

09/04/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0312-STUSSY DIETER REVOCABLE TRUST & STUSSY DIETER TRS:**

**HOLDOVER WAIVER OF DEVELOPMENT STANDARDS** to eliminate full off-site improvements in conjunction with a minor subdivision map on 4.72 acres in an RS80 (Residential Single-Family 80) Zone.

Generally located on the southeast corner of Tami Street and Ron Avenue within Moapa Valley.  
MK/jud/syp (For possible action)

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RELATED INFORMATION:

**APN:**

041-35-801-016; 041-35-801-017

**WAIVER OF DEVELOPMENT STANDARDS:**

Eliminate full off-site improvements (curb, gutter, sidewalk, streetlights, and paving) where required per Section 30.04.08C.

**LAND USE PLAN:**

NORTHEAST COUNTY (MOAPA VALLEY) - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 775 Ron Avenue
- Site Acreage: 4.72
- Number of Lots: 1
- Project Type: Minor subdivision

Request & Site Plan

This is a request to waive requirements for off-site improvements along Tami Street and Ron Avenue associated with a minor subdivision (MSM-23-600051). The minor subdivision map indicates that the site, 4.72 acres, will consist of 1 lot after the proposed MSM is approved to combine 2 lots into 1. The applicant wants to combine the lots and is not proposing any on-site improvements.

Applicant's Justification

The applicant states that they are interested in combining the 2 parcels for tax purposes and no on-site or off-site improvements will take place. No changes will be made to the current use, and the surrounding areas have no off-site improvements.

### Prior Land Use Requests

Application Number	Request	Action	Date
VS-22-0577	Vacated and abandoned rights-of-way (Lou Jeanne Avenue and Tami Street)	Approved by BCC	December 2022
WS-18-0280	Allowed a residential swimming pool in the front yard in conjunction with a single-family residence	Approved by PC	June 2018

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS5.2	Single-family residential
South	Outlying Neighborhood (up to 0.5 du/ac)	RS80	Undeveloped
East & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS80	Single-family residential

### 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.

#### Public Works - Development Review

Although staff has no objection to the request not to install a curb, gutter, sidewalk, and streetlight, there is existing paving to the east, so partial paving should continue to this site; therefore, staff cannot 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 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**

- Execute a Restrictive Covenant Agreement (deed restrictions).

### **Fire Prevention Bureau**

- No comment.

### **Southern Nevada Health District (SNHD) - Engineering**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto:septics@snhd.org) or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

### **Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that the property appears to have an existing septic system and to contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures.

**TAB/CAC:** Moapa Valley - approval.

**APPROVALS:**

**PROTESTS:**

**COUNTY COMMISSION ACTION:** August 21, 2024 – HELD – To 09/04/24 – per the applicant.

**APPLICANT:** DIETER STUSSY

**CONTACT:** BULLOCH BROTHERS ENGINEERING, INC, 750 W. PIONEER BOULEVARD, MESQUITE, NV 89027