

10/08/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0588-HOGAN, EDWARD F. IV:**

**WAIVER OF DEVELOPMENT STANDARDS** to reduce setbacks in conjunction with a proposed single-family residential development on 1.20 acres in an RS10 (Residential Single-Family 10) Zone.

Generally located east of La Cienega Street and north of Neal Avenue within Enterprise. MN/md/kh (For possible action)

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RELATED INFORMATION:

**APN:**

191-04-502-003

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Reduce the front setback for Lots 1 through 4 to 5 feet where a minimum setback of 30 feet is required per Section 30.02.05 (an 83.3% reduction).
- b. Reduce the rear setback for Lots 1 and 2 to 10 feet where a minimum setback of 25 feet is required per Section 30.02.05 (a 60% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 1.20
- Project Type: Single-family residential development
- Number of Lots: 4
- Density (du/ac): 3.33
- Minimum/Maximum Lot Size (square feet): 11,189/14,917 (gross)/9,017/9,573 (net)

Site Plan

The plans depicts 4 proposed single-family residential lots with access granted via an east/west private street, measuring 50 feet in width. The private street connects to a north/south public street being La Cienega Street that terminates in a cul-de-sac bulb. A 5 foot wide attached sidewalk is located on both sides of the private street and along the radius of the cul-de-sac bulb. A waiver of development standards is required to reduce the front setback to 5 feet for all lots within the subdivision (Lots 1 through 4). A rear setback reduction to 10 feet where 25 feet is required is also requested for Lots 1 and 2 (Western Lots). The driveways serving Lots 1

through 4 measure a minimum of 18 feet in length, as measured from the back of the sidewalk to the center of the garage door, per Title 30 requirements. No elevations or floor plans have been submitted with this request as the lots will contain future custom residences.

#### Landscaping

A 5 foot wide detached sidewalk is proposed along the west portion of the development, adjacent to La Cienega Street. The proposed street landscape area, including two, 5 foot wide landscape strips are provided on each side of the detached sidewalk along the street. The street landscape area consists of large trees, shrubs, and groundcover. A 6 foot high decorative screen wall is proposed behind the street landscape area.

#### Applicant's Justification

This area is intended to be outfitted with low-density, single-family homes and this layout, with the corresponding waivers, will create continuity within the existing neighborhood. These lots allow for a cohesive match to existing custom homes in the area.

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North & South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS20	Single-family residential
East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS3.3	Single-family residential
West	Open Lands	PF	High School (South Career & Technical Academy)

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

#### **Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-25-0585	A zone change from RS20 to RS10 is a companion item on this agenda.
VS-25-0586	A vacation and abandonment of a portion of right-of-way is a companion item on this agenda.

#### **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.

The intent of building setbacks is to prevent the massing of buildings, provide an adequate buffer between structures, maintain a uniform development pattern, and minimize impacts to neighboring properties. Staff finds the request to reduce setbacks is inconsistent and incompatible with the adjacent single-family residential development, especially when considering the RS10 subdivision to the northeast was developed without any waivers to setbacks, and may potentially impact the adjacent properties. The request is a self-imposed burden; therefore, staff recommends denial.

### **Department of Aviation**

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Henderson Executive Airport and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Airport to meet future air traffic demand.

### **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:

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- 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**

- Drainage study and compliance;
- Full off-site improvements;

- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

**Department of Aviation**

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at [landuse@lasairport.com](mailto:landuse@lasairport.com) is strongly encouraged; and that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998, and funds will not be available in the future should the residents wish to have their homes purchased or soundproofed.

**Fire Prevention Bureau**

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0111-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - approval of waiver of development standards #1b; denial of waiver of development standards #1a.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ACG DESIGN

**CONTACT:** ACG DESIGN, 4310 CAMERON STREET, SUITE 12-A, LAS VEGAS, NV 89103