

WALL HEIGHT
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0689-CREIGH FAMILY PROTECTION TRUST & CREIGH, CHARLES T. JR. & CM TRS:

APPEAL WAIVER OF DEVELOPMENT STANDARDS for increased wall and gate height.
DESIGN REVIEW for an access gate in conjunction with a single family residence on 0.6 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the north side of La Mirada Avenue and the west side of Pine Street within Paradise. JG/bb/ja (For possible action)

RELATED INFORMATION:

APN:

177-01-812-006; 177-01-701-013

WAIVER OF DEVELOPMENT STANDARDS:

Increase wall and gate height to 10 feet where 6 feet is the maximum height in the side and rear yards per Section 30.64.020 (a 66% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 3320 La Mirada Avenue
- Site Acreage: 0.6
- Project Type: Wall height

Site Plan

The plan depicts a 10 foot high gate located on the northern portion of the east property line of the single family residence (APN 177-01-812-006). A 9 foot high block wall is adjacent to the northern portion of the gate, and extends to the east along Pine Street, at which point the street dead-ends. The wall then extends north, enclosing a portion of the parcel owned by the HOA (177-01-701-013). This portion of the site is also within a drainage easement, which is proposed to be vacated. The property has 3 driveways, 2 from La Mirada Avenue and 1 from Pine Street.

Landscaping

The property has existing landscaping on all sides and extending into the Duck Creek Flood Control Channel on the north side of the home.

Elevations

The elevations depict a 9 foot high non-decorative wall with a 10 foot high decorative metal access driveway gate.

Applicant's Justification

The applicant constructed the walls and gate without a permit and has included a portion of the Duck Creek Flood Control Channel as part of the backyard. The wall ranges from 6 feet to 9 feet in height with a nearly 10 foot high gate on the west side of 3320 La Mirada Avenue, adjacent to Pine Street. The applicant is also seeking a vacation of easements for a portion of an existing drainage easement on APN 177-01-701-013. There is an agreement with the Equestrian Estates HOA for the owner to acquire a portion of APN 177-01-701-013.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Duck Creek Flood Control Channel & single family residential
South & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Drainage channel

Related Applications

Application Number	Request
VS-22-0690	A request to vacate a portion of a drainage easement is a companion item on this agenda.

Clark County Public Response Office (CCPRO)

CE22-07609 is an active case for building without a permit (wall/gate).

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to

modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards & Design Review

The wall is located at the north end of Pine Street and begins at the northeast corner of the existing home. The wall and gate follow the west edge of Pine Street to the north and will not create a negative impact to street traffic or a hazard to the surrounding area considering Pine Street is a dead-end street serving only 2 homes. There is no street traffic beyond the existing driveways for this property and the neighbor to the east. The 9 foot portion of wall located on the northwest edge of Pine Street, along the south property line of APN 177-01-701-013, will not create a negative impact to the surrounding area. Staff can support the additional wall height and gate.

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.

PLANNING COMMISSION ACTION: August 15, 2023 – APPROVED – Vote: Unanimous **Comprehensive Planning**

- 1 year to complete the permit and inspection process.
- Applicant is advised 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.

Public Works - Development Review

- Drainage study and compliance.

Fire Prevention Bureau

- No comment.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health Division at 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)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS: 4 cards

PROTESTS: 12 cards, 2 letters

PLANNING COMMISSION ACTION: June 20, 2023 – HELD – To 07/18/23 – per the Planning Commission.

PLANNING COMMISSION ACTION: July 18, 2023 – HELD – To 08/15/23 – per the applicant.

APPEAL: This item has been appealed by multiple neighbors who do not agree with the Planning Commission action and would like this item to be heard by the Board of County Commissioners.

APPLICANT: CHARLES CREIGH

CONTACT: JESSICA FLORES, POGGEMEYER DESIGN GROUP, INC., 6960 SMOKE RANCH ROAD, SUITE 110, LAS VEGAS, NV 89128