

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0063-HAWKINS, JAMES A. & REBECCA FAM TR & HAWKINS, JAMES A. & REBECCA L. TRS:

HOLDOVER WAIVER OF DEVELOPMENT STANDARDS to increase fence height in conjunction with an existing single-family residence on 0.2 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located on the south side of Rawhide Street, 350 feet east of Oxbow Street within Paradise. JG/jm/ng (For possible action)

RELATED INFORMATION:

APN:

162-26-710-320

WAIVER OF DEVELOPMENT STANDARDS:

Increase the height of a non-decorative fence to 6 feet where a maximum of 3 feet is permitted within the first 15 feet of the front property line per Section 30.04.03B (a 100% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 1947 Rawhide Street
- Site Acreage: 0.2
- Project Type: Fence height
- Sustainability Points Required/Provided: 0/0

Site Plan

The plan depicts an existing single-family residence with an existing fence located in the northeastern (front) portion of the property. The length of the fence extends from the corner to the west along Rawhide Street approximately 35 feet 3 inches and is approximately 2 feet south of the sidewalk. The fence then extends 30 feet south and meets the home on 1 side with an existing fence on the east property line enclosing a portion of the front yard.

Landscaping

Landscaping is not a part of this request.

Elevations

The stockade-style fence is approximately 6 feet tall and has a west facing built in latched pedestrian gate approximately 6 feet from the front of the home.

Applicant’s Justification

The applicant states they installed the fence to provide a safe space to enjoy the outdoors where they previously had transients resting in the front yard, between her home and the neighbors home, or peering into her home. The applicant has documented medical conditions that require a safe and calming space for her to live. This would also allow her tortoises to have a habitat in the front yard.

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)	RS5.2	Single-family residential

Clark County Public Response Office (CCPRO)

CE-23-20196 is an active case that involves the height and location of the fence.

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 fence is neither decorative nor architecturally compatible with the existing residence in color or materials. Non-decorative fences in the front yard detract from the aesthetics of the streetscape. Staff finds that the applicant has not provided evidence showing that this fence would not adversely affect the area. 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:

- 1 year 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; 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS: 4 cards, 3 letters

PROTESTS: 6 cards

PLANNING COMMISSION ACTION: May 21, 2024 – HELD – To 07/16/24 – per Commissioner Kirk.

APPLICANT: BILLIE PEACO

CONTACT: BILLIE PEACO, 1947 RAWHIDE STREET, LAS VEGAS, NV 89119