

02/07/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**VS-23-0793-DEAN, JERRY & DEANNA FAMILY TRUST:**

**VACATE AND ABANDON** an easement of interest to Clark County located between Diablo Drive (alignment) and Dewey Drive (alignment) and between Torrey Pines Drive and El Camino Road (alignment) within Spring Valley (description on file). MN/jor/syp (For possible action)

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RELATED INFORMATION:

**APN:**

163-26-801-039

**LAND USE PLAN:**

SPRING VALLEY - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

**BACKGROUND:**

**Project Description**

The plan depicts a 40 foot wide drainage easement on the southeastern boundary of the site to be vacated. The applicant indicates that the public drainage easement is no longer necessary for the development of the site. Clark County maintains an existing drainage channel along the rear property line.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-22-0284	Reclassified the site from R-E to R-D zoning, with a waiver for modified driveway geometrics, and a design review for finished grade	Denied by BCC	June 2022
VS-22-0283	Vacated and abandoned a portion of a drainage easement	Denied by BCC	June 2022
WS-0350-10 (ET-0120-12)	First extension of time for non-standard off-site improvements	Approved by PC	November 2012
WS-0350-10	Non-standard off-site improvements	Approved by PC	September 2010
UC-0335-10	Accessory structure before primary - expired	Approved by PC	September 2010

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & East	Low-Intensity Suburban Neighborhood (5 du/ac)	R-E	Single family residential
West	Low-Intensity Suburban Neighborhood (5 du/ac)	R-E & R-D	Single family residential

### Related Applications

Application Number	Request
ZC-23-0794	A zone change to reclassify the parcel from R-E zoning to R-D zoning, with waivers to increase the retaining wall height and allow modified driveway geometrics, and a design review for increase finished grade 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

#### Public Works - Development Review

Staff has no objection to the vacation of drainage easements that are not necessary for site, drainage, or roadway development.

### 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

- Satisfy utility companies' requirements.
- Applicant is advised within 2 years from the approval date the order of vacation must be recorded in the Office of the County Recorder or the application will expire unless extended with approval of an extension of time; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

**Public Works - Development Review**

- Drainage study and compliance;
- Coordinate with Public Works - Development Review to determine the limits of the drainage area being vacated;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

**Fire Prevention Bureau**

- No comment.

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

- No objection.

**TAB/CAC:** Spring Valley - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CLAYTON NEILSEN

**CONTACT:** CLAYTON NEILSEN, 6765 W. RUSSELL ROAD, SUITE 200, LAS VEGAS, NV 89118