

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0567-CHIPCLAN FAMILY TRUST & CHIPMAN, THOMAS L. & TYE A. TRS:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks in conjunction with a proposed single-family residence on 0.55 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the east side of Tomsik Street, 190 feet north of Camero Avenue within Enterprise. JJ/mh/kh (For possible action)

RELATED INFORMATION:

APN:

176-16-201-069

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the front setback for a proposed single-family residence to 27 feet where 40 feet is required per Section 30.02.04B (a 33% reduction).
- b. Reduce the interior side setback for a proposed single-family residence to 5 feet where 10 feet is required per Section 30.02.04B (a 50% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.55
- Project Type: Single-family residence

Site Plan & Request

The plans depict a proposed single-family residence accessed via Tomsik Street to the west. The applicant is requesting to reduce the front setback to 27 feet, and to reduce the interior side setback along the south property line to 5 feet. The site is planned for a custom single-family residence, so there are no floor plans or elevations at this time.

Landscaping

A waiver of development standards (WS-23-0799) was approved in January 2024 to waive the requirement for detached sidewalks and street landscaping along the subject site. There are no proposed changes to landscaping associated with this application.

Applicant's Justification

The applicant states that the residences in the surrounding area feature similar front setbacks to what is being requested, including the residences across the street from the subject site. The setback reduction will therefore ensure consistency and maintain the aesthetic integrity of the area. The neighbor to the south has expressed no concerns regarding the interior side setback reduction, and a letter of support has been provided.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-23-0800	Vacated and abandoned patent easements	Approved by PC	January 2024
WS-23-0799	Eliminated street landscaping and detached sidewalks	Approved by PC	January 2024
ZC-1026-05	Reclassified approximately 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	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.

While staff understands that some existing residences in the area do not meet the 40 front setback requirement established in Title 30, these residences are located on a private street (Waverton Court), while the subject site is on a public street (Tomsik Street). Staff finds that the properties on the north and south sides of the subject site both meet the 40 foot setback requirement, as do others in the area that are located on public streets. Staff is unaware of any waivers for reduced front setbacks that have been approved in the immediate vicinity. Therefore, reducing the front setback for this property would be inconsistent with these adjacent developments, affecting the rural character of the neighborhood. Staff finds that the parcel map for the subject site was

recorded in July 2024, and that the lot is large enough to accommodate a single-family residence that meets the required setbacks. Staff understands that the neighbor to the south has no objection to the interior side setback reduction, however, staff finds that the request is premature since there are no plans for the residence at this time, and this setback reduction would also be incompatible with surrounding development patterns. Lastly, the applicant has not provided any mitigating measures that would reduce the potential negative impacts. For these reasons, 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

- Comply with approved drainage study PW23-15686.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #9946-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: TOM CHIPMAN

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