

05/16/23 PC AGENDA SHEET

HARDSCAPE
(TITLE 30)

UPDATE
JEFFERYS ST/PORTABELLO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0706-DAGLEY REVOCABLE LIVING TRUST:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase the front yard hardscape in conjunction with an existing single family residence on 0.1 acre in an R-2 (Medium Density Residential) Zone.

Generally located on the north side of Portabello Road, 40 feet west of Jefferys Street within Paradise. TS/sd/syp (For possible action)

RELATED INFORMATION:

APN:

162-14-813-023

WAIVER OF DEVELOPMENT STANDARDS:

Increase the front yard hardscape to 100% where 60% is the maximum allowed per Section 30.64.030 (a 67% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 2274 Portabello Road
- Site Acreage: 0.1
- Number of Lots/Units: 1
- Project Type: Single family residence

Site Plan

The plan depicts an existing single family residence that was constructed in 1963 with access from Portabello Road. According to aerial photographs, the existing driveway was widened to cover the entire front yard in early 2020. The residence is set back 21 feet from the garage and 37 feet from the existing wall and gate in the front yard. The area behind the gate in the front and side of the residence does not have landscaping. The subdivision was approved with a zero lot line on the west property lines of the lots; therefore, the hardscape extends to the residence to the east of the subject lot.

Landscaping

Landscaping is not part of this request.

Applicant's Justification

The applicant indicates this request is needed to rectify an existing Code enforcement violation. The applicant states that approval of this application will conserve water and the removal is cost prohibited and will create waste with materials and water.

Surrounding Land Use

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

Clark County Public Response Office (CCPRO)

CE22-20341 is an active zoning violation for cemented hardscape of the entire front of property that has caused rain to flood the home next door.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The Code limits hardscape not to exceed 60% to minimize the heat island effect and storm water run-off by reducing the number of impervious surfaces, as well as to maintain an aesthetically pleasing streetscape. Per the Clark County Public Response Office, the hardscape has caused flooding from rain to the next door neighbor; thus, impacting the existing neighborhood; therefore, staff does not support a self-imposed hardship and does not 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:

- 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; 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 that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - denial.

APPROVALS: 4 cards

PROTESTS: 1 card

PLANNING COMMISSION ACTION: February 21, 2023 – HELD – To 03/21/23 – per the applicant.

PLANNING COMMISSION ACTION: March 21, 2023 – HELD – To 05/16/23 – per the applicant.

APPLICANT: DAGLEY REVOCABLE TRUST

CONTACT: NEHA DAGLEY, 2274 PORTABELLO ROAD, LAS VEGAS, NV 89119