

05/05/26 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0171-MENA, LEO A:

WAIVER OF DEVELOPMENT STANDARDS to increase wall height in conjunction with an existing single-family residence on 0.07 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located west of Bare Rabbit Court and north of Early Horizon Drive within Enterprise.
JJ/ji/kh (For possible action)

RELATED INFORMATION:

APN:

176-29-712-015

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Increase the wall height along the north property line to 7 feet 5 inches where a maximum of 6 feet is permitted per Section 30.04.03B (a 24% increase).
- b. Increase the wall height along the south property line to 7 foot 1 inch where a maximum of 6 feet is permitted per Section 30.04.03B (an 18% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 10239 Bare Rabbit Court
- Site Acreage: 0.07
- Project Type: Wall height
- Wall Height: 7 feet 5 inches maximum

Site Plan and Elevations

The plan depicts a single-family residence with access provided via Bare Rabbit Court to the east. There are existing walls along the north and south property lines and the applicant is maintaining and proposing the following:

North Property Line: (up to 11 feet from west property line)

- North wall existing height is 6 feet 2 inches with proposed height of 7 feet 5 inches.

West Property Line:

- The rear wall will remain with the existing height of 1 foot 2 inches retaining with a 6 foot screen on top.

South Property Line: (up to 18 feet from the west property line and return wall)

- The south wall existing height is 5 feet 9 inches with a proposed height of 7 feet 1 inch.

Landscaping

No landscaping is proposed with this request.

Applicant’s Justification

The applicant states the request for an increase in the wall height is to enhance the safety and security for their family due to a recent robbery. In addition, the applicant provided signed consent letters from their neighbors supporting the height increase of the existing walls.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|--|-----------------|---------------|
| WS-0593-04 | Waiver of Development Standards for nonstandard street improvements | Approved by PC | May 2004 |
| TM-0167-03 | Tentative Map for a single-family residential subdivision | Approved by PC | May 2003 |
| UC-1833-02 | Use Permit for modified development standards for Mountain’s Edge | Approved by PC | May 2003 |
| ZC-1313-02 | Zone Change from R-E to R-2, R-1, R-U-D, R-3, C-P, C-2, and P-F zoning for a mixed-use development | Approved by BCC | December 2002 |

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) | RS3.3 | Single-family residential |

The subject site is 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.

Although staff does not typically support requests to increase the perimeter wall height, staff finds that the walls are set back more than 40 feet from the front property line, and are shielded by mature landscaping from the private street. Furthermore, the applicant provided consent letters from the northern and southern property owners; 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 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

- No comment.

Fire Prevention Bureau

- 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: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: LEO A MENA

CONTACT: LEO MENA, 10239 BARE RABBIT COURT, LAS VEGAS, NV 89178