-11-605-003

**LAND USE PLAN:**

WINCHESTER/PARADISE – RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2120 E. Robindale Road
- Site Acreage: 0.4
- Project Type: Home occupation
- Number of Stories: 2
- Square Feet: 2,166 (main residence)/2,835 (attached RV garage)

Site Plan

The site plan depicts an existing single family residence on 0.4 acres, located on the northeast corner of Burnham Avenue and Robindale Road. The front of the residence faces south toward a circular driveway adjacent to Robindale Road. The western portion of the residence includes an RV garage where the home occupation takes place. The applicant's home occupation is a cabinetry business. The applicant is requesting to allow 1 employee who is not a family member to remain on-site during their business hours.

Landscaping

Landscaping is neither required nor a part of this request.

### Elevations

Elevations and photographs depict a 2 story single family residence with modern architecture and white and grey exterior walls with a shingled roof. The exterior of the home includes modern architectural façade enhancements.

### Floor Plans

The floor plans depict an existing single family residence with 2 stories with an overall area of 2,166. The attached RV garage on the western portion of the site has an overall area of 2,835 square feet. The applicant's existing home occupation occurs within the RV garage only.

### Applicant's Justification

The applicant owns a licensed home remodeling business. The applicant and their employee make custom cabinets that are installed in their client's homes. Per the applicant, the employee works in the garage during the hours of Monday through Friday from 8:00 a.m. to 5:00 p.m. In addition, clients do not visit the residence, no signs are posted, no use of hazardous materials, and the applicant does not receive products or materials on-site. The applicant parks all of their vehicles inside the property behind the gates in the evening and they utilize 1 trailer that is less than 10,000 pounds which is allowed per Title 30.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-17-0807	Reduced front yard, interior side, and rear yard setbacks for a proposed addition	Approved by PC	November 2017

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-2	Single family residential
West	Public Use	R-E	Place of worship

### **Clark County Public Response Office (CCPRO)**

CE21-13511 is an active zoning violation for the following: trash and debris constantly left on the side of the home from the existing business, a dumpster filled with trash and debris consistently placed on Burnham Avenue for months at time, and inoperable vehicles on the property. A recent follow-up inspection was conducted on November 24, 2021 by a CCPRO officer, which the officer notes that commercial vehicles associated with the home occupation are parked on the street.

### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

## **Analysis**

### **Current Planning**

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Home occupations in general are encouraged to have minimal impact to the surrounding neighborhood. Staff is concerned with the Clark County Response Office (CCPRO) complaint (CE21-13511) which states that over-filled dumpsters and trash cans are left on Burnham Avenue without being properly disposed of. Staff can support the applicant's request to allow an employee who is not a family member on-site only if the applicant completes a 1 year review to ensure that trash, debris, and potential neighborhood nuisances are mitigated and do not persist.

### **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:**

### **Current Planning**

- 1 year to review.
- Applicant is advised that the County is currently rewriting Title 30 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 and application for review; and that 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.

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

- No comment.

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

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** KELLENE MCKAY

**CONTACT:** KELLENE MCKAY, FLETCHER, LLC, 2120 E. ROBINDALE ROAD, LAS VEGAS, NV 89123