

06/18/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0165-SIGNATURE LAND HOLDINGS, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to allow an alternative yard in conjunction with a previously approved single-family residential subdivision on 5.05 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on the east and west sides of Paradise Park Drive and the north side of Gomer Road within Enterprise. JJ/jor/ng (For possible action)

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RELATED INFORMATION:

**APN:**

176-19-801-011; 176-19-801-017

**WAIVER OF DEVELOPMENT STANDARDS:**

Allow an alternative yard for Lot 29 where yards are established per Section 30.04.09.

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: None
- Site Acreage: 5.05
- Project Type: Alternative yard for a single-family residence (Lot 29)

Site Plan

The subject parcels were previously approved for a 29 lot single-family residential subdivision via ZC-22-0651 and TM-22-500216. The previously approved plan depicts 2 parcels with frontage on Gomer Road to the south and on the east and northwest sides of the terminus of Paradise Park Drive. The easterly portion of the development consists of 13 lots that will have 5 lots fronting onto Paradise Park Drive and the remaining lots accessing a 39 foot wide private street. The westerly portion of the development consists of 16 lots that will front onto a 39 foot wide private street. Both private streets extend to the northwest and southeast from the terminus of Paradise Park Drive.

The applicant is requesting to allow an alternative yard for a proposed single family residence on Lot 29 only, located on the western portion of the subdivision on the south side of the private street. With this request, the east property line will act as front; therefore, the northeast property

line will act as street side, the northwest property line will act as rear, and the south property line will act as interior side.

Applicant’s Justification

Per the applicant, the request to allow an alternative yard for a proposed single-family residence is due to the unique shape of the lot (Lot 29). In addition, there is an existing 100 foot wide power easement which runs diagonally from a northwest to a southeast direction across the entire subdivision. The proposed residence will be constructed in an east to west orientation with the driveway facing the north property line (side yard).

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-22-0652	Vacated and abandoned patent easements	Approved by BCC	January 2023
TM-22-500216	29 lot single-family residential subdivision	Approved by BCC	January 2023
ZC-22-0651	Reclassified 5 acres from RS20 zoning to RS3.3 zoning for single-family residential subdivision	Approved by BCC	January 2023
WT-0779-95	Constructed 11 miles of overhead transmission lines includes 140, 40 foot high wooden poles to service 400 parcels, with a waiver to waive underground electrical requirements	Approved by PC	June 1995

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20	Undeveloped

The subject site is located within the Public Facilities Needs Assessment (PFNA) area.

**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**

Waiver 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.

Staff finds that due to the irregular shape of the lot, the request for an alternative yard is acceptable. The future resident of Lot 29 will be able to maximize the potential yard space to the north and to the west, where the northern portion of the lot would typically be considered the front yard. An alternative yard request would reclassify the area along the front property line the side yard. Furthermore, Lot 13 was previously approved for an alternative yard via ZC-22-0651. The applicant's request does not negatively impact the previously approved subdivision; therefore, staff can support this request.

### **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 that 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**

- Comply with approved drainage study PW22-20238.

#### **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 #0006-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** DAVID LOGSDON

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