

10/08/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0593-KIM MICHELLE KYUNG IN:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase hardscape area; and **2)** driveway geometrics in conjunction with an existing single-family residence on 0.12 acres in an RS3.3 (Residential Single-Family 3.3) Zone in the Airport Environs (AE-60) Overlay.

Generally located north of Cressida Court and west of Montessori Street within Spring Valley.  
MN/nai/kh (For possible action)

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RELATED INFORMATION:

**APN:**

163-34-610-051

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase hardscape within the front and side yards to 76% where 60% is the maximum allowed per Section 30.04.01.D (a 27% increase).
2. Eliminate distance from the driveway to property line where 6 feet is the minimum distance per Uniform Standard Drawing 222 (a 100% reduction).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 7176 Cressida Court
- Site Acreage: 0.12
- Project Type: Hardscape
- Building Height (feet): 24 (primary residence)
- Square Feet: 2,088 (primary residence)

Site Plans

The plans depict an existing single-family residence on 0.12 acres. Access to the site is along the south property line adjacent to Cressida Court. Along the side and rear property lines is a 5 foot 6 inch high boundary wall. The site plan also shows an access gate 38 feet from the front property line. There is also a shade structure in the center of the rear yard. Along the south and east property lines, the property has been hardscaped with concrete. The applicant is requesting to increase the 60% maximum hardscape area along the front and side yards to be 76% where a maximum of 60% is allowed.

### Landscaping

In the side yard, along the west property line, there is 7 foot 6 inch wide landscape area that extends from the front of the property to the rear edge of the house. Pictures depict this space is all gravel, without any plants.

In the rear yard, along the north property line, there is an existing 11 foot wide landscape strip. Pictures depict there are existing deciduous and pine trees.

### Elevations

Photos depict there is an existing boundary wall along the north, west, and east property lines. The wall is made from concrete blocks that have a brown-red color and is 5 feet and 6 inches high.

Photos also depict there is an existing access gate that is 5 feet and 8 inches high and made out of black metal.

### Applicant's Justification

The applicant used to have desert landscaping along the front and side yard of the house. Unfortunately, maintaining the landscaping was very difficult. After receiving the approval from the home association, the applicant installed concrete to replace the landscaping area. The applicant was not aware of the Clark County Title 30 regulation, which is to have a maximum 60% of hardscape within the front and side yards.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-1238-99	Vacated and abandoned patent easements	Withdrawn	August 1999
TM-0238-98	Single-family subdivision	Approved by PC	November 1998
ZC-1054-98 (WC-0367-98)	Waiver of conditions for a zone change and use permit for compact lots	Approved by BCC	September 1998
ZC-1054-98	Reclassified 12.5 acres from R-E (Rural Estates Residential) (AE-65) zone to R-2 (Medium Density Residential) (AE-65) and use permit for compact lots	Approved by BCC	June 1998

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, South, East, & West	Mid-Intensity Neighborhood (up to 8 du/ac)	RS3.3 (AE-60)	Single-family residence

### **Clark County Public Response Office (CCPRO)**

CE24-31844 is an active code enforcement violation for installing hardscape over 60% within the front and side yards.

## **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**

##### Waivers 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.

##### Waiver of Development Standards #1

The Code limits hardscape not to exceed 60% to minimize the heat island effect and storm water run-off by reducing the area of impervious surfaces. The addition of landscaping within the front yard and/or side yard would help the property come closer to compliance with Title 30 and the goals of the Master Plan. The heat island effect is still prevalent in hard surfaces and the increase percentage of on-site hardscape is excessive. For these reasons, staff cannot support this request.

#### **Public Works - Development Review**

##### Waiver of Development Standards #2

Staff has no objection to the reduction in the distance from the driveway to the property line. The existing block wall creates separation from the adjacent property preventing a shared driveway and conflicts.

#### **Staff Recommendation**

Approval of waiver of development standards #2; denial of waiver of development standards #1.

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**

- Off-site permit will be required;
- Applicant to install a second curb cut along Cressida Court not within 6 feet of the above ground electrical transfer box per Uniform Standard Drawing 222.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

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

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** MICHELLE KIM

**CONTACT:** MICHELLE KIM, 567 E. FASHION CREEK COURT, MURRAY, UT 84107