

10/01/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-24-400089 (WS-21-0501)-HYLAND, DELBERT EARL & SANDRA H.:

WAIVER OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME to increase wall height in conjunction with a single-family residence on 0.53 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located on the north side of Oakleigh Willow Way, 475 feet east of Topaz Street within Paradise. JG/jm/syp (For possible action)

RELATED INFORMATION:

APN:

162-25-301-018

WAIVER OF DEVELOPMENT STANDARDS:

1. a Allow a solid wall up to 8 feet in height in the front yard where a maximum 6 foot high decorative fence is permitted per Table 30.64-1 (a 33% increase).
- b. Increase perimeter wall height up to 10 feet where 6 feet is the maximum permitted per Section 30.64.020 (a 67% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 2760 Oakleigh Willow Way
- Site Acreage: 0.53
- Project Type: Walls

Site Plan

The previously approved site plan depicts an existing single-family residence centrally located on the site. The parcel is located on the northeast side of the terminus of Oakleigh Willow Way, and the house faces southwest. A gated driveway extends from the end of Oakleigh Willow Way along the south side of the site. The wall height is increased on portions of all sides of the site.

Landscaping

No changes to the existing landscaping were proposed with this application.

Elevations

The previously approved plans depict existing walls surrounding the property were extended to various heights. Along the west property line and within the front yard, the wall transitions from 2 feet high up to 8 feet in height. Along the north property line the wall height varies between 5 feet and 8 feet. Along the east property line the wall transitions from 7 feet up to 10 feet in height, and along the south property line the wall is 7 feet to 8 feet in height, part of which is also in the front yard. All the walls consist of tan colored block. Wrought iron is included on portions of the wall along the west property line to create an overall height of 6 feet for the lower block portions of the wall.

Previous Conditions of Approval

Listed below are the approved conditions for ET-23-400141 (WS-21-0501):

Comprehensive Planning

- Until January 31, 2024 to obtain a building permit;
- Until March 31, 2024 to comply with all the previously approved conditions and pass the final building inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30, effective January 1, 2024, and future land use applications will be reviewed for conformance with the regulations in place at the time of application.

Listed below are the approved conditions for WS-21-0501:

Current Planning

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing;
- Stucco to match the existing stucco;
- Paint the stucco to match in the backyards;
- Remove the excess mortar, the weeping mortar, and the excess cement on all the walls;
- Hire a professional, licensed, bonded contractor to do the work;
- Replace the landscaping that was removed;
- Hire a professional landscaper to do the work.
- Applicant is advised that approval of this application does not constitute or imply approval of any other County issued permit, license or approval; 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; and that 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.

Applicant's Justification

The applicant states they are requesting an extension due to an additional engineer reviewing calculations to ensure that wall is done properly. They are requesting an additional 2 years to allow that process to be completed.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-23-400141 (WS-21-0501)	Extension of time for waiver of development standards to increase wall height	Approved by PC	December 2023
WS-21-0501	Increased wall height	Approved by PC	January 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS10	Single-family residential
East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS20	Single-family residential

Clark County Public Response Office (CCPRO)

CE19-14985 is an active Code Enforcement case for building the block wall without a permit.

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

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds there is an active building permit (BD22-41847) for rebuilding the wall. The applicant also hired an additional engineer to assist with structural calculations to ensure the wall is rebuilt safely. The applicant has been making progress with the Building Department towards securing the block wall permit, with this extension of time being one of the remaining items that needs to be resolved prior to permit issuance. 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

- Until January 4, 2026 to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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; 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; 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)

- No comment.

TAB/CAC: Paradise - approval (6 months from the meeting date for the applicant to complete building permit and inspection process).

APPROVALS:

PROTEST:

APPLICANT: DELBERT HYLAND

CONTACT: DELBERT HYLAND, 2760 OAKLEIGH WILLOW WAY, LAS VEGAS, NV 89120