

07/16/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0230-D.R. HORTON, INC:**

**WAIVER OF DEVELOPMENT STANDARDS** for a reduced setback in conjunction with a single-family residential lot on 0.06 acres in an RS2 (Residential Single-Family 2) Zone.

Generally located on the east side of Polaris Avenue, approximately 30 feet south of Rush Avenue within Enterprise. JJ/dd/ng (For possible action)

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RELATED INFORMATION:

**APN:**

177-29-411-020

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the rear setback for Lot 27 to 10 feet where 15 feet is required per Section 30.02.08 (a 33% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 10414 Polaris Avenue
- Site Acreage: 0.06
- Project Type: Rear setback

History & Site Plans

The plans depict a previously approved single-family residential development consisting of 207 lots on 22.5 acres. The minimum and maximum lot sizes are 2,657 square feet and 6,493 square feet, respectively. The primary ingress and egress to the proposed development is via a private street, Ti Amo Avenue, which connects to Dean Martin Drive. The other primary entrance to the proposed development is via a private street, Roma Moonlight Street, which connects Frias Avenue to Rush Avenue. The interior of the development is serviced by a network of 43 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street.

In 2022, WS-22-0194 was approved to reduce the rear setbacks for Lots 16, 26, 35, Lots 45 through 126, Lots 128 through 186, and Lots 188 through 197 to 10 feet where 15 feet was required. Now, the applicant has requested another waiver specifically for lot 27 for the reduction of the rear setback to 10 feet where 15 feet is required.

### Landscaping

No changes are proposed to the previously approved landscaping.

### Elevations

The previously approved plans depict 3 different model homes each featuring 3 varying elevation models for the subdivision. The 2 story model homes have a maximum height of up to 25 feet. The proposed models consist of a stucco exterior with a pitched, concrete tile roof and depict different options on the elevations such as pop-outs, shutters, window trims, and stone veneer.

### Floor Plans

The previously approved plans depict 2 story model homes ranging in size from 1,715 square feet to 1,865 square feet for the subdivision, depending on the options selected by the home buyer. The first floor of every unit will contain a 2 car garage with a 20 foot long driveway, with the exception of Lots 26 and 27 which have 18 foot long driveways as previously approved.

### Applicant's Justification

The applicant indicates the proposed reduction in setbacks is due to topographic and site constraints. The justification letter states that added amenities within the subdivision will help compensate for reduced setbacks.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ET-23-400035 (VS-20-0575)	Extension of time for a vacation of patent easements	Approved by BCC	June 2023
WS-22-0194	Reduced setbacks for lots in a single-family residential development	Approved by PC	June 2022
ZC-20-0574	Reclassified 22.5 acres from R-E to RUD zoning with alternative driveway geometrics and increased finished grade	Approved by BCC	March 2021
VS-20-0575	Vacated and abandoned patent easements and BLM right-of-way grants	Approved by BCC	March 2021
TM-20-500199	Subdivided the site into 209 single-family residential lots	Approved by BCC	March 2021
PA-18-700020	Re-designated the land use category of this site to RM (Residential Medium) for the undeveloped parcels south of Frias Avenue	Approved by BCC	March 2019
NZC-0340-13	Reclassified a portion of this site to R-1 zoning for a single-family residential subdivision - expired	Approved by BCC	November 2013

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS2	Undeveloped & single-family residential

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	RS20	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.

Staff does not typically support waivers of development standards for reduced setbacks, unless in certain circumstances; however, there was a previous approval for reduced setbacks throughout a majority of the subdivision. Since the request is consistent with the previous approval and staff is not anticipating that the request increase the negative impact to the surrounding properties, staff will 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)**

- No comment.

**TAB/CAC:** Enterprise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** D.R. HORTON, INC.

**CONTACT:** VTN-NEVADA, 2727 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146